

## LEGISLATIVE COUNCIL

Tuesday 12 September 1978

The **PRESIDENT** (Hon. A. M. Whyte) took the Chair at 2.15 p.m. and read prayers.

PETITION: *CANNABIS*

The **Hon. J. A. CARNIE** presented a petition signed by 175 residents of South Australia praying that the Council would oppose any Bill seeking the legalisation of the drug *cannabis* for non-medical use.

Petition received and read.

## AUDITOR-GENERAL'S REPORT

The **PRESIDENT** laid on the table the Auditor-General's Report for the financial year ended 30 June 1978.

## PUBLIC WORKS COMMITTEE REPORTS

The **PRESIDENT** laid on the table the following reports by the Parliamentary Standing Committee on Public Works, together with minutes of evidence:

Happy Valley Primary School Replacement,  
Stirling Sewerage Scheme (Headworks and Sewage Treatment Works).

## QUESTIONS

## TELECOM CHARGES

The **Hon. R. A. GEDDES**: Has the Minister of Lands, in the absence of the Minister of Health, an answer to a question I asked recently regarding charges imposed by Telecom?

The **Hon. T. M. CASEY**: On 5 May 1978 the Stockowners' Association of South Australia wrote to the Acting Premier advising him that despite the representations of the association to the Federal Minister for Post and Telecommunications (and his predecessor) they had been unsuccessful in obtaining a change of policy by Telecom Australia. On 4 July 1978 the South Australian Government advised the Hon. E. L. Robinson, the then Minister for Post and Telecommunications, of the unsuccessful attempts by the Stockowners' Association on behalf of individuals in the Kimba district who had found the Telecom charges for upgrading certain private telephone lines somewhat severe.

On 8 August 1978 the Hon. A. A. Staley, the next Minister for Post and Telecommunications, advised me (as Acting Minister Assisting the Premier) that "as the Australian Telecommunications Commission handles matters of administration I have forwarded your letter to the commission and I will ensure that the matter is carefully investigated. On receipt of the commission's report I will be in touch with you again". I do not think the stockowners' representations have fallen on sympathetic ears.

## LEAVE PAYMENTS

The **Hon. D. H. LAIDLAW**: Has the Minister of Lands a reply to the question I asked recently regarding the taking of long service leave and annual leave when they are due?

The **Hon. T. M. CASEY**: The Government is presently considering the possibility of ensuring that its employees take long service leave within a reasonable time of its falling due, but no decision has yet been made. Employees are required to take annual leave as it falls due and deferment (and therefore accrual) is not approved unless the needs of a department warrant such action. In regard to the creation of vacancies, it is, in many instances, not necessary to incur the additional expense of engaging extra staff when persons take long service leave.

## SCHOOL BUILDING COSTS

The **Hon. ANNE LEVY**: Has the Minister of Agriculture a reply from the Minister of Education to the question I asked on 15 August regarding school building costs?

The **Hon. B. A. CHATTERTON**: The report on school building costs has been considered by all States and accepted by them. As Chairman of the Australian Education Council, the South Australian Minister of Education has advised the Commonwealth Government that the report can be published, and it is currently being printed by them. It is expected the report will be released as soon as printing is completed.

## RURAL STUDIES

The **Hon. M. B. DAWKINS**: Has the Minister of Agriculture a reply to the question I asked on 22 August regarding a rural studies course being conducted by the Further Education Department?

The **Hon. B. A. CHATTERTON**: The Minister of Education has sought information regarding the number of colleges of further education which offer the complete rural studies certificate, and an indication of those colleges hoping to do so in the near future.

Some background details may be useful. The award of the certificate depends on a student's satisfactorily completing eight 50-hour units of instruction. Students must take two units from units designated "Principles" and the remaining units may be drawn from any area. The original small number of elective subjects has grown from about 12 to 53. Of course, not all of these are available at one college or at one time.

Currently the rural studies certificate can be gained by study at three country colleges, Gawler College of Further Education, the South East Community College (Mt. Gambier), and the Northern College of Further Education (Peterborough). The South Australian College of External Studies also offers the full certificate. Next year Naracoorte College of Further Education and Adelaide Hills Community College (Mt. Barker) expect to have enough units on offer to make the award and Port Pirie plans to offer sufficient units by 1980. The number of units available at each college depends on the number of specialist rural studies staff at that college and the hourly-paid budget allocated to the college. In the tight manpower and financial Budget situation for 1978-79, the increase in availability of rural studies units may be slower than previously expected.

## KITE FLYING

The **Hon. R. A. GEDDES**: On behalf of the Hon. Mr. DeGaris, I ask the Minister of Lands whether he has a reply to the question asked by the honourable member regarding kites.

**The Hon. T. M. CASEY:** This Government fully approves of and supports any community arts activity which encourages South Australians of all ages to enjoy access to the arts and to use facilities such as the plaza.

#### FESTIVAL CENTRE PLAZA

**The Hon. J. C. BURDETT:** Has the Minister of Lands a reply to the question I asked recently concerning the Festival Centre plaza?

**The Hon. T. M. CASEY:** The Adelaide Festival Centre Trust has advised that (a) the work will consist of exposing leaking movement joints and rectification of the bituminous waterproof membrane, and (b) the cost of this work is covered by warranty provisions.

#### STATE EMBLEM

**The Hon. ANNE LEVY:** Has the Minister of Tourism, Recreation and Sport a reply to the question I recently asked about souvenir badges?

**The Hon. T. M. CASEY:** Samples of a range of badges distributed by the Western Australian Tourism Department are not for sale, as indicated by the honourable member, but are given away selectively, mainly to invitees during special promotions and to passengers on tours organised by the Western Australian Travel Centre. The badges were given away during a recent 150th Anniversary promotion in Rundle Mall, Adelaide. Several souvenir shops in Adelaide sell souvenir brooches and stick pins depicting scenes of Adelaide but none feature the piping shrike or the sturt pea. It is considered that there is generally not a ready market for sales to the general public for badges to be worn in lapels except perhaps when travelling overseas. During promotions the handing out of badges does occur and the recipients are usually persuaded to wear them only for limited periods. Hence, it is not considered that any significant promotional benefit could be achieved by the marketing of badges for sale to the general public.

#### BEAUT TOURS

**The Hon. C. M. HILL:** Will the Minister of Tourism, Recreation and Sport outline the Government's new tourism scheme known as Beaut Tours? Secondly, will the Minister assure the Council that all South Australian Government funding and/or subsidies for the Beaut Tours proposal will be separately detailed in his department's accounts for Parliamentary and public scrutiny? Thirdly, will he also give an assurance that if the scheme becomes unprofitable after a reasonable trial period it will be scrapped forthwith?

**The Hon. T. M. CASEY:** I assure the honourable member that the Beaut Tours organisation, as depicted in the brochure, has been operating for many years. Two Beaut Tours are outlined in the brochure; one is to Coober Pedy and the other is further on to Alice Springs. People, like the Hon. Mr. Hill, do not seem to grasp that all we are doing is marketing a product, which has been available for many years, in a way that will appeal to travel agents, particularly in the Eastern States.

I have already had indications that those travel agents are very happy with the brochure because the tours are fully detailed. The money spent on this promotional campaign did not involve any excess over the estimate for the department or require any further allocation: it was

funded out of the general allocation to the department. Previous newspaper advertisements in black and white promoting tours to various areas were costing the department a considerable sum, but I assure the honourable member that no extra money has been provided for this scheme. I am surprised that the honourable member did not realise that the tours depicted in the Beaut Tours brochure have been operating for a number of years.

#### SOUTH AUSTRALIAN COMPANIES

**The Hon. N. K. FOSTER:** Has the Minister of Lands a reply to the question I asked on 1 August regarding the business interests in other States of purported South Australian companies?

**The Hon. T. M. CASEY:** The Attorney-General has advised that his officers have traced as far as possible the organisations referred to in the honourable member's question, but very little information is available because the Companies Act does not require the disclosure in company accounts of the information sought. The only relevant information available from departmental sources is that Metro Meat Limited mentions in its annual report its abattoirs operation at Noarlunga and a similar operation conducted through a subsidiary at Katanning, Western Australia. This information is available only because the company has disclosed to its shareholders in its directors' report and elsewhere information over and above that which the Act requires. This is the only information that is available from departmental records.

#### FISHING LICENCES

**The Hon. J. A. CARNIE:** As B-class fishing licences have recently been reissued, will the Minister of Fisheries say whether the Government, through the Fisheries Department, intends to take steps to protect the already depleted scale fish resource in South Australia, particularly in the Northern Spencer Gulf area and, if it has, will the Minister outline its plans to the Council?

**The Hon. B. A. CHATTERTON:** Steps to protect the scale fishery in the north of Spencer Gulf, and in fact throughout the whole State, have already been taken. I should have thought that the honourable member would be aware that I announced a freeze on the issuing of licences for fishermen to take scale fish. Also, a freeze has been placed on the number of people who can be employed by licensed fishermen to assist them in their fishing operations. These measures have been implemented to enable the Government to complete the biological review of the scale fishery that is at present being undertaken. Preliminary figures in our possession indicate that considerable pressure was being placed on the resource and, indeed, on the income of scale fishermen, and it was prudent that these steps should be taken to freeze the number of licences involved. That is the reason for the step that has been taken. The Government will be developing further policies in relation to this State's fisheries when the biological review to which I have referred has been completed. Present indications from my department show that the full-scale review should be completed in the first half of next year.

#### MANUFACTURING SKILLS

**The Hon. D. H. LAIDLAW:** In the absence of the Minister of Health, has the Minister of Lands a reply to my

recent question regarding whether the South Australian Government would associate itself with Project Australia, the funds for which were made available in the Federal Budget?

**The Hon. T. M. CASEY:** The Economic Development Department is continually seeking effective ways of promoting awareness of the skills and resources available in South Australia. To this end, the department publishes an industry directory that details the products of over 2 400 South Australian firms. On a quarterly basis the department produces a publication *Development Digest*, which is circulated to 5 000 Australian firms, and this highlights significant new products. The fact that many people do not appreciate the wide range of skills and products available in Australia is something of which the department is frequently made aware by inquiries received regarding potential sources of supply. Any campaign to promote "buy Australian" attitudes must be undertaken at a national level, as State-oriented campaigns can be of limited effectiveness for South Australia only because of our high volume of exports to other States.

The department always co-operates with appropriate Federal Government departments in any efforts to promote a better understanding of South Australia's role in the Australian economy. When the details of the proposed Project Australia campaign are known, the department will co-operate with the organisers within the constraints of the resources available for such activities. The department would also welcome inquiries from industry associations that may require assistance in promoting the potential of particular industry sections.

#### MIGRANT VOTING

**The Hon. C. J. SUMNER:** I seek leave to make an explanation before asking a question of the Minister of Lands, representing the Minister of Local Government, about migrant voting in local government elections.

Leave granted.

**The Hon. C. J. SUMNER:** The amendments to the Local Government Act passed earlier this year provided for the first time in Australia that non-naturalised residents would be permitted to vote at local government elections as from next year. This will involve non-naturalised migrants enrolling on an electoral roll kept by local councils. I notice from recent reports in the press, particularly the *Advertiser* and *Whyalla News*, that a closing date for enrolment of 31 July 1978 was gazetted. The press reports indicated that people wishing to take advantage of this extension of the franchise would have to enrol by 31 July 1978. This did not provide people with much time to take advantage of their rights, particularly as a publicity campaign was not possible in the short time provided. First, will the Minister indicate whether there will be another closing date for enrolment prior to next year's local government elections? Secondly, will any steps be taken to publicise the new right to enrolment, including publicity in the ethnic press? Thirdly, will common enrolment forms be provided to councils to facilitate enrolment of these electors?

**The Hon. T. M. CASEY:** The Local Government Act Amendment Act of 1978 provided for the existence of a permanent roll which would be used not only for elections, but also to test the validity of petitions and demands for polls based on various provisions of the Local Government Act. In order that the new borrowing provisions of the Local Government Act which may require a poll of electors could come into immediate effect, the rolls were closed as soon as possible after the annual elections.

However, the amendments to the Local Government Act also provide that the rolls should be closed twice a year in order to ensure that they are reasonably up to date and when required would generally reflect the residents and other eligible voters within local authority areas. Consequently, a second closing date will be established at roughly the same time as this year for the annual elections. The Local Government Office and the Local Government Association at that time will combine to give maximum publicity (including notices in the ethnic press) to the changed voting rights. The greatest possible opportunity will be given to all persons eligible for enrolment to exercise their right for next year's annual local government elections.

For the present roll it is unlikely that it will be used, particularly in the metropolitan area, where loan polls rarely occur. Consequently, any potential disenfranchisement is limited and of course this will be rectified before the annual elections next year. It is proposed to print for use by councils a common enrolment form that will be available from council offices so that enrolment will be facilitated.

#### SCALE FISHERIES

**The Hon. R. A. GEDDES:** I wish to ask the Minister of Fisheries a question supplementary to that asked by the Hon. Mr. Carnie about scale fishing in South Australian waters, particularly the upper Spencer Gulf area. The Minister mentioned a biological survey of the waters. Can he say whether there has been a previous biological survey of the size of fish, so that that survey can be compared with the present one? Because of the intense interest by so many people in the problems associated with these fisheries, will the report due next year be made public, or will it be available to the public?

**The Hon. B. A. CHATTERTON:** Perhaps I should explain the situation in greater detail. It is a review of the whole of the scale fisheries resources. We hope to be able to collect sufficient data from biological sources, from catch effort data, and from other measurements to construct a complete yield curve, which is so essential in terms of management. We want to construct a curve showing the yield of the fishery at various levels of effort. It should then be possible to develop a management regime for the fishery, so that the optimum yield is obtained. We can get the data from a number of areas: the catch and effort records supplied by fishermen over the years, biological data, and other data that we can use to cross-check against data obtained from these sources. That is what we hope to achieve through this review of the scale fishery. We will be making that information available to the public.

**The Hon. R. A. Geddes:** Has there been a previous biological survey?

**The Hon. B. A. CHATTERTON:** There has not been a previous survey or review of the fishery of the kind I have outlined. Some summaries have been provided of the catch effort data on various occasions, but that is only one element of the construction of a yield curve.

**The Hon. R. A. Geddes:** There will be difficulty in getting comparisons.

**The Hon. B. A. CHATTERTON:** Yes, but there are also difficulties in getting information to cross-check the catch effort data; there are reasons to believe that it is not altogether accurate. So, we have to have other bench marks by which we can measure the yield of the fishery. I refer to biological measurements and other material such

as the population dynamics of the fishery. Such information can be used to construct the yield curve.

#### ABATTOIRS

**The Hon. M. B. CAMERON:** Has the Minister of Agriculture a reply to my question of 1 August about throughputs in privately owned abattoirs?

**The Hon. B. A. CHATTERTON:** The figures requested by the honourable member on throughputs at individual privately owned abattoirs are not available. Such figures are supplied to the Australian Bureau of Statistics on the understanding that they are treated as confidential. Financial performance is obviously even more difficult to acquire other than in profit and loss statements and, in those which are published, financial reports on individual abattoirs are frequently submerged in the report of the total operations of the company.

#### SECURITIES INSTITUTE

**The Hon. C. M. HILL:** I seek leave to make a statement before asking a question of the Minister of Lands about the Securities Institute of South Australia.

Leave granted.

**The Hon. C. M. HILL:** When the Commercial and Private Agents Act Amendment Bill was debated in this Council last February, I referred to representations that had been made to me by the Securities Institute of South Australia, which was seeking representation on the Commercial and Private Agents Board. I informed the Council that the Attorney-General, who was in charge of this board, had refused the institute an opportunity to have such representation. I explained that the board had five members, two of whom were to be (and I quote from the legislation) "persons nominated by the Minister who are, in the opinion of the Minister, properly qualified for membership of the board".

I went on to say that the two people appointed to the board under that qualification were, first, the Minister's own Chief Administrative Officer in his department and, secondly, Mr. Arthur Tonkin, Secretary of the Australian Meat Industry Employees Union. I said I would like the Attorney-General to explain whether or not he thought Mr. Tonkin had the required qualifications and whether the Attorney-General thought he had to answer the charge that this was a classic example of jobs for the boys. I waited for replies at the end of the debate on that Bill, but all the Minister of Lands said was this:

I am sure the Attorney-General will write to the honourable member in due course and explain why that is the case.

I waited seven months for the Attorney-General to reply and I have not, as yet, received a letter from him. A spokesman for the Securities Institute has asked me whether I have heard from the Minister, as it still seeks representation on the board. Therefore, will the Minister of Lands ask the Attorney-General for a complete explanation of the Minister's appointments? Will the Attorney-General also inform me whether he has given, or is giving, further consideration to the request by the institute to allow one of its representatives to sit on this board?

**The Hon. T. M. CASEY:** I will refer the honourable member's question to the Attorney-General, and I am sure his reply will satisfy the honourable member.

#### ASBESTOS

**The Hon. N. K. FOSTER:** I seek leave to make an explanation before asking a question of the Minister representing the Minister of Health.

Leave granted.

**The Hon. N. K. FOSTER:** The latest report from the United States of America on mineral asbestos seems to more than indicate that mineral asbestos is responsible for 20 per cent of American workers employed in this industry contracting cancer.

**The Hon. C. M. Hill:** A certain type of asbestos.

**The Hon. N. K. FOSTER:** Having had some experience from as far back as the early 50's in the banning of asbestos in the industrial area, I do not regard any one asbestos as being worse or better than another. I put them all in the same barrel; it should be left in the ground. From the American report, I understand that many other products that are used commonly in the work place, such as some types of plastic, oil fuels, coke furnaces, and other substances, are all highly dangerous. Therefore, will the Minister have his department investigate the latest report that is now available in America, to ascertain the way in which the conclusions of the report were arrived at and under what circumstances workers were employed in the various industries? Also, will he ascertain whether the American manufacturing techniques can be compared to those used for asbestos cladding in the building industry and the shipbuilding industry in this country? Finally, I ask that the report be made available, if possible, to the Parliament.

**The Hon. T. M. CASEY:** I will refer the honourable member's question to my colleague.

#### LEIGH CREEK

**The Hon. R. A. GEDDES:** Can the Minister representing the Minister of Mines and Energy say whether work is proceeding with the new township to house the work force for Leigh Creek?

**The Hon. B. A. CHATTERTON:** The new township proposals are proceeding, and a considerable amount of work has already been done. The town plan has been prepared and surveying of the site has been completed. Several thousand trees have been planted and a temporary water supply has been installed to the site. Architectural and engineering consultants have been engaged and design work on roads, drains and other civil works is in progress.

#### YATALA LABOUR PRISON

**The Hon. C. M. HILL:** Can the Minister of Lands say whether a riot occurred at Yatala Labour Prison on Wednesday 30 August? If it did, will the Minister give details of the extent of any damage that occurred, the reason for the disturbance, and the measures taken by the Government to ensure that there will not be a repetition? If a riot did occur, did the Government take, or concur with, any measures to withhold information from the media in this State?

**The Hon. T. M. CASEY:** I will refer the honourable member's question to the Chief Secretary.

**The Hon. C. M. Hill:** You should know; you would have discussed it in Cabinet.

**The PRESIDENT:** Order!

**DENTAL HOSPITAL**

**The Hon. C. M. HILL:** Before asking a question of the Minister representing the Minister of Health, I seek leave to make an explanation concerning the situation facing pensioners wanting dentures at the dental hospital in Frome Road.

**The Hon. C. M. HILL:** Representations have been made to me on behalf of a pensioner who lost her dentures and, being a pensioner holding an entitlement card, she went to the dental hospital in Frome Road where, after waiting for four hours, she was told that, although she was eligible, the wait for new dentures would be two to three years. Can the Minister confirm that this is the situation?

**The Hon. M. B. Cameron:** It is worse.

**The Hon. C. M. HILL:** What is the Minister's personal view about this state of affairs and what action does the Minister contemplate, or is he taking, to overcome this very serious problem facing pensioners in this State?

**The Hon. T. M. CASEY:** I will refer the honourable member's question to my colleague.

**VICTORIA SQUARE LAND**

**The Hon. C. M. HILL:** Has the Minister of Lands a reply to my recent question about the Government's short-term and long-term plans concerning a vacant piece of land in Victoria Square on the southern corner of Wakefield Street?

**The Hon. T. M. CASEY:** On behalf of my colleague the Minister of Health, I give the following reply:

A landscape proposal for the site which will provide seating areas, pedestrian pathways, a pergola canopy area, a stone wall along parts of the eastern boundary, and flood lighting, is now in the construction stage, with completion estimated for November 1978. There are no proposals for further development of the area in the long term.

**MIGRANTS**

**The Hon. C. M. HILL:** I seek leave to ask a question of the Minister of Lands, representing the Minister of Community Welfare, concerning grants of public funds to the FILEF organisation.

Leave granted.

**The Hon. C. M. HILL:** On 20 April 1977, I asked a question on this matter and quoted from an issue of a national Italian newspaper of 16 April 1977, as follows:

State grant for FILEF initiatives: FILEF of South Australia has been informed in a letter from the State Minister of Community Welfare (Mr. Ron Payne) that they have been granted \$8 750 to finance a series of initiatives in order to strengthen the organisation among migrant Italian workers. The letter was sent to the Secretary of FILEF in Adelaide, Mr. Franco Barbaro. This letter is evidently recognition given for the work done by this organisation up to this day.

I asked the Minister whether the Government had granted particular aid, and subsequently I received a letter (copy of which I have mislaid) that confirmed that the aid, in fact, had been granted. Have any grants or loans other than the \$8 750 been made to the FILEF organisation by the State Government since April last year and, if so, for what purpose have they been made?

**The Hon. T. M. CASEY:** I will refer the question to my colleague and bring back a reply.

**ASBESTOS**

**The Hon. R. A. GEDDES:** I wish to direct a question about asbestos to the Minister of Lands, and I seek leave to make a short explanation before asking the question. Leave granted.

**The Hon. R. A. GEDDES:** I recognise the Hon. Mr. Foster's concern regarding the safety aspects of the use of asbestos. As the Engineering and Water Supply Department is still using asbestos pipes to reticulate water in many parts of the State, have any tests been made as to the safety of those asbestos pipes in manufacture and also whether it is safe for people to consume water from them? Do any safety records show that there is no danger to the public in that regard?

**The Hon. T. M. CASEY:** I will refer the honourable member's question to my colleague.

**RURAL WORKERS**

**The Hon. N. K. FOSTER:** Has the Minister of Lands a reply to my question regarding rural workers?

**The Hon. T. M. CASEY:** If a youth was employed by a farmer who was receiving the Special Youth Employment Training Programme subsidy and the youth was not receiving the award rate, action would be taken by the Labour and Industry Department for payment of the arrears of wages due to the employee. In the first instance an attempt would be made to settle the complaint by conciliation, but failing that prosecution would follow.

Secondly, a youth would be regarded as competent to work in the pastoral industry after the completion of six months training. Finally, it is more likely that a youth employed under the SYETP scheme would be training as a general farm hand. After six months training he would have a good working knowledge of general farm duties, but little or no knowledge of shearing.

**JOB EXPORTS**

**The Hon. N. K. FOSTER:** Has the Minister of Lands a reply to my recent question on job exports?

**The Hon. T. M. CASEY:** The Economic Development Department has no information available to suggest that Tubemakers of Australia are sourcing products from overseas at the expense of local employment. It is pointed out that manufacturers have to examine continually ways of rationalising production and sourcing arrangements to maximise economic efficiency. Whilst in some instances this will result in the importation of some products, it also presents the opportunity to increase local production in other areas. The general economic climate in Australia is probably the greatest source of job losses, but these losses are often incorrectly associated with rationalisation of sourcing arrangements which contribute to the long-term stability of the total work force employed by a firm. It is suggested that the honourable member might take this matter up directly with Tubemakers to gain an appreciation of how it has reorganised its activities.

**LOCAL GOVERNMENT SALARIES**

**The Hon. N. K. FOSTER:** Has the Minister of Lands a reply to my recent question on local government salaries?

**The Hon. T. M. CASEY:** The conditions of employment of professional, administrative, clerical, and supervisory officers employed by local authorities, with the exception of the City of Adelaide (which has its own award), are set out in the Municipal Officers (South Australia) Award

which is an award handed down by the Commonwealth Conciliation and Arbitration Commission. Negotiations for the award are generally conducted between the Local Government Association of South Australia, representing the employers, and the Municipal Officers Association of Australia, representing the employees. The salary of the town or district clerk is based on the revenue of the authority.

### FROZEN FOOD FACTORY

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

1. On what date was work commenced on the Government's Frozen Food Factory and what is the expected completion date?

2. What is the current estimated completion cost of the factory?

3. What was the original estimate of the cost of this factory?

4. What major itemised variations in the estimated cost have occurred compared with the original estimates?

5. What is the total working capital of the factory and what sources of funds were used to provide this working capital?

6. How much of the working capital is now being used and for what purpose?

7. On what date will frozen food be, or has frozen food been, supplied to Government hospitals and institutions?

8. Have any alterations been necessary at any Government hospital or institution to receive frozen food and, if so, which hospitals and institutions have either:

- (a) had alterations or additions completed;
- (b) are in the process of being altered or added to; or
- (c) have alterations or additions planned?

9. What is the cost or estimated cost of any such alterations or additions at each Government hospital or institution, respectively?

10. What staff reductions will occur, or have occurred, at each Government hospital or institution, as a result of frozen food delivery?

11. What total salary savings will occur, or have occurred, at each hospital or institution following the introduction of the frozen food from the factory?

12. Will frozen food be supplied to organisations other than the Government hospitals and institutions and, if so, what organisations will be supplied and what will be the basis of fixing prices which will be charged to these organisations?

13. What alterations or additions have been made or will be required to these organisations to receive the frozen food?

14. What was the profit or loss on the operations of the Frozen Food Factory for the year ended 30 June 1978 and what is the estimated profit or loss for the year ending 30 June 1979?

15. What capital, if any, was written off for the year ended 30 June 1978 and what is the estimated amount of capital, if any, to be written off for the financial year ending 30 June 1979?

16. Will the Frozen Food Factory require additional funds for working capital this year and, if so, how much will be required and, if further funds are required, why is the factory not capable of providing its own additional working capital?

17. If further funds are to be provided what source will be used to provide the funds?

18. Have any serious problems occurred in the operation of the Frozen Food Factory and, if so, what were these problems?

19. Have any independent investigations been carried out concerning the operation and efficiency of the Frozen Food Factory and, if so, what are they and what action has been taken to implement any such recommendations?

**The Hon. T. M. CASEY:** The replies are as follows:

1. 24-2-76. The factory will be completed and maintenance and guarantee contracts will be finalised by December 1978.

2. \$9 192 000 000.

3. Cabinet approved project on April 1975 at an estimated cost of \$7 000 000.

\$

4. Effect of devaluation of Australian dollar October 1975 - 12 per cent on imported equipment December 1976	
12.5 per cent .....	350 000
Additional consultant fees Austin Anderson (Aust.) Pty. Ltd. ....	400 000
Additional site works, sewers and stormwater drainage to provide adequate grades for drainage .....	120 000
Additional client requests .....	116 000
Modifications to process plant resulting from developments of the process design .....	625 241
	323 000
Industrial stoppages and extension of term to contractor .....	61 000
Commissioning costs .....	65 000
Additional plant and equipment requested by committee of management .....	132 000
	\$2 192 241

5. and 6. An amount of \$250 000 has been provided from Loan Account as initial working capital for the project. Working capital is used to finance the general operations such as cash outgoings less income received which includes the investment in stocks on hand and outstanding debtors accounts. The amount required consequently varies according to the above factors on a week-to-week basis. Any amounts required in excess of the original allocation of \$250 000 is currently being accommodated within the total funds held by the Health Industrial Services Deposit Account at the Treasury.

7. December 1977 and still developing.

8. Alterations and additions at the following hospitals or institutions have been necessary to receive frozen food:

(a) Alterations and additions completed:

- Royal Adelaide Hospital
- Royal Adelaide Hospital Northfield Wards
- Enfield Hospital
- Strathmont Centre
- Osmond Terrace Clinic
- Ru Rua Nursing Home
- St. Anthony Hospital
- Mental health clinics—
- Carramara
- St. Corantyn
- Palm Lodge
- Beaufort Clinic
- Gilles Street Hospital
- Flinders Medical Centre
- Modbury Hospital.

(b) In process of being altered or added to:

- Hillcrest Hospital
- Glenside Hospital.

(c) Alterations and additions planned:

- Queen Elizabeth Hospital.

9. Costs or estimated costs associated with these additions or alterations are as follows:

	\$
Royal Adelaide Hospital .....	530 000
Royal Adelaide Hospital North- field Wards .....	90 000
Enfield Hospital .....	82 400
Strathmont Centre .....	47 000
Osmond Terrace Clinic .....	46 000
Ru Rua Nursing Home .....	21 000
St. Anthony Hospital .....	10 500
Mental health clinics—	
Carramara .....	} 18 000
St. Corantyn .....	
Palm Lodge .....	
Beaufort Clinic .....	
Gilles Street Hospital .....	2 200
Flinders Medical Centre .....	11 000
Modbury Hospital .....	50 000
Hillcrest Hospital .....	340 000
Glenside Hospital .....	275 000
Queen Elizabeth Hospital .....	494 000
	estimated.

10.	Reductions	Additions	Net
Royal Adelaide Hospital	36	1	35
Queen Elizabeth Hospi- tal .....	19	1	18
Modbury .....	33	1	32
Glenside .....	40	1	39
Northfield .....	15	1	14
Hillcrest/Enfield .....	15	1	14
			—
			152

11.	\$	
Queen Elizabeth Hospital ....	165 000	per annum
Royal Adelaide Hospital ....	260 000	per annum
Modbury Hospital .....	205 000	per annum
Enfield Hospital .....	20 000	per annum
Northfield Wards .....	140 000	per annum
Glenside Hospital .....	330 000	per annum
Hillcrest Hospital .....	120 000	per annum
	\$1 240 000	per annum

12. Only institutions in receipt of Government funds will be eligible to buy from the factory. There will be only one standard price list for all.

13. Cold storage and reconstitution facilities.

14. Deficit \$122 286 to 30 June 1978. Deficit \$454 000 to 30 June 1979 (estimated).

15. (1) Nil

(2) Nil

16. (1) Yes

(2) \$200 000.

The selling prices of food from the frozen food service have been set so as to not only be realistic but related to the break even point. Until this capacity is reached the frozen food service will operate at a deficit. As the demand builds up economic viability will be achieved and it is not practicable to continually alter prices as demand changes.

17. It is anticipated that any additional funds required for working capital purposes can be temporarily accommodated within the Health Industrial Services deposit account.

18. Yes. The main problems have been related to staff recruitment difficulties, delays in commissioning, and difficulties with plant and equipment. Further, some institutions have been delayed in participating by building and conversion delays.

19. Normal standard production line operations have not yet been achieved, as product development and refining of production procedures is still being carried out. Work studies have been carried out, specifications for purchasing and standard recipes have been developed and, generally, considerable emphasis is being placed on producing an acceptable product in the most efficient manner possible. At this stage the factory has only been in production for a relatively short period.

**CONSUMER AFFAIRS BRANCH**

**The Hon. J. C. BURDETT** (on notice):

1. When was the Consumer Affairs Branch established?  
2. When the branch was established and for each year thereafter what were the numbers, respectively, of:

(a) the total staff; and

(b) admitted legal practitioners?

3. What has been the wages bill for the first and every subsequent year of the branch's career?

4. What is the anticipated wages bill and numbers of legal practitioners and total staff for the current financial year and the next financial year, respectively?

**The Hon. T. M. CASEY:** The replies are as follows:

1. The Consumer Affairs Branch commenced its existence under that name in 1976. It was previously the Prices and Consumer Affairs Branch, and before that the Prices Branch.

2. (a) The total staff was 81 in 1976, 93 in 1977, and 112 in 1978.

(b) No admitted legal practitioners have ever been employed as solicitors. However, since 1973, by arrangement with the Crown Solicitor, admitted legal practitioners from the Crown Law Office have from time to time been seconded to the Consumer Affairs Division for various periods. At present there are three Crown Law solicitors on secondment, and these officers are responsible to the Crown Solicitor. This year there are also two officers who are admitted legal practitioners but are not employed in that capacity.

3. Salaries and wages paid were as follows: 1975-76, \$702 143; 1976-77, \$936 068; and 1977-78, \$1 261 745. If details of payments in earlier years are required, they are of course readily available by reference to the Estimates of Expenditure of each year (P.P. 9).

4. The anticipated wages bill for the current year is shown in the Estimates of Expenditure which will be tabled in Parliament this week. The total number of employees for the current year is 98.

**ASSENT TO BILLS**

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

- Industries Development Act Amendment (No. 2),
- Supply (No. 2).

**SHEARERS ACCOMMODATION ACT  
AMENDMENT BILL**

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

**The Hon. T. M. CASEY** (Minister of Lands): I move:  
*That this Bill be now read a second time.*

This short Bill seeks to remedy two defects in the parent Act that have been revealed by practical experience since

the Act came into operation on 1 December 1976. Section 8 of the Act sets out the powers and duties of an inspector appointed under the Act with respect to the inspection of shearing sheds or buildings used for the accommodation of shearers. Although the Act provides that obstructing an inspector in the exercise of his powers and duties under the Act is an offence, there is no provision in the Act to require a person on a property to which the Act applies to answer questions concerning shearers' accommodation put to him by an inspector.

The absence of any such express provision in the Act and its associated difficulties was brought to my attention when, in September 1977, a prosecution for breach of the Shearers Accommodation Act was dismissed by the magistrate for lack of evidence. In that case, the apparent manager of the property on which the defective buildings were situated refused to give information to the Inspector of Shearers Accommodation. This deficiency in the Act places an inspector in an invidious position, as he has no authority to require the necessary information to support an allegation as to a breach of the Act.

Accordingly, the Bill proposes that a similar provision to that included in the Industrial Safety, Health and Welfare Act, 1972-1978, be inserted in the Shearers Accommodation Act to remedy the position. Provision is now made to empower an inspector to require any person to answer questions put to him by the inspector for the purposes of determining compliance with the Act, and places an obligation on that person not to refuse or fail to answer those questions to the best of his knowledge, information and belief. These powers in the Industrial Safety, Health and Welfare Act have been formulated over a considerable period of time in order to ensure that occupiers of industrial premises cannot evade their responsibilities under the Act by refusing to co-operate with an inspector in the course of his duties.

The opportunity has also been taken to include a provision in the Act to enable an inspector to take photographs of buildings covered by the Shearers Accommodation Act to support his assessment of their condition. Difficulties have arisen in the past when an inspector has been forbidden to take photographs to substantiate his claims. A provision similar to that in the Industrial Safety, Health and Welfare Act is included in the Bill to cover that situation.

Clause 1 is formal. Clause 2 provides the new powers of an inspector, expands the provision relating to obstruction, and makes it an offence to refuse to answer an inspector's questions, but provides that a person is not obliged to answer an incriminating question.

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

#### AUSTRALIAN MINERAL DEVELOPMENT LABORATORIES ACT AMENDMENT BILL

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

#### SIR JOHN BARNARD'S ACT (EXCLUSION OF APPLICATION) BILL

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

**The Hon. T. M. CASEY (Minister of Lands):** I move:  
*That this Bill be now read a second time.*

It excludes the operation in this State of the Imperial Act 7 Geo II Chapter 8, commonly known as the "Sir John

Barnard's Act". The Act, which was repealed in the United Kingdom in 1860 and has been repealed in most, if not all, Australian States, prohibits and makes void contracts for the taking of options in respect of dealings in shares. The practice of dealing in options is, of course, quite common and is recognised as a perfectly proper type of transaction. At the time the Act was passed, 14 years after the bursting of the "South Sea Bubble", it was regarded as a dangerous form of gambling which diverted people, in the words of the preamble to the Act, from "pursuing and exercising their lawful trades and vocations, to the utter ruin of themselves and families, to the great discouragement of industry, and to the manifest detriment of trade and commerce".

In 1968, in the case of *Garrett v. Overy* (1968) 69 S.R. N.S.W. 281, the Supreme Court of New South Wales held that the Act was in force in that State, having come to Australia with the colonists. As a result, the plaintiff, a stockbroker, was unable to recover an alleged debt of over \$70 000 owed to him in respect of dealings in stock options. It seems that the Act would apply in this State and that its operation should be excluded to prevent possible unmeritorious use.

The Act also prohibits the short selling of stock, a practice that is prohibited by the rules of the Stock Exchange of Adelaide, and requires that sharebrokers keep a record book. Brokers are required to keep such books under the provisions of the Sharebrokers Act, 1945. Clause 1 is formal. Clause 2 excludes the operation in this State of Sir John Barnard's Act, and has retrospective operation.

**The Hon. J. C. BURDETT** secured the adjournment of the debate.

#### STATE TRANSPORT AUTHORITY ACT AMENDMENT BILL

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

#### HARBORS ACT AMENDMENT BILL

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

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

*That this Bill be now read a second time.*

The amendments contained in this Bill arise from a variety of circumstances. The development of modern shipping and the associated technology, new approaches to the management of ports and port-related activities, demand corresponding changes to the legislative framework upon which the administration of harbors and ports is based. This Bill therefore covers a number of miscellaneous, yet most important, matters. The most significant amendments increase the minimum size of vessels for which compulsory pilotage is required, facilitate the administration and enforcement of the Act, and make possible the transfer of non-commercial jetties from the control of the Minister of Marine. Included in the Bill are consequential amendments to the Local Government Act, Crown Lands Act and Coast Protection Act. The Bill also extends the definition of "vessel" to include newly launched hulls, partly broken up vessels and other structures. Control over these is essential if safe navigation in harbors is to be assured. The provisions for the acquisition and disposal of land have been amended to comply with the modern



requirements of the Land Acquisition Act, 1969-1972, and to eliminate the unnecessarily complicated existing procedures. Where appropriate, metric values have been substituted for imperial units. I seek leave to have the explanation of the clauses of the Bill inserted in *Hansard* without my reading it.

Leave granted.

### Explanation of Clauses

Clauses 1, 2 and 3 are formal. Clause 4 amends the heading to Part II of the Act. The amendment is related to subsequent provisions of the Bill which provide for consolidation of the provisions for acquisition of property in Part II. Clause 5 amends section 5 of the principal Act to provide a metric value for an imperial unit. Clause 6 repeals section 6 of the principal Act, which is superseded by the amendments to section 8 of the principal Act.

Clause 7 amends section 8 of the principal Act to consolidate within one Division the provisions for the acquisition of properties. The definition of kinds of properties to which the section applies is expanded to include property which can now be acquired under Part III. The amendment also provides that the Land Acquisition Act shall apply to all acquisitions. Clause 8 repeals Division III and Division IV of Part II of the principal Act, which is superseded by the amendments to section 8 of the principal Act.

Clause 9 amends section 32 of the principal Act by providing that compensation to owners, lessees and other persons having interest in land abutting on any resumed, closed or obstructed streets, roads or ways shall be arrived at by agreement or determined by the Land and Valuation Court rather than under the obsolete provisions of Division IV which are to be repealed. Clause 10 repeals sections 34, 35, 36, 37 and 40 of the principal Act and includes in their place a general provision for the disposal of property by the Minister.

Clause 11 amends section 43 of the principal Act which contains definitions for the purposes of Part III. A new definition of "navigational aid" including all relevant structures, marks and devices is included. The existing definitions of "buoys and beacons" and "lighthouse" are repealed. The definition of "Harbormaster" is varied to provide for appointments by the Minister and the definition of "vessel" is expanded to include all floating structures, including wrecks. "Mile" is defined as a nautical mile, and the definition of "within the limits of the jurisdiction of the Minister" is amended to substitute a metric value for an imperial unit.

Clause 12 repeals sections 44 and 45 of the principal Act and substitutes a new provision consolidating those provisions with the provisions presently contained in subsections (1), (2) and (3) of section 476 of the Local Government Act. (These latter provisions are to be repealed by clause 38 of the Bill.) This consolidation provides a comprehensive code for the care, control and management of the foreshore, reserves and wharves. The new section expands the existing provisions to enable the Governor by proclamation to place any part of the foreshore, any reserve or structure under the care, control and management of any Minister of the Crown, the Coast Protection Board, or a council.

Clause 13 repeals section 48 of the principal Act which is superseded by the amendment to section 8 of the principal Act. Clause 14 amends section 64 of the principal Act to provide consistency with other amendments proposed in the Bill. Clause 15 amends section 66 of the principal Act by substituting a metric value for an imperial unit. Clause

16 repeals section 68 of the principal Act and includes in its place a new section investing the Minister with exclusive control and management of navigational aids, and the limiting of civil liability on the Minister or employees for acts or omissions in good faith in the positioning or operation of navigational aids.

Clause 17 amends section 69 of the principal Act by striking out references to buoys and beacons, etc., and is consequential to the amendments to section 43. Clause 18 amends section 70 of the principal Act to extend the power of the Minister to require dredging for a distance of 60 metres from private wharves within harbors. Clause 19 repeals sections 71 and 71a of the principal Act which are superseded by the amendments to section 8 of the principal Act.

Clause 20 amends section 75 of the principal Act and is consequential to the amendment of section 43. Clause 21 enacts Division IVA of Part III of the principal Act and provides a new section to empower a member of the Police Force, harbormaster, or person authorised in writing by the Minister, to direct the master of a vessel to stop or manoeuvre the vessel in a specified manner, board and inspect a vessel and to require persons suspected of committing an offence against the Act to state their names and addresses.

Clause 22 amends section 89 of the principal Act by increasing the minimum size of vessels for which compulsory pilotage is required. Clause 23 repeals section 92 and section 93 of the principal Act. These provisions are no longer necessary or appropriate in view of the fact that pilots are now Crown employees. Clause 24 repeals section 94 of the principal Act, a redundant section.

Clause 25 amends section 109 of the principal Act by removing offences considered no longer applicable to pilots employed by the Minister. Clause 26 amends section 116a of the principal Act and is consequential to the amendment of section 89. Clause 27 amends section 117 of the principal Act by substituting a metric value for an imperial unit.

Clause 28 amends section 122 of the principal Act to remove the limitation on the power to require the removal of a wreck, stranded or abandoned vessel. At present the power can only be exercised where "injury to navigation" can be established. This is, in many cases, an unrealistic fetter upon the exercise of the power. Clause 29 amends section 127 of the principal Act and makes provision for the levying by regulation of harbor improvement rates on goods discharged or shipped from a specified harbor.

Clause 30 repeals section 132a of the principal Act, which is redundant. Clause 31 amends section 144 of the principal Act, in consequence of the new definition of "navigational aid" in section 43, and provides that regulations may require compliance with standards made or recommended by any specified authority, body or person. Clause 32 amends section 161 of the principal Act in consequence of the new definition of "navigational aid" in section 43.

Clause 33 repeals section 188 of the principal Act which is now redundant. Clause 34 amends section 193 of the principal Act and provides for the prescribing by regulation of the method of calculation of the tonnage of deck cargo carried by a vessel. Clause 35 repeals the third schedule and is consequential to the amendment to section 193 of the principal Act.

Clause 36 repeals the fourth schedule and is consequential to the repealing of section 71a and to the amendment of section 8 of the principal Act. Clauses 37, 38 and 39 amend the Local Government Act, the Crown Lands Act, and the Coast Protection Act. The amendments are consequential upon the new section 44

inserted in the principal Act by the Bill.

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

#### DEBTS REPAYMENT BILL

**The Hon. D. H. L. BANFIELD (Minister of Health)** brought up the report of the Select Committee, together with minutes of proceedings and evidence.

Ordered that report be printed.

#### MINES AND WORKS INSPECTION ACT AMENDMENT BILL

Adjourned debate on second reading.  
(Continued from 23 August. Page 676.)

**The Hon. R. A. GEDDES:** I support the second reading of this Bill, and I wish to discuss four clauses particularly. The Bill up-dates provisions in the principal Act, which primarily deals with making sure that any company or person who is mining must observe certain measures for his own safety and that of others. It is regrettable that mining companies are not allowed to mine uranium in South Australia, particularly when we realise that one-third of the total uranium resources of Australia is situated at Roxby Downs, north-east of Woomera. What a terrific boost it would be for this State's finances if the mining company could be given the green light to go ahead. Much of the work would involve open-cut mining.

Amendments to the principal Act are necessary to bring it into line with modern-day technology, engineering advances, and modern knowledge. Unfortunately, because the Government refuses to acknowledge that uranium can be safely mined, exported, and used, the dream of Roxby Downs and an associated uranium enrichment plant fades further toward the horizon every day. Clause 3 provides for definitions of "mining" and "mineral" that conform to the Mining Act. The term "mineral" is not even explained in the original Act. We therefore have the following definition of "mineral" in clause 3:

"mineral" means—

(a) any—

- (i) metal;
- (ii) metalliferous ore;
- (iii) coal;
- (iv) guano;
- (v) precious or other stone;
- (vi) salt;
- (vii) gypsum;
- (viii) gravel;
- (ix) shale;
- (x) shell;
- (xi) sand;
- (xii) clay;
- (xiii) soil;
- or
- (xiv) earthy substance,

Provision is also made for other minerals to be declared by proclamation. Clause 3(d) strikes out the old definition of "works", which is of historic interest, and inserts the following definition:

"works" means—

(a) any—

- (i) battery;

- (ii) crushing plant;
- (iii) ore concentrating works;
- (iv) cyanide or chlorination works;
- (v) leaching plant;
- (vi) smelting or metal refining works;
- (vii) pellet plant;
- (viii) salt works;
- (ix) pre-mix concrete works;
- or
- (x) road-base plant.

It is interesting to note that the definition of "works" in the amendment to the principal Act includes operations involving wharves 7, 8, 9 and 10 of the South Australian Harbors Board adjoining the smelting works at Port Pirie. That is a strange thing to have in the principal Act, and it seems quite logical to remove it. I can well imagine the trouble that inspectors of cranes and rolling stock, as well as other inspectors, must have had when those wharves came under the control of this Act. In his second reading explanation the Minister stated:

Clause 7 amends section 9 of the principal Act in order to remove any doubts that may exist as to whether reports of accidents prepared by inspectors may be made publicly available.

The Bill provides:

The Chief Inspector of Mines may (a) upon application by any person and payment of the fee fixed by the Minister; and (b) with the approval of the Minister, release to that person any statements of fact contained in a report made by an inspector on an accident occurring in a mine or mining property or prospect or connected with any mining operation or undertaking.

Although the second reading explanation clearly states that reports of accidents may be made publicly available, the Bill provides that this may occur only with the approval of the Minister. If there has been an accident and somebody has been seriously hurt, the people engaged in this industry should be free to apply for and obtain a copy of the inspector's report of the accident. I have no objection to the paying of a fee in order to obtain a report: I am concerned that it can be obtained only with the approval of the Minister. I ask the Minister for a full explanation regarding why such approval is necessary and what precedent exists for it with the department. I may vote against the inclusion of the words "with the approval of the Minister", because I feel that it could be restrictive if a hostile Minister felt that a certain report should not be made public when that report had been prepared in the interests of people's safety.

Clause 12, dealing with section 17 of the principal Act, provides:

A person shall not, except with the consent of the Minister, employ, or suffer or permit to be employed, underground in any mine, any person under the age of 18 years.

The principal Act provides:

No boy under the age of 18 years and no girl or woman of any age shall be employed underground in any mine.

As it is not unusual for nursing sisters, nurses' aides, or females trained as geologists or even mining engineers, to want to be employed in the mining industry, the amendment is quite a logical one. It deletes the provision that women cannot be employed underground, and it makes quite clear that, if either women or boys and girls under the age of 18 years apply for consent from the Minister and substantiate their case, they may receive written approval. I believe that as many as 50 youths under the age of 18 are assisting their parents in the Coober Pedy opal fields. Although technically not employed, they are still working in the opal diggings in contravention of the principal Act at the present time. Although the opal

miners have objected to this clause, on closer inspection I believe they will see the logic of it when it is understood that the principal Act is being amended.

Clause 15 amends the second schedule by including the "disposal or overburden or other waste from mining operations". I understand that that is designed to deal with overburden in excess of 1 000 tonnes and to ensure that the sort of fatality that occurred at Abermain in Wales will not occur here. The size and shape of the dump will be prescribed by regulation, and every endeavour will be made to ensure that no unnecessary angles of spoil are allowed, in order to avoid possible danger in years to come. I am told that this clause is of no concern to opal miners or small prospectors.

However, there is nothing to say that it will be overburden of a particular size or amount. I think we should write into this clause a provision that this regulation will not involve the opal miner or other people operating in such a small way but that, where wastage or spoil involves more than 1 000 tonnes, these provisions will apply. I support the second reading, because the Mines and Works Inspection Act is a safety measure. Many other provisions deal with the duties of inspectors.

One clause is interesting. Under the principal Act, if the miners considered that the mine was unsafe, they could appoint two or more of their number to inspect the mine and, on giving notice to the manager, they were allowed to inspect at their own cost every part of the mine and all its machinery. Therefore, if the employees of the company were concerned about the safety of the mine, they could appoint two people from their own ranks who were qualified to inspect, but those people would not receive any payment for doing so. Clause 10 deletes "at their own cost", so in future, if there is danger or apparent danger, the gang can appoint two workers to inspect the mine and those two workers will be paid the wages applying to all other miners on the job. It is a small point that was overlooked when the Act was amended in 1970, and a change of circumstances has taken place with the passage of time.

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

#### SAVINGS BANK OF SOUTH AUSTRALIA ACT AMENDMENT BILL

Adjourned debate on second reading.  
(Continued from 23 August. Page 677.)

**The Hon. D. H. LAIDLAW:** I support this short Bill. Its aim is to simplify administrative procedure and, since my colleagues and I have criticised the Government from time to time for tolerating some cumbersome habits within Government departments and public utilities, I think we should commend this Bill.

Under the principal Act, most appointments, transfers and dismissals of Savings Bank staff must be approved by the Governor. This imposes an unnecessary burden upon Executive Council, which could be expected to have knowledge of only few of the staff involved. This Bill provides that the authority should rest with the trustees of the bank, except in the case of a few senior administrative positions, where appointments should be approved by the Governor.

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

#### STATE BANK ACT AMENDMENT BILL

Adjourned debate on second reading.  
(Continued from 23 August. Page 677.)

**The Hon. D. H. LAIDLAW:** This Bill has two objects. The first is similar to the Bill to amend the Savings Bank of South Australia Act. At present, all appointments, transfers and dismissals of officers of the State Bank are subject to approval by the Governor. This is cumbersome and imposes unnecessary work on Executive Council. It is intended that the bank board should accept responsibility for all but a few senior positions, which will continue to require the Governor's approval.

The second object is to transfer the advances for homes programme from the Treasury to the bank. The present procedure is cumbersome. The aim of the Act is to assist persons with limited means to acquire their own homes by means of long-term low interest loans. The State Bank acts as agent for the State Treasury in administering the scheme and is recompensed for its expenses, which in 1976-77 amounted to \$108 000. The Treasury holds reserves of about \$1 100 000 as cover against bad debts, losses on house sales, and insurance under this scheme. It is proposed to transfer these funds to the State Bank so that they can be incorporated in its general housing programme.

Lending under this Act has decreased since 1953, when South Australia entered into the first of several housing agreements with the Commonwealth Government, and the money is now used mainly for alterations and additions to houses. At present, about \$10 000 000 is advanced at an average net interest rate of less than 5.45 per cent. This compares with a rate of 7.2 per cent charged by the Treasurer, on Loan funds to finance the scheme. As a result, a deficit of \$281 000 in 1976-77 had to be met from Consolidated Revenue.

It seems sensible to give control of the scheme, as well as the reserve funds held by the Treasury, to the State Bank, because that bank already acts as banker for much of the funds provided by the Commonwealth Government in South Australia for privately-owned and rental housing under the Housing Agreement Act of 1973. I support the Bill.

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

#### ADMINISTRATION OF ACTS ACT AMENDMENT BILL

Adjourned debate on second reading.  
(Continued from 23 August. Page 686.)

**The Hon. K. T. GRIFFIN:** The principal Act is very wide and allows the Executive arm of Government considerable flexibility in the administration of Acts of this Parliament, even to the extent of overriding the wishes of Parliament. One can concede that, in the day-to-day administration of the State, such flexibility is desirable, but there are occasions when the matter is so significant that the Executive arm ought not to be able to override Parliament. However, we cannot do anything about that under this Bill.

Clause 2 clarifies section 3 of the principal Act and, whilst one may have argument about the breadth of the provision, I accept the clarification. Clause 3 changes the emphasis of section 6 significantly and in a way that in my view is undesirable. The Hon. John Burdett has already

indicated areas where most likely there was good reason for providing for a Minister to do a particular thing notwithstanding that he did not have the administration of the Act under which he was required to do that thing. The honourable member instanced that, under the Education Act, certain guarantees can be given only on the certificate of the Treasurer. He also gave the example that, under the Electrical Workers and Contractors Licensing Act, the Minister of Education is required to appoint a representative to the committee established by that Act.

Under the Apprentices Act, an Act for which the administration is vested in the Minister of Labour and Industry, there is established an Apprenticeship Commission. Under that Act the Minister of Education is required to appoint one member of the Apprenticeship Commission, even though the Minister of Education has no responsibility for the administration of the Act. Under a Bill not yet in this Council, the Children's Protection and Young Offenders Bill, there is provision for a committee to be established under which several Ministers are required to appoint members of a committee, notwithstanding that one has no responsibility for the administration of that Act.

There are many other instances where a specific Minister is required to give a certificate or appoint a member of a committee where that Minister does not have the administration of that particular Act. In my view, it is wrong to allow that Minister to delegate his power in those circumstances to another Minister, and thus thwart the will of the Parliament. It is important that the Parliament in these circumstances is able ultimately to have some control and power over delegated authority in this area. Therefore, on the appropriate occasion I will be opposing that clause. Clause 4 of the Bill is procedural, and I have no objection to it. Therefore, I support the second reading of this Bill.

**The Hon. J. R. CORNWALL** secured the adjournment of the debate.

#### **ELECTRICAL WORKERS AND CONTRACTORS LICENSING ACT AMENDMENT BILL**

Adjourned debate on second reading.  
(Continued from 23 August. Page 685.)

**The Hon. R. C. DeGARIS (Leader of the Opposition):** The main provision of this Bill is to allow appointments to the committee to be for a period of five years. The original Bill allowed for a staggering of the appointments over a period of five years. Now that that initial five-year period has passed, the Bill allows for appointments to the committee for a period of five years. I find no objection to the Bill, and support the second reading.

Bill read a second time and taken through its remaining stages.

#### **URBAN LAND (PRICE CONTROL) ACT AMENDMENT BILL**

Adjourned debate on second reading.  
(Continued from 23 August. Page 684.)

**The Hon. K. T. GRIFFIN:** There are two principal objections that I make to this Bill. The first is the lifting of the time limit on urban land price control. The second is the flexible basis upon which the control will be applied or lifted. The first objection, as a matter of principle, is that

the application of the Act ought not to be unlimited. It is my submission that Governments ought to be compelled to come back to this Parliament to review such an imposition upon development as price control before the particular Act expires, and that it ought not to have unlimited opportunity to maintain price control indefinitely. The second objection, though, is a more significant one. There shows in this Bill a marked change in the Government's attitude to land price control. The Minister, in his second reading speech, said:

Because of fluctuating conditions affecting the market for residential land, it is desirable to provide the means for lifting price control in one area and imposing it in another, and varying the area of control from time to time as the prevailing conditions may require.

That indicates a significant shift in the Government's attitude to price control. The Government intends to achieve this flexibility by regulation. That, of course, is better than doing it by proclamation, but in practice still leaves the Parliament virtually powerless if a regulation is disallowed with respect to an area which is to be the subject of price control and then, the day after, disallowance is re-enacted; so, in effect, there is very little restraint in the provision that the application of price control or the lifting of it should be undertaken by regulation.

The selective application of control and the lifting of control sets the scene for chaos. It also leaves the application of the Act open to abuse to selective patronage and undue influence which, in the application of an Act of this sort, is highly undesirable. I draw attention to the fact also that if a person acquires land for resubdivision in an area where control was not applied, and then during the course of the resubdivision which that person may be undertaking, control is applied, there is, in my view, a grossly unfair situation.

That sort of threat hanging over the heads of persons who are interested in development of residential and other land in allotments will even further stifle development of land by the private sector. If there is to be price control on land, which I do not believe there should be, then the area over which it applies ought to be clearly and precisely defined and publicised, and be able to be maintained in a stable situation.

There is little prospect that the proposed procedures to which the Minister referred in his second reading explanation will facilitate the reasonable development of land other than by the Government sector at a cost in excess of that achievable in the private sector. I therefore object to the provisions of this Bill because of the two major difficulties that I see: first, the indeterminate duration of the legislation as proposed in the Bill and, secondly, the specifically selective use of price control in a manner that, in my view, will be most undesirable. For those reasons, I do not accept the general principles of the Bill.

**The Hon. J. C. BURDETT:** I cannot see any reason why I should vote for the Bill. This Council only agreed to the parent Act, and with many reservations, on the basis that it was to be temporary and to have an expiry date. The Council wanted to be satisfied that that need for urban land price control existed before agreeing to each extension of the expiry date.

I cannot see why we should allow the Government, in effect, to extend the date, resurrect price control, or extend it to other areas of the State by regulation. True, either House may disallow regulations, but what happens if regulations are made between sessions? With the control of land subdivisions in the rural land regulations, we have

a recent example of how the Government has introduced regulations soon after they have been disallowed.

We do not want to go through the farce of regulations being made, disallowed, made again, and so on, *ad infinitum*. Certainly, regulations are preferable to proclamations in this regard, but the important matter of if, when, and where land price control should apply should be decided by Parliament.

We are told that the Bill may be necessary because of developments such as Redcliff. However, if it is necessary to ensure that there is a supply of reasonably cheap land in newly developed areas, the Land Commission should be able to cope with this. I do not believe that the commission has been as successful as it claims, and I by no means always agree with its policies or *modus operandi*. However, use of the Land Commission is a less objectionable way of making reasonably cheap land available than is the use of price control. The Minister has said that land price control was not necessary at present, and I therefore find it difficult to see any reason for my voting for the Bill.

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

#### RENMARK IRRIGATION TRUST ACT AMENDMENT BILL

Adjourned debate on second reading.  
(Continued from 23 August. Page 678.)

**The Hon. R. A. GEDDES:** I support the Bill, which deals with specific things that are of concern to the Renmark Irrigation Trust and with the supply of water to other than irrigated areas. I am told that the trust, having asked for these amendments, agrees with them.

Under the Act, water must be supplied to irrigators and others. However, there is no specific provision that water must be supplied to manufacturers and other people in industry. The Bill is therefore designed to correct a few anomalies that exist in this regard.

Irrigated areas experience certain problems that are becoming acute. I refer, first, to the tariff imposed on the citrus industry and, secondly, to the problems experienced by the brandy industry. Dealing first with the former aspect, the Industries Assistance Commission in Canberra recommended a drop from 65 per cent to 25 per cent in tariff on imported fruit juices. I am told by reliable sources that the Minister of Agriculture, in his statements to the commission, said he agreed with the I.A.C. report and, in fact, suggested almost similar figures.

If this aspect became a reality, the effect on the citrus industry would be calamitous, as 50 per cent or more of citrus goes into the fruit juice trade. If the tariff on imported fruit juices is reduced to 25 per cent, the industry's chances of being able to market each product will be reduced considerably. Thereafter, the Australian market would obviously be flooded with fresh fruit, as a result of which economic chaos would occur.

The other point that concerns me is the type of submission that has in the past been made to the Industries Assistance Commission by brandy producers. One reads reports which recommend that tariffs be reduced even further. Indeed, this seems to occur every time that another I.A.C. report on the importation of brandy is released. I wonder whether the Agriculture Department or the Government will be able to take up the cudgels on behalf of the industry and, when the opportunity next arises, prepare a report giving the State's substantial

backing to the industry so that the presentation of its case to the commission is the best that can be achieved.

I am mindful of the fact that, when the Broken Hill Proprietary Company Limited appears before the Industries Assistance Commission, it usually gets its way and that, when General Motors-Holden's, Ford, or any other big industrial concern appears before the commission, their submissions are listened to and the recommendations run their way. However, when it comes to primary industry and, in the world context, the small type of industry such as the brandy industry, I wonder whether, with all due respect to those concerned, there is not a better way in which these people could be helped by this State and the resources of the Minister's office.

I realise that I have strayed from the subject matter of the Bill. However, the Renmark Irrigation Trust would be no good if there was no market for the citrus industry, and it will be much less important if the brandy industry does not get the urgent help that it needs.

This matter is past the political stage, and, indeed, has reached the stage where the Government should look at every way possible in order to help it, and I look forward to the Minister's discussing the matter later.

Bill read a second time and taken through its remaining stages.

#### DOG FENCE ACT AMENDMENT BILL

Adjourned debate on second reading.  
(Continued from 23 August. Page 685.)

**The Hon. R. C. DeGARIS (Leader of the Opposition):** I support the Bill. Over many years the Dog Fence Board has done a sterling job in regard to maintaining the dog fence and rating those who benefit from the maintenance of that fence. I therefore strongly support the present position, whereby the board has the power to determine policy in regard to the dog fence. I hope that this Bill does not in any way undermine the board's authority, and I hope, further, that it does not in any way allow a transfer of the board's authority to any other organisation. The Vertebrate Pests Act gives power to the board set up under that Act, and I hope that the expertise of the Dog Fence Board is maintained.

Turning to the change in procedure being made in connection with the Auditor-General's Report, I point out that over the last few years the Auditor-General has reported in regard to the Dog Fence Board in a statement of revenue and expenditure, yet the principal Act provides for a balance sheet to be given. I do not object to the change to a statement of revenue and expenditure in the Auditor-General's Report, but I hope the Auditor-General continues to report on the funds that are in credit to the Dog Fence Board. If such information was not available to Parliament, honourable members might not be able to see the full picture in regard to the board. I do not object to the Bill, but I would like the debate to be adjourned, so that I can check on the question of special rates.

**The Hon. J. A. CARNIE** secured the adjournment of the debate.

#### SEEDS BILL

In Committee.  
(Continued from 23 August. Page 682.)  
Clause 4—"Interpretation."

**The Hon. R. C. DeGARIS (Leader of the Opposition):** At this stage I am unhappy about this clause, particularly the definition of "seeds". I am prepared at this stage to allow this clause to pass, so that I can see what happens to the other clauses. I give notice that I may seek to have the Bill recommitted for reconsideration of this clause after all the other clauses have been dealt with.

Clause passed.

Clause 5 passed.

Clause 6—"Order for destruction of seeds."

**The CHAIRMAN:** A drafting amendment is required in this clause. The term "any seeds" at the beginning of subclause (1) (a) should really immediately follow the word "that" before the commencement of paragraph (a). I intend making this amendment as a clerical amendment.

**The Hon. K. T. GRIFFIN:** I move:

Page 2, line 9—Leave out "the Minister" and insert "an authorised officer".

This amendment is related to later amendments. An aggrieved person should be able to appeal to the Minister if that person has a complaint with the terms of an order or with the fact of an order having been made. It seems to me that in practice it would be an authorised officer who would make the order initially, rather than the Minister. Consequently, there ought to be a right of appeal to the Minister.

**The Hon. B. A. CHATTERTON (Minister of Agriculture):** I accept the amendment.

Amendment carried.

**The Hon. B. A. CHATTERTON:** I move :

Page 2, lines 14 and 15—Leave out "the destruction of the seeds in a manner specified in the order" and insert:

- "—
- (c) that the seeds be treated or cleaned in a manner specified in the order; or
  - (d) that the seeds be destroyed in a manner specified in the order".

The amendment is self-explanatory and gives greater flexibility to the question of the destruction of seeds.

**The Hon. K. T. GRIFFIN:** I support the amendment which, apart from two minor matters, is identical with mine.

Amendment carried.

**The Hon. K. T. GRIFFIN:** I move:

Page 2, after line 15—Insert subclauses as follows:

- (1a) A person to whom an order is addressed may appeal to the Minister against the order.
- (1b) An appeal shall be instituted by instrument in writing setting out, in detail, the grounds of the appeal.
- (1c) The Minister may, after consideration of an appeal under this section—
  - (a) vary or revoke the order; or
  - (b) dismiss the appeal.

This new subclause sets out a right of appeal of a person who may be aggrieved by an order made under subclause (1).

**The Hon. B. A. CHATTERTON:** I accept the amendment.

Amendment carried.

**The Hon. B. A. CHATTERTON:** I move:

Page 2, lines 16 to 18—Leave out subclause (2) and insert subclause as follows:

- (2) If—
  - (a) a person to whom an order has been addressed under paragraph (c) of subsection (1) of this section—
    - (i) fails to comply with the order within the

time allowed by the order; or

- (ii) sells or disposes of the seeds to which the order relates before the seeds have been treated or cleaned in accordance with the order; or

- (b) a person to whom an order has been addressed under paragraph (d) of subsection (1) of this section fails to comply forthwith with the order, he shall be guilty of an offence and liable to a penalty not exceeding one thousand dollars.

This clarifies the position because of amendments already inserted, and it is necessary.

**The Hon. K. T. GRIFFIN:** I support the amendment. Amendment carried.

**The Hon. K. T. GRIFFIN:** I move:

Page 2, after line 18—Insert subclause as follows:

- (3) The time allowed for compliance with an order under this section shall, by force of this subsection, be extended by the period between the institution and determination of an appeal against the order.

This amendment allows for an extension of time within which to comply with an order when there has been an appeal.

**The Hon. B. A. CHATTERTON:** I support the amendment.

Amendment carried; clause as amended passed.

Clause 7—"Statement to be furnished in relation to sale of seeds."

**The Hon. B. A. CHATTERTON:** I move:

Page 3, lines 10 to 16—Leave out subclause (6) and insert subclause as follows:

- (6) This section does not apply to—
  - (a) the sale of a quantity of seeds of less than the prescribed mass; or
  - (b) the sale of seeds marked in accordance with the regulations with a statement showing that the seeds are not to be used for the germination or propagation of plants.

It is intended to provide exemption from the requirement of the Act to cover the sale of small quantities of seed, as it may be a problem to provide all the information required under the Act.

New paragraph (b) gives the opportunity for exemption to people who mark the package in accordance with regulations with a statement that seeds are not for sowing, germination, or whatever word would be effective. This provides a clear exemption in these areas.

**The Hon. K. T. GRIFFIN:** I support the amendment. There is a need to provide for less than the requirements of clause 7 (3) to appear on small packages. I also believe it appropriate that there be provision for a packet to be marked so that it can be clearly identified that the seed in the packet is not for germination or propagation. However, I believe there is an additional need to provide for labelling (or in some other manner) to identify the content of the seeds that have been mixed. I will move an amendment relating to mixtures of seeds being labelled in a particular way.

**The CHAIRMAN:** The Minister's amendment is to leave out subclause (6) and to insert a new subclause (6) with paragraphs (a) and (b) as set out.

**The Hon. K. T. GRIFFIN:** I move to amend the Minister's amendment by adding the following paragraph:

- (c) the sale of seeds that have been mixed for the purpose of sale where statements conforming with this Act in relation to the seeds from which the mixture is made are available for perusal by the purchaser.

**The Hon. B. A. CHATTERTON:** I wish to move an amendment to the Hon. Mr. Griffin's amendment.

**The CHAIRMAN:** We cannot allow that now.

**The Hon. R. C. DeGARIS:** I think we will get into difficulty if we are not careful, and I suggest we deal first with the amendment to the amendment. When that has been done, we can deal with the amendment to the amendment to the amendment.

**The Hon. B. A. CHATTERTON:** I support the Hon. Mr. Griffin's amendment in general terms, but I think that the last line is slightly vague, and it should read as follows:

(c) the sale of seeds that have been mixed for the purpose of sale where statements conforming with this Act in relation to the seeds from which the mixture is made are furnished to the purchaser.

I believe that the words "available for perusal by" do not make clear enough what should be done with the statements, and it seems to me that those statements should be furnished to the purchaser and be there with the information that is required. That is the only alteration that I would like. Otherwise, I support the amendment moved by the Hon. Mr. Griffin.

**The Hon. K. T. GRIFIN:** That alteration seems perfectly acceptable to me.

**The Hon. R. C. DeGARIS:** I raise objection to the Minister's suggestion and I agree with the Hon. Mr. Griffin's amendment. Therefore, I suggest at this stage we should deal with the Hon. Mr. Griffin's amendment. If the Minister wishes to recommit the clause, I will allow it to be recommitted so that we can reconsider the drafting, but I do not favour the Minister's suggestion, and I should like the opportunity at some stage to oppose it strongly.

**The CHAIRMAN:** Does the Hon. Mr. Griffin seek leave to amend his amendment in accordance with the words suggested by the Minister?

**The Hon. K. T. GRIFIN:** I seek leave to amend my amendment by inserting in paragraph (c) the words suggested by the Minister. I think that what the Minister is proposing clarifies the drafting.

Leave granted; the Hon. K. T. Griffin's amendment amended.

**The Hon. R. C. DeGARIS:** I indicate my opposition to this matter, and may seek at a later stage to have this clause recommitted.

The Hon. K. T. Griffin's amendment as amended carried; the Hon. B. A. Chatterton's amendment as amended carried; clause as amended passed.

New clause 7a—"Defences."

**The Hon. K. T. GRIFIN:** I move:

Page 3—After clause 7 insert new clause as follows:

7a. It shall be a defence to a charge of an offence against this Act involving the sale of seeds for the defendant to prove—

- (a) that the circumstances of the sale were such that the defendant could not reasonably have expected that the seeds would be used for the germination or propagation of plants;
- (b) that the seeds were sold on the understanding that they would be treated or cleaned by the purchaser;
- (c) that—
  - (i) the seeds were seeds of wheat, barley, oats, cereal rye, field peas or of a prescribed genus; and
  - (ii) the seeds were sold in the course of a business of primary production and the production of seeds for sale forms only a subsidiary part of that business; or
- (d) that the seeds were supplied to the defendant in a sealed parcel bearing a statement in apparent conformity with this Act.

This new clause seeks to clarify the defences available to a charge of an offence against the Act involving the sale of

seeds, and will enable the defendant, if he is able to prove any of the defences, to establish a defence to a charge. Paragraph (a) links up with the provision that a parcel of seeds may be labelled "Not for germination or propagation" or other purposes. With respect to paragraph (b), I am told that a producer may sell for treatment or cleaning a seed he may have grown: in those circumstances we are anxious that it not be an offence if the seed either is not adequately labelled or contains noxious seeds at that point.

Paragraph (c) deals with the farmer-to-farmer situation and attempts to avoid difficulties which will occur in the sale, particularly of cereals, on a farmer-to-farmer basis. It does not cover such things as lucerne and other small seeds which ought to be properly the subject of the labelling provisions of the Bill. The last defence enables the defendant, if he can, to prove that the seeds were supplied in a sealed parcel and carried a statement in apparent conformity to the Bill, and that deals with small seeds and other parcels of seeds that may be packaged in a central location but sold in supermarkets, stores or any other facilities where there really is no reasonable way that the retailer is able to check the contents against the statement or label.

**The Hon. B. A. CHATTERTON:** I wish to support parts of this new clause and to oppose other parts of it. I support paragraphs (a), (b) and (d), but I cannot support paragraph (c). That paragraph provides too wide a loophole in this legislation. The other paragraphs that have been provided as defences are adequate and cover all the legitimate areas where there could possibly be any hardship. This should also be read in conjunction with the amendments that we have already made to clause 6, where we have given much more specific exemptions, and particularly where an opportunity has been given for people to label their seed "Not for sowing", "Not for germination" or "Not for propagation". It seems to me that any farmer-to-farmer sales could easily be labelled in that way and there would not be any problems concerning farmers. Paragraph (c) provides too wide a loophole and could negate some legitimate areas where this Bill should apply. For that reason I support the other paragraphs, but not paragraph (c).

**The Hon. M. B. DAWKINS:** I support the whole new clause. I may be subject to correction but I think the honourable Minister indicated at an earlier stage in the debate that at present he did not intend, by way of regulation, to bring any agricultural seeds referred to in paragraph (c) into this legislation. If the Minister were prepared to seek leave to report progress, perhaps tomorrow we could resolve the matter. I support the new clause as it stands. I was under the impression that the Minister did, by inference at least, exempt seeds that are mentioned in paragraph (c) (i) which were not to be brought into the ambit of the legislation at present. If there is further doubt about the new clause, perhaps the honourable Minister will seek to report progress.

**The Hon. B. A. CHATTERTON:** I am prepared to accede to that request. I confirm that it was not my intention at this stage to bring wheat, barley and oats, etc., into the ambit of this legislation, which was intended to cover normal agricultural seeds. The requirements that I saw necessary, before wheat, barley, and oats were introduced, was, first, a demand from producers (which has not been forthcoming at this stage) that that should be done, and also a proper certification scheme which could cover these varieties. As neither of these requirements exists at present, there is no intention to introduce them until they do. The ambit of the Bill is to cover the ordinary areas of seed production. I am prepared to have progress

reported.

Progress reported; Committee to sit again.

Bill read a second time and taken through its remaining stages.

**BARLEY MARKETING ACT AMENDMENT BILL**

**ADJOURNMENT**

(Second reading debate adjourned on 23 August. Page 683.)

At 5.4 p.m. the Council adjourned until Wednesday 13 September at 2.15 p.m.