LEGISLATIVE COUNCIL

Thursday, February 23, 1978

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

ASSENT TO BILLS

His Excellency the Governor, by message, intimated his assent to the following Bills:

Commercial and Private Agents Act Amendment,
Criminal Injuries Compensation,
Subordinate Legislation.

QUESTIONS

HOMELESS WOMEN

The Hon. R. C. DeGARIS: I seek leave to make a brief explanation prior to directing a question to the Minister of Health about homeless people.

Leave granted.

The Hon. R. C. DeGARIS: I have just read a report on an interesting survey done in Victoria by four social science students—

The Hon. N. K. Foster: Speak up, I can't hear you!

The Hon. R. C. DeGARIS: I have just completed reading a report on a survey done by four social science students in Victoria about a problem in that State concerning homeless and houseless women. This is similar to a report made in Great Britain recently on the same topic. One of the comments made by the researchers was that, while we know there are people who are homeless and without houses, the problem with the females in the community is not as evident as that of the males. Has the Government here done any study on this problem? If not, will it acquaint itself with the studies made in Great Britain and Victoria and institute such an inquiry in South Australia?

The Hon. N. K. FOSTER: On a point of order.

The PRESIDENT: Before the Minister replies?

The Hon. N. K. FOSTER: Yes.

The PRESIDENT: It is very unusual for an honourable member to do that.

The Hon. N. K. FOSTER: Yes, but I asked him twice to speak up; I could not hear the question; I do not know what it is about. It is only fair that honourable members should hear what the question is and what the reply may be. Anyway, if you do not think it is any good getting him to repeat his question, I will read *Hansard* tomorrow. Twice I asked him to speak up and twice he mumbled into his shirt.

The PRESIDENT: I think it is the kind of question that the honourable member can read tomorrow in *Hansard.*

The Hon. D. H. L. BANFIELD: The problem raised by the Leader is one of concern to the Government. Although we have not studied the report referred to in the question, we are concerned with the homeless, whether they be males or females, and we are continually looking at this problem. Some of the homes we have are for alcoholics or people who have been kicked out of their homes or have left home for one reason or another. I shall be interested to study the report and, if necessary, we will see whether the conclusions are applicable to South Australia.

MONITORING SERVICE

The Hon. C. M. HILL: I ask the Minister of Health, as Leader of the Government in the Council, whether the talk-back programmes on Adelaide radio are still being monitored by a section of the Premier's Department and, if so, for how long the tapes are retained. Also, are any details or is any information taken from the tapes and filed away in the Premier's Department and, if so, who has access to such details or information?

The Hon. D. H. L. BANFIELD: As the honourable member knows, this is a service that the Government provides for Opposition members. If the honourable member has experienced any problem, not having had access to a tape, the Government would be pleased to furnish him with any tape that it may have on record.

The Hon. C. M. HILL: I ask the Minister a supplementary question. I was not seeking information regarding any one specific matter. On the two occasions when I have tried to get information from the monitoring service, I have been told that it was not working at the time in question, so that I could not obtain the information I wanted. Perhaps, on reflection, my question should have been directed to the Minister of Health, representing the Premier: I should have asked the Minister whether he would bring the matter to the Premier's notice. I ask the following two questions again. I would understand if the Minister said that he had to refer the matter to the Premier. My questions are as follows: are any details or is any information taken from the tapes and filed away in the Premier's Department and, if so, who has access to such details or information that might be so filed away?

The Hon. D. H. L. BANFIELD: The honourable member knows from past experience that, when I answer a question and point out that a problem is involved, I also follow it up with a supplementary answer, and I intend to do that again today. I also said that, if there was a specific problem about which the honourable member was concerned, I was anxious to be told about it so that the whole matter could be cleared up at the one time.

UNIONISM

The Hon. N. K. FOSTER: I seek leave to make a statement before asking the Minister of Health, representing the Minister of Labour and Industry, a question relating to unionism.

Leave granted.

The Hon. N. K. FOSTER: On page 15 of today's *Advertiser,* under the misleading headline "Court vetoes award clause", is a report, part of which states:

> The High Court ruled yesterday that an award giving job preference to workers promising to join a union was invalid.

That is quite misleading. I refer also to an appeal against the decision made by Justice Gaudron in the Arbitration Commission some months ago in relation to the long-running problem that has confronted the rubber industry, where two unions have been vying for membership. Members will recall the problems that have been engendered locally for 10 or 12 years, if not more. The report continues:

> All five judges rejected the submissions put by Uniroyal's counsel, Sir Billy Snedden, QC, that the preference clause amounted to compulsory unionism.

All five judges rejected what Mr. Snedden, the Speaker cum lawyer, barrister, or what have you, said on behalf of his clients in his false arguments. The report continues:

> Although it was envisaged that the people who agreed to join the union within 14 days would do so, they might decline to do so.

Therein lies the reason for the judgment. The judges made that decision, conscious of what, in fact, the powers of the Conciliation and Arbitration Commission were. Later, the report states:

> The Federal Secretary of the Metal Workers Union (Mr. R. Gietzelt), last night claimed the decision as a victory for the trade union movement.
>
> The High Court has now upheld the principle of preference for unionists, he said.
>
> The significant factor in the decision was that all five judges had rejected Uniroyal's submission that the preference clause amounted to compulsory unionism.

Therefore, I ask the Minister whether the Minister of Labour and Industry, as a responsible Minister (and I have no doubt that he will do this), will draw the attention of those in South Australia, both employers and those on the political side of this Chamber who are intent on saying that such a decision does not mean what it says, to what the position is. The Minister ought to make a definitive statement on the matter.

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

DIREK SIDING

The Hon. M. B. DAWKINS: I ask a question of the Minister of Lands, representing the Minister of Transport. Is the Minister aware of the shunting problems that occur at Direk railway siding, adjacent to Main Road 410, which carries much traffic that is diverted from the Main North Road, and of the build-up of traffic which sometimes occurs there as a result of the shunting of stock trains that activate the traffic lights without actually crossing the line? The Minister would be aware that there were problems of this kind at Cavan some time ago and that they seem to have been overcome. Will the Minister ask his colleague to investigate this problem to find out whether the situation at Direk can be avoided so that the build-up does not occur?

The Hon. T. M. CASEY: I will refer the question to my colleague.

COMPANY INTERESTS

The Hon. J. R. CORNWALL: I seek leave to make a short statement prior to directing a question to the Minister of Health, representing the Attorney-General, regarding the business activities, company directorships, shareholdings, and business associates of Abraham Gilbert Saffron, commonly known as Abe Saffron, in South Australia.

Leave granted.

The Hon. J. R. CORNWALL: Members will recall that I asked a series of questions about Mr. Saffron on October 12, 1976, in this Council concerning his possible involvement in the local drug scene and the refusal of the Licensing Court to grant several liquor licences to Mr. Saffron, his associates, or his nominee companies. At that time the then Chief Secretary (Mr. Banfield) described Abe Saffron as "a person well known to the Police Department". I understand that the Attorney-General recently attended a conference of Attorneys-General in New Zealand at which the growth of organised crime through reputable business fronts was discussed. In the public interest, I ask will the Attorney-General prepare a comprehensive statement detailing:

1. The premises, licensed or otherwise, in South Australia in which Mr. Saffron is known to have a financial interest.

2. The names of fellow directors, associates, and nominee companies involved with any of the Saffron enterprises in South Australia.

3. The transactions or attempted transactions of any individuals or companies in respect of licensed or unlicensed premises in South Australia.

4. Any activities or investigations which the Attorney-General, his department or the Superintendent of Licensed Premises has undertaken to control or oppose the issue or transfer of licences to Mr. Saffron or his associates.

5. Any actions which may have been taken to curb the practice of licensee companies being "taken-over" rather than the licence being transferred, in accordance with the provisions of the Licensing Act.

Finally, can the Attorney-General detail reasons why Mr. Saffron has been described as a "person well known to police" throughout Australia and overseas for his criminal activities?

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

COMPULSORY UNIONISM

The Hon. M. B. CAMERON: I direct my question to the Minister of Health, representing the Minister of Labour and Industry, and ask whether or not it is a fact that, before job interviews are now granted by State Government departments, the interviewees are required to sign a form indicating that they will join the appropriate union if they obtain employment. Does not the Minister agree that this requirement goes right away from the policy of preference to unionists and is, in fact, compulsory unionism?

The Hon. D. H. L. BANFIELD: As this question has been directed to my colleague, I shall refer it to him.

TELECOM

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

Leave granted.

The Hon. N. K. FOSTER: Doubtless all honourable members saw on channel 2 last night that Telecom was notching up giant profits during the past six months and looks like exceeding its high record profit—

The Hon. M. B. Cameron: Who increased its charges?

The PRESIDENT: Order!

Members interjecting:

The PRESIDENT: Order! All these little asides are out of order. The honourable member just waits for interjections.

The Hon. N. K. FOSTER: That is typical Liberal Party thinking. Telecom Australia has declared a half-yearly net profit of $99 000 000 and on present indications will realise an annual profit some 6 per cent in excess of the previous year's figures. Most city telephone subscribers would be painfully aware of how the commission achieves this surplus, but I wonder whether the Minister of Agriculture has any specific observations on the effects of Telecom's financial policies on the rural community, particularly country fire services?

The Hon. B. A. CHATTERTON: One of the first moves by Telecom after it was established as a commission was to

discontinue indirect concessions on telephone rentals for rural fire brigades. After much pressure from the States, the commission eventually told the States that it intended to replace the concessions with lump-sum payments to State Treasuries. However, from the South Australian point of view, disbursement of these funds amongst district councils and country fire sevice organisations is extremely difficult. I have written to the Minister for Posts and Telecommunications strongly urging that the old system be reverted to. I wrote that letter about four months ago and as yet have received no indication as to whether or not the reversal of the commission's policy is expected. I think I should explain why that policy is such a problem so far as State Governments are concerned.

Telecom informs the Federal Government how much the concessions are worth, and on that basis the Federal Government then makes a lump sum grant to the State Government, which then has to disburse that lump sum grant to all the organisations that previously received the concessions. That is a bureaucratic nightmare, and probably the most expensive possible way in which such concessions could be administered. I am also very concerned about the commission's policy on the use of land lines by rural fire brigades. The indications are that rental charges for these are being increased by as much as 600 per cent. Obviously I do not need to elaborate on the financial implications of this increase for Country Fire Services. With this increase in land line rentals there is apparently a move by Telecom to force district councils to use land lines to a greater extent than they have in the past.

We have a particular problem in the Jamestown, Gladstone and Orroroo area, where pressure is apparently being applied by Telecom on the Commonwealth Posts and Telecommunications Department to refuse permission for a regional radio network for fire-fighting, using UHF radio links. I have received a considerable number of representations from Country Fire Services on this point. A licence for a radio transmitter would cost $4 a year, while the yearly rentals for the land lines being insisted on by Telecom would range between $360 and $744. Country Fire Services are convinced that the radio network is all that they want to carry out the services they require, and that land lines are expensive and unnecessary for their purposes. I wrote to the Commonwealth Minister on September 19, 1977, putting forward these views and protesting against the new policy, and I wrote a follow-up letter on January 4, 1978, but there has been no reply to the representations from the Country Fire Services of this State.

UNDERGROUND WATER

The Hon. R. A. GEDDES: Has the Minister of Lands a reply to my recent question about underground water?

The Hon. T. M. CASEY: The Rural Industry Assistance Branch of the Department of Agriculture and Fisheries reports there is no provision under the drought assistance scheme "carry-on" funds for capital works of this nature. A pastoral lessee may make application under the drought assistance scheme for funds for carry-on purposes. However, the inclusion of capital works in the carry-on budget runs contrary to the policy of the fund. Pastoral lessees frequently use small diameter test holes to locate subterranean water reserves, before enlarging and casing a proven supply. No applications for assistance in this type of development have been received by either the Pastoral Board or the Rural Industry Assistance Branch.

DROUGHT RELIEF

The Hon. R. A. GEDDES: Can the Minister of Agriculture say, if a primary producer applies for household support finance and decides to remain on the property, what interest the primary producer would have to pay for having received household support in these difficult times?

The Hon. B. A. CHATTERTON: I hope I explained clearly the other day that, if he successfully applied for household support, he received it for one year, and then an extension for two years was possible; that is in the discretion of the lending authority. That two years of household support is then converted to a grant if he intends to leave agriculture. The honourable member asks what happens if he does not leave agriculture? In that case, it remains as a loan. The loan is repayable over 10 years. That, of course, means 10 years in total because he has received it over two years, he gets a year's holiday on repayment and has to repay the amount he receives in household support over the remaining seven years. The rate of interest varies between 4 per cent and 8 per cent per annum, depending on what would be the equivalent interest he would be paying if he had received carry-on finance under one of the industry schemes. The various industry schemes that are provided for the meat and dairying industries, and so on, have varying rates of interest, and household support would be charged at the rate equivalent to what he would pay if he was receiving a carry-on loan.

ASIO

The Hon. N. K. FOSTER: I seek leave to make a statement before directing a question to the Leader of the Council, representing the Premier, about ASIO.

Leave granted.

The Hon. N. K. FOSTER: Much has been said recently about ASIO and the relationship between it and the States. One wonders, following the outrage in Sydney in front of the Hilton Hotel last week (and so far there has been no real public announcement made as to what type of bomb was involved, and whether the bomb was detonated) exactly what the position is. I refer to a letter that appears in the *Advertiser* this morning from a correspondent questioning whether or not those who are responsible for the apprehension of those people are prepared to go to any lengths to enlist the aid of the people to apprehend such criminals. I believe that ASIO is more or less a law unto itself. I do not know whether or not the Australian Security Intelligence Organisation can investigate ASIO, but what concerns me is this. If we follow what happened to the Central Intelligence Agency and similar organisations in the Western world, set up to protect people, I ask whether or not the population should not be protected against its protectors. We have knowledge of the CIA being more than suspect of being involved in the murder of an American President and spending millions of dollars in trying to overthrow a properly elected Government; we remember what happened in the Senator McCarthy era. One could go on and on and instance similar cases where that organisation was suspect. Was the bomb in George Street planted in the bin by a member of ASIO? That is a question that could open up a wide field, and one could be criticised for making such a statement.

In view of the statement on page 8 of the *Advertiser* this morning, dealing with the question raised yesterday by a South Australian Senator, and the Prime Minister's intention to make an announcement in the House of

Representatives about security, will the Minister in this Council request the Premier to be fully informed of the intention of the Federal Government in regard to security matters where the State is clearly involved, prior to the passage of legislation?

The Hon. D. H. L. BANFIELD: My understanding is that the Prime Minister will confer with the Premiers of all States in relation to security measures, and how ASIO should be involved. I assume the point raised by the honourable member will be amongst those for discussion. However, I will draw the honourable member's point to the Premier's attention.

WHYALLA HOSPITAL

The Hon. C. M. HILL: I seek leave to make a statement before directing a question to the Minister representing the Minister of Works, about building activity on Whyalla Hospital.

Leave granted.

The Hon. C. M. HILL: In the *Whyalla News* of February 8, an article appeared which stated:

> Work on the $8 750 000 first phase of redevelopment at the Whyalla Hospital will start on Monday, February 20. This was announced today by the member for Whyalla, Mr. Max Brown. The first step will be relocation of some existing buildings on the site. This will be undertaken by P.B.D. Constructions, the Public Buildings Department's construction branch.

What was the approximate number of men involved on the site in this first step now carried out by the P.B.D. Construction Branch? Was any preference given to local labour and tradesmen for this work?

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

REMAND CENTRES

The Hon. C. M. HILL: I seek leave to make a very short statement prior to directing a question to the Minister representing the Chief Secretary, about remand centres as opposed to prison centres.

Leave granted.

The Hon. C. M. HILL: From time to time, the question arises as to the unfortunate influences of gaols upon remand prisoners, some of whom are subsequently acquitted of the charges that have been laid against them. In view of the public feeling on this matter, has the Government any plans to provide separate remand centres, apart from prison centres, in South Australia?

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

STRATA TITLES

The Hon. C. M. HILL: I ask a question of the Minister representing the Attorney-General. Is any progress being made in the Government's plans to amend its strata title legislation to enable unit owners to change over their existing ownership arrangements to strata titles without the need to obtain the consent of every unit owner in the subject property?

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

LICENSING ACT AMENDMENT BILL

Returned from the House of Assembly without amendment.

MINING ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from February 22. Page 1702.)

The Hon. R. C. DeGARIS (Leader of the Opposition): The Hon. Mr. Geddes has undertaken a clear analysis of the Bill, and there is little more I can add to what he has said. I will therefore confine my remarks at this stage of the debate to two matters that deserve special comment. The first matter is covered in clause 10, which deals with a new concept: that of the Minister's ability to issue retention leases. As a former Minister of Mines, I would regularly sign—

The Hon. N. K. Foster: You wouldn't compare yourself with Hudson, surely.

The Hon. R. C. DeGARIS: No, I would not. As a former Minister, I would, for many and varied reasons, sign a number of papers relating to suspension of working conditions in connection with existing mining leases. It occurred to me at the time that, where the reasons for that course were reasonable and just, there should be a simple method of allowing a person to hold a mining lease but not to work it. Although the idea of the issue of retention leases does not necessarily stem from the procedures of suspension of working conditions, nevertheless the idea is a worthy one.

The ability of the Minister to issue retention leases, both where leases are already held or as a natural consequence of an exploration under an exploration licence, overcomes a number of difficulties, including the ridiculous position in which the Government temporarily finds itself. I have no doubt that in a relatively short period the Government will change its mind on the question of uranium mining. When it does, there will be no need to alter these provisions, because the idea of issuing retention leases has a much wider application. I should think that the idea of retention leases would be approved by the mining industry generally. Indeed, I should think that the idea might well have emanated from the industry representatives. I support and commend to the Council the concept of the issue of retention leases.

On the general question of uranium mining, I believe it is necessary, at this stage, for the States to mark time. As pointed out by the Hon. Mr. Geddes, the Commonwealth must produce guidelines for the rest of Australia, in relation to uranium mining, because of the national nature of the whole question of mining, milling and sale of uranium. As the Commonwealth has not as yet made known its views, the question of providing for retention leases becomes increasingly important to the industry.

The next question, however, is a little more complex. Clause 6 has been referred to by some honourable members as the Roxby Downs clause. By the time the Roxby Downs mining operation becomes a reality, this provision will be amended by the Government. Nevertheless, the clause adopts a principle that is difficult for the Government to sustain. Where a mine has two minerals and one of those is a radioactive substance, the mining operation can proceed, but all the separated radioactive material becomes, under clause 6, the property of the Crown.

Although I realise the Government's dilemma in this matter, I believe that to state in legislation that the radioactive material becomes the property of the Crown

will have a serious effect upon mineral exploration in South Australia. It is clear that, in a mining operation such as that to which I have referred, if the radioactive material is uranium, it will have to be processed at the mining stage to yellow cake. At that stage, the Crown, I assume, takes ownership. I cannot see Roxby Downs ever becoming a viable operation under this clause.

Apart from that fact, one must consider the future of exploration in this State. With this clause hanging over the explorers' heads, exploration for mineral wealth in this State will be inhibited. I suggest that the Government should consider the alternative of purchasing not necessarily at world market prices, but on a cost basis, and then holding the stocks on behalf of the producing company. When Federal and State policies are finally ironed out, the company has the right to repurchase from the Government, plus interest and the royalties charges.

That is the first option: if the Government wants to control the movement of uranium in this State, and there is a viable operation of mining another mineral associated with uranium, the Government should buy it on a cost of production basis. Then, when all the problems are ironed out between the Commonwealth and the States on this matter, the company can have the right to purchase back at the price paid. Unless that is done, and if this provision is operating, there is absolutely no chance of a mining operation getting off the ground at Roxby Downs.

The Hon. N. K. Foster: That is only an assumption on your part.

The Hon. R. C. DeGARIS: It is not; it is a statement based on information I have received.

The Hon. N. K. Foster: What is your source of information then?

The Hon. R. C. DeGARIS: The people in the mining industry. That is my first suggestion. The second option would be for the Crown to hold in trust all yellow cake produced from a mine, until the policies, State and Federal, are agreed to, at which time the yellow cake can be returned to the producing company. I do not see any possibility of Roxby Downs becoming a mining operation for some years. Much work is still to be done before that can happen. So, the second option is a reasonable one that will not inhibit future exploration in South Australia. I have made the point that the clause as it now stands may affect the future of the Roxby Downs project. On the other hand, it may not. I am sure that, if the clause is not amended, it will affect the confidence of those who are now prepared to spend risk capital in the search for mineral wealth in South Australia.

The Hon. A. M. Whyte: Do you think that the vote in Tasmania will have a big effect on that?

The Hon. R. C. DeGARIS: It could, but, irrespective of that vote, I say that this Government will change its mind within 12 months. I am prepared to make that assumption. I support the Bill, but I ask the Government to consider one of the options that I have mentioned regarding clause 6.

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

MOTOR FUEL RATIONING BILL

Adjourned debate on second reading.

(Continued from February 22. Page 1705.)

The Hon. A. M. WHYTE: The principle of this Bill is correct, and the measure has much merit: it is necessary to have such legislation. However, I am concerned that the Bill has really nothing to do with the shortage of fuel which is not only nation-wide but world-wide and of which the Minister spoke when explaining the measure. The Bill deals with industrial upheavals, either in refineries or on the sea-board, and, if the Government intends to control fuel distribution, why is there not a provision in the measure to cope with strike action or any restriction caused by industrial action?

It was a red herring to suggest that the legislation was necessary because of the world shortage of fuel and the possibility of an energy crisis in this State. Doubtless, there is a possibility of having to face up to that in the future, but I believe that we will have sufficient warning that the known fuel sources are deteriorating to a point where new measures will be necessary. Probably, before we reach this crisis, alternative sources of fuel will be available.

I believe that the Bill is designed merely to assist those who wish to take direct action rather than action through the Arbitration Court, of which earlier trade unionists were so proud. We could almost predict that the introduction of this Bill heralds another Stanvac strike, and it may be a good warning to people who can store fuel to fill their storages. I repeat that the Bill seems to be directed more towards preventing interstate fuel, for instance, from coming here. It surprises me that, when we are talking about the shortage of fuel in the State, we introduce legislation to ensure that no fuel can come from interstate. If it was in my power to do so, I would obtain as much fuel as possible from interstate, rather than put legislative bans on such introduction.

One attempt to curb interstate trade and strengthen the hand of the strike-force is made in clause 15, which declares the 44-gallon drum to be bulk supply. Nothing could be further from the truth. That container has been used in the remote areas of South Australia for many years. It is the only way in which many people in those areas can obtain fuel that is so necessary to them in obtaining essential goods. We see 44-gallon drums of fuel on most small air-strips in the outback for aircraft serving cattle firms or mining companies, or used by the Flying Doctor Service as the Hon. Mr. Geddes has pointed out.

Should we restrict the use of these containers merely because the Government says that, irrespective of how serious the crisis is, we should not allow imports of fuel from interstate? I wonder how valid this legislation would be found to be if it was tested in the courts under section 92 of the Commonwealth Constitution. I believe that people in South Australia, one of whom is in the South-East, would be capable of taking this matter to the courts to test it. If the person in the South-East does that, I hope that he is successful.

If the measure does not include the necessary means of retaining or distributing fuel and if it compels the community to play its role in those matters, then it is bad legislation. If it applies to only one section, amendments will be moved and one will be designed to ensure that the 44-gallon drum, the most commonly used receptacle for the distribution of fuel in the outback, will be taken out of Part III, which deals with bulk fuel. The other amendment will make the legislation bind all sections of the community, not only some sections.

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

UNIVERSITY OF ADELAIDE ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from February 22. Page 1703.)

The Hon. D. H. LAIDLAW: I shall confine my comments in this second reading debate to clauses 15 and 18 of this Bill. I recognise that the University Council has

considered it at length and has requested that the particular clauses should be included in this Bill. Furthermore, the council, which contains a broad spectrum of experience, is doubtless proud of the university and wishes to preserve the autonomy which has existed for so many years. I share these sentiments and point out that various members of my family and I are graduates of the university and have been associated with a section of its development.

The member for Ross Smith argued during the debate in another place that the University of Adelaide Act was in the nature of enabling legislation. It exists not to allow Parliament to control the university and to attempt to interfere with the way that it regulates itself but rather to enable that institution to have certain legal status and to be able to enter into legal contracts.

I respect this view but, since the University of Adelaide has acquired these powers by a separate Statute rather than simply by incorporation, it is the duty of this Chamber to review any changes that are proposed, and not merely endorse them with a rubber stamp. However, I feel that any amendments proposed by this Chamber should be designed to enhance rather than impede the manner whereby the council, the union and the students regulate the proceedings of the university.

Clause 15 amends section 22 of the principal Act and provides *inter alia* that the university shall prescribe with the concurrence of the university union the fees of that union and provide for the collection of those fees. As a result, each full-time student will be obliged to pay about $118 in 1978 to the university union, which in turn will allocate funds to the students and sports associations, etc. One of the functions of the former is to pay an annual affiliation fee of over $20 000 to the Australian Union of Students.

Members of the public, as well as students, have objected to the mandatory nature of this procedure, the only relief being on conscientious grounds whereupon the $118 fee will be passed, I understand, by the union to some prescribed charity. It has been suggested that students should be free to opt out of the students or sports associations or decline to pay their share of the affiliation fee to A.U.S.

Although I object to compulsion in principle, I think it would be costly in this instance to administer a voluntary scheme whereby each student could elect which, or how many, associations to join. Economy of operation must be given the highest priority in these times of high labour costs. Since university tuition is free for nearly every student, I do not think it is unreasonable to ask each full-time student to pay $118 a year to enjoy the facilities provided by the university union and its affiliated associations.

Therefore, I should be reluctant to change the present arrangement of mandatory union membership which has prevailed for many years. However, the Hon. Mr. Burdett suggested yesterday that more notice could be given to students of proposed donations or payments to bodies beyond the control of the university. The rules of the university union and its affiliated associations provide means whereby a group of students can petition for a general meeting to consider such donations and payments, but I suspect that these petitions would, in practice, deal with deeds already accomplished. To overcome this, I would support an amendment which would make it obligatory for the university union and its affiliated associations to publicise on notice boards, etc., for five academic days, the intention to pay a donation or fee, say, of more than $1 000 in a full year to a body outside the control of the university. This would exclude any payment for goods and essential services.

Students are spread throughout the various faculties, and such an amendment would give them an opportunity to follow the proceedings of the union and its associations more closely. Furthermore, it would not deprive the students of their existing power to administer the union and its associations and to allocate their funds of about $900 000 a year in the manner that they think best, subject to advice from the university council.

Clause 18 adds a new section 29 to the principal Act. It provides that the State Industrial Commission may exercise any jurisdiction conferred upon it by the Industrial Conciliation and Arbitration Act with respect to university employees other than academic staff.

I support this provision, because the university could then apply to the commission for an award to cover the wages and conditions of its 1 300 non-academic employees. The universities in New South Wales, Queensland and Western Australia are registered with their respective State Industrial Commissions and have special awards to cover their non-academic employees, whilst Flinders University Act was amended in 1973 to enable it to register with the State commission.

The University of Adelaide is precluded from registering with the commission, because of the peculiar provisions of sections 9 and 22 of the principal Act. The university is given power to regulate the appointment or dismissal of employees and to prescribe their duties and the manner in which they are to be performed. As a result, the university rather than the Industrial Commission must settle the wages and conditions of its employees other than academic staff, who are subject to the Academic Salaries Tribunal, which was established by Federal Statute.

About 75 per cent of the 1 300 non-academic staff belong to the University of Adelaide Ancillary Staff Association. However, the university council decided that employees should be free to join any union of their choice, and I understand that the Miscellaneous Workers Union and the Federated Clerks Union have been canvassing actively for members. Without the assistance of the Industrial Commission, the university may be forced to negotiate wage rates and terms of employment with each of these unions separately.

Apart from the time involved, this would inevitably lead to leap-frogging in demands as each union organises strikes to upstage the others in an attempt to attract more members. This situation should be avoided and, therefore, I support clause 15, which places such matters under the jurisdiction of the State Industrial Commission. I support the second reading.

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

PARLIAMENTARY SUPERANNUATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from February 21. Page 1635.)

The Hon. A. M. WHYTE: In speaking to this measure, I point out that clause 3 deals with section 14a of the principal Act and makes provision for a member of Parliament to continue his superannuation at a rate already fixed. Although his salary for some reason may be diminished, provided he is willing to continue his present rate of contribution he will eventually receive superannuation on that basis. I have always maintained that the two most rewarding features of a back-bencher's life were the free parking facilities and the superannuation.

The Hon. D. H. L. Banfield: In that order?

The Hon. A. M. WHYTE: Not necessarily in that order

but, when one considers the niggardly electoral allowance provided by the Government to back-benchers in this Council—

The Hon. F. T. Blevins: Given by the Government?

The Hon. A. M. WHYTE: The Government sets the rate, the tribunal having no power whatever to regulate the allowance paid to members.

The Hon. J. E. Dunford: It is determined by the tribunal.

The Hon. A. M. WHYTE: Any alteration whatever has to be made by the Government, which on every occasion has refused a just and proper allowance.

The Hon. F. T. Blevins: You have not made that clear.

The Hon. A. M. WHYTE: The present electoral allowance for honourable members of this Council is set at $4 000, regardless of their place of abode or their need for any extra allowance. That is not within the jurisdiction of the tribunal, which merely sets what it thinks is an average allowance.

The Hon. F. T. Blevins: Your figures are wrong.

The Hon. A. M. WHYTE: Any addition to that amount must be set by the Government.

The Hon R. A. Geddes: The tribunal.

The Hon. A. M. WHYTE: The tribunal can only set an amount for all members. It is the same for all members.

The Hon. F. T. Blevins: The living-away-from-home allowance is also set by the tribunal.

The Hon. D. H. L. Banfield: You haven't got your facts right.

The Hon. A. M. WHYTE: Government members would be only too pleased to take my claim to the Government for a special allowance for special conditions, but they know very well what would happen to them if they approached the Treasurer: he would send them packing very quickly.

The Hon. D. H. L. Banfield: You have dragged in outside matters. You don't know what you are talking about.

The Hon. A. M. WHYTE: Cabinet refused a request made by the President and by honourable members individually. Honourable members should carefully watch for any interference with either free parking or superannuation. I support clause 3, which provides an advantage to members who for some reason may have lost a position on one of the committees but who still wish to contribute the same amount and receive superannuation based on that rate.

Regarding clause 4, which amends section 19 of the principal Act, it is difficult to understand why the Government wants to take away part of a benefit from a member.

Under the clause, a retiring or defeated member who takes employment elsewhere would have his Parliamentary superannuation adjusted in respect of the amount of superannuation applying to whatever employment he took. This really amounts to a breach of contract, because there was no suggestion of this in the superannuation scheme previously.

Members believed that what they had paid in and what the Government contributed was their entitlement. However, it now appears that a retiring or defeated member will in certain circumstances lose part of his entitlement. I wonder whether the Minister of Works considered this aspect when he threatened to resign in connection with the question of sacking the Commissioner of Police? This Bill must have been before the Minister at that time, and many people have been unkind enough to say that the Minister did not really mean that he would resign from Parliament. Had he resigned, he would no doubt have taken a position as a fencing contractor for the Minister of Labour and Industry, who is designing fences for secondhand car yards.

The Hon. D. H. L. Banfield: You would not be so well off if you were subject to the miserable amounts given under the Liberal Government's scheme.

The Hon. J. E. Dunford: We have been very good to you.

The Hon. A. M. WHYTE: He who giveth also taketh away.

Members interjecting:

The PRESIDENT: Order! We should get back to the subject matter of the Bill. I think there is a general recognition that the Bill as it now stands is not exactly what the Government intended.

The Hon. A. M. WHYTE: I am trying to save my portion of superannuation. As you suggest, Mr. President, an amendment will be necessary to make this Bill read in the way that the Government intended. As it reads at present, it is certainly an imposition on honourable members. I will decide whether to support the third reading of this Bill after I have had time to assess the amendment that has been foreshadowed by one of my colleagues. I support the second reading.

The Hon. D. H. L. BANFIELD (Minister of Health): I thank honourable members for the attention they have given to this Bill. I am a little surprised at the attack that the Hon. Mr. Whyte made on the Government. Had the honourable member been completely honest he would have said that it was only as a result of actions taken by this Government that improvements were made to Parliamentarians' conditions, to which we were rightly entitled. No actions of that kind were taken by the Liberal Government.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Suspension of pension."

The Hon. C. M. HILL: I move:

> Page 2, line 7—After "office or place" insert "under a law of the Commonwealth, a State or Territory of the Commonwealth and".

I refer to the situation where a person who had served in Parliament later accepted a second position. If the second position is employment under a law of the Commonwealth, a State, or Territory of the Commonwealth, and if the second position carries superannuation or a retirement allowance, the Government is entitled, by regulation, to enforce a suspension of at least some, if not all, but probably some, Parliamentary superannuation in such a situation.

The CHAIRMAN: The position is that the Government prescribes.

The Hon. C. M. HILL: Yes. If a person leaves here and continues work in the private sector, in no circumstances will his superannuation be affected.

The Hon. D. H. L. BANFIELD (Minister of Health): There is a printer's error in the amendment, which confuses the whole matter. If "line 7" is amended to "line 8", I will accept the amendment.

The CHAIRMAN: That correction has been made on my copy of the amendment.

Amendment carried; clause as amended passed.

Title passed.

Bill read a third time and passed.

ADJOURNMENT

At 3.34 p.m. the Council adjourned until Tuesday, February 28, at 2.15 p.m.