

LEGISLATIVE COUNCIL

Thursday 23 November 1978

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

PERSONAL EXPLANATION: MARIJUANA

The **Hon. D. H. L. BANFIELD (Minister of Health)**: I seek leave to make a personal explanation.

Leave granted.

The **Hon. D. H. L. BANFIELD**: I draw honourable members' attention to the *Hansard* pulls of the report of yesterday's Council proceedings, and particularly to the reply I gave to a question that the Hon. Mr. Dawkins asked about marijuana. The first part of the answer is reported correctly. However, the *Hansard* report continues as follows:

All the honourable member needed to have told his constituents was that the Government has already taken action to decriminalise this offence.

In fact, I said:

All the honourable member needed to have told his constituents was that the Government has already taken action to criminalise this offence.

Unfortunately, in the *Hansard* report of my reply, the word "decriminalise" appears. The Leader of the *Hansard* Staff has acknowledged that the word I used was "criminalise", and has made the necessary correction.

MOTOR VEHICLES ACT AMENDMENT BILL

At 2.18 p.m. the following recommendations of the conference were reported to the Council:

As to Amendment No. 1:

That the Legislative Council do not further insist on its amendment.

As to Amendment No. 2:

That the Legislative Council insist on its amendment and that the House of Assembly do not further insist in its disagreement thereto.

As to Amendment No. 3:

That the Legislative Council do not further insist on its amendment but make the following amendments in lieu thereof:

Clause 45, page 13, line 17—Leave out "A" and insert "Subject to subsection (3) of this section, a"

After line 19—Insert subsection as follows:

(3) The Registrar may, in such circumstances as he thinks fit, issue a licence endorsed with the classification "Class 2" to a person aged seventeen years, and may, pursuant to section 81 of this Act, endorse any conditions upon the licence.

And that the House of Assembly agree thereto.

As to Amendment No. 4:

That the Legislative Council do not further insist on its amendment but make the following amendment in lieu thereof:

Clause 60, page 17, lines 13 and 14—Leave out subclause (2) and insert subclause as follows:

(2) Section 98b of the principal Act is amended by inserting after subsection 15 the following subsections:

(15a) Where a court has made an order under subsection (15) of this section on the grounds that the disqualification would

result in undue hardship, the court shall order:

(a) that the Registrar shall endorse upon the licence such conditions as are appropriate in view of the grounds upon which the court allowed the appeal; and

(b) that the appellant deliver his licence to the Registrar for that purpose.

(15b) A condition endorsed upon a licence pursuant to subsection (15a) of this section shall have effect for the period of three months from the time at which the endorsement is made.

(15c) A person who fails to comply with a condition endorsed upon his licence pursuant to subsection (15a) of this section shall be guilty of an offence and liable to a penalty not exceeding two hundred dollars.

(15d) Where a person is convicted of an offence under subsection (15c) of this section, one demerit point shall, subject to this section, be recorded against that person.

And that the House of Assembly agree thereto.

As to Amendment No. 5:

That the Legislative Council do not further insist on its amendment but make the following amendment in lieu thereof:

Clause 63, page 17, lines 37 and 38—Leave out "the Registrar thinks fit" and insert "may be prescribed".

And that the House of Assembly agree thereto.

As to Amendment No. 6:

That the Legislative Council do not further insist on its amendment.

As to Amendment No. 7:

That the Legislative Council do not further insist on its amendment but make the following amendments in lieu thereof:

Clause 72, page 21, line 21—Leave out "solicits" and insert "not being the holder of a towtruck certificate who has, in accordance with section 98j of this Act, obtained an authority to remove a vehicle damaged in an accident from the scene of the accident, solicits".

Line 22—Leave out "a vehicle damaged in an accident" and insert "that vehicle".

And that the House of Assembly agree thereto.

As to Amendment No. 8:

That the Legislative Council insist on its amendment and that the House of Assembly do not further insist on its disagreement thereto.

As to Amendment No. 9:

That the Legislative Council do not further insist on its amendment but make the following amendment in lieu thereof:

Clause 74, page 22, lines 27 and 28—Leave out "forthwith and truthfully".

And that the House of Assembly agree thereto.

As to Amendment No. 10:

That the Legislative Council do not further insist on its amendment but make the following amendment in lieu thereof:

Clause 74, page 22, lines 39 and 40—Leave out paragraph (g) and insert paragraph as follows:

(g) by inserting in paragraph (b) of subsection (4) after the passage "refuse or fail to answer truthfully" the passage "and as soon as reasonably practicable (but in any event within forty-eight hours)".

And that the House of Assembly agree thereto.

As to Amendments Nos. 11 to 14:

That the Legislative Council do not further insist on its amendments.

Consideration in Committee.

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

That the recommendations of the conference be agreed to.

We owe a great deal of gratitude to the Minister of Transport (Hon. G. T. Virgo) for the manner in which he chaired the conference. It appeared from the outset that it was going to be a very difficult conference because many points were mentioned during the debate in this Council that I thought would really stymie many of the clauses in the Bill.

The Minister, as Chairman, indicated from the beginning that he was prepared to bend a little. His attitude throughout the conference was exemplary, resulting in our reaching agreement after about two and a half hours. The managers from this Council put their case very well. Even though some of the amendments were not insisted on, recommendations were made concerning alterations to the amendments such that the other place agreed that they could be incorporated in the Bill.

The conference was good, and I would like to offer my congratulations to the managers on the way in which the whole matter was discussed in a very friendly atmosphere. We were out to do as much as we could to straighten out the Bill, and this was done. What eventually happened was due in no small way to the manner in which the Chairman handled the matter. What has come out of this conference will make a valuable impact.

The Hon. M. B. DAWKINS: I support the Minister and thank him for his contribution. I endorse what he said about the Hon. Geoff Virgo. I have been on conferences on several occasions over the past 10 years with the Hon. Mr. Virgo. We have not always seen eye to eye, but I must say that on the last two occasions (the first a few months ago and on this occasion) the Hon. Mr. Virgo has presided over the conferences co-operatively and has secured very good results. I do not intend to go through the amendments one by one, as the Minister has mentioned them. Whilst this Council was not able to retain all of the amendments we made, we achieved some very good compromises. In some cases, where amendments were withdrawn and other provisions substituted, the final result was much better. The conference was conducted in the best traditions that our forefathers envisaged when they instituted the machinery for conferences between the two Houses. There was a cordial atmosphere and a desire on the part of all the managers, regardless of Party politics, to come out of the conference with a better Bill. I have no doubt that we have such a Bill. I support the motion.

The Hon. J. C. BURDETT: I, too, support the motion and the remarks that have been made. True, most of the Assembly managers acted in a spirit of the great co-operation. I support what has been said today about the Chairman, the Hon. Geoff Virgo. He was prepared to listen to our remarks, and where there was some reason why he could not agree with them he told us so courteously. I will refer now to some of the major amendments. Amendment No. 2 related to the class 4A motor cycle licence, for motor cycles of less than 250 cc. We are insisting on the amendment to reduce the period from two years to 12 months.

In relation to the age of 17 and the classes of licence, we do not insist on our amendment, but there is an amendment that the Registrar may, in such circumstances as he thinks fit, issue a licence endorsed with the classification "Class 2" to a person aged 17 years and may,

pursuant to section 81 of this Act, endorse any conditions upon the licence. Primary producers' sons and people of that kind were especially envisaged.

In respect of points demerit disqualification, the appeal is retained. Two grounds exist at present on which a court may grant an appeal: one is in the public interest and the other is on the grounds of hardship. Where the appeal is upheld on the ground of the public interest, the situation remains as it is now. Where an appeal is upheld on the grounds of hardship, the licence can be endorsed with special conditions for the period during which the disqualification would otherwise apply, namely, three months, and those conditions have to be carried out. If, for example, the ground of hardship was inability to drive in a person's own business, it is envisaged that the condition would be that the person concerned could drive only in the course of his business.

In regard to the Wireless Telegraphy Act provisions (amendment No. 5), we no longer insist on deleting the clause, but the amendments proposed by the Hon. Mr. Geddes yesterday have been agreed to. Regarding the soliciting matter, we no longer insist on our amendment, but the soliciting provisions do not apply to the holder of a tow-truck certificate who has, in accordance with section 98j of the Act, obtained an authority to remove the vehicle damaged in the accident from the scene of the accident. So, where he holds the signed authority, the soliciting provisions do not apply.

Regarding the matter of the powers, with or without warrant, to enter, and so on, the Council no longer insists on its amendments but the requirement to answer was forthwith. In effect now the requirement is to answer as soon as reasonably practicable and, in any event, within 48 hours, which was quite a reasonable compromise on that score. In relation to irregular cheques, the Legislative Council no longer insists on its amendments. Overall, I endorse what has been said. It was a successful conference and one indeed, as the Hon. Mr. Dawkins said, which was conducted in the spirit that our founding forefathers intended.

Motion carried.

Later:

The House of Assembly intimated that it had agreed to the recommendations of the conference.

PLANNING AND DEVELOPMENT ACT AMENDMENT BILL (No. 2)

At 2.34 p.m. the following recommendations of the conference were reported to the Council:

As to Amendment No. 1:

That the Legislative Council do not further insist on its amendment but make the following amendments in lieu thereof:

Clause 3, page 1, lines 14 and 15—

Leave out paragraph (b) and insert paragraph as follows:

(b) A separately defined piece of land that is delineated on a public map and separately identified by number or letter;

Line 20—After "by number" insert "or letter".

That the Legislative Council make the following consequential amendment to the Bill:

Clause 5, page 2, lines 18 to 22—

Leave out paragraph (a) and insert paragraph as follows:

(a) the plan was deposited with the Registrar-General before the first day of March 1979,

and the Registrar-General is satisfied by such evidence as he may require—

- (i) that the plan was prepared, or preparation of the plan was substantially commenced, before the nineteenth day of September 1978; or
- (ii) that significant sums were expended before the nineteenth day of September 1978 with a view to subdivision or re-subdivision of the land.

And that the House of Assembly agree thereto.

As to Amendment No. 2:

That the Legislative Council amend its amendment—

- (a) by striking out from paragraph (a) of proposed new section 62a. the passage "thirty hectares" and inserting the passage "fifty hectares".
- (b) by inserting in new section 62a. the following subsections:
 - (2) Where application is made to a council for its approval of a plan of subdivision or re-subdivision under this section, the council shall, at least two months before it decides the application, inform the Director in writing of the fact that it has received the application and shall furnish him with such information in relation to the application as the Director may reasonably require.
 - (3) Any representations made to the council by the Director or his nominee within two months of the day on which the Director is informed of the application shall be considered by the council.
 - (4) The council may refuse its approval under this section on any ground on which the Director or a council may refuse to approve a plan of subdivision or re-subdivision under any of the foregoing provisions of this Part.

And that the House of Assembly agree thereto.

Consideration in Committee.

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

That the recommendations of the conference be agreed to. The recommendations are not what the Government wished to have in terms of this legislation. We concede that there are considerable difficulties, but it was a question of balance as to whether these amendments should be adopted as a compromise solution to the problem or whether we should allow the Bill to lapse. Both Government and Opposition members agreed that to allow the Bill to lapse would create huge problems in terms of encouraging the large-scale subdivision of 30-hectare allotments, and would create problems in the future that would be virtually impossible to solve.

The compromise solution reached is not ideal, but it will operate as a holding operation from which we can get some experience before the Act is completely revised in the future. One area of concern involved the defining of allotments, and the amendments clarify that position. Also clarified is the matter involving the power of the Registrar to grant approval to plans in the interim period between the date that this measure was first announced and 1 March 1979.

The second substantive amendment dealt with what sort of control was to be applied to allotments over 30 ha. The compromise provides that the size should be increased from 30 ha to 50 ha; that is, that all matters involving

allotments under 50 ha should go through the normal planning procedures, leaving those above 50 ha to be dealt with by the new procedure laid down. That is not the same as originally proposed by this place, but it gives substantial power to the local government authority in terms of approval, requiring further investigation to be carried out, and particularly in consultation with the Director of Planning in respect of making any decisions on approval.

The Hon. C. M. HILL: I support the motion and thank the Minister for his explanation of what occurred at the conference. I agree that it was a successful conference. It was lengthy, but finally compromise was reached and, because of that, the Bill will become law. I thank the Hon. Mr. Griffin and the Hon. Mr. Carnie, who, with me, represented members on this side, for their contributions to the conference.

As the Minister has explained, allotments in excess of 30 ha have not been subject to subdivision control in the past. Parcels of land of 50 ha or more will now be subject to control but it will be a new form of control, namely, control by local government. In future, people in country areas who wish to subdivide land into allotments of 50 ha or more will seek from the local council approval to do that, and the council will be bound to contact the Director of Planning, who is given the power, under the legislation, to make representations to the council before it finally approves.

The balance of the amendments concerns the transitional period. In the period between the date when the Bill was introduced in the other place and 1 March 1979, subdivisional work has been and will be carried out in surveyors' offices, solicitors' offices, and the Lands Titles Office. Applications are being and will be processed in this period, and I think the arrangement whereby full and fair consideration will be given to those cases will satisfy the Surveyors' Institute, which I know has been concerned with that aspect.

The Hon. C. J. SUMNER: I support the motion, although I must say that I preferred the proposal originally submitted by the Government. It is important that a compromise has been reached on this matter, because losing the Bill would have been intolerable. My first reason for saying that is that a grave problem is developing because of the arbitrary limit of 30 ha. In the case of allotments less than that size, the Director of Planning and the council have some control, and that is operating, particularly in places near metropolitan Adelaide.

Because there is a 30-ha limit, people looking for allotments for uses such as hobby farms and vacation retreats are moving farther from Adelaide into the country areas where they can buy, at a reasonable price, a property larger than 30 ha that is, therefore, not subject to any subdivision control. There is evidence that the incidence of that sort of development is escalating rapidly. There definitely was a problem that needed to be brought under control, and I am pleased that, although this compromise is not what I would have preferred, it does produce control.

The second reason why I am pleased that the Bill will not be lost is that, given the fact that the Government had indicated its intention with respect to control of allotments of more than 30 ha, if the Bill had been lost that would have led to people starting to subdivide much more rapidly, in the expectation that legislation of a similar kind would be introduced, perhaps during next session.

In other words, the Government has indicated the policy and, if the Bill had been lost at this stage, there would have been open slather for a further period of some months, during which there would have been something

akin to speculation in this area; people would have tried to beat the gun by subdividing before the Government could reintroduce legislation. So, it was important for that reason that the Bill be not lost, and on that ground I was pleased to agree to the compromise.

I would have preferred to see the Director of Planning and councils having the control, as they do at present, for subdivisions under 30 ha because, as the Minister said, this would be an interim situation only, and ultimately, when the Government introduced legislation to give effect to some of the aspects of the recently released report by the Director of Planning (Mr. Hart) on the future of planning regulations in this State, there would have been a chance to examine the situation in the context of that report.

However, the important aspect is that subdivisions of over 50 ha are now to be controlled by the local council, whereas subdivisions under 50 ha will be controlled by the Director of Planning and the local council. I therefore support the motion.

The Hon. K. T. GRIFFIN: I, too, support the motion. I recognise that, with subdivisions or resubdivisions, there needs to be some measure of control. It really involves a question of what sort of control should exist. The proposal moved in this place and taken to the conference was that the local council ought to be responsible for that control where allotments of more than 30 ha result from a subdivision.

The compromise that has been reached is, in my view, a reasonable one, in that all allotments of less than 50 ha resulting from the subdivision or resubdivision are subject to the approval not only of the local council but also of the Director of Planning, whereas subdivisions resulting in allotments in excess of 50 ha are subject to the control of the local council only.

Concern was expressed that the local council might not have the necessary expertise or facilities available to enable it properly to assess applications for subdivision. That is why the Director of Planning has been brought into the proposal. His office must be notified of any application for subdivision, and the Director or his nominee will have an opportunity to be heard by the local council. In fact, there is a process for consultation so that the necessary expertise and experience in the planning field will come not only from the local council and its advisers but also from the office of the Director of Planning.

The other two amendments are largely consequential on some difficulties that we could foresee. First, where there is presently in the Lands Titles Office a plan of division of land into allotments which might have been acted upon partially by a registered proprietor as he sold off separate allotments, we have an assurance from the Registrar-General of Deeds, who was kind enough to be present here when the conference considered the matter, that that would not in any way be prejudiced when the plans were in the office of the Registrar-General before 19 September 1978.

The other amendment is designed to allow those plans of subdivision or resubdivision, lodged before 1 March 1979, where they satisfy other criteria, to be considered and approved by the Registrar-General without the approval of the Director of Planning being required.

It was necessary to ensure that, as a result of the legislation, those who had subdivision plans or other subdivisional work in progress, or had spent money in anticipation of that sort of subdivision where allotments of more than 30 ha would result, should not be prejudiced by the operation of the Bill.

Therefore, the proposal contained in clause 5 gives the Registrar-General of Deeds some flexibility in allowing certain plans to proceed in the circumstances that I have

outlined.

As I have already said, the compromise is a suitable one that will meet the requirements not only of the Director of Planning and the local council but also of the ordinary members of the community who may have to run the gauntlet of obtaining approval for these sorts of subdivision.

Motion carried.

Later:

The House of Assembly intimated that it had agreed to the recommendations of the conference.

[Sitting suspended from 2.53 to 3.20 p.m.]

QUESTIONS

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

That Standing Orders be so far suspended as to enable Question Time to extend until 3.45 p.m.

Motion carried.

BOAT INSPECTIONS

The Hon. C. M. HILL: On behalf of the Hon. Mr. DeGaris, I ask the Minister of Health whether he has a reply to the honourable member's recent question concerning boat inspections.

The Hon. D. H. L. BANFIELD: The cost of providing the necessary staff to inspect boats would be substantial, and would necessarily have to be borne by the boat owner. The boating legislation is intended to educate the operator and to achieve a measure of proficiency in this area of boating safety by the issue of a licence subject to passing a test. Surveys of private pleasure boats, as distinct from commercial vessels, are not required in any other Australian State, and it is not proposed to introduce such a measure in South Australia.

FIRE PROTECTION

The Hon. M. B. DAWKINS: Has the Minister of Lands a reply to the Hon. Mr. DeGaris's recent question on fire protection?

The Hon. T. M. CASEY: The prime responsibility rests with the Corporation of the City of Elizabeth, which has sufficient authority under section 667 (1) 6 of the Local Government Act to make by-laws to require owners and occupiers to destroy flammable grass, weeds or other growth upon their property. Other provisions include the power to make by-laws for:

- (1) the prevention, suppression and speedy extinguishing of fires; and
- (2) the regulating, controlling and prohibiting of the lighting of fires in the open.

If residents of Elizabeth cannot take action themselves to reduce the fire hazard, they may request the council to do so, for which service the council would charge the landowner.

NURIOOTPA-GREENOCK BY-PASS

The Hon. M. B. DAWKINS: Has the Minister of Lands a reply to my recent question relating to the Nuriootpa-Greenock by-pass?

The Hon. T. M. CASEY: The standard of lighting provided at the interchanges on the Greenock-Nerisootp by-pass is consistent with the rural nature of the road. The lighting is designed to provide visual guidance with minimum glare to reduce the effect of sudden light change on drivers as they enter and leave the lighted interchange areas.

PORT LINCOLN HARBOR

The Hon. C. M. HILL: Has the Minister of Health a reply to the Hon. M. DeCadi's question about Port Lincoln harbor?

The Hon. D. H. L. BANFIELD: Following preliminary investigations by the Marine and Harbors Department it has been decided that the provision of prestressed concrete units required for the reconstruction of the old section of the shipping pier at Port Lincoln will be let to contract. There is no intention of establishing permanent prestressing bed facilities.

SAMCOR

The Hon. R. A. GEDDES: I desire to ask the Minister of Agriculture several questions following questions I have asked previously about Samcor. I seek leave to make a short statement in explanation.

Leave granted.

The Hon. R. A. GEDDES: Whilst the Minister was away recently I asked several questions relating to Samcor. I would appreciate receiving replies from the Minister of Agriculture as soon as possible. Secondly, I asked the Minister when he was in the Chamber a question concerning the overloading of cattle trucks travelling from the North East of the State, and whether he would confer with the Minister of Transport, because stock is weighing heavier than usual as a result of the excellent pastoral season. Has the Minister a reply to my question?

The Hon. B. A. CHATTERTON: I have referred to the Minister of Transport the honourable member's question relating to figures on the entry of stock. His other questions have been referred to Samcor for the necessary figures, and I expect a reply from Samcor as soon as practicable.

The Hon. R. A. Geddes: I asked three or four questions on the same day.

The Hon. B. A. CHATTERTON: A committee was established to examine the capital structure of Samcor to ascertain whether there are ways to decrease the interest burden on Samcor. That committee consists of an official from the Treasury and the Chairman of the Samcor board, and it is inquiring to ascertain whether the problem can be solved.

DEMAC BUILDINGS

The Hon. M. B. DAWKINS: Has the Minister of Health a reply to my recent question regarding Demac buildings?

The Hon. D. H. L. BANFIELD: Investigations towards improving the outward appearance have been carried out since the acceptance of the Demac system. Aesthetic improvements to the building system have not been incorporated, mainly for economic reasons. However, efforts to soften the outward appearance are made in designing associated external works, namely, covered areas, screen fences, planting, and landscaping.

STATUTES AMENDMENT (REMUNERATION OF PARLIAMENTARY COMMITTEES) BILL (No. 2)

Adjourned debate on second reading.
(Continued from 22 November. Page 2210.)

The Hon. C. M. HILL: This Bill increases some salaries of those members of Parliament who sit on Parliamentary committees. Some of those salaries must be amended from time to time by amending Bills, whereas other committee membership is affected by the Government, which has the power to increase salaries. The Government has introduced legislation to increase salaries by about 45 per cent.

At first thought, that might seem excessive, and I noticed in this afternoon's press that that point was mentioned, but I have ascertained when some of these salaries were last increased and the comparison between cost of living increases from then until now. I quote the example of members of the Joint Committee on Subordinate Legislation whose salaries were last changed in October 1974.

The consumer price index for the Adelaide area at that time was 169.7, while the consumer price index for the Adelaide area at September 1978 was 252.6—an increase of 48.8 per cent. If we compare the increase in salaries with that variation in the c.p.i., we see that the claim that the 45 per cent increase is excessive cannot be substantiated. The Bill provides that from now on these salaries will be indexed on the basis of the cost of living; previously that has not been the case. It is a great pity that the Government has decided to take it upon itself to fix these salaries.

Earlier this year, Parliament passed legislation that transferred responsibility for fixing some salaries to the Parliamentary Salaries Tribunal. By introducing this Bill, the Government has in effect reversed that approach, and the legislation that was passed earlier this year is repealed by this Bill. The Government has gone back to an approach in which members of Parliament themselves fix some salaries applying to members; that is, the salaries for committee work.

We all know that our basic salaries and normal allowances are fixed by an independent tribunal. When Parliamentarians fix their own salaries and allowances, no matter if it is in a relatively small way for committee work, it opens the door for public criticism. Criticism of the principle that Parliamentarians fix their own remuneration is quite justifiable. Therefore, in the future I would like to see all these remunerations being assessed by the Parliamentary Salaries Tribunal, which is completely independent. This Parliament should adopt that approach in the long term.

I regret that the Government has changed its policy and introduced this Bill to fix some of the salaries in this way. The salaries of the Chairmen of committees and of committee members vary; that is quite reasonable, because the Chairmen have particular responsibilities, and in many cases their duties take up a considerable amount of time. I support the second reading.

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

NATIONAL PARKS AND WILDLIFE ACT AMENDMENT BILL (No. 2)

The House of Assembly intimated that it had disagreed to the Legislative Council's amendment.
Consideration in Committee.

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

That the Council do not insist on its amendment. When the amendment was moved yesterday in this Council, I opposed it because the Government believed that it placed undue restrictions on the appointment of the committee. The committee should be of the highest possible calibre, and many of the criteria referred to in the paragraphs would be included in the qualifications of the committee members. The Government does not believe that these should be written into legislation in this way.

The Hon. M. B. CAMERON: I oppose the motion. I do not believe that the amendment is restrictive: it is more of a directive. It indicates what sort of people should be involved. Unless we have people with this sort of experience on the board, it will not be satisfactory for the purpose for which it is purported to be set up. Any board that is associated with national parks and wildlife should have these areas of expertise represented on it. It is vital to proper management that the people are involved in the advice that the Minister might receive. I ask that the Committee insist on the amendment.

The Hon. C. M. HILL: I support the Hon. Mr. Cameron in his determination to pursue these amendments, because the legislation is better with these guidelines written into the Bill. We need to have more guidelines of this kind when committees and boards are appointed in all sorts of legislation. However, over the years the Government has got away from this particular practice, which had been a tradition of the South Australian Statutes for decades. For Parliament to lay down some guidelines to ensure that membership of the board is well chosen is proper legislation. For that reason I support the amendment.

The Hon. M. B. DAWKINS: I, too, support the Hon. Mr. Cameron's wish to insist on this amendment. The reason given for the rejection of the amendment is because the amendment is unreasonably restrictive. I take issue with that comment, because I believe that the amendment is reasonable and sensible. Three of the people to be appointed should have the special qualifications that the Hon. Mr. Cameron has included in his amendment, and I believe that the Government is being unnecessarily uncooperative in this matter. As the amendment is sensible, I support the comments of the Hon. Mr. Cameron and those of the Hon. Mr. Hill in their insistence on this amendment.

The Committee divided on the motion:

Ayes (9)—The Hons. D. H. L. Banfield, F. T. Blevins, T. M. Casey, B. A. Chatterton (teller), J. R. Cornwall, J. E. Dunford, N. K. Foster, Anne Levy, and C. J. Sumner.

Noes (9)—The Hons. J. C. Burdett, M. B. Cameron (teller), J. A. Carnie, Jessie Cooper, M. B. Dawkins, R. A. Geddes, K. T. Griffin, C. M. Hill, and D. H. Laidlaw.

Pair—Aye—The Hon. C. W. Creedon. No—The Hon. R. C. DeGaris.

The CHAIRMAN: There are 9 Ayes and 9 Noes. I give my casting vote for the Noes.

Motion thus negatived.

Later:

The House of Assembly requested a conference, at which it would be represented by five managers, on the Legislative Council's amendment to which it had disagreed.

The Legislative Council agreed to a conference to be held in the Legislative Council conference room at 5.15 p.m., at which it would be represented by the Hons. M. B. Cameron, J. A. Carnie, B. A. Chatterton, R. A.

Geddes, and C. J. Sumner.

Later:

The Hon. B. A. CHATTERTON (Minister of Agriculture): I have to report that the conference recommended that the Legislative Council's amendment be no longer insisted on.

Consideration in Committee.

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

That the recommendation of the conference be agreed to. I congratulate the Council managers on managing the conference quickly and effectively. The manager accepted the undertaking given by the Minister of Community Development on behalf of the Minister for the Environment, that appointments to the committee would be of the type outlined in the Legislative Council's amendment. It was not possible to include this in the Bill. Everyone considered that it was important that the Bill be passed promptly.

The Hon. J. A. CARNIE: I support the motion. I pay tribute to the managers for the way in which the conference was conducted. It became clear that the Minister of Community Development, representing the Minister for the Environment, would not give way at all.

In fact, it was made clear that the Bill would be lost completely. That would have meant that there would be no committee at all to advise the Minister, who would then have had to act on his own. The Council managers considered that, rather than lose the Bill completely, they would not insist on their amendment. I disagree with the Minister's statement that it was not possible to write this sort of provision into the Bill, because it is possible so to do. As the Minister assured the Council managers that the types of person that they wanted appointed would be appointed, and, so as not to lose the Bill completely, the Council managers did not insist on their amendment.

The Hon. R. A. GEDDES: The appointment of members to boards such as is contemplated in this Bill should be examined broadly by the Government. To give the Minister power, in an Act of Parliament, to appoint five persons to a board without his having guidelines can lead to difficulties. The amendment was aimed not at the present Minister but at any future Minister. The guidelines under which any Minister must work should be clear.

There is nothing worse than having a rubber-stamp Committee that becomes a toady to the Minister. The Opposition feared that this could happen, not necessarily now but perhaps in the future. It is, after all, Parliament's responsibility to legislate not just for 1978 but for the future.

I endorse the Minister's remarks regarding the manner in which the conference was conducted. However, it was unfortunate that the conference was of such short duration, as I am sure that, if we had had sufficient time, the respective managers might have arrived at a better solution.

The Hon. N. K. FOSTER: I support what the Minister has said. It is unfortunate, however, that the Hon. Mr. Geddes said that the committee could act as a rubber stamp and become a toady for the Minister, because that is completely wrong and should be refuted. The Minister's track record shows that what the Hon. Mr. Geddes said is not correct.

The Hon. R. A. Geddes: I wasn't referring to this Minister.

The Hon. N. K. FOSTER: Yes you were. Motion carried.

Later:

The House of Assembly intimated that it had agreed to the recommendations of the conference.

SOUTH AUSTRALIAN THEATRE COMPANY ACT AMENDMENT BILL

Consideration in Committee of the House of Assembly's message intimating that it had disagreed to the Legislative Councils amendments.

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

That the Council do not insist on its amendments.

During the debate I think that the Hon. Mr. Hill, who moved these amendments, came close to admitting that the nomination of the Artistic Director on the board was perhaps not the appropriate person and that he was prepared to accept a compromise situation in which a prescribed executive officer should be substituted for the Artistic Director.

I have had discussions with the Minister responsible for this legislation since then, and it is obvious that that is not a solution to the problem. The structure of the South Australian Theatre Company is such that it is not possible to prescribe an executive officer to go on the board. There is an Artistic Director, a General Manager, and a Director of Theatre in Education, and in a sense all of them have some executive responsibilities.

To nominate one of them to the board would create an invidious situation that would not be applicable to the organisation or structure of the theatre company. We are dodging the issue if we accept the "prescribed executive officer", because it is not possible to nominate one of those people and maintain the company's flexibility. It is not considered right to promote one of those people. The honourable member's amendments are unacceptable for those reasons, and his alternative is quite unworkable.

The Hon. C. M. HILL: I urge the Council to insist on its amendments, because an important principle of worker participation is involved. As the Government accepts that worker participation be implemented within statutory authorities, and that there should be two employees on the board (one should be the senior executive), it should accept the amendments. True, there is some difference in the upper structure of the senior staff, but that is not sufficient reason why one of the three people should not be on the board. The Government cannot work out who it wants in the position of chief executive officer. These three people now attend board meetings, so surely one of them should have the right to vote.

The Hon. B. A. Chatterton: Should they alternate?

The Hon. C. M. HILL: That is for the Government to work out. I specified the Artistic Director because I believed that he was the senior person. The Government can alter the words or prescribe the officer who is the chief executive officer. The Government must not proceed further with worker participation in statutory bodies unless it sticks by the principle that two such people should be involved.

The Hon. R. A. GEDDES: I query the validity of the reasons given by another place, because I do not believe that the amendments go beyond the scope of the Bill. They take into account the structure and method of the company. Will the Minister explain the logic of the arguments used in disagreeing to the amendments? I support the Hon. Mr. Hill's contention.

The Hon. B. A. CHATTERTON: The amendments are misguided because they do not take into account the structure and method of operation of the company. The Hon. Mr. Hill admits that there is not a clearly defined chief executive officer, and suggested that he could be replaced by "prescribed executive officer". The honourable member cannot make up his mind and is shoving off

that responsibility by saying that it is for the Government to choose. We do not desire to change the structure of the company at all. As there is a clear hierarchy, the amendment is inappropriate.

The Hon. C. M. HILL: The Minister claims that I am confused as to what I want. That is not so at all. I believe that the Artistic Director should be on the board. I only raised the alternative because of the problem pointed out to me by the Government since the introduction of the Bill. I was trying to help the Government by suggesting an amendment or the alternative. I am standing by the amendment, as I believe that the Artistic Director should be on the board. The Government has recently appointed the Director of the Art Gallery to the board because he is regarded as the senior officer there. Further, the Government has appointed the General Manager of the Opera Company (Mr. Campbell) to that board. If the Government cannot decide who is the senior officer, I cannot help that. I do not want to yield because the Minister says I am in confusion. I am willing to assist the Government and, if it wants to put one of three persons on the board, I do not mind, but my inquiries reveal that the Artistic Director is the senior officer. It is ridiculous to have an usherette or cleaner on the board and a senior officer not on it.

The Committee divided on the motion:

Ayes (8)—The Hons. D. H. L. Banfield, F. T. Blevins, T. M. Casey, B. A. Chatterton (teller), J. R. Cornwall, N. K. Foster, Anne Levy, and C. J. Sumner.

Noes (8)—The Hons. J. C. Burdett, M. B. Cameron, J. A. Carnie, Jessie Cooper, M. B. Dawkins, K. T. Griffin, C. M. Hill (teller), and D. H. Laidlaw.

Pairs—Ayes—The Hons. C. W. Creedon and J. E. Dunford. Noes—The Hons. R. C. DeGaris and R. A. Geddes.

The CHAIRMAN: There are 8 Ayes and 8 Noes. I give my casting vote for the Noes.

Motion thus negatived.

METROPOLITAN TAXI-CAB ACT AMENDMENT BILL

The House of Assembly intimated that it had disagreed to the Legislative Council's amendment.

Consideration in Committee.

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

That the Council do not insist on its amendment.

I have stated that there are sufficient people on the board, having regard to the number of taxi-cabs in South Australia, and that the people who form themselves into associations dealing with taxi-cabs have varied considerably over the years. I do not see that an extra person should be nominated to the board merely because another association has been formed.

The Taxi-Cab Board has done a very good job in the interests of the industry in South Australia and, if we put a new member on the board every time that a new association is formed, we will finish up with an unwieldy board that will merely do harm to the administration.

The Hon. M. B. CAMERON: I am disappointed that the Government has not seen fit to agree to this amendment, which I believe is justified. The Minister has misunderstood the amendment, because it does not deal with a new organisation. Indeed, an organisation that is able to nominate two taxi owner representatives is specified therein. However, that organisation does not represent all taxi owners or companies in South Australia.

It is not therefore proper for the Minister to say that there is on the board sufficient representation for taxi owners. If a board is established and persons representing taxi owners are put on it, it is important that the people in the industry know that they have some say in electing their representatives. The amendment was carefully drafted to allow all taxi owners in this State to vote for their representative on the board. In this way, much of the unrest that now exists in the industry relating to board representation would disappear.

The Hon. C. M. HILL: I stress the point made by the Hon. Mr. Cameron that the Minister did not know what he was talking about when he said that the amendment provided for the appointment of a representative of another association of taxi owners. That is not so. The amendment was not moved to support any association, be it an old one or a new one: it was moved because of representations made by the association. However, the amendment was worded so as to facilitate the appointment of a new board member representing all taxi owners. That is a vital point that the Minister missed.

The second point on which I argue with the Minister deals with his claim that everything regarding the structure of the Taxi-Cab Board is satisfactory. The facts of life are that two members representing the Employers Federation come from the Taxi-Cab Operators Association, and the circumstances regarding board membership have changed greatly in the past few years. Indeed, in that time a large number of amalgamations of various taxi groups has occurred. I think I am right in saying (and I stand to be corrected if I am wrong) that there are only two major members of this association.

When changes of this nature occur and that association is asked to nominate two members, the situation is very different from that which obtained some years ago, when many groups were competing with one another. As the whole situation is in a stage of great change, will the Minister give an undertaking that the Government is at least willing to examine the structure of the Taxi-Cab Board in order to ascertain whether changes should be implemented to keep industry representation abreast of modern trends? I assure the Minister that, if the Government does not do this, the unrest that is now evident within the taxi industry will get even worse.

If the Government is willing to examine the matter, the people who are making representations to Parliament and who are complaining in the press may well be satisfied and will live in hope that ultimately some change may occur. Is the Government willing to examine the board structure to see whether, in the light of changes that have occurred in the past few years, improvements might be made in relation to representation on the board?

The Hon. T. M. CASEY: I thank the Hon. Mr. Hill for his remarks. I do not doubt that changes are occurring in this industry, as is happening in other industries. I will certainly draw to my colleague's attention the honourable member's remarks regarding this important matter, to ascertain whether taxi-cab owners have made representations relating to board representation, and to obtain information regarding the industry generally. I assure the Committee that my colleague will examine the matter.

Motion carried.

ADELAIDE COLLEGE OF THE ARTS AND EDUCATION BILL

Adjourned debate on second reading.

(Continued from 21 November. Page 2121.)

The Hon. C. M. HILL: I support the second reading of this Bill, which is the machinery by which the Adelaide

and Torrens Colleges of Advanced Education are to be amalgamated under the new name of the Adelaide College of the Arts and Education.

The Hon. B. A. Chatterton: Are you happy with the name?

The Hon. C. M. HILL: Yes. I have no queries about that. The history and evolution of this college are extremely interesting. Torrens College of Advanced Education was formed by merging the Western Teachers College and the South Australian School of Art. Western Teachers College had been a part of the Adelaide college. So, before 1975 both Torrens and Adelaide colleges were separate institutions.

In 1975 there was evidence that there were too many tertiary education institutions in this State. It became obvious then that the demand for teachers would not be sustained. In 1976, as the Minister said in his speech, the Anderson Committee of Inquiry was established, and both the Adelaide and Torrens Colleges of Advanced Education made submissions advocating amalgamation. When that report was issued, the amalgamation as proposed in this Bill was one of the major recommendations. We are now giving that recommendation legislative effect.

A great responsibility will be on the new council, the planners, administrators and senior staff of the college to ensure that complex challenges and problems that must arise in its early establishment will be confronted and overcome. It does not seem long ago that the South Australian School of Art became part of Torrens college. Honourable members who were here at that time will recall the great deal of feeling and emotion that was evidenced then. I can remember the night when the legislation went through, and there were tears in the Strangers Gallery when the Bill finally passed. I am sure that the Hon. Mrs. Cooper can also recall that.

It is pleasing to see in clause 15 that that school will still be preserved within a new arrangement. Clause 15 provides:

(1) The council may establish such schools or other divisions (by whatever designation the council may approve) within the college as it considers necessary or expedient for the purposes of the college and may, from time to time, rearrange or abolish any such schools or divisions and alter or amend the titles or designations thereof.

(2) Notwithstanding the provisions of subsection (1) of this section, there shall be a school or division of the college designated the "South Australian School of Art".

Therefore, the principle that was espoused and written into the previous Bill concerning Torrens has been preserved in the legislation before us. I also mention a matter that arose when we discussed the Bill dealing with the proposed Murray Park College of Advanced Education. Reference is made in the Bill (as in the other legislation), in the definitions, in clause 6, and in the final clause (29) to the Tertiary Education Authority of South Australia Act, 1979. I believe that it would be quite improper for this Chamber to pass legislation with this reference in the Bill, when in fact the 1979 Act is still not on the Statute Book. This matter ought to be corrected before Parliament officially passes this Bill.

Again I refer to clause 15, and to the point with which I crossed swords with the Minister concerning the Minister of Education having the right to assess or determine whether students' courses should be terminated during the time that students were enrolled. I still believe that power in clause 14 exists. I know that the Minister does not agree with me, but I believe that clause 14 is bad legislation in that respect. I feel that the amalgamation will produce a successful college. Certainly, the space available at

Torrens, the remarkable potential for expanded facilities on that campus, the opportunities for development of further courses, and the proposed merging of primary and secondary teacher training, augurs well for the future.

I have great confidence in the academic staff and the administrators in our tertiary institutions, as well as in those in all areas of the teaching profession in this State. I see no reason why the new Adelaide College of the Arts and Education will not soon be one of the foremost multi-purpose tertiary colleges in Australia, and be an institution of which South Australians can be very proud. I support the second reading.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Progress reported; Committee to sit again.

[Sitting suspended from 4.29 to 4.55 p.m.]

STATUTES AMENDMENT (AGRICULTURE) BILL

Returned from the House of Assembly without amendment.

TRAVELLING STOCK RESERVES

The House of Assembly intimated that it had agreed to the Legislative Council's resolution.

REAL PROPERTY ACT AMENDMENT BILL (No. 2)

(Second reading debate adjourned on 22 November. Page 2227.)

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—"Repeal of sections 146, 147, and 148 of principal Act and enactment of section in their place."

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

Page 1, line 19—Leave out ", or refuses to execute,"

Page 2—After line 6—Insert subsection as follows:

(2a) Any moneys received by the Treasurer under subsection (2) of this section shall be held by him upon trust for the mortgagee or other person entitled thereto.

Lines 11 and 12—Leave out "a personal covenant to make payment under the mortgage" and insert "the personal covenants of the mortgage".

I explained the reasons for these amendments during the second reading debate.

The Hon. D. H. L. BANFIELD (Minister of Health): The Government accepts the amendments.

Amendments carried; clause as amended passed.

Title passed.

Bill read a third time and passed.

Later:

The House of Assembly intimated that it had agreed to the Legislative Council's amendments.

ADELAIDE COLLEGE OF THE ARTS AND EDUCATION BILL

Adjourned debate in Committee (resumed on motion). (Continued from page 2294.)

Clause 2 passed.

Clause 3—"Interpretation."

The Hon. B. A. CHATTERTON (Minister of Agriculture): The conference being held on the Murray Park College of Advanced Education Bill may make amendments applicable to this Bill. As the first of those amendments will be to clause 3, I ask that progress be reported.

Progress reported; Committee to sit again.

HARBORS ACT AMENDMENT BILL

Consideration in Committee of the House of Assembly's message intimating that it had disagreed to the following amendments inserted by the Legislative Council:

No. 1. Page 2, lines 14 and 15 (clause 7)—Leave out paragraph (a)

No. 4. Page 3, line 1 (clause 10)—After "may" insert ", with the approval of the Governor,".

No. 5. Page 4, line 12 (clause 12)—Leave out "proclamation" and insert "regulation".

No. 6. Page 4 (clause 12)—After line 22 insert subsection as follows:

"(3a) Land that is within the area of a council shall not, without the consent of that council, be placed under the care, control and management of the Coast Protection Board in pursuance of this section."

No. 7. Page 4, line 30 (clause 12)—Leave out "proclamation" and insert "regulation".

No. 10. Page 5, lines 5 and 6 (clause 12)—Leave out subsection (5).

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

That the Council do not insist on its amendments.

Because the amendments destroy the purpose of the Bill, I ask honourable members not to insist on them.

The Hon. M. B. DAWKINS: With some regret, I do not oppose the motion, but I express disappointment. I believe that the amendments, far from destroying the purposes of the Bill, improve it, and the tactics of the Government this afternoon virtually suggests that we pass this Bill, or else. That is in stark contrast to the attitude expressed by the Hon. Mr. Virgo this morning at conference, when we were able to improve a Bill considerably.

I cannot see for the life of me why the Government wants to insist on this Bill going through today. If a conference were held in February, I think results would not be dissimilar to those that were obtained this morning. I am disappointed that the Government's attitude to this Bill is not similar to that which was displayed by the Minister of Transport this morning.

The amendments refer to the power being vested in the Governor rather than in the Minister, and also to the use of the word "regulation" rather than "proclamation". I said, in the second reading debate about three months ago, that I believed in the Ministerial responsibility but not in Ministerial autonomy. I believe that some of these things (I am not going to detail them at this stage) should be dealt with by the Governor in Council rather than by the Minister. Those parts of the Bill dealt with by proclamation would be much better done by regulation, when there is always the possibility of checking the administrative action of the Government. I am concerned about the handing over of coastal areas from the control of local council to that of the Coast Protection Board. That matter was brought forward by my colleague and I do not intend to enlarge on that situation. In speaking to this motion, which, as I say, with some regret I do not oppose, I express my great disappointment at the tactics of the

Government this afternoon compared to the results that were obtained at the conference this morning when the Government showed a different attitude.

The Hon. C. M. HILL: I support the Hon. Mr. Dawkins' remarks. The Government has shown that it has complete disregard for this legislation and for amendments which were moved, debated, and carried in the Council and which undoubtedly improved the legislation. I was involved with the amendment concerning the Coast Protection Board, and the amendment ensured that local government had the right to say whether or not land ought to be placed under the care and control or management of a council, or given to the Coast Protection Board.

The refusal of the Government to accept that amendment indicates the disrespect and disregard this Government has for local government. A few days ago we saw the Government taking local government authority away from the Levi Park Trust. In this legislation the Government could have shown a high regard for local government and given councils the right to say whether land should be placed under the care and control of the Coast Protection Board or not. However, the Government has not agreed with it, and I think that is wrong. I can only hope that the time will come when land has to be vested in this way and I trust that the Government will change its view of local government and give it a chance to accept or reject control of that land. I support my colleague in expressing disappointment at the Government's attitude to these amendments.

Motion carried.

[Sitting suspended from 5.15 to 5.50 p.m.]

MURRAY PARK COLLEGE OF ADVANCED EDUCATION BILL

The House of Assembly requested a conference, at which it would be represented by five managers, on the Legislative Council's amendments to which it had disagreed.

The Legislative Council agreed to a conference to be held in the Legislative Council conference room at 4.30 p.m., at which it would be represented by the Hons. J. C. Burdett, B. A. Chatterton, Jessie Cooper, K. T. Griffin, and Anne Levy.

At 5.55 p.m. the following recommendations of the conference were reported to the Council:

As to Amendments Nos. 1 to 4:

That the Legislative Council amend its amendments by striking out from each of them the word "Magill" and inserting in lieu thereof, in each case, the word "Hartley". And that the House of Assembly agree thereto.

As to Amendment No. 5:

That the Legislative Council do not further insist on this amendment.

As to Amendment No. 6:

That the Legislative Council do not further insist on its amendment but makes in lieu thereof the following amendments:

Clause 3, page 1, lines 10 and 11—Leave out all words in these lines and insert definition as follows:

"the Board" means the South Australian Board of Advanced Education:

Clause 6, page 3—

line 30—Leave out "Authority" and insert "Board"

line 31—Leave out "Authority" and insert "Board"

Clause 10, page 6—

line 6—After "the members" insert "first"

Clause 14, page 7—

line 20—Leave out "Authority" and insert "Board"

Clause 29, page 14, line 25—Leave out Tertiary Education Authority of South Australia Act, 1979" and insert "South Australian Board of Advanced Education Act, 1972"

And that the House of Assembly agree thereto.
Consideration in Committee.

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

That the recommendations of the conference be agreed to. The main recommendation stems from an agreement that the new college should be called "Hartley". The main basis for that recommendation was that the interim council had met and voted overwhelmingly for that name, with only one person voting against it. It seems appropriate that the college should be in command of its own destiny.

The conference decided not to persist with the Legislative Council's amendments, which gave the right of veto to part of the new merged college. The third major recommendation concerned clause 29, which refers to legislation not yet passed by this Parliament. It was recommended that reference to that legislation be deleted and that the South Australian Board of Advanced Education be the appropriate authority to which the college is responsible.

The Hon. J. C. BURDETT: I support the motion. The conference was short and amicable. The Minister has accurately summarised the recommendations. Our amendment No. 6 related to clause 29, which provides:

The powers conferred on the college by this Act are subject to the provisions of the Tertiary Education Authority of South Australia Act, 1979.

Members from this side found it extraordinary and unprecedented. We believed it was sloppy legislation to make the powers conferred in this Bill subject to the provisions of another Act that has not been passed, the terms of which we do not know. That was quite irregular, and irregular things are apt to go wrong. During the course of this day there have been a number of informal conferences and the like which have demonstrated the value of proceeding under the correct procedures and according to the rules. Sometimes, when one is in a hurry, it is tiresome to go through the procedures under Standing Orders, but some of the informal things that have happened today have convinced me of the need to operate according to the rules.

That is what this clause of the Bill is about. It departed from the rules and made the Bill subject to an Act that has not yet been passed, the terms of which were not known. What happened, fairly obviously, was that the Tertiary Education Authority of South Australia Bill had been drafted; this Bill had been drafted, as was the Adelaide College Bill, which is also before this Chamber.

I think it had been contemplated that the Tertiary Education Authority of South Australia Bill would be dealt with first. In fact, it was not. The Bill now before honourable members was presented first. What has been recommended by the conference is what should have been done in the first place; namely, to refer to the Act that does exist and to the board that does exist. I support the motion.

The Hon. F. T. BLEVINS: I, too, support the motion. The debate on the name of this college is easily the silliest and most childish debate that I have had to suffer in this Parliament. That the time of Parliament has been wasted on such a trivial matter is an absolute disgrace, and I wish to register my protest.

Motion carried.

Later:

The House of Assembly intimated that it had agreed to the recommendations of the conference.

**ADELAIDE COLLEGE OF THE ARTS AND
EDUCATION BILL**

Adjourned debate in Committee (resumed on motion).
(Continued from page 2294.)

Clause 3—"Interpretation."

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

Page 1, lines 10 and 11—Leave out all words in these lines and insert definition as follows:

"the Board" means the South Australian Board of Advanced Education:

This amendment and the following amendments are consequential on the amendment to clause 29, which refers to the Tertiary Education Authority of South Australia Act. Wherever reference is made to that authority, it will be deleted and "board" (meaning the present South Australian Board of Advanced Education) will be inserted. What I have said applies to all except the fourth amendment, which is a drafting amendment.

The Hon. C. M. HILL: I support the amendments. In the second reading debate, I criticised this aspect, and I am pleased the Government is amending it. The Hon. Mr. Burdett's criticism of the Government for introducing sloppy legislation applies also in this case.

Amendment carried; clause as amended passed.

Clauses 4 and 5 passed.

Clause 6—"Conferring of degrees, diplomas, etc."

The Hon. B. A. CHATTERTON moved:

Page 3—

Line 25—Leave out "Authority" and insert "Board".

Line 26—Leave out "Authority" and insert "Board".

Amendments carried; clause as amended passed.

Clauses 7 to 9 passed.

Clause 10—"Conditions of office."

The Hon. B. A. CHATTERTON moved:

Page 6, line 6—After "the members" insert "first".

Amendment carried; clause as amended passed.

Clauses 11 to 13 passed.

Clause 14—"Council to collaborate with certain bodies, etc."

The Hon. B. A. CHATTERTON moved:

Page 7, line 19—Leave out "Authority" and insert "Board".

Amendment carried; clause as amended passed.

Clauses 15 to 28 passed.

Clause 29—"Powers conferred by this Act subordinated to provisions of the Tertiary Education Authority of South Australia Act."

The Hon. B. A. CHATTERTON moved:

Page 14, line 10—Leave out "Tertiary Education Authority of South Australia Act, 1979" and insert "South Australian Board of Advanced Education Act, 1972".

Amendment carried; clause as amended passed.

Title passed.

Bill read a third time and passed.

Later:

The House of Assembly intimated that it had agreed to the Legislative Council's amendments.

ADJOURNMENT

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

That the Council at its rising adjourn until Tuesday 6 February 1979 at 2.15 p.m.

I thank members of the Council for the attention that they have given to the business that has been placed before them. We regret the need for the last-minute rush, but this is not the first time it has happened; it has gone on now for about 80 years.

I extend season's greetings to everyone in the Council. I thank *Hansard*, the messengers, officers of the Council and the staff of the refreshment room. I trust that when we come back we will be refreshed, will accord goodwill towards each other, and will continue our harmonious relationship that has existed since the commencement of this session.

The Hon. C. M. HILL: Speaking for honourable members on this side of the Council, I thank the Leader, and extend our thanks to you, Sir, the table officers, all members of *Hansard* and the messenger staff, for the way in which they have assisted the good working of this Council during this session. We extend Christmas greetings to our colleagues opposite and to those to whom I have referred. We wish them a happy Christmas, and look forward with some relish to seeing them again in the Council next year.

The PRESIDENT: I should like to concur with the two Leaders who have wished everyone well. I, too, add my thanks to members, but especially perhaps to the Leaders, who have been most co-operative. I believe that members have given added credit to the role of this Council throughout the session. Especially would I like to thank my clerks and staff who have been so kind in assisting me. They assisted in the working of this Council and made themselves available at all times to all members. I am sure that on behalf of all members I can thank them.

I also thank *Hansard* reporters who have on all occasions been most co-operative. It would be difficult to surpass our staff throughout any Parliament House in Australia, or perhaps in the world. I have not had one complaint about one staff member in Parliament House. They have an immaculate record and we thank them. I will do this personally on behalf of members. I take this opportunity to wish you and yours a very happy Christmas, a prosperous new year, and a successful session in February.

Motion carried.

At 6.26 p.m. the Council adjourned until Tuesday 6 February 1979 at 2.15 p.m.