

## LEGISLATIVE COUNCIL

Wednesday 7 February 1979

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

## FUELS AND ENERGY RESOURCES COMMITTEE

The **PRESIDENT:** During Question Time yesterday, the Hon. Mr. Foster raised the matter of a press report on meetings of the Select Committee on the Conservation and Use of Fuels and Energy Resources and the application of Standing Orders Nos. 396 and 398 to these hearings. I have perused the press report referred to by the Hon. Mr. Foster and admit that it is unusual for a Select Committee to be given publicity without the prior approval of the Chairman of the committee or the committee itself. However, in my opinion, the report does not breach any Standing Order of the Council.

Standing Order No. 396 sets out clearly the procedure for the admission of strangers to hearings of Select Committees. While the Standing Order provides that "at the request of any member or at the discretion of the Chairman" strangers may be excluded, I believe the practice of Select Committees has been for the question on whether strangers should be admitted to be decided by the general consent or otherwise of all members of the committee and, if necessary, after consultation with witnesses. Accordingly, I consider that this is a matter which could well be left to the discretion of the committee concerned.

The disclosure or publication, before it has been reported to the Council, of evidence given before a Select Committee is prohibited by Standing Order No. 398, except with the permission of the Council. It therefore follows that, irrespective of any decision a Select Committee may take on admitting strangers to hearings, the committee cannot, by itself, authorise the disclosure or publication of evidence. Any such disclosure or publication may well require action to be taken by the Council unless the Council has agreed to the evidence, either in whole or in part, given before any particular Select Committee being made public.

The **Hon. R. C. DeGARIS (Leader of the Opposition):** I move:

That this Council permits the Select Committee on the Conservation and Use of Fuels and Energy Resources to authorise the disclosure or publication, as it thinks fit, of any evidence presented to the committee prior to such evidence being reported to this Council.

I point out that this Select Committee is different from a Select Committee inquiring into matters concerning a Bill. This inquiry is more in the nature of a public inquiry, and I believe that the publication of any evidence given before the committee is a matter that should be left in the hands of the committee and the witnesses concerned.

Motion carried.

## QUESTIONS

## FORESTRY

The **Hon. R. C. DeGARIS:** I seek leave to make a brief explanation prior to directing a question to the Minister of Forests.

Leave granted.

The **Hon. R. C. DeGARIS:** The Minister has been conferring in New Zealand on matters concerning his portfolio, and I ask him whether, if any discussions were held regarding the forestry industry, reference was made to assist private operators in forestry areas, especially under the guidelines that New Zealand has, in connection with the planting of what are termed wood lot farms. Was there any discussion on that matter?

The **Hon. B. A. CHATTERTON:** The meetings held at Christchurch, in New Zealand involved both Agricultural Council and Forestry Council. We had the opportunity to talk with the New Zealand Minister of Forests, the New Zealand Minister of Trade and the New Zealand Minister for Development on the question of trade in forest products between New Zealand and Australia. A study of the New Zealand forestry situation gave us the opportunity of looking at private forestry development, particularly the interesting development that has been going on in New Zealand for some years of a type of farm forestry different from that which has been considered in the past. This involves a wide spacing of trees in a grazing situation, where the land is still being used for grazing and for forestry at the same time.

This new scheme has been made possible by the pruning of pine trees. Traditionally, it has been impossible to have a wide spacing of trees, because so much of the growth goes into the limbs, and the trees are not suitable for sawlog production. However, the system that New Zealand is experimenting with (it seems quite successfully) is one of using a wide spacing of pine trees but doing a large amount of pruning of the limbs on the trunk to make sure that the trees are suitable for sawlog production. I understand that C.S.I.R.O is doing something on similar lines. We are interested in the experiment, because it could be applied to some areas in the South-East.

## ARGENTINE ANTS

The **Hon. C. M. HILL:** Will the Minister of Agriculture make a statement to the Council about the reported infestation in South Australia of Argentine ants, and will he say what action the Government is taking to help eradicate the ants, which, according to reports, could have serious effects on some industries here as well as on the community in general?

The **Hon. B. A. CHATTERTON:** Certainly, the circumstances of the infestation by Argentine ants are quite serious and disturbing in many ways. Since the initial report of the ants (I think the first report was from Brighton), there have been many hundreds of reports, but there has not been positive identification of Argentine ants in all those cases. However, we have had 60 or 70 positive identifications throughout the whole metropolitan area, extending from as far north as Elizabeth to Belair, Brighton and a whole range of other suburbs. So far, the only area from where there has not been a report of an outbreak of the ants is the Port Adelaide area. We still are not convinced that the ants are not in that region, but we have not had any reports so far.

The Agriculture and Fisheries Department is investigating the level of infestation and whether the infestations are in a continuous belt or whether they are in pockets.

Until we have a clear idea of whether the Argentine ant is in a continuous belt of infestation or in a number of pockets, it will not be possible to know whether to carry out an eradication campaign. If there is a continuous belt of infestation, I doubt that any programme would be feasible, but that matter is currently under investigation.

The spread of Argentine ants is not quick and there is not a question of the ants spreading further while we are

carrying out the investigation, so it is better to carry out a well researched programme. The other thing that I find difficult to understand is that, although it is fairly obvious that the ants have been in Adelaide for some time, the problems with them do not seem to have been occurring. One thing that surprises me is that Argentine ants are claimed to kill small birds and to have other deleterious effects, yet we have not had reports of that, although the ants must have been here for some time.

### HOME FOR INCURABLES

**The Hon. ANNE LEVY:** I seek leave to make a short statement prior to directing a question to the Minister of Health regarding the Home for Incurables.

Leave granted.

**The Hon. ANNE LEVY:** A letter in the *News* of 23 January this year regarding the renovated west wing of the Home for Incurables claimed that it had not been opened for occupancy by 200 handicapped people, owing to a lack of Federal funding.

Yesterday's *News* published a letter signed by the Leader of the Opposition in another place in which he claimed that the lack of finance for this wing at the Home for Incurables was entirely a State responsibility and that the South Australian Health Commission was at fault for not allocating sufficient funds. Will the Minister say what is the situation regarding the west wing of the Home for Incurables?

**The Hon. D. H. L. BANFIELD:** I was indeed concerned about the lack of knowledge of the Leader of the Opposition, who has been saying from time to time that the Government is spending too much money on increasing staff, and so on. He has implied that the east wing of the Home for Incurables could not be opened solely as a result of action taken by the State Government. However, he did not state that Federal funds had been cut back in many areas (this is, unfortunately, completely a Commonwealth project), and in this respect I refer to the school dental health scheme, and to funds relating to community health centres, for which the Commonwealth has been granting the States less and less on a percentage basis. The schemes to which I have referred were Federal Government projects with which the State Government was assisting.

I refer also to the added burden regarding capital expenditure on hospitals. Although in 1976-77 we received \$13 000 000, the allocation was reduced to \$5 000 000 in 1977-78, and from the Federal Government this financial year, in relation to capital expenditure, we got what Paddy shot at. Therefore, we must provide facilities for things out of which the Commonwealth Government is opting.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. D. H. L. BANFIELD:** However, I do not want honourable members to think that the State Government has not assisted the Home for Incurables, because the building of the new east wing and the renovation of the old west wing have been done entirely at State Government expense. When completed, the total cost to the State will be more than \$20 000 000. Of course, the Home for Incurables provided the loose furnishings and equipment for the east wing.

**The Hon. R. A. Geddes:** Over what period is the \$20 000 000 being spent?

**The Hon. D. H. L. BANFIELD:** It has been spent since the commencement of the building of the west wing, over a period of four years. The completion of the new east block on 8 October 1977 and the subsequent renovation of the old west block allowed the Home for Incurables to

increase its maximum patient accommodation from 411 to 826. Full occupancy of all of the additional beds would have required additional State funding of about \$4 500 000 a year if it went to 826 beds.

It was clearly impossible to add this burden to the State Budget in a single year and, therefore, a staged occupation was necessary in order to spread the additional funding required over a number of financial years. This is the sort of thing about which honourable members have been asking. The cutbacks in Commonwealth funding for health purposes further added to the State's financial difficulties in this matter. In 1977-78, the home increased the number of beds occupied from 411 to 622. So, we were able to provide the necessary funds for accommodation for an additional 211 patients.

To prove the point, I happen to have some figures in this respect. Funds provided by the State Government to the Home for Incurables for operating purposes have been increasing. In 1975-76, the State Government gave the home \$2 226 000. In 1976-77, it gave the home \$2 640 000, representing an increase of 19 per cent. In 1977-78, the State Government provided the Home for Incurables with \$3 971 000, a further increase of 50 per cent, and in 1978-79 the allocation was increased to \$4 780 000, an increase of 20 per cent.

So, in the last four years our allocation to the Home for Incurables has increased by 115 per cent. There is therefore no basis for the implication in Mr. Tonkin's letter.

**The Hon. R. C. DeGaris:** Would you like your answer incorporated in *Hansard*?

**The Hon. D. H. L. BANFIELD:** We know that members opposite do not want to hear my answer, because they are embarrassed by Mr. Tonkin's letter. If members opposite remain unaware of the facts I have given, they can go around and imply the same sort of thing that Mr. Tonkin has implied; that would suit them. Unfortunately, truth will out. My answer will appear in *Hansard*, because the *Hansard* reporters have taken down everything I have said. I was very conservative in the way I answered the question.

### CONTROLLED INTERSECTIONS

**The Hon. N. K. FOSTER:** I seek leave to make a statement before asking the Minister representing the Minister of Transport a question about controlled intersections.

Leave granted.

**The Hon. N. K. FOSTER:** The Adelaide Plain, particularly in the western suburbs, is extremely flat, except in small areas where the natural and man-made contours of road intersections lend themselves to a system of traffic easements and traffic control. I refer to the costly procedure of putting traffic lights at every possible intersection. One can find traffic lights by the score within a radius of less than a mile; that may be an exaggeration. On Payneham Road, within a radius of less than a mile there are four costly traffic light systems—costly in the sense that they are costly to purchase and maintain, and costly in terms of energy wasted and in terms of the complexities and the delay inflicted on commercial traffic. I often wonder whether or not there are any engineers in the Highways Department, how many engineers there are, and in what areas their energies are directed. I make no apology if I appear to be critical of that department.

On the Main South Road, particularly beyond the intersection at Tonsley Park, when one sees the intersection of Sturt Road and South Road one wonders

whether the engineers gave any thought to preventing congestion there. A few hundred yards down the road the natural fall of the land lends itself to something other than traffic lights and electronic controls. At the top of Tapley Hill Road there are three sets of traffic lights within a mile. I wonder whether a traffic engineer has ever inspected one particular intersection and also whether he has observed the traffic flow from Clarendon. Such traffic flow is controlled by traffic lights at the entry to South Road. The road is a score or more feet above the road leading from Clarendon. If one looks at the elevation of Montague Road a few hundred feet before the intersection with Bridge Road, which is being made a dual highway, one finds that one could jump barefoot and clear the crossing.

If there was an overway provided with ample land on every corner of the intersection, these electronic devices which impede the flow of traffic might not be necessary. I ask the Minister to ask his colleague whether the traffic engineers of the Highways Department pay regard to the natural fall and elevation of one particular road as it approaches an intersection, and to ascertain whether or not there is a better way to facilitate the flow of traffic other than by constructing traffic lights in the areas mentioned, as well as on the road over Black Hill, in the Mount Lofty Ranges.

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

#### PRAWN TRAWLERS

**The Hon. J. A. CARNIE:** I seek leave to make a brief statement before asking the Minister of Fisheries a question concerning prawn trawlers.

Leave granted.

**The Hon. J. A. CARNIE:** On 3 February 1976 I directed a question to the Minister on this point and, in explanation of my question today, I repeat part of the question I asked at that time, as follows:

The Minister will be aware that it is the recommendation of the Prawn Advisory Committee that the most economical size of prawn trawler, from the point of view of both the fishery and boat owner, is a 55ft. vessel. The Minister will also be aware that vessels in the industry at the moment range from 45ft. to 85ft. The position is that, when an owner wishes to replace his boat (if it is, say, 65ft. long), he can replace it only with a 55-footer. However, the committee also states that if a boat is less than 55ft. it can be replaced only with one no larger. In other words, if the owner of a 45ft. trawler wishes to replace it, he can replace it only with a 45-footer. This is an anomalous situation wherein present owners of larger vessels will remain owners of larger vessels and so will have an advantage over others in the same industry.

The Minister replied:

The situation as outlined by the honourable member is correct.

He then went on to give reasons for the department's adhering to this policy, reasons which I did not accept then and do not accept now. Has the Minister or his department altered the policy in this regard and, in fact, can vessels of less than 55ft. now be replaced by vessels of up to 55ft.?

**The Hon. B. A. CHATTERTON:** We have allowed some degree of flexibility in the implementation of that policy; I think 2 per cent is the range within which people can get replacement vessels. However, that is really only an interim measure. We are currently discussing with the prawn industry a more flexible replacement policy based on the catching effort of the prawn vessels and based not

merely on length but also on horsepower. This matter has been in the process of discussion with the fishing industry for some months now, and I think most are in agreement with this more flexible policy. At this stage, the matter hinges on whether the fees for prawn-fishing remain as they are at present or on whether we have a scale of fees covering a range of vessels with either a smaller or larger catching power. That is another question that is currently being discussed between officers of my department and representatives of AFIC. When that matter has been resolved I will be able to introduce a new more flexible replacement policy.

#### FRANCES PRIMARY SCHOOL

**The Hon. R. C. DeGARIS:** I seek leave to make a brief explanation prior to asking the Minister representing the Minister of Education a question about Frances Primary School.

Leave granted.

**The Hon. R. C. DeGARIS:** Frances Primary School, a small school north of Naracoorte, begins this year with an enrolment of 54 children, and with continuous admission the number by the end of the year will be higher than that. There are three full-time teaching staff, including the principal, who has full-time teaching duties. Towards the end of 1977, the Education Department circularised schools on the question of staffing for 1978. In that circular an enrolment of 50 to 70 gave a staffing target of three plus one part-time teacher. Last year, however, the department circular *Staffing '79* indicated a new staffing figure of two plus a part-time teacher.

It is the belief of people associated with the school that the staff of three is below that which is required to maintain teaching efficiency. First, will the Minister examine the question of restoring the 1978 staffing target of three plus a part-time teacher to the Frances Primary School? Secondly, will the Minister explain his reasons for reducing the staffing target by 25 per cent in 1979?

**The Hon. B. A. CHATTERTON:** I will refer the Leader's question to the Minister of Education and bring down a reply.

#### PORNOGRAPHY

**The Hon. N. K. FOSTER:** I seek leave to make a short statement before directing a question to the Leader of this Chamber regarding convictions against people in South Australia for exceeding the provisions relating to selling pornographic material which has been subjected to some form of classification.

Leave granted.

**The Hon. N. K. FOSTER:** There was a case recently reported in the *Advertiser* where two people who ran a delicatessen were fined because they were selling prohibited literature. As a point of interest, that matter was adjourned by the judge to enable him to look at the publications involved, and he expressed some concern when he learnt that they were printed by the Griffin Press. I have heard no word of protest or criticism of the *Advertiser* from either the Hon. Mr. Burdett, the shadow Attorney-General, or Mrs. Adamson, the member for Coles in another place, whose district adjoins the area in which the premises in question are situated.

**The PRESIDENT:** I think the honourable member ought to get to the point.

**The Hon. N. K. FOSTER:** I make the point that the Griffin Press is a wholly owned subsidiary of the

*Advertiser*, and it has been involved in this type of literature for some years. I make no complaint other than that some members in this Chamber and elsewhere have not disclosed this. I ask whether or not the Griffin Press is able to continue publishing such material for sale in South Australia provided it meets the requirements of any board that may be set up or law that may exist in this regard.

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

## URANIUM

**The Hon. R. C. DeGARIS (Leader of the Opposition):** I move:

That in the opinion of this Council the resolution passed by the House of Assembly on 30 March 1977 dealing with uranium be rescinded. That a message be sent to the House of Assembly transmitting the foregoing resolution, and requesting its concurrence thereto.

On 30 March 1977 the House of Assembly passed a motion in the following terms:

That this House believes that it has not yet been demonstrated to its satisfaction that it is safe to provide uranium to a customer country and, unless and until it is so demonstrated, no mining or treatment of uranium shall occur in South Australia, and further believes that the South Australian Government should give the greatest possible financial support to research into the use of solar energy and other alternative energy sources as a matter of extreme urgency.

This motion has been used by the Premier on a number of occasions in an attempt to absolve the South Australian Government from any blame in not pressing this State's advantages in attracting to this State a uranium enrichment plant.

Whether a House of Parliament is properly equipped to make such a decision (governed as it is on so many occasions by political emotion) is open for debate. The real point at issue is that the House of Assembly is under the control of the A.L.P. and, if the A.L.P. wants to change its mind, all it has to do is to rescind that motion. It has the numbers to do so. Or, indeed, if it feels so inclined, it could ignore the motion altogether.

So the reliance that the Premier has placed upon that motion in the past has substance only in the realm of emotional politics. The motion should be rescinded. Further, the Government should be free of any motion passed by one House only on a matter that is crucial to the future economic growth of this State.

The Premier's action in hurrying overseas to investigate the present position in regard to the control and disposal of nuclear waste indicates that he is considering changing courses for the second time. Either that, or he has once again engaged in a piece of political chicanery. Does he understand that the economic future of South Australia relies now on one major industry that this State is geared to attract, that is, the mining and processing of uranium?

The Premier's decision to visit Europe was sudden. It is known that Cabinet was informed only four or five days before he departed and that the Parliamentary Party of the A.L.P. was informed only two or three days before he left. I believe that the Parliamentary Labor Party's first knowledge of it was when its members read about it in the press. It is known also that Commonwealth departments and their overseas contacts were not informed until the last few hours, so there appears no doubt that the Premier

made his decision at very short notice. We have before us an extremely busy Parliamentary session with a number of controversial Bills that will require lengthy debate, and this adds to the puzzle as to why the decision was made so rapidly to undertake the overseas visit.

Is it necessary for a Premier to go overseas at such short notice to assess the mass of technical detail that is already available through the normal scientific channels? The answer to that question must be in the negative, because most politicians who have an interest in the question have, to the best of their ability, kept up with the developments in the uranium industry and have kept themselves informed of the advances that have been made in the storage and control of nuclear wastes and the continued progress in nuclear generation techniques.

On this question, the politician can only be guided in his decisions by expert opinion based on the information that is freely available. That guidance can be provided without a hurried trip overseas, so the question really to answer is why did the Premier go overseas at such short notice?

The answer surely must be that, because of the strictures of both State and Federal A.L.P. policies, the Premier can see that the policy has affected South Australia's competitive position in attracting this industry so desperately required to arrest the industrial malaise that is now gripping the State.

One industry for which South Australia is ideally placed is the uranium enrichment industry. Is it the concern with the disposal and control of waste materials that prompts the Premier, or is it the probability that other States (Western Australia, Queensland and New South Wales) are making moves to attract the enrichment industry to their States, and two of those States, Queensland and Western Australia, are capable of dealing with overseas interests without any strictures placed upon them.

The New South Wales Premier, Mr. Wran, the popular pragmatist from New South Wales, was in Europe when the Premier made his decision to go overseas. Is the Premier concerned that New South Wales may be capable of snubbing official A.L.P. policy? With the advantage of having the Lucas Heights establishment within its boundaries New South Wales must emerge as South Australia's major competitor for this industry.

It is much more likely that the Premier is concerned with placing South Australia's case before overseas operators for the establishment of an enrichment plant than he is concerned with studying the safety of nuclear waste disposal. Such information is already available to anyone who wants to get hold of it.

One is a question for scientific expertise (available without an overseas visit), the other a question of salesmanship, with which the Premier's Department is vitally concerned. One can be answered without a trip overseas, the other requires the Premier's attention.

The A.L.P. Federal Conference of 1977 in Perth adopted a hard-line policy, and the South Australian Premier was one of the main architects of that policy, even though his attitude then was a complete about-face to his previous attitude. I will not canvass the probable reasons for this about-face. The point that concerns me is that, because of the A.L.P. policy, this State is on the verge of losing an industry that is the only valuable economic development for which South Australia has a distinct edge over the other States.

When one speaks to industry leaders in the Eastern States, one realises that South Australia at present is looked upon as a disaster area. One has only to look at the fact that now we are more than 1 per cent higher in our unemployment figure than is any other Australian State. This unfortunate state of affairs has been influenced by

emotional A.L.P. policy-making over the past eight years, more so than any other single factor. For example, the chances we have of gaining the valuable petro-chemical industry at Redcliff has receded to the point where it is highly unlikely that that project will come to South Australia.

I know it is politically dangerous to make such predictions, but from a position of being odds-on for this industry, the intervention of Labor policy has reduced our chances to well less than even to attract this industry.

We know also that parts of our manufacturing industry are closing, with manufacturers realising that South Australia is no longer able to offer an incentive climate for them to manufacture in South Australia. Taking all these facts into consideration it is understandable that the Premier has made some move, because the only industry that is left for South Australia to attract is the industry of uranium enrichment.

To the credit of the Minister of Mines and Energy, against concerted opposition from members of his own Party, the Mines and Energy Department has kept its lead over other States on the technological aspects of this industry.

What is the use of keeping ahead technologically if a short-sighted policy prevents this State from using the expertise it has developed? Another reason why the Premier made his sudden decision to go overseas is that the policy conference of the South Australian A.L.P. Branch is to be held in the middle of February. At this policy conference, a new mining policy will be debated.

The indication of a change in attitude was clearly seen in the recent amendment to the Mining Act, where an attempt was made to allow uranium to be mined, but not sold, a peculiar sort of half-way house to try to encourage the development of Roxby Downs. On this evidence, it is fairly easy to see that at that conference the Minister of Mines and Energy will propose another further softening of the Government's attitude on this vital industry.

One thing that has already been referred to is that the policy will include a referendum of all electors of the State to determine the direction the Government should take on this question. The Government's proposal to refer this question to a referendum of the electors of South Australia to make a decision is pure political balderdash. If the Government is satisfied, then it should immediately remove all strictures placed upon it by the A.L.P. machine and proceed to allow the mining and enrichment of uranium in South Australia.

If the Government is not sure of the safety of uranium mining and enrichment, then the carriage of a referendum will not make it so. To refer a highly technical question such as this to a referendum of the people is, as I have said, no more than political balderdash. However, that may be the only way in which this Government can be convinced.

**The Hon. D. H. L. Banfield:** The Opposition may be convinced that it is wrong, too.

**The Hon. R. C. DeGARIS:** That may be. The Government knows as well as I do the answer that will be given by the people of South Australia. The referendum would be carried with between 60 per cent and 70 per cent of the people being in favour. Those figures have been published. This morning I was telephoned by a gentleman who has much to do with polling in South Australia and he told me that the percentage of people in favour of uranium mining is running at 70.

**The Hon. D. H. L. Banfield:** Have you had any telephone calls from those interested in uranium mining?

**The Hon. R. C. DeGARIS:** No. All I am saying is that this person, who works in public relations and who is

constantly working on opinion polling, has told me that the current figure is 70 per cent in favour.

**The Hon. D. H. L. Banfield:** Apart from that telephone call, have you had telephone calls from people interested in mining uranium?

**The Hon. R. C. DeGARIS:** Not to my knowledge.

**The Hon. C. M. Hill:** We have had them from people interested in employment.

**The Hon. D. H. L. Banfield:** How many will be employed?

**The Hon. D. H. Laidlaw:** Many thousands.

**The PRESIDENT:** Order!

**The Hon. R. C. DeGARIS:** The Government knows that answer already, so the more one examines the strange antics of the Premier and the A.L.P. on the question of uranium mining and enrichment, the more one becomes aware of the political humbug in the whole of the Government's performance. The present manoeuvrings are an admission by the Premier of the blunder he made at the Perth conference, an about-face he made before he knew of the discovery at Roxby Downs, which is looming on the horizon as the most important discovery made in this State for many years. At the Perth conference in 1977, the Premier said of the adopted A.L.P. policy:

There could be grave harm done to Australia's economy, but we are not looking at the economic safety of one country, we are looking at the safety of the whole world.

The world is going to continue to use and to expand its nuclear capacity in the production of energy. Whatever the decision of the A.L.P. policy machine is to be, the question now is the economic development of South Australia. That is vital.

In regard to employment, I should like to quote from a report headed "Opinion" in the *Advertiser* of 20 January 1979, as follows:

However, Mr. Wright seemed to make his position quite clear in a radio interview this week when he said he was anti-uranium and would be until he was convinced that there ought to be a change.

He said he was not prepared to "put my head on the line and say let the State have 10 000 jobs at Roxby Downs at any cost.

I would support a proposal that created jobs provided it was not dangerous to other people", he said. But I am not prepared to place myself in a position to make a change in any policy the A.L.P. has determined until I know the facts. I have been anti-uranium and until such time as I am able to be convinced there ought to be a change, then that is my stand.

**The Hon. D. H. L. Banfield:** In effect, Jack Wright does not say that 10 000 jobs will be available.

**The Hon. M. B. Cameron:** That was the figure that he used.

**The Hon. D. H. L. Banfield:** The *Advertiser* is printing this. This is propaganda. Jack Wright did not say that 10 000 jobs would be available.

**The PRESIDENT:** Order! We have a long way to go in this debate.

**The Hon. D. H. L. Banfield:** There will not be 10 000 jobs when we get to the end of the road, either.

**The PRESIDENT:** Order!

**The Hon. R. C. DeGARIS:** As a State we have already lost two years because of the Premier's fetish for playing the game of politics. It is possible that the two years we have lost in being unable to negotiate with anybody has placed South Australia in a similar position with regard to the uranium industry as we are in with the petro-chemical industry. There is not one person who does not know why we lost the petro-chemical plant.

**The Hon. D. H. L. Banfield:** Why did we lose that?

**The Hon. R. C. DeGARIS:** First, because of the policy

of Rex Connor, who brought it to a halt in the first place and, secondly, because this Government refused to consider any site other than Redcliff. They are the two reasons why the plant will not be built in South Australia.

**The Hon. D. H. L. Banfield:** Where would you put it?

**The Hon. R. C. DeGARIS:** It is not a question of where I would put it; it is a question of where it would be economically viable.

**The Hon. D. H. L. Banfield:** Where is that?

**The Hon. R. C. DeGARIS:** I do not know. The development of Roxby Downs within the near future, together with the accompanying employment and secondary industries that go with that development, is vital to the future of South Australia. While the development of Roxby Downs is important to South Australia we must not overlook the fact that there are other deposits of uranium in South Australia that could be leach mined safely and those mines could be in production in a relatively short time.

The next question concerns the responsibility of insisting on safeguards, and that responsibility rests firmly on the shoulders of the Commonwealth Government. If every State made its own decision regarding this question, the position would become ridiculous. What the A.L.P. is creating by its attitude is a new "Brisbane Line", above which the Commonwealth, the States of Queensland and Western Australia, and Northern Australia will be reaping the benefits of mining and industrial development while south of the line, we will proceed with our programme of reducing South Australia to a peasant economy. Behind the new Dunstan "Brisbane Line" the A.L.P. will defend its outmoded and outdated ideals, to the detriment of all South Australia. The new "Brisbane Line" will be as useful to South Australia's economic growth as the 1942 Brisbane Line was to the defence of Australia.

A recent media release by the Commonwealth Minister for Trade and Resources on this question states:

Companies which have received Commonwealth approval to develop uranium deposits will be allowed to negotiate sales contracts with prospective customers which provide that delivery is conditional on safeguards agreements being concluded with the customer countries before delivery takes place.

This means that the Ranger partners may proceed to negotiate such sales arrangements in accordance with the Government's export marketing policy. Other companies will be permitted to proceed with similar sales arrangements as and when Commonwealth development approval of their project is given.

Companies will thus be able to enter into contracts to secure markets in order to help finance development. Under these arrangements, no deliveries of uranium will be made until such time as a safeguards agreement is in effect between Australia and the customer country.

This is completely consistent with the Government's nuclear safeguards policy and its uranium export marketing policy. The nuclear safeguards policy of the Government, announced on 24 May 1977, provides that Australia will require the prior conclusion of bilateral agreements between the Australian Government and countries wishing to import Australian uranium. The policy is quite clear: no customer will be able to import Australian uranium before a safeguards agreement has been concluded.

It is clear that, although this State Government thinks that it is achieving something with its ostrich-like stand on this issue, it is achieving merely a reduction of the economic growth of this State and of the standard of living of every person here.

**The Hon. D. H. L. Banfield:** Money before health!

**The Hon. R. C. DeGARIS:** The loss of investment and

jobs to this State if this industry does not come here will be enormous. South Australia has at present the highest unemployment rate in Australia, and we are ensuring that we stay on top of that ladder. However, the Premier has now returned and told South Australia that the world should not be using nuclear reactors because of the dangers to the health of the world's people.

**The Hon. D. H. L. Banfield:** Mr. Tonkin agreed to that resolution. Then the big mining boys got to him.

**The Hon. J. C. Burdett:** There has been a report since then.

**The Hon. R. C. DeGARIS:** In other words, while the Premier was away, the leftists in his Party gathered their numbers against him in the A.L.P. Meetings were held and the numbers were mustered, and the Premier's trip was a useless exercise at the taxpayers' expense.

I remind the Council that two years from now this charade that we have seen in the past couple of weeks will be repeated, because the real issue was not overseas or the question of safety; it was here in South Australia, where there is a fight between the left wing and moderate members of the A.L.P. and specifically between Mr. Dunstan and Mr. Duncan for control of the A.L.P.

**The Hon. C. J. Sumner:** What about Millhouse?

**The Hon. R. C. DeGARIS:** If the Hon. Mr. Sumner wants Mr. Millhouse, he can have him. The Premier knows full well that Roxby Downs must be mined. He also knows that exploration and development of that mine has been severely retarded by the A.L.P. policy on uranium. However, Mr. Duncan, who is aiming for total power in the A.L.P. and will use any means to gain that end, is willing to ignore this fact and to throw aside the enormous benefits of this enterprise.

The trip was the Premier's method of testing the climate of the A.L.P. to a change of policy. While the Premier was away, the Attorney-General, along with several members, including Mr. Foster, Miss Levy, and Mr. Blevins, and ably advised, I suppose, by Mr. Uren, successfully influenced the Party on this issue.

**The Hon. C. M. Hill:** Don't leave Mr. Sumner out of it.

**The Hon. R. C. DeGARIS:** I thought he might have burnt a boat or two while crossing a bridge, or something of that sort. Before this event, the Attorney-General's star was on the wane, but he is now clearly back on top, and I have no doubt that we will see the side effects of this in changes on the Government front bench in future. The Premier has lost his latest battle, but he is not the real loser.

*Members interjecting:*

**The PRESIDENT:** Order! Interjections are out of order.

**The Hon. R. C. DeGARIS:** The real losers will be the people of South Australia and, while the Premier and the Attorney-General play their power game, the development of South Australia's mineral potential is being severely retarded. I predict that two years from now the A.L.P. will again try to change its policy, but those two years will be lost forever.

**The Hon. D. H. L. Banfield:** Don't you believe in change?

**The Hon. R. C. DeGARIS:** If I changed as much as the Government has changed its mind on this issue over the past two years, I would have to believe in change.

**The Hon. D. H. L. Banfield:** Has Mr. Tonkin's attitude changed since he supported the previous motion?

**The Hon. R. C. DeGARIS:** It did not involve a change of attitude; it was a change because a report had been made. A vote of the Liberal Party was taken on the basis that the report had not been tabled. However, the report has been tabled since then and moves have been made to rescind that resolution.

**The Hon. D. H. L. Banfield:** So you believe that, if new technology comes to light in the next two years, you will agree to a change?

**The Hon. R. C. DeGARIS:** Almost certainly. However, if it is two years before the battle lines are redrawn for the A.L.P. the industrial development of this State will be lost forever. Will the stand by the A.L.P. in South Australia make the slightest difference to the operation of 400 to 500 atomic reactors already generating energy for a power demanding world? Will the health hazard about which the Premier speaks be reduced one iota by the A.L.P.'s intransigent attitude? Europe, Asia, and America will continue to expand their nuclear generation, oddly enough oblivious to the political manoeuvrings of the Premier and the A.L.P. machine.

I am sure that Soviet Russia, itself one of the world's largest miners and buyers of uranium, would welcome such an attitude as that which has been adopted by the South Australian Government, and no doubt wishes that it had greater influence in other parts of Australia and the world, because the future cost of energy will determine the standard of living and the future of Western society.

The world is demanding energy, and I think it is fair to say that, until now, all nations have used the means of producing energy with a prodigality that should not be tolerated.

The general efficiency in the use of energy resources in a modern industrial society averages about 15 per cent of its potential. We need to examine the resources available for the production of energy. It needs to be a planned programme that not only takes into account all forms of energy production but also is able to determine the best means of providing the energy requirements, with the factors of efficiency and maximum conservation of valuable and limited resources as terms of reference in that plan, and in this picture nuclear reactors have an important and vital role to play.

In the opinion of many informed scientific people, the world will suffer more environmentally from the continued construction of coal and oil burners than it will from nuclear reactors. One thing can be said without fear of contradiction: that the ubiquitous motor car is a greater contributor to death and injury than is the nuclear reactor.

No Government should be constrained, blame a House of Parliament, or shield behind an antiquated resolution. Therefore, the House of Assembly should rescind the resolution carried previously, and the motion that the Council is now debating is directed towards that end. I commend the motion to the Council.

**The Hon. R. A. GEDDES:** Once more, the Premier, that little man, stood on the stage waiting for the curtain to rise. His lines were to explain the plot and story of the play called "Uranium". He planned to tell his audience that good things were coming: more money, more houses, more employment, and more job security. The Premier, desperate to make a good impression, had done his job and was ready for the curtain to rise. However, from the wings the little man heard murmurs before the curtain had risen, and he was forced to listen.

The voices that were the loudest were from the left side of the stage, and the Premier suddenly realised he would not be able to speak to the audience about job security or economic development. In fact, the play called "Uranium" would not be able to start. The characters in the wings were delighted that the play would not continue, and the Premier, who had hoped to be the star of the show, was defeated. At another theatre a play called "Communist" was playing to a packed house. Its cast was delighted to hear that the "Uranium" play would not start,

because the cast of "Communist" did not want to lose their box office figures.

**The Hon. D. H. L. Banfield:** Why don't you tell us about the funds put into your Party by the mining companies? Stick to the motion.

**The Hon. R. A. GEDDES:** The play called "Communist" dealt with far more sinister things. Furthermore, the play did not conform to any guidelines, and it did not even worry about Actors Equity or the United Nations atomic energy rules and regulations. Moreover, it did not worry about world control of waste or the safety of nuclear devices. In connection with nuclear control, it went its own way. In addition, this play called "Communist" has uranium for sale, and its practice is to sell it anywhere in the world without any of the strings attached that the Premier, if he had been a big man, could have insisted on. The shame and the hypocrisy that this State has perpetuated regarding uranium are abysmal. Sure, we are all concerned about what waste can do, whether it be plutonium, slag from lead smelting, or tin cans. In the past it was the responsibility of the educated nations to set the example, so that what is now known as the third world could recognise the examples given as guidelines. However, this is not the case now in South Australia. I refer to a small nation in south-west Africa called Namibia.

**The Hon. Anne Levy:** Namibia.

**The Hon. R. A. GEDDES:** I thank the honourable member. That country is not much larger than New South Wales, and it has a population of about 1 000 000 people. It has the largest uranium mine outside the Communist countries, and it exports 5 000 tonnes of uranium ore, or yellowcake, a year to anyone in the world with the money to pay for it, with no strings attached. Last year, that nation grossed more than 250 000 000 African Rand. There are absolutely no controls on the sales.

**The Hon. D. H. L. Banfield:** Are you happy about that?

**The Hon. R. A. GEDDES:** No. This is the point I am making. As a responsible State, we should have recognised this and we should be setting an example to that type of nation by carefully monitoring the sale of uranium so that a form of sanity can prevail in the world scene. The motion moved in another place can never be fully satisfied. When will 100 per cent safety ever be attained? Like perpetual motion, it just cannot ever be attained. Therefore, the logical thing is to rescind the motion. The Labor Party may continue its opposition: that is its privilege and its right, unwise as it may be, but to have this motion on the table of the House of Assembly as an excuse is no longer necessary. The motion, moved on 30 March 1977 in the House of Assembly, states:

That this House believes that it has not yet been demonstrated to its satisfaction that it is safe to provide uranium to a customer country and, unless and until it is so demonstrated, no mining or treatment of uranium shall occur in South Australia, and further believes that the South Australian Government should give the greatest possible financial support to research into the use of solar energy and other alternative energy sources as a matter of extreme urgency.

I ask the Leader of the Government in this Council what the Government has done since March 1977 to give the greatest possible financial support to research into the use of solar energy and other alternative energy sources. The Government has been hypocritical. In March 1977 the Government said it would not allow uranium mining and export but would put money into solar energy research. Apart from a measly few hundred thousand dollars in research grants to universities and others, this Government has done absolutely nothing in the way of solar energy research. Further, it has done nothing to educate

people in the need to conserve energy. So the Government's sheer hypocrisy is another reason why I believe that the motion of 30 March 1977 should be rescinded.

**The Hon. D. H. L. Banfield:** Isn't it hypocritical to move the motion that has been moved here today?

**The Hon. R. A. GEDDES:** No. I support the motion of the Hon. Mr. DeGaris.

**The Hon. J. R. CORNWALL:** I strongly oppose the motion. I had hoped that, by the time I rose to speak, I would have some points that had been made by members opposite to which I could reply but, frankly, the contributions of the two speakers opposite have been so light weight that there is little requiring refutation. There have been many misleading and mischievous reports in the press, particularly the interstate press, in recent weeks. Further, there have been many false allegations made by the Opposition.

As Convener of the Minerals and Energy Platform Committee, I would like to take this opportunity to set the record straight. As it is all relevant to the present debate, I trust, Mr. Acting President, that you will allow me some latitude to explain to the Council how the Labor Party's Platform Committee and subcommittees really work. The Platform Committee comprises the Leader, the Deputy Leader, the State President and Secretary of the Labor Party, seven people elected by the State Convention, and the Secretary of the South Australian Trades and Labor Council. Nominations are called for persons wishing to serve on platform subcommittees from affiliates throughout the State. Any financial member of the South Australian branch of the Labor Party may participate in any number of platform subcommittees.

**The Hon. R. C. DeGaris:** He has got to be a member of the Labor Party.

**The Hon. J. R. CORNWALL:** Yes.

**The Hon. D. H. L. Banfield:** Don't you have to be a member of the Liberal Party to vote at Liberal Party meetings?

**The Hon. J. R. CORNWALL:** I would have thought it would be unacceptable to have a non-member participating in the framing of Party policy. Elected members of the Platform Committee are appointed conveners of subcommittees by consensus at the initial Platform Committee meeting. Suggested draft policies are then formulated by the various subcommittees after detailed discussions, and they are submitted to the Platform Committee. Suggested policies are subsequently submitted to a full State Convention, which may accept, reject, or amend. Nothing could be more balanced or democratic. It is complete nonsense to suggest that the so-called left wing, right wing, or any other interest group can exert any undue influence. State Ministers whose portfolios come within the ambit of the platform subcommittees are members of the appropriate subcommittees *ex officio*.

Hugh Hudson was naturally therefore a member of the Minerals and Energy Subcommittee but, because of pressure of work in the Parliament and in his portfolio, he was able to attend only one complete meeting, where he gave a full but only very general resume of the current State, national and world position on world resources and problems. He attended one other meeting for a brief period but was called away after 20 minutes. The only occasion on which the Premier discussed the draft policy was with the full Platform Committee after the policy had been completed and returned by the subcommittee.

I thank you for bearing with me during this lengthy explanation, Mr. President. I feel very strongly that it was necessary because of the completely inaccurate and misleading reports which have appeared in the media,

particularly some interstate newspapers. To describe the subcommittee as the Premier's own committee, as the *Financial Review* did on 19 January, was misleading, mischievous and disgraceful. To describe the Minister of Mines and Energy (Mr. Hudson) as Chairman of the subcommittee, as some newspapers did quite frequently, was also quite misleading and irresponsible. There were many examples of not letting the facts interfere with a good story.

In the *Financial Review* story of 19 January, even the proposed policies which appeared in inverted commas and therefore purported to be a totally accurate version, had words inserted or changed to give quite a different slant. The subcommittee covered a wide range of subjects in the entire field of minerals and energy, one part of which was uranium. Members of the committee comprised both men and women and represented a wide range of age groups. They had varying degrees of expertise in a wide range of fields. Their occupations ranged from a radiographer to a business management consultant. However, one thing was shared in common by all subcommittee members: a desire to see that all the moral, social and economic problems or advantages of uranium mining were fully considered.

I ask the Council to contrast that with the approach of the South Australian Liberal Party. Mr. Tonkin, in this particular matter, seems to have the morals, mentality and mannerisms of a South African carpetbagger. His approach and that of his colleagues has all the charming amoral simplicity of the Afrikaans. He says there is a dollar to be had so let's be in it with as much speed as possible: let the rest of the world's population work out their own problems. The Liberal Party of South Australia has a simple slogan, "Sell now, safeguards later."

**The Hon. C. M. Hill:** That is a lot of rubbish.

**The Hon. J. R. CORNWALL:** It is not a lot of rubbish. It was said by your Leader in the other place yesterday, and it has been repeated by the Leader in this Chamber today.

**The Hon. C. M. Hill:** It's a lot of rubbish.

**The Hon. J. R. CORNWALL:** You can check the statements. I was able to listen to the debate in another place yesterday, and I have listened to the Leader today, and both have indicated their policy as being one of "Mine now, safeguards later". I am not prepared, nor is my Party prepared to punt on the future of the world when the odds are bad and the value poor. As to the claim that left-wing extremists are dictating policy in South Australia, let me reiterate that we are the only left-of-centre Party in Government in the world that is opposed to uranium mining. But history is full of examples of brave men and women who have battled against difficult odds to shape a better world and ensure the future of mankind.

*Members interjecting:*

**The Hon. J. R. CORNWALL:** The Hon. Mr. Cameron laughs. He finds that very amusing. How irresponsible can you be! Finally, let us get the economic realities of this supposed Eldorado, this great bonanza, in perspective. Certainly there would be benefits from State royalties. However, even the most optimistic projections of employment created put the number of jobs involved in a full-scale development of Roxby Downs at around 10 000, many of which would be of quite a limited duration. That represents a little less than 2 per cent of the total South Australian work force.

**The Hon. M. B. Cameron:** Those young people out of work would be interested to hear that.

**The Hon. J. R. CORNWALL:** I would have thought that members opposite would be very sensitive about unemployment.

**The Hon. M. B. Cameron:** You certainly are not.



*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. J. R. CORNWALL:** If they would like to have a debate on unemployment, I would be only too happy to accommodate them, but I do not see it as being relevant to this debate. I would be prepared to go out on a limb and stake my career on the fact that we shall return to the national average within the next eight months.

**The PRESIDENT:** I think the honourable member would be well advised to address the Chair and stay with the matter being discussed at the present time.

**The Hon. J. R. CORNWALL:** I think it is time we stopped all this nonsense about South Australia being a write-off. Let us dispel the gloom-and-doom approach of the Liberal Party. Let us get on with the job of promoting a diverse, secure and long-term employment base for all South Australians.

**The Hon. C. M. Hill:** That is what we are trying to do.

**The Hon. J. R. CORNWALL:** It is not what you are trying to do. You have done nothing but denigrate the State and its industrial capacity and ability in the last 12 months, and I would submit that, in this regard, somebody like the Hon. Mr. Laidlaw should know better. In the meantime, while research and negotiations continue for fail-safe methods of waste disposal and really effective international supervision, the uranium will stay in the ground. If and when it can be safely mined and the optimistic, if somewhat dubious, economic projections are proved correct then we can get on with the job.

In the meantime, I for one would certainly not be prepared to take the attitude of members opposite. I oppose the motion.

**The Hon. D. H. LAIDLAW:** I support the motion requesting the House of Assembly to reverse its resolution of March 1977 and to approve the mining and treatment of uranium. My attitude is consistent with the stand I have taken since entering this Chamber in 1975, because I have said repeatedly that the South Australian Government should encourage the mining of uranium and should seek the funds necessary for a uranium enrichment plant. I wish to restate the reasons.

This State has fewer natural advantages than other parts of Australia, and when geologists discover economic ore bodies, such as those at Roxby Downs or Honeymoon, we should mine and, if possible, process these ores even if we have to take slightly more risks environmentally than other more richly endowed communities. Unless we adopt and maintain an aggressive attitude towards mineral development, the economy of this State will flounder.

South Australia, and Adelaide in particular, has been developed from the wealth of the pastoral and mining industries. Although we have established substantial automotive and appliances industries during the past 40 years, the chances of substantial growth in these manufacturing fields are remote.

Some years ago, Mr. Dunstan invited me to be Chairman of a committee, known as the Gap Study Group, to identify industries which were based on modern technology and which were attractive from an environmental aspect; which were, if possible, labour intensive and which either did not exist or were not well established in South Australia. The Labor Government was trying to broaden the industrial base of the State and to reduce its reliance upon the automotive and the domestic appliance industries to maintain employment in the metropolitan area.

The committee sat for many months and, with the aid of specialists, we identified 10 industries that met the criteria laid down. We listed 190 companies that were leaders

within these industries overseas and interstate, which had the reputation of being expansion minded and which would have sufficient funds to start up in South Australia if a subsequent market survey justified such a move. Staff from the Industrial Development Division and private consultants then went around the world and spoke with senior executives in 126 of these 190 companies. The Government offered financial inducements, and some companies sent survey teams.

So far as I can recall, two of these companies started factories in the Adelaide area, but both have since closed. It was most disappointing to my committee and, no doubt, to the Government because, after approaching the problem of industrial development in a sophisticated manner and after spending so much time and public money, we achieved so little. The report of my committee was not made public, but I do not think that it was regarded as particularly confidential; otherwise I would not have referred to it in this debate.

The experience gained from this Gap study inquiry confirmed my view that the Government must foster existing manufacturing industries and encourage mineral prospecting in order to sustain employment and economic growth in this State. When a prospecting company finds an economic ore body the Government must try to ensure that it develops it as quickly as possible and refines, rather than merely quarries, the ore. Probably I am more disappointed than most that the Premier and the Labor Caucus should continue to bar the development of proven uranium deposits in this State, because so much depends upon its quick production.

Mr. Dunstan has said that mining is capital intensive, that the development of Roxby Downs would provide only a few thousand jobs (I forget how many) and that, therefore, as it might be said that its development will not cure the unemployment problem in South Australia, why develop it in a hurry? The Hon. Mr. Cornwall asked why it should be developed in a hurry. The Premier is correct about the number of jobs: there will be only a few thousand, but I remind him that, of the \$900 000 000 needed to develop Roxby Downs, only a minor proportion would be spent at site. Hundreds of millions of dollars would be spent on purchasing equipment and services in Adelaide and nearby country towns.

**The Hon. J. R. Cornwall:** Over what period?

**The Hon. D. H. LAIDLAW:** Between five and eight years. It depends on how quickly it proceeds.

**The Hon. J. R. Cornwall:** They are temporary jobs by any standard.

**The Hon. D. H. LAIDLAW:** The number of people employed during construction is a few thousand, and the number of people employed in operation is a few thousand.

It is said that the deposit of copper, uranium and gold at Roxby Downs is comparable in size to the silver, lead, zinc and copper deposits at Mount Isa. Whenever I go to Mount Isa and see the development of that township it amazes me that so many thousands find a livelihood, providing back-up services for a few thousand miners. Presumably, the mine town near Roxby Downs would grow to the size of at least Tom Price or Mount Newman, if not as large as Mount Isa. It is more self-sustaining because it is so remote, but that is not the case concerning Roxby Downs.

Also, I remind the Premier that, when iron ore deposits were developed in the Pilbara during the 1960's, only a few thousand men were employed at site. However, the vastness of these iron projects caught the imagination of the world. Western Australia was being called once more "the Golden West", and about 800 miles south of the

Pilbara, in St. Georges Terrace, Perth, several hundred insurance companies and other commercial groups were falling over themselves trying to lease office space to start up branch offices. There was enthusiasm, and the same enthusiasm could be generated in Adelaide if Roxby Downs is developed.

Earlier we were asked how many thousands would be employed at Roxby Downs, and I would say that there will be only a few thousand, but how many thousands would be involved in back-up in towns like Tom Price or Mount Newman? It would be several thousand. How many thousands would be affected in total, I do not know.

**The Hon. J. R. Cornwall:** What is the unemployment rate in Western Australia now?

**The Hon. D. H. LAIDLAW:** It is high, but I was talking about the 1960's. The population increased dramatically during that period. Unemployment is high in Western Australia, and that will probably continue. I was talking about the 1960's, and many people flooded into the State.

The Premier has stated that uranium is not the bonanza that some people claim it to be. That may be, but the income that the ore from Roxby Downs (and uranium forms a substantial part of that) at current world prices needs only to be one-tenth the size of one report I read for it to equal the revenue of the South Australian Government for the next five years.

The Premier said also that companies, such as Western Mining Corporation, may have difficulty in negotiating long-term contracts for the sale of uranium at viable prices. That may also be true, because there are plenty of undeveloped uranium deposits of varying grades around the world, and the longer that he bars development in South Australia the better chance he gives for others to succeed.

The third interim report of the Uranium Enrichment Committee issued in February 1977 gives a list of 595 nuclear reactors to generate electric power which either are in operation or in the course of construction in 30 countries, and 43 of these are in the Soviet Union or Eastern European countries. Opponents of uranium mining point out that the number of contracts let to build new reactors has diminished in the last two years. That is not surprising, because the power authorities in many countries surely will want to operate their reactors and establish the economics of generating power by this method before embarking upon further expansion.

Despite the Premier's warning, there obviously will be a demand for uranium *ad infinitum*. In contrast to the attitude of the Labor Government in this State, compare the attitude adopted in Canada, where large uranium deposits have been discovered in North Saskatchewan. The Saskatchewan Government set up a board of inquiry in 1977 to report on development of the Cluff Lake mine and treatment plant and also to consider generally the future of the uranium industry in Saskatchewan. The Cluff Lake and other adjacent uranium deposits are comparable in size to that at Roxby Downs. I summarize the findings of the board as follows:

1. The hazards associated with nuclear power reactors are not of such magnitude, either taken by themselves or when compared with other hazards generally accepted by society, to present a reason for withholding Saskatchewan uranium from world markets.
2. The manufacture of nuclear weapons has acquired such a momentum, that it will not be stopped or reduced even fractionally by Saskatchewan withholding its uranium from world markets. Nor will terrorism involving nuclear weapons be prevented or reduced.
3. There is no direct potential for harm to the citizens of Saskatchewan from the disposal of wastes from nuclear

reactors, since no nuclear generators are planned to be constructed in Saskatchewan for at least 20 years.

As a result of its inquiry, the board found that the consequences of developing the uranium mine and mill at Cluff Lake are ethically acceptable. I envy Saskatchewan for the prosperity that will flow to the Province from its Government's acceptance of this report. I only wish that the South Australian Government could adopt such a realistic approach and realise that it has only one small voice and whatever action it takes will not stop any of the 30 countries mentioned in the report from producing power from nuclear reactors.

With regard to the disposal of waste from nuclear power plants I shall confine myself to quoting the remarks of Mr. Dunstan, as reported in the *Advertiser*, that Sweden is sufficiently advanced with the process of vitrifying nuclear waste so that within two years scientists should be able to satisfy all of the safety requirements set by the Swedish authorities. Mr. President, for the reasons stated, I support the motion requesting the House of Assembly to reverse its policy on uranium mining that it adopted in March 1977.

**The Hon. C. M. HILL:** I also support the motion, and I think that some detailed explanation is quite proper, in view of the fact that members opposite, at least by interjection (and I think the Hon. Mr. Cornwall referred to this), have criticised my Party because in March 1977 it supported the motion moved in another place. That support was in keeping with public opinion on this issue at that time.

Secondly, and I think more importantly, the final Ranger Report had not been issued then. As members know, it was issued on 17 May 1977, after two years of major investigation that had been initiated by the Federal Government into the whole question of uranium, with particular reference to whether it should be mined and exported from Australia. Armed with that report, the Federal Government made the decision of which all members know.

One has only to look at the conclusions in that report to understand why the Government acted as it did when it decided that uranium should be exported, subject to the most stringent safeguards being supplied.

**The Hon. J. R. Cornwall:** That was until the latest Anthony statement.

**The Hon. C. M. HILL:** No. That was the basis of the Federal Government's decision, which was arrived at after the Ranger Report was submitted. The final conclusions in the Fox Report of May 1977 were:

The hazards involved in the ordinary operations of nuclear power reactors, if those operations are properly regulated and controlled, are not such as to justify a decision not to mine and sell Australian uranium.

While we do not think that the waste situation is at present such as to justify Australia wholly refusing to export uranium, it is plain that the situation demands careful watching and, depending on developments, regular and frequent reassessment.

In our view the possibility of nuclear terrorism merits energetic consideration and action at the international level. We do not believe that this risk alone constitutes a sufficient reason for Australia declining to supply uranium.

It does, however, provide a further reason why the export of our uranium including what it is proposed to be done with it, and where, are matters which the Government should keep under constant scrutiny and control.

I believe that the safeguards laid down by the Federal Government should be the basis of safeguards laid down by this State when it agrees that uranium should be

exported. However, in view of that report and the consideration given to it, in view of public opinion now (I recall the Hon. Mr. DeGaris saying that 70 per cent of the population favour the lifting of this ban), and accepting that changed technology regarding waste disposal and storage is now available and is improving all the time, it would be completely wrong for this Government not to change its policy. We should hope that those things would influence the Government to make that decision.

I have listened with interest to the only Government member who has spoken so far in this debate, and he played up the fact that he thought the Liberal Party was interested only in the economics of this question, not in the safeguards. I reject that totally. This Party is extremely interested in the State's accepting its responsibilities and seeing that most stringent and adequate safeguards are applied when any uranium is exported from South Australia.

**The Hon. J. R. Cornwall:** That's not what the Leader of the Opposition in the other place said yesterday.

**The Hon. C. M. HILL:** The honourable member is harking back to a statement in the other place. He did not quote from the speech, and he knows that members on this side have not had time to read it. I completely reject his allegation that the Leader of the Opposition stated or implied that the Liberal Party was interested only in the economics of this question, not in responsibility and ensuring safeguards.

My Party places heavy emphasis on the responsibilities that a Government cannot and should not escape regarding this question. These responsibilities include the fact that South Australians (indeed Australians) must provide fuel to other countries that need new energy resources. Such a provision would improve the living standards in those other countries and in Australia.

**The Hon. N. K. Foster:** What countries: Third World countries or others?

**The Hon. C. M. HILL:** It relates particularly to Japan, as well as to European countries.

**The Hon. N. K. Foster:** Keep going.

**The Hon. C. M. HILL:** I will, if the honourable member does not get too excited. I refer also to third world countries, which can be inspected by the international agencies. We will not be in a position to strengthen the safeguards unless, as the honourable member knows, we are a supplier. If the honourable member stopped burying his head in the sand, he would realise that this country has no control over the inspectorial codes that are laid down.

**The Hon. N. K. Foster:** Where are they being laid down?

**The Hon. C. M. HILL:** They are being laid down in the International Atomic Energy Agency and the Nuclear Supplies Group, of which a country cannot be a member unless it is a supplier. Until we export, we cannot have any say at all in influencing the controls and safeguards that those agencies want to see applied.

**The Hon. Anne Levy:** You don't have to be a supplier to belong to I.A.E.A.

**The Hon. C. M. HILL:** I said that one must be a supplier in order to belong to the Nuclear Supplies Group. I now refer to the second responsibility which we should face up to and with which, I am sure, every member in the Party to which I belong agrees. I stress this responsibility, because the Hon. Mr. Cornwall seemed to imply that the Party of which I am a member is not concerned in this respect. The second responsibility is that our voice in international forums cannot be heard, nor can we influence world policies in relation to safeguards unless we are a part of the group of nations that supply. Policies in regard to nuclear safeguards and non-proliferation cannot be influenced by

Australia, or by the State of South Australia, unless we enter, as a supplier, in the world scene.

The third responsibility (and this is an extremely important one) is that, if we agree to supply, we will play some part in obviating the need for fast breeder reactors in the world. Those reactors reprocess spent fuel and produce plutonium. Because of the deficiency or the unreliability of supplying enriched uranium, countries such as West Germany and France are turning to fast breeder reactors to give themselves greater independence from uncertain enriched uranium imports.

Honourable members opposite stress the safety question, but I should like them to apply the moral question in this regard. If they want to increase the supply of plutonium and to see spent fuel reprocessed, they must keep their ban on. It is as simple as that. Let them measure that decision on moral grounds and come up with the answers in relation to this matter.

The other area of responsibility concerns the safeguards that must apply in relation to exports. The safeguards that have been laid down by the Federal Government are excellent safeguards. However, this State has the right to impose even stricter safeguards if it so desires when it begins a programme of exporting uranium. At present, under the Federal regulations, purchasers are required to agree to the most rigid safeguards. Australia, and indeed this State, can retain the right to be selective regarding the countries to which uranium is sold. Sales should be restricted to countries that agree to inspections being carried out by the I.A.E.A. In non-nuclear weapon States, sales are made only to the N.P.T. parties. In nuclear weapon States sales are made, but the uranium must not be used for explosives or military purposes.

Regarding safety measures, the workers involved in mining, milling and export can and must be protected from health risks. The States can lay down, as the Commonwealth Government intends to lay down, that prior consent must be obtained from purchaser countries before our uranium can be transferred to other purchasers by those purchasers who take it from us. It cannot be enriched beyond the 20 per cent U235 figure, and it cannot be reprocessed. All contracts can and should be subject to those safeguards.

**The Hon. J. R. Cornwall:** Bilateral agreements aren't worth the paper that they're written on unless there are adequate international safeguards.

**The Hon. C. M. HILL:** Can the honourable member give me one example where agreements have been made and been broken?

**The Hon. Anne Levy:** India broke its agreement with Canada.

**The Hon. R. A. Geddes:** But it didn't make an agreement that it would not make the bomb.

**The Hon. C. M. HILL:** The principal point under the heading of "Safeguards," which concerns the people of this State to a greater extent than the safeguards to which I have already referred, relates to radioactive waste, which is an extremely important issue. However, even on the Premier's own admission as a result of his trip, great advances have been made regarding long-term storage and ultimate disposal.

The Hon. Mr. Laidlaw referred to this only a few moments ago, and the Premier has been talking about this technology. Once an exporter, we can participate in international studies in this area. Australia has already been invited to participate in the international nuclear fuel cycle evaluation. Some risks exist; no-one can or, indeed, wants to deny it. However, against that, great progress has been made and is still being made, and it is not improper for one to say in this context that some risks still exist in

the development and processing of all energy sources. This State should insist on the most up-to-date methods in this technology.

The South Australian public, although seriously concerned about this matter, agrees that great progress has been made, and it trusts the State Government to play its part in international studies in this area and to impose safeguards that will ensure that the waste from our uranium will be treated by the most up-to-date methods. I cannot help but refer to the completely unrealistic approach of our State Government to this matter because, despite the whole world scene (the Hon. Mr. Laidlaw referred to this matter in some respects), this Government is simply burying its head in the sand regarding it.

I have read that 184 reactors are already producing atomic energy for peaceful purposes. The Ranger inquiry report indicated that at December 1975 there were 19 countries operating nuclear power stations; seven countries had power reactors under construction; and six countries had them on order. Further, I have read that 300 nuclear reactors are now under construction or on order, and a further 300 are in the planning stage. The average cost of each of those 800 reactors is \$1 000 000 000.

Whilst we are living in a nuclear age, this State refuses to keep pace with progress. In 39 years time all the known oil reserves will be used. Further, in 39 years time some honourable members of this Council will still be alive; so, it is a relatively short period, and we have to prove up the new energy technology. The rest of the world is doing that, but this Government refuses to move.

**The Hon. C. J. Sumner:** How is nuclear energy going to be a substitute for oil?

**The Hon. C. M. Hill:** The potential of nuclear energy is tremendous. Other countries, particularly Canada, cannot understand the unrealistic attitude prevailing in the Government here. I am pleased that the Federal Government has changed its attitude, but the State Government continues to reject change. The benefits to the working people of this State, whom members opposite purport to represent, would be enormous. Forecasts based on reliable information lead one to conclude that there is a possibility of a new town at Olympic Downs, 80 kilometres from Woomera. Olympic Downs could grow to the size of Mount Isa, and there could be 5 000 new jobs.

If we proceed with a uranium processing plant at Redcliff, there would be another town and another 5 000 jobs; so, we have the figure of 10 000 jobs that the Hon. Mr. Cornwall referred to. That involves the full development of mineral resources at Roxby Downs, a copper smelter at the site, a copper refining plant probably at Redcliff, and an enrichment plant at Redcliff.

If those projects could be brought to fruition, there would be greater advantages to South Australia than those arising from the gigantic north-west shelf project in Western Australia. The potential uranium reserves at Roxby Downs are classified as the richest single deposit in the world in terms of mineral content. Also, there are untapped mineral claims in adjacent areas.

The whole complex could involve a capital expenditure of \$3 billion, and it would mean that the income from sales would be between \$700 000 000 and \$1 000 000 000. Royalties to the State totalling between \$30 000 000 and \$50 000 000 annually could well be available. We need not stop at royalties to the State. Let us consider the huge payroll involved. Here we are on the threshold of prosperity, full employment, and tremendous progress, but we cannot take the necessary steps while the State Government holds to its present policy.

I do not rejoice in having to conclude on a political note, but one cannot help it, because the people of this State are

fed up with what appears to them to be a situation in which the Premier has had an unnecessary trip overseas at their expense while the left wing and trade union movement have taken charge of the Government. This has caused the present State Government to be split asunder. The whole issue has brought to light the role that Mr. Duncan is playing. People outside are saying that he is politically dangerous. He is looked upon as the left-wing spokesman who is running this Government, and he has some disciples in this Council on the other side.

What happened when the issue broke? Mr. Duncan told the press that the matter would be discussed within the walls of the Labor Party conference, but what did he do then? He began organising meetings, which were attended by some honourable members of this Council—the Hon. Mr. Sumner, the Hon. Miss Levy, the Hon. Mr. Blevins and the Hon. Mr. Foster. I am not sure about the Hon. Mr. Cornwall, who perhaps refused to attend; I will give him credit for that. This highlights the division that exists.

What was the purpose of those meetings? It was to gather the forces together to hold the strength that the left wing had developed over the past few years. The left wing is seeking to retain that power. It dominates the scene in the Labor Party at present. What about the people outside? What will happen when this State is bogged down by these leftists who refuse to allow the State to progress? What about the employment and the welfare benefits that would come if \$50 000 000 could come into the State's coffers by way of royalties?

All those things are being prevented by those who control the Government—the left wing of the Labor Party led by Mr. Duncan and strongly supported by some back-bench members of the Labor Party in this Council. So, unless the Government lifts the ban, it will be in serious political trouble. Its days are numbered unless it changes its mind. It should repeal the motion in the other place. The motion of the Hon. Mr. DeGaris, which I support, is one step toward that end, and I urge honourable members to support the motion.

**The Hon. C. J. Sumner:** It seems that the obligation is very much on honourable members opposite to show to the Council why the motion passed by the House of Assembly less than two years ago should be altered. It was passed by the House on 30 March 1977 with the concurrence of the Liberal members of that House. If Liberal members in this place wish to see that motion rescinded, surely it is up to them to provide factors that have changed in that less than two-year period, because the House of Assembly declared at that time (and the Liberal members declared at that time) that it had not yet been demonstrated to its or their satisfaction that it is safe to provide uranium to a customer country. What has happened in that less than two-year period to alter that situation and that statement made by Liberal members?

I have waited for members opposite to put something a little more concrete on this question of safety in providing uranium to customer countries, but they have not come forward with anything of any substance. I would have thought that, if they were to move this motion, they might have done it in perhaps two or three weeks time when they had an opportunity to assess the results of the Premier's visit, a visit which was undertaken with officers of the Public Service. The Premier gave a brief report to the House yesterday during the no-confidence motion, and I understand that a more complete report will be available later. Surely, as this trip was organised by the Premier with the participation of members of the independent Public Service, it would have helped the standard of debate and might have helped members to examine the matter in a

rational manner if they had considered the report that will be prepared by the Premier and his independent advisors.

**The Hon. B. A. Chatterton:** They would not want to spoil a good story by facts.

**The Hon. C. J. SUMNER:** I know they would not want to spoil a good story with the facts, but the important point is that it is up to members opposite to show where the situation has changed in the less than two-year period. I have been waiting to hear it, but I have not.

When dealing with the safety there have been two matters to which the Labor Party, and I assume the House of Assembly, in 1977 had particularly directed their attention. The first is the increased risk of a nuclear war and proliferation of nuclear weapons that may encourage that increased risk, and the second issue is the question of the disposal of radioactive wastes that are left after the generation of power in a nuclear power station or what is left after reprocessing. The policy of the Labor Party, formulated in 1977, makes specific reference to both those factors, and the Labor Party will not change its policy until it is satisfied that those problems have been solved.

The Premier's trip was taken to ascertain whether there had been any advances made in dealing with these problems. While it is clear that some technical advances have been made in waste disposal, the Premier was not satisfied that they were adequate and that adequate methods had been found for the long-term disposal of nuclear wastes. He also found that safeguards involved in preventing proliferation of nuclear weapons and the inspection of plutonium (which is the substance used in the manufacture of nuclear weapons) were not adequate.

In dealing with these two fundamental points I indicate that in my view there has not been a substantial change in that less than two-year period that would warrant a change in policy in South Australia. To deal with the question of nuclear war, the situation is that, if there was a full scale nuclear war in the world, then civilisation as we know it would be virtually destroyed, and it is unlikely that mankind would survive in anything like the sort of environment that exists now, if mankind survived at all. At present world peace is assured, the argument goes, by the balance of terror. I always ask, "Why do nations have nuclear weapons, if, in the ultimate analysis, they do not intend to use them?"

One only has to study the history of war in this century. We have had two devastating wars that have engulfed the whole world. What honourable members opposite are saying is that there is no chance in future that there will be a nuclear war, as the deterrent of nuclear weapons will continue. Their contention is that, despite the fact that there have been wars in every century of human existence and more devastating wars in this century than ever before, for the future we are safe from any sort of nuclear holocaust. I wish I could accept that optimistic view, but there are no guarantees that that situation will pertain.

Some people say that it is emotional nonsense to talk about nuclear war and that, if one looks at it realistically, it will not happen, because the nuclear balance of terror will ensure that it does not happen and we can therefore go on and mine uranium that is to be used for peaceful purposes. Unfortunately for them, this is not just an emotional or left-wing argument. Two of the recent reports that have considered the question of nuclear energy have drawn specific attention to this problem, and I refer to the Ranger Uranium Environmental Inquiry, First Report of Mr. Justice Fox, in which his recommendation states:

The nuclear power industry is unintentionally contributing to an increased risk of nuclear war. This is the most serious hazard associated with the industry.

However, honourable members opposite seem to ignore

this. They have given no attention to the detailed controls that are necessary if that risk is to be eliminated or minimised. Indeed, in chapter 13 of the report, which dealt with the weaknesses of the non-proliferation treaty and the safeguard system, Justice Fox, in his conclusions when dealing with the question of international safeguard arrangements, states:

The main limitations and weaknesses of the present safeguard arrangements can be summarised as follows:— I should like honourable members to listen to each one of them and let me know which ones have been satisfactorily dealt with—

The failure of many States to become parties to the NPT; the inability of safeguards to prevent the transfer of nuclear technology from nuclear power production to the acquisition of nuclear weapons competence; the fact that many nuclear facilities are covered by no safeguards; the existence of a number of loopholes in safeguards agreements regarding their application to peaceful nuclear explosions, to materials intended for non-explosive military uses, and to the retransfer of materials to a third state; the absence in practice, of safeguards for source materials; the practical problem of maintaining effective checks on nuclear inventories; the ease with which States can withdraw from the NPT and from most non-NPT safeguards agreements; deficiencies in accounting and warning procedures; and the absence of reliable sanctions to deter diversion of safeguarded material.

The Hon. Mr. Burdett has heard the list, and I will be interested to hear him deal with what has occurred since the production of that first Fox Report on this question. Justice Fox goes on to say:

The commission recognises that these defects, taken together, are so serious that existing safeguards may provide only an illusion of protection. However, we do not conclude that they render valueless the concept of international safeguards. We believe it is both essential and possible to make safeguards arrangements more effective.

The simple fact is that those arrangements have not been made more effective. I refer to the Flowers Report from the United Kingdom and what it said about nuclear proliferation. That was the report of the Royal Commission on Environmental Pollution, and it had a special report on the problems of nuclear energy. In a postscript to the first Fox Report the following statement is made:

Its report—  
that is the Flowers Commission report—  
did not deal in detail with the problem of proliferation, although on this topic the commission does say:  
... the spread of nuclear power will inevitably facilitate the spread of the ability to make nuclear weapons and, we fear, the construction of these weapons.  
and

Indeed, we see no reason to trust in the stability of any nation of any political persuasion for centuries ahead. The proliferation problem is very serious and it will not go away by refusing to acknowledge it.

It is not just emotional nonsense. Two independent inquiries that have examined the matter have highlighted the problems of increased risk of nuclear war, which has been totally ignored by members opposite. The Opposition has not provided one jot of evidence that any of those problems concerning proliferation have been solved.

Until it does I will not change my mind; indeed I am surprised that the Opposition changed its mind or that Liberals in another place changed their mind because on this safety issue little has been done to improve safeguards since March 1977.

**The Hon. C. M. Hill:** Do you admit that one can only take part in discussions about safeguards and non-proliferation if one is a supplier?

**The Hon. C. J. SUMNER:** No. Australia is a signatory to the non-proliferation treaty and, as a signatory to it and as the treaty has been ratified, Australia would be entitled to participate in safeguard discussions.

**The Hon. Anne Levy:** We're also a member of the Atomic Energy Authority.

**The Hon. C. J. SUMNER:** True, and similarly Australia would be able to participate in discussions in that forum on safeguards. The supplying of uranium is hardly a prerequisite in being able to participate in discussions on safeguards. I want an answer from members opposite to the report, but they are unwilling to give it. That is the trouble, because they know that little or nothing has been done along the lines suggested by Mr. Justice Fox about proliferation.

They know that, but they do not care whether the question of export of uranium will provide a greater risk of nuclear war. The Opposition is merely interested in selling uranium at the best price as soon as possible. If the Opposition is not, let it deal with those issues.

The second major issue concerns the disposal of radioactive nuclear waste. Can members opposite tell me what has changed? They have not shown me anything yet. What was the situation in March 1977? On this point the Fox Report states:

High level wastes are at present stored mainly in liquid form, and some constituents will remain dangerously radioactive for several hundreds of thousands of years. There is at present no generally accepted means by which high level waste can be permanently isolated from the environment and remain safe for very long periods. Processes for the conversion of high level waste to a relatively inert solid are being developed. Permanent disposal of high-level solid wastes in stable geological formations is regarded as the most likely solution, but has yet to be demonstrated as feasible. It is not certain that such methods and disposal sites will entirely prevent radioactive releases following disturbances caused by natural processes or human activity.

That is one of the issues that the Premier went specifically to examine. He concluded that some advances had been made but that there is still no safe method for the long-term disposal of high-level nuclear waste. On this issue the Flowers Report states:

There should be no commitment to a large programme of nuclear fission power until it has been demonstrated beyond reasonable doubt that a method exists to ensure the safe containment of long-lived, highly radioactive waste for the indefinite future.

The assumption is that at the time of that report no such system had been developed, and it has not been developed to the present. In the Windscale inquiry, chaired by Mr. Justice Parker in the United Kingdom, the following statement was made:

Professor Tolstoy drew attention that a large number of points which showed that a final solution to the problems of disposal has not yet been found. This I accept.

Again, in a United States Congress inquiry last year (and the Windscale comments were made last year), the conclusion was as follows:

Radioactive waste is a significant and growing problem. At least 3 000 metric tonnes of spent nuclear fuel are now being stored at commercial reactor sites—

that is civilian waste: in addition, there is waste from the defence programme—

with an additional 17 000 metric tonnes expected to accumulate in the next decade. Yet there is still no demonstrated technology for permanently and safely

disposing of this waste.

That report was made last year, yet members opposite are saying that the situation has changed dramatically since March 1977. A report in *Newsweek*, which is hardly what one would call a radical left-wing rag, of 15 January on the dumping of nuclear garbage sets out the sorts of doubts that I have quoted from the official reports. Part of the report states:

Already, California, Maine, Iowa and Wisconsin have banned construction of reactors until the Government demonstrates a risk-free disposal scheme.

In other words, there is not one now. Perhaps those members opposite who follow me in the debate would like to deal with those issues. I think the Hon. Mr. Hill or the Hon. Mr. Burdett has said that since March 1977 there has been the second report by Mr. Justice Fox and that that has given us the all-clear.

**The Hon. J. C. Burdett:** No-one said that.

**The Hon. C. J. SUMNER:** I am pleased that the Hon. Mr. Burdett does not think that.

**The Hon. J. C. Burdett:** What I am saying is that no-one in this Council has said that.

**The Hon. C. J. SUMNER:** The second inquiry did not absolutely recommend the green light for uranium mining. To show why I say that, I will quote from the report, as follows:

We have dealt with the environmental consequences of the Ranger proposal on the footing that a decision is not made, based on considerations of the nature discussed in our first report, which is adverse to uranium development in Australia.

In other words, he is saying that a decision may have been taken on the basis of those factors adverse to uranium mining in his first report not to mine uranium in Australia. He is not saying that we should mine uranium. The report continues:

So far as we were and are able to evaluate those considerations, we did so in that report. By proceeding as we have done we have not meant to imply that a decision favourable to uranium development in Australia will or should be made.

That is hardly a green light. The other matter with which I wish to deal is the question of ideology and the vigorous attack members opposite have launched on the "terrible" left wing of the Labor Party for controlling the Government's actions in this matter. It may be good politics in South Australia for them to do that and try to instil unfounded fear in people on this issue, but what they are saying is absolute nonsense.

In the ideological spectrum throughout the world, there are many different points of view on this issue.

Regarding countries that members opposite like to think of as being "left", the Communists in Russia and China are proceeding with nuclear development, but the Opposition seems to ignore that. Opposition members say that the left is all opposed to nuclear energy. What is the position in Europe? Socialist Governments in Sweden, the United Kingdom, West Germany, and Austria have economies based on nuclear energy. It was the Centre Party in Sweden that came out against nuclear energy. It was led by Mr. Falldin who served for a brief time as Prime Minister and campaigned at the most recent election to defeat the left-wing Government on the policy that the nuclear programme in Sweden should not be developed. I understand that his Party is similar to the Country Party here, having a rural base. I am not sure where that fits into the scenario of members opposite.

In Austria, the Social Democratic Government held a referendum on whether it should fire a nuclear power station that had been built, and the proposal to fire it was

defeated. Presumably, some very conservative people must have voted against that proposition. Where does the left-wing conspiracy fit in in that country? Where does it fit in in South Australia, or in Australia generally? Where does the member for Mitcham in the other place (Mr. Millhouse) fit into this? The Hon. Mr. Burdett may think that he is a radical left-winger. I do not know, but I know that Mr. Millhouse was a member of the Liberal Party for many years. I know that he was a member of the breakaway Liberal Movement for some years, and he is now Leader of the Australian Democrats in South Australia.

**The Hon. C. M. Hill:** He's almost a political independent.

**The Hon. C. J. SUMNER:** He is, but he is hardly what one would call an ideological left winger.

**The Hon. C. M. Hill:** I didn't say that at all.

**The Hon. C. J. SUMNER:** Mr. Millhouse and the Hon. Mr. Hill were in the same Party, and the Hon. Mr. Hill may think that Mr. Millhouse has gone several paces to the left of the Labor Party since then.

**The Hon. C. M. Hill:** I do not think of him as being left, right or centre: I think of him as being an independent.

**The Hon. C. J. SUMNER:** That is my point. Ideology on this issue in Australia, as in the rest of the world, is not just a simple matter of the right wanting uranium mining and the left not wanting it. The issue transcends Parties, and I am sure that many people in the Liberal Party are concerned about uranium mining.

I oppose the motion. I may change my mind if members opposite convince me that there has been a change since 1977. I invite them to refute what I said in regard to proliferation and technology on wastes. I concede that there have been some advances regarding waste, but there have been few on the question of proliferation. The ultimate conclusion is that there is still no satisfactory system for disposing of highly radioactive waste. Members opposite should put aside irrelevancies about left wing and right wing, and they should concentrate on the two central issues that their Party was concerned about two years ago.

**The Hon. J. C. BURDETT:** I support the motion. The Hon. Mr. Laidlaw has spoken about safeguards, and I propose to direct my remarks to other aspects. I refer, as other members have done, to the two-faced approach by the Government on the issue. The statement by the Premier yesterday, as reported in the *Advertiser* this morning, is laughable. Part of the report states:

He [The Premier] denied there was a split in the A.L.P. or a difference of opinion between himself and the Attorney-General, Mr. Duncan, over the uranium issue.

"I haven't seen any public statements by Mr. Duncan," he said.

"I have seen various journalists say things about Mr. Duncan. I am sorry, I really don't know what the anti-uranium lobby is."

What laughable rubbish! Does the Premier really expect to achieve any credibility if he makes that kind of statement? Mr. Duncan has often taken a "leave it in the ground" stand, and has participated in demonstrations against uranium mining. He is thus reported in the *Advertiser* of Saturday 6 January in a long article about him by Alex Kennedy, who says:

His views on uranium mining are no less blunt and, since some members of the Government are known to feel that Mr. Duncan swayed the Premier's views on the issue, no less controversial.

"Uranium should not be mined," he says. "A lot of people who see life more in terms of the daily variation of the stock market are very unhappy about someone in my position

having that attitude. I don't apologise for it. If I'm going to be judged on my view on uranium that would suit me fine." Admittedly, this was a statement by a reporter. However, she is named, and Mr. Duncan has not refuted it. Therefore, it could hardly be suggested that Mr. Duncan was other than correctly reported. In any event, the reporter would be open to being taken before the Press Council if she misreported Mr. Duncan, but no-one has suggested that.

Mr. Dunstan knows perfectly well where Mr. Duncan stands on the uranium issue. Of course, Mr. Duncan and the rest of the anti-uranium lobby are entitled to hold their views and to state them. But, for Mr. Dunstan to say, "I am sorry, but I really do not know what the anti-uranium lobby is" is really Alice in Wonderland stuff.

Regarding safety, it is worth one's referring to an address to the United Nations by the Rt. Hon. E. G. Whitlam, who was then Australia's Prime Minister.

**The Hon. C. J. Sumner:** When was that?

**The Hon. J. C. BURDETT:** I cannot tell the honourable member the date. However, Mr. Whitlam reminded the world that the quest for resources was the oldest of all the causes of war. The Fox inquiry stated:

It may be that by supplying some countries we would help to relieve those pressures which can lead to armed conflict, nuclear or non-nuclear.

Whether or not the Government, the A.L.P., the State or Federal A.L.P. conference, or anyone else likes it, the nuclear age is here. Many countries in fact are completely reliant for their survival on nuclear power to provide their energy needs and, whatever attitude the South Australian Government takes, they will continue to be so. Whether or not it is safe to mine and enrich uranium and use it for electricity (I believe it is safe), this is happening, and a ban on mining in South Australia will not stop it. The ban is merely preventing South Australia from exercising any real influence on the matter of safety.

The A.L.P. ban has not affected the matter of safety one way or the other. Its only effect has been to deprive South Australia of a valuable industry at a time of economic depression and when we could least afford to lose it.

**The Hon. N. K. FOSTER:** The matter of mining and processing this product and exporting it to so-called customer countries is the byline of almost every national paper. It is perhaps necessary when debating this matter for one to reiterate when Australia started to take some form of responsibility in relation to it. This commenced in the form of a judicial inquiry way back before 1958. So, honourable members should not run away with the idea that the matters of nuclear fission and the pursuit of nuclear energy sources have raised their heads only in the last decade.

I refer, as I have done previously, to page 74 of the report of the Joint Committee on Constitutional Review, which was published in 1959. I refer also to the matters that were subjected to considerable discussion before that committee 20 years ago. The committee's recommendations were made on the basis that we were unable to cope with the necessary care, control and custody in relation to the pursuit of nuclear energy. However, no constitutional amendment has been enacted in the Federal Parliament in this respect.

I refer also to the publication *Developments in Nuclear Science*, as well as to the peaceful, military and civil uses of nuclear energy. Chapters 547 and 548 cover the constitutional position in Australia and that of our Atomic Energy Commission. This publication also deals with such matters as storage of raw materials and the establishment

of a nuclear industry here.

Let us not forget that an experimental station has been established at Lucas Heights. There have been more than moments of anxiety regarding the disposal of nuclear waste from that small experimental site. Let us not forget also that less than two months ago some people in Sydney raised a public outcry against the seepage of nuclear waste from that pilot plant.

I turn to another page of the publication to which I have referred dealing with the production of nuclear fuel. It refers also to Government control in other countries and to the British nuclear handbook, stating that that is more or less a pipedream. Indeed, viewed on the international scene, most pacts that have been entered into in the latter portion of this century have been pipedreams. One could say that outbreaks of war for perhaps 1 000 years, and certainly during the past 200 years, have resulted from a breach of a treaty or an understanding that had been entered into. Even though a country enters into what it considers to be a water-tight agreement, the pressure of economics in the Western world is sufficient to tear that agreement asunder at any time. After all, we are not playing with gun powder, coal or the liquid fuels with which we deal so lightly today; we are dealing with a substance that is uncontrollable, in the sense that there are no answers to the problem. So, let us cut out the nonsense of playing politics on the basis of left and right.

The plea that I am making is not being made in the narrow political sense. This terrible, volatile material should never have been taken from the bowels of the earth. After the explosion of the first atomic bomb over Japan, I listened to broadcasts from America which outlined the dream world that would unfold when nuclear energy was tapped. I recall that another fellow said, "As cruel as it may seem, the safety of the world can be ensured only if all knowledge of the use of this terrible material is completely obliterated, even to the extent of locking away the scientists who have the know-how."

The economic arguments that have been advanced today are almost sinful. Let us not talk about left-wing politics or right-wing politics. Members opposite who say that the exploitation of uranium is economically justified ought to do their homework. There has not been a zack's worth of profit so far from any uranium mining venture in the rest of Australia. Huge cities are supposed to develop in central Australia following the exploitation of uranium there. I challenge the Hon. Mr. Hill to provide us with documented proof that uranium mining will solve our economic and employment difficulties.

Methods of separation of this material are about to undergo a revolutionary change. Exxon, one of the biggest energy companies in the United States of America, is pressing hard on the heels of Jimmy Carter, who may appear to be a half-witted peanut farmer to the people in the Deep South, but he is really a nuclear engineer. I refer now to an article in the *Financial Review* of 28 December 1978 which states that Exxon has been quietly lobbying Government agencies to approve a revolutionary process that could turn the Government's uranium wastes into a vast new energy source. There are thousands of tons of tailings in the United States. The laser method of separation will, without any more mining, lead to huge reserves, because the laser method will permit efficient separation. I seek leave to have inserted in *Hansard* without my reading it an article by John J. Fialka of the *Washington Star* entitled "Energy from Uranium waste—go-ahead sought" in the *Financial Review* of 28 December 1978.

Leave granted.

## URANIUM WASTE

Executives for an affiliate of Exxon, the world's largest oil company, have been quietly lobbying Government agencies to approve a revolutionary process that could turn the Government's uranium wastes into a vast new energy source.

The process, proved technically possible seven years ago, relies on carefully tuned bursts of laser light to separate two chemically identical isotopes of uranium.

Like many other "revolutionary" developments in energy research, however, there may be a serious catch: laser technology is also suspected of being a new and potentially easier pathway toward the production of atomic bombs.

The basic proof of the process occurred 14 July 1971, when scientists working with a laser at Avco-Everett research laboratory in Everett, Massachusetts, were able to remove the volatile uranium isotope U-235 from its much less interesting brother, U-238.

With a few bursts of carefully tuned laser light, the scientists were able to separate these chemical twins, so nearly identical that the way to easily separate them has plagued scientists since the dawn of the nuclear age.

U-235 is the metal that gave birth to the nuclear age. Only 0.7 per cent of it is found in natural uranium, which is mostly U-238, an inert, lead-like substance.

When uranium is "enriched" with about 3 per cent U-235 it can make heat in the fuel assemblies of nuclear power plants. When it is enriched to 90 per cent U-235, it can be exploded in the form of an atomic bomb.

In economic terms, the laser separation technology probably means many billions of dollars for the people who can master it, because the way to separate the two uranium isotopes that was invented in the haste of the World War II Manhattan project to develop the first atomic bomb is extremely cumbersome and consumes enormous amounts of energy.

It is called "gaseous diffusion" and it consists of turning uranium into a gas and pumping it through millions of tiny screens in a mile-long facility that removes only about 6.5 per cent of the U-235 present in uranium and leaves the rest to be stored in the wastes, or uranium "tails" that have continued to pile up over the years.

At the moment there are 237 000 tons of these partially depleted tails stored in piles of drab metal cylinders at various energy department installations.

Energy Department scientists say a device which could get at the remaining U-235 in the tails would suddenly expand the world's supply of usable uranium by 20 per cent, giving the United States a huge new easily accessible "uranium mine".

In their exploration of the new laser technology, however, federal officials quickly saw that the rosy economics might be offset by the possibility that such a device might accelerate nuclear proliferation around the world, giving nations that do not have nuclear weapons the option of making their own highly enriched uranium.

Consequently, the exact details of Exxon's process and similar processes have been classified.

The general physical characteristics, however, are known. Lasers are machines that rearrange photons, or light waves, and focus their energy in disciplined pulses. When a laser beam is tuned to a certain frequency it can enter the structure of a complex substance and cause a given chemical isotope within it to vibrate so hard that it changes its nature, combining with other substances in a way that allows it to be easily removed.

The patents to the uranium laser separation process are



controlled by Jersey Nuclear-Avco Isotopes Inc. (JNAI), 87 per cent of which is owned by Exxon.

For the last six months JNAI representatives have been holding briefings for executives in the Departments of State and Energy, the Nuclear Regulatory Commission and on Capitol Hill, trying to convince them that JNAI's process cannot be used to make bombs and that therefore Exxon should be allowed to develop it.

Meanwhile, the Energy Department has launched its own laser-separation experiments. Two of its weapons laboratories at Livermore, California, and Los Alamos, New Mexico, have made considerable headway in the technology and the scientists there are pressing for the Government to plunge ahead in laser separation.

Within the next year, according to Neal Goldenberg, acting director of the Energy Department's advanced systems and materials production division, the department will have to decide whether to proceed with a pilot laser isotope separation facility.

Nine months ago the department commissioned an independent scientific study to determine the seriousness of the nuclear proliferation problems posed by the new process. The study is about to be finished.

Not to be outdone, Exxon Nuclear Corporation announced last month that it was forming its own panel of independent scientists to assess the non-proliferation issue.

"This is extremely high technology," argues William T. England, vice-president of JNAI, who has been doing much of the lobbying in Washington.

"In our view it is highly proliferation-resistant and there are substantial economic considerations which argue for the development of the technology."

"This is a very, very high technical area, and once it is developed on an industrial scale it will be possible through classification to hold the technology away from clandestine groups," asserts Dr. Reed J. Jensen, an Energy Department scientist who helped develop the process at Los Alamos.

On the other side is Barry M. Casper, a physicist, who recently wrote in the *Bulletin of Atomic Scientists*: "If the Carter Administration is seriously concerned with proliferation, it will have to consider measures to deal with laser enrichment that go beyond secrecy. One measure that deserves immediate consideration is a moratorium on the development of this technology."

Dr. Ted Taylor, a former Los Alamos nuclear weapons designer who teaches at Princeton, argued that mere Government classification will never "hold" such a technology away from reasonably sophisticated, non-nuclear weapons States.

He commented: "There will be a market for laser devices that perform enrichment. Who is going to decide who will be able to have them and who won't? And who will handle the political repercussions of that?"

The question of containing laser enrichment technology from some nations already may be moot, however. Israel has already applied for a patent on the process and is believed to have done considerable experimentation. Russia and France also are believed to have intensive research programmes.

As one scientist put it, "The problem is Texas-sized. There is nothing about the implications of it that is small."

The Energy Department operates three uranium separation plants, based on the gaseous diffusion process, at Portsmouth, Ohio, Paducah, Kentucky, and Oak Ridge, Tennessee.

According to the department, the energy absorbed by the three plants could light the cities of Baltimore and Cleveland. The laser process would use only 10 per cent of

that amount.

**The Hon. N. K. FOSTER:** In March 1977 the Liberal Party supported the Premier in connection with this serious matter; that occurred before reports were issued of proven mineral finds at Roxby Downs. At that time the Liberal Party came down on the correct side of the issue, that we, as custodians of this country, have the responsibility to ensure that Australia is left in good shape for future generations. The nuclear arms race pales into insignificance in comparison with the issue of uranium mining and export. The more dangerous aspect to mankind is no longer the military concept of nuclear powers and energy; it is the area we are now discussing.

**The Hon. M. B. Cameron:** What, waste?

**The Hon. N. K. FOSTER:** Yes, waste, and the possible production of a type of energy or a standard of fuel which is beyond bomb standard. Has any honourable member opposite ever taken the time off to see what that means, apart from going off about Don Dunstan, who stands 10 ft. tall on this issue? He has the guts to say, "Let's go and see."

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. N. K. FOSTER:** It is probable that the Premier, having visited so many plants overseas, has come back carrying a picture in his mind far too horrible to describe, but that is a matter for him. However, nobody can accuse him of not taking a step that he thought was right. There has been a concerted press and media campaign in this country for some two years which has culminated in the last few weeks, particularly since just before Christmas, in an even more intense campaign aimed at those who do not want to remove this most dangerous substance from the ground, and the basis of that campaign has been that if we do not mine uranium we are a doomed nation. It is the most dangerous mineral ever known to man: not one honourable member who has spoken in support of this motion but who is remotely concerned with his own safety would be prepared to enter an area that he thought had been exposed to the methods of processing this material. If honourable members think that they can lock exporting countries into a system of controlling nuclear waste, they are mad.

For example, Holland has no area at all where it can dispose of nuclear waste under the best possible methods known to nuclear science today. Would we trust someone like Marcos in Manila in a matter such as this? How could we know what is being done with the waste material? It is all right to talk about that isolated granite area of Sweden, but it is horrific to think about what West Germany does with its waste. Have honourable members looked at that question? Have they the right to say that areas of Europe should be polluted because some misguided politician feels that he should be involved in this competition and lunacy that has been going on for 10 years? What about Brazil? They completely ignore any concept whatsoever of international control. Some countries have seen fit to favour that country with their know-how in respect of this energy.

**The Hon. R. C. DeGaris:** Is Brazil mining uranium?

**The Hon. N. K. FOSTER:** I do not think it has been proved.

**The Hon. R. C. DeGaris:** It has.

**The Hon. N. K. FOSTER:** I will not be asked by you to confirm what you think is happening in Brazil. The Leader will rue the day that this motion was carried, if it is carried, because I have already said that it is only a false international standard, and no-one will comply with it. The Hon. Miss Levy, interposing in the Hon. Mr. Hill's speech, said, "What do we know about the technology in

South Africa." It must rate as one of the most advanced countries in this area.

**The Hon. C. M. Hill:** Then you don't sell to it.

**The Hon. N. K. FOSTER:** It flogs it to everyone else. The Hon. Mr. Hill tells us that we ought to change our minds, support the resolution from his side of the Council and tear up the 1977 document. He shows his absolute ignorance of the whole matter; he does not know that Africa is a producer country.

**The Hon. M. B. Cameron:** You will do it in two years, anyway.

**The Hon. N. K. FOSTER:** That may be so, but I am stating my position, and I most certainly come down on the side of leaving the uranium where it is. I do not accept the suggestions of the buoyancy that will result if we dig it up tomorrow. It has not happened elsewhere, and technology will see that it does not happen. One can imagine the mentality of people who think that by opening the factory door 5 000 people will be employed. The Hon. Mr. Hill quoted a figure of \$700 000 000 per annum when referring to royalties.

**The Hon. C. M. Hill:** They were sales.

**The Hon. N. K. FOSTER:** Thank you, and you were talking about benefits to the State.

**The Hon. C. M. Hill:** \$30 000 000 to \$50 000 000.

**The Hon. N. K. FOSTER:** Who gets the rest? Is the Hon. Mr. Hill going to tell me that Queensland is in any better position because of the multi-national rip-off occurring in respect of that State's mineral resources?

**The Hon. R. C. DeGaris:** Ask the Queenslanders.

**The Hon. N. K. FOSTER:** They are no better off. People in South Australia are better off with B.H.P. and I am no supporter of B.H.P. because, as I said before, it works in a comparable field and in a depressive situation brought about by a Government of the Leader's political persuasion, still employs between 65 000 and 75 000 people.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. N. K. FOSTER:** If ever there are safeguards sufficient for us to be able to say, "Go ahead," as far as I am concerned WNC and the others are not going to rip off the people's resources as has happened in the last 70-odd years. There has to be a new concept, and I do not care if you are going to bellow about getting a loan and paying interest on it. We will not follow the example of the B.H.P., which has obtained iron ore from this State for almost the last 100 years by paying one penny a ton in royalties.

In Germany, the waste is put in 44-gallon drums and dropped into a deep hole. I advise honourable members not to get any ideas about advanced technology but to read some of the reports such as the Fox Report and reports emanating from the United Kingdom and other parts of the world. Get hold of these documents if you possibly can. Set up public forums on it if you like and try to convince the people that you are right and the opposition are wrong. But there must be a change from the present concept. No-one has the right to plunder what may be the State's last resource.

What shares had Murdock in Western Mining Corporation? It was Murdock's seeking favours from Gough Whitlam as Prime Minister of Australia and his failure to get them that saw his change of support for that Government. I think it was Murdock's interest in Ore-West that sparked the change in his attitude to the Whitlam Government.

**The Hon. R. C. DeGaris:** Come on!

**The Hon. N. K. FOSTER:** The Hon. Mr. DeGaris does not like the truth. Has he been to the Northern Flinders

recently and seen all the holes? He probably knows more about this area than I do as a former Minister involved in that matter.

**The Hon. D. H. Laidlaw:** What about Neville Wran's submission?

**The Hon. N. K. FOSTER:** He can make whatever submission he likes. I am not at variance with the policy of my Government, and I do not know of anyone at the meetings who is at variance with that policy. The claptrap of the press about a split in the Party is merely a pipedream. I have not heard any evidence this afternoon to justify a reversal of support by the Liberal Party for the motion carried in 1977.

Members opposite can refer to vitrification, but before that process can be instituted the material must be stored for a long period, and it is in a dangerous state for between 10 and 20 years. It is not held in a tunnel of glass and confined so that it can be forgotten about forever. The Opposition has been dominated by false arguments and its own misconceptions, but it is not too late for its members to stand and be counted as people who have recognised their error by withdrawing their motion on the basis that it has no structural meaning in seeking to protect people now living on this earth.

**The Hon. M. B. CAMERON:** When I first listened to the Hon. Mr. Foster I was impressed by his sincerity, and I would have been more impressed if he had continued in that vein. However, through his speech there was a thin thread that did not sound correct. He made it clear that he was willing to change his mind, just like the rest of the A.L.P., in two years. We have the terrible picture that Government members have painted about the future and about how nations we cannot trust might get this material. However, we all know that, as it gets closer to the time when we must make a decision about Roxby Downs, a change in opinion will occur, although nothing will have happened internationally that has not already happened.

If the Hon. Mr. Foster were genuine he would say, "I will never change my mind." There would not be a member in this Chamber who would not agree that, if we could forget all knowledge of nuclear energy, the world would be a better place, but there is no use in saying that: it will not happen. Nuclear energy is being used in increasing amounts, and there is nothing that we can do to stop it. The action we are taking here has absolutely no effect whatever. We are merely depriving South Australia of some benefit from the growth of this industry.

Did the people in Europe whom the Premier visited go back into their offices shaking because we will not change our minds? What a load of rubbish! It has made absolutely no difference. The Hon. Mr. Foster asked us to give him some evidence of the economic benefits that might accrue to South Australia. I suggest that when he leaves the Chamber he talks to his own Minister of Education, in reference to whom we see the following report:

The potential—

**The Hon. C. J. Sumner:** He said "potential".

**The Hon. M. B. CAMERON:**

—of uranium at Roxby Downs was hailed today by a South Australian Government Minister as a "major, rich mine by any world standards". The discovery at Roxby Downs could provide a much needed revival in the State's mineral industry, the Education Minister and former Mines Minister, Dr. Hopgood, said. Dr. Hopgood said South Australia's mineral industry declined after an exploration boom from 1967 to 1973. "In the Olympic Dam Cooper uranium deposit discovered by Western Mining Corporation Limited on Roxby Downs Station we have potentially the basis of a major rich mine by any world standard."

The Hon. Mr. Sumner can play with words and say that the Minister used the word "potential", but he is being asinine. The reason the Minister used the word "potential" is that he knows, as well as I do, that members opposite made it essential to use the word "potential", because nothing can be done until they do something about it.

**The Hon. C. M. Hill:** That Minister is in the right-wing camp.

**The Hon. M. B. CAMERON:** He said that he hoped that Mr. Connor would allow the uranium enrichment plant in South Australia and that was back in about 1974 or 1975. That was before the A.L.P. brought politics in, and it was genuine. The Hon. Mr. Foster also said that he was not impressed by the false promise of employment. However, his own Minister, Mr. Wright, a former A.W.U. secretary, speaking on radio, used the figure of 10 000 jobs. If the Hon. Mr. Foster thinks that that is unimpressive, he should speak to the unemployed people.

**The Hon. M. B. Dawkins:** That number of jobs would affect about 100 000 people.

**The Hon. M. B. CAMERON:** Yes, it has an effect in other areas. The Hon. Mr. Cornwall has spoken of members on this side being amoral. The A.W.U. is also amoral, and I am surprised that the Government member sitting alongside him did not jump up and down at that statement.

**The Hon. J. E. Dunford:** It once sacked me.

**The Hon. M. B. CAMERON:** The honourable member will have his arm twisted up behind his back. His mates in the other States have stated their attitude clearly, because they know the stupidity of the situation here. A report states:

The Australian Workers Union believes there is no way of stopping the mining and export of uranium despite opposition from other unions and environmental groups.

The union's national secretary, Mr. Frank Mitchell, said this today.

The first time we saw anything significant from the Premier on the matter was when he said that safe waste was nearer. A report states:

The solution to the problems of final safe disposal of highly radioactive waste was "much nearer than we thought," South Australia's Premier, Mr. Dunstan, said today.

The Premier, who will end his two-week European study of developments in nuclear safeguards today, said the Swedes were a long way ahead.

By the end of this year they expect to meet all the requirements laid down by their Parliament and they talk about establishing complete safety within two years, he said. They and the French were early leaders in the field of vitrification of waste in glass compounds.

The French were operating a pilot plant on a commercial scale and would soon have a new plant for the vitrification of all spent fuel.

That is about the sole result of the Premier's grand tour of Europe. I made a telephone call to Canberra and got the same information. I suggest that the Premier, before starting hareing off overseas, should do the same thing. It was costly for the people of the State to find out that one item. The information that I was given (and I am sure it would be given to any member who telephoned the Federal department concerned) was:

With regard to waste disposal: The situation in France is that the vitrification process, that is, the pouring of molten nuclear waste into glass and solidifying it and placing that in metal containers commenced in 1963. After 15 years of research a small pilot plant was established 9 years ago and last year full-scale waste disposal was put into operation.

The plant situated at Marcoule has been operating for

some time and a new plant three times the size of the original is being established at Le Hague. France has 50 nuclear power stations in operation or in the course of construction. The metal containers are stored in cellars under the building and will remain there for at least 10 years when they will be disposed of deep in the earth. 10 containers contain in total 1½ metres of vitrified high level waste.

The high level waste from a nuclear power station for a whole year's operation is contained in 10 containers. The plant can handle the whole of the annual waste for 10 days. What is happening at the present time is that they are catching up on the back-log of waste.

Clearly, the process has been proved and France is going into full-scale disposal of waste in a safe way.

**The Hon. J. R. Cornwall:** That is not true.

**The Hon. M. B. CAMERON:** I have spoken to people who know more about it than the honourable member.

**The Hon. J. R. Cornwall:** You were misled.

**The Hon. M. B. CAMERON:** The Council has been misled this afternoon by members opposite. If we wanted further expertise, we could read what was said by Professor Peter Ypma, a geology expert in South Australia. A report, headed "We'd be fools not to mine", states:

"Countries like France, Holland, Belgium and West Germany are not run by complete fools," he said.

They have decided 100 per cent in favour of nuclear energy.

"I don't think the anti-nuclear forces in this country have that much more insight that they can negate all these Governments' choice."

"Once you find something as rich and promising as Roxby Downs then the State would be foolish not to allow it to be mined," he said.

I could not agree more. I totally agree with the statement that has been made this afternoon that this whole exercise is one in politics, and I agree with the Hon. Mr. DeGaris that the Premier went away in order to test the political climate in South Australia about change, and while he was away members of the A.L.P. got together and made sure that he got the message that there was to be no change. The loser is South Australia, not the Premier. I have no doubt that the Redcliff petro-chemical plant has been lost by the same kind of tactic that is being used now. That is the asinine attitude of the Labor Party. I would like to know of one major project that this Government has started in the past 10 years.

**The Hon. M. B. Dawkins:** Monarto!

**The Hon. M. B. CAMERON:** Yes. Much image-building and cult development have gone on around one person, but South Australia has gained nothing and lost much. Now we have a decision to get nowhere again for another two years. Then we will have another hurried trip overseas, and the people in the Labor Party will say "Isn't he marvellous! It is all safe now."

Western Mining Corporation has indicated, because of the attitude of the present Government, that it will not increase exploration. It is going on with exploration, but what company will go into it at full scale while this situation obtains? That situation is holding up the development. Everything done by this Government is politically based, not genuine, and South Australia has suffered.

If Government members talk about unemployment and what should be done, they are hypocrites, because they are not doing anything to improve the situation here. I ask responsible members of this Government to try to defeat this attitude, to try to defeat the Attorney-General's hold over the Party on this issue, and to get what would be a tremendous boost to South Australia.

**The Hon. J. E. DUNFORD:** I have much pleasure in opposing the motion. Of all the speeches that the Hon. Mr. DeGaris has made to the Council (some of which, I must admit, have been good), the speech that he made in support of this motion was the worst that I have heard from him. The Leader asked questions of the Government, and the answers to those questions have been given. The Leader asked, first, why the Premier rushed overseas. Fortunately, I have the benefit of possessing the report of a press conference given by the Premier at Adelaide Airport on 5 February. I refer to the first page thereof, as I believe its contents answer the Hon. Mr. DeGaris's question. In reply to the question why he went to Europe, Mr. Dunstan said:

I went to Europe accompanied by technical and policy officers to look at two matters of issue on the policy which was unanimously voted on in the South Australian Parliament in 1977.

I stress "unanimously voted on in 1977", because that is the matter with which we are dealing. The report of the press conference continues:

That was that we should not mine or trade uranium in this State until it was safe to provide uranium to customer countries. And there were two issues of fact that we had to look at. One was whether a safe means of ultimate disposal of high active waste had been established, and, secondly, whether international safeguards for weapons-grade material of uranium and plutonium had been established adequately. Now, we looked at these questions, we got confidential information not ever available previously in this country, we talked at the highest policy level, and we have come to conclusions unanimously. The technical officers are completely agreed with the position which I am now putting.

On the question of high active wastes, it is true that Sweden will probably prove up this year a safe means of disposal of high active waste in that country. But the problem is that that particular process can only apply in limited areas. Many countries do not have the conditions which apply to that process in Sweden. Nor has any country other than Sweden proved up a safe means of disposal, and every country is going to be obliged to take its own waste. So, every country has to do this, and no other country yet is in sight of doing so. A judicial inquiry in Britain has specifically found that that is not the situation in Great Britain. In consequence, we can't say at this stage that the active waste disposal has been solved safely.

On the question of international safeguards, our own officers at the International Atomic Energy Agency and at the international fuel cycle evaluation talks have put forward proposals which at the moment simply cannot be met. The safeguard arrangements are nowhere, at this stage, at the level that they would consider satisfactory. For instance, they've said that there should be resident inspectorates in every sensitive plant—they don't exist anywhere at the moment.

The International Atomic Energy Agency is understaffed and under-financed and simply cannot manage at the moment full-scope safeguards on what is now happening. But down the road there's something even more important. Plutonium stocks will increase. Our own country has put forward a proposal, through Mr. Justice Fox as roving ambassador, for an international control of plutonium stocks. And, generally speaking, everyone we talked to was agreed that that was necessary if there is to be safety in this area. But the talks on the details have not even really commenced. It will be some way down the road before these things can effectively be dealt with. They certainly won't be dealt with in any detail publicly until the end of the international fuel cycle evaluation talks, and they won't end for a year.

After his statement, the first question that the Premier was

asked was, "What does this mean for uranium mining in South Australia?" In reply, the Premier said:

It means that we simply cannot assure people in South Australia that mining or treatment of uranium to supply that uranium to a customer country is yet safe.

That answers the Hon. Mr. DeGaris's two-part question that he put to the Government. The Premier went overseas because he was the responsible head of a Government that decided unanimously on the proposition that had been endorsed by the Federal A.L.P. Conference and the Australian Council of Trade Unions.

Most important, the people of South Australia want to be assured regarding this matter. The Premier said on his return from overseas that he could not assure the people of South Australia at this stage (not "ever"), as a result of the information that he had received from overseas agencies and as a result of his own observations, that uranium could be mined safely.

I have had the privilege of listening to some great speakers for and against the mining of uranium. Yesterday, the Premier gave Caucas a full resume of his overseas trip and what he saw. If there were ever any doubts in my mind that we should not mine uranium in South Australia, those doubts were certainly wiped out yesterday when I heard the Premier.

I suggest that members opposite, in order to get more information on this matter and to enable them to act and speak more responsibly on it than they have done today, should listen to what Alan Reid says when he interviews the Premier on television. I believe that Mr. Reid has already said that until yesterday he was never more impressed by any speaker on uranium than he was by the Premier. Of course, Mr. Reid will go down in history as one of the most astute journalists and interviewers in Australia.

Once more, the Hon. Mr. DeGaris put forward nothing to show that there were any further international safeguards in this respect, despite his Party's having voted on 30 March 1977 on a motion that safeguard proposals had to be met. There is conclusive proof, and unanimous agreement amongst everyone who accompanied Mr. Dunstan overseas, that there are nowhere near enough safeguards overseas to warrant the sale of uranium to customer countries.

I was indeed impressed when I read Mr. Dunstan's speech. He spoke not just about Roxby Downs, as do members opposite, but also about the future of mankind. After the Australian Workers Union conference in Sydney (I am sorry that the Hon. Mr. Cameron is not present in the Chamber to hear me say this), I spoke to a delegate, who said to me, "I was a delegate, but I voted against the proposal." In reply, I stated that this man had not taken an interest in the matter before, to which he replied that he had studied the matter as much as he could but voted against it because he was unsure.

This man said that the decision to mine uranium could be an irreversible one. Most political decisions can be reversed, but this man, who voted against the A.W.U. proposal, said, "I could not in all conscience vote for the mining of uranium when I did not believe in my own heart that it was safe to mine, and when we could be putting mankind at such a great risk, especially with the irreversible problems associated with the mining of uranium."

**The Hon. D. H. Laidlaw:** At least 20 other delegates did not think so.

**The Hon. J. E. DUNFORD:** The Hon. Mr. Laidlaw has said that at least 20 other delegates had opposing views. In 1975, as national Vice-President of a union, I attended in Western Australia a conference of the executive of the

union, when Professor Messel spoke. He convinced all present at that conference except for two delegates (the President and myself) that the mining of uranium was safe.

The support of the A.W.U. for uranium mining has diminished since 1975. One delegate from Queensland, the delegates from Tasmania and from South Australia voted against uranium mining four years later. I asked Professor Messel, "Could you also put forward an argument against uranium mining just as well as the argument that you have put forward in favour of uranium mining?" He said, "Of course I could." That is what is happening today.

The Premier has done the right thing by making press statements that we cannot assure the people of South Australia that we can mine uranium safely at this stage and supply customer countries. I believe that eventually, with pressure from Australia and if we have the resources needed by other countries, they will have to comply with the necessary safety requirements in order to get the uranium. I recall that Mr. Anthony said, "If we don't mine uranium, the Japanese will come and take it off us." Now, of course, we take a different attitude.

The Premier has clearly said that countries will have to prove up the technology, because we will not be a party to spreading waste materials all over the world, thereby endangering the species. The Hon. Mr. DeGaris said that emotional politics were being used. The people to whom I have spoken are emotional. I was surprised that Mr. Tonkin said there ought to be an election on the issue of uranium mining. I believe that, if there was an election on the issue of uranium mining, and if the Premier put to the people the position that he has recently set forth, the position would be endorsed by the people and they would return a Labor Government. Eventually, it will be put to the test. The policy of the Labor Party and the trade union movement will not alter in the next two years.

As politicians who have to decide sooner or later, we should all agree that the facts and figures should be put fairly to the people, without politics. I am sure that the people of South Australia at this stage would not support uranium mining. The majority of delegates attending the A.W.U. conference come from Queensland, where there is a mining operation. Some delegates, representing the rank and file, were obliged under the union's rules to reflect their members' support for uranium mining. I believe that the vast majority of A.W.U. members whom I know would not support uranium mining until they were sure that safeguards existed.

Only two years ago members of Parliament representing the three political Parties in the other House unanimously decided that uranium mining ought to be banned. The Hon. Mr. DeGaris has given no reason why the policy should be changed. Anyone who heard the Hon. Mr. Corcoran and the Hon. Mr. Hudson speak and anyone who was at the recent Caucus meeting would know that there is no split in the Labor Party or the trade union movement.

The Hon. Mr. Hill, who has made some good contributions to debates here, was at his worst today, because he did not do his homework and he did not have his heart in his work; he had to follow the Party line. He said that uranium mining would create 5 000 jobs, and the Hon. Mr. Laidlaw said that uranium mining would create a few thousand jobs.

**The Hon. R. C. DeGaris:** Jack Wright said that.

**The Hon. D. H. Laidlaw:** You heard what I said.

**The Hon. J. E. DUNFORD:** The Hon. Mr. Cameron said that uranium mining would create 10 000 jobs.

**The Hon. R. C. DeGaris:** Jack Wright said that.

**The Hon. J. E. DUNFORD:** Where will the workers

come from for the mining projects to which honourable members opposite are referring? Differences of opinion are certainly apparent on this matter. Many Liberal Party members in the South-East have said that the Premier is correct in banning the mining and export of uranium until the necessary safeguards exist. I would have liked this matter to be dealt with after the Members of Parliament (Disclosure of Interests) Bill was dealt with. If all Opposition members in this place and in the other place disclosed their pecuniary interests, we would find that some of them had a pecuniary interest in uranium mining. Perhaps those members have shares in Western Mining Corporation or perhaps they bank with the A.N.Z. Bank.

At some time in the future uranium may be mined in Australia, because the safeguards may be proved up. If that day comes I want to be assured that the people of South Australia trust the decisions we make. Up to the present the people have trusted the Labor Party in this State and the Labor Party federally. Our policy has not changed since July 1977. We swamped the Liberals in New South Wales, in the Victorian by-election, and in the Werriwa by-election. We are getting our strength from young people who read and think. They do not want to be parties to the destruction of their species. Liberal Party members are under pressure from their supporters.

Honourable members talk about the number of jobs that will be available in Roxby Downs, and I have outlined the dangers. Who would have most interest if mining of uranium was allowed in South Australia? I quote from an article about the A.N.Z. Bank and uranium mining as follows:

A.N.Z. Nominees Ltd. (which is 100 per cent owned by A.N.Z. Banking Group Ltd.) invests on behalf of its clients, in companies which plan to mine uranium in Australia.

A.N.Z. Nominees Ltd. is:—

- (a) Number one shareholder in Pan-Continental Mining Ltd. (held 1 071 014 shares on 20/9/77)
- (b) Number two shareholder in Peko Wallsend Ltd. (held 1 438 160 shares on 31/8/78)
- (c) Number six shareholder in E.Z. Industries (held 1 308 836 shares on 20/9/78)
- (d) Number two shareholder in Western Mining Corporation (held 12 051 651 shares in 4/9/78)
- (e) Number six shareholder in Queensland Mines (held 196 614 shares on 28/3/78)
- (f) Number two shareholder in Con-Zinc Rio Tinto Australia Ltd. (C.R.A.) (held 5 085 263 shares on 17/3/78) C.R.A. is controlled by the British mining giant Rio Tinto Zinc (R.T.Z.) which holds 72.6 per cent of its shares.

One of the directors of A.N.Z. Banking Group Ltd., Colin James Harper, is also a director of E.Z. Industries. (He was also a director of the big newspaper and magazine publisher Herald and Weekly Times Ltd.)

Another director Sir William Vines, is also a director of C.R.A. (Which mines uranium at Mary Kathleen).

A.N.Z. Banking Group Ltd. provides banking facilities for all uranium mining companies in Australia except for Qld. Mines which banks Commonwealth.

The A.N.Z. Bank is packaging a \$14 million leverage lease to E.Z. Industries Ltd's new zinc plant. This will make it easier for E.Z. to provide capital for uranium mining.

The Bank of N.S.W., National Bank, A.M.P. Society, National Mutual Life Association, and the Colonial Mutual Life Association also have substantial investments in and links with the mining companies which are committed to the exploitation of uranium reserves around Australia. However the A.N.Z. Bank has some of the most obvious and substantial links with uranium mining.

**The Hon. D. H. Laidlaw:** You will probably quote the

mining employees superannuation fund.

**The Hon. J. E. DUNFORD:** These are the people the honourable member is supporting? If the mining of uranium is to be accepted these are the people who will take advantage of it. The article continues:

Foreign controlled firms were responsible for raising 85 per cent of the total funds for investment in mining between 1964 and 1970.

I have pointed this out several times to members opposite, and I know the Hon. Mr. Dawkins wanted a copy of this paper because he thought it may have been a communist document. The article continues:

The Fraser Government continues to seek greater foreign investment. The interlocking of local and overseas investments comes through the trading and merchant banks.

In November 1978, A.N.Z. was Australia's biggest profit earning private bank. In the 1977-78 financial year it was the 15th largest company in Australia (in terms of market capitalisation in the value placed on the company in the share market). A.N.Z. Banking Group Ltd. has over 50 subsidiaries, including A.N.Z. Savings Bank Ltd., A.N.Z. Nominees Ltd. and A.N.Z. Investments Ltd. It has over 1 000 branches, mainly in Australia and New Zealand but also scattered throughout the Pacific Islands, P.N.G. and the U.K.

This is what I am worried about. With all the interests and all the support the Opposition will get from mining companies and the press, when it comes to profit before people you will get this sort of attitude. Opposition members will try and con the worker that they are doing something for them, but you are doing something for the big banking interests and for your own pockets because of shares that you have in finance companies.

**The Hon. D. H. Laidlaw:** Do you think Adelaide companies have got plenty of work and do not need it?

**The Hon. J. E. DUNFORD:** I believe South Australia needs industry, but it does not need industry to the extent of risking lives of people of the world. The Premier went overseas, he has done a job and has obtained a report. I am a very hard person to convince but I am absolutely convinced, as I have never been convinced before, that the mining of uranium is not safe at this stage, and this was a decision made unanimously between the Liberal Movement, the Liberal Party, and the A.L.P. two years ago.

How will honourable members feel when they go out on the political hustings (and I hope it is very soon) and say, "We have now reversed our decision". If people say, "Why did you reverse it, where are the safeguards, where is the proof of the safeguards?", honourable members will have to lie to them, because they cannot tell them the truth, as we have proved, that there are no international safeguards. Honourable members will not look forward to that.

When the Hon. Mr. Hill says, "If you don't lift the ban it is dangerous politically for you", that is the first time I have ever heard Mr. Hill showing concern about the political danger of the A.L.P. when it faces an election. Mr. Hill is saying to his own men, "We could be on dangerous ground in attacking the A.L.P. on this". I am sure the Premier will convince the people that it is not safe to mine uranium. I strongly oppose the proposal, which was poorly introduced by Mr. DeGaris and poorly supported by his arch enemy, Mr. Cameron.

**The Hon. ANNE LEVY:** Much has been said this afternoon and there is little new that one can add to this debate although, in my own opinion, much of what has been said has been irrelevant to the debate. The original motion passed in 1977 dealt with the question of safety: whether it is safe to mine uranium and export it to a

customer country. This question of safety needs to be examined from two different aspects.

First, there is the question of waste disposal which occurs as an end product of the whole uranium cycle. I doubt whether anyone argues that the actual mining of uranium is an extremely dangerous procedure. There is obviously some danger involved, but probably no more than the danger involved in coal mining or any other form of mining. The dangers inherent in the early stages of the nuclear-fuel cycle are not such as would lead to a refusal to mine uranium on grounds of safety.

However, one of the major safety questions arises with the disposal of waste, and I must draw the Hon. Mr. Cameron's attention to the fact that, although he claims that French had solved the waste disposal problem, this is not accurate. The French have been leading the world in developing the vitrification procedure and are now operating it on a commercial basis, but they have not yet developed any ultimate disposal of the vitrified waste when it has been produced. They still lack this final stage of what to do with the vitrified waste.

The only country that is approaching a solution to the problem is Sweden (as we have been told today), although that is not proven yet. However, I would not be surprised if, within a short period, Sweden does solve its problems of disposal of vitrified waste, but this does not mean that it will have solved the disposal problems for other countries' waste.

In future perhaps other countries will solve this problem and we will be able to say that the waste problem has been solved, but we cannot say that yet. I have always believed that the waste problem was solvable. If not solved now, it is solvable given sufficient work by scientists, technologists, engineers and geologists. The problem can be solved if it is not already solved, but it has not yet been solved.

The Hon. Mr. Cameron kept saying that the Labor Party will change its mind in a couple of years, and I am pleased to hear that he believes these problems will be solved within two years. In regard to waste disposal his optimism might be justified; I hope so. Much waste material exists in the world today, especially in the United States, arising from military programmes. Over 90 per cent of today's nuclear waste comes not from commercial use but from military activities, and a solution to the disposal of this waste is obviously desirable for the sake of everyone in the world.

The other major problem concerning the safety of uranium involves the safeguards relating to non-proliferation of nuclear weapons. This comes into the category not of a scientific or technical problem but of a political problem. I use "political" in a broad sense and certainly not to mean Party politics.

The world is nowhere near as advanced in solving the problems of proliferation of nuclear weapons as it is regarding waste disposal, and I would be surprised if such problems were solved within two years, as foreseen by the Hon. Mr. Cameron. Suppose safe processes for the handling of waste and other nuclear material exist: how can we ensure that they will be used? The fact that science finds a solution to a problem is no indication that at a political level these different procedures will necessarily be carried out.

As we have been told, the nuclear non-proliferation treaty can be revoked by any signatory with only three months notice. I suggest the treaty is a piece of paper only, especially whilst that provision remains in it. It cannot be regarded as providing much of a safeguard against proliferation of nuclear weapons.

The Hon. Mr. Carnie claimed that there were enough nuclear weapons in the world to blow us to bits 15 times

over, and I have read that elsewhere. However, it is important to note that, while there may be sufficient nuclear weapons in the world to blow us up 15 times over, presently these nuclear weapons are under the control of only five different Governments. It may be that it is a great danger to the world that we have to rely on these five different Governments to behave responsibly (I would prefer that no nation had nuclear weapons), but it seems to be better to rely on only five Governments rather than many more.

**The Hon. R. A. Geddes:** What about India?

**The Hon. ANNE LEVY:** It has exploded a device, not a bomb. Certainly, five countries are known to have nuclear bombs capable of being used in a nuclear war. Although not liking to rely on those five Governments I would prefer to rely on five rather than 25, 55 or 155 to behave responsibly should they control nuclear weapons.

Mr. Justice Fox has been quoted this afternoon from his report published two years ago. He is now Australia's roving ambassador on nuclear matters and shares much concern with people about nuclear proliferation. A recent interview he gave on this topic is reported as follows:

"I accept the obvious—that if a developed country wants to have nuclear weapons, there's nothing can stop it", he said, "The answers are not to be found in a nice, neat treaty. But there was now an international readiness to do something to stop nuclear proliferation. But nuclear proliferation meant significantly more than just the spread of nuclear weapons. If a country had the ability to reprocess nuclear fuel or to enrich uranium, then it had the potential to build an atom bomb. This meant international relations were made unstable and insecure, and history had shown that this could lead to war. Mr. Justice Fox said he believed international control of reprocessing and enrichment plants could provide an answer, since some sort of conspiracy among nations would have to be assumed before a bomb threat could be considered.

Following that, Mr. Justice Fox advanced proposals that there should be international management and control of reprocessing and enrichment plants. This may provide an answer because, if various governments are controlling enrichment and reprocessing stages of the nuclear cycle, there would have to be some sort of conspiracy amongst the nations before any plutonium or highly enriched uranium could be diverted to use in nuclear weapons.

Mr. Justice Fox is convinced that this multi-national control is the only way to achieve safeguards regarding nuclear proliferation. He is pressing for this at an international level. I hope that he succeeds and that this control will come about, but we have not got there yet. Until we have such safeguards properly developed and evaluated, I maintain that we cannot proceed with mining our uranium and, in consequence, I strongly oppose the motion moved by the Hon. Mr. DeGaris.

**The Hon. R. C. DeGARIS (Leader of the Opposition):** A charge has been made against the members who have spoken in favour of the motion that we have not shown any reason why the House of Assembly should consider rescinding its resolution. Apart from all the arguments about uranium, I think the prime reason why it should do so is that it is only one House of Parliament. The motion was not passed by the Parliament. That has been used by the Premier so often in regard to the Government's inactivity. To rescind the resolution would leave the problem in the hands of the Government to make its decision. Apart from all questions of world use and safeguards, that point merits the support of the Council.

The Fox Report has been quoted, and I think the Hon. Mr. Sumner quoted mainly from the first report. The

question of safeguards is for the Federal Government, not for this State Government. If six different States had six different policies in safeguards, we would be in cloud cuckooland, as I said yesterday. Mr. Justice Fox is overseas virtually as an ambassador on the matter, and is advising the Federal Government. The export of uranium and the safeguards attaching to it are Commonwealth responsibilities.

The Hon. Mr. Foster became emotional about children dying. However, the same thing was said about T.N.T. 100 years ago, the same thing can be said of the motor car today, and the same thing can be said about generators of power or about coal burning. Many knowledgeable scientists have said that the coal burner is more damaging than a nuclear reactor, because if we have to generate the world's energy requirement by burning coal, according to predictions by the year 2050 we will have a totally different set of climatic conditions in the world, and that would be disastrous.

Safeguards are not worrying the Government. What is worrying it is that it cannot make up its mind where it wants to go on the issue. The main problem is in the Labor Party. We have heard many times that it will be all right in two years time, that the Swedes will solve our problem for us. Why, then, is it that there are about 500 nuclear reactors operating today and that by 1980 probably 200 more will be operating?

As far as industrial development is concerned, the Labor Party is opposed to these questions. The Hon. Mr. Foster said that Mount Isa and pies in the sky were not on. Of course they are on. Mr. Wright said that there would be 10 000 jobs at Roxby Downs, and that would mean a town of 50 000 people. The State needs industrial development urgently and, if we wait until the Labor Party solves its problem it will be too late.

The Council divided on the motion:

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

Noes (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.

Pair—Aye—The Hon. M. B. Dawkins. No—The Hon. C. W. Creedon.

**The PRESIDENT:** There are 9 Ayes and 9 Noes. I found the debate today most interesting. It was one of the best we have had in the Chamber for a long time, but the operative part of the motion as far as I am concerned is that a message be sent to the House of Assembly. Accordingly, I give my casting vote for the Ayes.

Motion thus carried.

#### REAL PROPERTY ACT AMENDMENT BILL

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

#### CONSUMER CREDIT ACT AMENDMENT BILL

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

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

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

It is consequential upon the Contracts Review Bill, and repeals Part VI of the Consumer Credit Act. This Part

empowers the Credit Tribunal to modify or avoid any provision of a credit contract that is harsh, unconscionable or such that a court of equity would grant relief. It is obvious that this Part of the Consumer Credit Act is very similar in effect to the provisions of the Contracts Review Bill and will therefore become redundant upon the passage of that Bill. Clauses 1, 2 and 3 are formal. Clause 4 repeals Part VI of the principal Act.

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

### TRADE STANDARDS 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.*

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

Leave granted.

#### Explanation of Bill

The purpose of this Bill is to consolidate and rationalise a series of industry-protectionist Acts regulating the manufacture, packaging and labelling of goods, and to enable the safety of goods to be controlled, by prohibiting the supply of dangerous goods and requiring goods to conform to prescribed safety standards. A number of the Acts this Bill repeals, for example, the Sale of Furniture Act, have been on the Statute Book for a great many years and have over the years been unsatisfactory in providing sufficient protection to the industries they regulate, and in providing sufficient powers of enforcement to the Commissioner for Standards, who is charged with their administration.

Many of the Acts this Bill repeals were enacted originally to protect the interests of specific industries or industry in general. However, in the years since their enactment, they have not kept pace with the technological changes in the industries whose interests they are intended to protect. Changes wrought as a result of new technology have made the provisions in these Acts in some cases impractical, in others, inadequate. This Bill remedies this situation by providing a legislative framework which can respond to the changing needs of the industries which it serves and regulates.

The arrangement of the Bill reflects the different types of standards involved in the production and supply of goods, thus packaging standards have also been included. The prescription of the different kinds of standards allowed by this Bill, with the exception of safety standards, is already allowed under the Acts this Bill replaces. All the Acts repealed require the provision of certain information in a specified manner or form, and seek to prevent and prohibit misdescriptions in relation to certain goods. The Sale of Furniture Act requires certain information to be marked on furniture, the Footwear Regulation Act requires certain information to be marked on shoes, the Textile Products Description Act requires textile goods to indicate the kind of material or fibres from which they are made, the Packages Act requires, *inter alia*, that the packages in which goods are supplied be marked with content size information, the Goods (Trade Descriptions) Act requires leather goods to describe the type of leather from which they are made, the Flammable Clothing Act

requires warning labels and instructions to be attached to clothes.

Part V of the Bill enables the provision of all this information by means of information standards prescribed under the Act and prohibits misdescriptions. Provisions relating to the quality and safety of goods are already contained in the Footwear Regulation Act and the Flammable Clothing Act so that in a large measure this Bill enables the prescription of certain types of standards which are already required by law.

This Bill is a recognition of the fact that you cannot serve the interests of consumers by ignoring the interests of industry; and that the promotion of standards of quality and safety in the manufacture and supply of goods, as well as promoting the interests of industry, promotes the protection of consumers. Thus, in many ways this legislation is essentially an industry-protectionist, as opposed to consumer-protectionist, measure. Its purpose is to serve the interests of industry and consumers alike. The production and supply of safe reliable goods, that provide adequate and accurate information and that are fairly packaged, is in everyone's interest. The protection the Bill offers, therefore, is not confined to consumers; all purchasers of goods will benefit from the standards prescribed under this Bill. If a product is dangerous its supply should be banned no matter who uses it. None of the Acts this Bill repeals operates solely for the benefit of consumers. They operate for the benefit of all purchasers of goods. Thus, this Bill is not restricted in its application to goods sold only to "consumers".

Industry and consumer consultation in the prescription of standards, have been provided for and assured by providing in Part II of the Bill for the establishment of a Trade Standards Advisory Council. This Council will include industry representatives and a consumer representative. It is intended that most of the standards prescribed under the Bill will be either the result of recommendations from the Standing Committee on Packaging, or the Commonwealth/State Consumer Products Advisory Committee, or adoption of existing Standards Association of Australia standards. Thus, there will be ample opportunity for industry input and consultation as there are industry representatives on all these bodies. In any case, it is not intended that this Bill impose standards without industry consultation and co-operation. The vast majority of goods supplied in South Australia are manufactured outside this State and, where possible, we will ensure that any requirements under this legislation are uniform with the requirements of the other States, and where goods are manufactured to an international standard, for example, and that standard is an acceptable one, that approval will be given of that international standard, under this legislation.

Legislation which is part of a uniform scheme, such as the Packages Act and the Textile Products Description Act, will be enacted in its entirety under this Act. All the provisions in these Acts requiring the provision of information or regulating the packaging of goods, will be enacted under Part V of the Bill dealing with Information Standards and Part VI dealing with Packaging Standards. This Bill will not detract in any way from the uniformity of these provisions; in fact, it will promote the ideal of uniformity by enabling recommendations of the Commonwealth/State Consumer Products Advisory Committee, and the Standing Committee on Packaging, which is also a body of Commonwealth, State and industry representatives, to be adopted speedily and efficiently by this State. Honourable members may be assured that the requirements in all the Acts this Bill repeals will continue to be law under the Bill.



This Bill merely provides a more rational and coherent framework within which they can be enacted and ensures that any future requirements relating to the provision of information or regulating the packaging, quality or safety of goods, are able to respond to changes in the manufacturing and production processes of the industries to which they relate. This Bill identifies the purposes for which particular types of standards are made and indicates the interests of both suppliers and purchasers that are sought to be protected in the prescription of those standards. It sets out why standards, in relation to certain goods or classes of goods, are necessary. No-one would deny that every purchaser of goods has a right to safe, reliable and fairly packaged goods, together with any information necessary for him to make a choice in purchasing those goods or information necessary for the proper use of those goods.

No-one would deny that every producer or supplier of goods has a duty to ensure that the goods he produces or supplies are safe, reliable and fairly packaged and that information necessary for a rational purchasing decision to be made or for the proper use of the goods is provided with the goods. This Bill enables these rights and duties to be realised and takes a positive approach to their realisation. Consumers can be assured of the safety and reliability of goods that comply with the applicable standards under this Bill. Manufacturers and producers can be sure that they have marketed goods which are safe and reliable, have packaged them fairly and have provided necessary information, if the goods comply with all applicable standards. This Bill protects the interests of both purchasers and producers by taking essentially preventive action, it seeks to reduce consumer complaints about defective or unsafe goods and avoid product liability claims brought against manufacturers by ensuring that goods meet essential requirements of safety and reliability before they are marketed.

Before going on to describe each clause of the Bill in detail, I will explain the scope and purpose of each substantive part of the legislation.

### SAFETY STANDARDS

Part III of the Bill substantially enacts recommendations contained in a report on product safety submitted to the Government last year. That report recommended that safety legislation be enacted in order to ensure that goods available to consumers were not accompanied by unreasonable risks in their usage and to enable dangerous goods to be swiftly and effectively withdrawn from the market. At present, there is no control over the hazardous nature of the wide variety of goods that people buy. The purchaser's safety is entirely in the hands of the manufacturer. In some cases, the manufacturer will adopt a standard developed by the Standards Association of Australia, in many cases, he will not. There is no statutory obligation for him to do so. In some cases, his quality control and performance testing procedures will be adequate, in others they will not.

Every major advance in technology brings with it a special group of hazards to the public. Although the individual can, and must, be expected to protect himself from his own follies, he cannot be expected to protect himself fully from these new technological hazards which are not of his making. Community protection for the individual from these hazards must be provided and this can only be effected by laws and regulations.

There is, within any consuming public, a large and very vulnerable group of "forgotten consumers". These are the

child consumers—the people between the ages of seven and 17, who in many cases possess significant purchasing power but who are least able to make reasoned choices. In Australia accidents are the main cause of death of children in the first four years of life, and between the ages of one to 14 years old, accidents are responsible for the deaths of more children than the next three most fatal diseases of childhood combined. At greatest risk are children in the pre-school age group. Most of the children admitted to hospital in Australia are in the pre-school age group and most are admitted as a result of accidental poisoning or burns they have sustained. In 1975, of a total of 969 children between the ages of one and 14 years treated for poisoning by the Adelaide Children's Hospital, 573 were between the ages of two and four years. The provision of goods to children or for children, which are not properly and carefully tested, which do not carry sufficient safeguards and which are readily obtainable, is both reprehensible and irresponsible.

This Bill will ensure that greater regard is paid in future to the safety of all consumers but, in particular, child consumers, when goods are manufactured for them or sold to them, and such safety is best assured when manufacturers build into their products safeguards against all predictable forms of abuse or misuse. Part III of the Bill therefore enables safety standards to be prescribed with which the goods to which they relate must comply. It also allows the supply of proven dangerous goods to be prohibited; that is, goods which are so inherently dangerous that they should never have been supplied. This part of the Bill also enables the sale of certain types of goods, for example fireworks, to be prohibited to people below a certain age. It can of course be difficult for a retailer to determine with reasonable accuracy the age of a young consumer and it is also possible, of course, that the prohibition will be avoided by children persuading older children or adult friends to buy the goods for them; however, despite those recognised difficulties there will be cases where an age limit is the best way of dealing with a particular hazard and prohibiting the supply of some goods to children below a certain age may deter some from being able to procure them and thereby reduce the high incidence of admissions to hospitals due to burns and poisoning.

The ability to ban the supply of goods that have been shown to be unreasonably hazardous, or to prescribe standards of safety is important, of course, unless those people who have already purchased goods that have been declared dangerous or which do not comply with a safety standard, are warned and are able to return the goods. Clause 25 allows any purchaser of such goods, and any subsequent purchaser, to return the goods to his supplier and obtain a refund, while clause 26 provides for action to be taken to notify any purchasers of such goods that they have been declared dangerous or that they do not comply with a prescribed safety standard. Under clause 26, notices can be published in the media, naming the goods, drawing attention to their safety risk and the ban imposed on their sale, and advising purchasers to return the goods to their supplier without delay. I emphasise again that only those goods will be banned from sale which pose a very serious risk of injury or death resulting from their use. Where possible, it is intended to prevent such goods being manufactured by ensuring that they meet certain safety requirements in their manufacture. However, a great many cheap and inexpensive goods, particularly toys such as pen-knives and catapults, are imported.

Many of these imported goods do not contain any safeguards and have not been manufactured to satisfy any safety requirements. They are sold at a low price and as a

result quickly find their way into the hands of children. It is important that controls be placed on the supply of such goods, not only to protect the interests of young purchasers, but also to protect those of local manufacturers who are supplying similar products in accordance with safety specifications, but whose prices, as a result, may be higher.

### QUALITY STANDARDS

Part IV of the Bill enables standards to be prescribed under the Bill to regulate the quality of goods. The standards provided for under this part of the Act are intended to allow the composition and construction of goods to be regulated, not for the purpose of ensuring that they are safe, but to ensure that they can perform the task for which they are designed, for a reasonable period of time. The provisions regulating the filling substances used in the manufacture of shoes and presently contained in the Footwear Regulation Act will be prescribed as quality standards under this part on the repeal of that Act. The prescription of quality standards is a measure primarily designed to protect the interests of local manufacturers of certain goods from the supply of inferior quality imported goods. Many industries have been requesting the introduction of such controls for some time, among them the furniture industry.

The provisions of the Sale of Furniture Act, with regard to its scope and the labelling requirements under it, are extremely limited and, in many cases, anachronistic. The Act only contains mandatory information requirements and only applies to furniture made of wood. Furniture made wholly from, or from a combination of, glass, plastic or aluminium is excluded from the application of this Act; such an exclusion is absurd in view of the increasing use of man-made materials in the design and manufacture of modern furniture. Local manufacturers of good quality furniture have been severely prejudiced by the importation of furniture using poor quality materials which can be sold cheaply. Much of this furniture is imported in cartons and either assembled here or sold unassembled. The Standards Association of Australia is, at present, drafting an industry standard which will set standards of construction, workmanship and finish to be used in the manufacture of furniture, and this S.A.A. standard is the kind of standard that this part of the Bill is intended to prescribe.

For manufactured products, quality means a combination of quality of design and of manufacture (sometimes called quality of conformance). The standards it is intended will be enacted under this part of the Bill are essentially quality control standards; standards designed to ensure that goods manufactured meet design requirements or the specific requirements of the end-user, economically and efficiently.

At present, consumers have to rely on the manufacturer's brand name or reputation and vague claims that a product's reliability has been tested, for assurances as to its quality and reliability. They have very little information on how reliable the equipment is, beyond vague unsubstantiated claims made by many manufacturers that the product's performance has been thoroughly tested. Although manufacturing techniques have improved the reliability of, for example, electronic and mechanical components, goods are becoming more complex in construction and in the numbers of units or components used. At the same time, the performance expected of particular goods is increasing and the costs of repair and maintenance are increasing. It is becoming increasingly

common for purchasers of goods to demand reliability and value for money in the goods they buy. They are attracted by goods covered by manufacturers' guarantees and by package deals which include maintenance of the goods. The average purchaser is by and large convinced that the products he buys today are not as good as those he bought yesterday. He senses he is the fall-guy for companies that simply do not care or are negligent in quality control. He feels more and more that he is not only the final inspector of the goods he purchases but the only inspector.

It is in the interests of industry and consumers alike that quality standards be prescribed. Industry support for the introduction of such standards is as much a "capital investment" as buying new inspection devices. Supporting the establishment of standards prescribed by outside bodies, such as the S.A.A., which are objectively designed, ensures that the standard will not be seen as an industry attempt to "cut corners" in the production process in order to meet the lowest standard of quality that can be tolerated; in other words, attempts to bend the standard to meet a poor product instead of raising the product to meet the standard prescribed. On the contrary, compliance with such quality standards will generate consumer confidence in the reliability of a particular manufacturer's goods and reduce quality related costs caused by defective or inefficient goods.

### INFORMATION STANDARDS

Part V of the Bill enables information standards to be made, under which specified information will be required to be disclosed when certain goods or classes of goods are offered for sale, and under which the use of specified words or descriptions will be prohibited and also prohibits the provision of inaccurate or misleading information. The concept of information standards is not new. Section 63 of the Commonwealth Trade Practices Act provides for the prescription of product information standards and goes on to detail the kind of information that can be prescribed. Part V of the Bill contains substantially the same provision with regard to goods and services.

As I mentioned earlier, all the Acts this Bill repeal contain provisions requiring goods to be labelled or marked with specified information. In some cases, namely the Sale of Furniture Act, the Textile Products Description Act, the Packages Act and the Goods (Trade Descriptions) Act, the entire substantive provisions of the Act are concerned with the disclosure of specified information, while all the Acts this Bill replaces have the common purpose of preventing and prohibiting specified misdescriptions of goods.

It is intended, therefore, to incorporate all those provisions requiring the supply of specific information presently contained in the Acts this Bill replaces, in information standards made by regulation under the Bill.

Clause 29 basically re-enacts the law presently contained in the Goods (Trade Descriptions) Act. That Act prohibits the application of false trade descriptions in relation to goods and the definition of "trade description" under that Act has been followed and updated, in the definition of "information" under this Bill. There is nothing new in the concept of this part of the Bill. Most of the provisions in this part are already law under the Goods (Trade Descriptions) Act. That Act enables the compulsory disclosure of certain prescribed information in relation to prescribed goods and prohibits false or misleading information, whether on labels, in pamphlets or in any form of advertisement. Part V of this Bill allows the prescription of specified information and prohibits

inaccurate or misleading information, whether on a label, in pamphlets or in any form of advertisement.

Clause 29 is intended to specify the type of information in relation to goods and services which must not be inaccurate or misleading. It is information relating to objectively verifiable facts. It differs from the general unfair advertising controls which are concerned with the overall impression created by the advertisement, the degree to which claims are ambiguous and the use of hyperbole or superlatives in describing goods or services. The purpose of this legislation is to be prescriptive and preventive. It is based on the premise that the most effective way to ensure that manufacturers provide necessary information to prospective purchasers and that the information they provide is not misleading and is based on fact, is to specify those facts or that information commonly provided in relation to goods that purchasers rely on when making a choice between competing products. It is intended that the prescription of information standards will be the primary method used to ensure that accurate and non-deceptive information is provided to consumers, but while an information standard can require the disclosure or provision of specified information, it cannot also guarantee the truth of that information. Thus, a prohibition on the provision of untrue or misleading information is obviously essential to support the requirements of any standards made under this part, and such a provision is already contained in one form or another in some of the Acts this legislation repeals.

A further point I want to emphasise in relation to this part, is the inter-relationship between advertising and labelling. There is little use in requiring safety warnings, for example, to accompany the sale of goods, by either being marked on them or attached to them, if that requirement ceases to operate when the goods are advertised, so that a deceitful manufacturer can conceal or omit such safety warnings in his advertisements. The United States experience, when cigarette advertising was banned, is cautionary in this respect. When cigarette advertising was banned on radio and television in the United States in 1971, the number of cigarette advertisements appearing in magazines escalated alarmingly. At the same time that the Chairman of *Time*, Andrew Heiskell, was assuring the public that *Time* had no intention of accepting any "overwhelming" amount of cigarette advertising as a result of the television ban; the first three issues of *Life* (a subsidiary of *Time*) were carrying 22 pages of cigarette advertising, nearly double the number of cigarette advertisements that they published in the same period the previous year, prior to the ban. Further, many of those advertisements showed people promoting the qualities of a healthy outdoor life associated with smoking the various brands and holding packets of cigarettes in such a way as to conceal the health warning on the packet.

Thus, it is futile to require a manufacturer to state the possible risks involved in the use of certain goods, on labels attached to the goods, if he can disregard the requirement completely when advertising the goods on television or in magazines, and in such a way as to project the impression that any use of the product is completely safe. This part of the Bill recognises that it is no good saying that information must be provided and provided fairly and correctly, if you do not go on to say that that includes all the ways by which that information may be provided. Wherever standards have been enacted governing the labelling of goods, for example food standards, it has always been recognised that any information intended to relate to those goods, must in no

way undermine the purpose behind the prescription of that standard.

## PACKAGING STANDARDS

The Packages Act was passed in 1967 as part of national uniform legislation governing the marking of packages. The present Packages Act contains provisions requiring the marking of specified information on packages; information as to the quantity, that is the number, weight or measure of the contents of the package. The Act also contains provisions assigning meanings to certain terms such as the term "net weight" and specifying the manner and form in which this information is to be provided. The present Packages Act thus largely consists of information standards prescribed for packages. It is intended to incorporate these standards within a more flexible framework under this Bill. The Packages Act will be repealed and all the substantive provisions relating to the marking of packages, the prohibition or restriction of certain terms, the assignment of specified meanings to certain words and generally providing for the prescription of information, which form the greater part of this Act, it is intended be enacted in their entirety under clause 31 (2) of Part V of the Bill dealing with information standards. This Bill is not intended to tamper with the substance or the content of the uniform provisions contained in the packaging law and many of them can be enacted almost in their entirety under this Bill. This Bill is intended merely to provide a more coherent framework for all provisions requiring certain standards to be adhered to in the production and manufacture of goods, at present scattered in different pieces of legislation. Provisions in the Packages Act dealing with the approval of brands will be enacted under clause 31 (2) (c) of Part V of the Bill; provisions in the Act regulating the marking of packages with information as to weight, number, fractions, the manner and form in which that information may be provided, assigning meanings to certain terms, such as "net weight", and prohibiting or restricting the use of expressions such as "huge", "giant", "economy", etc., will be enacted under clause 31 (2) of Part V of the Bill. Exemptions from the provisions requiring the marking of statements of quantity on packages, currently allowed under the Packages Act, will be repealed under clause 43 (3) (b) of Part VII of the Bill. The exemption of export packages from the provisions of the packages legislation is enabled under clause 34 (1) of Part VII of the Bill. Permits currently issued under the present Packages Act will be issued as exemptions under clause 34 (1) of Part VII of the Bill. The defences presently contained in the Packages Act for packers and sellers are substantially repeated in the defence provisions contained in clause 35 of the Bill.

However, while the majority of the provisions contained in the Packages Act are concerned with the provision of information, some provisions deal with standardisation of packaging and deceptive packaging. Hence the need for Part VI of the Bill enabling the prescription of packaging standards. I think it would be true to say that most people would expect packaging legislation to be concerned with deceptive packaging and standardisation of packages, and I believe many people would be surprised to learn that, in fact, most of the packaging standards enacted to date have been concerned with the provision of information on packages. Part VI of the Bill will allow the enactment of those provisions currently contained in the Packages Act requiring goods to be packaged in specified denominations of weight and measure. Clause 33 (2) (b) of Part VI enables standards to be prescribed specifying the mass or

measure in which goods are to be packaged. Clause 33 (2) (a) enables standards to be prescribed to prevent the deceptive packaging of goods and this provision will enable the uniform provisions developed by the Commonwealth and State Standing Committee on Packaging in 1977 to be enacted by South Australia. These uniform provisions will regulate the use of false or excessive recesses and cavities in packages, which often tend to deceive the purchaser by artificially inflating the quantity, size or volume of the product being sold.

At present, industry has to comply with a variety of standards, regulating the packaging or manufacture of goods, contained in diverse legislation. For a manufacturer contemplating the national marketing of a product, not only is he faced with complying with different laws in different States, but also different laws within each State. A report was submitted by the Trade Practices Commission in June last year on packaging and labelling laws in Australia. The authors of that report received numerous submissions from manufacturers complaining of the difficulties they encountered as a result of this multiplicity of laws between the States and within the States. That report went on to say:

Industry's problem would be considerably lessened if all State laws were uniform, and inconsistency or conflict between the various laws laying down packaging and/or labelling requirements were avoided.

This Bill seeks to ensure that inconsistency or conflict between the requirements in the various laws setting packaging and information standards is avoided. It seeks to ensure that a manufacturer of a particular product does not have to go first to specific legislation governing that particular product and then to general legislation regulating all products; that requirements as to what must be marked on the goods and requirements as to what must be marked on the packages in which those goods may be sold can be found in one place, in one piece of legislation. The Trade Practices Commission, in its report, argued strongly for one law, administered by one authority in relation to the packaging and labelling of goods. This Bill provides for one law with which manufacturers must comply and one authority responsible for its administration. This Bill also provides for industry consultation and consumer consultation, since the setting of standards affects the interests of both groups. None of the Acts this Bill repeals contains provisions for such consultation. Industry incurs substantial costs and inefficiencies in endeavouring to find and then to comply with a myriad of regulations governing the manufacture and packaging of goods. The result of this is that industry must lose efficiency and because of this, increased costs are borne by the purchasing public.

#### SUMMARY

This Bill provides a comprehensive framework within which the specific requirements or standards now contained in the Acts it will replace can be enacted, and introduces an important new type of standard, safety standards: standards which, for too long, have been either disregarded or secondary considerations in the manufacture of goods. This Bill rationalises the provisions in the various Acts it repeals and streamlines their administration by incorporating them within one Act. Goods which are already subject to specified standards in their design and manufacture in other legislation are not the target of this Bill, for example, food, drugs, motor vehicles and some electrical goods. These goods are subject to standards of performance and safety under existing

legislation. This Bill is intended to offer purchasers of the wide variety of goods not subject to standards, the same guarantees and protection that the Food and Drugs Act offers them specifically with regard to food. Just as it would be impractical, undesirable and inefficient to enact the myriad of food and drugs standards presently prescribed under the Food and Drugs Act, as provisions in the principal Act, so it would be equally impractical and undesirable that detailed standards of safety, information, quality and packaging, appear as principal provisions in this Bill. It would make the adoption of uniform standards, recommended for example by the Commonwealth/State Consumer Products Advisory Committee or the Standing Committee on Packaging, or routine provisions difficult and would hamper the ability of the standards to respond to the changing needs of the industries affected. Regulations made under the Food and Drugs Act and under this Bill, are afforded ample time and opportunity for scrutiny, during their period for disallowance and in their consideration by the House Committee for Subordinate Legislation.

I would remind honourable members once again that many of the standards prescribed under this Bill will be merely repeating what is already law under the various Acts it repeals. New standards prescribed under the Bill will adopt existing S.A.A. standards, the recommendations of the Commonwealth/State Consumer Products Advisory Committee or the Standing Committee on Packaging, recommendations I would add that South Australia is committed to adopting if we are to support the concept of uniformity, whether or not this Bill is enacted. Without the provisions and framework this Bill offers, adoption of such recommendations will be made more difficult. The establishment of safety standards is imperative. Product safety legislation has been established in the United States and Canada for some years; the United Kingdom has recently enacted product safety legislation and Tasmania and New South Wales have recently passed legislation regulating the safety of goods. The Trade Practices Act has, of course, contained powers to regulate the safety of goods for some years, but these powers have only latterly been exercised. It is essential that South Australian purchasers are given the same protection as their counterparts interstate and overseas, and that this State does not become the dumping ground for hazardous goods banned in other jurisdictions.

Trade standards legislation is an area of legislation vital to the interests of both consumers and the business community alike. Legislation which regulates the safety and quality of goods offered to the public effectively protects the interests of consumers, by controlling or influencing the quality of goods at the point of manufacture or sale. Legislation which regulates the quality of manufacture of goods effectively protects the interests of industry by reducing the incidence of defective or dangerous goods on the market, which in turn leads to a decrease in consumer complaints and product liability actions brought against retailers or manufacturers.

The setting of trade standards protects those industries already offering good quality goods or services by ensuring that those whose standards generate consumer dissatisfaction are prevented entry to the market. The setting of such standards protects the purchasing public by raising their confidence in the reliability of the goods offered for sale and by ensuring that they have basic information available to them upon which to make a reassured choice.

Clause 1 is formal. Clause 2 provides that the various provisions of the Act may be brought into operation at different times. Clause 3 sets out the arrangement of the measure. Clause 4 provides for the repeal of the Sale of

Furniture Act, 1904-1975, the Goods (Trade Descriptions) Act, 1935-1969, the Textile Products Description Act, 1953-1972, the Packages Act, 1967-1972, the Footwear Regulation Act, 1969-1972, and the Flammable Clothing Act, 1973.

Clause 5 sets out definitions of terms used in the Bill. Attention is drawn to the interpretation placed by subclauses (3) and (5) of this clause on references to the provision of information whereby the acts of labelling or packaging goods and the act of supplying packaged or labelled goods are deemed to constitute the provision of information. Clause 6 makes it clear that the measure would not affect the operation of any other Act or any civil remedy already available at law or in equity. Part II of the Bill deals with administrative matters. Division I of this Part, comprising clauses 7 to 12 inclusive, provides for the establishment of a Trade Standards Advisory Council. Clause 7 provides that the Advisory Council is to be chaired by a person nominated by the Minister and to have representatives of the Health Commission, the Chamber of Commerce and Industry, the Standards Association and consumers. Clause 8 sets out the terms and conditions of office of members of the Advisory Council. Clause 9 provides for remuneration of members of the Advisory Council. Clause 10 regulates the proceedings of the Advisory Council. Clause 11 ensures that proceedings of the Advisory Council are not invalid by reason of a vacancy in its membership or a defect in the appointment of a member. Clause 12 provides that the function of the Advisory Council is to advise and counsel the Minister on the administration of the Act, the formulation of safety, quality, information and packaging standards and the declaration of dangerous goods. Division II of Part III, comprising clauses 13 to 20 inclusive, deals with general administrative matters.

Clause 13 provides for the appointment of inspectors, who are to be known as "standards officers". Clause 14 sets out the powers of standards officers to enter premises and inspect and test goods, to compulsorily purchase goods, to seize goods, to question persons and take copies of records. Subclause (7) provides that persons from whom goods are seized or compulsorily purchased may have the goods tested on their own behalf if that is reasonably practicable. Subclause (8) requires that any goods that are seized must be returned or the person from whom they are seized must be compensated if he is not convicted of an offence in respect of the goods. Subclause (9) provides for the forfeiture of any goods in respect of which an offence is committed.

Clause 15 empowers the Minister to require any person to furnish information that may be of assistance in enforcing the Act or determining whether or not goods or services should be regulated under the Act. Subclause (3) entitles persons to refuse to furnish information that would be self-incriminatory. Clause 16 prohibits the disclosure of information obtained through the administration of the Act. Clause 17 provides for the recovery of the cost of testing goods that do not comply with a safety, quality or packaging standard or that are declared to be dangerous goods or goods in respect of which materially inaccurate information is provided.

Clause 18 prohibits the impersonation of standards officers. Clause 19 empowers the Minister to delegate his powers under the Act, including discretionary powers. Clause 20 requires the Minister to present to Parliament an annual report on the administration of the Act.

Part III, comprising clauses 21 to 26 inclusive, provides for safety standards for goods. Clause 21 prohibits the supply in the course of a trade or business of goods that do not comply with an applicable safety standard. Clause 22

empowers the making of safety standards by regulations that are designed to prevent the exposure of any person to undue risk of injury or impairment of health arising out of the possession, use or handling of any goods. In addition to regulating the physical characteristics of goods, the regulations may prohibit the supply of certain goods to children. Clause 23 prohibits the supply in the course of a trade or business of dangerous goods.

Dangerous goods are goods declared by proclamation under clause 24 to be dangerous goods. It is intended that goods declared under this section be goods that are either inherently dangerous or that may be safe if modified but are already on the market and so dangerous that their supply should be prohibited until a safety standard is formulated. Clause 25 creates a right in any person to whom goods are supplied that are dangerous goods or that do not comply with a safety standard to return the goods (if that is possible) and recover the amount paid in respect of the goods. Clause 26 empowers the Minister to publicise the danger associated with any dangerous goods or goods that do not comply with a safety standard that already have been supplied or that continue to be supplied in breach of the Act.

Part IV, comprising clauses 27 and 28, provides for quality standards for goods. Clause 27 prohibits the supply in the course of a trade or business of goods that do not comply with an applicable quality standard.

Clause 28 empowers the making by regulation of quality standards designed to ensure that goods are reasonably fit for the purpose for which they are intended. Regulation of the quality of footwear under the Footwear Regulation Act, 1969-1972, is the only regulation of the quality of goods that is presently in force.

Part V, comprising clauses 29, 30 and 31, provides for the regulation of information provided in respect of goods or services. Clause 29 provides that it shall be an offence for any person to provide in the course of a trade or business any materially inaccurate information in respect of goods or services. By clause 5, it is provided that a person provides information in respect of goods if he labels the goods, labels the packaging of any goods, places information within the packaging of any goods, packages the goods in any packaging that is labelled or supplies goods in respect of which information is provided in any of those ways. Under that clause the provision of information in any other way is also included, the most obvious example being the provision of information by way of advertisements. The question of whether information in respect of certain goods or services is, by virtue of subclause (4) of clause 5, to be determined objectively and not by reference to the intention of the person providing the information.

Information is to be treated as materially inaccurate if it is inaccurate or misleading or likely to mislead in a material respect and to a material degree. Information in relation to goods and services is by subclause (2) of clause 29 restricted to information as to certain matters listed in that subclause which have the common characteristic of being matters of fact that are objectively verifiable. Subclause (3) of clause 29 provides that, where a meaning is assigned by regulation to certain expressions, the question of whether goods in respect of which claims are made by the use of such expressions meet those claims shall be determined by reference to the meanings so assigned to the expressions. It is intended that the margin of permitted error in the weight or measure of packaged goods would be provided for under this subclause, as would the accuracy of claims about the relation of the price for goods to the "recommended price" or the appropriate test for determining the accuracy of claims

where there is more than one accepted test.

Clause 30 provides that it shall be an offence for a person to breach, or fail to comply with, an information standard in the course of carrying on a trade or business.

Clause 31 empowers making by regulation of information standards designed to ensure that misleading information is not provided and that adequate information is provided in respect of goods and services. Information standards are to provide for matters such as the safety labelling of goods such as flammable clothing which is presently regulated under the Flammable Clothing Act, 1973, or the prohibition of the use of misleading expressions such as "net weight when packed", the use of which is presently prohibited in certain cases under the Packages Act, 1967-1972.

Part VI, comprising clauses 32 and 33, provides for packaging standards. Clause 32 provides that it shall be an offence if a person, in the course of carrying on a trade or business, packages goods, or supplies packaged goods that have been packaged, in breach of, or non-compliance with, a packaging standard. Clause 33 empowers the making by regulation of packaging standards designed to prevent deceptive packaging of goods and to ensure that goods are packaged for the reasonable convenience of persons to whom they may be supplied. Under this provision it is proposed to provide for standardisation of the packaging of certain goods and to prohibit undesirable packaging practices such as the inclusion of recesses or cavities in the covering or containers in which goods are packaged. As with all other standards, it is proposed that packaging standards will be introduced on a uniform basis with the other States as far as it is possible.

Part VII, comprising clauses 34 to 43 inclusive, deals with miscellaneous matters. Clause 34 empowers the Minister to grant discretionary exemptions in the case of goods that are to be exported from the State or are imported into the State or in any other particular circumstances. Exemptions granted under this provision may be made subject to conditions stipulated by the Minister. Clause 35 provides for general defences to offences against the Act or regulations. The clause provides that it shall be a defence if the commission of the offence was due to a mistake, to reliance on information provided by another person, to the act or default of another person, or to a cause beyond the control of the defendant, but only if the defendant took all reasonable precautions and exercised all due diligence to prevent the commission of the offence. Clause 36 provides that a contract is not rendered void or unenforceable by reason of a breach of, non-compliance with, a provision of the Act or regulations.

Clause 37 provides for the giving of evidence by certificate by the Minister or any prescribed officer. Clause 38 provides certain evidentiary assistance for the proof of certain matters. Clause 39 provides that the directors and managers of bodies corporate shall, where the body corporate is guilty of an offence, also be guilty of

an offence unless they can establish that they did not know of, or could not by the exercise of reasonable diligence have prevented, the commission of the offence.

Clause 40 provides that where the commission of an offence is due to the act or default of any person that person shall also be guilty of an offence. Clause 41 provides for the summary disposal of proceedings for offences against the Act. Clause 42 provides that courts hearing proceedings for offences may order the payment of compensation up to an aggregate of \$1 000. Clause 43 is a general provision relating to the making of regulations. Under subclause (3) of this clause, standards made under Parts III, IV, V or VI of the Act may refer to or incorporate standards of the Standards Association of Australia, the International Standards Organization or any prescribed body.

**The Hon. D. H. LAIDLAW** secured the adjournment of the debate.

#### **SOUTH AUSTRALIAN INSTITUTE OF TECHNOLOGY ACT AMENDMENT BILL**

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

#### **LEVI PARK ACT AMENDMENT BILL**

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

#### **REAL PROPERTY ACT AMENDMENT BILL (No. 3)**

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

#### **SECURITIES INDUSTRY BILL**

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

#### **COMPANIES ACT AMENDMENT BILL**

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

#### **ADJOURNMENT**

At 6.39 p.m. the Council adjourned until Thursday 8 February at 2.15 p.m.