LEGISLATIVE COUNCIL

Tuesday, February 21, 1978

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

PERSONAL EXPLANATION: PRESS REPORT

The Hon. C. M. HILL: I ask leave of the Council to make a personal explanation.

Leave granted.

The Hon. C. M. HILL: I feel that there is a need to make this personal explanation, because of the damage already done to my character, due to the printing in the *Advertiser* on Friday last of the matter raised by the Hon. Mr. Dunford in this Council last Thursday, without that newspaper's seeking my explanation for publication at the same time. Also, although told of my explanation on Friday last, the *Advertiser* failed to print it on Saturday, which second omission further exposed, in my view, journalism and newspaper ethics of a very poor standard.

There was a clear inference in the Hon. Mr. Dunford's question and in the *Advertiser* report that I, as a member of Parliament, had confidential knowledge that company office fees were to be increased, that this was unknown to the press, and that, therefore, I lodged my returns, and gained an advantage, which would not be available to the general public.

The regulation to increase these fees was published in the *Government Gazette* on October 27. The *Gazette* is public property. Also, on October 27 the *News* reported the various increased fees, stating, "lodging of annual reports have also been raised for the first time since 1971."

On October 28 the *Advertiser* reported the matter, as follows:

> Mr. Duncan also said fees under the South Australian Companies Act had been revised.

Therefore, I, as well as other interested people such as accountants and others involved in company activity, knew that fees were to be increased. Naturally, I hastened to complete and lodge the returns of my private family companies. Two such returns were lodged on December 8, and after Parliament adjourned on December 13, I lodged a further nine returns on December 14. I categorically deny any impropriety at all in this matter.

PERSONAL EXPLANATION: ADELAIDE UNIVERSITY BILL

The Hon. JESSIE COOPER: I seek leave to make a personal explanation.

Leave granted.

The Hon. JESSIE COOPER: During the debate on the University of Adelaide Act Amendment Bill last Thursday the Hon. Mr. Sumner made the following interjection:

> Mrs. Cooper's son was one of them.

During his speech the Hon. Mr. Sumner also stated:

> I do not know the names of all of them, but I understand that one has the name of Cooper, and one may be able to draw his own conclusions as to the relationship between him and a member of the Council.

I wish to tell the Council that the Cooper mentioned is not my son. In fact, I had no son at the university during 1977.

The Hon. C. J. SUMNER: I seek leave to make a personal explanation.

Leave granted.

The Hon. C. J. SUMNER: I apologise to the Hon. Mrs. Cooper for any embarrassment that I may have caused to her by what was apparently my wrongful accusation. However, during the course of an interchange between the Hon. Mr. Hill and myself, the Hon. Mr. Hill, I think, replied, and it was unfortunately not recorded in *Hansard,* that it was the honourable member's nephew.

I said, "Oh! Well, I am sorry if I was misinformed." Be that as it may, I understood that the matter had been cleared up during the interchange between the Hon. Mr. Hill and myself, but the way in which it has been recorded in *Hansard* does not accurately reflect the full discussion. Certainly I made the interjection initially and, if there has been any misunderstanding, I apologise to the honourable member for any embarrassment I may have caused.

QUESTIONS

PRESIDENT'S RULINGS

The Hon. N. K. FOSTER: I seek leave to make a short statement before asking a question of you, Mr. President, about rulings.

The PRESIDENT: Any particular rulings?

The Hon. N. K. FOSTER: Yes; *sub judice* rulings.

The PRESIDENT: Is leave granted? Leave is granted.

The Hon. M. B. Cameron: It's Tuesday again.

The Hon. N. K. FOSTER: You ought to—

The PRESIDENT: Order!

The Hon. N. K. FOSTER: Will you, Mr. President, shut members up, so that I can address you properly?

The PRESIDENT: I wish the honourable member would ignore interjections. They are out of order, and the honourable member only gets further out of order by replying to them.

The Hon. N. K. FOSTER: If you were defending me on a jay-walking charge, would you say that, if I had walked across the street at an angle of 45 degrees, I had not jay-walked? Has leave been granted?

The PRESIDENT: Yes.

The Hon. N. K. FOSTER: Good. Thank you. I received the following letter in my box; it was put there perhaps by the Hon. Mr. Burdett. I will read it, so that there can be no confusion about its contents, and I will then ask an appropriate question of you, Mr. President. The letter is headed "Alexandra Electors' Association (for the restoration of decentralised and responsible Government)". Mr. Hill is laughing already. The letter states:

Chairman:
Mr. Glen Dyer,
McLaren Flat 5171

Secretary;
Mrs. A. M. McMurtrie,
Box 23, McLaren Vale 5171
February 20, 1978

Dear Mr. Foster,

Re the Salisbury Dismissal

> At a public meeting sponsored by this association in McLaren Vale on February 2, 1978, an estimated crowd of 280 unanimously supported a motion endorsing the content of the enclosed electors' letter calling for a Royal Commission with specific terms of reference.

May I hold aloft a petition which I ought to have presented to this Council but which does not contain one signature? But this letter says that 280 people unanimously made a decision; yet they gave me this petition with nothing on it. The letter continues:

> With the confusion and debate in Parliament over the call for a Royal Commission and other inquiries, many electors probably saw little merit in signing more petitions or letters such as the one enclosed. However, in two weeks we gathered 460 signatures which have been presented to Mr. Ted Chapman in the Assembly. On behalf of the signatories, I would draw your attention to the specific terms of reference

requested in the letter calling for a Royal Commission and ask you to do all in your power to have the announced terms widened to include these. Should you fail in this, will you then direct your support for the Legislative Council Select Committee of Inquiry and attempt to have it incorporate these terms of reference?

This association has undertaken to report any progress on this matter to signatories and our members: therefore, we in turn ask you for a report of your actions, please.

Assuring you of support in these matters.

Yours sincerely,

K. W. GRUNDY, Publicity Officer

I will not support this League of Rights organisation in any way, shape or form. I draw your attention to—

Members interjecting:

The PRESIDENT: Order! Will the Hon. Mr. Blevins keep quiet? I cannot hear the Hon. Mr. Foster.

The Hon. N. K. FOSTER: That is a strange thing to say. The letter that arrived was dated February 20, but I return to my question. Last week, Mr. President, you did not think your position in this Chamber was abused by Mr. DeGaris and other members of the Opposition stating publicly and continually for a number of days prior to Parliament's resuming its sittings early in February that you would head a Royal Commission and would be the Royal Commissioner. That is an instance of your failure to answer that question, and I note in *Hansard* the comments you made, but will you please inform the Assembly member whose name appears on this document (and, indeed, members of the Opposition) whether in your opinion any further discussion or any further correspondence on this matter by politicians is not in order, having in mind the *sub judice* rule?

The PRESIDENT: I do not think the *sub judice* rule has anything to do with correspondence with members of Parliament. Nobody in this Chair can stop members of the community writing to their members of Parliament in either House about any particular matter. The only thing I am concerned about is anything within the confines of this Chamber that impinges upon the inquiry being conducted by the Royal Commission; that is the limit of my authority.

The Hon. N. K. FOSTER: I should like to ask a supplementary question. I take it you are not prepared to direct a sort of bushman's ruling that I cannot be held to be irresponsible by this Alexandra Electors' Association for failing to carry out a paragraph of this letter which almost directs me to continue my support of this Council. So I take it you ought to rule that such correspondence cannot be continued or carried out in this Chamber on this matter because of the *sub judice* rule.

The PRESIDENT: I do not propose to rule or instruct members of the Chamber how they should reply to letters they receive. That is entirely a matter for them.

The Hon. N. K. FOSTER: Would I or any other members of this Council, now that the Commission is sitting, be out of order in referring to any matter concerned with the Salisbury affair generally?

The PRESIDENT: Yes, while that Commission is sitting.

The Hon. N. K. FOSTER: Thank you; I have at least got that one.

The Hon. J. C. BURDETT: I did not place the document to which the Hon. Mr. Foster has referred in his box; I have not seen it at all.

The Hon. N. K. FOSTER: But you attended the meeting. On a point of order, Mr. President, let me say to the honourable member, who says he has not seen it, that it was a public meeting, and he was at the meeting. He is telling lies.

The PRESIDENT: Order! The honourable member can make a statement later.

The Hon. N. K. Foster: But he was there.

The Hon. J. C. BURDETT: The document which he held up and to which he referred was a letter addressed to him.

The Hon. N. K. Foster: But you were at the meeting.

The Hon. J. C. BURDETT: I went to a meeting. I have not seen the letter to which the Hon. Mr. Foster has referred and which he held up. I had not seen it until he held it up. I did not place it in his box; I have not seen it. I had no knowledge of it; this is the first I have heard of it. I do not know why my name was included in the question, and I object to his referring to my name. I have no knowledge of that letter being written. There is nothing wrong with it; nobody should be ashamed of it, but I have no knowledge of it.

The Hon. N. K. FOSTER: I seek leave to make a statement before asking the Hon. Mr. Burdett a question.

The Hon. C. M. Hill: This shows the kind of character assassination that you fellows are involved in.

Members interjecting:

The PRESIDENT: Order! I remind the Hon. Mr. Hill that interjections are out of order.

The Hon. D. H. L. Banfield: I should think so.

The PRESIDENT: I think we might move on to a more sedate question.

The Hon. N. K. Foster: What have you done with my question, Mr. President?

The PRESIDENT: Order! The honourable member asked for leave to make a statement before asking a question and, as far as I can see, I do not think the question that he intends to ask is at all—

The Hon. N. K. Foster: Are you a mind reader now?

The PRESIDENT: The honourable member made clear that he wanted to ask the Hon. Mr. Burdett a question about the statement that he, the Hon. Mr. Burdett, had just made. I will think about the matter while the Hon. Mr. Whyte, on whom I now call, asks his question.

COAL MINING

The Hon. A. M. WHYTE: I seek leave to make a statement before asking the Minister of Agriculture, representing the Minister of Mines and Energy, a question.

Leave granted.

The Hon. A. M. WHYTE: A most interesting report on the front page of the *Sunday Mail* suggested that the presence of a significant quantity of coal had been established about 18 kilometres west of Lock. Although there is nothing new about the discovery of coal in that area (I think it was discovered there just before the turn of the century), I was surprised to learn from this report that the Japanese company, Mitsubishi, was interested in this find, considering the quality of South Australian coal. I was even more interested in the suggestion that testing for the coal has shown that the quality of water in the area is more salty than sea-water. Most of the testing has been conducted in an area near the Polda Basin, which supplies the greater quantity of water to Eyre Peninsula. Will the Minister ascertain from his colleague the exact situation regarding this salt water in relation to the Polda Basin and, if coal is mined in any quantity, what effect it will have on the water supply from the Polda Basin?

The Hon. B. A. CHATTERTON: The Minister of Mines and Energy issued a statement referring to much of what was contained in the *Sunday Mail* report. That statement was published very much in the back pages of Monday's *Advertiser.*

The Hon. A. M. Whyte: I read the article, but it had nothing to do with water.

The Hon. B. A. CHATTERTON: As the honourable member has raised some other questions as well as those referred to in the Minister's statement, I will obtain a reply for him as soon as possible.

PRESIDENT'S RULINGS

The PRESIDENT: I have considered the matter relating to the Hon. Mr. Foster and, as the Hon. Mr. Burdett made a personal statement to the Council, I will allow the Hon. Mr. Foster to ask him a question relative to that personal statement only.

The Hon. N. K. FOSTER: You've done me in, mate. I was not going to ask him a question about that at all. May I give you a bit of advice, Mr. President? As a Chairman of old, I tell you that you should not presuppose when you are in the Chair. I did not want to ask the Hon. Mr. Burdett a question about his League of Rights in Morphett Vale or in Alexandra District, where they hang out: I wanted to ask him another question.

The PRESIDENT: About what subject matter?

The Hon. N. K. FOSTER: Freedom of the press.

The PRESIDENT: Has the honourable member leave to explain his question?

The Hon. A. M. Whyte: No.

The Hon. N. K. FOSTER: I do not want leave. I will yell out "No". I am not a vindictive person. The question—

The PRESIDENT: Leave has been refused for a statement. Will the honourable member please ask his question?

The Hon. N. K. FOSTER: I wish you would keep quiet. Then I could ask it. I ask the Hon. Mr. Burdett whether he considers that the statement made in the Council a few moments ago by the Hon. Mr. Hill against the Adelaide *Advertiser* infringes the freedom of the press.

The PRESIDENT: I rule that the Hon. Mr. Burdett is not obliged to answer that question.

DROUGHT

The Hon. F. T. BLEVINS: I seek leave to make a short statement prior to asking a question of the Minister of Agriculture about the drought.

Leave granted.

The Hon. F. T. BLEVINS: I mentioned in the Council last week that the shadow Minister for Primary Industry in the Federal sphere, our Federal Leader, and I had made a tour of Eyre Peninsula by air and road and had seen the terrible effects of drought in that area.

The Hon. J. C. Burdett: We have heard this previously.

The Hon. F. T. BLEVINS: You are going to hear it again.

The PRESIDENT: Order! Interjections are out or order. Will the Hon. Mr. Burdett please keep quiet. The Hon. Mr. Blevins should be heard in silence, as everyone else should be at Question Time. I am waiting for that day to arrive.

The Hon. F. T. BLEVINS: I thank you for your protection. I need it. It is a vicious attack, once again. The drought on Eyre Peninsula continues. Members opposite on occasions seem to think that it is a matter for some levity, but I do not. One has only to see the effects of the drought and to speak to the people concerned and their wives to know that it is obvious that severe problems beyond farming problems arise. Much distress is being caused to people in that area and cries have gone out to members of Parliament, the departments, and the Minister, not only from individuals but also from organisations representing them. Will the Minister tell the Council the current situation regarding drought relief measures on the West Coast in particular, and whether there is any hope of household support being granted if some farmers require it?

The Hon. B. A. CHATTERTON: The figures for carry-on loans for drought assistance in the Eyre Peninsula region certainly confirm that that part of the State is by far the worst part affected in terms of severity of the drought. In fact, we have so far approved 284 applications for carry-on assistance, which represents 66·8 per cent of all applications that have been approved.

The Hon. R. A. Geddes: Were those 284 applications from Eyre Peninsula?

The Hon. B. A. CHATTERTON: Yes, and they represent 66·8 per cent of all the applications that have been approved for the whole State. The same sorts of figures appear regarding the amount of money approved for the region and the amount of money advanced. The Eyre Peninsula region has received approvals amounting to $4 967 064, which is 67·4 per cent of the amount of money that has been approved in loans for the whole State, and the figure is similar regarding the amount advanced. The amount that has been advanced on the amount that has been approved for farmers in that region is $2 167 262, which is 74·2 per cent of the total amount that has been advanced for the whole State. As for the calls for extra help over and above the carry-on loans, household support grants already are available to farmers under the Rural Adjustment Act, in co-operation with the Commonwealth. These amounts are made available to farmers who are considered to be non-viable and who decide to adjust out of farming.

Such household support is paid for up to two years to enable the farm family to carry on until their future arrangements are made. This support is converted to a grant when they leave their farm. However, if they decide at the end of this time to stay on in farming, the total paid out in household support is regarded as a loan and is repayable to the lending authority. To date, no applications have been received in this State.

The Hon. R. A. Geddes: What interest rate applies?

The Hon. B. A. CHATTERTON: No interest rate applies. There is a conversion to a grant at the end of two years if people get out of farming.

The Hon. R. A. Geddes: What about if they stay in farming?

The Hon. B. A. CHATTERTON: It is then converted to a loan, but I am not aware of what interest rate applies. I can ascertain that for the honourable member. Also, there has been a scheme advanced regarding an acreage subsidy for farmers affected by drought, and this submission is currently being examined by the Agriculture and Fisheries Department.

INDUSTRIAL DEMOCRACY

The Hon. R. C. DeGARIS: I seek leave to make a brief explanation prior to directing a question to the Minister of Health, as Leader of the Government in this Chamber, on industrial democracy.

Leave granted.

The Hon. R. C. DeGARIS: In this morning's *Advertiser* there is an outline of the Premier's views on industrial democracy in the private sector.

The Hon. F. T. Blevins: Is that the same paper to which the Hon. Mr. Hill referred as being so—

The PRESIDENT: Order! The Hon. Mr. Blevins, interjections are out of order.

The Hon. R. C. DeGARIS: I have read the Premier's utterances on the subject of industrial democracy, not only those utterances made in South Australia but also those made overseas. If the public is as confused as I am regarding the Government's future intentions, then there must be much confusion in the community about exactly what the Government intends regarding industrial democracy. In this morning's press release the Premier, amongst other things, states:

> Simply by pluralising the word "officer" we could open up the opportunity for meaningful industrial democracy situations and semi-autonomous work groups to develop.

I give this example as one reason for my confusion and doubtless the confusion that must exist in the public's mind. I ask the Minister to ask the Premier to make a clear and concise statement on the Government's policy in this area.

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

JOB APPLICATION

The Hon. N. K. FOSTER: I seek leave to make a statement before directing a question to the Minister of Health regarding employment with Actil Ltd.

Leave granted.

The Hon. N. K. FOSTER: The application form to which I refer is somewhat dated; I believe it goes back to about August, 1977. The Actil Ltd. memo is as follows:

MEMO

See Distribution List — From: Personnel Manager

Revised Application Form — 9-8-77

Please find attached for your information a copy of the revised Employment Application Form. Due to current legislation in this State which tends to favour the employee it has become necessary for us to tighten up our recruitment methods. Where possible the undernoted system of recruiting employees will be followed:

(1) Potential employee will complete application form.

(2) Application form to be sighted by the Personnel Officer who will decide whether application is to be considered further.

(3) If the application warrants further consideration, applicant to be sent to the Health Centre for medical examination, etc. During the time that the applicant is at the Health Centre the Personnel Officer will carry out, if possible, previous employment checks.

(4) Subject to satisfactory medical and employment checks, the applicant will then be interviewed by the Personnel Officer and presented to the department or section requiring labour for their approval.

(5) All final selections of potential employees must be made by the department or section concerned on the facts placed before them. At no time will the Personnel Department make this final selection.

ACTIL LIMITED

Application for Employment

Personal Particulars

(i) Name in Full .....

(ii) Address .....

(iii) Date of Birth ..... Place of Birth .....

(iv) Marital Status ..... Nationality .....

(v) Dependants/Children .....

Name in Full	Relationship	Birth Date	Present Place of Residence	State Whether Wholly Maintained or Partial Dependant

(vi) Previous employers in the last three years .....

Name	Address	Employed From/To	Nature of Work	Reason for Leaving

(vii) Medical History:

NOTE CAREFULLY: the Workmen's Compensation Act, 1971, provides that in the case of an industrial disease contracted by a gradual process, COMPENSATION SHALL NOT BE PAYABLE, if the workman wilfully and falsely represents himself as not having previously suffered in respect of that disease. As the definition of "disease" includes both physical and mental condition and as coronary artery (heart) diseases, degenerative or weak back or neck conditions, hearing loss, and skin disorders may be "Industrial Diseases", under the Act it is important that a FULL DISCLOSURE of all previous medical history be made in answer to the following questions.

IF YOUR ANSWERS ARE FALSE YOU WILL NOT BE PAID COMPENSATION, if your employment causes any aggravation, acceleration, exacerbation, deterioration or recurrence of your previous condition.

(a) What is you present and general state of health?.....

(b) Do you now or have you ever suffered any injury or strain to your back or neck?

Yes/No

If Yes, give full details .....

(c) Do you now or have you ever suffered an illness, weakness or disease of the heart or arteries? Yes/No

If Yes, give full details .....

(d) Do you now or have you ever suffered from dermatitis or any other skin disorder?

Yes/No

If Yes, give full details .....

(e) Have you ever worked in processes or industries which exposed you to noise? Yes/No

If Yes, give full details

Employer	Address	Employed From/To	Nature of Work and Noise Exposure
.....			

(f) Do you suffer any impairment or loss of hearing? Yes/No

(g) Have you ever received Workmen's Compensation for injury or disease? Yes/No

If Yes, please supply the following information.

Date of Injury, Disease	Name of Employer	Period of Disablement	Was a Lump Sum Payment made	Nature of Injury, Disease
.....				
.....				
.....				

(h) Do you suffer any disability or impairment of function in your—

(1) arms (4) feet or toes (7) speech
(2) hands or fingers (5) back (8) taste or smell
(3) legs (6) eyesight (9) lungs

(i) Do you suffer any severe body or facial scarring or disfigurement? Yes/No

(j) Do you now or have you ever suffered any physical or mental injury disease ailment disorder or condition (other than already disclosed above)? Yes/No

If Yes, give full details .....

(k) Have you ever suffered a hernia? Yes/No

If Yes, give full details .....

I ACKNOWLEDGE AND DECLARE that the above particulars are complete and strictly correct in all respects and that I fully understand that if my answers above do not disclose a physical or mental condition from which I have previously suffered, I will if that condition is an industrial disease, be disqualified from receiving compensation under the Workman's Compensation Act 1971 (as amended fron time to time) in respect of any aggravation, acceleration, exacerbation, deterioration or recurrence of such condition. I agree that it is a condition of my employment that I will at any time upon request by an officer of the Company, open and disclose the contents of any bag, package, or parcel in my control or possession, when entering or leaving or while on the premises of Actil Limited.

I further agree to be medically examined at any time by the Company's Medical Officer.

Signed..... Date .....

Interview Notes: .....

Health Centre report:
Height.....
Weight.....
Eye/Colour Blindness Test.....
Hearing Test.....
.....
.....
.....
.....

Office Use Only
.....
.....
.....
.....

Medical History

Important: False information given deliberately for the purpose of concealing any disability could render the applicant liable to dismissal.

1. NAME:.....
2. ADDRESS:.....
3. COUNTRY OF BIRTH:.....
4. DATE OF BIRTH:.....

Answer YES or NO to the following:—
Have you ever been admitted to Hospital?.....
Reason.....
.....

Have you ever had any of the following:—

	Yes	No	Remarks
Heart Trouble	☐	☐	
Abnormal Blood Pressure	☐	☐	
Varicose Veins	☐	☐	
Asthma	☐	☐	
Allergies or Sinus Trouble	☐	☐	
Diabetes	☐	☐	
Neurosis or any Nervous Condition	☐	☐	
Epilepsy, Fits or Blackouts	☐	☐	
Cut Nerves or Tendon	☐	☐	
Muscular Injuries	☐	☐	
Bone or Joint Injuries	☐	☐	
Spinal Disability	☐	☐	
Kidney Trouble	☐	☐	
Arthritis or Allied Complaints	☐	☐	
Frequent Headaches	☐	☐	
Skin Complaints	☐	☐	
Pneumonia-Bronchitis or Chest Trouble	☐	☐	
Any Other	☐	☐	

The Hon. C. M. Hill: Question!

The PRESIDENT: "Question" has been called.

The Hon. N. K. FOSTER: Is the Minister aware that this document insists that such an examination as I have outlined is required? A woman must state whether she is pregnant or is likely to be pregnant, when she had her last period and when her next one is due. The only question not asked is whether she had copulated the night before. This is a disgraceful document, and I ask that its propriety be questioned and that the matter be referred to the Attorney-General for consideration.

The Hon. D. H. L. BANFIELD: I shall refer the matter to my colleague.

SPECIAL BRANCH

The Hon. M. B. DAWKINS: Has the Minister of Health a reply to my question of February 7 regarding the Special Branch?

The Hon. D. H. L. BANFIELD: It would not be properto canvass issues comprehended by or related to the terms of reference of the Royal Commission during the life of the Commission.

The Hon. R. A. GEDDES: Has the Minister of Health a reply to my recent question concerning the Special Branch?

The Hon. D. H. L. BANFIELD: It would not be proper to canvass issues comprehended by or related to the terms of reference of the Royal Commission during the life of the Commission.

ART GALLERY BOARD

The Hon. J. A. CARNIE: I seek leave to make a brief explanation before directing a question to the Minister of Health, representing the Premier, concerning the Art Gallery Board.

The Hon. N. K. Foster: No.

The PRESIDENT: As there is a dissenting voice, the honourable member must ask his question.

The Hon. J. A. CARNIE: Did the Minister see the report by David Dolan in Saturday's *Advertiser* concerning the Board of Trustees of the South Australian Art Gallery? It is stated that two trustees, Dr. Earle Hackett and the Rev. Owen Farrell retired from the board and were replaced by Dr. Wilfred Prest and, in an unprecedented move, by the Director of the gallery, Mr. Davis Thomas. The report continues:

> The Government claims that putting the director on the board of trustees is a move towards industrial democracy. But as he already attended board meetings, such an interpretation is hard to defend, except that the director now has a vote. . .
>
> Public representation on the board has effectively been decreased. Instead of seven trustees plus the director, it is now six and him.

Gallery trustees are appointed by the Premier, as Minister responsible for the arts. There is no formal consultation with the art community. The article continues:

> The Government is known to be planning alterations to the Art Gallery Act, to allow a member of staff to join the board, in the name of industrial democracy.

There are 2 000 Friends of the Gallery, who have no representative on the Board of Trustees of the Art Gallery. Is the article correct in stating that the Government is planning alterations to the Art Gallery Act to allow a member of staff to join the board and, if so, when does the Government plan to introduce such legislation? Will the Government consider further amending the Act to allow the Friends of the Gallery to elect a member to the board?

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

DROUGHT

The Hon. A. M. WHYTE: I am grateful that the Hon. Mr. Blevins was interested enough to accompany his Federal counterparts on a visit to drought-stricken areas. I hope more Labor politicians will do more of this type of visiting.

The Hon. F. T. Blevins: I do it constantly.

The Hon. A. M. WHYTE: The introduction of household sustenance is a new provision which has been requested for a considerable time. The Minister said there have been no applications. If he does not publicise the fact that this assistance is now available, no-one will know about it.

The Hon. B. A. CHATTERTON: The point I was making in answering the question of the Hon. Mr. Blevins was that the household support scheme was available. I think it has been available since January 1, 1977, as part of the rural adjustment programme. The request made by Eyre Peninsula farmers seemed to revolve around grants to farmers based on acreage—a different concept from the one mentioned here. There has also been some discussion, I think in the Federal sphere, about a household support scheme—

The Hon. A. M. Whyte: Is this a rural reconstruction scheme?

The Hon. B. A. CHATTERTON: This is a household support scheme available to farmers since January 1, 1977, under the rural adjustment scheme. It was important to make that point. Some farmers do not seem to be aware of that. We have not had any applications in South Australia under that scheme.

GRAPEGROWING INDUSTRY

The Hon. J. R. CORNWALL: I seek leave to make a short statement before asking a question of the Minister of Agriculture about the grape surplus.

Leave granted.

The Hon. J. R. CORNWALL: The pending grape surplus in South Australia is causing great fears among grapegrowers in this State, and I have noticed in reports from grapegrowing areas lately that growers are preparing submissions to Government based on "self-help" measures; for instance, a moratorium on wine grape plantings for a year to assess the over-production problem, and the raising of a levy on all wine grape production to establish a compensation fund for growers disadvantaged by the present and any future surplus crisis. Will the Minister tell the Council what the prospects are for either or both of these measures succeeding in alleviating the present situation?

The Hon. B. A. CHATTERTON: Wine-grape growers are being severely distressed by the current situation of over-supply in the industry. However, while they are showing a responsible approach to the problem, that is more than I can say for the Federal Government, which has continued to ignore advice from the industry and such organisations as T.A.A., all of which have made clear to the Federal Government that there must be a restructuring of import duties and quotas to remove the present competitive advantage from imported wine and spirit and thus restore demand for domestic wine and brandy. This action alone will restore a proper balance to the Australian wine industry. For some strange reason the Federal Government steadfastly refuses to take any steps in this direction apart from a minimal import quota on brandy that has been on and off for several months and does nothing to inhibit the flood of imported whisky.

This growth of demand for imported whisky is continuing to diminish the Australian brandy market with devastating effects on wine-grape growers in this State. Had the Federal Government recognised its responsibility to Australian wine-grape growers, winemakers, and all those employees whose livelihood is threatened by imported wines and spirits, there would be no surplus of the magnitude we are seeing this year. However, in the face of the continuing refusal of the Federal Government to act, the growers are, as the honourable member said, showing an admirable attitude of "self-help" in putting their resolutions forward, and I will take these resolutions to the Federal Government on their behalf.

I would, however, sound a warning about both measures. First, with regard to the question of a moratorium on plantings for one year the problem is not just to avoid further plantings. Certainly that is a desirable move and will have to be achieved eventually, but our current problem (apart from the taxation-caused imbalance in supply/demand) is that plantings already in the ground and due to come into production over the next three years or so will increase tonnages quite significantly. For instance, in South Australia alone we have 3 132 hectares of new vines due to come into production from plantings made since just before 1976.

These will have to be absorbed by the industry within two years to five years. An example of how restriction on area alone is relatively useless is that in 1977 South Australian growers intended to grub out 732 ha of vines. However, this 732 ha represents relatively low yields, as one would expect that growers removed these vines because they had ceased to yield economic tonnages. About 745 ha was developed with new vines.

So, while these new plantings in terms of area resulted only in a net increase of 13 ha planted, the increase in production of the new vines will be far and away in excess of the production of the vines being presently removed. There are other factors involved in a moratorium on plantings, not the least being that any restrictions will need to be legislated for in all wine-grape growing States —Western Australia, Victoria and New South Wales, as well as South Australia.

If this is not done, any restrictions in this State will be well and truly compensated for in other States. Frankly, I can see restrictions on plantings being effective only if they are related to variety and production and if restrictions are so placed on the issue of water licences as well. There is little doubt in my mind that such restrictions will be necessary in future, and I support the wine-grape growers in their attempts to explore this matter.

As to a levy on production for the compensation of victims of surplus production, this is also an excellent example of grower "self-help", and I will also take this matter up with the Federal Government on behalf of the growers. However, I want to make clear that the raising of such a levy is the responsibility of the Federal Government and that it is unconstitutional for the State Government to take such action.

PENSIONERS

The Hon. C. M. HILL: Can the Minister of Health say whether the Government provides any financial assistance to age pensioners from the country who must travel to the city to receive dental care at the dental clinic of the Royal Adelaide Hospital? If financial assistance is not given to such people, will the Minister examine the matter to see whether some compensation can be given to them, because of the extreme financial burden that some of them encounter in having to go to the city from their country homes?

The Hon. D. H. L. BANFIELD: Pensioners going to Royal Adelaide Hospital and other public hospitals receive financial assistance in connection with any necessary travelling. I assume that the same applies to the dental clinic, but I will inquire about the matter.

DUCK SHOOTING

The Hon. R. C. DeGARIS: I seek leave to make a brief explanation prior to directing a question to the Minister representing the Minister for the Environment.

Leave granted.

The Hon. R. C. DeGARIS: I think it comes under—

The Hon. N. K. Foster: Question!

The PRESIDENT: "Question" has been called.

The Hon. R. C. DeGARIS: My questions are: has the Government received any complaint from field and game enthusiasts in the South-East that four days before the opening of the duck season the Coorong Game Reserve was closed to shooters? I am informed that a number of shooters have been apprehended, most of them not realising that the Minister had closed the area. Will the Minister also ascertain whether the matters as related to me are accurate? Will he also inquire of his colleague the reasons for the closure of the Coorong to duck shooters and ascertain why the closure was delayed until a few days before the opening of the duck season?

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

ABORIGINAL EDUCATION

The Hon. J. A. CARNIE: Has the Minister of Health a reply to a question I asked recently about Aboriginal education?

The Hon. D. H. L. BANFIELD: The Minister of Education has advised me that his department has written to Mr. Varcoe assuring him that departmental support will be available should the Point Pearce community seek to proceed with Mr. Varcoe's suggestions. The types of assistance available are in the areas of staffing and equipment and, despite financial difficulties this year, funds could be sought for 1978-79. Previous departmental experience has been that local involvement and support is essential for any such concept to succeed and at this stage there is no firm indication of the existence of such local support.

CITIZENS' RIGHTS

The Hon. A. M. WHYTE: I seek leave to make an explanation before asking the Minister representing the Attorney-General a question about citizens' rights.

Leave granted.

The Hon. A. M. WHYTE: An article appearing in last weekend's *Sunday Mail* was attributed to "South Australia's most outspoken columnist, Max Harris"; it states:

> We are concerned about our rights of privacy. Are we indeed? On Tuesday night in Victoria the *Willesee at Seven* TV programme engaged in an astounding entrapment procedure (which is illegal even for the police in the United States). A female pretended to be a job applicant, entered the office of a private individual equipped with a bugging device, namely a concealed transistor microphone, recorded the conversation, and it was put to air nation-wide.

In another part of the article, Mr. Harris states:

> A slightly different example occurred on Wednesday with *This Day Tonight*. Interviewer and blazing camera entered the private office area of a supermarket at Morphett Vale and there they proceeded to film the manager without his permission—either to enter the private premises or to film.

From both those accounts, it is disturbing, with all the steps we have taken to protect civilians' rights, to find this blatant contravention of provisions that I thought appeared in our Statutes. What rule is there in South Australia to protect the citizen against the invasion of his privacy by such acts of the media?

The Hon. T. M. CASEY: I will get a report for the honourable member.

AUDITOR-GENERAL'S REPORT

The Hon. R. C. DeGARIS: I seek leave to make a short explanation before asking the Minister representing the Attorney-General a question about the Auditor-General's Report.

Leave granted.

The Hon. R. C. DeGARIS: The Auditor-General's Report for 1975 contains considerable information in relation to guarantees by the Treasurer—

The Hon. N. K. Foster: Question!

The Hon. R. C. DeGARIS: I think it is hardly fair that the honourable member should say that when the Council has given me leave to make an explanation.

The Hon. N. K. Foster: I think he should remember

that. I am willing to withdraw my call if he is prepared to play the game.

The Hon. R. C. DeGARIS: I have not called "Question" on the honourable member today.

The Hon. N. K. Foster: Let's be thankful for small mercies; you can go to hell, too.

The PRESIDENT: Order!

The Hon. R. C. DeGARIS: I think the question is important.

The PRESIDENT: I will put the question again. If anybody objects at that point in time, he can do so, and leave will be refused. It is ridiculous to allow a member leave to make a statement and then call "Question"!

The Hon. N. K. Foster: Let's hope the message has got through.

The PRESIDENT: Has the Hon. Mr. DeGaris leave to make a statement before asking a question?

Leave granted.

The Hon. R. C. DeGARIS: The Auditor-General's Report in 1975 contains considerable information concerning guarantees given by the Treasurer, upon pages 40 to about 48. Those pages deal with the guarantees given to such bodies as the State Bank, the Savings Bank, the Electricity Trust, the Housing Trust—in fact, a list of some 29 bodies. I think that in the Auditor-General's Reports for 1976 and 1977 those matters are not included. As the current advances that have been given and guaranteed by the Treasurer are of interest to honourable members, will the Minister ascertain from the Premier the reason why these matters have been excluded, and take up with the Auditor-General the possibility of including them in future reports of the Auditor-General?

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

TELEPHONE LINK

The Hon. A. M. WHYTE: Has the Minister of Health an answer to a question I asked some days ago regarding a telephone link to police headquarters?

The Hon. D. H. L. BANFIELD: There is no direct telephone link between either the Premier's office or the Chief Secretary's office and the Police Department.

FIRE BRIGADES BOARD

The Hon. C. M. HILL: I seek leave to make a statement before directing a question to the Minister representing the Chief Secretary, about the Fire Brigades Board.

Leave granted.

The Hon. C. M. HILL: It has been brought to my notice that the Fire Brigade could play an important role in assisting with any unforeseen emergency or natural disaster. Has any consideration been given to the Fire Brigades Board widening its activities to include this kind of emergency service work? If the matter has not been considered, will the Minister undertake to look into this possibility?

The Hon. D. H. L. BANFIELD: I will take up this matter with the Chief Secretary.

WEST TERRACE CEMETERY

The Hon. C. M. HILL: I direct my question to the Minister representing the Minister of Works. What is the present stage of the Government's planning or work to improve the West Terrace Cemetery? Is every endeavour being made to contact relatives of deceased persons buried there, before headstones and other graveside furnishings are moved?

The Hon. T. M. CASEY: I will obtain a report from my colleague.

RURAL ASSISTANCE BRANCH

The Hon. M. B. DAWKINS (on notice):

1. Has the Minister inspected the inadequate and unsuitable quarters provided in Grenfell Centre for the Rural Assistance Branch and, if not, will he do so at the first opportunity?

2. As there is a need for a high level of confidentiality for interviewing and for separate rooms to be provided for this purpose, will the Minister take action to provide such accommodation as soon as possible for this branch of his department?

The Hon. B. A. CHATTERTON: The replies are as follows:

1. It is not considered that the accommodation provided for the Rural Assistance Branch is inadequate and unsuitable. The Minister has inspected the accommodation.

2. The need for confidentiality is recognised by the branch, and appropriate measures to improve the existing position are being planned. The provision of separate interviewing rooms is one option that is being considered.

LAND SETTLEMENT ACT AMENDMENT BILL

The Hon. T. M. CASEY (Minister of Lands) obtained leave and introduced a Bill for an Act to amend the Land Settlement Act, 1944-1974. Read a first time.

The Hon. T. M. CASEY: I move:

That this Bill be now read a second time.

This short Bill amends the Land Settlement Act to prevent its demise. Under section 2a, the principal Act is expressed to expire on December 31, 1977. As the Land Settlement Committee still has certain functions in relation to the Rural Advances Guarantee Act and may in future be asked to consider other matters pertaining to land settlement, it seems appropriate to extend the operation of the Act until it appears that it is no longer required. Accordingly, this Bill repeals section 2a of the principal Act. The amendment has been deemed to come into operation retrospectively in view of the fact that section 2a refers to December 31, 1977.

Clause 1 is formal. Clause 2 provides that the Act shall be deemed to have come into operation on the thirtieth day of December, 1977. Clause 3 repeals section 2a of the principal Act.

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

APPRENTICES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from February 15. Page 1541.)

The Hon. J. E. DUNFORD: In rising to support the Bill, I point out to the Hon. Mr. Laidlaw that he was wrong in his assumption that less information than was available to members in another place would be given to honourable members in the Legislative Council. If he had cared not to rush in with his criticism but waited until the debate had

progressed somewhat further, he would have seen that the Government was, in fact, providing all the information that it gave elsewhere but, in addition, upgrading it in relation to certain statistical matters. In no way can he say that the Minister introducing the Bill was misguided.

One of the main purposes of this Bill is to remove the discrimination contained in the Act against adults being trained to be tradesmen. Section 28 (2) of the Apprentices Act, which currently prevents any person over the age of 23 years from being party to an indenture of apprenticeship, is contrary to the principle contained in International Labour Office convention No. 142. That convention provides:

> The policies and programmes (of member countries) shall encourage and enable all persons, on an equal basis and without any discrimination whatsoever, to develop and use their capabilities for work in their own best interests and in accordance with their own aspirations, account being taken of the needs of society.

The Government believes (it is interesting to note that the honourable member also believes it to be important) that this principle should be given effect to. The Bill includes the necessary provisions to enable the Apprenticeship Commission to approve of a mature-age person entering an indenture of apprenticeship. It is not expected that large numbers of adults will be trained. Experience in other States, where there are limitations, reveals that adult apprentices do not exceed 3 per cent of enrolments in trade-training courses.

I note that the Minister of Labour and Industry, when introducing the Bill, said that, notwithstanding the high level of unemployment and the uncertain economic climate, it was expected that the total number of first-year apprentices in South Australia in 1977 would exceed 3 700, which would be an all-time record. Subsequent figures given to me reveal that the final actual total will be something in excess of 3 400. It is also of interest to point out that from January 1, 1978, to date, 354 apprentices have been registered, compared with 328 for the same period last year, which represents an 8 per cent increase. However, the number of skilled tradesmen added to the work force varies considerably from year to year, because of fluctuations in intakes, and is much lower than indicated by the intake figures, because about 15 per cent of all indentures are not completed.

The Hon. D. H. Laidlaw: What has this got to do with the Bill?

The Hon. J. E. DUNFORD: If the honourable member listens, he will learn. If the people to whom I have referred worked at Perry Engineering, the figure might be even higher. In September, 1976, the results were released of a preliminary study of the skilled work force which used the 1971 census information as a base. It indicated that, to the end of 1975, the national input of skilled tradesmen from all sources had not been sufficient to match losses through retirements, changes of occupation and other causes. In South Australia, it was estimated that the number of skilled tradesmen in the work force declined by 12 per cent in those five years; the national figure was slightly higher.

Although statistics of this kind need to be treated with some caution, they cannot be regarded as other than disturbing, and direct Government action is necessary to ensure that sufficient numbers of skilled tradesmen are being trained to meet the needs of the State when the economy improves.

The Labor Government has already taken several important initiatives in order to prepare for future needs. It recognises that, while much depends upon the restoration of a high level of economic activity and employer confidence, the provision of additional training opportunities and the removal of negative influences inhibiting the recruitment and training of apprentices are vital to an improvement in the current situation. Because of the Labor Government's initiative, 117 additional apprentices commenced their indentures last year. The cost of training these additional tradesmen for industry is being completely met by the State Government.

As a further move towards providing additional training opportunities, pre-apprenticeship training courses have been conducted in various trades this year. In recent years, the Government has taken steps to give all apprentices in country districts the same technical college training as is given to metropolitan apprentices. Since the beginning of 1976, all correspondence training for apprentices has been eliminated, and country apprentices now attend a technical college, either in the metropolitan area or in a country city. The Government subsidises the cost of board and lodging during their period of block release training, which is generally for a total period of 20 weeks during the apprenticeship, and pays the fares incurred by apprentices in travelling from their homes to technical college and return.

The Bill ensures, among other things, that all reference to correspondence course training will be deleted from the Apprentices Act. This is, of course, one of the purposes of the Bill, but it gives me great pleasure to emphasise that, because of the actions to which I have already referred and which have been taken by the State Labor Government, these things can occur.

There is also to be eliminated the restricting technical school district arrangements which will enable the Further Education Department to be much more flexible in the provision of courses of instruction for apprentices at any approved place of instruction. At present, all time spent by an apprentice in classes of approved instruction during normal working hours is reckoned as part of the time served under the indenture of apprenticeship.

The Bill extends this provision so that time spent by an apprentice at such classes outside his normal working hours will also be reckoned as part of the time served under his indenture of apprenticeship. This is particularly relevant in respect of apprentice cooks and bakers who are normally employed on shift work but have to attend classes during the day in their own time.

It is at present possible for an employer to continue to employ a junior as an improver or juvenile worker on the promise to indenture him without notifying the Apprenticeship Commission. While this has not happened frequently, cases have occurred to the detriment of the youth concerned. The Government has moved to make sure that all employers notify the commission of any person in their employ who has applied in writing to be apprenticed to that employer and of the employer's response to such application.

The Government has also taken the opportunity to simplify the work of the Apprenticeship Commission in achieving the objects of the Act but at the same time to make sure that appropriate safeguards still remain for the apprentices.

I note that the Hon. Mr. Laidlaw has made some comment concerning the level of penalties. Surely he does not believe that monetary penalties fixed in 1966 should remain at the 1966 level 12 years later! Surely some allowance must be made for the fact that the value of money has decreased substantially since the penalties were fixed: that is all the Government is trying to do. The Minister has had incorporated in *Hansard* the explanations of the various clauses in the amending Bill, and there is no need for me to further canvass those things now, but there are other matters that I wish to talk about.

Most members would have received from the South Australian Employers Federation, over the signature of Mr. T. M. Gregg, the Industrial Director, a circular about the matter. I do not want to say much about Mr. Gregg, because I had many dealings with him when I was in the Industrial Court as a union official. I cannot remember his being successful in any case against me, so that gives an idea of how good he is. His letter was referred to capably by Mr. Roy Abbott, in the House of Assembly. I would say that Mr. Abbott, as Secretary of the Vehicle Builders Union in South Australia, has had more dealings with apprentices than has anyone else in either House of Parliament. He commented on the letter and maintained that Mr. Gregg might not have been aware of the Government's track record. He answered the following four questions asked by Mr. Gregg in the circular:

> Does the Government really want to:
> (1) Foster apprenticeship,
> (2) Help youth unemploymnent recover,
> (3) Encourage free enterprise to develop, and
> (4) Ensure that the public has a right to expect competent tradesmen and further expansion of qualified persons to attend their needs?

Those questions were answered, just as I have stated the position in the proposition that I have put to the Council. The Government is doing all these things. I do not want to criticise Mr. Gregg: he receives enough criticism from the members that he represents, and, when I was in the trade union movement, we were happy when he appeared and put a six-page submission to the court. However, returning to the Bill, I point out that the Government is doing all the things to which reference has been made. Mr. Abbott answered not only the letter of February 6 but also another letter enclosed with it about the future of Australian industry and the trends. I support the Bill.

The Hon. C. M. HILL: When I was listening to the first part of the Hon. Mr. Dunford's speech, I thought that he had put much time into preparing this material, because it obviously was well worded and well prepared. However, when looking through *Hansard* while he has been speaking, I have noticed that he has been making a speech that is a word for word copy of an explanation given by the Minister in charge of this Bill in the other place (Mr. Wright) on December 1 last.

The Hon. J. E. Dunford: Two great minds thinking alike.

The Hon. C. M. HILL: I said to the Hon. Mr. Burdett this afternoon that it was strange that the Hon. Mr. Dunford was reading a second reading explanation of the Bill. I have been told it seems that someone lost the second reading explanation when the Bill was first introduced and hurriedly prepared a substitute. The Hon. Mr. Dunford has put the position right. We have had two second reading explanations, one from the Minister and one from one who perhaps is a Minister to be.

The Hon. J. E. Dunford: Thank you. I wish I could share your confidence.

The Hon. C. M. HILL: I hoped that I would hear the Hon. Mr. Dunford's views on the Bill, because he has experience in this whole area, as a senior unionist. However, we did not hear much of his opinion about the various clauses. My only reason for entering this debate is that I am extremely concerned that the Government has introduced a measure of this kind which must be supported in intent and principle but which has hidden in the clauses one veto clause that to my way of thinking makes a shambles of the whole thing.

As the Hon. Mr. Laidlaw has pointed out last week, in clause 18, which enacts new section 26aa, subsection (2) of that new section simply means that any one member of these relevant advisory committees can veto an applicant from being accepted by the commission as a mature-age apprentice. I have been told that these advisory committees comprise from four to 10 persons. One is the Chairman, who is the Chairman of the commission or his nominee. One is a representative of the Further Education Department and the others are people with equal representation as between the employing group and the employee bodies.

That is fair enough as far as the composition of the committee is concerned, and I have no quibble about the committees in regard to their objects and purposes. However, when we are reviewing a Bill by which any one of these members of the committee, by his vote, can override the decision of the commission, every member must acknowledge that that is a case of the tail wagging the dog. Any representative of the employer group can say, "No, we will not have that person," and the matter will be finished.

Is the Government acting in good faith when it tells the people that it will legislate for mature-age apprentices and when it hides a provision like that in the Bill? Frankly, I do not think it is, and I cannot understand the Government's attitude in bringing before this Council a measure that provides for this most important overall intention of allowing people over the age of 19 years to become indentured as apprentices and at the same time puts a clause of that kind in the Bill.

This is contrary to all the principles by which the Government claims it stands and to the one vote one value approach. A vote against apprenticeship carries the day, not only giving an adverse view by that advisory committee, but overriding the commission itself. That is a shocking state of affairs. It is farcical and entirely unjust for the Government to expect that this Council, whose duty it is to ensure that all legislation as it passes through the pipeline is improved in the best possible manner, will look with favour upon a Bill containing such a provision.

That is the only matter upon which I intended to speak, and I make that point as forcibly as I can. I cannot understand the Government's allowing that provision in the Bill. I do not intend in Committee to support the provision as it stands, and I hope that when the Minister replies he will spell out in detail the Government's reasons for including that provision. I support the second reading.

The Hon. D. H. L. BANFIELD (Minister of Health): I thank honourable members for the attention they have given this matter, and I congratulate the Hon. Mr. Dunford on his fine speech in which he enlightened members opposite. The Hon. Mr. Hill is upset and says that a clause is hidden in the Bill. Are certain pages not made public when a Bill is introduced, or are all pages open to everyone to read? The honourable member implied that certain clauses are hidden and are not as easily evident as are other provisions. The honourable member knows that nothing is hidden in the Bill, because all the provisions are available for everyone to see. Information about the Bill is provided for all honourable members to read. If the honourable member has not read that, it is not my fault. That provision has as much prominence as any other provision in the Bill.

The Hon. D. H. Laidlaw: One goes to the *Hansard* report of another place to find out what it is all about.

The Hon. D. H. L. BANFIELD: The honourable member can go where he wants, but the fact is that the Bill was presented to this Council, and all honourable members had the opportunity to study it. Nothing was hidden. The Bill has been on file for some time. Why do members opposite imply that something was hidden, when

they know that cannot happen? There is no way that clauses can be hidden in a Bill. What a ridiculous statement to make by the Hon. Mr. Hill, who considers himself to be the next Leader. People cannot trust him as a possible Leader in this Council if he tries to put over that there are hidden clauses in the Bill.

I refer to the reason for this provision. The advisory committeee is comprised of members as referred to by the Hon. Mr. Hill, including representatives of employers and employees. They know the industry, they work within the industry and they know it perhaps better than the commission itself. This is why there is an advisory board; it advises the commission.

The Hon. D. H. Laidlaw: I used to serve on one.

The Hon. D. H. L. BANFIELD: What are you worried about? Did not the honourable member get his say? Did they not take any notice of him?

The Hon. C. M. Hill: What about one vote one value?

The Hon. D. H. L. BANFIELD: If a man votes against apprenticeship, he has full value for his vote. Honourable members opposite want full value for a vote and they have got it. Why are they worrying? Surely, employer and employee representatives know the state of the industry. They are on the advisory committee so that they can advise the commission.

The Hon. C. M. Hill: They not only give advice: they can veto an application.

The Hon. D. H. L. BANFIELD: Of course they have the right to veto, because they are the advisers, and they know the trade as well as anyone. Both employer and employee representatives could hold a view contrary to that of the commission. People involved in an industry could waste their time being on such a committee if they could not exercise this veto.

The Hon. D. H. Laidlaw: It's like the Security Council of the United Nations and the veto position of the major powers.

The Hon. D. H. L. BANFIELD: The honourable member should be more concerned about the security of an industry. Doubtless, this matter will be canvassed in Committee, and I ask honourable members to support the Bill.

Bill read a second time.

In Committee.

Clauses 1 to 16 passed.

Clause 17—"Form of indentures."

The Hon. D. H. LAIDLAW: I move:

> Page 5, line 10—Leave out the words "five hundred dollars" and insert "two hundred and fifty dollars".

As this amendment deals with penalties and as there are seven similar amendments, perhaps they could be treated together.

The CHAIRMAN: I think we should treat the vote on the first amendment as a test vote.

The Hon. D. H. L. BANFIELD (Minister of Health): We are happy to accept that.

The Hon. D. H. LAIDLAW: Clause 17 amends section 26, which provides that no person can undertake an apprenticeship in terms other than those approved by the Apprenticeship Commission, and increases the penalties for breach of that provision from $100 to $500. As the Minister of Labour and Industry in another place indicated, the existing penalties were established in 1966 and, because of the reduction in the value of money since then, there is reason to increase the maximum penalties. The consumer price index in the metropolitan area has increased in 1966 from a base 100 to 242 in 1977.

It is appropriate therefore to increase the penalties by 250 per cent, but not by 500 per cent. These apply particularly to breaches of administrative requirements imposed upon employers. The Government is finding it extremely hard to persuade employers in the private sector to take as many apprentices as they did last year, with the result that Governments are having to take more apprentices themselves. This is understandable in times of recession, because training an apprentice represents a considerable cost to an employer.

Apprentices are not a cheap source of labour. In many other countries Governments pay for all or most of the cost of juvenile training. I can see that the increase in the penalties should remain constant in terms of money values, but I see no reason to impose a penalty proportionately over and above that set in 1966.

The Hon. D. H. L. BANFIELD: I oppose the amendment. An employer has nothing to fear if he is doing the right thing. Whom is the honourable member looking after? Is he looking after an employer who breaches the Act? Is he looking after someone who is breaking the law? The honourable member said that this provision would affect the number of apprentices that an employer might take, but this provision will not have that effect if the employer complies with the Act. Further, I stress that the penalty is a maximum penalty. I point out that increases in penalties of similar proportions have been approved by this place.

I refer particularly to the Industrial Safety, Health and Welfare Act and the Shop Trading Hours Bill. The penalties in such legislation should be compared with the penalties in this Bill. It is appropriate that the new penalties should conform to the established penalty level. I repeat that the penalty levels are maximum amounts, and it is up to the court to determine what is appropriate, after taking into account all the circumstances of particular cases. The employer has nothing to fear if he does not breach the Act. If he does breach the Act, he should pay the penalty.

The Hon. J. C. BURDETT: I support the amendment, and I was amazed to hear the Minister accuse the Hon. Mr. Laidlaw of looking after people who break the law. Actually, the honourable member was setting out to be just, and surely the Minister believes in being just, not unjust. If the Minister were to follow through with his argument, he might as well make all penalties life imprisonment. The penalties ought to be just, and the Hon. Mr. Laidlaw has endeavoured to achieve that.

The Hon. D. H. L. BANFIELD: The courts will decide precisely what a penalty will be in a particular case. I repeat that this is a maximum penalty, and the courts need not impose any penalty. So, it is incorrect to say that the Government is imposing a fine on employers. The Hon. Mr. Burdett has approved increases in penalties of similar proportions in other legislation. Has he had a change of heart?

The Hon. J. C. BURDETT: I am well aware that this is a maximum penalty, but the maximum ought to be just and in accordance with the severity of the offence. The Hon. Mr. Laidlaw has done his homework and has worked out that the increase in the penalty between 1966 and now should be roughly of the same proportion as the change in the consumer price index.

The Hon. D. H. LAIDLAW: The Minister said that I was trying to protect people who might intend to break the law. I am told that many small employers such as hairdressers and owners of petrol stations are hesitant about taking apprentices this year. They have been told that the penalties for such things as not notifying the commission about taking an apprentice, about refusing to take an apprentice without proper explanation, and about other particulars, are being increased from $100 to $500. This will have an impact on some employers who are at

present trying to make up their minds as to whether or not they will take apprentices.

The Hon. R. C. DeGARIS (Leader of the Opposition): In legislation such as this, there must be a penalty to enable compulsion to be provided for. In most areas where penalties are inflicted in this respect, they are for administrative matters. One could say that they are almost victimless crimes. We are dealing with small businesses that are already plagued with administrative procedures that they are compelled to adopt. In connection with the proposal to increase the penalty by 500 per cent, this Committee is just in asking for the application of the consumer price index in this matter. People may be more frightened to take on apprentices if they know that, for an administrative mistake that they may make, the penalty is $500.

I point out that this is an administrative matter where there is a compulsion. It is a victimless crime, and the penalty of $500, in those circumstances, is too high. The amendment is just and fair.

The Committee divided on the amendment:

Ayes (10)—The Hons. J. C. Burdett, M. B. Cameron, J. A. Carnie, Jessie Cooper, M. B. Dawkins, R. C. DeGaris, R. A. Geddes, C. M. Hill, D. H. Laidlaw (teller), and A. M. Whyte.

Noes (10)—The Hons. D. H. L. Banfield (teller), F. T. Blevins, T. M. Casey, B. A. Chatterton, J. R. Cornwall, C. W. Creedon, J. E. Dunford, N. K. Foster, Anne Levy, and C. J. Sumner.

The CHAIRMAN: There are 10 Ayes and 10 Noes. To enable the amendment to be considered by the House of Assembly, I give my casting vote to the Ayes.

Amendment thus carried; clause as amended passed.

Clause 18—"Entry into apprenticeship by mature-age apprentices."

The Hon. D. H. LAIDLAW: I move:

Page 5, lines 16 to 21—Leave out subsection (2) and insert in lieu thereof the following subsection:

(2) The commission shall not give an approval under subsection (1) of this section, unless it is satisfied that if the approval is given, the opportunities for persons, not being proposed mature-age apprentices, to be apprenticed in the relevant trade will not be unduly restricted.

As I pointed out in my second reading speech, I am in favour of adult and mature-age apprentices. There have been many instances in the past 30 years of unfairness because of the limitations that exist under State awards in South Australia (incidentally, only South Australia and Tasmania still have such provisions) and also under Federal awards. I am appalled by the conditions of the measure whereby any one member of an advisory trade committee would have the power of veto over the decision or determination of the Apprenticeship Commission.

Under the existing Act, the commission investigates the employer and the work place before granting approval for an apprenticeship. Under the proposed amendment, the commission is also asked to consider the nature of the applicant. The Apprenticeship Commission is held in such high esteem in South Australia that I do not think it should have its responsibility taken away from it.

I suggest that, in addition to the three matters that it will have to consider in regard to an applicant, it should also take into account employment conditions and opportunities in the community; because, although I am in favour of adult apprenticeship, it has come at a time of very high unemployment amongst school leavers, and apprenticeship is one opening available to them. I would not like to see a deluge of mature-age applicants to the detriment of school leavers.

The advisory trade committees, covering all the trades in the State, were set up by the Minister to advise him and the commission. I served on the metal trades committee for a number of years. The committees consist in number of between four and 10 persons one of whom is the Chairman of the Apprenticeship Commission or his nominee. One is a nominee of the Department of Further Education; the balance is made up equally of union and employer representatives. This means that there can be as many as four union and four employer representatives on those committees.

Under this proposal, one out of 10 people can stand up and say "I do not like the person; I knew his mother-in-law. He is out." It means that one person out of 10 can stop a person; it can lead to vindictiveness; it denies the democratic practice. It is giving these advisory committees powers for which they were not set up originally.

I wish to leave the power with the Apprenticeship Commission, which would have these matters to look at to make sure of safeguards for the young school leavers, who need as many of these apprenticeship positions as they can get. I heard recently of 45 boys applying for one apprenticeship job.

The Hon. D. H. L. BANFIELD: I oppose the amendment. In doing so, I point out that, if this amendment is agreed to, advisory trade committees will have no jurisdiction over the entry of mature-age apprentices into any trade. This is a totally unrealistic attitude to be taken by the honourable member, who prides himself on his experience in industry. Surely he must realise that all worthwhile committees (and the Apprenticeship Commission is one) must necessarily rely upon advice in areas where some specialisation is evident. It is, therefore, most important that the advisory trade committees which are comprised of persons actually working in the trades concerned give advice to the Apprenticeship Commission on this important matter of mature-age apprentices. It is quite unreal to cut them out in the way in which the honourable member wants.

The words that he wishes to be inserted in place of the advisory trade committees, far from assisting the appointment of mature-age apprentices, could very well act against their entry to any trade. As well, it seems to me that the honourable member does not really understand the way in which the Apprenticeship Commission works. Obviously it would seek advice (probably from the very advisory trade committee that the honourable member wishes to deprive of any say in this matter) as to the situation in the trade concerned, and as to whether limited adult entry would have any effect on the normal entry opportunities for those who are not mature-age apprentices.

I point out that experience in other States in this matter does not show great numbers of adults moving into apprenticeships to the detriment of younger people. I cannot for a moment accept his amendments because, as I have already said, he is cutting out any reference to the part that advisory trade committees must play in this important matter of mature-age apprentices as well as depriving those committees of any opportunity to advise the commission on the general question of entry to a trade by any person.

It is also relevant to refer to what my colleague in another place said when this Bill was being debated and when the question of entry to trades by mature-age people being restricted under the Government's proposals was raised. He said:

I believe that in all things that we do we ought to do them slowly and cautiously with some thought to the matter. Therefore, merely to open up the whole area of apprenticeships and at this stage to allow a flood of adult

people to apply for apprenticeship training would not help the current situation which, irrespective of how we debate its cause, is drastic.

Later on in the same debate, he gave an assurance to the House that in the first year of operation of the new clause he would keep a close watch on the position. He said that he would not tolerate a situation of refusal by trade committees for no apparent reason to allow adults to train. The honourable member's amendment cuts out the very thing to which I am referring. The Minister has undertaken that he will review this matter at the end of the 12 months if it is not working satisfactorily.

The Hon. D. H. Laidlaw: He may not be the Minister then.

The Hon. D. H. L. BANFIELD: Of course he will still be the Minister. There is no way, unless they wake up to themselves, in which Opposition members will be occupying the Government benches. As I have given an undertaking that the matter will be watched extremely closely and taken care of in some way, and that it will be reviewed after 12 months, I oppose the amendment.

The Hon. R. C. DeGARIS: Perhaps the Minister could re-think his position, because he has made a couple of statements on which he should expand. First, he said that the Minister in another place had given an undertaking regarding this clause. He then said that care would be taken to overcome the problem in some way. In my experience, the undertakings given by Ministers are not worth the paper on which they are written. I make clear that, in saying that, I am not being critical of any particular Minister.

What is passed by this Council becomes law, and what is the use of the Minister's giving an undertaking in relation to matters like this? We may as well not have a Parliament. How can the Minister support a clause, under which one person on the committee can say, "We will not give our approval to the commission regarding this matter"? The Government tries to defend that position by saying that, if there is any problem, it will overcome it somehow. No Legislature could sustain a position in which a Minister said, "Pass the clause. We will overcome the situation somehow." Unless the Minister gives me a better explanation regarding this matter, I will support the amendment.

The Hon. D. H. LAIDLAW: The Minister said that the Government should move slowly and carefully in relation to this matter. I remind him, however, that four States have no restrictions; South Australia and Tasmania are the only States that still retain any. So, I do not think anyone would suggest that we are moving too quickly.

It is well known that some large, reputable craft unions are still dead against adult apprenticeships. Indeed, the Minister knows better than I do that, if this provision passes in its present form, in many of the trade advisory committees where these unions are represented, there is no way in the world in which there will be adult apprentices. It is wrong for these advisory committees to take away powers from the Apprenticeship Commission, which has done a good job over the years.

The Hon. C. M. HILL: I was disappointed with the Minister's reply and his attempts to justify the Government's stand on this matter. He loses sight of the fact that the advisory committee, as its name implies, is an advisory committee. Surely the commission should be the parent body that says whether or not a mature-age person should be indentured. However, that is not the case: the advisory committee has all the power in this matter.

The Hon. J. C. Burdett: One member has all the power.

The Hon. C. M. HILL: That is so. What is behind all this? The fact is that the Government is the slave of the union movement. Will the Hon. Mr. Sumner, the Hon. Mr. Cornwall, and the Hon. Miss Levy tell me whether they think this principle is fair and just and whether they can justify the Bill in this regard? The Hon. Mr. Blevins knows where the power lies. The Minister has put the draft Bill under his arm and trotted down to Trades Hall.

The Hon. D. H. L. BANFIELD: Liar! He is a liar, Mr. Chairman, and I do not accept that statement. I ask for a withdrawal. Perhaps I should withdraw the word "liar", but I have not been near Trades Hall with a Bill under my arm. The honourable member has misstated the position.

The CHAIRMAN: I am not sure which Minister he was talking about. I thought it was the Minister who introduced the Bill.

The Hon. D. H. L. BANFIELD: I do not care: I am the Minister handling the Bill here. He went crook about other things including the Minister, and therefore that could have referred only to me.

The Hon. C. M. HILL: I was referring to the Minister in the other place, who is the architect of the Bill. He said to his Cabinet colleagues, "We will see what the masters have to say."

The Hon. D. H. L. Banfield: Again, you are a liar.

The Hon. C. M. HILL: He trotted along to Trades Hall and put it to his masters, who said, "We are not happy about this."

The Hon. F. T. Blevins: Hasn't this gone far enough?

The Hon. C. M. HILL: Those at Trades Hall said, "Put this clause in the legislation."

The CHAIRMAN: We are not debating the second reading stage. I think we are talking about a specific thing.

The Hon. C. M. HILL: I am trying to find out why the Government included this clause. The Minister has not been able to say. The nearest he got was when he stated that the Minister in another place said, in effect, "Let us not take this matter further by question and answer. Let us give it another 12 months, and I will see whether I can talk the bosses at Trades Hall around." I do not think that this Committee can accept the Minister's explanation of how the Government tries to justify a veto like this.

The Minister in this place ought to consider giving the power back to where it belongs, namely, to the commission. Secondly, it should provide a legislative check, not let the commission open the flood gates. The commission should consider the school leavers and other young people when it is approving mature-age applicants. A proper balance has been brought forward by the Hon. Mr. Laidlaw, a person who has much experience in this area. I cannot understand the Minister's rejecting an amendment that reflects maturity and common sense.

The Hon. D. H. L. BANFIELD: On another Bill that provides powers for an advisory committee, members opposite thought that those committees should have some say.

The Hon. R. C. DeGaris: Are you referring to the Health Commission?

The Hon. D. H. L. BANFIELD: The Leader knows what he put in. Members opposite are interested in an advisory committee when it suits them but, when it does not suit, their footwork is apt. What is wrong with advisory committees to advise the commission? The Minister has said that, if the measure does not work properly, he will consider that. I realise that some Ministers give an undertaking but do not carry it out. The honourable member has been a Minister and he knows, perhaps from his own experience, when he has given an undertaking but has not carried it out. We on our side have carried out any undertaking given.

The Hon. M. B. DAWKINS: In the course of this debate, the Hon. Mr. Laidlaw used the word "appalled".

That probably is the best word to use, because I am appalled at the present undemocratic subclause. I also mention two words used by the Minister, namely, "totally unrealistic". The present provision is totally unrealistic in regard to this Government's so-called commitment to democracy. The Minister had the gall to speak of one vote one value. I think it was a slip of the tongue and that he should have said "one vote one veto". The provision is shockingly undemocratic, and I cannot imagine a Government including it when it enacted a redistribution which enabled it to win with 47 per cent of the votes at an election and even though the Labor Party got 37 per cent of the vote at the recent Senate election. Therefore, I support the Hon. Mr. Laidlaw's amendment.

The Hon. F. T. Blevins: You aren't a Chairman if you allow this sort of rubbish.

The CHAIRMAN: The honourable member can keep his opinions to himself.

The Hon. R. C. DeGARIS: I was disturbed that the Minister supported the relevant provision in the Health Commission Bill. Does the Government intend to amend the Health Commission Act so that one person can determine what the commission will do?

The Hon. D. H. L. BANFIELD: I am not aware that such a Bill is before us.

The Committee divided on the amendment:

Ayes (10)—The Hons. J. C. Burdett, M. B. Cameron, J. A. Carnie, Jessie Cooper, M. B. Dawkins, R. C. DeGaris, R. A. Geddes, C. M. Hill, D. H. Laidlaw (teller), and A. M. Whyte.

Noes (10)—The Hons. D. H. L. Banfield (teller), F. T. Blevins, T. M. Casey, B. A. Chatterton, J. R. Cornwall, C. W. Creedon, J. E. Dunford, N. K. Foster, Anne Levy, and C. J. Sumner.

The CHAIRMAN: There are 10 Ayes and 10 Noes. To enable the amendment to be considered by another place, I give my casting vote for the Ayes.

Amendment thus carried; clause as amended passed.

Clause 19—"No apprentice to be employed until commission has approved of employer and place of employment."

The Hon. D. H. LAIDLAW moved:

Page 5, line 26—Leave out the words "five hundred dollars" and insert "two hundred and fifty dollars".

Amendment carried; clause as amended passed.

Clause 20—"Notification of employment of apprentice."

The Hon. D. H. LAIDLAW moved:

Page 5, lines 28 and 29—Leave out the words "Five hundred dollars" and insert "Two hundred and fifty dollars".

Amendment carried; clause as amended passed.

Clause 21—"Applications to be notified to commission."

The Hon. D. H. LAIDLAW moved:

Page 5, line 37—Leave out the words "Five hundred dollars" and insert "Two hundred and fifty dollars".

Amendment carried; clause as amended passed.

Clause 22—"Requirements as to indentures."

The Hon. D. H. LAIDLAW moved:

Page 5, line 40—Leave out the words "five hundred dollars" and insert "two hundred and fifty dollars."

Amendment carried; clause as amended passed.

Clause 23 passed.

Clause 24—"Particulars concerning apprentices to be furnished."

The Hon. D. H. LAIDLAW moved:

Page 6, line 6—Leave out the words "two hundred dollars" and insert "one hundred dollars".

Amendment carried; clause as amended passed.

Clause 25 passed.

Clause 26—"Entry on premises."

The Hon. D. H. LAIDLAW moved:

Page 6, lines 16 and 17 —Leave out the words "five hundred dollars" and insert "two hundred and fifty dollars".

Amendment carried; clause as amended passed.

Clause 27 passed.

Clause 28—"Governor may make regulations."

The Hon. D. H. LAIDLAW moved:

Page 6, line 24—Leave out the words "five hundred dollars" and insert "two hundred and fifty dollars".

Amendment carried; clause as amended passed.

Clause 29 and title passed.

Bill read a third time and passed.

PARLIAMENTARY SUPERANNUATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from February 15. Page 1593.)

The Hon. M. B. DAWKINS: I wish to speak briefly on this measure. Last Thursday I sought the adjournment of the debate, partly to seek further information and partly to give the Minister, who was then unavailable, the opportunity to answer questions raised by my colleagues the Hon. Mr. DeGaris and the Hon. Mr. Geddes. This Bill amends two sections of the principal Act. Clause 3 refers to section 14a and gives to a member, who is making contributions for "additional salary" as defined, the right to continue those contributions notwithstanding the fact that the additional salary ceases. I certainly support that proposition. The Minister went on to say that in its present form the provision is not clear as to its operation where the additional salary is merely diminished, and the purpose of the amendment in clause 3 is to grant to a member the same right to continue contributions where his additional salary is diminished. I support clause 3.

As the Minister said, section 19 provides for the suspension or part suspension of a pension of a member pensioner, and the suspension continues so long as the new salary or pension derived from that salary of the member pensioner exceeds the amount of pension payable under the principal Act. The Hon. Mr. DeGaris raised a question with regard to that provision and cited the case of a member who might retire from Parliament and take on a relatively small job that carried some superannuation. Also, the Hon. Mr. Geddes referred to a member who was appointed to the Savings Bank board (and other Government boards come to mind), which might carry some superannuation. That position would then put his Parliamentary superannuation in some jeopardy.

Another question I wish to raise in this brief comment on the Bill concerns the computation of Parliamentary superannuation if a former member has already commuted part of his superannuation. What will be the position if he comes under the provisions of this Bill? I endorse the queries of my colleagues who have spoken before me, and I hope that the Minister will deal with these matters in due course and provide a reply. I support the Bill at the second reading stage, but will be interested to see how it is dealt with in Committee.

The Hon. C. M. HILL: I, too, have some queries and, indeed, some misgivings about the Bill. It is hardly fair for any member of Parliament, whilst he is serving in that capacity, to know that he may eventually not get full benefit from his Parliamentary superannuation. I appreciate that there are some instances and, indeed, they are already stated in the Act where, for example, a person moves to another Parliament or becomes a judge, here in South Australia. Some suspension or adjustment is then

made. I seriously question that. However, members of Parliament should know of the position before they make a decision to change, or before they seek another appointment (because they may well leave their office here, perhaps by losing an election) and they should know as they consider their future, what is the exact position regarding their Parliamentary superannuation.

In this Bill that clear knowledge is being dispensed with. The Government is saying that it should have the right to prescribe by regulation at any time other activity which carries some form of superannuation or retirement allowance and, if that other activity is prescribed, Parliamentary superannuation is suspended or adjusted. Parliament should be very cautious about passing this kind of legislation. I am particularly concerned with those who, after service in this Parliament, work in other endeavours. A Labor member of Parliament may lose his seat and may go back to being a trade union official, and some form of superannuation or retirement benefit may apply.

The Hon. N. K. Foster: I cannot agree with you, in the way that you have put it.

The Hon. C. M. HILL: Does the honourable member say that senior trade union secretaries in this State do not have superannuation?

The Hon. N. K. Foster: Such a member of Parliament may not be able to resume his former occupation.

The Hon. C. M. HILL: The honourable member has misunderstood the point. Let us assume that a member of Parliament, on losing his seat here, seeks reappointment as a trade union secretary, which office would carry a salary and also superannuation benefits; I am not being critical of that. If that happened, under this Bill a Liberal Government, let us say (I am not being political), could prescribe work within the trade union movement, with the result that that person's Parliamentary superannuation would be adjusted. The Hon. Mr. Foster should consider that point carefully.

I shall now deal with a case on the other side of the fence. I refer to a member who served in this Parliament during my time here. He lost his seat, and he has been employed by a large stock and station firm. He has been selling land and property—an honourable profession. If his arrangements with his firm include superannuation or a retirement allowance (and I think they would, because most firms of this type have superannuation benefits for their sales staff) that activity could be prescribed, with the result that his Parliamentary superannuation could be adjusted. That person would have no say whatever in the decision. That is totally unfair.

Let us consider the case of a bank manager who retires on superannuation and then goes on to the staff of a merchant bank or a finance company. Such a bank manager would immediately enjoy superannuation benefits. However, if a member of Parliament were to take on an activity, that activity could be prescribed, resulting in his Parliamentary superannuation being adjusted. Nothing like that applies in the case of a bank manager.

For some reason the Government is seeking to amend the principal Act in the way I have described. If the Government has in mind those who take positions in other Parliaments or on the bench (in both the State and the Commonwealth) in which case some adjustment should be made to their Parliamentary superannuation, let the Government write that into the legislation. Then, all members will know where they stand.

Parliament ought to consider this Bill in respect of two categories. Dealing with the first category, if a member on retiring voluntarily or losing his seat accepts a position in the private sector and receives superannuation benefits from his new career, in no circumstances at all should we have legislation which gives the Government of the day the right to regulate that former Parliamentarian's superannuation. Surely we are all on common ground in connection with that situation. In the second category there are cases where people accept positions in the service of the Crown.

The Hon. N. K. Foster: Do you think we ought to knock off Kerr's superannuation?

The Hon. C. M. HILL: That is the only point of criticism I have in regard to the whole Kerr subject. The man is still benefiting from a retirement allowance.

The Hon. N. K. Foster: He has been crook all his life.

The Hon. C. M. HILL: He is certainly no more than is the honourable member, whose Party appointed him.

The Hon. N. K. Foster: It was one of Whitlam's silly appointments.

The Hon. C. M. HILL: Where people take positions as second jobs after retirement from Parliament and where their new employers are the Crown or similar authorities, such as semi-government authorities, because their superannuation contributions in the second job are paid from the taxpayers' money, perhaps a case can be made out—

The Hon. C. J. Sumner: That is what it is intended to cover.

The Hon. C. M. HILL: The Bill does not say that. If we pass this Bill, the situation becomes unclear. It is not fair, because there will be periods in the future where one Party will be controlling both Houses. In such periods, regulations will not be disallowed.

Therefore, I do not think any Government, irrespective of its political colour, should be given the right unfairly to interfere with or the opportunity to bring some pressure to bear on a person to have this hanging over his head, because I believe (and I hope we on both sides are on common ground here) the superannuation, generous though it is, in my view, is an entitlement that every person should be able to enjoy without any fear of interference after one's service concludes.

Therefore, I intend further to discuss this matter in the Committee stage, when I hope to move an amendment along the lines of limiting this to positions where the member of Parliament involved accepts a position from the Crown.

The Hon. C. J. Sumner: You could have a chat with the Minister.

The Hon. C. M. HILL: I do not think it is between me and the Minister; that is not the way to solve these problems. At the same time, I acknowledge there is this risk that—

The Hon. C. J. Sumner: It might clarify your understanding of it.

The Hon. C. M. HILL: No. I am prepared to hear members opposite in this debate make points to rebut what I am saying and to clarify the matter further. We should talk the matter out here. The situation applies only where superannuation is provided in the second position but that in itself does not limit the situation very much because, as I tried to say earlier, in many positions, whether it be selling land or the directorship of a company, superannuation benefits or retirement allowances of some kind apply. Indeed, it has become the norm. I do not think the Bill in its present form is satisfactory and hope that by amendment it can be considerably improved before it finally passes through this Chamber.

The Hon. N. K. FOSTER: I am not at variance, to any great extent, with the point of view put forward by the honourable gentleman who has just spoken, but I want to refer to the discrimination in Parliamentary superannua-

tion as between the Federal Government and the State Government. I seek clarification on one matter that affects me, in view of my past Parliamentary service: that is that during the time I was in Federal Parliament I had to pay into a fund. I was there for a little more than three years and knew full well that my chances of holding the seat in 1969 were slim.

I was employed in an industry governed by a Commonwealth Act, introduced by a previous Labor Government and kept going for some 23 years by successive Liberal and Country Party Governments. That Act stated clearly that a man could be away from that industry for only two years. Jack Mortimer, the previous Labor member for Grey, found that out, to his great dismay, when he was defeated in 1966 and was unable to return to the industry; he could not get employment there, and he fell short of Parliamentary superannuation. He came in in a by-election in 1963. With Jack Mortimer, it was something of a tragedy after that, as far as his employment was concerned, and he did not live that long.

But I could not return to the industry in which I had served a long time, having fought to get recognition from the employers. It was an industry of a casual nature—the waterside workers—and we had come to an agreement with the employers for long service leave entitlements beyond what had been legislated for in the Federal sphere. It was a benefit based on past service, inducing people to leave the industry. They had to join a contributory fund. It was of extreme value and obviated the necessity for periods of redundancy for some 16 000 people from about 1969 until about 1975. Many people were involved. On again being elected to Parliament, I was denied the right to continue with my superannuation; I was denied the right to any superannuation scheme elsewhere. Members may recall an appointment I had for a short time after the 1972 election—a sort of "job for the boys" appointment, one could say. I could not even then become a public servant and join a superannuation scheme.

When I became elected to this place, I knew the edict that had gone out. Geoffrey O'Halloran Giles was here for some years; he was elected to the Federal Parliament and his service in this place automatically counted in the Federal sphere. Having been elected to this Parliament, I had no provision for my previous service. Further there was no provision for me at that time to make a contribution to a superannuation fund equivalent to what would have been paid had I been a member here from 1969 to 1973, and no interest rate could be struck. That is an anomaly, and I have endeavoured to get an answer to it for some time. I have taken it up with one of our own Ministers, but nothing has come from that inquiry as yet. So there is an anomaly. We all know that a hell of a lot was done by Federal Governments to improve the position for the Federal Parliamentarians between 1973 and 1975. Tremendous strides were made, and many restrictions were removed.

The Hon. A. M. Whyte: The anomaly is that this would not have applied if you had gone the other way.

The Hon. N. K. FOSTER: Yes, as Mr. Giles did. We had members in the Federal Parliament who had come in from by-elections and served for less than three years; they got a full pension whereas members serving one day less than eight years could not get a pension. This is the first opportunity since I have been here of discussing these matters in this Chamber. There is the position of Mr. Ross Story, a member and Minister of this place for a number of years. He was defeated (I am not having a shot at him) and I think he has now been appointed to the staff of the Leader of the Opposition, although I do not know in what capacity. Does it mean that this measure could be invoked against Mr. Story, who was here for so many years?

The Hon. R. C. DeGaris: It could.

The Hon. N. K. FOSTER: It could if Mr. DeGaris left this place. He could hit the sack next week and become the Leader of the Liberal Party. What will be the Leader's position? It may also involve you, Mr. President. You may find yourself, perhaps for health reasons, as head of the Liberal Party in this State. A number of areas can be examined. If the Opposition thinks that there are certain unanswered questions regarding the clause to which the Hon. Mr. Hill has referred so much, that information should be sought.

The Hon. A. M. WHYTE secured the adjournment of the debate.

ELECTION OF SENATORS ACT AMENDMENT BILL

(Second reading debate adjourned on February 16. Page 1594.)

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—"Governor to fix times and places for election of Senators."

The Hon. T. M. CASEY (Minister of Lands): The Hon. Mr. Burdett raised the question whether the Commonwealth Government has been consulted regarding the alteration of the time factor. The reply is, "No". The Governor can decide when writs will be issued. The dissolution of the Senate has caused problems throughout the State in relation to the time factor, and it will be difficult in future to adhere to the provision prescribing nine or 10 days. This provision can be amended to five days without the Commonwealth Government's being consulted.

The Hon. J. C. BURDETT: I realised that this Parliament had power to pass the Bill. Otherwise, I would have voted against it. Also, I accept the Minister's explanation regarding why it has been found necessary to introduce the Bill. That aspect was referred to in the second reading explanation. However, I should have thought that, as the State Government intended to change the method of electing a Senator to the Federal Parliament, in certain instances the Federal Government should have been consulted. That is why I asked my question, the answer to which I have now received.

The Hon. C. M. HILL: What is the position regarding the other States' Acts, and does our provision now conform to the provisions in other States in relation to the time factor?

The Hon. T. M. CASEY: I cannot answer that question, because I do not know what is the time factor in other States. However, the Government received a legal opinion that it was most desirable that it alter the time lag for the issue of writs because of the problems encountered at the last Senate election. Undoubtedly, the other States will consider the matter, and, if they consider it necessary, alter the time factor.

Clause passed.

Title passed.

Bill read a third time and passed.

MOTOR FUEL RATIONING BILL

Adjourned debate on second reading.

(Continued from February 16. Page 1583.)

The Hon. R. A. GEDDES: I rise to support the principles of this Bill. The fact that Australian transport

consumes 55 per cent of all fuel consumed in this country makes it obvious that the movement of goods and chattels and of the people is of prime importance to the State and the nation.

Because of this State's geographical features, with St. Vincent and Spencer Gulfs severing the land, the people on and the services of Eyre Peninsula and Yorke Peninsula suffer a degree of transport and supply hardship not common to other Australian States. The supply by processors of food and goods from the city, the supply of grain, wool and meat by the primary producer, the delivery of manufactured goods from the iron triangle, the metropolitan area and the South-East to markets at home and abroad, and the fact that 80 per cent of the Australian work force needs motor transport to get to work, highlight the dependence on this commodity of transport that uses motor fuel.

Each year we in Australia are getting nearer the time when our supplies of locally-produced fuel from Bass Strait and other areas will dwindle and the quantity of our motor fuel imported will increase. When the supply of the locally-produced product ceases, the cost to the nation will be enormous. It will have a salutary effect on prices and costs throughout the country. All the principal nations, such as the United States, Canada, Japan and the United Kingdom, have legislation providing for the conservation of energy and one of their prime aims is in the conservation of energy used to propel the motor car and the motor truck. These enlightened countries know that motor fuel must be conserved. However, Australia is not doing anything: South Australia is not doing anything. In his second reading explanation, the Minister stated:

> The ever-increasing demands upon the world's energy resources and the uncertainty of future supplies of such resources, particularly crude oil, have led Governments to consider legislating to ensure the maintenance of essential services in the event of the supplies of such energy resources becoming unobtainable or in critically short supply for one reason or another. In recent years both the New South Wales and Western Australian Parliaments have enacted legislation to give their respective Governments control of energy resources of all types.

Later, the Minister stated:

> In South Australia it is not considered necessary at the present time to set up an energy authority of the nature established in Western Australia and New South Wales. However, this State's reliance on petroleum products as a major source of energy makes it extremely vulnerable should the provision of such products cease or be severely restricted.

There is the let-down. This is a Bill to give the Government authority to monitor the supply of motor fuel in times of crisis, in times when shipping may be delayed to quench the thirst of the refinery, or when there is a breakdown because of mechanical failure, or when the unions deny their labour at the refinery or in the transport of refinery products. Union leaders, who know that they hold the handle of the whip, regardless of the consequences of their actions, can hold the State to ransom. This is what the Bill is about. It is not about conservation of the use of energy, despite the pious words used by the Minister, but about rationing caused by one of the reasons that I have given.

Because a Labor Government has introduced this Bill to provide for the rationing of motor fuel in times of emergency, it has, owing to its own selfishness, forgotten the man who makes his living from selling petrol, namely, the service station owner. Because the Government lacks the courage to grasp the nettle, it has conveniently omitted to give itself the power to compel the members of the work force, whether they work at the refinery or in delivering refinery products to the hundreds of petrol outlets, to continue to supply the motor fuel. Therefore, in my opinion, the Bill is a farce. It has gums but no teeth.

I refer now to the two points that I have made about the petrol station operator and the unions involved. The hundreds of people who man service stations throughout the State provide a service that many people take for granted. They are the keystones in the supply of motor spirit to the businessman, the housewife, the transport operator and the commercial sector. When petrol rationing is proclaimed, the service station operator will be the first to lose this trade.

When motor spirit, and other petroleum products are delivered to the storage tanks at a service station, payment is cash on delivery: there is no credit. A service station owner could be liable for payment of about $4 000, $5 000, or up to $6 000 to keep his storage tanks full. He needs the motorist to reimburse him for this cash outlay. If rationing is introduced before the motor fuel is sold, the number of people with permits to buy fuel will be such as to reduce his sales to a trickle, and the person serving the petrol outlet will be in financial difficulty. This chapter of events will occur throughout the State.

The Government needs the service station, with its storage tanks, petrol pumps, and motor-repair facilities, to provide the petrol outlet. However, the problems regarding the service station have been ignored. I refer now to the case where a union dispute occurs in the manufacture or supply of motor fuel. As the men's labour has been removed, it becomes necessary to impose rationing. In the case of a transport strike, supplies of petrol in the metropolitan area may be at danger level, yet there may be sufficient reserves of motor fuel in storage tanks in a country area such as Port Pirie, Port Lincoln, or the South-East.

This Bill does not give the Government any authority or power to transport the fuel from such a centre to Adelaide. What argument, logic or excuse can the Government use to give it the power and authority to have that fuel transported to Adelaide, the crisis centre? If the refinery was working during the early stages of a transport strike and channelling its output into all the storage containers at its disposal, would it be wrong that the Government elected by the people should order that that fuel be delivered to the normal outlet points, the service stations? This Bill allows the people and commerce and industry of the State to slow down or maybe stop, because the measure has no teeth. The Government is willing to restrict the use of motor fuel for every other citizen, but it is not willing to give itself power to assist these same citizens.

I have some criticisms of the Bill. I have dealt with the service station and the service station operator. Clause 3, "Definitions", defines, "sell" to include a person who keeps or has in his posession for sale motor fuel. I assume that the word "sell" includes the petrol station outlet, and I have made that point. Clause 7 (1) is interesting, because I find it difficult to see how it could apply. It provides:

> The Minister may, in relation to a rationing period, in his absolute discretion, by notice in writing authorise a person to sell or deliver rationed motor fuel to another person notwithstanding that the other person is not a permit holder.

I take it, because the clause is titled "Authorisation to sell rationed fuel", that the inference can be drawn that the service station operator can be authorised to deliver fuel from his storage tanks to another service station, possibly one in a more highly populated area. I do not see how this could operate, and I ask the Minister to explain that point. Clause 9 provides:

> A person shall not, during a rationing period, use, or

cause, suffer or permit another person to use, rationed motor fuel sold under a permit for a purpose, other than a purpose, if any, specified in a condition contained in that permit or a purpose necessarily incidental to that purpose.

Obviously that means that any person could reprimand a person who was using his motor car or truck incorrectly, or could point out that he should not be doing so. I submit that the clause also leaves wide open the matter of who shall decide a "purpose incidental to that purpose". If a decision is to be made by a person, other than a Minister, to what extent will the person making it be protected from prosecution about a decision made in good faith? Clause 14, dealing with false statements, provides:

A person shall not make any statement or representation whether express or implied that is false or inaccurate in a material particular in connection with an application for a permit.

I suggest that the word "knowingly" be inserted in that provision, because there is a $1 000 penalty for giving the wrong information. I am not sure how the increase in the c.p.i. compares with that increase in penalty.

However, if a person is to be liable for a $1 000 fine if he unwittingly or unknowingly makes an error in his claim, surely he should have some redress in that regard. Clause 15 deals with the definition of bulk fuel and provides:

"bulk fuel" means rationed motor fuel in a container having a capacity of not less than 180 litres.

That is about 39·8 gallons. One of the arguments advanced by the Government is that in other periods of petrol rationing there has been movement of fuel from other States across the border into the South-East, so that some people have had freedom of use of motor fuel. Why is 180 litres referred to in this Bill? The only container suitable for the movement of fuel is the conventional 44-gallon drum, which has a capacity of about 200 litres. Is the Government arguing that such trade between the States can cause embarrassment in times of stress? It must be remembered that, no matter what his occupation, be it from farmer to storekeeper, from contractor to opal miner, in all other areas of the State the trader's only means of moving fuel in bulk is in 200-litre drums. I see no validity in the argument that a container smaller than 200 litres should be considered to fall within the dragnet of this legislation.

The Hon. Mr. Blevins asked a question in this Council late last year about petrol being supplied to a property out from Broken Hill, where some uranium mining was going on, and where aviation fuel was required. The Flying Doctor Service in the North is dependent on petroleum products supplied in the conventional 44-gallon drums. Therefore, I object particularly to the reference to 180 litres.

Finally, clause 21 deals with profiteering. I refer to the fuel at a self-service petrol station. Petrol companies pay wages to the operators of such stations and are able to offer petrol at about 15·7c a litre, yet the normal retail price for petrol at an owner-operated station is about 20·4c a litre.

Care will have to taken if it can be alleged that the oil companies are the only people who can sell petrol during a rationing period. They can sell it at 15·7c a litre, but the petrol station operator could be selling petrol at 20·4c a litre and, in consequence, he could possibly be charged with profiteering. We should consider including a provision that the Prices Act should become involved so that a fair price can be determined for the trade during such a period.

The principle of introducing this Bill as a measure to be permanently on the Statute Book is commendable. All honourable members who have had the experience of Parliament's being called back to treat just one measure know that that is not always conducive to good legislation, and the principle that the provisions can be applied for 30 days only is reasonable. If a crisis continued for longer than 30 days, as was pointed out in the second reading explanation, Parliament would have to be recalled to deal with the matter. If the State were suffering from a shortage of petrol products over 30 days, there would be many other subjects of concern to the Government, to Parliament, to the Opposition and all honourable members, and the matter would have to be debated at that time.

The Hon. M. B. DAWKINS secured the adjournment of the debate.

UNIVERSITY OF ADELAIDE ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from February 16. Page 1591.)

The Hon. J. A. CARNIE: Like all previous speakers in this debate, I support most of the measures contained in the Bill. Therefore, I do not intend to deal at all with the non-controversial issues contained in the measure. However, I must take issue at the outset with the statement made by the Hon. Anne Levy, who stated:

I do not believe that, as a member of Parliament, I should introduce changes to the structure or functioning of the university which have not first been thoroughly debated and considered by the university itself. I hope that the Hon. Mr. DeGaris and other honourable members opposite will note these remarks and agree with the principle of Parliament not imposing amendments on the university which it has not requested and which have not been first debated by all sections of the university community.

Does the Hon. Miss Levy seriously believe that if the university or the Art Gallery or any other organisation decided that certain changes were needed and a Bill to bring about those changes were introduced to Parliament, we should simply rubber stamp it? The university may be autonomous, but it is not the Parliament of this State. We are the Parliament and we have not only the right but a duty to examine closely every piece of legislation that comes before us, whether the university desires it or not.

The mere fact that the university may desire it is not sufficient reason for our automatically passing the Bill. Further, with this Bill we have another example of the common practice of the Government; that is, of its introducing a Bill largely to bring about changes which are not only desirable but which are necessary, and then including in that Bill a controversial provision that is not desirable or necessary, saying that it will accept no amendment to the Bill.

The Hon. Anne Levy: Every clause in the Bill was requested by the university.

The Hon. J. A. CARNIE: I am not arguing about that. That is not sufficient reason for the Bill's automatic passage, which was the point I made earlier. For the Government to say that it will not accept any amendment is straight blackmail, and I do not accept that. Unless some amendment is made to clause 15, I will vote against it. Personally, I would sooner see the Bill dropped altogether than have the compulsion to join a political body, which is implicit in clause 15, written into the law of this State.

I know that most of the union fee, which this year totals $118, goes to necessary extra-curricula functions of the university. The Hon. Mr. Sumner continually interjected when the Hon. Mr. Hill was speaking, and asked whether funds should be taken away from sports clubs. The Hon.

Mr. Sumner knows perfectly well that this is a different situation from a political club.

The Hon. Anne Levy: We were talking about the Sports Association. It is not the same as a sports club.

The Hon. J. A. CARNIE: I am getting to that. Certainly the Sports Association is funded from the statutory fee. However, there is no compulsion to join any sporting club, as there is to join the Students Association, and I cannot believe that there would be any dispute as to the beneficial nature of the activities of the Sports Association. As far as the radical section of the university is concerned, compulsory membership of the S.A.U.A. is vital. The size of the membership determines the voting strength of the campus on the A.U.S. It determines the amount of funds which the campus gives to A.U.S. This year it will be $22 500.

The Hon. C. J. Sumner: Only if the students want it.

The Hon. J. A. CARNIE: I will deal with that. The Hon. Miss Levy said:

> It is the association as a whole that affiliates to the A.U.S., according to the A.U.S. constitution, and, though the affiliation fee is $2·50 times the number of students, it is not regarded as thereby giving individual membership for students. It is not a capitation fee but an affiliation fee . . .

The Hon. Anne Levy: Do you deny that?

The Hon. J. A. CARNIE: Yes. The fee is paid on a capitation basis, and it is compulsory. If there is not individual membership, as is claimed by the Hon. Miss Levy, why do individual students receive an individual membership card detailing age, sex, campus, nationality, complete with a photograph of the student? Of course there is individual membership of the A.U.S. and it is membership by compulsion.

The Hon. Anne Levy: It is not. You have not read the constitution.

The Hon. J. A. CARNIE: Students receive individual membership cards. If that does not imply individual membership, I cannot follow the honourable member's reasoning.

The Hon. Anne Levy: You should read the constitution.

The Hon. J. A. CARNIE: The constitution should say why individual membership cards are issued in the names of individual students. The Hon. Miss Levy and the Hon. Mr. Sumner both raised the point that, if a student had a conscientious objection, he could opt out of membership of the Sports Association. He would still have to pay the fee and he would still have to help fund the activities to which he had a conscientious objection but, theoretically, he could opt out of membership. In 1976, a student at Adelaide University, Gordon Laverick, objected on behalf of himself and another student. I have a copy of the submission that Mr. Laverick presented to the Union Council, and it seems to me to fall within the guidelines required in such matters. Nevertheless, the Union Council, on motion of the President of the Sports Association, resolved that the objection had no status, and it was therefore refused.

The Hon. Miss Levy and the Hon. Mr. Sumner must know how difficult it is to object conscientiously to membership of the Sports Association. I should like them to tell me whether they know of any cases. Or, is it that students, knowing they will be unsuccessful, simply do not bother to try? I suspect that the latter is nearer the truth. My objection to this Bill is that it provides for compulsory membership of a political organisation; in this case, two political organisations. The Hon. Miss Levy tried to pretend that they were not political organisations and made the following astonishing statement:

> The total amount of the students association budget allocated to these general political activities amounts to about 63c a student . . .

This figure, of which no details are given, apparently came from the President of the Students Association. The figure is blatantly misleading and downright untrue. If we take true figures, we get a totally different picture. It is a question of what one considers to be political activities. It would suit the purpose of the Hon. Miss Levy and the Hon. Mr. Sumner to call some items educational. For example, last year Friends of the Earth received $1 025·11, which was included under Education and Welfare. I consider that Friends of the Earth is a political organisation and, therefore, that sum should be regarded as political. A more accurate sum for political purposes given by the union is about $7·98 a head—a far cry from 63c.

The Hon. C. J. Sumner: How do you work that out?

The Hon. J. A. CARNIE: By including items like the item for Friends of the Earth.

The Hon. C. J. Sumner: Give us details of your calculations.

The Hon. J. A. CARNIE: I could give them, but I point out that the Hon. Miss Levy did not give details of her calculations.

The Hon. Anne Levy: I gave my source.

The Hon. J. A. CARNIE: If we add figures for salaries, which have been omitted, the figure becomes more than $9.

The Hon. Anne Levy: I was talking about Students Association money.

The Hon. J. A. CARNIE: The honourable member was talking about political activities. She is splitting hairs. The Students Association pays money to A.U.S.

The Hon. Anne Levy: I made clear that I was talking about activities of the Students Association.

The Hon. J. A. CARNIE: Some of the funds go to political clubs and, as the honourable member said, some goes to the Liberal Club. However, she omitted to say the amount that goes to the Liberal Club and how it relates to funds given to other organisations. The public affairs committee funds to left-wing activities and matters of no relevance to South Australian students total five times the amount given to the Liberal Club. The sum of $200 was given to the Far-North Queensland Committee. I do not know what that committee does, but I understand that it is "anti" the Queensland Government. What relevance has this to Adelaide students? They also provided $25 to bail people out who took part in illegal activities in Brisbane.

The Hon. Anne Levy: They were students.

The Hon. J. A. CARNIE: That is not the point. It is not an activity of Adelaide University students. Does the honourable member believe that Adelaide University should give funds to any student organisation anywhere in the world?

The Hon. Anne Levy: They used to, when I was a student.

The Hon. J. A. CARNIE: Funds given by the public affairs committee go to political organisations and things which have no relevance to Adelaide University students. The Hon. Miss Levy and the Hon. Mr. Sumner have tried to say that the Students Association is not a political body.

I should like to refer briefly to the report of the Forty-first A.U.S. Annual Council meeting held at Monash University from January 13 to January 22, 1977. I said I would refer to it briefly because it is a fairly large paper. For example, on page 1, dealing with international affairs, the A.U.S. declares:

> That the Government of Lee Kuan Yew is undemocratic and repressive; it will actively campaign against it.

In dealing with Thailand, it states:

> The A.U.S. allocated $2 000 for emergency travel

> expenditure by Thai activists fleeing from the Thai Government either to or within this country.

Also, we see that the A.U.S. "demands an end to the U.S.A. bases in the Philippines" and "supports the struggle for human rights in India". I am not saying that all these things are wrong; some of them I think are, but not all, and I would be foolish to think that everything was black or white: there are some shades of grey. As regards Kurdistan, it states:

> The A.U.S. will provide free return air travel to Europe and intra-Europe rail travel for two of the film-makers. This trip is necessary to complete the film.

These are student funds which are going, in this case, outside the country. Dealing with national affairs, the A.U.S. passed a resolution:

> demanding that homosexuality be presented to students in schools as a valid life style; . . . it affirms the right of homosexual teachers to express and promote their beliefs in schools; . . . it believes homosexuals can and do provide the necessary environment for rearing children and should be allowed to do so,

and so on. I am not necessarily opposed to everything passed at the conference; some of the things could be desirable, but the point is that the A.U.S. is a political body. I have no objection to people holding these or any political views and expressing them but, when they purport to speak on behalf of all students, they are being grossly misleading. They gloss over the fact that the membership of the A.U.S. is compulsory on most campuses in Australia. It is difficult to say what the membership would be if it was voluntary.

The Hon. Anne Levy: It is voluntary—voluntary for the association. There is a referendum—

The Hon. J. A. CARNIE: It is not very wise to bring up the matter of a referendum, because I shall have something to say on that in a moment. It is difficult to say what the membership would be if it was voluntary but, if voting at the university today is any indication, 85 per cent to 90 per cent would drop out. There is also the point raised by the Hon. Anne Levy in her speech, and also just now by interjection, that a campus can by referendum secede from affiliation to the A.U.S. In fact, during the past year 11 have done so throughout Australia, leaving 63 affiliated campuses, not 80, as claimed by the Hon. Anne Levy.

In her speech she said that the most recent vote on the Adelaide University campus occurred in 1975, when a move to disaffiliate was soundly beaten on a referendum. I question "soundly beaten", because the figures I have been given of the referendum are that 1 100 votes were cast, and the final figures were that 53 per cent voted for continued affiliation and 47 per cent voted for disaffiliation; but 110 votes cast for disaffiliation were ruled invalid by the students association on a technicality, the technicality being that a spokesman for that group had asked the returning officer some questions that he should not have asked, so on that basis 110 votes were ruled out.

Rule 6 *(a)* (ii) of the Constitution of the Students Association of the University of Adelaide states:

> A petition signed by 40 members of the association; and the request shall state the exact form in which the question shall be put.

In late September of 1977 a petition conforming to that rule, with 50 signatures on it, called for a students referendum on compulsory membership of the A.U.S. So the then president (then in the tenth year of a four-year course) and the then students association returning officer and current president rejected the petition. In doing so, they invoked a clause of the Clubs and Societies Council, which states:

> The Clubs and Societies Council shall be an association of clubs and societies responsible to the Adelaide University Union for the promotion and co-ordination of the activities and administration of these clubs and societies, in so far as they benefit members of the union.

I understand that that petition was ruled invalid because it was considered it would not benefit members of the union. In the past week the same clause has been used to threaten the Liberal Club with expulsion from the Clubs and Societies Council because the Liberal Club is actively campaigning for voluntary membership of political students unions.

I could go on for some time through this murky world of student politics, but I think I have said enough to show that the S.A.U.A. and the A.U.S. are overtly political bodies. It is a good thing to have political clubs operating on campuses. In this country, there is freedom of political thought and expression and, although I abhor the violence that typifies many of the left-wing student bodies, I still defend their right to hold those views; but, if we agree with freedom of political thought, it follows that we should have freedom to decide what, if any, political organisation we shall join. That freedom is not allowed at the university at the moment and, if this Bill is passed with clause 15 in its present form, it means that this Parliament will write into the law a restriction on a basic freedom we all say we should enjoy.

The Hon. Anne Levy: Nonsense!

The Hon. J. A. CARNIE: The honourable member can say "Nonsense!"; she is obviously proud of the fact that she wants compulsion because it suits her purposes. I will support the second reading of this Bill because there are many desirable and necessary clauses in it but, unless clause 15 is amended in a way that I find acceptable, I intend to vote against the third reading. At this stage, I support the second reading.

The Hon. M. B. DAWKINS secured the adjournment of the debate.

MINING ACT AMENDMENT BILL

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

The Hon. B. A. CHATTERTON (Minister of Agriculture): I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

It contains several amendments of considerable importance. For some time, mining companies have been suggesting to the Government that there should be a form of mining tenement intermediary between those tenements that provide for exploration or prospecting, namely exploration licences and mineral claims, and the tenement that provides for mining production, namely, the mining lease. Frequently, a considerable period is required between the time at which a discovery is defined and the time at which actual mining production commences. This period is required to evaluate properly the discovery, to determine its economic feasibility and, if a decision is made to proceed, to prepare the area for production. A suitable form of tenement is accordingly required to allow for this eventuality, carrying with it the right to apply subsequently for a mining lease.

It has also become necessary to amend the Mining Act

to make it consistent with the Government's present policy on uranium mining, which is to permit prospecting for uranium but to withhold approval of the mining of any discovery until the Government is fully satisfied that it is safe to provide uranium to a customer country. This policy has further highlighted the need for a suitable form of intermediate tenement. The amendments therefore make provision for a new tenement, to be referred to as a retention lease, which the Minister can issue under appropriate circumstances and with appropriate conditions.

Regarding uranium, it is necessary to amend the Act in such a way as to recognise the situation where uranium may occur in association with other minerals and to provide for approval to be given by the Minister for the mining of such deposits under appropriate conditions.

The Bill provides for control over not only uranium but also such other radio-active minerals as may be prescribed. At the same time, the opportunity has been taken to attend to certain other aspects requiring minor amendments. These include a more appropriate definition of extractive minerals, a definition of fossicking to ensure that the collection of minerals as a recreational hobby is excluded from the operations under the Mining Act, and provisions for the depth of particular precious stones field to be varied beyond 50 metres below the surface in the event that opal is discovered below that depth on that field. The opportunity has also been taken to extend the exempt land provisions to cover certain waterworks and forest reserves, and to provide a procedure whereby the issue of a miscellaneous purposes licence goes through the same gazettal provisions as exploration licences and mining leases, to allow for public comment thereon.

Clause 1 is formal. Clause 2 amends the arrangement of the Act. Clause 3 redefines "extractive minerals" so that, where such minerals are mined other than for normal extractive purposes, a tenement may be granted. A definition of "fossicking" is inserted. Fossicking as a recreational, non-commercial hobby is excluded from the definition of "mining" for the purposes of the Act. A definition of "radio-active mineral" is inserted. The definition of "Director of Mines" is given greater flexibility so that any future change in title does not necessitate amending the Act.

Clause 4 provides that the Governor may proclaim the depth of a precious stones field. Such depth may vary, but must be at least 50 metres. It has been discovered that opal, for example, is sometimes found below that depth. Clause 5 exempts waterworks reserves, lands and easements, and forest reserves from the operation of the Act. Any mining on these areas will be controlled by the appropriate Minister.

Clause 6 deals with radio-active minerals. The Minister is given complete control over the mining of such minerals. Exploration for radio-active minerals is not restricted. The Minister is given full control over the disposal of any radio-active minerals that may be recovered during the course of mining for other minerals. Clause 7 extends the period of a miner's right from one year to three years. This longer period will be advantageous to both the miner and the department, and will reduce administrative costs. Clause 8 clarifies the position of a mineral claim where the Minister has refused to issue a lease. In such a situation, the claim lapses. Clause 9 ensures that a miner may not hold the area of a mineral claim for longer than the prescribed period of one year, by the device of abandoning and then immediately repegging the area. Clause 10 provides the issue of retention leases. The Minister may grant such a lease where he is of the opinion that the holder of a registered claim is not ready to commence production, where the Minister wants more time to determine the conditions to be attached to a lease, or where the Minister thinks it desirable to postpone the granting of an authorisation for the mining of radio-active minerals. The provisions relating to the issue of a retention lease follow broadly the provision of the Act relating to the issue of a mineral lease, and include similar requirements for consideration of the protection of environmental and other features. Clause 11 provides that the prospecting for and pegging out of a precious stones claim must be done in conformity with the regulations.

Clause 12 provides that a precious stones claim may be abandoned and repegged without reference to the Warden's Court, even though part of the area of the old claim is included in the area. Clause 13 provides that a miscellaneous purposes licence must be gazetted before its issue in the same manner as the Act provides in relation to exploration licences and mineral leases. Clause 14 extends the control over the use of declared equipment to all claims, whether registered or not, except a registered claim in a precious stones field. The Director of Mines can authorise the use of such equipment on any claim other than an unregistered claim in a precious stones field. Clause 15 provides that, where a miner's right or a precious stones prospecting permit has already expired, the Warden's Court can then make an order prohibiting the person in question from obtaining a further right or permit.

Clause 16 deletes the superfluous word "prospects" from this provision, as the word "mine" includes "prospect". Clause 17 provides that the holders of exploration licences or miscellaneous purposes licences need not furnish returns under this section. This section as it now stands is anomalous in that there can of course be no production of minerals on such tenements. Clause 18 similarly provides that the holder of a miscellaneous purposes licence need not keep the records of samples required by this section. Clause 19 enables the Minister to grant conditional exemptions from conditions of leases or licences. An exemption can be given for a fixed period of time. Clause 20 corrects an anomaly. The Governor is empowered to make regulations in respect of certificates of registration.

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

ADJOURNMENT

At 5.40 p.m. the Council adjourned until Wednesday, February 22, at 2.15 p.m.