

## LEGISLATIVE COUNCIL

Wednesday 8 August 1979

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

## QUESTIONS

## COLTON COTTAGE

The **Hon. J. C. BURDETT**: I seek leave to make a brief explanation prior to asking the Minister of Lands, representing the Minister of Community Welfare, a question about Colton Cottage.

Leave granted.

The **Hon. J. C. BURDETT**: Colton Cottage is an institution under the control of the Community Welfare Department, situated at Churcher Street, Thorngate, and used to house handicapped children. I am informed that the use of this building is to be changed, that most of the present inmates are to be removed, and that in future the building is to be used as a group home for children from families where parents are unwilling or unable to care for them. A number of residents of the area have expressed concern, saying that they fear that, with the changed use, there could be a greater degree of disturbance in the street, among the residences, and to the residents.

My main concern is for the handicapped children who are at present accommodated in Colton Cottage. I am informed that the children placed there at present are very well cared for, not only in regard to their physical needs, but that their special needs in education are looked after. There is good co-operation with the Education Department, their special needs are catered for, and their education is in good hands.

I have viewed letters written by people who have been concerned in the education of these children, saying that they do not know what will happen to the children when they are moved. I understand that the transfer date is in September, but that where the children will be sent is not yet known.

It has been suggested that they will go to Minda Home and similar organisations. The fear expressed by both the educational and social workers who are looking after these children is that, while their physical care may not be impaired by moving them, their educational needs might not receive the same attention that they have received so far. Where will these children be placed and what arrangements will be made about their educational needs?

The **Hon. J. R. CORNWALL**: I will refer the honourable member's question to my colleague and obtain a reply.

## SALVATION JANE

The **Hon. F. T. BLEVINS**: I seek leave to make a brief statement before asking the Minister of Agriculture a question about salvation jane.

Leave granted.

The **Hon. F. T. BLEVINS**: As usual, there has been a conflict of opinion in the South Australian press about the South Australian Government's attitude to the proposed biological control programme of salvation jane in this State. The *Stock Journal* implies that the Minister is in favour of biological control of this plant, while the *Advertiser* claims that the Minister is against that programme. As all honourable members will recall, last week in this Council the Minister said that he would present a cost-benefit study to Agricultural Council on the

ramifications of the programme for consideration by the other States. Can the Minister tell the Council just where the Government stands on this matter, what was the outcome of Agricultural Council deliberations and what, to his knowledge, is the attitude of producers in this State to the request by apiarists that the whole situation be reviewed?

The **Hon. B. A. CHATTERTON**: I was pleased that the Perth meeting of Agricultural Council on Monday accepted my view that the cost benefit analysis that has been prepared by South Australia should be circulated to other States, which can then examine and comment on it. Whilst this is taking place, the biological control programme being undertaken by the Commonwealth Scientific and Industrial Research Organisation should continue. As the target date for implementing the programme is not until the spring of 1980 (just over 12 months away), it gives us time to look at the evidence before us. I was somewhat surprised at the report in the *Advertiser*, which followed my answer to a question asked by the Hon. Mr. Cameron, implying that by looking at the evidence from the cost benefit analysis it is our duty to look at all the evidence and to submit that material to interested parties for their comments we were making a sudden change in Government policy. At all times we must look at the evidence we have and do what we can to base the decision in this difficult case on the best evidence that we can produce through our research.

The other interesting factor that has come to light is the number of graziers in the northern part of the State who are now very concerned about the biological control programme. A deputation of those graziers came to see me before the Agricultural Council meeting and presented me with a petition comprising about 2 500 names of farmers and graziers in the North of the State who did not want a biological control programme. It is important for their views to be considered, and I should like to see their comments on the cost benefit analysis prepared by the Agriculture Department.

The **Hon. R. A. GEDDES**: I seek leave to make a brief statement before asking the Minister of Agriculture a further question about salvation jane.

Leave granted.

The **Hon. R. A. GEDDES**: I thank the Minister for the explanation he gave in his reply to the Hon. Mr. Blevins on this problem. In my opinion, the statement in the *Advertiser* in reply to the Hon. Mr. Cameron's question last week was not correct. Would the Minister consider making a press statement in his own name on what action is to be taken in this matter, so that the rural community can get a proper understanding of what is going on?

The **Hon. B. A. CHATTERTON**: That has been done, and I hope it will be used by the rural press. In fact, it was done last week but, in spite of that, the story in the *Advertiser* did not really report the position accurately. I know that a number of producer organisations were concerned about it. A press statement has been put out which I hope will be reported, and I will be writing to some of the producer organisations to explain what the situation is and to seek their co-operation in participating in the analysis of the cost benefit study.

## DOOR TO DOOR SALES ACT

The **Hon. K. T. GRIFFIN**: I seek leave to make a short statement prior to asking the Attorney-General, as Minister of Prices and Consumer Affairs, a question about the Door to Door Sales Act.

Leave granted.

The **Hon. K. T. GRIFFIN**: Last session the Door to

Door Sales Act was amended. Among the amendments was a provision that goods of a specified class could be excluded from the operation of the Act by regulation, and the Act also provides for exemption by proclamation of persons or classes of persons, from the operation of the Act. Some persons involved in legitimate door to door sales activities have raised questions as to the progress being made on these two matters.

First, when are regulations dealing with the exclusion of goods of particular classes likely to be promulgated and a proclamation, where appropriate, duly made? Secondly, will the Minister say what sorts of goods or services are being considered for exclusion and what sort of persons or classes of person are being considered for exclusion? What criteria will be applied in making those decisions? Thirdly, has the Minister invited submissions from the public on these possible exclusions? Fourthly, will the Minister be prepared to receive submissions from interested parties on possible exclusions?

**The Hon. C. J. SUMNER:** As I cannot at this stage answer the honourable member's first three questions in detail, I will have to obtain the information for him. As to the final question, I would certainly be prepared to receive submissions from interested members of the public or people interested in such a proclamation. In the honourable member's explanation, he mentioned some people but did not mention who they were. I shall be happy if he asks the people who apparently contacted him to contact me about the matter, and I will give full consideration to the submissions and representations that they make to me.

### SOLAR ENERGY

**The Hon. L. H. DAVIS:** I seek leave to make a brief statement prior to asking the Minister representing the Minister of Mines and Energy a question about solar energy.

Leave granted.

**The Hon. L. H. DAVIS:** The 1977 policy speech of the Labor Party stated, in part:

The Government will continue research into alternative forms of energy and, in particular, solar energy. The Government's policy will be to establish South Australia as a centre for this type of research, and continued financial support will be given towards these objectives.

It has been public knowledge recently that the New South Wales Government has granted \$800 000 for the construction of a solar-powered electric generator in a small New South Wales country town, and that similar support has been given to solar energy measures in Western Australia. In view of the undertaking given in the policy speech nearly two years ago regarding this vital energy source, will the Minister say what steps the South Australian Government has taken to establish South Australia as a centre for this type of research; what financial support has been directed toward such research; and what specific projects involving solar energy have been commenced or are contemplated between the State Government and private enterprise?

**The Hon. C. J. SUMNER:** I congratulate the honourable member on what was, I understand, his maiden question, which he asked without being interrupted by interjections. I am not sure whether the honourable member appreciates that fact. Regarding the specific matters that the honourable member has raised, there is, as he will know, an Energy Council, which advises the Government on energy matters. There is also a

research committee, which has been set up by the Government, and clearly part of its task is to examine the matter of solar energy. I will obtain specific information from the Minister of Mines and Energy and bring down a reply.

### NORTHFIELD RESEARCH CENTRE

**The Hon. C. M. HILL:** I direct questions to the Minister of Agriculture regarding Northfield Research Centre land on Fosters Road. First, is it a fact that the Government intends to allocate a portion of that land for housing purposes? Secondly, is that same land now being used for agricultural purposes, and, finally, will not agriculture in this State suffer if such land is transferred out of the Minister's control for the purpose of housing?

**The Hon. B. A. CHATTERTON:** A decision has not been made to transfer to some form of urban use the land currently used by the Agriculture Department. However, we have been discussing for some time the possibility of using such land in future for urban purposes. The Agriculture Department has been discussing this matter with the other department concerned, the Housing, Urban and Regional Affairs Department.

Regarding costs and the possibility of relocating to other parts of the State those parts of the Agriculture Department functioning at the Northfield Research Centre, I should state that the area of research that is using the bulk of the land at Northfield is of a dairying type. Indeed, I think that about three-quarters of the land at Northfield is used for dairy research projects. The honourable member would be aware that Northfield is not particularly well suited to dairy research. Indeed, it never was a dairying area, even when it was not surrounded by an urban area. Therefore, I do not think that agricultural research in this State will suffer at all if dairying research is moved to another area which is more suited to it climatically and which is more relevant to the major dairying areas of the State.

Obviously, this would be the first area to be moved if any decision was made to move research activities from Northfield. When we examine other activities at the Northfield Research Centre involving the use of agricultural land, we can come up with the same sort of decision, namely, that other areas of the State would be more suitable for the type of research that is being undertaken.

Therefore, I do not think that removal of the research unit from Northfield will cause any problems as far as agricultural research in this State is concerned. Of course, we are concerned that proper facilities should be provided on relocation, and that will be done if possible.

### CHILDREN OF PARENTS IN CONFLICT CONFERENCE

**The Hon. ANNE LEVY:** I seek leave to make a short statement before asking the Minister of Lands, representing the Minister of Community Welfare, a question about the Children of Parents in Conflict Conference.

Leave granted

**The Hon. ANNE LEVY:** Honourable members may know that in 10 days time a large conference will take place in South Australia on the topic of children of parents in conflict. I am sure everyone will agree that this conference, which is being organised by the Community Welfare Department and the Family Law Council of

Australia, will be a very worthwhile contribution to the International Year of the Child. It will be a very large and important conference with a number of overseas speakers taking part. Therefore, the costs of running such a conference will be fairly high and, in consequence, registration for the conference is not inexpensive. However, I believe there has been a great demand for tickets for the conference, which I am sure will be a great success. It has been brought to my attention that the Minister of Community Welfare has offered a number of free tickets for the conference to certain community groups whose members are not able to afford the registration fee. I understand this will include organisations such as the Council for the Single Mother and Her Child and various women's shelters. Can the Minister of Community Welfare provide a list of the number of free tickets that have been issued for this conference and the community organisations that I am sure will benefit greatly from this generosity?

**The Hon. J. R. CORNWALL:** I will refer the honourable member's question to my colleague and obtain a reply.

#### NORTHFIELD RESEARCH CENTRE

**The Hon. C. M. HILL:** I wish to ask the Minister of Agriculture a supplementary question on this matter. As I believe that the Agriculture Department was at one stage considering the establishment of a new wholesale fruit and vegetable market on the land at Northfield, can it be assumed that the Government has given up all plans for that form of development in the future?

**The Hon. B. A. CHATTERTON:** The proposal to relocate the East End Wholesale Fruit and Vegetable Market at Northfield depended on the use of that particular site for educational purposes. That was the reason for relocating the wholesale market to a site at Northfield. The changes in Commonwealth funding for education have now meant that the proposed educational purposes for the East End Market site have disappeared completely, so there is now no urgency or any foreseeable need to relocate the market to Northfield. A study has also been undertaken by the Agriculture Department and others resulting in a report showing that it would be more economical to upgrade the existing market than to move it to another site, and that this would be a much better solution to the problems being encountered at present by wholesale fruit and vegetable sellers. Experience gained in other States has shown that new marketing complexes are very expensive to build and service and that, because they have limited uses, they are costly to run.

I think the recent experience in other States, where large new marketing complexes that have been built have proved very costly, is an experience from which we can learn in South Australia, and we should look at a much more modest scheme to upgrade the facilities already in existence at the East End Market.

#### Dr. FORBES

**The Hon. N. K. FOSTER:** I seek leave to make an explanation before asking the Leader of the Opposition a question about an appointment as Director of the Commonwealth Serum Laboratories.

Leave granted.

**The Hon. N. K. FOSTER:** I was shocked, amazed, and astounded on Friday last to learn through the media that Dr. Forbes, a member of the Federal House for some 20

years, a Minister for the Army who could not supply boots to the Army, and a former Minister for Health, among other things—

**The Hon. R. C. DeGARIS:** On a point of order, Mr. President, I have just heard quite a vile reflection on the character of Jim Forbes and a suggestion that he could not supply boots for the Army. I ask that the remark be withdrawn.

**The PRESIDENT:** Order! I have looked at Standing Order 107, and it seems that the question is out of order. Standing Order 107 provides:

At the time of giving notices questions may be put to a Minister of the Crown relating to public affairs; and to other members, relating to any Bill, motion, or other public matter connected with the business of the Council in which such members may be specially concerned.

The question has no relationship to any business being conducted.

**The Hon. N. K. FOSTER:** Then, Sir, might I direct a question to the Leader of the Council on the matter of the appointment of a Director to the Commonwealth Serum Laboratories? I thought that the matter on which I intended to direct a question to the Leader of the Opposition was within the ambit of Standing Orders. It is a matter of vital concern to the public, as I will spell out if I am given leave.

**The PRESIDENT:** I rule the question out of order, and I suggest that the matter should be taken up privately with the Hon. Mr. DeGaris.

**The Hon. N. K. FOSTER:** I wish to direct a question to the Leader of the Council. I am sorry, Sir, if you were interrupted, but I bow to your ruling, and I now seek leave to direct a question to the Leader of the Council on the appointment of a Director to the Commonwealth Serum Laboratories.

Leave granted.

**The Hon. N. K. FOSTER:** I thank the Council for leave, in the hope that it will not be aborted. I was amazed last week to learn that Jim Forbes had been appointed, of all things, Director of the Commonwealth Serum Laboratories, a position which traditionally has been occupied by members of the medical profession, veterinarians—

**The Hon. Anne Levy:** Scientists.

**The Hon. N. K. FOSTER:** Scientists, if you want to put it that way, if you want to get on the university education pedestal again. Putting it in layman's terms, the post has always gone to a person in the categories I have mentioned; perhaps I should have said "scientists". I understand that Dr. Jim Forbes was a lecturer in philosophy and politics at the Adelaide university, and was renowned for getting the No. 1 mark during the course of his education at the Adelaide University. He was a Minister for the Army. There was a removal from that portfolio over a great scandal regarding boots being made available to the troops.

**The Hon. F. T. Blevins:** Not being made available.

**The Hon. N. K. FOSTER:** Yes, not being made available. I thank the Hon. Mr. Blevins for the correction. Dr. Forbes was a former Minister for Health, and was removed from that portfolio, if I remember correctly, by John Gorton, for incompetence. He has been and still is, I think, on the pay-roll as adviser to a Liberal politician.

**The PRESIDENT:** Order! The biographical details are hardly necessary in explaining the question.

**The Hon. N. K. FOSTER:** Very well, Mr. President. Dr. Forbes has also been a very capable hack man in the last two Federal elections. I am praising him, so you should not take objection, nor should members opposite. He has been a very capable hack man, although he refused to

serve in that capacity on a Saturday or Sunday in Melbourne, because he likes to play golf in Adelaide at the weekend. That is his sporting side. He criticised my appointment to a certain position in 1972-73. I could talk about the people on the other side and on their side of politics in relation to favours—

**The Hon. J. C. BURDETT:** On a point of order, Mr. President, Standing Order 109 provides:

In putting any question, no argument, opinion or hypothetical case shall be offered, nor inference or imputation made, nor shall any facts be stated or quotations made including quotations from *Hansard* of the debates in the other House, except by leave of the Council and so far only as may be necessary to explain such question.

I suggest that these facts go much further than is necessary to explain the question.

**The PRESIDENT:** I accept the point of order. I believe that the honourable member has had sufficient time to explain his question. He is not getting anywhere near an explanation in the way he is framing the question. I suggest that he should proceed to ask the question.

**The Hon. N. K. FOSTER:** That is a suggestion. I hope I may be given a little latitude, because I never like taking it without the nod from you, but inherent in the question will be the man's capability for the post to which he has been appointed.

*The Hon. J. C. Burdett interjecting:*

**The Hon. N. K. FOSTER:** Did you call "Question"?

**The PRESIDENT:** Order! I will call "Question". The honourable member will ask his question or resume his seat.

**The Hon. N. K. FOSTER:** I accept that from you. Will the Leader of the Council say, first, what qualifications he considers Dr. Forbes has for the very high and responsible position of Director of the Commonwealth Serum Laboratories? Secondly, is this not a departure from the appointment of all previous Directors, having in mind the qualifications of those previous directors? Thirdly, will the Minister ascertain whether or not Dr. Forbes had been appointed merely to receive a salary and only to be a figurehead for that purpose in this position? Finally, what person or persons, if any, with the capabilities necessary to this most responsible position, will be appointed to ensure that the Commonwealth Serum Laboratories will in fact be able to continue to function under the newly appointed Director?

**The PRESIDENT:** I hope the Minister's reply will not be as long-winded as the explanation has been.

**The Hon. C. J. SUMNER:** I am never long-winded, Mr. President. This question raises the whole Fraser Government policy of jobs for the boys. We all recall the 1975 election campaign when, in his policy speech, Mr. Fraser, along with a few other fraudulent election promises relating to not being a tourist, and other things, said, to great cheers from his supporters, that there would be no more jobs for the boys. Apparently he was reflecting in some way on the policy of the Whitlam Government. Since he has become Prime Minister, in addition to breaking a whole lot of other promises, he has outdone by a long way Labor's best efforts on jobs for the boys. One has only to look at the examples of the jobs that have been handed out.

The most recent case is that referred to by the honourable member concerning Dr. Forbes, a former Liberal member for South Australia, and a former Minister of the Crown in the Federal Liberal Government. He was appointed to the Commonwealth Serum Laboratories as Chairman of the commission. I have no idea, in answer to the honourable member's question, what qualifications Dr. Forbes has for that job; I suspect it

would not be many. I do not know whether it is a departure from the nature of previous appointments, but I imagine that it is. It is a purely political appointment. I do not know exactly what salary Dr. Forbes will receive for that appointment. The press report referred to about \$9 000 a year, but that is in addition to the fee that he receives as a research officer for one of the Federal members of Parliament whose office is in the A.M.P. building across North Terrace. They are the specific answers to the honourable member's question but, in terms of jobs for the boys that the Fraser Government has indulged in, one needs refer only to the appointments of Mr. Cotton as Consul-General to New York, a former Minister in the Federal Liberal Government; Mr. Nigel Bowen, now the Chief Judge of the Federal Court of Australia, a former Minister in the Federal Liberal Government; Mr. Freeth, initially appointed as Ambassador to Tokyo, who then received a further subsequent ambassadorial appointment, and he was a former Minister in a Liberal Government; Mr. England—

**The PRESIDENT:** Order!

**The Hon. C. J. SUMNER:** —a Country Party member appointed Administrator of the Northern Territory—

**The PRESIDENT:** Order!

**The Hon. C. J. SUMNER:** —shortly after the Fraser Government took office—

**The PRESIDENT:** Order! The Minister has departed a long way from the answer that was required of him after a very long explanation by the Hon. Mr. Foster. I do not believe that it is necessary to play this type of politics with every question that is asked.

**The Hon. C. J. SUMNER:** I cannot agree with you more, Mr. President. The simple fact is that this question raised by the honourable member quite properly dealt—

**The PRESIDENT:** It dealt with Dr. Forbes.

**The Hon. C. J. SUMNER:** Yes, I agree, and I have dealt with that matter. It also deals with the whole question of political appointments by the Federal Government, and I have been giving some examples. The final example is that of Mr. Coleman, the former Leader of the Opposition in New South Wales who, after a disastrous defeat at the recent New South Wales election, was appointed Administrator of Norfolk Island. Regarding the appointment of Dr. Forbes, Mr. Fraser has proceeded willy-nilly to break a whole host of other promises: he has broken his election manifesto that there would be no more jobs for the boys.

**The Hon. R. C. DeGARIS:** I seek leave to make a brief statement before directing a question to the Attorney-General about the same matter that we have been talking about.

**The Hon. F. T. Blevins:** On what subject? That is not good enough.

**The PRESIDENT:** Is leave granted?

**The Hon. F. T. Blevins:** No; not on that basis. Let him do it properly.

**The PRESIDENT:** Leave is not granted. The Hon. Mr. DeGaris will have to ask his question.

**The Hon. R. C. DeGARIS:** As the Attorney-General is an expert on political appointments and has expressed views about them from the top of his head, will he comment on the appointment of Mr. Foster as troubleshooter for Mr. Clyde Cameron after Mr. Foster's defeat in the Commonwealth election; the appointment of Mr. Barnard as Consul to Sweden; the appointment of the son of Jim Cairns as Dr. Cairns' assistant in the Federal sphere; the appointment of the son of Senator Cavanagh as the Senator's personal assistant; the appointment of the former Commonwealth Attorney-General, then Senator Murphy, to the High Court; the appointment of Mr.

Hawke and Sir John Egerton as Directors of Qantas; the appointment by this Government of Mr. Ernie Crimes to the Savings Bank Board; the appointment of Mr. Shannon to the Transport Board; the appointment of Mr. Hutchens to the electricity supply organisation in South Australia; and many more similar appointments?

**The Hon. C. J. SUMNER:** I am perfectly willing to comment on those appointments. Simply, those appointments were made by Labor Governments.

**The Hon. C. M. Hill:** You held one of them.

**The Hon. C. J. SUMNER:** Yes, and I did a good job, too. I do not mind commenting on those appointments. Certainly, those appointments were made. I am not necessarily critical of them. I told the Council that Mr. Fraser, who doubtless had appointments in mind, probably decided that he would make some political capital from this issue. With great fanfare and cheers from his supporters (the Hon. Mr. Hill was there in the front row cheering him on), he said there would be no more jobs for the boys. That is what he said, presumably having in mind the sort of appointments that the Hon. Mr. DeGaris has mentioned.

In appropriate cases such appointments are very useful, but I am at pains to point out that Mr. Fraser said that there would be no more such appointments. Contrary to that promise and that is not the only promise that he has broken (as Opposition members are fully aware), he made several appointments, some of which I have indicated to the Council this afternoon.

#### BALCANOONA STATION

**The Hon. F. T. BLEVINS:** I seek leave to make a brief explanation prior to asking a question of the Minister of Environment about national parks.

Leave granted.

**The Hon. F. T. BLEVINS:** The Government recently announced that it intended to purchase Balcanoona Station in the Flinders Range to add it to the Gammon Ranges National Park. Of course, that is an admirable action because it will create a huge wilderness area which will be one of the best in Australia. At the time he made the announcement, the Minister said the station would be leased for pastoral purposes for about five years or until the area was dedicated. Does this imply that the Government is considering the introduction of the English-style national park to South Australia?

**The Hon. J. R. CORNWALL:** The short answer to that question is "No", it is not. Because short answers do not seem to be the order of the day, perhaps I should expand a little on that statement. The opportunity arose for the Government to buy Balcanoona at a realistic price but, as insufficient money was available in the foreseeable future for the operation and management of the area, it was decided that, rather than miss the chance to buy the station, it was more appropriate to place the land under Government ownership and continue the pastoral operation for the time being, at a substantially reduced stocking rate. The question of English-style national parks or alternative ways of bringing land under a measure of control without placing it under public ownership are both worthy of review, but no specific action is currently being taken along these lines by the Environment Department. However, I understand that the State Planning Authority has instituted management agreements with landholders to ensure that land in private ownership is maintained in its natural state.

**The Hon. F. T. BLEVINS:** In view of the answer just given by the Minister concerning national parks, I ask

what is the Government's intention regarding the purchase of more land for national parks. Have the responsible financial restrictions adhered to by the Premier resulted in any change to the Government's policy on land purchases?

**The Hon. J. R. CORNWALL:** In general, the Environment Department favours the consolidation of management of existing reserves, rather than the purchase of more properties. Commitments have been made regarding Deep Creek Conservation Park. Loan funds have been provided to allow for the progressive purchase of the balance of the land designated for the park.

In addition, the Government has the ability to expand the coverage of the General Reserves Trust, which would enable the trust to allocate funds to expand the parks under its control. This was the case with Balcanoona Station. The General Reserves Trust recommended to the Government that the station be bought and authorised the allocation of the appropriate funds.

**The Hon. C. M. HILL:** Will the Minister say how much money is involved in the purchase price of Balcanoona Station? I ask this question in view of the fact that public money is involved.

**The Hon. J. R. CORNWALL:** It is not only public money that is involved but also it is public knowledge as to how much we are paying for it: \$360 000. We are interested in the range country only from a national parks viewpoint. It will increase by 400 per cent the size of the existing range national park, but there is an area of flat country which is very good grazing country and which will be surplus to our requirements. It will be available once the purchase has been completed. It will be available for purchase and we will be very interested if the Hon. Mr. Hill would like to put in a bid along with other bidders.

#### NUT FARMS

**The Hon. ANNE LEVY:** I seek leave to make a brief statement prior to directing a question to the Minister of Agriculture regarding nut farms.

Leave granted.

**The Hon. ANNE LEVY:** I have been approached by some people who have received in the mail some brochures from an organisation calling itself "Nut Farms of Australia". Apparently, this is a company based in Perth, Western Australia. It is encouraging people to invest in nut production, which this company is supposed to be undertaking some distance north of Perth. The brochures state that, for a certain sum of money, investors will purchase some trees, consisting of five pecan trees, five chestnut trees and 50 black walnut trees. The cost of this is either \$1 750 if paying cash or \$275 deposit and monthly payments of \$47.50 for a period of three years, totalling \$1 975. They state that the investment can be purchased on interest-free terms, which seems to be playing with words somewhat, in view of the figures quoted. It is also supposed to be an investment which beats inflation, provides income, and is fully secured. Further details suggest very high financial returns for those who invest in this organisation.

People who have spoken to me are concerned as to the feasibility of such a development, not knowing the situation in Western Australia where the production is to take place. They wish to ascertain whether the South Australian Government can give them any information either regarding this organisation or whether it is a proper and reasonable investment for their money.

**The Hon. B. A. CHATTERTON:** People should be very cautious with investment in Nut Farms of Australia. As the honourable member has pointed out, literature has

been forwarded to people in a number of Adelaide suburbs. My department has been in touch with the Western Australian Agriculture Department to see whether it has any information or whether it has done any studies on this venture. The reports we have obtained from that department cast some doubts on the claims about production put out in the brochures. It disturbs me that the publicity, as put out by the Nut Farm group stated (I am not sure whether it states it currently, but it has done) that the enterprise had been studied and endorsed by the Western Australian Agriculture Department. That has never been the case. Although the Western Australian Agriculture Department has considered the scheme, it has never endorsed it. This cast some doubts on its practicability in some areas. It is misleading for the company to give the impression that it is being supported or endorsed by the Western Australian Agriculture Department. As doubts have been expressed by that department, people should treat it with considerable caution.

### BALCANOONA STATION

**The Hon. T. M. CASEY:** I seek leave to make a brief explanation prior to directing a question to the Minister of Environment about Balcanoona Station.

Leave granted.

**The Hon. T. M. CASEY:** Regarding a question asked a few moments ago by the Hon. Mr. Blevins about Balcanoona Station, I point out that it is east of Copley; it borders on Nepabunna Reserve. I know the country well; it has always been a very good pastoral holding country. I was interested that the Minister said that the department intends to stock the area until it becomes a national park. Will the stock consist of sheep or cattle? Primarily sheep are running on that country now and always have been. Is it the department's intention to continue running stock? I refer here to cattle because cattle in most cases enhance the country; that can be proven from records kept by the Pastoral Board. Will the Minister maintain cattle on Balcanoona Station if it is dedicated as a national park? Will he consider running cattle on Oraparinna station? There are areas on Oraparinna where cattle could be run without detriment to the park as a national park. Revenue could be derived for the Government to assist in maintaining national parks.

**The Hon. J. R. CORNWALL:** With regard to the stocking of Balcanoona Station, that will be a decision taken by the National Parks and Wildlife Division, acting in conjunction with the Pastoral Board. As to whether sheep or cattle will be run, that will be a matter for negotiation between the short-term lessee of the property and the National Parks and Wildlife Division. With regard to the second question as to whether more sheep will be run on the area once dedicated or whether there is any intention to stock Oraparinna, the answer is "No".

### STANDING ORDERS

**The Hon. F. T. BLEVINS:** I direct my question to you, Mr. President. Standing Order 193 provides, in part:

The use of objectionable or offensive words shall be considered highly disorderly.

Certainly, I do not have (indeed, a person with my attitude to life could not have) a thin skin. However, I have been concerned about some of the words that were uttered by the Hon. Mr. Hill yesterday and by the Hon. Mr. DeGaris today.

The Hon. Mr. Hill, quite distinctly and clearly, on a

couple of occasions, called an honourable member on this side of the Chamber who happened to be speaking at the time a hypocrite. That was quite audible and was heard by everyone in the Chamber including, with respect, you, Sir.

The Hon. Mr. DeGaris, obviously taking encouragement from this leniency relating to the breaking of Standing Orders, repeated the performance today, when twice he said this of the Leader of the Council.

Has the word "hypocrite" suddenly become Parliamentary; is it unparliamentary when used by Government members only, or, as I think it should be under Standing Orders, is it unparliamentary when used by members on both sides of the Council?

**The PRESIDENT:** I think the honourable member is saying that he disagrees with the manner in which the debates have been conducted and is suggesting that I am not controlling the debates to his satisfaction. I point out to the honourable member that the conduct of this Council is largely the prerogative of honourable members themselves. I try my utmost (and this is a difficult task, as the honourable member would realise) to hear every word that is uttered and to pass an immediate opinion thereon if necessary. Personally, I do not agree that the word "hypocrite" should be bandied across the Chamber. However, worse words have been used in the Council and, for the sake of allowing the debate to continue, I have allowed honourable members to use some words that perhaps should not have been used.

However, I take the honourable member's point and, if it is his desire (as obviously it is; otherwise he would not have asked the question), I will do my best to halt the debate in future when I consider that a word has been used out of place.

### SUPPLY BILL (No. 2)

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

**The Hon. C. J. SUMNER (Attorney-General):** I move:

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

It provides for a further \$270 000 000 to enable the Public Service to carry out its normal functions until assent is received to the Appropriation Bill. Honourable members will recall that it is usual for the Government to introduce two Supply Bills each year. It is expected that the authority provided by the first Bill, which was for \$220 000 000, will be exhausted late in August. The amount was the same as that provided in the first Supply Bill in 1978. The amount of this second Bill (\$270 000 000) is the same as the second Supply Bill in 1978 and is estimated to cover expenditure until debate on the Appropriation Bill is complete and assent is received. The Bill provides the same kind of authority as has been granted in the Supply Acts in previous years.

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

### SELECT COMMITTEE ON CONSERVATION AND USE OF FUELS AND ENERGY RESOURCES

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

That the time for bringing up the Select Committee's report be extended to Wednesday 31 October 1979.

Motion carried.

**FOOD AND DRUGS ACT**

Order of the Day, Private Business, No. 2: Hon. N. K. Foster to move:

That the food and drugs regulations, 1978, made on 21 December 1978 under the Food and Drugs Act, 1908-1976, and laid on the table of this Council on 6 February 1979, be disallowed.

**The Hon. N. K. FOSTER:** As the Joint Committee on Subordinate Legislation has decided to take no further action to disallow the regulations, I move:

That this Order of the Day be discharged.

Order of the Day discharged.

**FOOD AND DRUGS ACT**

Order of the Day, Private Business, No. 4: Hon. C. M. Hill to move:

That the food and drugs regulations, 1978, made on 21 December 1978 under the Food and Drugs Act, 1908-1976, and laid on the table of this Council on 6 February 1979, be disallowed.

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

That this Order of the Day be discharged.

Order of the Day discharged.

**BUSINESS FRANCHISE (PETROLEUM PRODUCTS) BILL**

Adjourned debate on second reading.  
(Continued from 7 August. Page 363.)

**The Hon. M. B. DAWKINS:** I rise to speak briefly to the second reading of this Bill. Having had a good opportunity to look at the Bill, I am well aware of its shortcomings and of the improvements that I believe can, and I hope will, be made to it in Committee.

I commend my colleagues the Hon. Mr. Griffin and the Hon. Mr. DeGaris for the thoughtful and well researched speeches that they made on the Bill, and also for the way in which they highlighted its deficiencies, which will be improved by amendments that have been signposted by those honourable gentlemen.

I do not wish to repeat what has already been put so clearly to the Council, with the exception of underlining the unfairness of yet another tax in the form of a \$50 licence fee on private resellers, and not on the "big people". I understand from private resellers that they already must pay taxes, in the form of their licence fees. This \$50 fee is a further imposition on what would be regarded as the middle man or the small man, the independent reseller. This tax does not apply to the big oil companies and, to my mind, that is quite unfair.

Also, I refer to the use of petrol by non-road users, a matter which was referred to by the Hon. Mr. DeGaris yesterday and which I should like to underline.

The use of diesel fuel for non-road purposes is provided for in the Bill. Unfortunately, the non-road use of petrol will still attract a fuel tax if the Bill is left as it is. I underline the fact that many people use stationary engines and that many people use fishing boats, which are powered by petrol-driven engines. This is certainly so with small tractors, particularly on fruit blocks. Some of these tractors are fairly old, perhaps because the person concerned is not in a financial position to replace them. Quite a lot of these older tractors are petrol driven or certainly partly petrol driven. Again, there are non-road

vehicles which are frequently petrol driven and are used on farms and stations, and have little or no road use. I underline and emphasise these faults that are in the Bill as it now stands. These faults need to be altered. With that qualification, I support the second reading of the Bill.

**The Hon. C. W. CREEDON:** I, too, support the Bill, but that does not mean that I want to see people taxed just for the sake of taxing them. The States have divested themselves of the one-sided tax which was applicable to the heavy transport industry. They now find themselves in the invidious position of being short of the funds that are necessary if we expect to keep our highways and roads in reasonable condition. The Federal Government could help.

The Federal Government receives large sums in excise from the importation of oil and, of course, from the oil that comes from our own Bass Strait fields. The Federal Government is no doubt using that money to help overcome its budgetary problems. I believe that motor spirit fuel costs between 26c and 30c per litre at most service stations within the Adelaide metropolitan area. Of that, the Australian Government takes 14c per litre. It is all very well to try and discourage the unnecessary wasteful use of our energy resources, but the excise reaped in that exercise should be shared with the States, which are mostly responsible for the building and maintenance of roads. In the *News* of Tuesday 7 August, Rex Jory is reported as saying:

Every extra dollar the OPEC nations increase the price of a barrel of crude oil, the Government reaps another \$145 000 000. The oil cash bonanza became a reality in the autumn mini-Budget when the Government decided it would pocket the difference between locally-produced oil and the international price, rather than let oil firms use it for exploration and development. Government sources estimate the policy change will bring the Treasury \$1 900 000 000 during 1979-80 at current international prices. The cash is collected by the oil companies which hands it over—no doubt with some reluctance—at the rate of \$5 000 000 a day. At present the Government has used the lower end of the Saudi Arabian price structure to set the price of oil at \$18.66 a barrel. But the oil industry is confidently predicting that by the end of the year this price will soar to around \$27 a barrel. It could even get to \$30 a barrel. This would push the price of petrol towards 44 cents a litre or \$2 a gallon by early next year. But from the Government's point of view, it would almost double the present income from indigenous crude oil probably netting the Government an extra \$1 800 000 000. This would bring the Government's income from oil to a massive \$3 700 000 000.

I point out that taxing by various Governments in any one country of any one product is not a new thing. I will now cite a few examples of that. First, I will start reasonably close to home with New Zealand. Under the Local Authorities Petroleum Tax Act of 1970, local authorities in New Zealand were entitled to collect 0.66c per litre on petrol and half that amount on diesel fuel. Additionally, a motor spirits tax applied until 1975 and appears to have been levied at the rate of 5c per litre. This tax was paid into the national roads fund for the construction of main highways.

Since 1975 a more substantial rate has been levied, and the surplus appears to have gone into general revenue. Thus, to 31 March 1978, motor spirit tax credited to the national roads funds amounted to \$107 000 000 and to general revenue \$143 000 000. Diesel-powered vehicles paid a distance tax equivalent to the national roads fund arising from the motor spirit tax.

In Great Britain both an excise and a value added tax

applied to hydrocarbons for propelling road vehicles. Whereas the general rate of that was 8 per cent, it was 12½ per cent for hydro-carbons. That tax has risen significantly since the recent British Budget. An *Advertiser* report of 4 November 1978 indicated that Britain was going to scrap car registration fees and in their place raise the price of petrol by an eventual 8c per litre by tax.

In the United States of America as at 1 January 1978 all States had a State sales tax of excise on petroleum products for motor vehicles. The details of those taxes vary between the States and the rate of the tax per gallon varies from 5c to 11c per gallon. It should be remembered that the United States gallon is smaller than the imperial gallon. The crude average rate was about 5c per gallon, or about 2.5c per litre.

The first percentage excise was enacted by Washington State, to take effect on 1 January 1978 at 21.5 per cent of the average retail price (excluding State and Federal excise). Additionally some States legislated to allow local authorities to levy a tax on motor fuel. This amounted to 4 per cent in one case and 1c per gallon in another. A Federal excise also applies, although I do not know its current rate; according to an *Advertiser* report dated 6 August 1977 it was then 4c per gallon. That report also dealt with the rejection by Congress of a proposal by President Carter to increase the tax by 5c per gallon.

Energy policy at the Federal level, including taxes on motor fuel, has received much press attention in the last few months, but I have not seen any report on the current level of Federal excise. In Canada the taxation of motor fuels has been an important source of provisional revenue. In almost every province, licences or permits have been required for garages, and motor fuels have been taxable at the point of sale. Total provincial revenue in 1974 for motor fuel totalled \$1 438 000 000 on a consumption of 6 675 000 000 gallons of gasoline, 971 000 000 gallons of diesel oil, and 12 000 000 gallons of l.p.g. The average provincial fuel tax for 1974 was about 19c per gallon, or about 5c per litre.

As I have said, there is nothing new about fuel tax. It would be better if it were imposed by the Federal Government in a uniform fashion rather than piecemeal across the country by the various States. If imposed by the Federal Government, it would at least treat all Australians equally. The levy is to replace the road tax or ton-mile tax, and is to be adopted in consequence of the truckies blockade earlier this year.

The road maintenance tax grossed about \$5 000 000 and netted about \$4 300 000 per annum. The levy is estimated by the Minister to gross about \$14 000 000 per annum, but will to some extent be offset by the registration fee reductions for car owners.

If the Bill is passed into law in the form explained by the Minister, it will impose a tax in the form of licence fees on petrol sellers. The reason for imposing the tax in the form of licence fees is to avoid having it struck down for being an excise, and therefore unconstitutional. Only the Commonwealth may impose an excise, but the States may impose such turnover-based licence fees.

Something must replace the revenue lost by dropping road maintenance tax, which was a significant contributor to the Highways Fund. The levy is the most equitable way of replacing the lost revenue, given that the Commonwealth has refused to collect an extra fraction on its petrol excise to reimburse the States, because there are similar sorts of licence fees levied in relation to liquor outlets (under the Licensing Act), and tobacco outlets (under the Business Franchise (Tobacco) Act), while a similar type of levy relating to petrol sales was raised under the Business Franchise (Petroleum) Act of 1974, which was repealed in

1975. The levy is cheap and simple to administer and, unlike road maintenance tax, should not be prone to evasion and avoidance.

The levy proposed in this Bill follows the example set by Victoria in its recent legislation. We are hoping that there will be some uniformity among the States, so that a successful challenge on constitutional grounds is less likely. If we take into account the offsetting effect of the reduction in registration fees proposed for car owners, the average motorist will be no worse off. The increase in registration and the higher levy on distillate will ensure that the trucking industry makes some useful payment to the roads fund.

**The Hon. C. J. SUMNER (Attorney-General):** I thank honourable members for the attention they have given the Bill. I think most members have expressed support in general terms for the concept of this method of replacing the existing ton-mile tax, so the matter turns substantially into a Committee Bill, and debate on the specific amendments foreshadowed by members opposite can take place at that stage.

I should like to canvass briefly a number of points of a general nature that were raised. Following the commitment by the various State Governments after the truckies' blockade, a commitment to remove the road maintenance tax, which was initially suggested by Queensland in response to the blockade, although the Minister of Transport in this State had, for some years prior to that, been asking for action on this tax through ATAC, officers of the various States considered the alternatives available to their Governments to recoup the revenue lost from the road maintenance tax. That tax, I think, was considered by most people to be an unfair tax and unsatisfactory, in that it involved considerable costs in enforcement.

Looking for suitable alternatives, they canvassed many possibilities. The first and most obvious was to ask the Commonwealth Government to levy a further excise on motor fuel and to reimburse the States for the amounts lost under the road maintenance tax. That course was unacceptable to the Federal Government, although it would have been the simplest and certainly the most constitutional of the methods available.

Given that the Commonwealth Government was not prepared to co-operate in that exercise, the States had to look at alternative methods, and they have come to the conclusion that this method is most satisfactory: that is, a licensing system for wholesalers and retailers of petrol based primarily on a licence fee, which in turn is based on the value of goods sold. That legislation, which is similar in effect to the Bill now before us, has been passed by the Victorian Government. Clearly, there is considerable merit in there being as much uniformity as can be obtained between the States. Victoria being a neighbouring State, we are commercially more bound up with that State and with New South Wales than with other States. This would seem to be a compelling reason for uniform legislation in Victoria, New South Wales, and South Australia particularly. This legislation follows the Victorian example, I am told, almost exactly.

The question of uniformity is something that is desired by the oil companies which have the responsibility of collecting the tax. The Shell Company wrote to the Minister of Transport and, after expressing concern that there should be another tax (obviously they are not happy about that aspect of it), they say that it is the only way in which the States can recoup the revenue lost as a result of the abolition of the ton-mile tax. On the question of uniformity, they make the following comment:

It would obviously be essential for tax rates to be uniform



Australia-wide to obviate border-hopping and consequent distortions and evasions. Uniformity signifies equitable treatment of all road users.

Clearly, it would be unfortunate if different systems were adopted by different States and if different rates were applicable in the different States. The economies of those three States particularly are closely bound up, and it could reflect adversely on one or other if different tax rates applied, particularly in those States.

There is the constitutional question, and although it would not affect the States' legal considerations, it would be technically advantageous before the court if the legislation were ever challenged for there to be uniformity amongst the States, and for the States to appear before the court with one voice on the legislation.

A number of criticisms were made. The first was that the Bill does not declare the amount of the tax. I do not believe that statement is correct. The Bill does declare the amount of the tax—a fixed figure of \$50 for a licence, and then a percentage of the value of motor spirit (4.5 per cent) and diesel fuel (7.1 per cent). So, there is a fixed percentage of the value provided for in the legislation.

**The Hon. J. C. Burdett:** Who determines the value?

**The Hon. C. J. SUMNER:** It is determined by the legislation up to the wholesale maximum price fixed in South Australia by the Prices Commissioner, or a lower figure if the Minister so decides. When it is said that the Bill does not declare a fixed amount of tax, that is not true. There is a maximum declared upon which the percentage operates, but the Minister may declare a value lower than the maximum value allowed by the Prices Commissioner. So there is a degree of certainty in it, although honourable members opposite sought to indicate otherwise.

Honourable members opposite have suggested that there ought to be a fee per litre, 1c per litre, rather than the percentage of value that has been proposed in the Bill. The Hon. Mr. Griffin suggested that this could not constitutionally involve the legislation in any greater problems, whether the system of fee per litre or the system of percentage of value was adopted.

I am not so clear about that matter. The Hon. Mr. Griffin said he had obtained independent legal advice. The legal advice that we have is that a system of percentage of value is the system that operated with the previous petrol licensing system in this State. That was challenged in the High Court by H. C. Sleigh, but it is the system that has been adopted in relation to the licensing of liquor outlets and was upheld in the Denis Hotels case.

The Opposition's proposition of a fee per litre gets away from the system of percentage according to valuation, and it gets away from the systems that have been endorsed by the High Court. In that sense, it runs a greater risk of having the legislation declared unconstitutional. Honourable members opposite should give careful consideration to that point. Clearly, if the legislation is declared to be unconstitutional, as in the case of excise involving the franchise licensing system, then all the States would be in much trouble maintaining their revenue. It is incumbent upon this Council, if it agrees with the general principles of the Bill and the method of recouping the loss of revenue from the abolition of the road maintenance tax, to do what it can to ensure that the constitutional validity of this measure cannot be brought into question.

I am not saying dogmatically that the method that is being suggested by the Hon. Mr. Griffin of a fee per litre would not be upheld in the High Court, because one cannot be dogmatic about these things. I am saying that it does depart from the schemes that have been held to be valid to date, including the scheme of a licence fee based on a percentage of goods sold. There are several other

minor points relating to the appeal tribunal that I will not canvass now but will deal with them in Committee, after I have examined the amendments to be moved by the Opposition.

Another major problem has been referred to by several members opposite concerning the fee. They claimed that it would fall on users of motor spirit or diesel, whether or not they are road users, so that people who owned boats and primary producers would be affected. I have some sympathy for that position. In regard to motor spirit, it is not possible for the oil companies to devise a system at this stage that would exclude non-road users. Apparently a system operates under the Federal Government with respect to diesel fuel, but not motor fuel (motor spirit). There is no agreement with the oil companies that this can be done. Honourable members must remember that the Government is relying upon the oil companies to collect the licence fee, in this case—

**The Hon. R. C. DeGaris:** Therefore, they can dictate.

**The Hon. C. J. SUMNER:** No, certainly not. Obviously, if one is relying upon a group to collect the fee, one must take into account its views on the matter. I understand from the Minister of Transport that this matter could be looked at in the future by the Australian Transport Advisory Council, and further negotiations could be conducted between the responsible State Ministers and the oil companies over this issue, because a satisfactory scheme is available through the Federal Government with respect to diesel fuel.

We are not excluding that possibility in the future, so that adjustments or exemptions can be made for non-road users, primary producers or boat operators. The important point is that at this time it is not possible to do it.

**The Hon. R. C. DeGaris:** We can do it by amendment.

**The Hon. C. J. SUMNER:** It is not possible to do that now. As honourable members would appreciate, it is important to have this legislation passed at the earliest opportunity. The Government will certainly look at Opposition amendments. That matter has only been raised in the second reading debate in general terms, and I am replying in general terms. The Government will be examining the amendments that are moved. I have covered the major points raised.

I indicate to the Council that, in Committee, the Government will be proposing amendments involving this Bill and the Motor Fuel Distribution Act. The amendments will have the effect of waiving the fees payable for licences and permits granted pursuant to the Motor Fuel Distribution Act. They will provide for the administrative costs of the Motor Fuel Distribution Board being debited against moneys received under this Bill, the Business Franchise (Petroleum Products) Bill, which will preclude the possibility that honourable members have referred to of two licence fees having to be paid. If this amendment is accepted there will be only one licence fee. I foreshadow these amendments. I thank honourable members for the attention they have given to the Bill, and I look forward to seeing its passage through the second reading stage.

Bill read a second time.

**The Hon. C. J. SUMNER (Attorney-General):** I move:

That it be an instruction to the Committee of the whole Council on the Bill that it have power to consider a new clause relating to the Motor Fuel Distribution Act, 1973-1974.

Motion carried.

In Committee.

Clauses 1 to 12 passed.

Clause 13—"Constitution of appeal tribunal."

**The Hon. C. J. SUMNER:** At this stage I would indicate

to the Committee that the amendments have only just come on file. As I would like an opportunity to consider the amendments and discuss them with my colleague the Minister of Transport, I suggest that progress be reported. Progress reported; Committee to sit again.

#### ADDRESS IN REPLY

Adjourned debate on motion for adoption.  
(Continued from 7 August. Page 369.)

**The Hon. R. A. GEDDES:** His Excellency the Governor, when opening Parliament, referred to the loss to the community of four former members of this Parliament: Sir Baden Pattinson, Mr. Justice Travers, Mr. Harding, and Mr. Hawker. I appreciate the services that these men have given to Parliament and the State and pay a tribute to their memory. We have, for the Legislative Council, another member worthy of remembering: the Hon. Jessie Cooper. To me she was a friend and confidant who always took a very great interest in the affairs of Parliament.

She is a great believer in the traditions of Parliament and the Legislative Council, and this was especially evident in the latter stages of her stay in this Council, when she often voiced her private thoughts on the lack of traditional observance of the Standing Orders. The Hon. Mrs. Cooper was extremely fair to all people but her greatest strength lay in her concern that the principles of the Upper House be maintained. Although members can easily remember her stand on the Santos-Bond issue, there have been many other occasions during her term in Parliament when she has voted according to those principles in which she believed. For the Hon. Legh Davis, the future is in his hands. I hope he, too, can maintain the principles of this Council in the long years of service that he can now hopefully look forward to.

The question I ask the Council and the Government is: does the State stagnate or does it try to hold its head above water? Does South Australia become the poor country relation to all the States of the Commonwealth, or will it now show itself as an acceptable place in which to work, to live and to educate the children and find jobs for them? I remember how difficult it was for Sir Thomas Playford, when in his early days as Treasurer this State had to go cap-in-hand to the Federal Grants Commission for additional finance. In those days South Australia was known as a mendicant State. The Treasury was dependent more on the rural sector than on the industrial sector for its income. It was obvious that the State could not get sufficient revenue from State taxes. In consequence it was necessary for the Commonwealth to make additional finance available. However, in making that finance available the State was beholden to the whims and fancies of the Federal Government and the Grants Commission.

The editorial in today's *News* highlights good points made by the Hon. Mr. Tonkin in his speech yesterday in which he pointed out that State taxes now average 500 per cent—

**The Hon. C. J. Sumner:** What is happening in the other States? That is not a fair comment.

**The Hon. R. A. GEDDES:** I consider it adequately fair to report on what the Editor of the *News* stated, not what the Editor of the *News* said about New South Wales and about the shonkiness of Mr. Wrان.

**The Hon. C. J. Sumner:** I am talking about Victoria.

**The Hon. R. A. GEDDES:** I am reporting exactly what

the Editor says: that taxes are 500 per cent higher in South Australia than they were. Does the Minister take that as a criticism?

**The Hon. C. J. Sumner:** You are criticising the Government for having done it.

**The Hon. R. A. GEDDES:** I was not criticising the Government for having done it. Let us be fair—especially the Minister, with his legally trained mind—as to what is reporting and what is criticising. When the industrial revolution took place after the Second World War, with the expansion of General Motors-Holden's, the setting up of Philips Electrical Industries, the Uniroyal motor tyre industry and Chrysler motor cars, along with many other industries that saw a reason at that time to start manufacturing and to employ thousands of workers in South Australia, the increase in finance available to the Government because of its industrial growth made the State (naturally enough) financially sound in its own right.

**The PRESIDENT:** Order! I notice there are two members who could quite easily be sitting closer to those with whom they wish to discuss matters. Unless we hear, everything will get worse and everybody will be walking around and talking audibly in the Chamber. The Hon. Mr. Geddes.

**The Hon. R. A. GEDDES:** When the State was financially sound in its own right, it was no longer mendicant to the Commonwealth. I remind honourable members of the literal meaning of mendicant—begging—and that term applied to the position existing when the A.L.P. took office in 1965. Times have changed, as well they should, and we have seen the pattern altogether through the Walsh and Dunstan era. The business community has made changes in the light of new technology and new demands on its economic strength and viability. Is the economic strength of this State holding its own? Will South Australia move into the 1980's as a financially strong and vibrant place in which to live and work?

Former Premier Dunstan's philosophy was that it would be a vibrant and worthwhile place for industry and the population, but has that philosophy worked? A survey carried out at the end of April by the Industry and Commerce Department shows that funds committed for future major manufacturing and mining projects in Australia totalled \$12.44 billion and, of all the mainland States, South Australia had the lowest sum of money proposed to be invested in its manufacturing and mining fields.

Although I do not wish to bore the Council, I will, in order to prove my point, quote the departmental figures. I refer, first, to Western Australia, where it is intended that \$4 billion will be invested in the mining industry and \$1 billion in the manufacturing industries. The sum of \$1.7 billion is intended to be invested in mining in Queensland, and \$706 000 000 is to be invested in its manufacturing industries. In New South Wales, \$621 000 000 is to be invested in mining, and \$1.24 billion in the manufacturing industries. In Victoria, \$645 000 000 is to be invested in mining and \$1 billion in manufacturing. Even the Northern Territory's figures are higher than those in South Australia, with \$587 000 000 proposed to be invested in mining and \$28 000 000 going to manufacturing. In South Australia, the lowest sum of money, namely, \$119 000 000, is proposed to be invested in the mining industry, and \$136 000 000 is intended to be invested in the manufacturing industries. I remind honourable members that this survey was conducted in April.

I ask the Attorney-General, who criticised me for quoting from the press, whether he can refute those figures. I ask him, as Leader of the Government in the

Council, whether this State can afford to allow every other mainland State to advance while we stand still.

Surely, the Labor Party can cast away the shackles of the Dunstan ideals and start a new page. As a concerned member of this Parliament, I express my concern for the future welfare and wellbeing of this State, because the lead time necessary for any new industry is not an overnight affair. Indeed, in most cases it takes many years for a new industry to become established, and in the mining industry it can be as much as a decade before production and profitability begin.

Can we afford again to become mendicant on the Commonwealth Government for finance? Is the State Government so lethargic that it does not want to change, or is the Government still carrying the yoke of Mr. Dunstan's ideologies and, as a consequence, new industries are loath to start up here?

The stark reality of the figures from the Industry and Commerce Department cannot be ignored and, in spite of all the Gallup polls and popularity ratings, the Government will eventually lose office by default, as its Party members and its faithful A.L.P. voters will feel that they are becoming redundant in the long term. They will be looking for action to make industry and their employment more secure, and they will not be listening to ideologies or philosophies.

**The Hon. M. B. Dawkins:** They'll be like the voters in Great Britain.

**The Hon. R. A. GEDDES:** That is correct, and that could well happen unless this Government realises what it is doing and how the economic strength of this State is failing. It is interesting what people and Governments can do with the resources that they have on hand when they are goaded by incentive and untrammelled by worn-out tradition and prejudices.

I deal now with the conservation of energy. It seems to me that the Commonwealth of Australia is still basking in a euphoria of "it cannot happen here". This is not an unusual attitude for Australians and their Governments to take. This fair land, isolated as it is by distance from the rest of the world and real poverty, is insular and unfamiliar in real terms with how the other side lives, and its experience in the past has been that, when things have gone wrong, something has always turned up to set things right. I refer to such things as Bass Strait oil, Northern Territory uranium, the great bauxite discoveries in Queensland and Western Australia, coal for export in the Eastern States (when only a few years ago experts considered that there was no more coal to be found), the Pilbara iron ore deposits in Western Australia, the proposed Roxby Downs development, and the proposed Dow Chemical development in this State. These are just some of the industries that will provide large overseas income for this nation.

However, in spite of all these wonderful discoveries, the action of the Middle East oil producers in increasing the price of petroleum is having a world effect, and we in Australia are pawns in this international game. We must, when going into the 1980's, either change our lifestyle, which cannot be achieved overnight, or take steps to conserve our energy use as a first step towards a different way of life in relation to the motor vehicle or transport generally.

It is rather disappointing that, in 1977, I reported to this Parliament (in Parliamentary Paper 147), after my overseas study tour, that there was an urgent need for this State to start educating the public on the need to conserve fuel, and how to go about so doing. I said in that report how the State should go about conserving fuel, quoting reports and other things that I observed in Canada, Great

Britain and the United States.

Now, in 1979, with the need more evident, there is still talk and no action. I sympathise with the Hon. Mr. Blevins, who said yesterday that it would appear that, when a member makes speeches in this Council, the only things that absorb them are the walls. So many times honourable members try not to condemn the Government but to report on and make statements in an endeavour to help, because the Government is responsible for the people and it is the people who need help. I am trying to give that help right now. Why is this Government reluctant to grasp the nettle? Why has it not taken action to make the public aware of how Mr. and Mrs. John Citizen can conserve energy in the home, factory and in the use of their motor car? Surely, this Government, which can afford to print information on succession duties and consumer aid, a consumers' guide to gift duty, a local government directory, and information on the licensing of retail tobacconists (to name but a few of the booklets that the Government has distributed), can also afford to publish and have distributed a guide on how John Citizen can conserve petrol, by advising on the correct way for one to drive a motor car in the city and in the country.

Only last night, I spoke to a driver who used to work for the Bonds' tour organisation. He told me how he used to drive a Bonds' bus for six hours over weekends with a diesel fuel consumption six gallons less than that of any other Bond organisation driver. This was achieved by his knowing how to drive the bus, how to be careful with the accelerator and brake, and knowing about all the other factors involved. I make the request for a simple set of guidelines. This Government could well afford to distribute such guidelines, as a result of which John Citizen might get the message.

As the Hon. Mr. DeGaris said, following his return from South Africa, the South African Government has maintained a 3 per cent petrol consumption increase over the last five years, by imposing an 80 km/h speed limit, by imposing very heavy fines, and by educating the public on how to conserve petrol. Similarly, since 1976 Canada has imposed similar provisions in an attempt to reduce its fuel consumption by 10 per cent within a five-year period from 1976.

The State Government's Minister of Mines and Energy, the Hon. Hugh Hudson, has made some excellent speeches and has created graphic word pictures on what will or may happen as our petroleum stocks become depleted and our import bill for petrol rises. However, people do not remember fine words; they need to have more subtle ways of being reminded. That can be done only by advertising in the media, by distributing booklets, and by constantly reminding the public of the problems we are facing and how they can take appropriate action.

On 1 August there was an amalgamation of two principal rural associations in South Australia, when the Stockowners Association amalgamated with the United Farmers and Graziers. The new organisation will be known as the United Farmers and Stockowners Association. This amalgamation came about because of the increased responsibilities faced by representatives of rural bodies as a result of Government legislation and the urgent need for the rural community to be heard with one voice. This amalgamation is not an overnight affair. Many months of committee meetings took place, with each party having to reach agreement by comparing the arguments presented by the various representatives. It is a credit to South Australia and to the rural industry that such a solution has been found and that the new body is now operating. Both sides appreciate that there will be teething problems in the immediate future, but the common sense

that has prevailed during preliminary discussions will, I hope, prevail in the future. I am sure that the Government and the Minister of Agriculture will welcome the new rural voice of the U.F.S.A. As a member of the executive of the old Stockowners Association and now with the new governing council, I merely report this interesting development and wish the new association a long and healthy future.

That concludes my remarks in support of the motion for the adoption of the Address in Reply. Again, I emphasise, as the Hon. Frank Blevins did: is it possible for the Government to take an interest in what members report, where they feel there is concern and where they feel some action should be taken? I support the motion.

**The Hon. J. A. CARNIE:** I rise to support the motion for the adoption of the Address in Reply. Like other members before me, I would like to pay a tribute to the work done by the Hon. Mrs. Cooper in this Council over the past 20 years. It is unfortunate that she felt she had to retire at this time. As I have said, and as other members have said, the contribution she made to this Council and to the people of South Australia during that time was well worth while. I also join with other members in welcoming the Hon. Mrs. Cooper's replacement in the person of the Hon. Mr. Davis. We have not yet heard the Hon. Mr. Davis speak in this Council, but I have heard him speak outside the Chamber on many occasions and I know his calibre. I am sure that, when we hear him speak in this Council later today, members will agree that the Hon. Mr. Davis is a very worthwhile addition to this Chamber.

In speaking about the Hon. Mr. Davis, I want to deal briefly with the contribution made by the Hon. Anne Levy. I regret that she is unavoidably out of the Chamber at this moment and cannot hear what I am saying. In her contribution, the Hon. Miss Levy made a great to-do about the Liberal Party not preselecting a woman to replace the Hon. Mrs. Cooper. Implicit in the Hon. Miss Levy's speech was the fact that the replacement should have been a woman, irrespective of whether that woman was the best candidate. The Hon. Miss Levy is always making a great thing about equality between the sexes.

I sometimes believe that it is a very great pity for women to want to give up so much simply for the sake of equality. Surely, if she wanted equality between the sexes she would want women and men to be treated equally in a matter such as this. That is how the Liberal Party treated the matter. I am sure that State Liberal Party Council delegates voted for the person, not the man and not the woman; they voted for the person they considered to be the best for the job. It would have been a very difficult choice, because of the very high calibre of the candidates. That is all the more credit to the Hon. Mr. Davis that he was successful. It would have been a very great pity if the Liberal Party had followed the Hon. Miss Levy's wish and elected a woman simply because she was a woman. This is really a very trivial matter and I do not propose to take up the Council's time by discussing it any longer. As the matter was raised by the Hon. Miss Levy, I thought it should be clarified.

**The Hon. R. C. DeGaris:** One thing is certain: the Liberals in South Australia had the only female Cabinet Minister.

**The Hon. J. A. CARNIE:** That is true. Turning to a more serious matter, the Premier was reported in yesterday's *Advertiser* as saying that the South Australian economy was showing encouraging signs and appeared to be "about to turn the corner". Later in that same article Mr. Corcoran said that South Australia had experienced a growth in retail sales nearly double the national average.

That was immediately refuted by the Executive Director of the Retail Traders Association as being completely irresponsible and quite wrong. In yesterday's *News*, the Executive Director of the Retail Traders Association, Mr. McCutcheon, said that it was wrong for the Premier to manufacture figures to suit his needs. He said:

The latest figures show the March to March national growth rate was 12.35 per cent. South Australia's growth in the same period was 10.7 per cent, which in no way can be construed as being near double the national average.

This is done far too often by the Premier and by members of his Government. They make statements with no factual basis, and that can be seen in this article. They work on the belief that, if they say a thing loudly enough and often enough, people will eventually believe it. I am very pleased that the Retail Traders Association came out as quickly as it did to refute the false impression given by the Premier this week. In that same article in the *Advertiser*, the Premier also said:

I think these figures underline what I said earlier this year—that South Australia's economic future does not depend on single, one-off bonanza projects.

Instead, I believe the health of our economy and the strength of our recovery depends on the well-being of the industries, like Simpson Pope, that we have already. For our part, the Government's role is to do what it can to help existing industries expand and, of course, to attract new industries—no matter what their size—which will be viable and competitive in the longer term.

Of course, any sensible person would agree that we must keep our present industries. We must see that they remain strong and viable. However, we also desperately need new large projects in this State. One such project which comes immediately to mind (which would provide a huge injection of funds) is the development of Roxby Downs. Anything up to \$50 000 000 a year in royalties would come to the State Government from that development. I suppose it is natural for the Premier to distort the figures and to hide the true facts. All the facts show the appalling mismanagement of this Government over the past 10 years. The profligate spending and the waste was pointed up quite recently in the Public Accounts Committee report on the Hospitals Department.

I have no doubt that there are others, and I see that the Public Accounts Committee wants to investigate the Public Buildings Department. I would be most interested to see what such an investigation would turn up. Only in this morning's paper, we read the report that Monarto losses amounted to \$6 100 000 over the past two financial years. The whole story of Monarto has been one of disaster. Last year, by way of a question, it was pointed out that the assets of the Monarto Development Commission were shown in the Auditor-General's Report at \$25 900 000. The Premier, however, had to admit that, if they were to be sold, the assets would realise only \$6 000 000. Every businessman knows that there comes a time sometimes when it is necessary to cut one's losses and get out. To hold on could result in an even greater loss.

The Monarto Development Commission owes interest. In 1966-67, it owed \$3 085 000 in interest on State and Commonwealth loans and by 1977-78 the figure had increased to \$4 454 000. This cost must continue to escalate. Great play was made about two years ago, when Monarto was scaled down, by the Minister in another place that the commission would be available for outside consultancy work. I might ask a question later on how much outside consultancy work has been done and how much income the commission has received from it. Certainly, it is not a great amount.

The economy of this State is in dreadful shape. There is

an understandable lack of confidence in South Australia, applying not only to large-scale investors from overseas and interstate, who are so essential if the Premier's words are to come true, and if the economy is to turn the corner, but there is also a local lack of consumer confidence. Savings bank and building society deposits per head are higher in South Australia than in the rest of Australia, and the gap is widening. In 1971, savings bank deposits in South Australia exceeded the national average by 10 per cent, but in 1979 the figure had increased to 20 per cent, having doubled in eight years. The growth rate in average building society deposits over the past year exceeded 30 per cent, whilst the national average was 20 per cent.

On the other hand, trading bank deposits are lower in South Australia than in the rest of Australia, meaning that there are lower commercial turnovers and cash flows in South Australia than in the rest of the country. The growth of new business written by finance companies in South Australia is running at minus 7.7 per cent, as compared with the national growth rate of plus 9.3 per cent. The list of this sort of thing goes on and on.

As I see it, unless there is a dramatic turn-around in the economy, the position will snowball and worsen, because we are now losing population and losing jobs. Professor Ted Wheelright, of Sydney University, is not known as an ardent supporter of Liberal politics; in fact, he makes no secret of the fact that he is a Marxist. Nevertheless, he is an economist of some repute, and in an A.B.C. radio *Guest of Honour* programme on 27 May, he said:

... the resource rich States of Western Australia and Queensland come to have more in common with foreign markets and foreign capital than with Canberra; and Tasmania and South Australia begin to depopulate, as their economies stagnate.

That is a fact; we are depopulating. In the 12 months to 31 December 1978, the Bureau of Statistics estimated that overall Australia gained 52 299 people, and South Australia lost 1 724 people in net migration.

The overall growth rate was .55 per cent in South Australia, which is less than half the national average of 1.19 per cent. Taken in conjunction with other factors, this gives the snowballing effect that I mentioned. A lower growth rate means less housing construction. Already, new dwelling construction in South Australia is at an all-time low, being 6 per cent of Australia's total, compared with 11.8 per cent three years ago. Fewer houses means lower sales of white goods and other consumer goods, which means still fewer jobs, which means that more people will move interstate looking for work—and so the vicious circle goes on. I am not talking of something that may happen in the future. It is happening now, and, as far as I can see, it will get worse. In the 12 months from April 1978 to April 1979—

**The Hon. N. K. Foster:** You're always talking about bloody jobs.

**The Hon. J. A. CARNIE:** I believe jobs are important, and we are losing jobs in South Australia. In the 12 months from April to April, New South Wales gained 29 500 new jobs, Victoria gained 7 600, Queensland gained 12 800, Western Australia gained 800, and Tasmania gained 2 000; in the same period South Australia lost 4 200 jobs. Since March 1978, when the South Australian unemployment figure was the same as the national average, which was an appallingly high 6.6 per cent, the position has steadily worsened. In May 1979, 7.5 per cent of the work force in South Australia was unemployed, as compared with the national average of 6.1 per cent.

This Government has a lot to answer for. Since Labor came to office in 1970, the total State tax revenue has

increased by 504 per cent. In the same period, average weekly earnings have increased by 203 per cent, and the rate of inflation by 145 per cent. This Government has been increasing its own income 2½ times faster than the increase in incomes, and 3½ times faster than the inflation rate. The State is near bankruptcy so, while other States are easing taxation, South Australia has been forced to increase taxation and charges. In addition to this burden on the taxpayer, to see the full position we must examine the State public debt.

I return to the Auditor-General's Report, which is now a year old, the new one being nearly due. In 1974, according to the Auditor-General's Report, public indebtedness in South Australia totalled \$1 844 billion; in 1975, \$1 876 billion; in 1976, \$1 918 billion; in 1977, \$2 097 billion; and in 1978, \$2 280 billion. That shows a steady increase in public indebtedness over the past five years of some 8 per cent.

This still is not the full picture because, in addition to the heavy borrowings in its own name, the Government has underwritten other loan moneys borrowed by statutory authorities. I do not know the exact total, but it must be enormous. In 1977-78 alone, loans guaranteed by the Government totalled \$90 850 000, borrowed by more than 30 separate authorities. The effect on taxpayers of this growing debt has been, first, that tax collections have had to increase each year just to meet the interest payments. Secondly, although the total tax revenue has increased by 504 per cent over the past nine years, even this has not been in proportion to the cost of the interest charges.

Over the past three years debt charges paid by the Government have been \$95 per capita in 1975-76, \$110 per capita in 1976-77, and \$124 per capita in 1977-78. Payments on public debt were so high in 1977-78 that they accounted for all collections of land tax, stamp duties, succession duties, gift duty, business franchise costs, liquor tax, racing tax and 12 per cent of pay-roll tax. All those taxes go to service debts. In fact, the debt charges paid in 1977-78 exceeded the total health budget by 11 per cent. I mentioned earlier, and honourable members know, the amount of waste in the health budget; in fact, that amount is even greater.

South Australia is a business, and the Government is the biggest business in the State. Like any other business it must be run on sound business lines, and it is not sound business to continue borrowing until the stage is reached when it is necessary to pay interest on earlier borrowings, which is what this Government has been doing. It is all very well for the Premier to pay lip service to the fact that the economy must be first priority; he has been paying such lip service. What people of this State and overseas and interstate investors want to see is some tangible evidence that he means what he says, and this is what we have yet to see. I support the motion.

**The Hon. N. K. FOSTER:** I support the motion. Much has been said about Mrs. Cooper, who by her own wishes was elected to this Chamber and who has now retired. She did contribute something to this Chamber. It was an honour to be the first woman in a Chamber that denied women a vote. That can never be denied.

Secondly, I congratulate the new member, the Hon. Mr. Davis, who is here as a result of this Government's integrity. If it was not for the fact that this Labor Government honours its word, perhaps the position would be somewhat different, and history clearly points to that.

Yesterday in the Chamber honourable members opposite suggested that South Australia should mine its uranium. Opposition members have seen fit to deride the

Government's policy on uranium, especially in connection with Roxby Downs, and they referred to our policy, which involves adequate and proper safeguards. Honourable members should be aware that the Government knows much about the effects of uranium mining, uranium enrichment and the dangers inherent in those processes. The Government knows much about the huge radioactive clouds coming from the testing of atom bombs in South Australia.

I could refer the Council to documents dealing with the splitting of the atom and the exploding of bombs in South Australia and adjacent areas. I could refer to documents dealing with the levels of radioactivity over Adelaide and Alice Springs, as well as other areas, and I could also refer to high dosages and the dumping of waste. I resist from giving greater information on these matters only because I respect the wishes of certain widows. However, I point out that many workers involved directly in explosions and experiments at Maralinga are no longer with us. Already almost half a score of workers are dead as a result of lung cancer from this source.

I refer to reporting in the *Sunday Mail* last week. Was that paper willing to delve into the history of what happened in South Australia about 20 years ago? How many South Australians are dead from the same cause of death as that of film stars reported in the *Sunday Mail* last weekend? They died as a result of being in certain regions and working under certain conditions that caused inhalation of radioactive substances, sand, dust, etc. That is not good enough in 1980.

I refer to *New Society* (14 April 1977) and the headline of the article "Dying by inches with dust in your lungs" by Elliott Layton. The lesser headline states, "To breathe through the night, some can only kneel over a chair sweating. Asbestos is now notorious. But fluorspar deaths in Canada show the wider risks".

I first became involved with the protection of workers handling raw asbestos in 1952 on the Adelaide waterfront and was told by many of my own members that I was a lunatic, yet today many people seem to be aware of the real dangers inherent not only in mining but also in the preparation of that mineral for industrial purposes and its use in housing, including lagging of pipes; indeed, women should be warned of the use of asbestos in hairdryers, where it surrounds the wiring and the electrical element. There is much evidence to suggest that these are dangerous applications. I was ridiculed more than 20 years ago about the handling of raw asbestos, but I was proved then to be right. The report about an area in Canada in the *New Statesman* states:

Such burdens are not new to them. For a century, the economy of the St Lawrence area was based on a semi-feudal relationship between inshore fishermen and merchants. It was a marginal existence at the best of times and always accompanied by tuberculosis and malnutrition-related diseases. In the words of one miner, now dead: "Lots of times we never had a mouthful in the house. The merchant there, he wouldn't give us nothing. The old man (my father) went up and said, 'If we don't get it, we got to take it.' He took the bag of flour and he went to jail for that. Pretty hard if you was in the house and had four or five small youngsters; couldn't get nothing to eat and the merchant wouldn't give you nothing. You couldn't see them crying for something to eat and you with nothing to give."

In 1929, this fragile adaptation was smashed by two successive catastrophies: the crisis of international trade collapsed fish prices, and three great tidal waves destroyed the codfish's feeding grounds.

In 1932, with the population utterly dependent on the relief of a few cents a day, a New York mining promoter

arrived in St. Lawrence. He told the people they were sitting on one of the world's greatest deposits of fluorspar (an essential ingredient in the manufacture of aluminium), and through the mine prosperity could return to St. Lawrence. The men abandoned their traditional world, unloaded the second-hand mining equipment, and built the first roads without pay. They went to work in what they were encouraged to think of as "their mine".

No regulations of any kind governed mining in Newfoundland until 1951. Witnesses at a 1969 royal commission commented that the half-starved men considered themselves fortunate to spend ten hours each day, drenched in the mine water, half-choked with dust from their drills which continually spewed dust in their faces, trying to earn enough money to keep their families from starving in a harsh environment where fuel was as scarce as food. A survivor of the period described the first appearance of the price of their new prosperity:

"It must be eight or ten years before they started to complain. Shortness of breath, that's the first thing. Poor Jack O'Brien was the first what felt the choking, the smothering, the gasping for breath. After that when everybody used to get it. You'd get gassed, they used to have to hoist you up, just the same as you were dead. Get up on the snow and pant, pant, pant, gasping for breath. Gas does it, see. Wasn't only me, lots of fellows like that. Sick! Lord Jesus, vomiting! All the time you worked you had the headache, going just the same as a horse galloping."

By the late 1940s the stricken men began to die—first singly, then in droves. One family lost all five sons; no family remained unscathed. Stoic and uncomplaining, they went to their graves, their diseases diagnosed as "tuberculosis," their widows and children uncompensated. "The doctor told us they'd die like sheep and so they did. There used to be one of them big trucks, stake bodies we called them, whole full of me shift going to the mine. And I can't figure out one man worked with me around now. They're all dead. One of them big trucks. All gone in the graveyard. They went there pretty young too, some of them. In their thirties."

It took a royal commission and relentless public pressure before the Government of the day recognised the problems and begun compensating the victims. For 20 years, many of the widows raised their huge families on the dole of Government welfare. And, inexorably, new cases of industrial disease continue to appear.

I can read this out and go on, but I do not want to do that. I do not expect anybody to allow me to put the remaining two pages in *Hansard*. I will test the Council by seeking leave to insert the remainder of this document in *Hansard* without my reading it. The subject matter is obvious—I have read 1½ pages of it.

**The PRESIDENT:** The Hon. Mr. Foster is aware that we had a discussion on this matter before. However, I will test the Council, since he has requested this. If the Council so grants him leave, he will be able to do so. Is leave granted to incorporate that story in *Hansard*?

Leave granted.

### Report

When a miner first hears his death sentence from the local doctor—"I'm not too happy with your x-ray, I'd like you to go up to St. John's and see a specialist"—few ask anything about their illness. They do not wish to hear the details. Some men crack under the strain: "Once you lose your nerve, you're gone." One man locked himself in his room for a day and a night; others pace the floor, pounding their fists and weeping. Others are so traumatised, they wander in a deep depression. "I've seen fellows sit down, friends of mine, and we'd played cards with them, drank together, had parties. They'd sit down like you and I are, and cry like a

baby and say, 'Just imagine, this time next year I won't be here. Almost make you cry yourself. I seen them do that, three of four of them. They were right.'

Once diagnosed, the men begin the ordeal of the battle for workmen's compensation. Unless they received a "total" disability rating, they receive only a pittance for compensation and their families become locked into the welfare cycle of dependence and humiliation. During the battle, they must endure the seemingly endless 500-mile return journeys to St. John's, degrade themselves before the doctors and the compensation board to "show" how sick they are; and fight to manipulate a bureaucratic structure they only dimly understand—a crushing indignity for men who have worked with pride all their lives. One miner, stricken with lung cancer, described the process:

"You got to fight everyone right down to the bitter end in order to get anything out. If you don't do that, you don't get it. They don't want to give it to you anyway. In order to get your compensation, you got to get ahold of your member [representative in the regional parliament], and you got to get ahold of everybody that you know can try to get it for you. You start to fight trying to get your compensation, and you get every doctor down there against you. They try to tell you you got TB, you got pneumonia, and you got this and got something else. They know goddamn well what you got! I'm not saying I got any education, because I got none. But I got a lot of guts, and it took me a 12-month to get my compensation. We got a lot of them here that's not getting it because the poor buggers couldn't fight their own battle—and they couldn't write. There was one woman up the lane here, her husband died just when I was starting work: she had seven or eight kids then, and she was on welfare for 10 or 12 years."

Rarely are the men told the results of any of their battles until weeks after they return home. Then they receive the decision in an impersonal note, couched in bureaucratese, typed perhaps by a young girl fresh from school who is paid more for her typing than the miner gets for dying.

Battles finally completed, the miners have the relative luxury of returning home to die. For some, it is the mercy of a sudden heart failure. For more, it is the slow deterioration of the body and its functions, the gasping and smothering, the lonely sleepless nights and the final ordeal in agony. But for the present, the men wait: they listen to the messages their bodies send them—the breathing is getting harder, I can't get over the side of the dory, I can't walk to the car this year. As the choking intensifies, the bed, stacked high with pillows so carefully stitched by their wives, is rarely enough. While the Canadian Government was able to afford hundreds of millions for Olympic sports, it cannot afford to pay for special beds or breathing apparatus: to breathe through the night, some can only kneel over a chair sweating from the exertion of breathing and the fear that they will fall into too deep a sleep, go forward in the chair, and smother.

"I'll tell you what I done the whole winter. I knelt down here on the floor leaning over the chair. The only way I could get any comfort. I'd be there when they go to bed, and time for them to go to school, I be still there. I wouldn't be asleep.

The sweats is bad lately, boy. The whole winter I was like it. I often froze to death with the sweat running out of me head and dropping on the floor. No matter how cold it was, I often near froze to death, clear of me head. I suppose it's from smothering so much, working hard trying to get me breath. I know I had an awful sore stomach, always paining: it was so hard for me to breathe that the muscles all sprained up in me stomach.

I been here fighting for breath, didn't think I was going to go on. They can't cure me, I knows that. I knows I'm finished. I was expecting to be gone the spring. And I don't think I'll get through next winter. That's the feeling I got; I

won't live out next winter. I can't see how I can, I can't see how I can stand it any longer. I got no future whatever left ahead of me. The way I got it sized up, I don't want anything for meself. All I'm looking forward to now is dying. However long it is, it's not going to be very long."

Ghastly as is the ordeal of the miners, it is at least relatively short. The ordeal of the wives lasts the remainder of their lives. From the moment of the first diagnosis, when the doctor calls in the miner's wife to sketch for her the clinical detail, she enters what in St Lawrence and Lawn is virtually a separate status—that of impending widowhood. Now she must come to terms with her own intolerable future; his deteriorating health and her own loneliness.

Rebecca lives in a cul-de-sac in St Lawrence: each of its twelve houses contains a widow: "We were married in '57. I was 39 and he was 41. We got along together. Perhaps in the evenings we'd go up in the hills and go berry picking, go over at the hay, go walking at the beach. Looking after one another and doing what we could.

"Peter used to have a lot of those chokings even then. Before I was married to him, he used to tell me that he used to get out of bed and go walking three or four times across the hall before he could get his breath, from choking. He said it come in spurts. It was like his breath was cut off, in his throat; and he was strong and he'd lean on his breath as hard as he could. I don't know if you know what it sounds like; like a saw rasping through wood. And perhaps it'd be 20 minutes afore he'd get his breath back at all.

I knowed it was going to come . . . you know, I was going to be left like this. There was never a day I suppose, never a minute, but it was flashing across the mind. The few happy years was going to end so quickly. And then again the suffering, see? You had to watch his suffering so much. I often seen him getting out of the bed and running out into the hall, trying to get his breath. And I'll tell you, the legs melted away, and the body.

We had a big skiff. Him and his brother jointly owned it. He'd see her going out. I was putting the stove on one morning and I heard him crying. And I went rushed into the room. I thought there was something wrong with him, and I said, 'What's wrong?' Now you could see the water from here, where you goes out through the gulf there. And he said, 'My God, he's going out, and I'll never go in her again.' He was breaking his heart over the old skiff. But when he mentioned anything once, he never mentioned her afterwards, after he got sick. He never kept harping at anything; he was right reconciled.

I spent the summer he died crying, out on the back door step where no one could see me. Days and days I'd go and sit down and cry till I had no tears to cry. I'd sit down to my meals and do the same thing. Twas an awful blow to me. We were very much in love, very happy.

He died 24 June. And it was 14 days afore he died and I never took off my clothes. For sleep I'd lie on the edge of the bed, cause he couldn't get into the bed, poor fellow. As soon as he touched the bed, he'd cough, cough, cough. When I seen that, I couldn't leave him then. I had to stay with him. And he sat in that chair, and I'd fold pillows around him like at the hospital. And the day he died, that morning he said, 'I'd like to get into the bed.' And I said, 'Yes dear, we'll put you back in the bed, and if you feel uncomfortable we'll take you out.' So we put him in bed. He really wanted to get into bed to die.

He was nine days getting ready to die, with just a drop of juice. My dear, it was something to watch. I wouldn't be able to go see a miner dying. If a miner was dying, a friend of mine, I wouldn't be able to go see him. I've seen too much. You don't die, you *perish*.

I don't think anybody's got anything against the company. Well, the work was there and that was it. They didn't force

them to go do it. But the company don't do too much for the people. I think they should do something. A company is not a poor person, are they. They get lots.

But once your partner's gone, you don't have much of a life. When Peter died, he left me pretty comfortable. He left me no money, poor little dear, but he left me pretty comfortable in regards to the home and a bit of stuff round. And when he died, it seemed like it was all gone, I couldn't care less. It's a hard stroke, isn't it?"

While most of the miners I quote or refer to in this article are now dead, they are survived by their disabled fellows in the St. Lawrence area, and by their counterparts in Britain and throughout the industrial world. Such intimate autobiographies are justifiable only if ultimately they go some way towards alleviating the suffering of those who follow them. Otherwise, it is merely a kind of peepshow.

Meanwhile, at least a half million men and women around the world die from industrial disease each year and hundreds of thousands more are maimed or disabled. Yet the efforts of most Governments are bent not on alleviating the situation, but on obscuring the reality or on supporting what the Association of Trial Lawyers of America calls "the total callousness, stupidity and deceit of the medical-industrial complex consisting of company doctors, industry consultants, and key occupational-health officials at various levels of the State and Federal Governments." Inevitably this will continue, unless industrial nations begin to be forced by public pressure to confront their own moral bankruptcy.

**The Hon. N. K. FOSTER:** I thank the Council. It is a terrible document for anyone to read. I defend my Party's policy on the basis of defending the people in Australia. I speak on behalf of all people who still solemnly fear that there is a very great danger in disturbing this element in the earth to the extent that it has been disturbed. There is no way that anyone will convince me otherwise. If I stand as one out in the Labor Party (which I never hope to have to do and am quite sure that I will not have to do), I will do so. Our policy says we will export it only when we know it is safe and acceptable to overseas countries that are prepared to accept our terms. There is no way that we will sell it to the Philippines under the Federal Government's proposal. Mr. Fraser and his men can be assured that President Marcos of the Philippines would not honour such an agreement. We would have no control of him whatsoever. In fact, it could be no form of guarantee. I am disturbed because do-gooders continually say that there is no danger. The uranium "pushers", whether for monetary reasons or through sheer ignorance, are continually subjecting the public to a trauma of lost millions and lost opportunities, jobs, etc., the former appearing to be their main concern.

Do these saintly advocates of nuclear fission have any real concept of the ultimate consequences? Do they realise the enormous risk to younger generations, or do they not care about such trivialities? Too few people know of the dangers of the whole nuclear cycle. The average time lapse between the "splitting" of one atom of enriched U235 and the following fission cycle is one hundred millionth part of one second, which releases several hundred intensely radio-active unnatural isotopes of some 30-odd elements. Multiply these facts by 100 tons of fuel rods, followed by the number of months of critical reactor operation, and the number of reactors operating, and we are left with a recipe for disaster unparalleled in the total history of mankind.

The argument surrounding the safety of nuclear reactors is of little consequence compared to the prodigious rate at which these deadly isotopes are being released, inevitably to find their way into the environment, and ultimately into the food chain cycle. Strontium 90 is already present in

abnormal amounts in the bones of the younger generation, and derived entirely from nuclear fall-out. Cesium 137 irradiates the whole human system including the reproductive organs, with possible genetic hazards.

Literally tonnes of plutonium 239, a substance 20 000 times more deadly than cobra venom (several thousandths of a gram being fatal), is produced by fission every year at present. Countless millions of gallons of deadly substances are stored, or have been indiscriminately dumped around the world, and are referred to as "spent" fuels. Still they speak of a thousand reactors, and thousands of tons of uranium. Where is the logic? The reprocessing of the so-called "spent" fuels is an extremely dangerous, expensive, and technical problem. It seems quite logical that an expanding nuclear programme will not be able to cope with this situation, with the result that far more fuel will be burned than can ever be reprocessed. The alternative is to dump this material out of sight, out of mind, regardless of the fact that no known material is capable of storing nuclear wastes, and it is extremely doubtful if this will ever eventuate.

The whole nuclear question is one of great moral obligation on the part of every thinking person to learn all the true facts before it becomes too late to retreat. The decision is quite simple: proliferation of nuclear fission, or continuity of mankind.

Only recently, this State's Lieutenant-Governor, who is a thinking person (anyone who has conversed with that man would regard him as being a learned gentleman and a scholar, and a man who had vast experience before assuming his present office), made a speech deploring the fact that there was a mad rush to destruction and to denude ourselves of our responsibility to our children, grandchildren, and the generations that will follow hereafter.

Would any honourable member not be uneasy if he learnt that a member of his family was in the bowels of the earth chipping away with mechanical equipment, or more crude forms thereof, extracting coal, gold or uranium? I am sure that any genuine person would be most concerned about that. If honourable members were not concerned, they would indeed be foolish.

It is stupid for one to say that people are only killed in road accidents. Although road accidents do cause deaths, they do not cause the misery that would result from genetic defects and abnormalities caused by the sorts of disaster to which I am referring. Those of us who have been to Japan probably consider that they should not have gone there to see the terrible sights that confronted them. We killed the foliage in Vietnam, and denied the people of that country the right to produce from their farms for seven or eight years. This involved criminal acts for which we ought now to be paying. I now refer to the Federal Government's *ad hoc* committee paper (No. 3743) on uranium. Part of that paper, dated 6 September 1977, is as follows:

The committee gave further consideration to the presentation of the Government's decision on uranium taking account of:

- (a) a paper entitled "Uranium"—a public information programme—Report of the I.D.C.—September 6 1977;
- (b) the former Prime Minister's press statement No. 583 of 28 October 1975—"The Ranger Uranium Project in the Northern Territory".

On that date, the Prime Minister happened to be Mr. Gough Whitlam. I now refer to press statement No. 583, issued in Canberra on 28 October 1975, as follows:

The Prime Minister, Mr. Whitlam; the Managing Director of Electrolytic Zinc Company of Australasia Ltd., Mr.



Mackay; and the Chairman of Peko Mines Ltd., Mr. Proud, signed this afternoon a memorandum of understanding between the Government and the companies for the development and mining of uranium ore deposits in the Ranger area in the Northern Territory and for the production and sale of uranium concentrate from that ore.

This memorandum represents an elaboration of the agreement previously signed by the Ministers and representatives of the companies on 30 October 1974. The completion of this memorandum of understanding will now facilitate the early preparation of formal agreements in relation to this venture. It is understood by the parties, however, that these agreements will not become effective until Australia has affirmed them following consideration of—

and this is important—

- (a) the report of the Ranger Uranium Environmental Inquiry (hearings by this inquiry commenced on 9 September 1975 with Mr. Justice Fox as presiding Commissioner);
- (b) the outcome of any claims by Aboriginals in respect of land within the Ranger area (in conformity with the procedures to be required by the Aboriginal Land (Northern Territory) Bill, 1975, now before the Parliament).

The discussions which have led to the signing of the memorandum of understanding this afternoon confirms the confidence of the Government and Peko and E.Z. in this major Australian mining enterprise. The Government believes that the Ranger project can be a major export earner and it will be working with Peko and E.Z. to bring this fully Australian mining project to fruition. Nevertheless, it is essential before the project can proceed that the Government receive the report of the environmental inquiry and take whatever steps it may then judge necessary in the light of the findings and recommendations of that inquiry.

I seek leave to continue my remarks later.

Leave granted; debate adjourned.

#### BUSINESS FRANCHISE (PETROLEUM PRODUCTS) BILL

Adjourned debate in Committee (resumed on motion).  
(Continued from page 363.)

Clause 13—"Constitution of appeal tribunal."

**The Hon. J. C. BURDETT:** I move:

Page 7, line 13—Leave out "not exceeding" and insert "of".

This amendment relates to the appointment of the appeal tribunal. It is based on a principle that the Opposition in this Council has been requesting for some years, namely, that where an office is provided for under an Act the term of office should normally be fixed and not be for a term not exceeding a certain period. If one had a term not exceeding five years, it could, to take the matter to the ridiculous, be for a period of one month. If it was for a very short term, the holder of the office would be very much dependent on the Government for his tenure of office.

Therefore, he would not have the measure of independence that he should have, and this is particularly true of a person who constitutes an appeal tribunal. For example, honourable members should recall the measure of independence that judges enjoy. They can only be removed from office after an address of both Houses of Parliament. However, I am not saying that a person who constitutes an appeal tribunal is the same as a judge. The principle of a fixed term of office should also apply to committees and similar bodies, but especially when a

person constitutes an appeal tribunal. This amendment would fix a term of five years, instead of a lesser term that might not give the holder of the office any tenure at all. The person holding such an office could believe he is entitled to a reasonable tenure of office.

I move this amendment in accordance with the principles adopted by the Opposition in this Council for some time: where there is an important position fixed under an Act which can have a bearing on the way in which the Act is put into effect, a fixed term should be stated in the Act so that the person concerned will receive a reasonable measure of independence from the Government.

**The Hon. C. J. SUMNER:** I oppose the amendment. The Hon. Mr. Burdett must be a very recent convert to this idea, because this particular clause is modelled on a clause that, for obvious reasons, appears in the Business Franchise (Tobacco) Act, on which this measure is largely based and which was considered by this Council during the 1974-75 session. It may well be that, at the time, the Hon. Mr. Burdett was a bit diffident about the proposition he is now putting forward that there should necessarily be a fixed term of office in the appointment to a board. That certainly did not apply in the Business Franchise (Tobacco) Act, nor does it apply in many other pieces of legislation in which appointments are provided for. In most cases, the formula is the same: the term of office does not exceed a certain period. A simple reason for this is that it gives the appointing authority much more flexibility in determining whom it may wish to appoint. Clearly, if it is a fixed term of five years, then the availability of the type of people required would be limited, whereas, if it is left as a more open-ended proposition (namely, that it does not exceed a specific period, such as five years) it gives greater flexibility to the Government in its administration and in its choice of who may be available for appointment. As I said, the number of people who may be available for a fixed term of five years could be much more limited. I oppose the amendment, because there is no suggestion, where this provision has existed in other pieces of legislation, that it has led to any abuses. Surely, that is the key issue. This provision has existed satisfactorily in the Business Franchise (Tobacco) Act.

**The Hon. J. C. BURDETT:** Obviously the Minister has a very short memory. He is certainly correct when he refers to the Business Franchise (Tobacco) Act, but there are many other Acts in which we have followed this procedure. It amazes me that the Government continues to draft legislation in this form when we always faithfully amend it. The Waste Management Commission Bill is a recent example, and it involved the same portfolio. Other examples involve the country fires and the poultry processing measures, and there are many other similar pieces of legislation. Unless we have missed any pieces of legislation in the past two or three years, we have faithfully amended every Bill in question. It does not cease to amaze me that the Government continues to produce legislation in this form knowing that we will amend it.

**The Hon. C. J. SUMNER:** It does not cease to amaze me that in some cases the Opposition decides to amend and in other cases it does not. Quite clearly, as I have pointed out, there was legislation before this Council in 1975 that members opposite allowed to pass without an amendment of this type. Perhaps the Hon. Mr. Burdett is doing his reviewing job much more thoroughly now, and perhaps he has lifted his game since that time.

**The Hon. J. E. DUNFORD:** He's ambitious.

**The Hon. C. J. SUMNER:** He may be ambitious, but I do not know about that. The Opposition should inject some consistency into its approach to this matter, but that

is not really the substance of my response to the honourable member's amendment. I do not see any mischief in the formula adopted by the draftsman. This provision exists in a large number of other Acts, yet no suggestion has been made that any problems have arisen. As I have said, administrative advantages accrue from not having a fixed statutory term.

**The Hon J. C. BURDETT:** I suggest that in legislation such as this no administrative advantages exist. In a tribunal such as this, a person holding a *quasi* judicial office should not be appointed for any short period. Such a person should receive sufficient continuity in this office to be able to establish precedents and a proper course of conduct. Whereas in the case of truly judicial officers it is indefinite, I do not necessarily expect that to be the case in this situation, but the appointment should be for a fairly substantial period, and a fixed period of five years is entirely appropriate.

**The Hon. R. C. DeGARIS:** The Attorney-General's argument is not valid when he says that, because a Bill was passed in this Chamber five years ago without amendment we should not move an amendment at this stage. If one took that view, the Government would be introducing very little legislation.

**The Hon. C. J. Sumner:** That isn't all I said.

**The Hon. R. C. DeGARIS:** That is the basis of the Minister's argument. If what he says is true, the Government would introduce very little legislation. The Government is continually amending legislation that was introduced only in the previous year or the year before that. To say that the Opposition has overlooked something in the legislative process is probably quite true, but the Government itself is just as guilty of that. In 1974-75, the Hon. John Burdett drew our attention to a Bill providing the procedure for the appointment of appeal officers whereby the term of office should be specified in legislation and that point has been accepted.

Since he drew attention to the matter, we have amended every Bill that has come before us along those lines. Let us deal not with the fact that in 1974 a Bill went through with a different procedure but with what has happened since and the logical argument of why it should have changed. It is quite clear that, in a position such as this, some tenure of office does give independence to the person who has to sit on an appeal against an administrative decision, sometimes of a public servant or of a Minister. I believe that the protection is necessary if we are to see justice done in this area. It is an important point that the Government should accept.

The Committee divided on the amendment:

Ayes (9)—The Hons. J. C. Burdett (teller), J. A. Carnie, L. H. Davis, M. B. Dawkins, R. C. DeGaris, 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, J. R. Cornwall, C. W. Creedon, J. E. Dunford, Anne Levy, and C. J. Sumner (teller).

Pair—Aye—The Hon. M. B. Cameron. No—The Hon. N. K. Foster.

**The CHAIRMAN:** There are 9 Ayes and 9 Noes. So that the matter can be further considered, I give my casting vote for the Ayes.

Amendment thus carried.

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

Page 7, after line 20—Insert subclause as follows:

(3a) A person appointed under subsection (1) or (3) of this section must be a judge, magistrate or legal practitioner.

It is important that the person who is to constitute the

appeal tribunal to be established under clause 13 should have some qualification to be able to adjudicate questions which may come before the tribunal. A wide range of important questions could be considered by the tribunal, not the least of which is the refusal of a licence under the Bill. I am concerned that, if there is not a suitably qualified person, such as a judge, magistrate, or legal practitioner, the questions which come before the tribunal will not be adequately adjudicated.

**The Hon. C. J. SUMNER:** I oppose the amendment. It seems that the honourable member perhaps is acting as a shop steward, being a legal practitioner himself and the Opposition being very heavily weighted down with lawyers. I think the Hon. Mr. DeGaris pointed out recently that there are now five lawyers in the Chamber, which means there are four on the other side. There seems to be a fairly strong lobby in the Party room of honourable members opposite for such a measure. The Hon. Mr. Griffin thinks there should be at the head of the appeal tribunal a legal practitioner, judge, or magistrate. The Government cannot see the necessity for that.

The legislation has been modelled on the Business Franchise (Tobacco) Act, 1974, and indeed in that legislation and in the earlier fuel licensing legislation which existed two or three years ago there were sections setting up appeal tribunals in terms virtually identical to those of the present measure. There was no suggestion when that legislation was passed that there should be a legal practitioner, judge, or magistrate, nor did it happen when the previous fuel legislation was passed. Perhaps the legal lobby in the Party room of members opposite has taken over.

There has not been a legal practitioner, judge, or magistrate appointed to head the appeal tribunal under the Business Franchise (Tobacco) Act. The person appointed was a former Deputy Auditor-General in this State. It does not seem to me that any concern has been expressed about that appointment or that any problems have arisen as a result of it.

In summary, there have been precedents for this legislation. In general terms, we try to follow those precedents, and there is nothing in the legislation upon which this measure has been modelled which would make us think that there is a need for a legal practitioner, judge, or magistrate as head of the appeal tribunal.

**The Hon. J. C. BURDETT:** It was said at the outset that the Business Franchise (Petroleum) Act, would be for a short period of time, and that transpired; it was on the Statute Book for about eight months. However, I suspect that this legislation probably will be on the Statute Book for the rest of our lives. Comparing this measure with the Business Franchise (Tobacco) Act, it seems to me that appeals are far more likely in relation to petroleum than in relation to tobacco.

One would not expect that many people would have a problem getting licences for tobacco whereas, with the problems involving petroleum, it is much more likely and it is partly for this reason that the Hon. Mr. Griffin has moved this amendment, which I support.

**The Hon. K. T. GRIFFIN:** Notwithstanding some previous action which has been established by way of precedent, it does not necessarily mean that we are bound to follow that precedent in the form of legislation that we now pass. It is important in the context of this legislation, which seeks to raise such a substantial amount, that there be someone adequately qualified to adjudicate on appeals. A judge, magistrate or legal practitioner, by virtue of his or her training, adequately satisfies that criterion. For that reason it is important that the amendment be carried.

The Committee divided on the amendment:

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

Noes (9)—The Hon. D. H. L. Banfield, F. T. Blevins, T. M. Casey, B. A. Chatterton, J. R. Cornwall, C. W. Creedon, J. E. Dunford, Anne Levy, and C. J. Sumner (teller).

Pair—Aye—The Hon. M. B. Cameron. No—The Hon N. K. Foster.

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

Amendment thus carried; clause as amended passed.

Clauses 14 and 15 passed.

Clause 16—"Powers of inspector."

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

Page 7, line 36—After "may" insert "for the purposes of this Act".

This clause deals with the powers of inspectors. On the face of it, there appears to be no limit to those powers and the way in which they are exercised. I desire to ensure that it is expressly provided that the inspectors, in exercising those powers, must do so only for the purposes of the Act. The amendment clarifies the position.

**The Hon. C. J. SUMNER:** I doubt that the amendment is necessary. I do not believe that an inspector would be able to carry out the powers or exercise the powers of this clause for purposes other than the Act and still be immune. As the amendment clarifies the position, the Government is not unreasonable in its attitude to the Opposition's amendments and looks at them on their merit. It likes to give due consideration to such amendments, where appropriate, and for that reason I am happy to accept it.

Amendment carried; clause as amended passed.

Clause 17 passed.

Clause 18—"Fees."

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

Page 10, Lines 14 and 15—Leave out all words in these lines and insert "being an amount per litre not exceeding 25 cents per litre".

This clause is critical to the Bill, because it establishes the basis upon which fees are calculated and paid. The present provisions are fixed as a percentage of the value of motor spirit or diesel fuel, that value being established and determined by the Minister giving notice in the *Gazette*. That means that, as the price of fuel increases, so the amount of revenue collected escalates and there is the potential for a significant growth tax, which is not in line with what the Minister of Transport indicated publicly as his intention, namely, to ensure that there was a replacement to the road maintenance tax. Unless this clause is amended the Government will be collecting more than the amount it presently receives from road maintenance tax.

I am anxious to ensure that each time there is an increase in the price of fuel there is not the potential for the Minister, by notice in the *Gazette*, to increase the value by which the percentage of the value of the motor spirit or diesel fuel is increased, thus increasing the amount of revenue collected.

The scheme that I seek to have included changes only one aspect: instead of determining the value by notice published by the Minister in the *Gazette*, we fix the value at a maximum of 25c per litre for motor spirit and a maximum of 24.1c per litre for diesel fuel. The 25c per litre for motor spirit is an approximate average of the present bulk wholesale price for motor spirit.

The 24.1c per litre for diesel fuel, which we seek to have fixed as the value upon which the fee is assessed, is an

approximate average of the present bulk wholesale prices for diesel fuel. By fixing the value in accordance with the amendment which is now before us, we will limit the amount of the fee that the Government will collect. If it wants to increase the fee in the future, if the amendment is carried, it will mean that the Government will need to come back to Parliament for an amendment to this clause so that the value thereby declared is increased. The Government will then be accountable to Parliament, and the Government will be accountable to the people of South Australia. There must be a conscious and positive step taken to increase the revenue and not a reliance on escalating prices according to the world parity pricing system that Australia has adopted, which would allow the Government to sit back and watch the tax and revenue increase without having to take any positive action itself to bring before the people any increase that it may want. Without the amendment, the Government relies on what one would call an inflationary trend to give it increased revenue without any express warrant from Parliament or the people.

**The Hon. C. J. SUMNER:** I oppose the amendment. It seems strange that honourable members opposite should start bleating about growth taxes in respect to petroleum products when the Federal Government has used the increase in petroleum products and the general increase that has occurred as a result of OPEC plus their world parity price policy to gain a very substantial growth tax based on the sale of petroleum. Be that as it may, this amendment is not acceptable to the Government primarily because the Government sees a paramount need in this legislation for there to be as much uniformity as can possibly be attained, particularly on the imposition of a licence fee and also with the Eastern States and Victoria. The Victorian Parliament, as I understand it, has already passed legislation in similar terms to that which is before the Committee today.

Honourable members opposite are fully aware that the political colour of the Government in Victoria at the present time is that of themselves. They seem to be complaining because their Victorian colleagues have introduced a scheme that this Government is proposing to introduce. That, to my mind, is a very strange approach that honourable members opposite have adopted, particularly when one takes into account that there have been long and very tedious negotiations between the States on this question with a view to getting as much uniformity as possible. South Australia has agreed to put legislation before this Parliament following the Victorian example. The agreement was that the Victorians would, if they were able to, pass legislation first, in the interests of uniformity, and we would go along with that. That is precisely what we have done. There are advantages in uniformity from the view point of any challenge to the legislation in that one would then have a number of States supporting the legislation on the same grounds in the High Court. There is also an advantage in uniformity between States that are so closely bound up economically. The oil companies are concerned that there ought not be a disparity between the levy in the different States. In this legislation we are relying upon the oil companies to collect fees. Some consideration must be given to this matter. For those reasons and the paramount reason that we believe that uniformity is desirable and, as we wish to support the Victorian Government's stand, I oppose the amendment.

**The Hon. K. T. GRIFFIN:** The reference to Victorian legislation is largely irrelevant. I am concerned with what the Minister of Transport in this State publicly undertook to do: to repeal the road maintenance legislation and to replace it with a fuel tax which would yield what the

Government would have lost by repealing the road maintenance legislation. The amendment seeks to require the Government to adhere to that public undertaking. If the amendment is not carried, the Government will be allowed to go far beyond what it publicly undertook to do in the context of repealing the road maintenance legislation. The Attorney-General has suggested that we have not made any complaints about the Victorian scheme, but as a Parliament we are not responsible for what happens in Victoria. I am not aware of what undertakings have been given publicly in Victoria in the context of the road maintenance legislation and the business franchise (petroleum products) legislation. The Attorney-General also referred to the advantages in the legislation being uniform if there was any challenge in the High Court.

I point out that the legislation is largely uniform. Only one difference exists, and that from our viewpoint is a significant difference but not, in my opinion, a significant difference which will affect the validity of the legislation; that is, that instead of the Minister having an open cheque to declare a value for motor spirit and diesel fuel every three months as the price increases on the open market, he is limited to a maximum of 25c per litre for motor spirit and 24.1c per litre for diesel fuel. We do not even say that that is the figure which he must declare by notice; we are saying that it is a maximum. Therefore, we still preserve the scheme of the legislation without affecting the validity.

The Attorney-General referred to the complaints we made about the growth tax in relation to the Commonwealth Government's approach to world parity pricing for oil. I suggest again that that is irrelevant, because we are not concerned in that context with a fuel tax which would not otherwise be incurred by the consumer.

We are looking at a principle which has been established in government that, as a nation, we would move to world parity pricing and in that context either it is the Government, which acts for the people, and gets the benefit from that, or the windfall profits go to the oil companies. I am confident that the Attorney-General would not want the profits to go to the oil companies. I see no reason why I should change my mind. This amendment is a vital ingredient to a fair and reasonable proposal in the Bill.

**The Hon. J. C. BURDETT:** I support the amendment. The Minister has spoken about uniformity, but from a legal and constitutional point of view this is a small departure from the Bill and, indeed, a small departure from what is said to be the Victorian model. As the Hon. Mr. Griffin said, it is most unlikely to affect any solidarity between the States on a High Court challenge.

**The Hon. R. C. DeGaris:** Do you think there is any variation in principle?

**The Hon. J. C. BURDETT:** No, I do not, and, as it affects the South Australian motorist, it is most important, because the amendment prevents the tax from being used as a growth tax, or from escalating beyond the need for which it was introduced.

This amendment does something different from what was referred to in the second reading explanation, namely, basing the tax on a rate per litre. The Minister referred to this aspect in his reply. However, that is not what the amendment does: it simply fixes a ceiling when referring to the value on which the franchise selling fee is based.

**The Hon. C. M. HILL:** I, too, support the amendment. Regarding the Minister's comparison with Victoria, I suggest that we do not know what representations the Victorian Government made to the people of Victoria before it introduced its Bill. I do not think any State

Parliament would accept the position with which we are now confronted. The Government of the day has made clear representations to the public that it would offset a loss of revenue by way of one tax with an alternative tax and that the new amount that the Government would receive would be about the same.

If the Government makes that representation to the people, morally it is bound to introduce legislation to that effect, but that is not what the Government has done. I strongly suspect that that is what happened in Victoria, and that at least the Victorian Government explained what its alternative arrangements were and then introduced a Bill along those lines. As a result of this legislation, the Government, in the initial grab, will increase its revenue by nearly \$3 000 000, and has also written a growth factor into it.

I am concerned that the Parliament of this State should not tolerate a situation in which a Government explains its intentions and then introduces legislation which is contrary to that. If the South Australian public knew that position, it would wholeheartedly support the Opposition for taking the line that it is now taking.

**The Hon. R. C. DeGARIS:** I thank the Hon. Mr. Burdett and the Hon. Mr. Griffin for the work that they have done in coming to this concept. I said in the second reading debate that the Government was increasing its taxation revenue over and above what it was getting from the ton-mile tax. Although Opposition members object to that to some degree, we must admit that the Government has some rights in relation to taxation measures. However, the point was argued strongly that, if prices double (and there is no doubt that they will escalate), the Government's profit will increase by 400 per cent. No Government can justify that sort of rip-off of the taxpayer.

We are faced with the problem that we do not wish to change the accepted principle that Victoria has adopted, as the constitutional question of what is an excise, a tax, and so on, can be argued. I do not wish to pursue that matter, because I am not qualified to argue it.

However, in this amendment the fundamental principle which Victoria has adopted and which the Minister and the Government have adopted in this Bill has not been changed. So, in relation to that concept, uniformity has been preserved. The amendment does not interfere in any way with the sum of money that the Government would have collected in the first impact of this legislation. However, it does prevent the Government from escalating the tax unless it returns to Parliament and explains to the people that it wants the increase in that form of taxation. That is the correct procedure to be followed.

**The Hon. R. A. Geddes:** It is going to be a permanent form of taxation.

**The Hon. R. C. DeGARIS:** Certainly. This Government cannot justify having on the Statute Book legislation that increases taxation simply by a price rise, increasing it not at the rate of the price rise but on an exponential curve, where the taxation take-off multiplies faster than the price rise. That cannot be justified in any way whatsoever.

Although other States are adopting this legislation, there is still a tremendous variation. Western Australia, for example, is adopting a different system, and I understand that if New South Wales and Queensland introduce legislation they, too, will adopt a different system. Victoria is adopting one system, and we are adopting a similar system, which has not been altered by this amendment. However, we are not following the principle of the Victorian legislation. If the Victorian Upper House passed the legislation but did not take this point, I assure honourable members that, had I been there, I would have put this point very strongly.

**The Hon. C. J. Sumner:** You'd have been expelled.

**The Hon. R. C. DeGARIS:** I should not think so. It is strange how the Labor Party is bogged down regarding the complete and absolute control of its members. The Attorney cannot argue that the merits of the case, advanced by the Hon. Mr. Griffin and supported by the Hon. Mr. Burdett, are not correct.

**The Hon. C. J. SUMNER:** When the States were discussing this matter at the Australian Transport Advisory Council meeting it was made clear when the decision was taken to dispense with the ton-mile tax that alternative means would have to be sought to recoup that revenue to the States. I understand that all States agreed that some form of legislation would be necessary to recoup that revenue. They were speaking about recouping the amount that was lost as a result of the loss of the ton-mile tax. The Victorian Minister made statements similar to those that have emanated from this State's Minister of Transport.

In other words, it was agreed nationally, including Victoria, that this type of legislation would be used to replace the revenue that was lost as a result of the abolition of the ton-mile tax. There is no point to the Hon. Mr. Hill's proposition that the promises made by the Victorian Transport Minister are different from those made by the Minister of Transport in South Australia, because the position adopted nationally was agreed to only in general terms. The situation in Western Australia is different once again. The Government there has already passed legislation imposing a fixed tax per litre and not simply a percentage of the value. I believe that the tax amounts to 1c per litre for motor spirit and about 4c for diesel. According to the Western Australian Minister of Transport, it was necessary to introduce that legislation because their Parliamentary sittings were coming to a close. However, he gave the Transport Ministers from the other States to understand that the Western Australian Government would review the position later, so that some uniformity could be achieved with the other States.

South Australia naturally adopted the Victorian position in preference to Western Australia's. I emphasise to the Committee that it is important, if possible, to achieve uniformity between the States in this area. Honourable members opposite have said that the legislation, as it now stands, will provide a surplus of about \$3 000 000 over and above the amount raised through the reduction in registration fees and the replacement of the road maintenance tax. The problem faced by the Government is that it has to calculate precisely what revenue will accrue from this franchising system, so obviously there must be some leeway. Initially, the Minister of Transport believed that there could be a 10 per cent reduction in registration fees. However, having looked at the matter he has now announced (and I believe already drafted) regulations for a 20 per cent reduction in registration fees. Therefore, that indicates that the Government is not about to turn this measure into a road tax, but is prepared—and the Minister tells me that the matter will be reviewed as time passes—to see just what revenue accrues, not to the Government generally, but to the Highways Fund. The Minister will review the legislation after it has functioned for some time. In the interests of uniformity and flexibility, the Government insists on the Bill as presented.

**The Hon. J. C. BURDETT:** The amendment moved by the Hon. Mr. Griffin does exactly what the Minister says was agreed in principle by the conference of Transport Ministers. The Minister said that it was agreed at that conference to replace the revenue lost through the abolition of the ton-mile tax. The Hon. Mr. Griffin's

amendment does just that, and it also confines the tax to that area. The amendment prevents the tax from being used for the entirely different purpose of raising additional revenue that may increase from time to time, not as a result of a decision by the Government, but merely as a result of an increase in the price of petrol. The amendment does exactly what was agreed to in principle by the conference of Transport Ministers.

The Committee divided on the amendment:

Ayes (8)—The Hons. J. C. Burdett, J. A. Carnie, L. H. Davis, M. B. Dawkins, R. C. DeGaris, K. T. Griffin (teller), C. M. Hill, and D. H. Laidlaw.

Noes (8)—The Hons. F. T. Blevins, T. M. Casey, B. A. Chatterton, J. R. Cornwall, C. W. Creedon, J. E. Dunford, Anne Levy, and C. J. Sumner (teller).

Pairs—Ayes—The Hons. M. B. Cameron and R. A. Geddes. Noes—The Hons. D. H. L. Banfield and N. K. Foster.

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

Amendment thus carried.

*[Sitting suspended from 6 to 7.45 p.m.]*

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

Page 10, lines 20 and 21—Leave out all words in these lines and insert "being an amount per litre not exceeding 24·1 cents per litre".

This follows the form of the amendment in relation to motor spirit in lines 14 and 15, except that this deals with diesel fuel. The 24·1c is the average of the present bulk wholesale price for diesel, and is an appropriate figure at which it should be fixed so that again, as with the figure for motor spirit, the Minister is entitled to declare a value up to 24·1c per litre as the basis upon which the fee will be calculated. It limits the extent of any increase in relation to tax, and means that there must be some review by Parliament of any increase to be made should the Government require it.

**The Hon. C. J. SUMNER:** This matter raises the same issue as the previous amendment raised. The Government opposed that amendment, and it opposes this one. I do not intend to canvass the issues again. The issues are similar, the arguments are similar, and we oppose the amendment.

The Committee divided on the amendment:

Ayes (8)—The Hons. J. C. Burdett, M. B. Cameron, J. A. Carnie, L. H. Davis, M. B. Dawkins, R. C. DeGaris, R. A. Geddes, and K. T. Griffin (teller).

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

Pairs—Ayes—The Hons. C. M. Hill and D. H. Laidlaw. Noes—The Hons. C. W. Creedon and Anne Levy.

**The CHAIRMAN:** There are 8 Ayes and 8 Noes. Because I believe that the amendment should be further considered, I give my casting vote for the Ayes.

Amendment thus carried.

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

Page 10, lines 22 to 47—Leave out all words in these lines. This amendment is consequential upon the carrying of the previous amendments to this clause, and I doubt if it needs any detailed explanation.

**The Hon. C. J. SUMNER:** I agree that the amendment is consequential on the amendments that have been accepted by the Committee. We oppose the amendment.

Amendment carried; clause as amended passed.

Clauses 19 to 26 passed.

Clause 27—"Appeal."

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

Page 14, line 12—Leave out all words in this line.

This amendment seeks to delete the provision that a decision of the tribunal shall be final and without appeal. Clause 27 establishes that, if there is an appeal to the tribunal, it may be instituted by an applicant for a licence against a refusal or a licensee against the assessment or reassessment of a fee in respect of his licence. The procedure for the hearing and the determination of the appeal is to be determined by the tribunal. There are no specific guidelines under which the appeal is to be conducted, so it is very much in the hands of the tribunal. If that occurs, it means that there is no overriding review of either the conduct of the tribunal or the decision which it has reached. It is my view that, because of the very significant decision which it might be called upon to make, both in respect of refusal of licences and assessment of fees in particular, there should be an appeal, because the matters upon which the appeal may be made are of considerable substance.

**The Hon. C. J. SUMNER:** The Government is opposed to this amendment. There is a subsequent amendment to be moved by the Hon. Mr. Griffin to provide a right of appeal from the tribunal to the Supreme Court, so that really I speak on both matters. Comments on this situation are similar to those I made when talking about whether there should be a legal practitioner or a judge as head of the appeal tribunal. The legislation was based upon previous legislation on similar lines in relation to the sale of tobacco. In that legislation there was no provision for appeal. An appeal tribunal was set up with a non-legal practitioner as its head, and it was provided that there should not be any appeal beyond that provided for in the legislation, beyond the decision made by the tribunal. Clearly, there would be some legal remedies available to an aggrieved appellant if he felt that the tribunal had exceeded its authority.

Procedures such as a prerogative writ would be available to move the matter to the Supreme Court. Similar provisions have been in operation for four or five years in regard to tobacco products and no problems have been encountered. The Government cannot see why a similar situation should not apply in this legislation.

**The Hon. K. T. GRIFFIN:** Whilst I appreciate the Government's desire to maintain some consistency with the Business Franchise (Tobacco) Act, the fact is that this Bill has much wider implications and impact than that Act. It is for that reason and other reasons that there should be appropriate avenues of appeal to the Supreme Court. The Attorney has indicated that prerogative writs would be available in some circumstances but, as the Hon. Mr. Burdett, other honourable members and I have said, the use of prerogative writs is by no means an easy course to follow. Their complex procedures only make things more difficult rather than easier for people who have some grievance with decisions, and in this case the appeal tribunal would be the appropriate judicial authority to review decisions. There is adequate room for this to be considered.

The Committee divided on the amendment:

Ayes (8)—The Hons. J. C. Burdett, M. B. Cameron, J. A. Carnie, L. H. Davis, M. B. Dawkins, R. C. DeGaris, R. A. Geddes, and K. T. Griffin (teller).

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

Pairs—Ayes—The Hons. C. M. Hill and D. H. Laidlaw. Noes—The Hons. C. W. Creedon and Anne Levy.

**The CHAIRMAN:** There are 8 Ayes and 8 Noes. So that the matter can be further considered, I give my casting

vote for the Ayes.

Amendment thus carried; clause as amended passed. Clauses 28 and 29 passed.

New clause 29a—"Appeal to Supreme Court against decision of tribunal."

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

Page 15, after line 9—Insert new clause as follows:

29a. (1) Subject to this section, an appeal to the Supreme Court against any decision or order of the tribunal may be instituted by any person who was a party to the proceedings in which the decision or order was made.

(2) An appeal under this section must be instituted within one month of the making of the decision or order appealed against, but the Supreme Court may, if it is satisfied that it is just and reasonable in the circumstances to do so, dispense with the requirement that the appeal should be so instituted.

(3) The Supreme Court may, on the hearing of an appeal under this section do one or more of the following, according to the nature of the case—

- (a) affirm the decision or order appealed against;
- (b) quash the decision or order appealed against and substitute any decision or order that could have been made by the tribunal;
- (c) make any further or other order as to any other matter as the case requires.

This new clause seeks to establish a right of appeal to the Supreme Court against any decision or order of the tribunal, and may be instituted by any person or party to proceedings in which the decision or order was made. I have already given the reasons for that right of appeal in speaking to the amendment to clause 27.

**The Hon. C. J. SUMNER:** The Government opposes this consequential provision.

New clause inserted.

Clause 30—"Payment of fees into Highways Fund."

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

Page 16, line 7—Leave out "an amount" and insert "the sum of the total amount paid by the Commissioner pursuant to section 30a of this Act during that month and the amount".

What this suggested amendment seeks to do is dependent upon the insertion of suggested new clause 30a. It seeks to exempt those who use motor spirit for non-road use. Regarding the moneys to be paid into Highways Fund, there will be deducted the cost of administering the Business Franchise (Petroleum Products) Act and an amount that is reimbursed to those who apply to the Commissioner of Taxes for reimbursement of franchise fees paid on motor spirit used for non-road use.

I outline the scheme of suggested clause 30a, because it relates to this provision. It seeks to implement a procedure by which, every quarter, a person may lodge with the Commissioner of Taxes a claim that would be in the prescribed form and verified by statutory declaration for payment of an amount that is determined in accordance with suggested new clause 30a in respect of the quantity of motor spirit purchased in South Australia by that person during the last preceding quarter and used otherwise than for propelling road vehicles on roads.

There are then consequential subclauses that allow for the implementation of that procedure. In effect, it will allow primary producers, fishermen and all people who use petrol driven vehicles and machines on industrial sites and for purposes that are generally within the description of "non-road use" to apply to the Commissioner for payment of an amount representing that portion of the price paid for the fuel applicable to the franchise fee which, at the wholesale point, has been included in the

price of the motor spirit.

There is a provision for diesel used for non-road use not being covered by the franchise fee. This procedure for motor spirit, whilst not following exactly the same procedure, in fact achieves the same result.

**The Hon. C. J. SUMNER:** Before embarking on a detailed commentary on the amendment moved by the honourable member, I wish to raise a general matter in relation to clause 30. There is no doubt that this is a money clause in the Bill. The Hon. Mr. Griffin has moved his amendment as a suggested amendment to the House of Assembly because, under the Constitution Act, this Council cannot amend a money clause or a money Bill: it can only suggest an amendment to the House of Assembly. The general principle raised by this, as far as the Government is concerned, is that this Council, as a matter of principle, ought not to interfere with, or indeed even suggest amendments to, money Bills.

*Members interjecting:*

**The Hon. C. J. SUMNER:** The Committee has already interfered with a clause which, if not technically a money provision, was at least a clause which dealt with revenue, and I refer to clause 18. It is my view that, as a matter of principle, Upper Houses ought not to interfere with the appropriations or taxation matters, measures requested by Governments. That is the position that the Australian Labor Party took with respect to the Senate's blocking Supply, and it is a position that this State Government takes and, indeed—

*The Hon. M. B. Cameron interjecting:*

**The Hon. C. J. SUMNER:** It is all very well for the Hon. Mr. Cameron to interject but, at the time the Senate blocked Supply in 1975, he voted with the Government in this place to condemn the Liberal Opposition (as it then was) in Canberra for interfering with an Appropriation Bill that had been presented to the Senate by the Government. Indeed, the Hon. Mr. Carnie was in the same boat. We all recall the very trenchant criticism that the then Senator Steele Hall made about the Senate, the Upper House, interfering with Government's financial legislation. It is all very well for the Hon. Mr. Cameron to interject: clearly, his views have changed, but I distinctly recall his voting with the Government on that occasion to defeat members of the Liberal Opposition in a debate on this issue.

The simple fact is that the principle here is the same. The Government is concerned that the Opposition has already interfered with one clause (clause 18) which, although it may not have been technically a money clause within the terms of the Constitution, was certainly a matter dealing with Government revenue. However, clause 30 is a money clause pursuant to the Constitution. It is recognised as such by the Hon. Mr. Griffin, and the Government would oppose, if for no other reason, any amendment to that clause, because it is a money clause, and Upper Houses, as a general rule, Legislative Councils in the States, and the Senate at the Federal level, ought not interfere—

**The Hon. R. C. DeGaris:** That's your personal opinion.

**The Hon. C. J. SUMNER:** It is my opinion, and it is the opinion of the Government and my Party. It was also the opinion of the Australian Democrats and the Liberal Movement in 1975. In my reply to the second reading debate, I indicated that the Government would seek to amend this Bill to provide, in effect, that there would be only one licence fee under the two measures (this one and the Motor Fuel Distribution Act). I do not intend to move that as an amendment in this Committee deliberation, because one of the amendments, although it is only proposed by me and although it is only a consequential or

technical amendment to clause 30, does amount to an amendment to a money clause. This Government does not believe that the Upper House ought to engage in the process of amending money clauses. Accordingly, when Parliament returns after the week's recess, we will introduce a Bill in the Lower House to amend this Bill, should it be passed, in the terms of the amendments I foreshadowed to honourable members in the second reading debate. The reason for that is quite clear: we believe that it is a matter of fundamental principle that Upper Houses ought not interfere with money measures that come from the Government. For that reason, I will not be moving the foreshadowed amendments to clause 30. They will be the subject of a separate Bill to be introduced in the House of Assembly, and that is an undertaking that the Government has given and will carry out; its effect being that there will not then be two licence fees under this Bill and under the Motor Fuel Distribution Act.

The Opposition seeks to exempt the purchase of fuel that is not used for non-road purposes. The Government has some sympathy for that position, which it, along with the other States, would be willing to examine later. As I understand the position, we are looking for uniformity. Victoria has passed legislation in similar terms, and the proposals put forward by the Hon. Mr. Griffin in his suggested clause 30a could create administrative difficulties. It could cause a considerable administrative burden to the State and that is one of the reasons for getting rid of the old road maintenance tax, which was difficult and costly to collect. We could be importing into this legislation similar problems if we go along with the Hon. Mr. Griffin's suggestion. Whilst the Government is not unsympathetic to the problems of non-road users, it feels that it cannot at this stage accept the proposals put forward by the Hon. Mr. Griffin. The Minister of Transport has, in conjunction with his colleagues in other States, undertaken to look at the matter.

**The Hon. R. C. DeGARIS:** I am astounded at the speech made by the Attorney-General. He expects this Council to bow to the wishes of the A.L.P. and not abide by the provisions of the State Constitution. Irrespective of all logic and irrespective of any argument put forward, we must all bow down and kiss the sacred cow of A.L.P. policy.

*The Hon. F. T. Blevins interjecting:*

**The CHAIRMAN:** Order! If the Hon. Mr. Blevins wishes to defy the Chair, I will take the necessary action.

**The Hon. F. T. Blevins:** I am sorry, Sir, I certainly would not do that.

**The CHAIRMAN:** Certainly, the honourable member was trying to do so and, as he was one who today complained about convention, let me warn the honourable member that, when I call "Order", I expect order.

**The Hon. R. C. DeGARIS:** Irrespective of any logic or argument that is advanced, because a clause happens to be a money clause the Government says that this Committee must on no account amend a piece of legislation, no matter how stupid it is or what mistakes the Government has made regarding it.

**The Hon. F. T. Blevins:** That's what elections are for.

**The Hon. R. C. DeGARIS:** Where does this Bill mention election campaigns? What the Attorney has said is so ridiculous and stupid that the Committee should reject it. The Attorney has agreed that the amendment is a technical one but, because it happens to be in a money clause, the Government will not consider it. We will have to go through the whole process of having a Bill reintroduced in another place. The Government has given undertakings that it has not honoured.

**The Hon. C. J. Sumner:** Name them.

**The Hon. R. C. DeGARIS:** I can name any amount of them.

**The Hon. C. J. Sumner:** Well, go on.

**The Hon. M. B. Cameron:** What about a couple on the can Bill?

**The Hon. R. C. DeGARIS:** That is one, and there are others (examples of which can be found in *Hansard*) where the Government has not honoured the undertakings that it has given to the Council. Irrespective of logic, the Government says, "Yes, the case is good. We agree with it, but we want to go right back to the House of Assembly and introduce a Bill there to correct the position." However, once the Government has the screws on the Parliament there is no guarantee that anything can be done to solve the problem.

**The Hon. F. T. Blevins:** It isn't having the screws on the Parliament: it's called an election.

**The Hon. R. C. DeGARIS:** This matter has certainly never been argued during an election, so I do not know what that has to do with it.

**The CHAIRMAN:** Order! The Hon. Mr. Blevins is continually interjecting for no good purpose.

**The Hon. R. C. DeGARIS:** Time and time again this place has stood firm on financial clauses and Bills. Whenever there is an absolute rip-off, and a total injustice is being done by the Government, this place will stand firm.

**The Hon. C. J. Sumner:** You'll block Supply?

**The Hon. R. C. DeGARIS:** I am talking not about that but about the matter that is now before the Committee.

**The CHAIRMAN:** Order! This has nothing whatsoever to do with blocking Supply.

**The Hon. R. C. DeGARIS:** Ever since I have been a member of this place, this Council has been prepared to stand firm when the Government has been totally dishonest in its second reading explanations and where it has misled the people. I refer, for example, to the 1965 and 1966 succession duties Bills and the conference on the 1971 succession duties Bill. I will also throw in the railways transfer Bill and the State Government insurance legislation. The Hon. Mr. Blevins talks about promises made to the people. However, the insurance Bill went far beyond any promises that were made to the people.

**The Hon. J. E. Dunford:** But it was a raging success, you know.

**The Hon. R. C. DeGARIS:** I am speaking not about that but about the promises made to the people during elections.

**The Hon. N. K. FOSTER:** What has that to do with the clause under discussion?

**The CHAIRMAN:** Is the honourable member raising a point of order?

**The Hon. N. K. FOSTER:** Yes, Sir. What has this to do with the clause now before the Committee? He is rambling all over the place.

**The CHAIRMAN:** Order! I understand how much the Hon. Mr. DeGaris is rambling, but that is a matter for me to decide.

**The Hon. R. C. DeGARIS:** I remind Government members that the Opposition will always accept the challenge to stand firm in the circumstances to which I have referred. The Government has tried in this Bill to rip off and mislead South Australia's taxpayers and, as far as the Opposition is concerned, that situation will be corrected. In all the amendments that have so far been moved, the effect on the Government's revenue has been negligible. The Opposition accepts that principle.

**The Hon. F. T. Blevins:** You're treading a very

dangerous path.

**The Hon. R. C. DeGARIS:** I am not. I am sticking strictly to the rules under the Constitution Act that control this place. Irrespective of what the A.L.P. wants us to do, I will always abide by what I think is fair and reasonable, and, as the Attorney-General knows, the amendment moved by the Hon. Mr. Griffin is a fair and reasonable one. However, because the Attorney is hooked on some nineteenth century concept, he is not prepared to bow or bend one inch. I reject absolutely the Attorney's submission that this place should not interfere in any way because this clause happens to be a financial one. Despite that, the Attorney admits that the clause is unfair and unjust.

**The Hon. C. J. Sumner:** I didn't say that.

**The Hon. R. C. DeGARIS:** The Attorney admitted that the clause was unfair and unjust, and that at some stage in the future the Government would correct it.

**The Hon. C. J. Sumner:** I said "may".

**The CHAIRMAN:** Order!

**The Hon. R. C. DeGARIS:** How much can one trust this mob after that statement?

**The CHAIRMAN:** Order! The honourable Leader is starting to get a good way from the clause.

**The Hon. R. C. DeGARIS:** I suggest that the Attorney's gesture be rejected and that the Hon. Mr. Griffin's amendment be supported.

**The Hon. M. B. CAMERON:** I listened with some amazement to the Attorney-General's proposition that in some way the passing of this amendment would be a direct parallel to what occurred in the Senate. This is not a Supply Bill, and I certainly do not retreat in any way from the stand that I took previously.

I listened to the Minister of Transport when he agreed to the change to the ton-mile tax. He made clear at that time that this was merely a replacement tax and that people who had not previously paid the tax would not have to pay it in future: they would in no way be disadvantaged. But what has happened? The Hon. Mr. Virgo has switched totally. Had he said nothing, he might have been able to get this Bill through. Are Government members saying that we cannot believe what the Minister of Transport says in future? Are Government members saying that, when people listen to the Minister of Transport when speaking on the radio, for example, they will not be able to believe him because when he introduces any Bill it will be different from what he says it should have contained?

*Members interjecting:*

**The CHAIRMAN:** Order! I think the honourable member ought to deal with the clause.

**The Hon. M. B. CAMERON:** That is exactly what I am doing, Mr. Chairman.

**The CHAIRMAN:** Order! You are making an explanation of what you believe should be done on money matters.

**The Hon. M. B. CAMERON:** The group of people affected by this clause have not been paying the tax, but now they will pay it. That position is completely contrary to what the Minister of Transport said at that time. The Minister of Transport has changed his mind. He put it over the people a few weeks ago and now he is trying to put it over them again. The Minister of Transport will not now accept through the Attorney-General what is a reasonable proposition. Let us make the Bill exactly how the Minister of Transport wanted it, and let the Government agree to that; otherwise in future the people of South Australia will not believe the Government.

**The Hon. K. T. GRIFFIN:** There are several matters that need further discussion. The first matter concerns the intimation by the Attorney-General that he will no longer



proceed with his amendments on file. Why is he not now going to proceed with those amendments when, in fact, they were officially put on file? It appears the Government has changed its mind only after the Opposition's amendments have been placed on file. The Attorney-General probably believed that this move would embarrass the Opposition, but it will not, because, as the Hon. Mr. DeGaris and the Hon. Mr. Cameron have said, this Chamber has the authority and the responsibility to make changes if it believes those changes are in the best interests of the people of South Australia.

The Attorney-General has said that my amendment may create some administrative burden. I remind members that the Government has already exempted diesel fuel for non-road use from the provisions of the Bill. Presumably the oil companies will administer that part of the Act. Presumably they objected to administering exemption provisions for motor spirit and that is why the suggested amendments will come before the Council in this form, so that the people who are directly affected by the franchise fee on motor spirit for non-road use will have some right to make a claim against the Government for reimbursement of the franchise fee that they pay on that fuel. If the oil companies will not do that the Commissioner of Taxes will have to bear the burden, if it is a burden, of administering that exemption provision. The Minister's original statement was that there would not be a franchise fee or fuel tax on fuel for non-road use, but subsequently it appeared in respect of motor spirit. I urge the Committee to support the suggested amendment.

**The Hon. C. J. SUMNER:** In my usual cool and calm manner, I listened to the contribution made by the Hon. Mr. DeGaris. I do not mind arguing with him about whether the Upper House should interfere with Supply Bills—

**The Hon. M. B. Cameron:** It's a money clause, not a Supply Bill.

**The Hon. C. J. SUMNER:**—or money clauses: in my mind, the principle is the same. I made that point so that the Committee could be clear about the position I wish to take on this matter. I also dealt with the merits of the Hon. Mr. Griffin's amendment, which deals with clause 30, and also with the addition of clause 30a, giving as my reason the need for uniformity and the administrative problems that may arise as a result of the collection or refund methods suggested in new clause 30a.

I was concerned that the Leader of the Opposition had misrepresented what I said in opposing the amendment. I said that the Government had some sympathy for non-road users but at this stage could not devise a satisfactory system to exempt them from the legislation. The situation with regard to diesel fuel is covered by an arrangement between the Federal Government and the oil companies, and I understand that that position works satisfactorily. The Hon. Mr. DeGaris said that I said the Government would definitely change the position at some future time. I said (and I make this quite clear to the Committee, to avoid misrepresentation by the Hon. Mr. DeGaris) that the Government had some sympathy with regard to this matter and that it would look at the matter in conjunction with the other States (after all, this legislation was presented to Parliament after consultation with the other States) to see whether something could be done about these exemptions. That is not what the Hon. Mr. DeGaris stated that I had said earlier, when he misrepresented the true position to this Committee.

**The Hon. N. K. FOSTER:** Obviously Opposition members want to electioneer amongst themselves in an attempt to confirm their preselection. The Hon. Mr. DeGaris has been absent from this country for more weeks

than he has been back, but that is his affair. The Minister has been unfairly accused of making certain statements about this clause and the new clause on file, but Opposition members, by amending this Bill, will introduce something that may disadvantage the whole of this State.

*Members interjecting:*

**The Hon. N. K. FOSTER:** Never mind your snide remarks and your moans. The Hon. Mr. Burdett does that every day and he makes everyone sick the way he—

**The CHAIRMAN:** Order! The honourable member will speak to the clause.

**The Hon. N. K. FOSTER:** Well, shut him up. The Opposition is eagerly looking for another Select Committee. If the Opposition succeeds with its amendments, can it guarantee this Committee that the measure will be uniform with the legislation enacted by the other States involved?

*The Hon. J. C. Burdett interjecting:*

**The CHAIRMAN:** Order!

**The Hon. N. K. FOSTER:** Just a minute, Mr. Chairman. Shut him up for God's sake.

**The CHAIRMAN:** Order! That is not the type of conduct expected of the Hon. Mr. Foster, and I ask him to withdraw.

**The Hon. N. K. FOSTER:** All right, I withdraw.

**The CHAIRMAN:** While I have the honourable member's attention, I also ask that he get back to the clause.

**The Hon. N. K. FOSTER:** Shut them up! I withdraw, but I am sick and tired, when I am on my feet, of DeGaris. Since he came back from his jaunt overseas, he continually bellows, and nothing is done about it. He should be tossed from the room, and so should Burdett. You pick on me, as your predecessor did, and tell me that I should go out with the only people in this State who matter, the public, on North Terrace. I am not going to listen to the innuendoes of those two monkeys on the front bench and not be expected to say anything about it.

**The CHAIRMAN:** Order! Order! I believe the honourable member has got quite beyond himself.

**The Hon. N. K. Foster:** No, I haven't. They are always at it.

**The CHAIRMAN:** Order! The Hon. Mr. Foster has also accused me of partiality, which I resent. I think he is quite out of order. No-one is interfering with his speech in any way. The Hon. Mr. Foster.

**The Hon. N. K. FOSTER:** DeGaris asked what I am talking about. I am talking about an intention for uniformity on the matter. That should be understood by him. Can he give any undertaking, or would he be prepared to say that Labor will do it, that the court will do it, that Nixon will agree, and that Fraser will agree? He might be all right in Nigeria, but when he is talking to his own constituents he does not even tell the truth. Perhaps it will not be to any great advantage finally. Grant Andrews rang me on this matter the other week. He was told, as I understand it, that there was a desire for uniformity. I quote from the second reading explanation of the Minister, as follows:

The working party also recommended that:

- (a) the charge should be levied and collected by the Commonwealth Government on behalf of the States for reasons similar to those I mentioned earlier. This approach was supported strongly by the oil companies;
- (b) in the event that the Commonwealth Government would not support that approach, then the charge should be levied and collected at the oil company level rather than the retail level in order to avoid

the problems associated with previous fuel franchising systems.

As to the Commonwealth Government levying and collecting the charge, this matter was raised at the recent Premier's Conference. I regret to say that, once again, the proposal was rejected out of hand by the Commonwealth Government.

As a consequence, all States are now left with no alternative but to introduce a business franchise fuel licensing system. Western Australia and Victoria have already legislated to introduce this type of system. New South Wales and Queensland are considering the question.

In respect to this Bill, the Government is following closely the major principles incorporated in the current Victorian legislation as uniformity between States is essential in order to avoid border problems which could be detrimental to the industry.

Basically, the legislation provides for each oil company to pay a nominal licence fee plus a fee based on the value of its sales in a previous period for certain petroleum products (namely motor spirit and distillate) used in propelling vehicles on roads and for each retailer to pay a nominal licence fee only, provided he purchases his supplies of those products from a licensed oil company.

In essence, the system involves two licences.

That was the basic principle of understanding on the part of the Minister in the other place when he gave that explanation. Let us have no more humbug by the Opposition. They have all read the document. As a collection, they can all read, even if they cannot understand it. Now I have told them what it means, let them understand it and withdraw the amendments.

**The Hon. R. C. DeGARIS:** I will reply to the Hon. Mr. Foster in this way. There is no change in relation to uniformity of approach in the Hon. Trevor Griffin's amendment. The rest of what he said I do not think had anything to do with the point before the Chair. There is no change at all in the uniformity approach. The important thing to bear in mind is that the Government knows very well that this clause goes far beyond what the Government wants to do—

**The Hon. J. C. Burdett:** And said it wanted to do.

**The Hon. R. C. DeGARIS:**—and has said it wanted to do. Mr. Griffin's amendment could solve the problem for the Government, but, because there is some hang-up in the nineteenth century thinking of this Government, that correction cannot be made in this Chamber. Under our Constitution, under the Constitution of any State in the Commonwealth, that correction can be made. The Attorney-General is asking us to bow to that nineteenth century thinking of the A.L.P. not to correct a problem that every person in the community knows is there and is inherent in the Bill. The Attorney-General has said time and time again in the debate that it cannot be done with motor spirit because of some agreement between the oil companies and the Commonwealth Government. As he knows so much about it, what is that agreement?

The Committee divided on the amendment:

Ayes (8)—The Hons. J. C. Burdett, M. B. Cameron, J. A. Carnie, L. H. Davis, M. B. Dawkins, R. C. DeGaris, R. A. Geddes, and K. T. Griffin (teller).

Noes (8)—The Hons. F. T. Blevins, T. M. Casey, B. A. Chatterton, J. R. Cornwall, C. W. Creedon, J. E. Dunford, N. K. Foster, and C. J. Sumner (teller).

Pairs—Ayes—The Hons. C. M. Hill and D. H. Laidlaw. Noes—The Hons. D. H. L. Banfield and Anne Levy.

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

Amendment thus carried.

**The Hon. R. C. DeGARIS:** I move the following

suggested amendment:

Page 16, line 8—After "this Act" insert "together with the cost of the administration of the Motor Fuel Distribution Act, 1973-1979."

In moving this suggested amendment I point out that the Government realised that clause 30 was not satisfactory and put its own amendments on file. It was then faced with a sudden twinge of conscience about this Party policy and does not intend to move its amendments, which are logical and reasonable.

**The Hon. C. J. SUMNER:** The Government does not disagree with the substance of the amendment. I have already explained the position to the Committee. This is a money clause and the Government will introduce amendments to the House of Assembly at the earliest opportunity.

Suggested amendment carried; clause as amended passed.

Suggested new clause 30a—"Grant to persons in respect of off-road use of motor spirit."

**The Hon. K. T. GRIFFIN:** I move the following suggested new clause:

Page 16, after line 8—Insert new clause as follows:

30a. (1) A person may, during any quarter commencing on or after the first day of January, 1980, lodge with the Commissioner a claim in the prescribed form and verified by statutory declaration for payment of an amount determined in accordance with this section in respect of the quantity of motor spirit purchased within the State by that person during the last preceding quarter and used otherwise than for propelling road vehicles on roads.

(2) Where application is made by any person under subsection (1) of this section, the Commissioner shall pay to that person an amount arrived at by multiplying the prescribed amount by the number of litres of motor spirit that the Commissioner determines were purchased within the State by that person during the last preceding quarter and used otherwise than for propelling road vehicles on roads.

(3) The Commissioner may, for the purposes of making a determination under subsection (2) of this section, require the applicant to furnish him with such further information as he requires verified by statutory declaration if he so requires.

(4) Any amount that the Commissioner is required to pay to any person pursuant to this section shall be paid out of the general revenue which is hereby to the necessary extent appropriated accordingly.

(5) The Commissioner may recover in any court of competent jurisdiction, as a debt due to the Crown, any amount paid upon an application under this section which he was not required by this section to pay to the applicant.

(6) In this section—

'quarter' means the period of three months commencing of the first day of the month of January, April, July or October in any year;

and

'prescribed amount' means 4.5 per centum of the amount determined by the Minister under section 18 of this Act as being the value of motor spirit.

This suggested new clause seeks to put into effect a scheme by which those who use motor spirit for non-road purposes may apply to the Commissioner of State Taxes for reimbursement of the franchise fee paid on a quarterly basis and is consistent with the intention of the Government in allowing an exemption for diesel fuel used for non-road purposes. In his second reading explanation the Minister indicated that the legislation provided for each oil company to pay a nominal licence fee. The

Minister stated:

Basically, the legislation provides for each oil company to pay a nominal licence fee plus a fee based on the value of its sales in a previous period for certain petroleum products (namely motor spirit and distillate) used in propelling vehicles on roads and for each retailer to pay a nominal licence fee only, provided he purchases his supplies of those products from a licensed oil company.

The amendment is consistent with that approach, that fuel used otherwise than for propelling road vehicles ought not to be subject to the franchise fee.

**The Hon. C. J. SUMNER:** This amendment is consequential on the first amendment to clause 30 that was moved by the honourable member. The Government, for the same reason, is opposed to this clause. The Hon. Mr. DeGaris asked questions about the exemption in relation to distillate that the Government feels can be accommodated at this time. I was asked whether that was the case. I understand that there is already set up under the Federal Government and through the oil companies a system whereby there can be exemptions allowed on the sale of distillate for non-road purposes. The difficulty is that that system does not apply in the case of motor spirit, and the oil companies at this stage, at least, are reluctant to cooperate in a scheme which would overcome the situation. That is the situation, as I understand it, in answer to the Leader's question.

**The Hon. R. C. DeGARIS:** I gave a firm undertaking that when the problem is solved at the Federal level (as the State cannot solve it), this Council will pass an amendment to remove the Hon. Mr. Griffin's amendment and insert the Government's amendment.

**The Hon. M. B. DAWKINS:** I support what the Hon. Mr. Griffin has said, and I support the fair and reasonable amendment. In the second reading debate I referred to the considerable use of petrol in stationary engines, in boats and in small tractors. I drew the Government's attention to the fact that a number of petrol-driven vehicles are on small fruit blocks or properties where the owners have not had the opportunity to buy the more expensive diesel-fuelled vehicles. This amendment is fair and the Government should accept it.

Suggested new clause inserted.

Clauses 31 and 32 passed.

Clause 33—"Protection for Commissioner, etc."

**The Hon. K. T. GRIFFIN:** I oppose the clause. It extends to the Commissioner, the tribunal or an inspector a much wider immunity from liability than he ought to have. If he exercises his powers lawfully, no liability can attach to him personally but will be borne by the State if the State itself is liable. If the Commissioner or an inspector exceeds his powers under the legislation and thereby would ordinarily have incurred liability, this clause gives him immunity from that liability, because he would have purported to have been exercising or performing any power, function or duty conferred on it or him by or under the legislation.

On at least one previous occasion, when the Dangerous Substances Bill was before us in the last session, we deleted a similar provision which sought to extend the immunity to officers administering that legislation beyond what would ordinarily be reasonable in a master-servant relationship. I adopt that approach to this clause by asking the Committee to oppose it. I have had discussions with a number of people about the consequence of deleting it. I have been assured that it will not prejudice the Commissioner, the tribunal or any inspector who may lawfully exercise or perform any power, function or duty conferred on him under this Bill.

**The Hon. C. J. SUMNER:** The Government opposes the

deletion of this clause. It seems rather odd that honourable members opposite insist on being Latter Day converts to the business of reviewing legislation. They are now coming to the Committee with all sorts of suggested amendments to this Bill when they were perfectly happy for precisely similar clauses to be inserted in legislation which was passed by them previously dealing with the tobacco franchise and upon which (and I emphasise this) this legislation has been based. Their days of reviewing in the past were obviously inadequate if one looks at their current attitude. It may well be that there is now a much more substantial legal lobby amongst honourable members opposite. This clause exists in exactly the same terms in the Business Franchise (Tobacco) Act. It gives protection to people involved in the administration of the Act who are acting in good faith in carrying out the exercise of their powers under the Act. It seems that the Government desires to give protection to the tribunal or inspectors. It is not a unique provision. Therefore, I suggest that the Council should retain the clause.

**The Hon. J. C. BURDETT:** I oppose the clause. It would relieve the Commissioner, the tribunal or any inspector of liability for negligence. I cannot see any reason why a person in this position who is negligent should not be proceeded against in the same way as a person in the private sector could be. I have said this on many occasions before. Clause 33 gives that relief for an act done in good faith. One may act in good faith and yet be neglectful, thereby failing in one's duties. If one fails in one's duty one should suffer the consequences at law in civil proceedings. That certainly occurs in the private sector. I cannot see any reason whatever why the Government should be relieved of that same liability when it establishes an administrative set-up such as this for collecting revenue. On what legal basis or any other basis should the Government be relieved of responsibility if it acts negligently?

The Committee divided on the clause:

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

Noes (8)—The Hons. J. C. Burdett, M. B. Cameron, J. A. Carnie, L. H. Davis, M. B. Dawkins, R. C. DeGaris, R. A. Geddes, and K. T. Griffin (teller).

Pairs—Ayes—The Hons. D. H. L. Banfield and C. W. Creedon. Noes—The Hons. C. M. Hill and D. H. Laidlaw.

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

Clause thus negated.

Clauses 34 to 37 passed.

Clause 38—"Offences by bodies corporate."

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

Page 18, line 14—Leave out "or other person concerned in the management" and insert "and the manager".

The clause, as it appears in the Bill, seeks to attach to a person concerned in the management of a body corporate which may be convicted of an offence against the Act liability for the same penalty and conviction for the same offence in certain circumstances. I am concerned that the reference to "a person concerned in the management of a body corporate" should be so wide and extend beyond the person who is in fact the manager who should accept the responsibility if he is aware of the offence and could not, by the exercise of reasonable diligence, have prevented the commission of the offence. A number of people in any body corporate may be concerned in the management of that body corporate but not, in fact, be the person who should accept liability and responsibility for a decision. That alone should rest with the manager or a director.

Therefore, I seek to move an amendment to refer specifically to the manager and to eliminate the uncertainty and the breadth of the provision as it appears in the Bill. It is consistent with the approach we have taken on previous occasions with respect to similar clauses affecting the liability of directors and others in relation to offences committed by bodies corporate.

**The Hon. C. J. SUMNER:** The Government considers all Opposition amendments with an open mind, and it likes carefully to examine all propositions advanced by honourable members opposite. Unfortunately, on many propositions that have been advanced the Government has not been able to accede to their requests. Nevertheless, on this occasion, after full and due consideration of matters that the Hon. Mr. Griffin has put to the Committee, the Government, with an open mind, is willing to accept the amendment.

Amendment carried; clause as amended passed.

Clauses 39 and 40 passed.

New clause 41—"Amendment of Motor Fuel Distribution Act, 1973-1974."

**The Hon. R. C. DeGARIS:** Does the Attorney intend to move to insert this new clause?

**The Hon. C. J. SUMNER:** The Government's view on this matter was explained previously.

**The Hon. R. C. DeGaris:** It was confused.

**The Hon. C. J. SUMNER:** There was no confusion at all. The amendment to clause 30 would have been introduced as a separate Bill in another place at the earliest opportunity. However, honourable members opposite have seen fit to amend a money clause by amending clause 30, upon which new clause 41 is consequential. I do not believe that new clause 41 is a money clause, and I suppose that the Bill would, in a sense, fall without clause 41. Although the Government would have moved this whole batch of amendments later as an amendment to the Act, given that the Opposition has seen fit to amend a money clause I am willing to move to insert new clause 41.

**The Hon. R. C. DeGARIS:** I suggest that the clause is a money clause, and I should like your ruling, Sir, on that matter.

**The CHAIRMAN:** I do not believe that it is a money clause.

**The Hon. C. J. SUMNER:** That, Sir, was my understanding of the matter, and on that basis, given that the Opposition has adopted this attitude to the Bill, I therefore move to insert the following new clause:

41. (1) The Motor Fuel Distribution Act, 1973-1974, is amended—

(a) by striking out paragraph (b) of subsection (2) of section 17a and inserting in lieu thereof the following paragraph:—

(b) any failure to make application, in accordance with this Act, for renewal of the licence in respect of the premises;

(b) by inserting in section 31 after the passage "application for" the passage "the grant or renewal of";

(c) by striking out paragraph (c) of section 31;

(d) by striking out paragraph (c) of subsection (1) of section 34 and inserting in lieu thereof the following paragraph:—

(c) the licence expires and is not renewed;

(e) by striking out section 35 and inserting in lieu thereof the following section:—

35. (1) A licence shall, subject to this Act, expire on the day being the anniversary of the appointed day next occurring after the grant of the licence or the last renewal of

the licence, as the case may be.

(2) The board shall grant a renewal of a licence upon application made in accordance with this Act before the expiry of the licence.

(3) The board may grant a renewal of a licence notwithstanding that application for the renewal is made out of time.

(f) by striking out from subsection (3) of section 36 the passage "and be accompanied by the prescribed fee";

(g) by striking out paragraph (c) of section 41;

(h) by striking out from subsection (3) of section 45 the passage "and be accompanied by the prescribed fee";

and

(i) by striking out paragraph (b) of subsection (2) of section 64.

(2) The Motor Fuel Distribution Act, 1973-1974, as amended by subsection (1) of this section, may be cited as the "Motor Fuel Distribution Act, 1973-1979".

**The Hon. R. C. DeGARIS:** I assure the Attorney that in all matters such as this, whether or not they offend the principle that is adopted, the Liberal Party is always co-operative in trying to improve legislation. There is no question that the previous amendment that I moved for the Attorney and this amendment substantially improve the Bill. I therefore have great pleasure in supporting this new clause.

New clause inserted.

Title.

**The Hon. C. J. SUMNER:** I move:

Page 1—After "South Australia" insert "; to amend the Motor Fuel Distribution Act, 1973-1974;".

This amendment is consequential on the first amendment to clause 30 moved by the Hon. Mr. DeGaris and on the insertion of new clause 41.

Amendment carried; title as amended passed.

Bill read a third time and passed.

#### ADDRESS IN REPLY

Adjourned debate on motion for adoption (resumed on motion).

(Continued from page 369.)

**The Hon. N. K. FOSTER:** Before the dinner adjournment I was dealing with the Federal Government's *ad hoc* committee relating to uranium. That committee's decision paper No. 3743 came into my possession by means other than Government members. Paragraph (D) thereof states:

An extract from the Royal Commission report on environmental pollution: "Nuclear power and the environment" (the Flowers Report).

This whole document is intended to mislead the public and to deny it the facts regarding a number of matters undertaken by the previous Federal Government in accordance with the wishes of the Mining Industry Council and others. The decision paper continues as follows:

(E) An extract from *Hansard* of 2 October 1974 (at page 2057) covering a House of Representatives debate on Australian uranium.

That debate, conducted on 2 October, was called on by the then Deputy Leader of the Opposition after it was decided, following a terrible political wrangle, that Mr. Anthony would be the Deputy Leader after Mr. Lynch, who got mixed up in some crook land deals in Victoria, as a result of which they had to put him in hospital because of the disgrace that he could have brought on the Liberal Party. The Liberals had to bury Mr. Lynch for a while, but

then resurrected him after they assumed office in 1977.

Anthony made a speech challenging the then Minister, Rex Connor, about the Government's intention and its uranium policy generally. He asked about the Government's intention regarding uranium enrichment in Australia. He also asked about the Government's policy on the export of uranium. In his reply, the late Rex Connor, who was a man with great foresight regarding energy requirements, not only in this country but also in the heavily industrialised countries such as Japan, which has virtually no known energy resources whatsoever, was able to produce letters written to a previous Liberal Minister, Reg Schwartz, by various uranium lobbyists of the day. The late Rex Connor pointed out that the Government did not own the vast resources in the Northern Territory which at that time represented about 80 per cent of the known uranium deposits in this country. He pointed out that those deposits belonged to the people of Australia, and he made it abundantly clear, on behalf of the people of Australia, that the then Federal Government would not be content with 1¼ per cent in royalties as representing the entire rights of the people regarding the export of uranium. The Federal Labor Government of the day stated quite clearly, and it is still often stated, that the amount of yellow cake in reserve at Lucas Heights with the Australian Atomic Energy Commission was sufficient to meet all of Australia's energy export commitments. After this policy was made known, an industrial dispute took place over the matter. Members opposite may or may not recall that, because they have short memories, but I have mentioned these facts to acquaint them with the subject matter referred to in the document that I am reading, dated 2 October 1974. Paragraph (f) refers to an extract from *Hansard* dated 4 June 1975 at pages 3293-4 and covers the answer to a question without notice on uranium by the then Minister for Minerals and Energy in the former Whitlam Government. This was before Kerr's coup and before overseas interests overthrew the Whitlam Government, but I will refer later to the under-handed way in which that all came about. At page 3293, Mr. Anthony asked the following question:

My question to the Minister for Minerals and Energy is supplementary to the one I asked him earlier. In view of the fact that the Government is not entering into any equity arrangement with the Ranger consortium but wants to confiscate 50 per cent of the production from the mines on the ground that the Australian Government owns the mining resources of the Northern Territory, I ask: Is it now the policy of the Government to acquire 50 per cent of the production of any new uranium project in the Northern Territory? Is this policy to apply to other mining projects in the Northern Territory?

The answer given by the late Rex Connor was as follows:

Our policy in relation to uranium mining in the Northern Territory was made very clear by a very long statement that I issued at a comprehensive Press conference immediately after the agreement was signed. It was made quite clear there that, in respect of any company or individual which had found uranium up to that date, the rights of that company or individual would be honoured and that companies which still had permits to explore would continue to do so. Under the terms of the mining ordinance of the Northern Territory areas of exploration are progressively reduced from year to year until finally they are phased out. The ultimate situation, of course, is one in which the Australian Atomic Energy Commission itself will be conducting all exploration for and mining of uranium in the Northern Territory. In this particular case, we acknowledge the work that has been done by these people.

As to confiscation, we do not confiscate what we already

own, particularly what we already own in terms of the legislation that was introduced in 1953.

That legislation was enacted by the Menzies Government, with the support of both sides of the House. Mr. Connor's answer concludes:

It is the property of the Australian Government if and when there is to be joint mining, it will be done under the full control of the Australian Government. There is no question of confiscation. In the particular case mentioned by the honourable member, it was arranged that a company would be formed. One of the purposes of the first discussion between the permanent head of my department and these people was to decide on the terms under which a joint operating company would be formed and duly registered. There was no question of acquisition unfairly or unreasonably. To be very frank, we have been more than fair with these people. My suggestion to the honourable member is that he tell his informants to put their money where their mouths are.

In view of what Anthony has been doing over the last few weeks, that is an interesting statement by the late Rex Connor. According to the press statement, Anthony, as the most senior member of Federal Parliament, a Minister with some responsibility who should act with some propriety, has been going around the country hawking 50 per cent of Australia's large uranium deposits. He has been begging Australian companies to take them up, and he has been putting his own price on these deposits and generally acting most underhandedly and dishonestly. He must be learning from the Deputy Leader of the Country Party, Mr. Sinclair. Mr. Sinclair is the fellow who woke up one morning and unfortunately discovered that somebody had deposited about \$400 000 in his bank account! The Corporate Affairs Commission in New South Wales caused him some embarrassment over that and the matter is still proceeding. The document continues:

(c) A statement entitled "Uranium exploration in the Northern Territory" issued on 6 March 1975 by the then Minister for Minerals and Energy in the former Government.

2. The committee agreed to recommend to Cabinet this night a plan of action along the following lines:

(a) media appearances by the Ministers involved be actively sought;

In other words, they applied themselves to the media, and no doubt the Mining Industry Council paid the media a visit to ensure that the Ministers would say that there was no danger in uranium mining or in building nuclear power plants and that Australia could be happy about it because certain safeguards were being sought by the then Federal Government.

The committee further recommended that State Party organisations be asked to assist, and that the Ministers for Foreign Affairs and Health be involved in the early stages. The Minister for Foreign Affairs was to make some contact with an overseas Government and ask it to assist in a publicity campaign in Australia to play down the nuclear issue. The Minister for Health was asked to act on the basis that he was prepared to say that there was no real danger and that all precautions would be taken. The document continues:

(iii) that there be concentration on waste disposal and proliferation issues.

They knew that people had sufficient common sense to recognise the dangers and were at that time making public their views. The document further states:

(iv) potential economic benefits not to be highlighted.

(b) Ministers concerned to prepare letters simply and succinctly explaining the Government's decision on areas of their respective responsibilities and concentrating particularly in aspects of general concern expressed in public debate,

all letters to be made available to Government back-bench members to be used as the basis for communicating with persons and groups within their electorates.

This had a two-fold purpose: they would play down the Fox Report, which said there should be adequate and proper public debate, which was denied the country by Anthony, Sinclair, Fraser and their ilk. The report continues:

(c) Ministers should prepare summaries in respect of their areas of responsibility with regard to the Government's decision, the relevant proposals of the Fox Report, and relevant proposals put forward in submissions to the Fox Report;

(d) use might be made to the article in the *Bulletin* of 10 September 1977 purporting to quote from a letter written to the New South Wales Premier by Mr. C. Oliver, New South Wales Secretary of the Friends of the Earth as the "enemies of the people" because of their attitude to uranium.

I emphasise that, because I think the Hon. Mr. Dunford would agree that Charlie Oliver was never the Premier of New South Wales. I think he was the Secretary of the New South Wales branch of the A.W.U.

**The Hon. J. E. Dunford:** And President of the A.L.P.

**The Hon. N. K. FOSTER:** President of the A.L.P. at that time. They would highlight this because they thought that would win them more support with the Government not being directly involved in such an underhanded campaign. The document states:

(e) relevant material and including that referred to in subparagraphs (B), (C), and (D) be made available to the Government back-bench members in kit form.

Jim Killen got a copy of this the other day when he was in New Guinea. That is why he said it was the worst Parliament it had been his unhappy lot to be associated with. The document then continues:

(f) All Ministers and Government back-bench members should bring to the notice of the *ad hoc* committee points of concern on the uranium issue which come to their notice.

If a person at a meeting asked awkward questions, they were to get that person aside, and see how much of his brains they could pick, taking the information back to the committee so that it could deliberate on how to put up some form of gobbledegook to refute that form of reasonable argument. The document continues:

(g) the Government should encourage non-political experts (on the) development of nuclear energy to publicly state their views . . .

We have seen this happening in Adelaide with the Mining Industry Council, and when opponents of the uranium issue were shown the B.B.C. film on Channel 2 about the stark realities of what would occur if this dangerous mineral were mined. The document then states:

(i) experts able to illustrate how essential it is to maintaining our present lifestyle;

(ii) visitors from developing countries, especially Australia's neighbours, which have recognised the need to use nuclear power to meet their energy needs; and

(iii) possibly someone from the Ford Foundation.

Names of experts who might be approached should be sought from the A.A.E.C., Department of National Resources and Foreign Affairs. The Minister for Transport should address the Party meeting to explain the proposals to members and urge that members take appropriate action in their electorates to explain the Government's decision, concentrating particularly on younger members of the community.

The last paragraph clearly identifies the document as being Country Party oriented, Country Party in origin, and typical of Country Party tactics, to the extent that they

would mislead the people.

Before turning to oil imports, I will deal with some of the so-called energy crisis matters. In the House of Representatives on 8 September 1977, question No. 988 was directed by the member for Hawker, Mr. Jacobi, to the Minister for National Resources, on notice of 31 May 1977. The question was as follows:

1. Has the Government taken any action to diversify future sources of imported crude oil for Australia or has this matter been left to the discretion of oil companies?

2. Has he discussed the matter with any overseas Governments?

Mr. Anthony gave the following answer:

1. Australia already imports crude oil from a number of countries. It is not the Government's policy to become directly involved in commercial import or export transactions or to give any direction to Australian commercial interests as to where they should source imports.

2. The Government's policy as outlined above has been explained on many occasions when the matter of crude oil imports into Australia has entered into discussions with representatives of foreign Governments.

That is after the energy crisis and the so-called embargo of the OPEC countries, the Middle East producers. That brings me to the question of oil and the liquid petroleum problems that directly concern Australia and other countries. Before I speak on that, however, let me refer to the 23 dreary years of the Menzies Government, during which time the takeover by Mosadeq in one of the Middle East countries and the nationalisation of oil wells in that country, as was his right. They had greater powers of persuasion in relation to the nationalising of resources in some of the so-called under-developed countries than we have in Australia.

Apart from concerning themselves with some defence matters and ensuring reserve supplies of fuel for the Armed Forces, the Menzies Government paid no regard whatever to the warnings being issued in the late 1950's. They were not given any importance at all. The Menzies Government set about stripping the old Commonwealth Oil Refinery (the Government-owned refinery and distributor known as C.O.R.) and dumped it into the lap of B.P., if I remember rightly.

We had in Australia at that time the mining of shale deposits in New South Wales, which began during the war as a war measure, and we were producing from coal and from shale liquid petroleum of a very high standard. During the time Menzies was in Opposition, his Party sought to embarrass the Chifley Government on the continued operation of this plant, because the war had ended, it had been closed down, and it could be flogged off to their Liberal friends, particularly if they came into office. We here today should be exploring the possibility of shale oil deposits. We should be exploring the possibility of coal, and processing the coal into some form of liquid petroleum products.

The Government of those long, weary, neglectful and waring 23 years did no more than seek to be elected on every falsehood that could be imagined. In an undeveloped country such falsehoods would probably cause violence if they were used to return a Government to office. All our problems today have arisen because we unfortunately had the dead hand of Menzies upon us whilst he was living. It was not a constructive period at all. There is no real direction or policy from the Federal Government, even though it is responsible to provide that direction. This matter was amplified in the debate earlier this evening.

The Commonwealth Government has failed to give any proper guidance in respect of its responsibility regarding

the energy crisis. The only thing it has done has been to falsely insist on world parity oil prices, and that has to be paid for by every consumer in Australia. Fraser is the shadow of Menzies, anyway, and he is intent on doing only one thing. World parity pricing of oil has been introduced for only one reason, and honourable members opposite know that. In the Committee debate on a measure earlier this evening the Opposition moved amendments and heaped scorn on the Government for trying to obtain money from the motoring public, but the Opposition's arguments were false. I do not know how Opposition members can live with themselves. Last week and again yesterday I indicated that a conservative estimate of the sum to be recouped by the Federal Government through increased oil parity pricing is about \$19 000 million, while other estimates range up to \$25 000 million. Fraser is happy that the difficulty of oil is real.

Not one cent of the amount to be raised goes to Arab countries or to the oil companies; not one cent of the increase goes to relieve balance of payment problems; not one cent is being paid in any trade deficit area: it all goes to meet the Federal Government's deficit. Although I am not an economist (and they are not much good, anyway), there are too many egg-heads here, and they do not know what the trouble is. Put simply, Fraser wants to reduce his deficit but, if that is his guide to reducing inflation, then I am really worried. His Treasurer, Mr. Howard, used to run a petrol station. How they expect to increase the price of petrol, especially as petrol makes up such a high proportion of our transportation costs, without affecting the cost of living, is beyond me.

An amendment moved in an earlier debate tonight was to exempt farmers from an additional burden caused through increased fuel charges. There has been no indication from the Federal Government about what should be done in the future. True, Ansett and T.A.A. aeroplanes will operate on lower flight paths and be speedier in the air to save fuel, yet the American lesson is real. America increased petrol prices in the mistaken belief that it was a conservation measure, yet just the opposite occurred. It was not until America rigidly enforced a lower road speed limit that it obtained any reduction in petrol usage, but that is only a short-term arrangement.

Should Australia be looking to its incompetent and non-thinking Federal Government? That Government should be talking to industry, commerce, trade unionists and power authorities, insisting on an energy audit. Energy is wasted in Australia in all areas, especially with motor vehicles which, within seconds of leaving a traffic light, can be travelling at 60 km/h, and a few seconds later at 70 km/h. Much less energy is needed to sustain that speed, whereas all the energy used to reach the initial speed is wasted.

If General Motors-Holden's undertook an energy audit at its Woodville plant it would find it was unnecessary to provide a new generator: it could conserve wasted energy instead. The same position applies in the farming community, on the roads and everywhere. What about local councils that burn lights all night in order to obtain a cheaper tariff from the Electricity Trust? That is a stupid situation, yet we get no lead from the Federal Government.

Need high-rise buildings have air conditioning units continually being run in South Australia? It is a waste of energy and can cause legionnaire's disease. Other people believe that lighting is needed for security, but that has not been borne out in New South Wales where, in areas adjacent to the Sydney Cricket Ground and the Sydney Showgrounds, vandalism has increased under the

floodlights. Damage and pillaging has increased in areas close to that lighting. A Paradise business man told me that his insurance company insisted that he floodlight his car yard.

It was in a normal street and not one thing had been taken, but on the first night after the floodlights had been installed \$14 000 worth of theft and damage occurred. It might well be said that we should switch off all the lights for the next six months, although the energy we conserve will only be minimal. However, when one multiplies the effects of that and when one educates the public to switch off lights and appliances, one is starting to achieve something. This nation cannot afford the luxury of a so-called free enterprise system of transport when say, 15 tonnes of cargo is carted from Adelaide to Melbourne on a semi-trailer in a container weighing 20 tonnes. Energy is being wasted in carting that worthless container. A cost factor is involved and an energy factor is also involved. The taxpayer has to provide the finance for the roads as well as the funds for their maintenance. Day after day, week after week, long lines of transports are moving from State to State, using exorbitant amounts of fuel to shift minimal loads, and this all mitigates against the conservation of fuel. However, nothing has or been said or done about it by the Federal Government.

There should be a ban on this sort of thing, and people should be compensated on leaving the transport industry. No longer can one expect people to walk away from a livelihood without receiving compensation. The proper and cheap way to transport goods is by rail. We should be building a second railway track for at least one-third of the distance between here and Melbourne, if not two-thirds, (one-third from the Victorian capital and one-third from this end, because that is where the bottlenecks occur).

Today, Mr. Laidlaw said that there is a problem with shipping in Australia in regard to bunker fuel for vessels. We cannot afford the luxury of an incompetent, inefficient, costly, energy-wasting system of road transport between our capital cities. Nor can we afford ships being put to sea carrying so many heavy containers. We made the mistake of going to containers in 1963. The cry was that there would be reduced cost to the producer as well as a reduced cost to the exporter and shipper. Teams came from the Continent and the United Kingdom and sold, through Alan Westerman and Jack McEwen, the then Leader of the Country Party, the concept of containerisation. This was a very stupid move, indeed, and it has been with us now for over 10 years. It has proved costly and has created problems and inefficiency. It has not relieved port congestion, and it has been to the grave disadvantage of those producers who are entitled to the best share possible of the overseas market. Much of the present problem is the result of containerisation.

If one was to do an energy audit of the system today one would be amazed at the energy waste and energy loss that exists. In fact, it is more important to do energy audits than monetary audits. The Federal Government should be calling conferences so that over the next five years we will phase out containers and go in for unitisation. For every 15 tonnes of wool we put into a ship we must not encase it in a 20 tonne dead weight of steel unnecessarily.

It may well be, in this so-called age of super-technology, that there are some very great advantages in putting the clock back 10 years to ensure that some industries revert to being labour-intensive, but that should not be to the extent that people's health is affected. The road that we are travelling on at the moment offers no hope for today's school leavers but this could be changed. We will want a Federal Government to ensure that the airlines policy of this country is one to which an energy audit should apply.

It is not good enough to run an airline on the basis of duplicating services. It should not be measured in terms of what the airline is shifting by way of cargo and people. We have two airlines running under the false concept of a commercial airline operation, and we can ill afford to do that. So, it is off the road and on to rail. It is out of containers and into ships as a means of transporting products alone and not the additional heavy weight of steel containers.

I do not know whether this will be done, but it seems to me that internationally the human race has become leaderless. Certainly, we in Australia have become somewhat leaderless. There is no purposeful plan. If our energy crisis is what it is said to be, let the Federal Government be honest and not secretly stash away money that it will be able to use later for cheap political purposes. If the Commonwealth Government increases taxes by 20 per cent and then reduces them by 10 per cent, it considers that it has done well. However, that is not the way to deal with a world in crisis.

It has been said that we should turn the Stuart Highway from a dirt track into an A1 highway. However, that would be a scandalous waste of money. If fuel becomes scarce, the kangaroos will be free to jump across or along that highway as much as they like, because there will be no traffic on it. We are about to open a first-class railway line through that area, and that line should be used. We should not be wasting money building a road through the area. Many States may rue the day that they spent much money on their roads.

I now turn to another aspect of our energy resources. Our new member, who is a stockbroker, may know more about these matters than I, and he may be able to say who were the principal shareholders in the famous black bituminous coal on Australia's eastern seaboard. Five years ago, such organisations were to some extent in the hands of foreign capital. Now, they are almost wholly owned by overseas companies. This would certainly be the case in Queensland.

It is an absolute disgrace that Mr. Bjelke-Petersen that great anti-socialist, gets very little from royalties from the massive amount of coal produced and exported by Utah. Mr. Bjelke-Petersen's main source of revenue from coal in Queensland is that derived from the Queensland State railways, which transports the coal. We are shipping away from Australia for peanuts the best coal in the world!

Solar energy is the great cry of the young people. It is said to be our salvation. No-one had heard of it a few years ago. However, it was pioneered in Australia with the assistance of the Commonwealth Scientific and Industrial Research Organisation, university faculties and others. In this State, it was pioneered by private enterprise. There is scarcely one producer of solar energy units that has not been taken over by that nasty multi-national, the Shell oil company, and the one or two that have not been taken over are about to be taken over.

The Hon. Mr. Geddes mentioned liquid petroleum gas, and much has been said about oil shortages. However, only 30 per cent of the known oil in fields is extracted. The remaining 70 per cent does not get to the surface. It may need only a small breakthrough to get 30 per cent of that remaining oil, as a result of which we would have as much oil as we ever have had. One of the highest producing fields is in Bass Strait.

Our natural gas is virtually being given to Japan at a ridiculously low price. This valuable resource, which belongs to the people, should be sold for the benefit of the people.

I hark back to the increased petrol costs inflicted on the public by the present Federal Government. It is the cry of

Opposition members that the South Australian Government is neglectful in relation to the Roxby Downs area, for example. It says that, if a certain amount was needed to develop that area and other areas, we must merely impose a tax to give us 60 per cent or 75 per cent of the money required. The area in which the Federal Government has wrongly been operating is one in which this could have been done. We in Australia could have developed that resource easily. The whole development programme in Australia is no different from what it has been for God knows how many years.

Surely, we in Australia should not be regarded as belonging to a country that is poor and has no energy resources. Surely, also, it is time that we should not be satisfied with royalties or with giving an indenture to the foreign plunderers that come into this country at the behest of Governments to ship out our vast mineral wealth.

We have reached the stage where technology is depriving a large percentage of school leavers of the right to work. Indeed, a large percentage of the people who have left school in the past five years have had no hope of getting any form of worthwhile employment. It is all right to put tags on and use derogatory terms such as "dole bludger" regarding these people. Soon, almost half of these people in Australia will not have had a worthwhile job since they left school or university, and they will begin to think that society owes them nothing. The most terrible thing to happen to them is that they are taken completely out of the area of the distribution of wealth. One can use any phrases that one likes about that distribution of wealth. Advanced technology (such as that which some honourable members would have seen in the film shown to them in this building last week) is now confronting us.

If you are to provide an income with some relationship to equality, which pays some attention to the rights of the individual, then surely you must realise that, as unemployment increases and as the average age of people increases, so these older people will become entitled to social security benefits. The number of these people will double in this country over the next 12 years. The number of unemployed people in this country could rise to about 30 per cent or 40 per cent over that period. That is a startling figure, because that figure has already been reached among the young unemployed. Contributors to the social security area will be fewer, but the beneficiaries will be more numerous. As an example, I recall during my industrial years having to pull 20 fellows off a ship because of an industrial dispute. A stop-work meeting was called over the issue, at which members wanted to carry a resolution to set up a strike fund to pay the wages of those 20 men. Although we had a membership of 2 500, I said that the move would be foolish. Although the move sounded good on the day, other ships would be caught up in the dispute and in three days the members would have committed themselves to a strike fund, not for 20 people, but for nearly 2 000. In that situation the contributors would become fewer and the beneficiaries would become more numerous. That is just one example of a situation that will be reached in this country.

Where will the wealth come from to provide an income for the people who are removed from the wealth distribution because they are unemployed? We must look at alternative ways of supplying those funds. You cannot continue to do it through taxation, because one of the pitfalls faced by the present Federal Government was caused through the escalation in unemployment and social security payments with a subsequent drop in revenue, because these unemployed people are no longer paying taxes. Therefore, this revenue must be raised from



another source. Energy resources could be a revenue-earning area, not for multi-nationals such as British Petroleum and Utah Development or for Japanese companies such as those mining iron ore in Western Australia, but for the benefit of the Australian community. Revenue must be raised from that particular source to ensure the maintenance of the standard of living of this country, because that standard will not be maintained through employment.

The other day I saw a film which showed a farmer who cut a furrow with his plough; he then placed a marker in the ground and set the tractor going to harvest his crop. The tractor continued moving without a soul on it.

**The Hon. L. H. Davis:** It sounds like you.

**The Hon. N. K. FOSTER:** The honourable member will expect not to be interrupted when he makes his maiden speech, so he should not interrupt me. It is not my concern if he is getting edgy. My responsibility lies with the Government to ensure that this place is kept in session until the amendments that the Opposition stupidly forced through this place are brought back here. The Hon. Mr. Davis should not be greatly concerned with what is happening here tonight. I am quite sure his opportunity will come. I can remember when I sat in Federal Parliament for some weeks waiting to give my maiden speech. The place was in uproar for the whole time and the Speaker could not keep order. Geoff Giles, who was in this place before I came here, was almost thrown out for interjecting, so nobody is sacred in politics. The Hon. Mr. Davis may look back upon this experience later and think that perhaps I am a right so-and-so.

An income must be provided for those people deprived of work. The example I gave with the tractor is not an isolated example. We will rue the day that we ever saw or heard of silicon chips. We will rue the day that we ever went along with that old bogey that says all progress is good, because obviously it is not. The word processing systems now used in offices are more frightening than war. The silicon system used to power watches closed down 19 major Swiss watch companies. That figure does not include subsidiaries in the United States. In Holland over the next four years, out of a total work force of 40 000 people in the electrical industry, only 5 000 will remain.

The position in this country has reached the stage where two years ago it could be said that mechanisation had caught up with us, but now we have a technology problem. That means that a machine placed in an office displaces six people and requires only one girl operator. Not only is that machine programmed to prepare all typed correspondence but also it is programmed, at the press of another button, to send typewritten letters to branch offices all over Australia. At the press of another button in Sydney, those letters could be transmitted, via satellite, all over the world. Scientists in the United Kingdom try to tell us that the silicon chip will create employment in a new area of technology. Those members who saw the film I referred to must realise that vast number of people will disappear from the workforce and that only 60 technocrats will remain.

If we want an example of what technocrats can do, although we are not in South Australia into advanced technology to that degree, think of what has happened in the iron ore fields of Western Australia, and the major industrial upheaval and disruptions that have been brought about there, mainly because establishments are managed by engineers who have built the place and who think more of machines than they do of people and of the men who operate the machines. From that stems many of our problems.

I do not profess to know the answer, but I thought that I

had gone some way tonight in suggesting that we should stop the technology race. However, that is more easily said than done. Like the arms race, once it gets going it cannot be stopped. Countries are saying of one another, "Unless we introduce what they have we will be technologically behind." Russia will be technologically behind America, and the rat race is on. No-one seems able to stem the tide. We do not have to get even to that advanced area of technology to find that people have completely disappeared. Automation will have the same effect in other forms.

Japan has a seven-hectare engine building complex. The raw material, steel imported from Western Australia, starts at one end of the plant. It is taken through various processes and stages of manufacture, and at the other end of the line it comes out as a complete engine, with all the electrical gear. It is bench tested there and then, and if there is a failure in the distributor points it goes back and is melted down again, and becomes expendable because of that. That plant employs five people. Are cars from Japan any cheaper because of that? Are cars any cheaper to the Japanese? Are they any cheaper when they are exported from Japan to the various world markets? They are not.

The Liberal cry that we have been exporting jobs and that wage increases have taken jobs is quite false. Of course, jobs have been exported. When John MacArthur exported the first fleece to England, we exported jobs because it was processed at Bradford, England. When Charlick's and the milling companies in Adelaide in 1950 set up flour mills in Indonesia and Singapore, they exported jobs, and they are continuing to do that. It is a false cry that jobs are being exported on the basis of workers being to blame because the cost structure is a detriment in employing people in Australia. That is not so. For the benefit of the honourable gentleman who has to visit his dentist tomorrow, and who seems worried—

**The Hon. L. H. Davis:** I'm not worried about myself. I am more worried about you.

**The Hon. N. K. FOSTER:** You had better go to a head shrinker in the morning. I do not know why you should be worried about me. You have come to this place by courtesy of the Labor Party. What's wrong with you?

**The ACTING PRESIDENT (Hon. R. A. Geddes):** Order!

**The Hon. N. K. FOSTER:** The honourable member should restrain himself a little until he kicks his first goal. The *Adelaide News* had an editorial this afternoon and I intend to mention the hypocrisy of it. It is obvious from that editorial what tone the *News* will take in the next election. I hope that you, Mr. Acting President, as well as the Hon. Mr. Davis, survive the hurdles and the preselection wrangles that confront you in the next few weeks. I hope the common sense and loyalty you showed to the people of South Australia will not be held against you in a narrow political sense by those in your Party who are opposed to your return to this place at the next election, whenever that might be. I say that in all seriousness. The *News* editorial states:

#### A REAL CHOICE

David Tonkin yesterday presented State Parliament with a case that the Government must answer—if it can. It was not so much a case as an indictment and it was what many people have long been waiting for from the Liberal Leader. He marshalled his facts, condemned the Government and presented a clear reasoned alternative. First he attacked the swollen, economic dead weight of the Public Service. Then he tore into the way in which Government intrudes into and controls our lives to a far greater extent than ever before.

He argued that Labor is committed to even greater levels of taxation because of its collectivist philosophy, showed that

we have the highest taxation rates in the country—with revenues up 500 per cent since 1970 compared with average weekly earnings up only 200 per cent. He endorsed the concept the *News* has been arguing for months—that prosperity comes from reducing taxes. And it brings better Government as well. The Opposition Leader went further. He effectively endorsed the notion of sunset legislation. These are measures which automatically disband government agencies—unless they prove they are necessary. South Australia could surely use some of that.

Mr. Tonkin has, in fact, accepted that there is a tax revolt and said he is willing to do something about it. It was not quite a call to arms but it was certainly a battle cry on the way to the hustings. He has presented Mr. Corcoran and his colleagues with arguments that demand an answer. Most importantly of all, he has given South Australia a choice. The Federal Government, in increasing taxation, has forced the State Government to seek revenue from other sources. The Federal Government forced pay-roll tax from the Federal to the State arena. The whole of the flow of that article is a direct result of the actions of the Federal Government. No criticism is made of Fraser. They say they are progressive, but I would suggest they are not as progressive as the League of Rights, an organisation which has a newspaper which is a great supporter of the Liberal Party. The last issue had a headline screaming "What a legacy of broken promises", and the issue contains the following quotations:

This is what Fraser pledged, in exchange for your vote:

"... Only under a Liberal-National Country Party Government will there be jobs for all who want to work ..."

(27 November 1975)

"... We will fully index personal income tax for inflation over three years ..."

(27 November 1975)

"... Australia's growth rate under Labor has been half the rate of the previous 10 years ... a growth rate of 6 to 7 per cent—quite feasible in recovering from the slack under Labor—would enable us to halve the deficit ..."

(27 November 1975)

"... We will be generous to those who can't get a job and want to work ..."

(27 November 1975)

The Fraser Government has set up \$3 000 000 to ensure that stooges are spied on all the time. The paper states:

"... Unemployment will fall from February (1979) and keep falling ..."

Interest rates have been escalating almost since this liar made such a statement. It goes on:

"... We have brought Government spending under control ... We have halved Labor's \$4 500 000 000 deficit ..."

Look at today's deficit. It further states:

"... We are committed to take politics out of pension increases by giving automatic increases in line with price rises twice a year ..."

He has not done that. Pensioners are in revolt, but not the sort of tax revolt to which the *News* referred in order to recall the Government that the people had neglected previously. The paper also states:

"... Once the election is over, we will start to move to the consummation of a 2 per cent reduction in interest rates—and that means about \$500 a year for someone on an average home loan ..."

So it goes on. In referring to this publication by the League of Rights, I suggest that the *News* corrects its editorial tomorrow. This publication is headed "High Taxation and Broken Promises! Has there been any change?" The following charts indicate the position:

Taxation under Fraser  
(Direct and Indirect)

1976.....	\$19 641 000 000
1979.....	\$23 769 000 000

(Before the mini-budget)

Put another way:

1976.....	\$1 526 per head of population
1979.....	\$1 700 per head of population

(Before the mini-budget)

A comparison is then made with the position under Whitlam:

Taxation under Whitlam  
(Direct and Indirect)

1972.....	\$8 500 000 000
1975.....	\$17 500 000 000

Put another way:

1972.....	\$860 per head of population
1975.....	\$1 287 per head of population

Fraser said that he would reduce unemployment and give jobs to everyone. The following information is given about unemployment:

Registered Unemployed

December 1974.....	266 998
December 1975.....	328 705
December 1976.....	327 534
December 1977.....	404 085
December 1978.....	451 493
December 1979.....	???????

Fraser claimed that he had reduced unemployment. He even altered the figures. He started to fiddle the seasonal figures, yet despite that honourable members can see what were the figures in 1977 and 1978. We have not seen one area of responsible government from Fraser since he achieved office in 1975. He has been a liar; he was elected in lies. He has been a fabricator; he has been elected on his fabrications. Those who follow him are guilty and should be reminded of that on each hour of each day. I commend to the Council the Speech of the Governor. I intended to finish speaking at 10.30 p.m., and it is now 10.29 p.m.

**The Hon. L. H. DAVIS:** First, I would like to thank honourable members for the kindness with which they have welcomed me to this Chamber. Mrs. Cooper served the Party in this Council for 20 years, and honourable members in their speeches have already referred to her ability, and the thought and humour which were characteristic of her contributions in this Council. I join with them in acknowledging her service and effective contribution to the Liberal Party in this Council and the State of South Australia from 1959 to 1979.

I thank the Governor for his Opening Speech. As I begin my maiden speech I am very conscious of Benjamin Disraeli's advice to a young politician, as follows:

It is far better for people to wonder why you are not speaking than to wonder why you are.

That should, I suspect, be noted not only by people who are beginning a political career but by those who are well into a political career.

History is instructive, it teaches us many things, and that is no less true in a country as young as Australia. For South Australia the lessons of history are particularly fruitful, especially at this time when we face the challenge of a new decade in a world of rapid change, in an age characterised by uncertainty and, sadly, in a State where the prevailing mood is one of apprehension rather than anticipation and excitement.

I was born and educated in South Australia, and have always had a keen interest in the history of the State which

is not yet 150 years old. Tonight I would like to reflect on the settlement and development of South Australia and then discuss South Australia in 1979 and future years.

The Dutch in 1627 were the first to sight the coastline of South Australia. Understandably in their little ship, they found the Great Australian Bight hazardous and the huge barren cliffs uninviting. Remarkably, it was nearly 200 years later before this South land was visited in earnest.

Matthew Flinders, an exciting explorer, whose feats of endurance and adventure so often go unrecognised by those accustomed to the comforts of twentieth century living, came in the *Investigator* in 1802 to chart the coast starting from Fowlers Bay, finding and naming Mount Lofty and Kangaroo Island. Not bad for a young man of 28 years of age!

Shortly after, Flinders met the French explorer Baudin near Encounter Bay, neither of them knowing that a peace treaty had been signed between their two countries less than one month before. A friendliness and respect existed between those two men, both engaged on voyages of discovery. How interesting it is to note that one of the French scientists with Baudin believed that Australia had the potential to be the future vineyard of Great Britain.

What Flinders achieved by boat following the coastline in 1802 was matched in 1830 by Sturt's 30-day journey in a whaleboat down the Murray River to face the sad anticlimax at the end: the Murray mouth was treacherous and very difficult to navigate and then there was the long row back upstream.

Captain Barker very shortly afterwards found the Murray mouth treacherous for another reason: he was murdered in sandhills near there while exploring land between the Murray River and St. Vincents Gulf. All successful explorers in those days had one characteristic in common: they were resourceful. Resourcefulness is still on the short list of qualities required in seeking solutions to today's problems.

And then came settlement. Wakefield, whose habit of abducting teenage heiresses resulted in his becoming one of Newgate Prison's better known old boys, had a novel but simple idea: why not start a new colony based on free settlers who were provided with a passage from the proceeds of sales of land in the colony.

The South Australian Association founded in 1833 gave impetus to this aim, and an Act of Parliament confirmed the plan. The eastern border of this new colony was similar to what now exists, but the western border was close to Fowler's Bay. I imagine that the member for Eyre in another place sometimes wishes it was still there!

Wakefield, the breaker of hearts, the builder of colonies—South Australia and New Zealand are testimony to his initiative.

Colonel William Light was appointed Surveyor-General in February 1836 and arrived in South Australia in late November 1836. He had had a full and varied life, serving in the Spanish Revolutionary Army, then cruising the Mediterranean in a yacht and publishing sketches from that time. Words of praise have been and should be directed to this man, who selected Adelaide as the site for the capital against continued opposition and who carried out extensive survey work of both city and country sections.

The setting out of Adelaide, Light's parklands (the world's first planned green belt) 1 024 one-acre city allotments, country sections, and the planning of Gawler, were all accomplished in very few months, notwithstanding the fact that Light was dealing with Governor Hindmarsh and many others who had different ideas.

Hindmarsh and 300 others had landed only four weeks after Light, making his task all the more difficult. Sadly,

Light, through pressure, ill-health and petty politics, resigned in mid-1838.

The early years in the colony were accompanied by hardship, poor living quarters and land speculation. Despite these early difficulties, Light recognised that the coastal plain where Adelaide was nestled between the Mount Lofty Ranges and the sea had a mediterranean climate and so was capable of producing a wide range of food products.

In 1840 resourcefulness and initiative were again to the fore, when Adelaide elected the first city council of any colony in the British Empire. But bad seasons and the difficulty of adapting to the new environment had taken its toll—for in the same year of 1840 the colony was literally bankrupt; one-third of the houses in North and South Adelaide were deserted; 6 000 people were out of work; and prices were increasing rapidly. But that was to be the low point for the new colony for nearly 100 years.

A combination of events saw the fortunes improve dramatically. Wheat exports improved, growing in value from only £1 000 in 1841 to £25 000 by 1845. Silver lead was discovered in Glen Osmond in 1841, followed closely by the opening of significant copper mines at Kapunda and Burra. Immigration increased—predominantly English, but also there were German settlers, including Pastor Kavel, and from 1838 onwards these Germans were settling in the Torrens Valley, Hahndorf and Lobethal, and providing much of the food for the colony. In the period 1836-51, 37 000 of the 51 000 immigrants had their fares subsidised by the proceeds of land sales.

In the early 1840's there was in fact a Legislative Council, whose members were nominated by the then Governor, Governor Grey. Even in those early days there was a special quality about the women of the colony. An eye witness account described it thus:

A person coming from the Eastern colonies could not fail to be struck by the superior ruddiness, simplicity and purity of the South Australian damsels.

They were the roaring 40's, but at that stage the population barely appreciated how revealing were the statistics we now all know, namely, that nearly 88 per cent of the State's 1 000 000 square hectares receives less than 300 millimetres (or 12½ inches) rainfall per annum.

South Australia was on its way to becoming the granary of Australia, a leading producer of copper by world standards, and developing a capital city of which William Light would have been proud, made easier by the quantity and variety of stone which enhanced the early domestic architecture. However, all was not sweetness and light. A Mr. Lloyd, in his book *Visit to the Antipodes* (1846) recounted the following delightful story of King William Street in winter:

One day a man was passing down the side of the street when he saw what he imagined to be a hat lying on the top of the mud in the middle of the road. He carefully made his way to it and was about to lift it up when a voice below him told him to leave it alone as it belonged to him—upon which the man replied by asking the invisible person why he did not come out. The person then stated that he would do so with much pleasure but that his horse was below him.

By 1851 South Australia had a population of 66 538 or about 15 per cent of Australia's total population of 437 000.

Although I must say that my first week in this House has been pleasurable, I have been interested to note the variety of ways by which honourable members will endeavour to make a point, especially one honourable member of whom I have an excellent view. But even these performances must rank second to those of the Legislative Councillors of 1850, for when Governor Robe introduced

a royalty on all minerals taken from privately owned land this led to a walkout of four members of the Legislative Council. It was three years later, in 1853, that South Australia, along with other colonies, was given increased Parliamentary representation. The Legislative Council membership was increased to 24, of whom eight were nominated by the Governor and the remaining 16 were elected, not by secret ballot but by voters recording their preference in a book.

As honourable members would be aware, South Australia achieved responsible government when the British Parliament accepted a Constitution for the State, and the first election was held in 1857: a pleasant and appropriate way to celebrate the colony's twenty-first birthday, although that coming of age had not been without its difficulties. The bicameral system was adopted. Incidentally, I am an unashamed supporter of the need for an Upper House and was pleased to see that the Labor Party Conference recently decided no longer to support the abolition of the Senate, albeit with the promise of emasculating the powers of that House.

Members of both Houses were elected, and secret ballots were adopted—the first colony to do so. By 1853, South Australia was unquestionably the wheat-growing centre of Australia, and for the next 25 years or so had more land under cultivation than New South Wales and Victoria combined. Significant inventions to assist with ploughing and harvesting emanated from South Australia, which was a pacesetter in this field. For example, there was Ridley's invention of 1843 which, it was said, "reaps, threshes and winnows all at the same time". If this had not been a maiden speech I might have been tempted to attribute those qualities to an honourable member.

The Eastern colonies, especially Victoria, following the gold discoveries of the early 1950's, bought wheat and flour from South Australia. The Murray River, the fifteenth longest river in the world, was increasingly used for transporting goods as the frontiers were rolled back. Steamboats were introduced in the 1850's to carry wheat, flour and wool along the slow meandering waterway, which in time was to be no match for the roads and railways. The goldrush of the 1850's did not leave South Australia unscarred. Gold was much more glamorous than copper, and there was a mass exodus of men to the diggings in the hope of making a fortune. But clever thinking by the colony's leaders saw the opening of a safe overland route from the goldfields, thus ensuring that gold largely returned to benefit South Australia's primary, mining and manufacturing industries.

There is another useful lesson from history: disaster can be averted by forward-thinking and practicality rather than by pie-in-the-sky policies. Those early settlers certainly were not perfect. They revealed weaknesses—greed, selfishness and stubbornness—but more importantly they had many strengths. Many of the early community leaders in this State were pragmatic idealists—men with vision and with their feet on the ground. They recognised both the possible and the physical limitations of the State they were weaning, as well as the moods and aspirations of its people. We will check that off against the decade of the 1970's later.

In the 10 years 1851-61 the population of South Australia doubled from 66 500 to nearly 131 000. The population of Australia reached 1 160 000. The South-East of the State was now opening up. Paradoxically, the problem for many in that area was too much rather than too little water. Extensive drainage later on was used to solve that problem. Robe, founded in 1846 saw 14 500 Chinese immigrants land in six months in 1856-57 *en route*

to the gold diggings.

The wine industry developed, so fulfilling the earlier prophecy of the French explorers. The 1830's and 1840's had seen such well-known names as Reynell, Seppelt, Penfold and Hardy establish vineyards. In 1866 a writer observed:

South Australia had made immense progress in the development of agricultural, pastoral and mineral wealth.

These are the three great staples of the country, to which wine may be added as the fourth.

Anthony Trollope, the well-known novelist, in a visit to South Australia in 1870, although enthusiastic about the style and quality of life in the colony, had this to say about the locally made brandy:

It is a villainous vitriolic biting compound of deadly intoxicating qualities.

I do not know whether that view was coloured because of the high price of brandy at the time. But I do know that, if he were to return, he would find both the brandy and wine produced in this State to be of the highest quality.

By 1868, there were 43 breweries (including 10 in the metropolitan area) for a population of approximately 180 000 people. There were 57 agricultural implement manufacturers, and South Australia's leadership in this field continued.

The 1870's marked the beginning of further new settlements in the North and on Yorke Peninsula. Railway links were established that assisted this development. All the time, wool was increasing in importance as an export earner. Although in 1876 a census showed twice as many people living in the country as in Adelaide, there was no country town with more than 10 000 people. Even then, South Australia had a greater percentage of its total population living in the metropolitan area than any other State.

The rich Wallaroo-Moonta copper mines, opened in 1860, had attracted the largest population outside Adelaide. In fact, the Wallaroo smelter was one of the biggest in the world. The generosity of mine owners and pastoralists such as Elder and Barr Smith assisted in the establishment of the University of Adelaide in 1872.

The Governor-General in the 1860's was Goyder—best known for Goyder's line, which in broad terms delineated land suitable for crops from land more suitable for grazing. However, he also played a key role in the drainage of the South-East. In the enthusiasm to develop land, crops were planted in many areas that today would never be dreamt of. Some good seasons masked the truth of Goyder's line, but the last two decades of the 19th century saw a series of bad seasons and the price of wheat fall by 30 per cent. Growth in this period was slower, although the opening of the Broken Hill mines in 1883 was of great significance. In 1889, the Port Pirie Smelters were established and, in time, became the largest silver lead producer in the world. Kapunda and Burra had closed their copper mines in the late 1870's.

The Chaffey brothers, who were Canadians, introduced irrigation to the Upper Murray areas in 1887, and South Australia led the way in the use of superphosphate in primary industry.

The severe recession of the 1890's affected South Australia badly, but less so than N.S.W. and Victoria. The value of exports from this State halved in the decade, and the Bank of South Australia was forced to close. South Australia became the first State to introduce a vote for women in 1894, and provided Charles Cameron Kingston as Chairman of the convention that shaped the Federal Constitution of Australia. He was undoubtedly one of South Australia's greatest Premiers.

Renmark and nearby areas rapidly developed with the

benefit of irrigation and contributed to our export earnings, notably in fruit. Yorke Peninsula was asserting itself as Australia's best barley producing area. By 1910, Port Pirie's population was 10 000, and it had become one of the busiest ports in Australia.

The 19th century had been a period of achievement for the new State, the population being 263 000 by 1900. There had been many notable successes, and some failures. One of the more amusing incidents concerned the ligurian bees introduced by the Chamber of Manufactures in an effort further to develop the industry in this State. These bees were imported from Bologna in 1885. On one occasion the honey produced turned pink and later red before the startled eyes of their owner. It was later discovered that the bees had raided McEwin's Jam Factory in College Park and were taking nectar from jam!

To recapitulate, the three major crises of the 19th century in South Australia were 1840, when the founding colony was on its knees, in the early 1850's, when the gold rush in Victoria drew men like a magnet from this State, and the 1890's when there was a general recession. But these setbacks were more than matched by the Great Depression of the 1930's. The effect on the economy and its people was devastating. For example, the value of production of wheat, wool and fruit fell from £16 100 000 in 1926-27 to £7 500 000 in 1930-31. Unemployment in the depression had been higher than the national average, and the future of the State was bleak. The variability of rural income, at the mercy of fluctuating seasons and world prices, had been complemented in the 19th century by substantial income from mining, but this was no longer the case. They were watershed years. Politicians, public servants and industry leaders all realised that a solution had to be found. A solution was found.

The problem was obvious, and was reflected in the following statistics. Towards the end of the 1920's, South Australia had only 40 000 workers employed in manufacturing industries out of a population of 575 000. An industrial base had to be developed. The problem also had been compounded by a succession of drought years. In 1937, the Industries Assistance Corporation of South Australia was founded with the following aim:

To help manufacturing concerns which were reasonably efficient or which by the provision of capital and expert advice can be made efficient, provided assistance is not available from the usual channels and provided further that the effect of the assistance will be to increase the total production and increase and stabilise employment in the State.

The then Premier backed this with the support of prominent industrialists such as Sir Edward Holden, President of the Chamber of Manufactures, and Sir Frank Perry. This policy was born out of the bowels of the depression and it was eventually successful primarily because of one man, Sir Thomas Playford, who was elected to Parliament in 1933 and was Premier from 1938 to 1965. He presided over and engineered a period of remarkable industrial growth, personally encouraging and persuading industries to establish in South Australia. I refer to such industries as General Motors-Holden's, Chrysler, Uniroyal, Philips, B.H.P. at Whyalla, the development of the Leigh Creek coalfields, and the Morgan-Whyalla pipeline. All these achievements are well known to all honourable members.

A corollary of this growth was the fact that in the first 25 years of the Federal immigration scheme, which commenced in 1947, 20 per cent of the 1 000 000 settlers from other lands came to South Australia, although South Australia had less than 10 per cent of Australia's population. Between 1947 and 1966, South Australia also

experienced net inward internal migration of Australian-born people. This reflected in the value of production. Whereas rural production accounted for 56 per cent of the value of production in 1925-26, by 1967-68 this figure was down to 24.9 per cent, and the contribution from factories had risen from 39 per cent in 1925-26 to 68.3 per cent in 1967-68. The valuable backbone long provided by primary industries was now complemented by this newly-developed industrial base. A reporter summed up Playford's attitude succinctly when he said that "the poverty of South Australia's resources he regarded not as a limitation but as a challenge".

A recently retired Premier of this State during his term in Parliament looked at Playford's achievements much more coyly. He believed the industrial development during Playford's term was "only a natural development".

I now move to the last decade, and apply that recently retired Premier's phrase to what has happened. Will history be so kind? Will the books say that what happened to the South Australian economy in the period of 1970-1980 was only a natural development? I think not.

Mr. Dunstan, for that is about whom I am talking, is on record in his 1970 policy speech. He promised "the most comprehensive plans for change and growth any State has had since Federation". That is an unequivocal statement, which can be unequivocally answered.

The change has been comprehensive, this being the only State with a net migration outflow for the 12 months to 31 December 1978, with a concomitant effect on the building industry, which, to use the politest Parliamentary term, has the staggers. It has also quite obviously reflected in property values. A recent personal experience of mine provided ample evidence of the softness of the housing market. As for his comprehensive plan for growth, the only thing that one can say about growth is the lack of it. At this point, I should like to say something to silence those who may say that knocking only makes it worse.

Yesterday, while the Hon. Mr. Foster was addressing this Council, I read Mr. Dunstan's 1977 policy speech. We are talking about history tonight, and this was a real piece of history—histrionic history. Apart from some references to unemployment—a worldwide problem about which we all share a very great concern—the only hard economic statement in the whole policy speech was as follows:

We have brought new industries and new technology to our State.

That sounds all right, until one scratches it and the gloss falls off. Mr. Dunstan, as Premier, always said the economy was all right and that there really was nothing very wrong with it, but all the time he was introducing measures which were hardly designed to attract bees to a honey pot, or if they got close enough, like those ligurian bees, they turned red and buzzed off. If anyone attacked him on economic ground the facts were wrong, or he just blustered through. Mr. Corcoran, his loyal unquestioning Deputy, is now trying to put distance between himself and the former Leader, and he admits that the economy is a problem.

Credit must be given where credit is due, but why was it not said earlier and why was something not done earlier? Mr. Corcoran and Mr. Hudson, who are practical men, would have been told by business men from South Australia and other States (business men they respect) that the State would suffer from talk of introducing industrial democracy measures more extreme than in some communist bloc countries, of discrimination against private contractors when giving Government contracts to Government departments, of spending over \$10 000 000 on a frozen food factory (which was testimony only to how bad food can really taste), of the fact that, whether one is

for or against uranium mining, even though at least three mainland States will allow it, this Government will not, and of the fact that succession duties still remain.

All these matters (and there are many more) reflect the serious plight facing this State's economy. It is no use the Premier, the Deputy Premier and members of the Labor Party doing a soft-shoe shuffle, pointing the ship in a new direction and saying, "We have not only changed the Leader; we have really changed the Government." That is a bit like the farmhand leaving a gate open, letting the sheep out and then telling the owner it is really all right now, because he has shut the gate. The damage has already been done. The damage to the fabric of South Australia's economy has been done in the past decade. The gate has been left open and the lessons of history have been ignored by the Labor Government. South Australia's history underlines the importance of the private sector—primary, secondary and service industries—and the need for incentives and encouragement rather than restriction, heavy taxation and big Government.

In paragraph 2 of his Speech, the Governor referred to an inquiry into the control of private development. I realise I am taking this reference out of context, but somehow it symbolises what has happened in South Australia in the past decade. The Government has shackled private enterprise, which is already operating in a competitive and difficult economic environment; but at what cost? The plain truth of the matter is that the people of South Australia have been gulled. The Labor Government has been long on social reform and extreme economic matters, but it has been very short on sympathy, understanding and practical policies for the State's manufacturing and rural industries.

That position is clearly reflected in the economic statistics which, if taken overall, are moving well out of line with other Australian States. The South Australian economy is in trouble. South Australia is at a watershed. History has been ignored and the community has suffered as a result. One could expect that the people who presided over this State in the last decade will in due course also suffer as a result of their actions. We are at a watershed, but hopefully this Government will reflect on South Australia's history and note that private enterprise and profit are not dirty words but prerequisites for prosperity and a sound economic base.

It saddens me to speak like this, but I feel strongly about this matter. If South Australia is to cease being a Cinderella State, this government will have to stop playing the role of the ugly sister, adopt the role of the fairy godmother and ensure that legislation and other measures are designed for this State's economic well-being, rather than its demise.

I know I speak on behalf of my Parliamentary colleagues when I say that there is widespread concern in the community about South Australia's current position. We are all well aware of and accept the physical and geographical limitations of South Australia, but history has shown us quite positively that the determination of South Australians, if matched by the realism of their Government, will ensure for this State an exciting and challenging future. Mr. President, I support the motion for the adoption of the Address in Reply.

**The PRESIDENT:** Most members who have spoken in this debate have welcomed the Hon. Mr. Davis officially to this Chamber and have wished him well, but I have not previously had the opportunity to do so. I am sure all honourable members join with me in congratulating the honourable member on his election to this Chamber and on his maiden speech, although I cannot guarantee that he

will be heard in such silence in the future. I believe that the honourable member's speech confirms the reputation that preceded him to this Chamber as a debater, and I am quite sure he will provide the Council with many valuable contributions. I wish the honourable member well.

**The Hon. T. M. CASEY:** I join with other honourable members in placing on record my appreciation of the services that the Hon. Mrs. Jessie Cooper rendered to this State during her long association with this Chamber. The contributions she made were always received by members on this side as being constructive and to the point without all the unnecessary padding that other members on both sides of this Chamber sometimes indulge in. I was more than surprised when I learnt that Mrs. Cooper's replacement was to be of the opposite gender, and the Hon. Anne Levy covered this point very admirably in her speech. My congratulations go to the Hon. Mr. Davis on filling the vacancy, and I wish him well in the future.

During my tenure in this Parliament of South Australia (10 years as a member of the other place and almost the same period as a member of this Chamber—much of it in less than tranquil or serene circumstances) I have always endeavoured to act objectively in my role as a legislator in our democratic system. No doubt mistakes were made, but when they were I tried to correct them. From my experience, most of the legislation passed by State Parliaments directly affects the ordinary citizen. Therefore, issues which come before Parliament should, where practicable, be explained clearly and accurately by the member who introduces these issues. In that situation ordinary citizens who have personal experience with issues that may affect them can voice their own judgments on these issues. We are living in an era when issues often cause conflict between groups and when the larger interests of the community are unclear. It is here that legislators have a greater responsibility to identify and explain those interests.

It then becomes the task of the legislator to lead and to educate. Today, perhaps too much emphasis is placed on projecting an image, due no doubt to the influence of television and the media. This has led on many occasions to the situation where playing politics has overshadowed policy. I do not suggest that there are times when legislators should refrain from playing politics. However, there are times when legislators should sidestep such issues so that the most appealing, if not the most logical, case can be made.

I am concerned that the role of the legislator as an educator is failing. We seem to have lost interest in the basic tool of communication, which is clarity of word and thought, analysing problems, and articulating ideas. Perhaps we adopt the academic approach, that is, using new and sophisticated techniques to communicate, and employing experts to study and analyse public attitudes. Their purpose, it seems, is to discover what people want and fear and dislike, and then to identify themselves with those sentiments. They seek to discover which issues can be safely emphasised and which are more prudently avoided. This approach is the opposite to leadership.

I was interested in the article which appeared in the *News* on 8 August, attributed to Mr. Killen, a Federal member. It made most interesting reading.

One facet of our society which to me has always been a problem is the difficulty people have in determining the age of young people who frequent hotels. In recent years, since the age for the taking of alcoholic beverages has been reduced to 18 years, the problem has escalated. I believe the only satisfactory way to eliminate this problem is for the Government to introduce identification cards. For

many years, such cards have been a prominent feature in California, and from my personal experience I know that the system works extremely well.

Before a young person is served an alcoholic beverage in California, the I.D. card must be produced. In South Australia, even with drivers' licences, there can be anomalies. A driver has only to mislay his licence, and it can be picked up and used by someone else as a means of identification. Frequently people will approach the departmental stores and they are asked for identification, such as a driver's licence. While it states the age and the ability of the holder to drive a motor vehicle, in my opinion a driver's licence is not an identification card as such. In the Commonwealth, particularly in South Australia, identification cards are worn by people employed by the airlines and other organisations. The card carries a photograph of the holder, together with the name. To me, such a card is a major step in informing people, particularly hotelkeepers, of the identity of the holder.

Many years ago, I was brought up in a hotel, and I have had much experience in hotels. I know that it is difficult for the hotelkeeper to decide whether a person is 19 or 17 years of age, and I believe that an I.D. card, such as those carried in California, is the only means by which people can determine who is and who is not of an age to be able to take alcoholic beverages.

It would be a minor thing to establish an I.D. card system in South Australia, but I believe it would be beneficial to young people and also to those whose responsibility it is to serve liquor. I think it would eliminate many of the problems involved. Some time ago I was in a hotel (I seldom visit hotels, even though I was brought up in one as a teenager), when a young boy approached the bar and asked for four schooners of beer. When I asked if he was over the age of 18 years, he said he was. When I asked for proof, he said he did not have a driver's licence, but he had a twin brother who had a driver's licence. Eventually, the twin brother produced his licence. It transpired that they thought I was a police officer. By the end of my conversation with them everyone else had disappeared from the bar.

It is difficult to be sure of the age of young people. If we are to adhere to the policy of the Government, the matter should be policed, and the only way in which that can be done is by the introduction of I.D. cards. Whether it should be a separate card, or whether it should be contained within the driver's licence, is another matter, because in South Australia drivers' licences can be obtained at 16 years of age, while the minimum age for drinking liquor is 18 years.

I turn now to the problem of feral goats in the Flinders Ranges. Like you, Mr. President, I am a Northerner and I have experienced the problems caused by these pests in the Northern areas of this State. The goats propagate freely and they are a menace to graziers in the area.

I recommend that feral goats be declared vermin outside the 10-inch rainfall area. If that change is made it will do much to assist the establishment of fauna and flora in the area, because over the years it has been devastated by feral goats. The only way that one can bring pastoral areas (especially the Flinders Range) back to their original condition with fauna and flora is to declare the feral goat to be vermin, in the same way that the rabbit has been declared to be vermin. The Minister of Lands and the Minister of Environment should consider this matter. I listened with interest to the maiden speech of the Hon. Mr. Davis, and there are a couple of matters that I would like to correct him on.

**The Hon. Anne Levy:** Only two?

**The Hon. T. M. CASEY:** I picked up only two matters, but there were probably more. The honourable member should do his homework a little better. He claimed that Sir Thomas Playford, a former South Australian Premier, should receive the kudos for establishing General Motors-Holden's in South Australia. That was not the case: Ben Chifley was the person responsible for establishing G.M.H. in South Australia. He provided £7 000 000 for the South Australian Government to establish G.M.H. in this State. I hope that the Hon. Mr. Davis will realise that and not give the kudos for that achievement to Sir Thomas Playford, although he claimed to be the best Labor Premier that South Australia ever had. That was a great gimmick in those days.

I also point out to the Hon. Mr. Davis that Sir Thomas Playford was the Premier of the State with the lowest wages in the Commonwealth. The honourable member should do his homework on such matters. Regarding new settlers to South Australia, I was the member for Frome when the new settlers came to South Australia. They were called "Balts" and were under contract to the Federal Government to serve for two years on Government contracts prior to becoming naturalised. But for these people coming to South Australia and being directed to South Australia to work on our railways, the railways would have gone down the drain. Those migrants were brought out by a Labor Government, and Arthur Calwell was then the Minister for Immigration. If those migrants had not worked on our railways, the railways would have gone down the drain.

I have often referred to this aspect at naturalisation ceremonies, when I congratulated migrants on their work in the early post-war years. I told them that they saved the South Australian Railways from going down the drain. I had personal contact with these people when I lived in Peterborough, which was one of the biggest railway towns in South Australia, and I would be delighted to give the Hon. Mr. Davis further information about this matter if he is interested. I support the motion.

**The Hon. D. H. L. BANFIELD** secured the adjournment of the debate.

#### BUSINESS FRANCHISE (PETROLEUM PRODUCTS) BILL

The House of Assembly intimated that it had agreed to the Legislative Council's amendments Nos. 1, 4, 11 and 12, had disagreed to amendments Nos. 2, 3, 5, 6, 7, 8, 9 and 10, had agreed to the suggested amendment No. 2, and had disagreed to suggested amendments Nos. 1 and 3.

Consideration in Committee.

**The Hon. C. J. SUMNER (Attorney-General):** I move:

That the Legislative Council do not insist on its amendments Nos. 2, 3, 5, 6, 7, 8, 9 and 10, to which the House of Assembly had disagreed.

There is no point in canvassing this matter at great length, because the arguments were fully canvassed in the second reading debate and in Committee. This is essentially a revenue measure put forward by the Government and on that ground, at least, the Committee should be wary about interfering with it. Another place has accepted some of the amendments that were moved to money clauses.

The Minister of Transport in another place accepted these amendments under protest and commented that he did not believe that the Upper House should interfere in this way with money clauses or money Bills. I put that argument earlier in the debate. The point has been made

by the Government in relation to this issue, and, the protest having been made, another place has obviously considered it preferable to get the Bill into a final form as soon as possible.

On the amendments on which no agreement has been reached, the central point is that we are concerned in this legislation primarily to follow the example that has been set by Victoria. This was the agreement that the Minister of Transport in South Australia had with the Minister of Transport in Victoria, and this was also indicated to the Australian Transport Advisory Council.

For those reasons I ask the Committee not to insist on the amendments to which the House of Assembly has disagreed.

**The Hon. J. C. BURDETT:** I ask the Committee to insist on its amendments.

**The Hon. N. K. Foster:** Why?

**The Hon. J. C. BURDETT:** I am going to tell you. The major reason given by the Minister was, as he said, that the Bill was a money Bill. It is more correct to say that it contains money clauses, but, as has been said by other speakers when the amendments were debated, the Council, in doing what it has done, has acted very strictly within its constitutional powers. I cannot see that there is any point whatever in saying that we should not do just that. We have the power to amend clauses other than money clauses. We have the power to suggest amendments to money clauses, and that is all we have done. I cannot see that there is any argument based on that.

The other main general issue raised by the Minister was the question of uniformity. I think it can be said that we are not sure exactly what the Victorian model is, exactly what undertaking was given, or exactly what the circumstances are. We have not departed in principle in these amendments from any Victorian model there may have been. The individual amendments, as the Minister said, have been canvassed. However, it is worth noting that the amendments to clause 18 are very important. These amendments prevent the Bill from going beyond its declared purpose, thereby ensuring that the tax does not become a growth tax.

New clause 29d, providing for an appeal, is a very just one. It is hard to argue against appeals. New clause 30a grants persons exemptions in regard to off-road use of motor spirit; it is a very just one indeed.

The purpose of the impost under this Bill is to replace the ton-mile tax, which was for the purpose of maintaining the roads. When motor spirit is used off the roads, as by farmers in off-road situations, or by fishermen, there is no justification whatsoever for imposing the tax. This amendment was a very important one; indeed, a very just one. For these reasons I ask the Committee to insist on its amendments.

The Committee divided on the motion:

Ayes (7)—The Hons. D. H. L. Banfield, B. A. Chatterton, J. R. Cornwall, J. E. Dunford, N. K. Foster, Anne Levy, and C. J. Sumner (teller).

Noes (7)—The Hons. J. C. Burdett (teller), M. B. Cameron, J. A. Carnie, L. H. Davis, M. B. Dawkins, R. A. Geddes, and K. T. Griffin.

Pairs—Ayes—The Hon. T. M. Casey, C. W. Creedon, and F. T. Blevins. Noes—The Hons. R. C. DeGaris, C. M. Hill, and D. H. Laidlaw.

**The CHAIRMAN:** There are 7 Ayes and 7 Noes. If this motion was carried, it could not be considered further, and I give my casting vote accordingly for the Noes.

Motion thus negatived.

**The Hon. C. J. SUMNER:** I move:

That the Legislative Council do not insist on its suggested amendments Nos. 1 and 3.

I do not believe that there is any point in recanvassing the issues. The arguments were put on the previous motion.

**The Hon. J. C. BURDETT:** For the reasons given before, I ask the Committee to insist on the amendments. Motion negatived.

The Legislative Council requested a conference, at which it would be represented by five managers, on its amendments and suggested amendments to which the House of Assembly had disagreed, the Legislative Council to be represented at the conference by the Hons. F. T. Blevins, R. C. DeGaris, K. T. Griffin, C. M. Hill, and C. J. Sumner.

*Later:*

A message was received from the House of Assembly agreeing to a conference, to be held in the House of Assembly conference room at 9 a.m. on Thursday 9 August.

Motion carried.

#### ADDRESS IN REPLY

Adjourned debate on motion for adoption (resumed on motion).

(Continued from page 464.)

**The Hon. D. H. L. BANFIELD:** I support the motion, and congratulate His Excellency the Governor on his Speech opening the third session of the Forty-Third Parliament. I express my appreciation to His Excellency and Mrs. Seaman for the valuable work that they are doing and for the interest that they are showing in the affairs of this State. This is something that South Australia's population appreciates very much.

I join with other honourable members in expressing sympathy to the families of the late Sir Baden Pattinson, John Leo Travers, Lesley Charles Harding, and George Stanley Hawker, all of whom gave valuable service to this State. Of those four members, I was personally acquainted with Sir Baden Pattinson only. I express my appreciation for the understanding, sympathy and support he gave to handicapped children in this State while his Cabinet colleagues were not the least bit interested in the welfare of the underprivileged.

I congratulate the Hon. Mr. Legh Davis on his elevation to this august Chamber, as well as on his maiden speech. I also congratulate him for stealing a point and being provocative, knowing that he would not receive any interjections this evening during his maiden speech. The honourable member made the most of his opportunity. He did a good job outlining some of the Legislative Council's history, although he forgot to say that it took over 100 years for the Council to have full adult franchise so that all adults could vote for this place. He also forgot to say that the members of the Legislative Council went on strike one night and refused to vote for the night when a Bill giving adult franchise to the Council was being debated by it. It was not until 9 a.m. or 10 a.m. the next day, when one of the members who had not been present the previous evening returned and said that those concerned had better make up their minds on the matter that something was done. That is the sort of length to which colleagues of members opposite went to prevent the people of this State having the right to vote for the Council.

I join with other honourable members in wishing the Hon. Mrs. Cooper a long and happy retirement. She was elected to this Council in 1959, and I believe that, had it not been for an event that occurred in 1956, she would



have been a member of this place for longer than she was actually a member of it. I have appreciated the Hon. Mrs. Cooper's friendship and the way in which she applied herself to the Bills that came before the Council. I, along with other Labor members, did not always agree with what the Hon. Mrs. Cooper said. Nevertheless, she did a good job for her Party, and I appreciate very much having been able to work with her during her term in this place.

I sincerely regret the circumstances in which the Hon. Mrs. Cooper found herself after voting contrary to the way in which a number of her colleagues voted on the Santos (Regulation of Shareholdings) Bill. The Hon. Mrs. Cooper can be proud of the service that she gave to the State during her term as a member, and I have no doubt that the way in which she voted on the Bill to which I have just referred was one of the reasons that caused her to retire early rather than to wait until the next election to do so.

I am concerned about the action taken against the Hon. Mrs. Cooper and the Hon. Mr. Geddes because of the way in which they voted on the Santos legislation. That action has been taken against them contrary to what all members have heard ever since entering this place, namely, that members of the Liberal Party are free to vote as they like. The Hon. Mrs. Cooper and the Hon. Mr. Geddes were conned by their own Party's false propaganda. They believed their own story, namely, that they were individuals in this place and that they could vote as they liked. We all saw how they voted. We have seen, too, how they have finished up, and how this Council is worse off because of it. I hope that, following the action taken against those two honourable members, Government members will no longer have to listen to such hypocrisy from the Opposition in future.

I trust that the Hon. Mr. Davis will appreciate that he has been elevated to the Council as a result of the Labor Government's honouring a convention, contrary to the action taken by members of the Liberal Party in various States, where it seems that they are willing to follow convention when it suits their political purposes but to set it aside when it does not. That is not good for anyone. The Labor Government in this State will ensure that this convention is placed on the Statute Book so that, if and when a Liberal Government is returned to office, it will not be tempted to by-pass the convention that has been formally established by the Council.

I should be interested to know why Liberal members opposite threw up their hands in dismay when the Premier said that this State's economy was on the way up. Each honourable member opposite who spoke tried, merely for political purposes, to knock the State and what was being done by its Government. The Premier said this week that there were now 700 more jobs in this State than there were at this time last year. He said, too, that more overtime was now being worked than was being worked at the same time last year.

The Premier quoted the Commonwealth Statistician's figures, which showed an upturn in retail sales. However, that was too much for those people who see fit to knock the State and continue to speak with the voice of doom commenced by their Leader in another place. They then decided to do their best to make noises and untrue statements in an attempt to embarrass the Premier. However, their efforts failed miserably, and I am sure that hereafter they will not be so ready to knock the State. I know why members opposite have made low-key speeches. Judging from what is happening in the Liberal Party, along with their mates in the Country Party, I know that they have nothing to be pleased about. To top it off, the survey by the *Bulletin* released today shows that

support for the Federal Government has dropped to 40 per cent, compared to about 32 per cent of support for the Liberal Opposition in this State.

I was concerned about the Hon. Mr. Cameron's statement as it related to the dental health service, which is recognised as the best in the Commonwealth. The Hon. Mr. Cameron has obviously been listening to a few disgruntled dentists who consider that they are not getting sufficient business because of the school dental service. The honourable member is therefore willing to criticise the valuable service, of which we can be justly proud, given to this State's schoolchildren.

Had the Hon. Mr. Cameron tried to go to the training school or to the service's central headquarters, as he is welcome to do (just as any member of the public is welcome to do), he would have been able to see the valuable work being done, and he would not then have come down on the side of a few disgruntled dentists who oppose the stated policy of the Australian Dental Association.

I hope the Hon. Mr. Cameron will take the opportunity to go and see for himself just what is happening within that service. Mr. Cameron asked whether there was a shortage of experienced and competent management at the regional and district dental officer level. His question was prompted by a memorandum to the South Australian Health Commission from the Director of Dental Health Services, dated 28 February, 1978. Since that memorandum, an impending management problem was averted by the appointment of five regional dental officers to the South Australian School Dental Service. Had these positions not been created and filled by experienced dentists, the level of direction, control and support for dental therapists could have deteriorated to an undesirable level. In fact, the South Australian Health Commission reacted promptly by appointing five regional dental officers, and so adequate direction, control and support has been maintained.

**The Hon. J. C. Burdett:** Are they still there?

**The Hon. D. H. L. BANFIELD:** Of course they are still there. Have you been down to ask people in the department? I mean that the numbers are still there. With regard to the high percentage of 35-44 year old New Zealanders who are edentulous, as found in the World Health Organization collaborative study, it is an unrealistic proposition to attribute this state of affairs to the New Zealand School Dental Service. At the time these adults were at primary school (in the 1930's and 1940's), and were therefore eligible for school dental care, the New Zealand School Dental Service was still in its developmental phase, and many primary school children were not receiving care. In other words, it cannot be assumed that any number of these edentulous individuals had ever been associated with the School Dental Service. Even if they had been, it is certain that their teeth would have been removed primarily by private dentists, not by personnel of the School Dental Service. A study of patients in the New Zealand School Dental Service, funded by the World Health Organization in 1950, showed that extraction of permanent teeth in the New Zealand School Dental Service was extremely rare. Figures on edentulousness presented by Mr. Cameron show that, compared with Australia, New Zealand has a high level of edentulousness, but Norway has a low level (about 50 per cent lower than in Australia). Norway has had a School Dental Service for decades, and so one could (equally unrealistically) attribute Norway's more favourable figures to the presence of a School Dental Service.

In any event, it is inappropriate to use overseas data (particularly data alluding to performance in the 1930's

and 1940's) to evaluate the School Dental Service in South Australia today, as it would be to judge the merits of South Australian private practice by scrutiny of past private practice in another country. Unlike many dental programmes overseas, the South Australian School Dental Service has a policy of parental involvement. In 1978, as a result of this policy, there were 74 500 consultations of school dental personnel with parents on an individual basis, regarding the dental health of their children. In addition, some 700 talks were given to parent groups that year. The Australian Dental Association (S.A. Branch) and School Dental Service have implemented a referral scheme, whereby year-7 students are referred to private practitioners, nominated by their parents, for follow-up care, once they cease to be eligible for school dental care. This scheme is an example of efforts made by the School Dental Service and the Australian Dental Association to involve parents and promote follow-up care and continued dental health after children leave the school dental programme. However, the Hon. Mr. Cameron attempted to say there was no involvement by parents.

In a survey of a representative sample of 4 000 parents of school dental patients in 1977, 95 per cent of parents (of the 85 per cent venturing an opinion) claimed that they were given adequate information about their children's dental health by school dental personnel, and 99 per cent (of the 85 per cent venturing an opinion) considered that school dental personnel were easily approachable. Clearly, parents vary from locality to locality in the expectations they have regarding their involvement during the treatment of their children. Therefore, school dental clinics vary in the number of consultations undertaken with parents. Naturally, the service has to be very careful to be adaptive in the light of greatly varying needs and expectations across the State. Understandably, there would be times when parents may feel insufficiently involved. Any parent desirous of closer contact, or desiring consultation every time their child is seen, need only telephone the clinic, or indicate this qualification when enrolling a child, and there will be total compliance with these wishes.

Regarding the question of continual direct supervision of therapists by dentists on the premises, this has never occurred in South Australia, nor does it occur in other Australian States, New Zealand, nor in the 30-40 other dental therapist programmes around the world—for the simple reason that it is unnecessary and wasteful of resources. Although there have been fatalities in dentistry, this has never occurred in the South Australian School Dental Programme, despite the hundreds of thousands of appointments that have occurred. Therapists are totally competent to perform the tasks allocated to them, including the provision of first aid or simple procedures to control pain, infection, or bleeding, should an emergency present. In any event, the dentist is "on call".

In South Australia, the number of dentists directing therapists is higher than in any other Australian State. Very few dental therapist programmes around the world employ so many dentists in a supervising capacity. Parents really do not have any need to worry, neither does Mr. Cameron.

Documented evidence of the effects of the School Dental Service on children's teeth in this State and the quality of the care provided also should be noted. For example: there is evidence showing: (1) enormous reductions in dental disease levels; (2) improved oral hygiene practices; (3) good quality restorative and preventive care; and (4) a greater knowledge of a dental nature among children. The Hon. Mr. Cameron complained about the dental service provided in this State

but, as I have said, it is the best in the Commonwealth and is equal to any in the world. The Hon. Mr. Cameron, in his simplistic manner (which is understandable, knowing the Hon. Mr. Cameron) tried to imply that \$4 000 000 had been wasted at the Royal Adelaide Hospital over the last 40 years because of a headline that appeared in the media saying that the hospital had slashed spending by \$4 400 000 and that more cuts were likely.

I have referred to the manner in which the Hon. Mr. Cameron wrongly assumed that the Royal Adelaide Hospital, in 10 years under the control of this Government, had wasted about \$40 000 000. Nothing is further from the truth. The Hon. Mr. Cameron took no steps to ascertain the position and to find out how the savings were made. The hospital spent an increased amount of more than \$1 000 000 on the previous year, but certain actions were taken to cut back what could have been a higher amount of expenditure. Our hospitals and public health services are in good shape. In saying that, I am echoing the remarks of Sir Norman Young, who could not be classed as a supporter of the Labor Government. *The Advertiser*, in a report on 10 April, states:

"The truth is our hospital and public health services are in very good shape," leading S.A. businessman Sir Norman Young has told the Premier, Mr. Corcoran. He said the general public had been given the impression that the entire hospital and public health service in S.A. was in a mess—"merely because the accounting and management systems and controls fall short of some artificial standard of textbook excellence".

Sir Norman, who was appointed financial adviser to the South Australian Government committee which investigated the Public Accounts Committee report, said: "This is certainly the impression that was conveyed to the public by Press statements which covered the report of the P.A.C. committee. Our health services were in very good shape with a good record of performance in the areas of diagnosis and treatment of the health problems of individual patients," he said.

"Accordingly, in my view it is a great pity that the Public Accounts Committee did not take the trouble to make this point abundantly clear. I have now read the report of Mr. Guerin's committee which I am happy to endorse. In particular I support the specific recommendations which are directed towards overcoming, or otherwise dealing with, the principal areas of inadequacy which exist in the administration and financial control of the State's public hospitals and public health services.

On the other hand I do not agree with all the conclusions reached by the P.A.C. which, in my view, in a number of instances, takes insufficient account of the limited resources of skilled personnel which have been available within the hospital and health services (including the Health Commission) to cope with the pressures and technical demands suddenly brought into existence by the expanded public demand for such services under conditions of acute inflation."

Sir Norman said he thought the P.A.C. had not made proper allowance in its criticisms for "the very considerable administrative problems" created by the Government's decision to reorganise the public hospital and health services under a new Health Commission.

Let us look at some of the actions which were taken to bring about some of the savings. A report in the staff newsletter states that a good deal of success had been achieved by the Royal Adelaide Hospital in the field of cost reduction and cost containment during the current financial year. The report states that it is a pity that the media does not give as much prominence to these achievements as it gives criticism, much of which is

unwarranted.

That part of the document was not quoted by the Hon. Mr. Cameron, and I wonder why that was so, when he claimed he was quoting from that report. The report refers to the closure of ward B2 of the Northfield wards, with a resultant saving of \$90 000. That ward was built in 1934, and no further building had been done at Northfield until the Labor Government came to office. I opened the new ward, the first to be built in 40 years, which demonstrates the way in which the previous Government neglected the Northfield wards, having no regard for the wellbeing of the patients.

The ward was used by the domiciliary care people, who took in people to enable members of the family to have some rest for a short period, so that they would not finish up in the same condition as the people they were looking after. The people concerned have been rehabilitated in one of the new wards which I opened. Although it was the first building at Northfield in more than 40 years, the press did not even give it a mention. The Hon. Murray Hill objected to the colour of the curtains, but that was all he could say about the improved conditions for patients.

A further reduction in cost was made by using absorbent sheets and pads, a new type which has just come on to the market, enabling the hospital to make this saving.

We have seen the closing down of the Dental Department on Saturday mornings and public holidays. The Hon. Mr. Cameron said there had been no disruption as a result of the cutting back of expenditure at the Royal Adelaide Hospital, but people opposite have complained about the waiting list in the Dental Department. Now, however, it has been found necessary to close the department on Saturday mornings because of a cutting back in funds by the Federal Government.

We have also seen the closure of ward B5, at the Northfield wards, an infectious diseases block, because not so many infectious diseases are prevalent nowadays. Some of the full-time staff have been replaced by part-time staff. There has been a reduction of 13 in the number of medical training posts, and a reduction in resident medical staff overtime. There is not now so much training of specialists at the Royal Adelaide Hospital, and, if the State is to be kept at this low level of spending, in a few years there will be a shortage of doctors as there was in the past under the Liberal Government.

There has been a cessation of weekend cleaning in certain buildings at the Royal Adelaide Hospital, and a closing of the top floors of the Eleanor Harrald and Margaret Graham Homes. There are no full-time resident medical officers, and there has been a cut-back in the training of nurses. This has saved the State \$500 000, but we will be in a position where we will not have sufficient nurses to attend to the patients. Had the Royal Adelaide Hospital not trained so many nurses over the past few years, Modbury and Flinders Hospitals could not have been opened. Unless nursing training can be increased, insufficient nurses will be available to staff any future hospitals.

Is this what members opposite advocate? They do not believe in the availability of nurses, or that their training should be of the highest standard. Health and hospital services were a disgrace to South Australia when the Labor Government came into office in 1964, yet now 99 per cent of hospitals in South Australia have been renovated, rebuilt and upgraded through the action taken by the Government.

Hospitals were sadly neglected when we came into office, but Opposition members are not worried about that, because they do not believe in good facilities. One of my last jobs as Minister of Health was the opening of new

buildings at Glenside. When the Labor Government came into office in 1965 Glenside was a disgrace and a blot upon South Australia, yet today it is one of the best hospitals in Australia. There is no excuse for the sort of conditions that existed under the Liberal Government.

The Hon. Mr. Cameron claimed that there had been no achievements, but I refer him to those that have been made, despite the need to reduce expenditure. The reduction in medical training was partly achieved through reducing services provided previously to other organisations, but honourable members opposite are not interested in services being provided.

Much has been said about public servants, and much blame is attributed to them. However, I want to pay a tribute to the public servants who worked with me and to those whom I know. They did a magnificent job in the interests of the State. I know of many public servants who worked until 1 a.m. or 2 a.m. when necessary, without complaint and without any overtime, in the interests of South Australia. Unfortunately, it is the actions of only a few public servants who cause the public to tar everyone with the same brush. Perhaps a few public servants may not carry their full weight, but for the greatest number of public servants I cannot speak too highly, especially about the way in which they do their work. Often they give invaluable service to the State, and the public should appreciate the service rendered.

The Hon. Mr. Davis referred to things that have not been done, but he did not refer to Mr. Fraser's broken promises. He did not refer to any of the omissions—

**The Hon. T. M. Casey:** He'll learn.

**The Hon. D. H. L. BANFIELD:** Yes, the honourable member might be in this Chamber for only a short time, but if he carries on in the future as he did tonight he will be a great asset to the Labor Party, and we would be sorry to see him go at the next election. That is the game of politics, and I am sure that the honourable member appreciated that when he was elected. I should like to recap some of the promises that have been broken by Mr. Fraser. I refer to a report of 8 September 1974, which states:

As unemployment rises, so too should unemployment benefits increase. This proposal rests on the principle that as it becomes harder to get work so too should the compensation for those out of work be increased. I believe that principle to be valid.

Perhaps Mr. Fraser believes the principle to be valid, but he has not done a thing about it, other than to decrease the benefits paid to the unemployed, hound them and call them bludgers when they are out of work, in most instances, as a result of action taken by the Fraser Government. On 27 November 1975, Mr. Fraser said:

In the next Budget we will make the first major move towards the adoption of the stock valuation provisions of the Mathews report. We will introduce the report in full over three years.

What has been done? He continued:

We will provide jobs for all who want to work.

On hearing that statement, one would believe that the Federal Government was about to do something. Mr. Fraser did not say by what year jobs would be provided; he has done nothing other than increase the number of employed. On one occasion he said that there had been a drop in the unemployment figure, but he could not cite a number to indicate by how much the figure had dropped. That is the sort of statement made by the Prime Minister. Also on 27 November 1975, Mr. Fraser said:

We will maintain Medibank, and ensure that the standard of health care does not decline.

What has happened to Medibank? It has been dismantled,

and health care has declined considerably as a result of actions taken by the Federal Government. Mr. Fraser went on to say:

We will fully index personal income tax for inflation over three years. It will make government more honest with your money.

We do not yet have an honest Government; it is spending much more money, and it has not yet indexed personal income tax. The Prime Minister also said:

More investment will lead to jobs; both will lead to more revenue. That will be a significant fact in reducing the deficit. The deficit has more than doubled in the period in which the present Government has been in power. In September 1975, Mr. Anthony said:

The Coalition Parties were opposed to this levy on coal exports. We will review it when we are returned to office. It is a retrograde, irresponsible and short-sighted measure.

What has been done about that? On 13 March, Mr. Fraser said:

We are committed to take politics out of pension increases by giving automatic increases in line with price rises twice a year.

He omitted to do that until there was an upsurge of discontent among pensioners, and he promised to bring it back this year. Whether that promise will be honoured, no-one knows. On the Federal Government's present standard, it will not be honoured. On 12 September 1977, Mr. Fraser said:

Inflation at an annual rate of 5 per cent is within our reach by mid-1979 . . . It will go on falling under the policies of this Government.

Everyone knows what has happened to the rate of inflation. He also said:

A reduction of 2 per cent in interest rates in the next 12 months can and will be achieved.

The interest rates are increasing further. On 12 September 1978, he said:

An income tax surcharge would be a temporary measure for 1978-97 only.

That income tax surcharge is still being paid. No-one can doubt that this Government has a powerful commitment to lower taxes. It might lower taxes in one way, but I have paid more this year than I have paid before, and I am now paying more for health services than I was paying under the original Medibank scheme.

One can go on and on citing broken promises of the Federal Liberal Government. Members opposite have not said one word of condemnation. The State Government is blamed for all cutbacks, when in fact a number of services have been provided by the State Government which have been the responsibility of the Commonwealth Government. The State Government has carried out Federal Government proposals. We were asked to do this by the Commonwealth government, which cut back expenditure. There is a cutback on anything that is likely to bring in money for the State.

Why do members opposite not get up and tell us where they would get the money if and when they ever became the Government? They should do more in the interests of the State. I wish they would stop knocking and be more positive in their thinking. We know that they have never been positive in the past, and I do not expect that they will be positive in the future. I have much pleasure in supporting the motion for adoption of the Address in Reply.

**The Hon. C. J. SUMNER (Attorney-General):** I thank honourable members for the attention they have given to the Address in Reply debate. I add my best wishes to the former member, Mrs. Jessie Cooper, on her retirement.

Almost everyone who spoke in this debate referred to her contribution to the South Australian Parliament, and it is true that she made history as the first woman in the Legislative Council. I commend her attitude in May this year when she took a stand that she believed to be right over the Santos legislation. I certainly look forward to her retirement celebration tomorrow and to having a drink with her. I wish her all the best in her retirement.

I refer also to the new member, the Hon. Mr. Davis, whose maiden question I acknowledged earlier, and whose maiden speech this evening I now acknowledge. I compliment him on at least some aspects of it, although I feel I must comment on one or two matters he raised. For the most part, the Address in Reply debate has revolved around the question of the state of the economy in South Australia. I will deal briefly with some of the matters that have been canvassed. Certainly the South Australian economy is a matter of debate in the community at the moment.

Unfortunately, members opposite (and the Hon. Mr. Davis is no exception) very rarely talked about the basic problem with the economy which is the result of Federal Government policies. Quite clearly what happens in this State is very largely determined by what happens at a Federal level. The Hon. Mr. Davis, in his contribution (as well as most members opposite), failed to mention the effect that Federal Government policies have on the state of our economy. It is clear that all other States are experiencing record levels of unemployment and relatively sluggish growth rates. It is obviously ridiculous for members opposite to criticise the State Government when clearly the responsibility for the major problems affecting the Australian economy lies with the Federal Government.

I will not repeat the matters that have been mentioned by other members in respect of Mr. Fraser's handling of the economy. However, there have been many changes to the health arrangements in this country since he took office in December 1975. We had the appalling confidence trick of the tax surcharge, when he stated in December 1977 that he was going to give money back to the people. Some eight months later, however, he imposed a tax surcharge in contradiction of his promises at the election campaign in December 1977.

Another matter which has been mentioned and to which I should like to refer is State taxation. Members here and in another place have spoken of that matter, and the editorial in today's *News* states that yesterday, Mr. Tonkin, in the debate on the Supply Bill, had shown that we had the highest taxation rates in the country, with an increase of 500 per cent since 1970. It is nonsense to state that, because Mr. Tonkin did not show that we had the highest taxation rates in the country: he made an assertion that average taxation rates remained the highest in the country.

**The Hon. M. B. Cameron:** They are.

**The Hon. C. J. SUMNER:** If members opposite have additional information, Mr. Tonkin did not quote it yesterday. He did not show that this State had the highest rate of taxation. Taxation has increased in the past eight or nine years, and one would hardly expect anything else. There has been an increase in all States. If members opposite have any other information, I should be pleased to see it.

The most recent figures that have been given to this Council show that South Australia, had, per capita, the third highest rate, behind New South Wales and Victoria and only marginally ahead of Queensland, as I recall. Therefore, for Mr. Tonkin to say we have the highest taxation rate is contrary to the information that has been

given to this Council. If we take royalties into account, we are the lowest taxed State on the mainland and, if we exclude royalties, we are third, behind New South Wales and Victoria.

The Hon. Mr. Davis has mentioned the Frozen Food Factory. He seemed to want to show that that was an example of Government misspending of money. He did not realise that the planning for the factory had been done by his colleague, the Hon. Mr. Hill, in 1969.

**The Hon. M. B. Cameron:** He spent the \$10 000 000?

**The Hon. C. J. SUMNER:** He did the planning, and it seems odd for members opposite to criticise the Government now. The Hon. Mr. Davis also mentioned control of private development and seemed to make a big point of quoting the Governor's Speech about that matter to indicate that that showed the dreadful penchant that the Government had. I ask the member whether he believes that there is any need for legislation for planning development and controls. Clearly, there was a need for it in 1975, and the need remains. That is what the Government is speaking about. I find the member's attitude a trifle extraordinary, particularly as, when people come together increasingly in urban societies, there is a clear need, in the public interest, for control of private development and for planning legislation.

The Hon. Mr. DeGaris relied heavily on a speech made by Sir Robert Norman, of the South Australian Chamber of Commerce, in commenting on this State's economy. I do not want to go through every point that the Hon. Mr. DeGaris has raised but I will refer to some to show that what he quoted from the speech was not correct.

In fact, he did not quote the whole of the speech. Rather, he quoted only those parts of it that suited him. One part related to the unemployment rate in South Australia. In May 1979 South Australia's unemployment rate was the highest of all States. This matter has been referred to previously. Unemployment in South Australia occurred primarily between June 1977 and June 1978. Until then, despite the fact that unemployment started increasing in 1974 and continued to increase during 1974, 1975, 1976, and the first part of 1977, South Australia maintained the lowest rate of unemployment. Unfortunately, from June 1977 to June 1978 a combination of a number of factors affected our employment situation.

I should like honourable members opposite, especially the Hon. Mr. Davis, to say how the State Government could have affected that situation. I refer, first, to the run-down in employment in Whyalla. That was a direct result of a decision taken by the Federal Government regarding the ship-building industry. I refer also to the effects of the three-year drought, which effects were more severe in South Australia than they were anywhere else in Australia. That hit us particularly badly by 1977-78. Perhaps the honourable member might say what the State Government could have done about the drought.

There was also at that time a reduction in the market for motor vehicles, and Chrysler Australia Ltd. was involved in retrenchments. I should like to know what the State Government could have done about the reduction in demand for Chrysler motor vehicles in Australia. Perhaps the honourable member might like to address his attention to that matter at the same time.

The other aspect that affected us was that in 1975-76 there was a building boom in South Australia, when the supply of houses got well ahead of the demand therefor. Unfortunately, that had an effect on our employment situation that was felt most severely in the period from June 1977 to June 1978, when the great increase in unemployment occurred. I ask honourable members opposite please to examine those situations and explain

what the State Government could have done about those factors, which were out of its control.

I do not want to quote all the figures relating to the economy. Honourable members opposite have tried to present a picture of doom and gloom on all fronts. However, there are figures that give some encouragement. For instance, in the private manufacturing sector in South Australia there was a 3.5 per cent increase in employment from September 1978 to May 1979, compared with minus .5 per cent in Western Australia, .6 per cent in Queensland, 1.8 per cent in New South Wales, and 2.2 per cent in both Tasmania and Victoria. So, although I consider that the unemployment situation in South Australia at present is the highest of any State, there were factors that led to that unemployment, and there is some suggestion that in the manufacturing sector an increase in employment is occurring.

Another factor to which the Hon. Mr. De Garis referred arising out of Sir Robert Norman's speech was the dearth of opportunities in the private sector. He said:

New employment opportunities have tended to be concentrated almost exclusively in the public sector, which accounted for 34 per cent of the State's total civilian employment at the end of 1978, compared with 30 per cent in New South Wales and 32 per cent on a national basis. By contrast, private sector employment has actually been dropping.

On my reading of the situation, this is not correct. Since the bottoming-out of economic activity in this State in September 1978, employment in the private sector has seen the addition of about 3 100 jobs to May 1979. Over the same period (September 1978 to May 1979) State Government employment has fallen by about 500 jobs. It is also not true to assert that South Australia's share of Government employment is out of line with that of other States. The Australian Bureau of Statistics figures for May 1979, which are percentages related to total civilian employment, are as follows: New South Wales, 22.3 per cent; Victoria, 22.1 per cent; Queensland, 26.4 per cent; South Australia, 25.4 per cent; Western Australia, 28.2 per cent; and Tasmania, 28.1.

Where the Hon. Mr. DeGaris or Sir Robert Norman got his figures from I do not know. The figures I am quoting are based on the total of State and local government employment. It is necessary to sum these totals to make the figures comparable, because of a different sharing of responsibilities between State and local governments in the different States. The smaller States have higher levels in Government employment than have the larger States, because of economies of scale accruing to the latter.

The other point dealt with the net migration loss. In the four previous financial years (to June 1977) the percentage population growth in South Australia exceeded that in New South Wales and Victoria, but clearly the situation has been affected by the economic down-turn I have mentioned that occurred in 1977 and 1978 and the lack of employment opportunities caused by those factors, extraneous to the State Government, that I mentioned. In any event the net migration outflow in 1978 represented a minus .13 per cent fall as a percentage of the estimated population at the end of 1977. Hardly a massive exodus from the State! It has to be compared with the four years prior to June 1977, when we had a higher rate of population increase than did New South Wales and Victoria. The fluctuation is related to the down-turn in employment that was caused by those factors I mentioned.

The other point mentioned by this gentleman and adopted by the Hon. Mr. DeGaris, apparently without any independent consideration of the points made, was that there were poor conditions in the building and

construction industry. It was claimed that building approvals, commencements and completions had all fallen substantially and that the industry continued to operate well below capacity. I have explained the reasons; an over-supply of houses was created in 1975-76. Problems in the dwelling sector have not been helped by cuts in Federal funds which have caused Housing Trust commencements to fall by nearly 40 per cent, due to a reduction in funds for welfare housing. In the *News* of 1 August 1979 a statement appeared in relation to L. J. Hooker's turnover. The General Manager is reported as saying:

The real estate market continued to be exceptionally buoyant in New South Wales, and there are direct signs of improvement in Victoria, South Australia, Western Australia and Tasmania.

Again, I do not wish to give a distorted picture of the situation in this State, because clearly there are economic problems which must be confronted. On the other hand, let us not just quote the figures that tend to give a gloomy picture of the situation in South Australia. There are some indicators that show that South Australia's position is improving. Regarding retail sales, for instance, the Australian Bureau of Statistics figures, seasonally adjusted, show that the 1979 March quarter total of retail sales in money values was 5.6 per cent higher than those reported in the December quarter 1978, compared to a 2.9 per cent increase during the same period for Australia as a whole. This change must also be seen in association with the upsurge in shop construction that occurred in the first five months of this year. Approvals in millions of dollars (in round figures) for shop construction, for instance, for the first five months in 1977 amounted to \$7 000 000. In 1978 the figure was \$6 000 000, and in 1979 it was \$33 000 000.

The next point made by this gentleman was that South Australians have increased their personal savings in banks and building societies at a much faster rate than have residents in other States. According to the Australian Bureau of Statistics figures, the rate of increase of these deposits for the period May 1978 to May 1979 shows that the total of savings bank and building society deposits grew by 12.3 per cent in South Australia, compared to a higher national average of 12.9 per cent for Australia as a whole. On a per capita basis, total deposits increased in South Australia over the period May 1978 to May 1979 by 11.3 per cent compared to 11.7 per cent for Australia as a whole. Therefore, the assertions made are not correct.

Another point raised by this gentleman, and adopted by Mr. DeGaris, was that there is further evidence of this lack of growth provided by the State's borrowing programme. In 1978 the Loan Council authorised each State to raise loans on the international capital market for approved infrastructure projects. Of the \$1.8 billion approved as the total sum to be raised over seven years to finance 12 projects, South Australia accounted for only \$186 000 000, and that was for the still tentative Redcliff project. The simple fact is that that \$186 000 000 represents 10.3 per cent of the total approval granted by the Loan Council. This compares favourably with the State's 9 per cent share of the Australian population.

It should also be mentioned, in relation to Sir Robert Norman's speech, that he went on, and did not leave the matter with those points that indicated the problems of the South Australian economy. He went on with it, but of course, the Hon. Mr. DeGaris did not go on. He ignored the rest of Sir Robert Norman's speech. The Hon. Mr. DeGaris did not want to debate the issues, so he refused to quote the rest of Sir Robert Norman's speech. Sir Robert Norman, in his speech, said:

Nevertheless, some incentives for investment in South

Australia can be discerned. In 1977-78, labour costs in terms of average weekly earnings were 6 per cent below those in Victoria and almost 8 per cent lower than in New South Wales.

Along with Victoria, pay-roll tax in South Australia is the lowest in Australia. South Australia's record of industrial disputes is far better than that of the other States. In addition, the cost of industrial land is lower than in other States. I should also mention that it is heartening to see South Australia recapturing its share of rural production after output declined so markedly in the two previous drought-stricken seasons. A substantial increase in farm incomes can be expected to provide a strong stimulus to the purchase of goods and services in the State as well as to the employment of labour, directly in country centres and indirectly elsewhere in the State.

The Hon. Mr. DeGaris totally ignored that. It is all very well for him to be critical of the Government and to try to lay at the door of the State Government the problems of the Australian economy, but if he is going to be critical and concentrate on the figures that indicate some problems with the economy, surely in fairness and honesty he ought to tackle the issues which, at least, Sir Robert Norman mentioned in his speech. But not the Hon. Mr. DeGaris. He completely ignores it. He does not even bring up the issues.

There are a couple of other matters I will mention briefly, before finishing, on the question of the economy. Another useful leading indicator is the average level of factory overtime worked. Once again, the trend in the figures is encouraging. From a low point in January 1978 of an average of 1.2 hours per week, factory overtime rose to a new high of 2.9 hours in February 1979, and this higher level of activity has been maintained.

I come now to the question of motor vehicle manufacture. According to the July A.N.Z. Bank business indicators, over the past six months motor vehicle registrations in Australia have improved, and South Australia has been fortunate to have two manufacturers who are achieving an increasing market share and a growing domestic market. Employment in the transport equipment sector has, accordingly, increased by approximately 1 000 employees between December 1978 and April 1979, and it has given a boost to the local economy. That is a factor that caused the downturn in employment in the 1977-78 period, as we are completely subject to national demand.

In conclusion, I think it is worth while emphasising that I have not canvassed all the economic issues confronting this State. What I have tried to do is put some balance into the debate by looking at the reasons for downturn in employment in South Australia, by pointing to some of the matters which indicate that the economy in South Australia is improving and, primarily, to repeat what members should know, namely, that what one can do in South Australia in terms of reviving the economy is very limited. The Budget for South Australia alone is less than half of the Federal Government's deficit for last year. One can see, from figures such as that, that the prime responsibility for the economy of this country rests at a Federal level. What we can do in South Australia is limited, but we have done a number of things, some of which have been mentioned by Sir Robert Norman in his speech, in terms of industrial incentives and lower costs in certain areas.

It is important, when discussing the economy, to see it in the context of the national situation and the international situation, and that is what honourable members opposite failed to do. They were dreadfully selective in the facts they presented to the Council. They did not give a

balanced picture, and I believe that, by concentrating purely on what they see as the pessimistic factors, they are not doing any service to South Australia.

Motion carried.

August at 12.15 p.m. as the time for the presentation of the Address in Reply to His Excellency's Opening Speech.

#### ADJOURNMENT

**The PRESIDENT:** I have to inform the Council that His Excellency the Governor has appointed Thursday 9

At 12.47 a.m. the Council adjourned until Thursday 9 August at 12 noon.