

LEGISLATIVE COUNCIL

Wednesday 17 October 1979

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

QUESTIONS

QUESTIONS TO MINISTERS

The **PRESIDENT**: I have to report to the Council that I have ruled out of order certain parts of a question on notice which the Hon. Dr. Cornwall yesterday addressed to the Minister of Local Government for reply on Tuesday next.

Our Standing Orders provide that questions may be put to a Minister of the Crown relating to public affairs. However, the Standing Orders do not set out any definition of "public affairs"; nor do they set out what questions are not admissible when addressed to Ministers in connection with public affairs. Accordingly, it is necessary to resort, as the Standing Orders provide, to the House of Commons practice to ascertain what questions are not admissible on this subject.

Erskine May, at page 329 of the 19th edition in the chapter on questions to Ministers, states under the heading "Ministerial responsibility":

Questions to Ministers must relate to matters for which those Ministers are officially responsible.

And, on page 331., he also states:

A question may not be asked which deals with the action of a Minister for which he is not responsible to Parliament.

From these extracts it is obvious to me that the practice of this Council should be to consider inadmissible any questions which may relate to the purely private affairs of Ministers when those private affairs do not bear any relationship or cause any conflict with the administration by a Minister of his portfolio.

I also consider that questions on matters with which a Minister may have been concerned prior to his appointment are out of order unless it can be shown that these matters also may affect the administration by a Minister of his portfolio.

The **Hon. N. K. FOSTER**: Mr. President, I wish to ask you a question about the matter just raised, as I think it more than suggests that the Standing Orders Committee ought to examine the position and that perhaps we ought not to be so concerned with the historical document of May, and with what House of Commons procedures and principles may from time to time dictate.

I am concerned that the Opposition will be impeded by your ruling precluding the questioning of any Minister about matters in which he may have been involved prior to becoming a Minister. That is most alarming and, in fact, not in keeping with references that you have previously noted. It would mean, Sir, that a person could be involved in an activity that could be the subject of a corporate inquiry and, provided that involvement occurred before he became a Minister, the matter could not be the subject of inquiry by this Parliament or the Council.

I think, Sir, with respect, that you should reflect on what has been said today. I intend to examine the matter more closely in *Hansard*, because I naturally want to grasp the significance of everything you have said. It should certainly be the subject of a more earnest and worthwhile investigation and consideration than it has been thus far.

The **PRESIDENT**: Have you a question?

The **Hon. N. K. FOSTER**: Thank you for your

suggestion, Mr. President. Will you undertake to examine more closely the information that you have just given to this Council, particularly regarding the questioning of Ministers on matters that may have occurred before they were given a portfolio; and, secondly, will you define what is meant by "in the public interest" in relation to your statement?

The **PRESIDENT**: I thank you for your question. Most certainly I will examine those matters, and I am sure that the Standing Orders Committee will appreciate any direction that may be put before it in this regard.

The **Hon. C. J. SUMNER**: I seek leave to make a short statement following the ruling you have given on this issue, Mr. President.

Leave granted.

The **Hon. C. J. SUMNER**: We on this side of the Council do not accept the validity of the ruling that you have given in this case, and I would reiterate what the Hon. Mr. Foster has said about asking you to reconsider the position. At this stage, I do not intend to move formal dissent to your ruling, Mr. President, but certainly I intend to examine the question more closely. It may well be that we will wish to raise the matter in the Chamber at a later stage.

The **PRESIDENT**: I accept that as fair comment. I point out that it is my jurisdiction to make a decision until directed otherwise by the Council.

BANK OF ADELAIDE

The **Hon. C. J. SUMNER**: I seek leave to make a short statement before asking a question of the Leader of the Government about the Bank of Adelaide.

Leave granted.

The **Hon. C. J. SUMNER**: Prior to the recent election, the then Premier (Mr. Corcoran) received representations from a group of local businessmen who were concerned about the proposed takeover of the Bank of Adelaide by the Australian and New Zealand Banking Group Limited, a bank not based in South Australia. Propositions were put to Mr. Corcoran by this group of local businessmen which indicated that it might be possible to save the Bank of Adelaide and its associated finance company from within the State of South Australia.

I understand that it was agreed between the Premier and this group of business men that a report should be obtained from an independent accountant in Adelaide on the viability of the proposition put forward by the group, and on whether or not it was a proposition that would operate to enable the bank to be saved for South Australia. The Government, when in Opposition, was very concerned about saving the Bank of Adelaide as a separate entity in South Australia. The current Premier has made a number of statements that are critical of the former Government's approach to this matter. It seems that the Liberal Party, now that it is in Government, has done an about turn and has rejected the advice that has been received from this independent accountant (advice that the then Premier, Mr. Corcoran, was happy to obtain to see whether the bank could be saved with some Government assistance).

Will the Attorney-General say, first, whether the Government received a report from an independent accountant, a Mr. Allert I believe, as requested by the Labor Government, to look at the proposition put by a group of independent South Australian business men to save the Bank of Adelaide? Secondly, did that report indicate that F.C.A. could trade out of its difficulties if it had Government assistance in the form of a Government

guarantee for a certain period, and that the proposition put by the group of independent business men was viable? Thirdly, what was the extent of Government support or guarantee required? Fourthly, why did the Government not provide the guarantee in order to save the Bank of Adelaide as a separate entity of this State?

The Hon. K. T. GRIFFIN: I am not aware of the existence of an independent report from a Mr. Allert. Therefore, I will refer that part of the honourable member's question to the Treasurer for a report which I will bring back to this Council in due course. If an independent report has been made, it may supply answers to the other matters raised by the Leader of the Opposition. Prior to the election the then Leader of the Opposition, now Premier, indicated that if a viable positive alternative was available to the proposal that had been made by the A.N.Z. Bank to the Bank of Adelaide, it would receive favourable consideration by not only the Government but also the shareholders of the Bank of Adelaide. One must remember that, as it is a company with shareholders, it is the shareholders on whom the basic responsibility lies for a decision on whether or not any offer should be accepted. It is obvious from the report received in the past few days that there was no other viable alternative presented to shareholders that would enable them to make a reasonable and responsible choice at the meeting held this week.

BANK OF ADELAIDE

The Hon. C. J. SUMNER: Will the Minister of Corporate Affairs say whether the Government or the Minister has received a report from the Corporate Affairs Commission concerning possible breaches of the Companies Act by the board of the Bank of Adelaide and possible breaches of the F.C.A. Trust Deed. If so, what did the report indicate, and will the Minister table that report in Parliament? If there is no such report, either written or verbal, will a full report on these matters be sought by the Minister from the Corporate Affairs Commission?

The Hon. K. T. GRIFFIN: The former Minister, Mr. Duncan, did request an inquiry by the Corporate Affairs Commission, and subsequently called it off. The commission commenced preliminary enquiries in July 1979 (then upon the verbal request of Mr. Duncan as Minister) as to whether the material in the annual report of the bank complied with the provisions of the Companies Act. That verbal request was followed by a letter from Mr. Hurford, M.H.R. The preliminary view of the commission was that the directors may have been in technical breach of section 162a of the Companies Act, and this was raised with the Manager of the bank when officers of the commission attended upon him in July. He indicated that the bank had legal opinion which indicated that it was complying with all the necessary legislation. The then Minister in charge of corporate affairs, Mr. Duncan, directed on 18 July that the matter not be proceeded with at that time. The question of whether the bank or its directors have been in breach of the provisions of the Companies Act relating to accounts has not been further investigated, as the direction that was given on 18 July 1979 still stands.

Subsequently, the Commissioner forwarded a report to Mr. Duncan in response to the letter from Mr. Hurford. In that report he stated that on the information available to the commission it was impossible to make any judgment as to whether the companies or their officers had breached the law. The commission still does not have any material which should form the basis of a more detailed inquiry.

Mr. Duncan alleges that there was strong evidence to indicate that the F.C.A. Board had breached the F.C.A. Trust Deed. The trustee has a duty to ensure that the directors of F.C.A. comply with the provisions of the Trust Deed. A failure to comply with any provisions of the Trust Deed would be grounds for the appointment of a receiver.

The issue that arose in the Corporate Affairs Commission related to the accounts of F.C.A. and, at the time of withdrawal of the F.C.A. prospectus, the question being determined was whether the assets of F.C.A. and especially the values given to land holdings should be written down. A significant write-down may have resulted in F.C.A. exceeding its borrowing limitation under the Trust Deed but that question was not resolved at that time, because F.C.A. withdrew the prospectus, and the Bank of Adelaide provided additional funds to its subsidiary, these funds having been provided by the consortium of banks. The provision of the additional funds apparently ensured that the immediate problem was avoided. In any event, the Companies Act does not provide that a company commits a specific offence if it is in breach of its Trust Deed.

Other than the allegation of Mr. Hurford, no specific complaint or evidence has been received by the commission alleging identifying any fraud or breach of the Companies Act by the Companies or persons involved in their management which would warrant further action.

In conclusion, I want to make clear that I do not intend to use the Corporate Affairs Commission as a tool to achieve political objectives or to use it vindictively to carry out a witchhunt. The commission has a charter laid down under the Companies Act which gives it specific responsibility, and I do not intend to see the commission put in a position where it is required by political direction to abuse those responsibilities.

MANUFACTURERS WARRANTIES ACT

The Hon. R. C. DeGARIS: I seek leave to make a brief explanation before asking the Minister of Consumer Affairs a question about the Manufacturers Warranties Act.

Leave granted.

The Hon. R. C. DeGARIS: Yesterday, the Hon. Bob Ritson referred to the question of over-regulation of our community. I remember that in 1975 a Bill, entitled the Manufacturers Warranties Bill, passed this Council. It passed with several amendments made here to which the Government agreed. At that time Liberal Party speakers stated quite clearly that the Bill was a useless piece of legislation and that it would not be used. If one reads the reports of the debates at that time, one sees that the then Chief Secretary almost agreed with those views. Will the Minister tell the House whether the legislation has been of any value and, if it has not been, will he take the advice of the Hon. Bob Ritson and see that the Act is repealed?

The Hon. J. C. BURDETT: I am interested in this question, because in 1975, when the Bill was debated, I was a member of the Council who said that it was unnecessary and useless. I said that it was unlikely that any action would be taken on it in the courts. It did nothing other than give the public a right of action in the courts. Since I have been Minister of Consumer Affairs, I have inquired in my office and have been told that, so far as the office is aware (and the administration of the Act is committed to me), no such action has been commenced in the courts. Therefore, it seems that no useful purpose has

been achieved. I will consider the matter raised yesterday by the Hon. Bob Ritson.

BANK OF ADELAIDE

The Hon. J. E. DUNFORD: I seek leave to make a brief explanation before asking the Attorney-General a question about the Bank of Adelaide.

Leave granted.

The Hon. J. E. DUNFORD: I am concerned about this matter because of what I have read in the press in the past week or so, and I am more concerned because some press reports indicate that up to 1 400 persons could lose their jobs. I have watched the evasions by the Attorney-General since he has been Leader of the Government in the Council. He is a typical lawyer and has talked about any breaches being technical breaches. However, still ringing in my ears are the interjections by the Hon. Murray Hill about the Jam Factory cover-up and statements by the then Leader, now a back-bencher (the Hon. Mr. DeGaris), to the effect, "Where is the open Government?" and "The public ought to know." We should get straightforward replies to our questions, not the duck-shoving that has been going on since 11 October. The contents of the report in the newspaper this morning of what Mr. Duncan said have been mentioned on several occasions. I will not read the whole report, because it is too involved.

The PRESIDENT: Read only the parts that are relevant.

The Hon. J. E. DUNFORD: Yes, Mr. President, I have marked the relevant parts. I spent 2½ hours on that, knowing how strict you were. The report states:

Mr. Duncan told the Assembly he wanted the inquiry to see what could be done to "punish" the people responsible for the bank's present situation.

Later, the report states:

Mr. Duncan said the Bank of Adelaide had been in breach of the Companies Act for a long period of time. There also was strong evidence to indicate the F.C.A. board had breached the F.C.A. trust deed.

In the other place, the Minister of Agriculture (Mr. Chapman)—God help the farmers—interjected. The report continues:

Asked by the Minister of Agriculture why he had not done anything about it, Mr. Duncan replied that the former Government had set up an inquiry. "The report is in the Corporate Affairs Department and no doubt it is available to the Attorney-General," Mr. Duncan said. Mr. Duncan said he believed the allegation that F.C.A. had breached its trust deed should be investigated. "I believe it is known to the Department of Corporate Affairs," he said, "But I don't believe any investigation is being undertaken at this time."

Mr. Duncan said that at Monday's shareholders meeting a former head of the South Australian Chamber of Commerce, Mr. C. W. Branson, had said, "We are being led to the sacrificial altar so as to save the integrity of the directors."

We know that Mr. Branson is no radical, so they are very strong words. The article then turns to Mr. Griffin, who was carrying on outside Parliament in the same way as he was today. The article continues—

The PRESIDENT: The honourable member's explanation is becoming very lengthy.

The Hon. J. E. DUNFORD: The article continues:

Outside Parliament last night the Attorney-General Mr. Griffin said: "The Corporate Affairs Commission is not to be used vindictively or for political purposes. If there is evidence presented to it which establishes the need for an inquiry then it will have the responsibility of making a recommendation to me."

We are trying to get this information from the Attorney-General. Will the Government obtain a report of the allegations that the Bank of Adelaide borrowed some \$40 000 000 from the A.B.A. consortium without following procedures that would have ensured that the bank received protection under section 51 of the Income Tax Assessment Act so that interest payments could be deducted from the bank's income tax assessment? That is an important question, because it must have implications for the shareholders if it is true.

The Hon. K. T. GRIFFIN: I will not seek a report, as the matter is not within the responsibility of the Corporate Affairs Commission, or in accordance with the Companies Act. If one asks why, if it did occur, the directors have not received the benefit of a reduction under the Income Tax Assessment Act, that is totally irrelevant to any of the requirements of the Companies Act. I cannot see any reason why the time of the Corporate Affairs Commission should be taken up inquiring into a matter that is not within its jurisdiction.

PUBLIC ACTUARY'S OFFICE

The Hon. D. H. LAIDLAW: I seek leave to make a brief statement prior to asking the Attorney-General, representing the Treasurer, a question about the Public Actuary's office.

Leave granted.

The Hon. D. H. LAIDLAW: Some years ago the Public Actuary's office consisted of one senior actuary, one junior actuary and four clerks (one of whom was occupied with building society and credit union work, which has now been transferred to another department).

Before the demise of the Labor Government the strength of the office was increased to consist of the Public Actuary, on a salary of about \$35 000 a year, an Assistant Actuary, two Associate Actuaries and two clerks. The position of Assistant Actuary, which carries a salary of about \$30 000 a year, was advertised some months ago, but I understand that the position is, as yet, unfilled. I have investigated the position in other States regarding Public Service staffing of offices of the Public Actuary and found that staffing ranges from one qualified actuary in Western Australia to three qualified actuaries in New South Wales.

Will the Attorney-General say why the South Australian Government needs more actuaries on its payroll than any other State? If he finds that the position advertised is unnecessary, will the Treasurer take steps to ensure that the advertised position of Assistant Actuary on a salary of \$30 000 a year is withdrawn?

The Hon. K. T. GRIFFIN: I will refer the honourable member's question to the Treasurer and bring back a reply.

BANK OF ADELAIDE

The Hon. C. J. SUMNER: Will the Leader of the Government in this Chamber say whether details of the options available to support the Bank of Adelaide have been discussed by Cabinet? Was Cabinet aware that an independent report by Mr. Allert, or an independent person or group of accountants, had been prepared, indicating that the F.C.A. could trade out of its present predicament if some guarantee or assistance was given by the Government?

The Hon. K. T. GRIFFIN: I have already indicated that I will refer the honourable member's earlier question to the Premier with a view to obtaining an answer and

bringing back a report. I am not prepared to disclose what is discussed at Cabinet meetings.

The Hon. C. J. SUMNER: Will the Minister or the Government appoint a special inspector under section 170 of the Companies Act to investigate breaches of the Companies Act by the board of the Bank of Adelaide; and, if not, why not?

The Hon. K. T. GRIFFIN: It is not my present intention to appoint such an inspector. I have already indicated that, if material is provided to the Corporate Affairs Commission which indicates that there has possibly been a breach of the Act, the Corporate Affairs Commission will make a recommendation to me. If that recommendation is in favour of appointing an inspector, or making any other inquiry, then I will agree to that being done. As I indicated previously, there is currently no material before the Corporate Affairs Commission (nor is there any allegation other than that made by Mr. Hurford, M.H.R.) which would provide a reasonable basis for proceeding to use the fairly specific powers in the Companies Act to appoint an investigator of this kind.

PERSONAL EXPLANATION: OVERSEAS EXPENSES

The Hon. B. A. CHATTERTON: I seek leave to make a personal explanation.

Leave granted.

The Hon. B. A. CHATTERTON: Yesterday, in the House of Assembly, the Minister of Agriculture gave an explanation about a report that he was to travel overseas this year. In that explanation he said, in part:

... this line comprised a provision for outstanding expenses from an overseas visit by my predecessor and his wife, plus a larger amount for proposed visits to the Middle East and North Africa by Department of Agriculture officers.

I want to make it quite plain that the amount for the proposed visits by departmental officers was by far the larger amount. The visit I made overseas ended in May of this year, and there were few expenses that were outstanding by 30 June. The only ones that I can recall were a few which were paid by credit card and which, therefore, took some time to arrive. I would point out that the expenses of the trip I took were probably the lowest of any Ministerial trip, because the internal costs of travel and accommodation in the countries I visited were paid by those host countries.

I also point out that I doubt whether any mission overseas by a Minister has resulted in larger benefits for South Australia. Part of the trip involved negotiating a \$60 000 000 contract for the export of woodchips to India. As I have said, I think that the benefits in terms of trade to South Australia were great indeed.

QUESTIONS RESUMED

FISHING ZONE

The Hon. R. C. DeGARIS: I seek leave to make a brief explanation before directing a question to the Minister representing the Minister of Fisheries.

Leave granted.

The Hon. R. C. DeGARIS: A proclamation was recently made, I think on 1 November 1979, under the Federal Government's Fisheries Act, creating for Australia a 200 nautical mile fishing zone in accordance with international law.

Will the Minister inform me of the role that the State

department will play in administering this newly proclaimed fishing zone, and can he say whether any discussions have been held between the Commonwealth and the States on this matter?

The Hon. C. M. HILL: I will refer the question to the Minister of Fisheries and bring down a reply.

NUCLEAR WASTE

The Hon. J. R. CORNWALL: I seek leave to make a brief explanation before asking the Attorney-General, representing the Minister of Mines and Energy, a question about radio-active waste disposal.

Leave granted.

The Hon. J. R. CORNWALL: On page 3 of this morning's *Advertiser* was a rather strange report emanating from the office of the Minister of Mines and Energy about the possibility of reopening Radium Hill as some sort of dumping ground for nuclear wastes. It was not clear at all from the report just what the Minister had in mind, but it has caused many people to feel uneasy, given the precipitate rush that the Minister has shown to get into uranium mining and enrichment. It was stated that the Mines and Health Departments would conduct a survey, and it was further stated that the area would simply be used to store core samples from Roxby Downs.

I suggest that that is quite laughable, because the core samples from Roxby Downs could be buried safely in my backyard, because there is very little radio-activity at all. The real concern is that, because of the indecent, precipitate haste with which this Government and the Minister, in particular, are proceeding to get into the nuclear industry, this is really a survey preparatory to making South Australia a dumping ground (Radium Hill in particular) for highly toxic wastes from overseas, which inevitably we must accept as the *quid pro quo* in connection with exporting uranium in any of its various forms.

The Hon. F. T. Blevins: There is a moral obligation.

The Hon. J. R. CORNWALL: True, morally we have a duty. Australia cannot be in the export business without taking back the by-products. Will the Minister provide precise details of the materials to be dumped or stored, and give an unqualified assurance to the people of South Australia that there is no intention whatsoever to use Radium Hill or any other area in South Australia as a dumping or storage area for overseas toxic wastes now or at any time in the future?

The Hon. K. T. GRIFFIN: I will refer the honourable member's question to the Minister of Mines and Energy and bring down a reply.

BEVERAGE CONTAINER DEPOSITS

The Hon. C. W. CREEDON: I seek leave to make a brief explanation before asking a question of the Minister of Local Government about beverage container deposits.

Leave granted.

The Hon. C. W. CREEDON: A few years ago the Labor Government introduced refundable deposit legislation on drink cans but not on drink bottles. From my casual observation there seem to be few returnable cans lying around our streets and parks, but the opposite seems to be the case with drink bottles. Has the Minister any statistics or reports indicating that the percentage of litter is less because of the refundable deposits? Secondly, have canned drink sales declined to any marked extent through the implementation of the deposit system and, if there has been a decline, what has been the percentage of the

decline? Thirdly, have non-returnable and no-deposit bottle drink sales increased and, if they have, by what percentage? Finally, has the Minister considered applying a bottle deposit?

The Hon. C. M. HILL: I am not trying to can the question, but it comes under the administration of the Minister of Environment in another place, and I will refer the question to him.

CORPORATE AFFAIRS COMMISSION

The Hon. N. K. FOSTER: I seek leave to make a brief explanation before asking the Attorney-General a question about the responsibilities of the Corporate Affairs Commission.

Leave granted.

The Hon. N. K. FOSTER: I refer to a report in this morning's *Advertiser*, which states:

Outside Parliament last night the Attorney-General Mr. Griffin, said: "The Corporate Affairs Commission is not to be used vindictively or for political purposes."

The Hon. J. E. Dunford: That's a joke.

The Hon. N. K. FOSTER: He is a joke. The report continues:

If there is evidence presented to it which establishes the need for an inquiry then it will have the responsibility of making a recommendation to me.

The Minister has related that situation, to some extent, to the Council this afternoon. I refer to the commission in the light of the Minister's public statements this afternoon, especially as he is a politician and will adopt a wait-and-see attitude on every facet of matters that could be related to prosecutions brought by the commission. Is the Minister not following in the shadow of Fraser in connection with a person who is now embroiled in certain affairs as a result of investigations of the New South Wales Corporate Affairs Commission? In regard to what you said, Mr. President, perhaps this Council would be restricted in the way in which it could probe such an allegation, if the attitude expressed by the Minister in reply to earlier questions was adopted. In asking my question of the Minister I expect a clear, concise and responsible reply, and none of this, "If I do this or if I do that, or if such and such happens, or in the light of this."

Let the Minister, who is being paid \$50 000 a year, give a simple answer to a straightforward question. I ask the Minister to accept the responsibility for the question and answer it, instead of humbugging about as he has done for some two days. Will the Attorney define the duties of the commission and its responsibilities in the public interest? Secondly, will the Attorney interpret, for the benefit of the public, through this Council, the role of the commission as he sees it? That will be easy, from what he has said today. Thirdly, will the Attorney consider as political any matter referred to a Minister by a company director, a member of a company board as to company takeovers, share raiding, false documentation, forgery and any other areas of corporate crime? I ask that the Minister immediately give clear and concise answers to those simple questions.

The Hon. K. T. GRIFFIN: The responsibilities of the Corporate Affairs Commission are extensive and diverse, and are specified in the Companies Act. If the honourable member wants them in detail—

The Hon. N. K. Foster: That is not the question.

The Hon. K. T. GRIFFIN: If the honourable member listens, he will hear the reply. If the honourable member wants a detailed answer and an exhaustive reply about the responsibilities and role of the commission, I will arrange

for that to be obtained for him. We will deal with it in some detail. The principal responsibility of the commission is the same as the responsibility of commissions in all other States: it is to administer, first, the Companies Act and, in that responsibility, to be responsible for incorporation and registration of companies, and to oversee all of the requirements placed upon companies by that Act, with respect to annual accounts, annual returns, returns of directors, officers and so on engaged in any particular company.

The Corporate Affairs Commission has a responsibility with respect to prospectuses lodged in South Australia to ensure that they are fair and reasonable in the representations they are making and that they are not misleading. That responsibility with respect to prospectuses is shared with Corporate Affairs Commissions in other States, where the prospectus of a company registered in another State is to be lodged in South Australia. The Corporate Affairs Commission also has a responsibility with respect to schemes of arrangement. I have indicated in other circles that with respect to, for example, the Bank of Adelaide scheme of arrangement, it is the responsibility of the Corporate Affairs Commission, once the shareholders have approved the scheme, to peruse that scheme and ensure that it is consistent with the provisions of the Companies Act. If any aspect of the scheme of arrangement is inconsistent, the Corporate Affairs Commission has a responsibility to appear before the Supreme Court to make representations and submissions. In this context the Corporate Affairs Commission may also appear before the Supreme Court at the invitation of that court, as it did recently with respect to the Bank of Adelaide scheme of arrangement.

The Corporate Affairs Commission also has other responsibilities with respect to shareholdings and substantial shareholdings associated with aggregations of interest, and with respect to take overs and a wide variety of other areas that affect not only companies but also the public interest. At the national level there are, as I am sure the Opposition is aware, discussions and initiatives being taken with a view to making the legislation with respect to all of these matters uniform and to establish a national scheme that will ensure that all States act in unison in undertaking their respective responsibilities towards corporate bodies.

HANDICAPPED PERSONS

The Hon. F. T. BLEVINS: I seek leave to make a brief explanation prior to asking the Attorney-General a question about the report "The Law and Persons with Handicaps".

Leave granted.

The Hon. F. T. BLEVINS: Now that we are in Opposition I have found myself with a little more time and I have started reading some of the reports that I did not have time to read before, because of the heavy duties of being a back-bench member of the Government in this place. I have lately read a report by Mr. Justice Bright entitled "The Law and Persons with Handicaps" and I am sure members will agree that it is an excellent report. To keep my explanation brief, I will quote recommendations 2 and 3 of the summary of recommendations, which are as follows:

2. The fundamental law reform necessary to bring South Australian legislation into line with the United Nations' Declaration is a central Act which protects persons with physical handicaps against discrimination in a number of areas.

3. The Act should empower the Commissioner of Equal Opportunity to investigate complaints of discrimination on the basis of physical impairment and establish a board to act upon matters referred to it by the Commissioner in similar fashion to the procedure under the Sex Discrimination Act. I am sure the Attorney is aware of those recommendations and I am also sure that he is aware of the last paragraph of the Bright Report, which says:

1981 has been declared the "Year of the Disabled" by the United Nations. We hope that by 1981 Australia will be a country in which persons with physical disabilities can enjoy a full and decent life.

I am sure that that is the aim of this Government, as it was the aim of the previous Government. Has the present Government adopted the Bright Report "The Law and Persons with Handicaps"? If so, how will the recommendations of the report be implemented? If and when the Government implements the recommendations of the report, will the Government give some priority to recommendations 2 and 3 in the summary of recommendations?

The Hon. K. T. GRIFFIN: The health policy of the Government presented to the people at the last election contained a clear statement that we approved the recommendations of the Bright committee, that we supported them, and that we would move to implement them. The Chairman of that committee is presently overseas, and I believe does not return until later this week or early next week. Neither I nor the Government has made a decision on the way in which these proposals will be implemented or the priority in which they will be implemented, and we will not do so without first discussing the matter with the Chairman. On the Chairman's return I intend to take up the matter with him so that I can make an appropriate report to the Government with a view to establishing priorities and the manner in which the recommendations of the committee will be implemented.

I am aware that 1981 will be a significant year for the disabled and I have no doubt that we would want to ensure that in that year there is a significant advance, first, in the recognition of the difficulties that the disabled suffer and, secondly, in endeavours to overcome those disabilities.

I am sure that the Opposition is aware that the committee is currently undertaking further work with a view to preparing a second report. At this stage I am not in a position to indicate progress on that report, but that is a matter I will take up with the Chairman on his return.

EMISSION STANDARDS

The Hon. R. C. DeGARIS: Can the Minister representing the Minister of Transport say whether the Government intends introducing more stringent emission standards for motor vehicles in South Australia, as I believe the previous Government indicated that it would proceed with phase 3? Does the Government intend to introduce those further standards, or does it agree that in the interests of conservation of fuel those standards should be eased?

The Hon. K. T. GRIFFIN: I will refer that question to the Minister of Transport and bring down a reply.

ROSEWORTHY AGRICULTURAL COLLEGE

The Hon. ANNE LEVY: I seek leave to make a short statement prior to directing a question to the Minister of Local Government, representing the Minister of Education, about the Roseworthy Agricultural College.

Leave granted.

The Hon. ANNE LEVY: A report appeared in today's press stating that Roseworthy college is suffering severe financial hardships at the moment and that it has approached the State Government for help. The article in the paper did not make clear that Roseworthy college, along with the other five colleges of advanced education and the two universities in this State, has been fully financed by the Federal Government and not the State Government since 1973, and that the financial difficulties in which Roseworthy finds itself are a result of Federal Government policies, not the result of State Government policies.

I gather that Roseworthy college is suggesting that it will not be able to replace staff when they leave, that appointments will be delayed, and that various other measures will be introduced to save money. These are practices that I know some colleges and universities in this State have been employing for the last four years in an effort to save money, and I am surprised that Roseworthy has only just discovered them. The previous Minister of Education, when approached by certain individuals from the staff and council of Roseworthy college, appointed a committee headed by Mr. Schultz to investigate the details of the matter.

Mr. Schultz's committee has reported, and I understand that a copy of the report has been supplied to Roseworthy college. Will the Minister release a copy of the Schultz Report to Parliament or interested individuals, and will he also release any response to it which has been sent to the Minister by Roseworthy college? Also, if the State Government is prepared to provide extra financial help to Roseworthy college because of the cuts made by the Federal Government in connection with tertiary educational institutions, will the State Government also provide similar extra help to the other five colleges of advanced education and the two universities in this State which are also suffering considerably due to the education cuts made by the Federal Government?

The Hon. C. M. HILL: I shall refer those questions to the Minister of Environment and bring down a reply.

EMISSION CONTROLS

The Hon. N. K. FOSTER: I seek leave to make a brief explanation before directing a question to the Minister representing the Minister of Transport on emission controls.

Leave granted.

The Hon. N. K. FOSTER: A question was directed to the Minister by a member of the Government on emission controls. That question was misleading in the sense that the gentleman who asked the question sat on a Select Committee of this Council and knows better than is implied by the question he asked. He asked quite bluntly whether or not it was the policy of one Party as against another to implement phase 3 of the emission controls. One State Government other than this State Government wanted to see over a given period the implementation of emission controls which were released some two or three years ago.

It is common knowledge that most Australian vehicle manufacturers have opted for a clumsy, inefficient and costly system to meet the requirements of emission control. They have done it through a bypass system involving the carburettor, the air cleaner, and some type of carbon canister. They have adopted the sealed jets in certain vehicles which I will not name. There has been ample study of the Swedish and Japanese systems. There is

no need to strangle the automobile engine or to increase the petrol consumption by 8 per cent to 12 per cent, as shown by the figures available to the Federal Department of Transport, because of the clumsy method adopted by the Australian manufacturers. Will the Attorney-General endeavour to have the Minister introduce phase 3 of the emission controls within the next two years and insist, as a condition of those controls, that the most efficient method known to the automobile industry be applied in connection with Australian standards?

The Hon. K. T. GRIFFIN: I will refer the honourable member's question to the Minister of Transport and bring down a reply.

TREE FARMING PROJECT

The Hon. J. E. DUNFORD: I seek leave to make a brief explanation before asking the Minister of Consumer Affairs a question on tree farming projects.

Leave granted.

The Hon. J. E. DUNFORD: There has been a trend, if one can believe the newspapers (and I do in this case), for white-collar fraud to be prevalent in Queensland and Victoria. It is not without some influence in this State. Just prior to the election a letter was sent to me, postage paid in Australia, addressed to Mr. and Mrs. Investor. The letter gave details of tree farming projects. It states:

- An investment that beats inflation.
- Has taxation advantages.
- Provides high financial returns.
- Short term—fully negotiable.
- Non-taxable income

On the next part it also states:

For just a few cents a day and a nominal deposit you can be a participant in Australia's 5th largest industry.

You owe it to yourself and family to investigate this project. If your savings are in a building society—bank—assurance company, is their rate of interest greater than 16 per cent (approximate rate of inflation, 1975)?

That gave the impression that, if one invests in tree farming projects, one will receive over 16 per cent interest. However, it does not actually say that. Will the Minister of Consumer Affairs, first, investigate whether or not members of the public could receive greater financial benefits by investing in tree farming projects than they would receive by having their savings invested in building societies, bank loans, etc.? Secondly, will he attempt to gain information from other State Ministers of Consumer Affairs as to complaints they may have received in regard to the company promoting tree farming, namely, Forestry Management Proprietary Limited, Post Office Box 182, Adelaide? I am prepared to make this letter available to the Minister if he so desires.

The Hon. J. C. BURDETT: I will make the investigation which the honourable member has requested and bring down a reply. I would be grateful if that document could be made available.

SUPPLY BILL (No. 3)

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

The Hon. K. T. GRIFFIN (Attorney-General): I move:

That this Bill be now read a second time.

It provides for a further \$60 000 000 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. This year, because of the intervening election, introduction of the Appropriation Bill has been delayed and it will be necessary to introduce a third Supply Bill. It is expected that the authority provided by the first two Bills, a total of \$470 000 000, will be exhausted by mid-November. The amount of this third Bill (\$60 000 000) 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. C. J. SUMNER (Leader of the Opposition): The Opposition has no objection to this Bill proceeding through all its stages with due expedition. It is in similar terms to other Supply Bills that it has been traditional to introduce to enable the business of government to continue. As the Attorney-General has said, this Bill has been caused by the delaying of the Budget as a result of the recent election.

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

SUSPENSION OF STANDING ORDER

The Hon. K. T. GRIFFIN (Attorney-General): I move:

That for this session Standing Order 14 be suspended. Members will appreciate that, owing to the late introduction this year of the Budget and Loan Estimates, it is necessary that those financial measures be dealt with as soon as possible, and they may have to be given priority over the Address in Reply debate. Accordingly, I have moved this motion so that we will have flexibility in the conduct of the business of the Council and to enable priority to be given to any matters needing immediate attention. However, I think it desirable that the Council complete the debate on the Address in Reply and present it to His Excellency as soon as possible.

The Hon. C. J. SUMNER (Leader of the Opposition): I should like to ask the Attorney-General some questions in relation to this matter to clarify the position. Does he expect that the Address in Reply debate will conclude before Parliament adjourns before Christmas and does he expect that the Government will wish to conduct any business other than that on the financial measures before the Address in Reply debate is concluded?

The Hon. K. T. GRIFFIN: I envisage that the Address in Reply debate will finish before we adjourn for the Christmas break. I should hope that we would be able to finish it perhaps at the end of next week. Of course, in the intervening period, there will be the matter of the motion that I will be moving later to deal with the Budget papers. At this stage I do not envisage any Bills being introduced in this Chamber other than in relation to the motion with respect to the Budget before the Address in Reply debate has been completed.

The Hon. C. J. SUMNER: Mr. President—

The PRESIDENT: The debate is closed. The Attorney-General, having moved the motion and having spoken again, has closed the debate. I am sure that he will give the Leader further information.

Motion carried.

BUDGET PAPERS

The Hon. K. T. GRIFFIN (Attorney-General) laid on the table, by command, the following papers:

Estimates of Expenditure of the Government of South Australia, 1979-80;

Estimates of Revenue of the Government of South Australia for the year ending on 30 June 1980;

Loan Estimates, 1979-80;

Statement of the Premier and Treasurer on the Estimates of Expenditure and Loan Estimates, with appendices.

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

That the Council take note of the papers relating to the Estimates of Expenditure, 1979-80, and the Loan Estimates, 1979-80.

In so moving, Mr. President, the Government is following the practice, introduced last year, of combining the Revenue and Loan Accounts so that all members may consider the Government's overall financial plans. I am also departing from the normal practice observed in this Chamber, Mr. President, by tabling the Budget papers before debate is called on the Appropriation and Public Purposes Loan Bills. As I am sure all honourable members will appreciate, this departure from tradition is solely for the benefit of the Council, for, by tabling the relevant documents now, every member will have more time than is normally available to peruse their contents. Moreover, this early opportunity for members to examine the Government's financial plans may hopefully be reflected in an earlier date of rising than would otherwise be the case.

Mr. President, there are several important matters that I wish to commend to the attention of members as they examine the Government's Budget strategy. The first of these is that the South Australian economy is far from robust. Investor and consumer confidence has been notably absent from this State for several years. Unused capacity and unemployment are also both unacceptably high. In just two years South Australia's annual rate of population growth has fallen from being higher than the national growth rate to a level which is only one-third of the national growth rate.

During the past eight years of office of the previous Government, private sector employment in the other five States grew four times faster than in South Australia. In the recent period from September 1977 to June 1979, private employment actually fell by 4 900 in South Australia, while in the rest of Australia there was a growth of 28 600 persons employed by private enterprise. The rate of unemployment in South Australia has been higher than the national average for 16 consecutive months, and is now the highest amongst all the States.

The State's share of the nation's advertised job vacancies has fallen by 32 per cent in the past five years. The annual growth of retail sales in South Australia has fallen by 37 per cent in the past two years, and in this same period this State's share of national retail sales has declined by the equivalent of \$110 000 000. South Australia's share of committed and likely capital investment in major mining projects is now only 1.5 per cent of the national total, and our share of committed and likely capital investment in major manufacturing projects is only 3.1 per cent of the national total.

South Australia's share of new dwelling commencements has fallen by almost 50 per cent in the past three years, and recovery in this vital sector is being impeded by the fact that South Australia has the fastest rising house-building costs in Australia. South Australia's share of new business written by finance companies has fallen by 21 per

cent since 1976.

I mention these sorrowful indicators of economic performance in some detail, because they emphasise so clearly the magnitude of the task of economic reconstruction that lies before the entire South Australian community.

Within that larger community the Government has a very definite role to play, and the annual Budget is obviously one of the Government's principal policy instruments. But the Government should not and cannot perform the task alone. Success will be achieved only when the industry and enterprise of all South Australians is exercised and fully utilised.

Accordingly, the central objective of this Budget is to stimulate the private sector and to provide the conditions under which confidence in South Australia can be restored. A principal initiative to achieve that objective is the reduction of the burden of State taxation. Provision is made in the Estimates for the abolition of succession duty on the property of a person who dies on or after 1 January 1980; the abolition of gift duty on all gifts made on or after 1 January 1980; the abolition of stamp duty on the purchase of the first home, or housing allotment, up to the value of \$30 000, with effect from 1 November 1979; and the basic exemption level under the Pay-roll Tax Act to be increased from \$66 000 to \$72 000, tapering back to \$32 400 at a pay-roll level of \$131 400, with effect from 1 January 1980. These concessions are estimated to cost about \$4 100 000 in 1979-80 and about \$20 000 000 in a full year.

Furthermore, provision is made for rebates of pay-roll tax and land tax for selected decentralised industries, for the construction of the establishment payments scheme, the motor vehicle industry assistance schemes and schemes in the Riverland. An amount of \$6 000 000 has been provided for these purposes. Against this background, the Government has little choice but to take a number of hard and unpopular decisions now. We believe that in the longer term those decisions will prove to be in the best interests of South Australia.

First, we propose to hold the Public Service to a no-growth constraint in 1979-80, and to seek actual reductions in numbers of people wherever possible. We will review services, improve efficiency and redeploy staff, where appropriate, in order to meet urgent needs and new initiatives as they arise. We will cut out any functions and activities which are no longer effective. Secondly, there will be a major thrust by the South Australian Health Commission to further rationalise services and reduce hospital running costs. This move will be undertaken in a proper and responsible manner to ensure that the presently high standards of patient care are not undermined.

Thirdly, the Public Buildings Department will be held to tight financial constraints in 1979-80. This is a first step in a longer-term plan to wind down progressively the activities of the department, through a planned programme of natural wastage, so that a proper balance may be achieved between public sector and private sector resources in the provision and maintenance of Government buildings. Fourthly, the Education Department and the Department of Further Education are both being held to tight financial allocations in 1979-80. The Government will be looking to a reallocation of resources, rather than to further increases in funds, to enable election commitments and new initiatives to be undertaken in both of these areas.

Finally, as a longer-term measure, we will begin to examine critically all existing programmes and activities and, where possible, we will divert resources so as to achieve further economies of operation consistent with an

acceptable level of service to the public. We will maintain the firmest control over all expenditures and look to value for each dollar spent.

Before concluding, I draw the attention of members to several sections of the Budget that are vital to future development. In the matter of energy supplies, especially the proving of further natural gas reserves, a major exploration programme is being undertaken in the Cooper Basin in order to assure future gas supplies for Adelaide and both feedstocks and gas for the proposed Redcliff petro-chemical complex.

The Government proposes to continue and expand the exploration programme. We plan to allocate \$10 000 000 of semi-government borrowing authority in 1979-80 to the Pipelines Authority in order to finance S.A.O.G. for further exploration work in the Cooper Basin. It is also of considerable importance to the industrial base of the State and to the creation of employment opportunities. The favourable effect on the nation's balance of payments will be significant.

The first major step towards the development of this project has now been achieved. After detailed submissions, the Loan Council accepted Redcliff as a development project qualifying for special financing arrangements. The next major step, the detailed feasibility study by Dow Chemical (Aust.) Limited, is now proceeding, and a decision should be reached early in 1980 on this matter. I am confident of a favourable result.

In the matter of employment assistance, the previous Government appropriated \$55 700 000 to finance unemployment relief projects under the State Unemployment Relief Scheme. At the beginning of 1978-79 the special deposit account used to finance these works had a balance of just under \$10 000 000, and during the year a further \$9 200 000 was appropriated for further projects. This comprised \$4 700 000 appropriated in the Budget and \$4 500 000 appropriated at the end of June using the authority of the Governor's Appropriation Fund when some improvement in the overall Budget situation made it practicable. Total payments during the year were just over \$9 000 000, and, accordingly, the balance in the deposit account at 30 June 1979 was almost \$10 200 000. This balance was available for further payments on projects which had been approved previously and for the financing of new projects which the previous Government expected to approve in 1979-80.

While the Government is most concerned at the high unemployment level in this State, we do not believe that unemployment relief programmes are the most effective way of tackling the problem. We believe strongly that the best long-term solution is through development of the economy, expansion of the private sector and the consequent creation of permanent jobs. Given that belief, we propose to recall to Revenue Account those funds in the deposit account which have not already been committed to specific projects. We expect a transfer to Revenue Account of just over \$3 000 000 in 1979-80.

A number of community bodies have received assistance from unemployment relief funds in the past. The Government hopes that, in future, appropriate bodies of this kind in local government areas will be assisted by local government authorities themselves, using funds from the State Grants Commission. In addition, these bodies could qualify for assistance from special funds made available to the Minister of Local Government and the Minister of Community Welfare.

In conclusion, I stress once again that this Budget is designed to give the lead to recovery in all sectors of the South Australian economy. It is, in this sense, an unwavering sign of the Government's commitment to

renewed economic activity in the State. I commend the Budget papers to the close study of all honourable members.

The Hon. C. J. SUMNER secured the adjournment of the debate.

ADDRESS IN REPLY

Adjourned debate on motion for adoption.
(Continued from 16 October. Page 62.)

The Hon. C. J. SUMNER (Leader of the Opposition): I support the motion. I congratulate new members on their election to the Legislative Council; I hope that they have an enjoyable career in politics.

I would like to comment particularly in this debate on the election which is so fresh in our minds: first, the question of the early election. There is no question now that an early election was ill advised and had an effect on the result. People saw it as an attempt to bolster the Labor Government's position for another three years, despite the fact that there was still 18 months of the Government's term to go, and that the Government had a comfortable majority. That had a disillusioning effect on Labor supporters and on middle-ground voters.

I believe that was the root cause of our difficulty in the election campaign, although during the campaign there were a number of other important issues that impinged upon it and affected the result, and I will refer to some of those factors later.

On this question there seems to be a double standard operating. People judge Labor more harshly. Perhaps that is something that the Labor movement should be proud of. We are a Party that is looking for improvement, a Party that is looking for something better, a Party that is motivated by some notion of co-operation for the common good as opposed to the Liberal or conservative approach, which emphasises the *status quo* and which has individual pursuit of self-interest as its motivating factor, and sees the individual pursuit of self-interest as the motivating factor in human endeavour.

Because Labor appeals to these greater community ideals, and has had in South Australia, particularly, a genuine commitment to democracy, it is judged more severely when people feel that it has not lived up to those ideals. On the other hand, the conservatives have little to live up to: they are not expected to be too committed, and people seem to take it for granted that they are likely to break the rules. When talking of early elections, the Liberals federally in a period of 3½ years (from 1974 to 1977) caused three unnecessary elections. In 1974 they threatened to block Supply; in 1975 they blocked Supply; and in 1977 Mr. Fraser, when he still had a comfortable majority in the House of Representatives and the Senate, called an early election for political reasons.

A view that I have always accepted and have put to this Chamber previously is that traditionally it has been the head of Government, the Prime Minister or the Premier, in the Westminster system, who is responsible and who has the right to request of the Queen or her personal representative a dissolution of Parliament for the purpose of an election. This has been the generally accepted constitutional position, although Sir John Kerr, a former Australian Governor-General, prior to 1975 made a now famous statement in India, where he indicated that he would not grant a dissolution of Parliament purely for political purposes.

I believe that the right exists for the Premier, or has at

least traditionally existed for the Premier or the head of State, to request such a dissolution, and it has been granted. Sir John Kerr, despite his 1975 comment, gave Mr. Fraser the required dissolution of Parliament in 1977 without any query, despite the fact that the election was clearly for purely political purposes.

The former South Australian Premier (Mr. Corcoran) acted on the traditional principle that I have outlined. Nevertheless, it was seen by the people, if not as an abuse of the constitutional processes, at least to be something that should not have been done politically, and the Labor Party has clearly paid the penalty. As I have said, the position is that the Liberals succeed when they abuse these constitutional principles, as they did in 1975, in a much more obvious way, by blocking Supply and forcing an election on a Government that was created in the Lower House. There does seem to be a double standard that operates.

Judgment was also harsh in another way. By Australian Government standards the Dunstan-Corcoran Government (effectively in power over the past 15 years), was a good Government. There were no land scandals such as those which have plagued the Victorian Government for the past three years, and despite which the Victorian Government managed to get itself re-elected. There have been no antics similar to those we have seen in Queensland and the dreadful gerrymander that exists in that State, and there have been none of the succession of minor petty corruptions and scandals that have plagued the Fraser Ministry with a succession of resignations that has continued on and on. There have been no resignations as occurred under the Whitlam Government. There was no personal scandal involving financial impropriety surrounding any of the Ministers of the Dunstan-Corcoran Governments during the whole of their period in office. There have been no resignations caused by any such matters in those Governments. That compares favourably, in terms of good Government, with the situation pertaining federally and in a number of other States.

There has been a considerable change in opinion in South Australia since the advent of Labor Governments in 1965, as a result of the approach that Labor has adopted and as a result of the policies that it put into effect. I do not now believe this situation will be changed. I do not believe that the change in attitude which has been brought about by Labor's approach and which has been developed over the past years will be reversed. For example, there will be no wanting to go back to the sort of situation that existed before 1965 regarding electoral boundaries. There will be no wanting to turn the Government into a Bjelke-Petersen style of Government. The South Australian people would not tolerate that, although I did see, and this may be ominous, that the Premier indicated that he may be looking at redistribution of electoral boundaries before the next election, although that is not required under the Constitution Act.

The people will require honesty and integrity from the Government and its Ministers such as applied to Ministers of the Dunstan-Corcoran era. They will not tolerate a situation that has occurred in the Liberal-governed State of Victoria or in Queensland, especially in relation to the personal land scandals that have overtaken those Ministries. The South Australian Labor Government produced an era of tolerance, different ideas and a diversity of lifestyles. There was a genuine commitment in education and health, and a commitment to the advancement of the Aboriginal people, to the less privileged in the community, and to creating a community where there was no discrimination on the grounds of race or ethnic origin.

South Australia led the nation in respect of multi-cultural education and providing for our ethnic minority communities some respect and dignity for their languages and culture, which certainly did not exist before 1965. A good bureaucracy was built up, and I am sorry to see that that is now under political attack by the Government. I do not believe that the South Australian public will tolerate that situation, nor will it tolerate any attempt by the Liberals to turn the clock back on the achievements of the past 15 years. Certainly, any attempt to emulate the antics of some of the Liberal Party's colleagues federally or in other States will be condemned.

I do not believe that there was a credibility gap with the Dunstan and Corcoran Governments until, as I have already said, the calling of this election. That was indicated by the general polls taken before the election, which indicated a very high standing for the then Premier, Mr. Corcoran, in the performance of his duties and the good standing of the Labor Government in this State. The Liberal Party will have to fight hard to maintain its credibility over the next few years. Yesterday we saw the beginning of the destruction of its credibility, when the Attorney-General and Leader of the Government in this Council was absolutely unable to tell us when the employment prospects promised by the Liberal Party during the election campaign would be created. There is absolutely no question that the Liberal Party promised 17 000 jobs. There was no equivocation, and that fact appeared in all its advertisements: that 17 000 jobs would be created because of its initiatives. However, yesterday, despite a number of questions from me, the Leader of the Government could not give us any idea at all when those jobs would be created. I asked him whether it would be within one year and he said that it would not be and that he did not know. I then asked him whether it would be within 10 years and again he said that he did not know. I then asked him if it would be somewhere in between and again he said that he did not know. If that does not produce a credibility gap for this Government in the near future I do not know what will.

The other issue that has created a credibility gap for this Government concerns the Bank of Adelaide. Before the election Mr. Tonkin said anything he could in an attempt to castigate Mr. Corcoran about the Bank of Adelaide. He said that the Bank of Adelaide should be saved no matter what. Mr. Tonkin also said that it should remain in South Australia, but now that he is in Government he has completely capitulated, despite the independent report requested by the then Premier, Mr. Corcoran, before the election to see whether the proposal put by an independent group of South Australian businessmen to save the Bank of Adelaide was viable, and despite the fact that that report indicated that with some Government backing and guarantees there was an option open to the shareholders to reject the A.N.Z. Bank merger and opt for the proposal of the independent group of businessmen in South Australia which would have kept the bank in South Australia as an independent South Australian entity. The Premier completely capitulated despite having said before the election that he would save the Bank of Adelaide.

I have mentioned two issues about which the credibility of the Government has already taken something of a hammering. I now refer to the speech I made during the Address in Reply debate on 19 October 1977, because it pertains very much to this question of credibility and the question of the public's attitude to politicians and politics. In *Hansard* of 19 October 1977, at pages 236-7, I said:

Undoubtedly, during the 1930's and the depression years, politicians promised and failed to produce, but that problem

seems to be even greater today, particularly as democratic Governments of the West flounder from one policy to another in an attempt to rise out of the economic recession. The gap between promise and performance widens. Rhetoric and reality rarely coincide. Political campaigns are conducted at the level of soap powder schmaltz or are based on creating fear and uncertainty. Little attempt is made at genuine education and enlightenment about the real and complex issues in society. Politicians go home contented if they have scored a good point for the day. The tailoring of policies to current electoral advantage often avoids the real underlying issues in the community . . . The continuing cynical simplification of promises and the failure to implement them places a great strain on people's respect for institutions and the political and economic systems.

Those remarks are very apt in the light of what happened in the recent election campaign. I believe that before very much longer the Liberal Government will have a severe credibility problem on its hands.

Another issue to which I wish to refer concerns the question of the media coverage of the recent election campaign. There has been a suggestion by some correspondents that the Australian Labor Party leaders, during and after the campaign, over-reacted to the media coverage of that campaign. I do not subscribe to the view that the media was solely responsible for Labor's election loss, as I have already clearly indicated. However, there is no question that the coverage by the *News*, not only in its editorial comment but also in the placing and emphasis of its stories, very clearly favoured the election of a Liberal Government. This raises the question of the power of the press.

The press has had significant influence in election campaigns in recent years, and I suppose Mr. Murdoch would probably boast of the fact that he supported Mr. Whitlam in 1972 and Mr. Whitlam won; that he opposed Mr. Whitlam in 1975 and Mr. Whitlam lost; that he supported Mr. Wran in 1978 and Mr. Wran won; and that he opposed the Labor Government in South Australia in 1979 and the Labor Government lost. However, that election campaign raises serious issues about the press, and I repeat that I do not proclaim that the media was solely responsible for Labor's election loss; that is clearly not the case. There is also no question but that the only evening daily newspaper in this State very heavily supported the Liberal Party during its election campaign. The *Advertiser*, certainly in its editorial policy, also supported the Liberal Party, but I do not raise any great complaint about that. Indeed, the *Advertiser's* coverage of stories was generally reasonably fair.

However, I am afraid the same cannot be said about the *News*, and most independent people commenting on the election campaign would agree with that assessment. In fact, the Australian Journalists' Association, during the election campaign, were so concerned about what was happening in the media that they proposed that there should be rules laid down about election campaigns for newspapers. That body has suggested to the Press Council that there should be a code of conduct for newspapers during election campaigns and that they should cover the following matters:

Fact and comment should be clearly distinguishable.

Readers are entitled to and should get all facts essential to an issue. Publishing conclusions without supporting facts should be considered unethical.

Rumours, if published, should be identified as such.

Readers should be given the source of a comment so a judgment of the weight of the comment could be made.

When an election story advanced the interests of one side, the opposing side should be given reasonable space,

promptly, to put its view.

Published copy shown to be inaccurate should be adequately corrected as soon as possible.

Anonymous letters to the editor should not be published during an election period.

If that code of conduct is adopted for newspapers in election campaigns, we will have a much more enlightened campaign, and the quality of public debate during the election campaign will be greatly enhanced.

The other issue I wish to refer to concerns the general advertising during the campaign. There is no question that many advertisements were unfair and misleading in significant respects. The Australian Democrats and the Country Party have already mentioned the Liberal Party advertisement as regards the Legislative Council, stating:

Your vote for any other Party than Liberal or Labor may not be counted.

At the declaration of the polls Mr. Milne drew attention to the misleading aspect of that particular advertisement.

I am concerned that the Attorney-General has not seen fit to obtain an opinion from his Crown Law officers on that advertisement. It is very dubious, and I believe that there are grounds that could lead to a prosecution because of it. Yet, again yesterday in this Council, the Attorney-General indicated that he did not think it was necessary to obtain an opinion from his Crown Law officers on the subject. He owes it to the Hon. Mr. Milne (the Australian Democrat representative in this Council) who raised the issue, and he owes it to the other people who have raised inquiries about this advertisement to obtain an independent opinion and, if necessary, to take action against the Liberal Party.

It is deplorable that the Attorney-General is not prepared to submit this matter to such an opinion. In fact, I believe that he is not game. He said that someone scrutinised the advertisements, but has the person who scrutinised them on his behalf indicated that there may be some problems on the law that the Attorney-General will not tell us about? He is responsible for upholding the law, and I can see no reason why he should not obtain such an independent opinion from his public servants in the Crown Law Office. If the Attorney-General is so sure that the advertisements do not contravene the law, why does he not clear the air and obtain such an opinion? Of course, we know the reason: he wants to avoid having to prosecute the Liberal Party. It is tantamount to a cover-up.

The other set of advertisements I refer to are more pernicious than even that one, because they raise the spectre of the politics of fear. Those familiar with Australian politics will know that this has been a standard and unfortunately a successful tactic of the Liberal Party in this country over the last 30 years. One recalls the Petrov Royal Commission, which had an effect on the subsequent election, and the whole aura of witch-hunting that went on surrounding that commission, and indeed the events prior to that to outlaw the Communist Party in this country. We all know and recall the 1963 campaign when Mr. Menzies discovered the threat from Indonesia at that time. We recall the B52 bombers that we got in to take over from the Canberra bombers. He flew them around a few weeks before the election campaign to most States in Australia, and that was the last that we saw of them. They were supposed to defend us against the Indonesian threat that had been conjured up in 1963.

In 1966 we had the Vietnam war threat. We all recall the campaign of November 1966 where, again, fear was the major aspect of the Liberal Party's campaign. That is the consistent approach that the Liberal Party has adopted over the years. They play on people's prejudice and fears

as they did in those instances that I have mentioned and as they did in this campaign recently.

Labor, when it comes to power as it did in 1970 in this State or federally in 1972, does so on the basis of producing something better in human relations. It has a positive programme to reduce inequality, to produce equality of access and services, health and education. There is something civilising about a Labor appeal. Labor realises the importance of public debate and citizens contributing in a rational, constructive way. The Liberals are not interested in the quality of public debate; they are interested, as they were in this campaign, in playing on and developing people's fears.

There were a number of examples of this. The trade union march on Parliament was one, and the so-called leaning of the Government towards left-wing socialism was another. Mr. John Trainer, the member for Ascot Park in another place, in an article in the *Sunday Mail* recently, indicated how absurd that ploy was when he said:

A quick check of the 47 Labor candidates for the House of Assembly suggests 12 were trade union officials, nine teachers, seven lawyers, six public servants, three lecturers or academics, and two technical officers, as well as a doctor, a farmer, a master builder, a fruit grower, a housewife, a sportsman, a businessman, and, in former Premier Des Corcoran, an Army officer.

To these can be added the seven Legislative Council candidates, two union officials, a vine grower, a proprietor of a small business, a student, an office manager and a building inspector.

How one could get a Trades Hall march out of that collection of occupations and people representing the Labor Party, I do not know. The other advertisement that was quite damaging was, "A vote for Corcoran could be a vote for Duncan". That was totally irrational. Anyone who had any knowledge of the situation would realise that it was ridiculous and, once again, a play on people's fear. After the election we saw that it was not Mr. Duncan but Mr. Bannon who was elected Leader of the Labor Party. The accusation was made that the Government was dominated by left-wing radicals and former trade union officials. That was also absolute nonsense. Since 1965 the Labor Government has had a collection of people from all walks of life including, of course, the trade unions. Why that accusation should be made at this time, given the record of the Labor Government, is beyond me. It was done purely to play on people's fear. In fact, it was contrary to the facts.

If one looks at the people who came into Parliament on this occasion and compares them with the people going out, one finds that, out of the seven outgoing members, six had a trade union background. On the other hand, of the seven incoming members, only five had a trade union background. How that could be a Trades Hall takeover of Parliament I do not know. However, that did not deter the Liberal Party, which was interested in appealing to people's fear. If one looks at the Labor Government prior to the election in relation to the question that the Party was dominated by left-wing socialists, one finds that in the Cabinet of 13, there were three trade unionists, one Army officer, two lawyers, one senior public servant, a veterinary surgeon, three academics, one farmer and one technical officer. Of those 13, eight had tertiary qualifications. Again, there was no basis for the campaign that was mounted and it gained some credence only because it was a campaign based on fear.

The theme was taken up, as one would expect, in the District of Semaphore, particularly against Mr. Apap, and one particular advertisement, in its appeal to fear and emotion, deserved to be condemned by all right-thinking

South Australians. The other area that the Liberal Party played upon was the question of the crime rate. We recall the advertisement that stated that crime and violence had grown by a shocking 263 per cent in the seven years since Labor came to office. There was a photograph of a person with a stocking pulled over his head, presumably to indicate some kind of criminal.

That advertisement was shameful. It sought to blame the Labor Party for any increase in the crime rate. It asked, "Why does Parliament provide sentences that are so lenient in some cases as to be laughable?" We all know that Parliament does not impose sentences. It lays down the maximum penalties that can be imposed by courts, and it is for the judges, in their discretion, to impose a sentence in that range. In most cases, the penalties for violent crime in South Australia are severe. Although that was one of the so-called independent group of advertisements, the Liberals got into the act. A despicable statement was distributed in the Italian press. Part of it stated:

A Liberal Government will make the streets safe for your daughters without their being molested by all those thugs that have been acting as if they owned everything for 10 years now.

That was under the authorisation of the Campaign Director for the Liberal Party. I have no doubt that it is defamatory in meaning, but the simple fact, as the Hon. Mr. Burdett would know, is that it probably cannot be sufficiently identified with anyone for the matter to be taken up. Are members opposite proud of that sort of advertisement and statement? Will the Hon. Mr. Ritson tell me next time he speaks whether he agrees with that nonsense? It is an appeal to fear, and it is disgusting.

Members opposite, including the Hon. Mr. Burdett, who is a lawyer and a reasonable man, should say whether they agree with that sort of statement by the Liberal Party regarding the crime rate in South Australia. Doubtless, it was good politics but it did not do anything to raise the standard of public debate in South Australia. This raises the question of whether there ought to be standards in political advertising. The Unfair Advertising Act, 1970-1972, does not apply to political advertisements. It prohibits the publication of advertisements of any kind relating to goods, services, or the provision of credit facilities, where the advertisement contains any unfair statement.

An unfair statement is defined as one which is inaccurate or untrue in a material particular and which is likely to deceive or mislead in a material way a person or class of persons to whom it is directed. The criteria are accuracy, truth, and the likelihood to deceive or mislead. If the commercial sector or the general public are bound by these criteria, why should political advertisements not be so bound? It is difficult to see logically why there should be restrictions on other people but not on politicians.

The Hon. R. C. DeGaris: We have had this out before, with S.G.I.C. and the like.

The Hon. C. J. SUMNER: Perhaps it could be said that in public and democratic debate there should be no restrictions, but there are restrictions, namely, the laws on defamation. Surely we are looking to enhance the quality of debate. If those restrictions existed, would they not ensure a higher standard of discussion? I am considering introducing a private member's Bill to amend the Electoral Act to introduce provisions similar to those in the Unfair Advertising Act. I will welcome submissions from members of the public or members of Parliament about this issue.

It seems to me, from the matters that I have put to the Council, that there was considerable latitude, in relation to one Party particularly, in the conduct of the election

campaign and the advertisements it used. It has been criticised not only by the Labor Party but also by the Australian Democrats and the National Country Party. Other advertisements did nothing to enhance what ought to be going on during an election campaign, namely, a quality debate about issues to enable people to make up their minds, in a rational way, on the choices available to them. In my view, some restrictions on advertising, requiring statements to be true and accurate and advertising not to be misleading, would enhance that debate. I repeat that I am considering introducing a Bill to give effect to those notions and I would welcome any comment people wished to make about them. I support the motion.

The Hon. R. C. DeGARIS: I support the motion. I affirm my loyalty to Her Majesty and I congratulate the Governor on the way in which he declared this session open. I also extend my congratulations to the mover and seconder of the motion. In passing, I say that the view of the Hon. Bob Ritson that there is a genuine revolt in the community against over-regulation is true. People are sick and tired of unnecessary legislation. An old saying was that an Australian was a person who took the view that, if something moved, you shot it, and, if it did not move, you chopped it down. In the past few years, that philosophy has changed and now it is that, whether it moves or not, let us legislate. The Hon. John Burdett told me yesterday that in Canada there is a Ministry of De-regulation. If we consider that, we see that there is a paradox here. A mania is gripping society.

The Hon. C. J. Sumner: Why do you think that is occurring?

The Hon. R. C. DeGARIS: I think it is occurring because we have had in power people who were afraid to trust people. As the Hon. Bob Ritson pointed out regarding the Boating Bill, there are many stupid regulations. In relation to the Manufacturers Warranties Act, we pointed out that the legislation was useless. The Act has not been used since it was enacted. It is time we considered the matter of over-regulating.

I extend my congratulations to the Hon. Bob Ritson, the Hon. Gordon Bruce, the Hon. Barbara Wiese, and the Hon. L. Milne on their election to the Council, and I wish them every success in their Parliamentary careers. I trust that the views expressed in this Chamber will also be those that should be expressed in a competent House of Review. It is easy to find that one is caught in the Party-line politics and personal conflicts that plague so many Parliamentary institutions where power appears to be the base of all logic. I hope that, over the years, I have not left that impression upon this Council and I hope that, if indeed I have contributed anything to the South Australian Parliamentary system, it has been a deep loyalty to the principles of the Party whose endorsement I carry, together with a deep conviction of the necessity for a constructive House of Review, not hog-tied by unnecessary personal argument.

This Chamber has, I believe, a proud legislative record, and I hope over the years I have been able, in some modest way, to contribute to that record. I also convey my congratulations to those appointed to the Ministry, and wish them well in their various portfolios. I also congratulate the Hon. Chris Sumner on his re-election as Leader of the Labor Party in this Chamber.

I have already referred to the work of the Hon. Richard Geddes, both as a member of the Council and as a member of the shadow Cabinet. His policy document on mines and energy was probably the best policy document ever presented by either Party on the important questions

that are presently facing that particular branch of State administration. I was deeply sorry that the Hon. Richard Geddes did not gain pre-selection for the last election. I was deeply sorry when he failed to gain pre-selection because, apart from his excellent work as a shadow Minister, his absolute honesty of approach and his absolute reliability are qualities that this Parliament can ill afford to lose.

The Hon. Jessie Cooper also was a person of conviction who always voted in the Council as her conscience dictated, and always explained her reasons for so doing with clear logic and in lucid language. As Liberal Party Leader in this Council for a period of 12 years I pay this small tribute to two colleagues of outstanding character and ability.

I have also referred previously to my association over many years with the Hon. Don Banfield and the Hon. Tom Casey, but I once again refer to the trust that existed always between Don Banfield and me. I appreciated his attitude and, although at times the strength of his voice was more powerful than his logic, nevertheless he was a man for whom I had the highest regard.

The Governor's Speech when opening Parliament indicated a marked change in the direction this State will be taking in the next few years. Greater emphasis is being placed upon economic development, encouragement of the private sector and reduction in taxation.

The Hon. Anne Levy: That is why they are leaving.

The Hon. R. C. DeGARIS: Who is leaving?

The Hon. Anne Levy: Mr. Scott is leaving the State because of the lack of investment opportunity.

The Hon. R. C. DeGARIS: I would like to make reference now to Mr. Legh Davis and commend him for his knowledge of economics and his excellent contribution to the debate.

The Dunstan era was marked by a series of measures aimed at overcoming many social restrictions, and probably the previous Liberal Administrations were too slow in changing laws in these areas. But in the concentration that has taken place on those fields of social change, the essential economic advantages built up in the 1950's by a Liberal Administration were lost, and South Australia's economic plight became increasingly noticed by the electorate.

I think that the first point I would make about the recent election is that one of the reasons for the very large swing away from the Labor Party was the fact that people in this State recognised that, economically, we had gone backwards during the Labor Party's administration.

The policy document of the Liberal Party, if followed by this Government, will go a long way towards putting South Australia back on the road to economic health. On the other hand, most of the Liberal Party policy document only puts this State on an even keel with the Eastern States, which means that we still have to do better if we are to regain lost ground. Therefore, we must, if we are to succeed, stop talking about how much we are spending on health, social welfare, or any other Government expenditure, and concentrate on spending our resources more efficiently.

One of the real bugbears over the years has been the A.L.P.'s belief that, if a Government is spending money, it is creating employment.

Efficiency in expenditure will create a more effective society, and in the process employment will increase more rapidly than with uneconomic and wasteful expenditure. Efficiency of expenditure is just as important in the creation of employment as any other factor. The direction being taken is correct, but the Government must be firm in its resolve, unemotional, and must not be swayed from its

chosen direction. The point I am making is that the economic stagnation in this State is probably the first and major factor that caused the massive swing against the A.L.P. in the recent election.

The Hon. J. E. Dunford: Sir Charles Court in Western Australia said it was Fraser's fault.

The Hon. R. C. DeGARIS: Everybody tends to blame somebody else. The Hon. Mr. Sumner today in this Council blamed the result of the election upon everybody but the Labor Party in South Australia. The Labor Party was not once taken to task by the Hon. Mr. Sumner in his contribution. If the Labor Party thinks it can pass the blame off on to everybody else, it is making a grave mistake and will be in Opposition for longer than anticipated.

The Hon. C. J. Sumner: You didn't mention all I said. I mentioned that the early election was a significant factor.

The Hon. R. C. DeGARIS: I will mention that now for you. Two other factors reacted against the Australian Labor Party in this election. The first was the reaction against the Party for calling an early election on no grounds other than political opportunism. People elect Governments and expect those Governments to govern for the period they were elected for. The Government should make one of its first legislative priorities a measure to ensure that Governments abide by the rule that they are elected for a period and unless some situation arises that demands the judgment of the people no early election should be undertaken.

The Hon. C. J. Sumner: Do you apply that to Mr. Fraser, too?

The Hon. R. C. DeGARIS: Yes. Mr. Fraser has never called an early election, except for the one to bring the Senate and the House of Representatives together for elections. That was a just reason to go to the people, to prevent a continuing break in the Senate and House of Representatives elections. There has been no running to the people without a reason by Fraser. This Government has twice galloped to the polls because it saw the opinion polls and thought it could capitalise on the situation. That was done for purely political opportunism; no other reason. The second time round, people reacted against that sort of philosophy.

I have mentioned that I hope that the Government proceeds with legislation to prevent any Government from grabbing political opportunities and forcing elections upon people. It is axiomatic in our system that Parliaments are elected for terms of three years, unless circumstances arise that render the efficient operation of Parliament impossible. Alpheus Todd summarised the circumstances thus:

- (i) When a vote of 'no confidence' is carried against a Government which has not already appealed to the country.
- (ii) When there are reasonable grounds to believe that an adverse vote against the Government does not represent the opinions and wishes of the country, and would be reversed by a new Parliament.
- (iii) When the existing Parliament was elected under the auspices of the opponents of the Government.
- (iv) When the majority against a Government is so small as to make it improbable that a strong Government can be formed from the opposition.

If any of those conditions obtains then it is again axiomatic for the Crown to be advised to dissolve Parliament and issue writs for a general election. The Crown is not, however, duty bound to follow such Ministerial advice in all cases. Quick and Garran also in the *Annotated Constitution of the Australian Commonwealth* summarised the Crown's discretion by saying:

Refusing a dissolution—The refusal of a dissolution, recommended by a Minister of State, is not an executive act, it is a refusal to do an executive act. It seems to be generally admitted by constitutional authorities that the Crown has still an undoubted constitutional right to withhold its consent to the application of a Minister for permission to dissolve Parliament. The Sovereign, it is said, ought not to be a mere passive instrument in the hands of Ministers, it is not merely the right but the duty of the Sovereign to exercise his judgment on the advice so tendered.

In our own South Australian Constitution Act this discretion is statutorily recognised in section 41 where, in reference to double dissolutions, it states:

it shall be lawful for, but not obligatory upon, the Governor . . .

I hope that the Government comes up with some answer to prevent Governments, from a motive of pure political opportunism, running to the people when they think that there may be a chance of winning an election before their term has expired. The second clear message from the people of South Australia was that they did not trust the left wing of the Australian Labor Party. There is absolutely no question that that was the case in this election.

The Hon. J. E. Dunford: What is wrong with such Labor Party people?

The Hon. R. C. DeGARIS: If you want to keep putting them up, please do so; do not listen to what I am saying. I think that is wonderful, and perhaps I should not explain this point to the Labor Party, because it might be to its advantage. The clear message in the election was the fact that people do not trust the left wing of the Australian Labor Party. The election results indicate this quite clearly, and the aberration of voting swings occurred in the seats where the more left-wing members of the Party stood.

The results underline this situation. The average swing to the Liberal Party in the metropolitan area was 9.6 per cent, but the swing in Newland was 15.9 per cent, Florey 13.3 per cent, Brighton 12.8 per cent and Elizabeth 11.8 per cent and, in the seat of Semaphore, the endorsed Australian Labor Party candidate was defeated ignominiously by the Independent Labor candidate. Honourable members should look at those aberrational swings. I am merely saying that, if the Australian Labor Party wants to endorse people from the extreme left wing, it should continue to do so.

The Hon. C. J. Sumner: Did Klunder come from the left wing?

The Hon. R. C. DeGARIS: I do not know but, judging from the result, he must have.

The Hon. Anne Levy: It's a circular argument.

The Hon. R. C. DeGARIS: It is not too circular if one looks at the vote in Elizabeth, where Peter Duncan is the leader of the left wing in the Australian Labor Party, and if one then considers the situation in Newland: the influence probably flowed over into Newland. If one looks at Elizabeth and Semaphore, what I am saying is true, and if honourable members moved around and talked to the public they would find that there was a reaction and mistrust against the left wing of the Australian Labor Party. People were frightened of it.

Those swings must provide a lesson for the Australian Labor Party. Either it learns from them or it does not, and I believe that it does not. I have compiled an analysis of the election results, and I seek leave for that statistical matter to be inserted in *Hansard* without my reading it.

Leave granted.

15 September Election Results Analysis

Electorate	Liberal		ALP		Swing to Liberal 1977 to 1979	Comment	Actual Distribution		
	Liberal	%	ALP	%	%		Liberal	ALP	
Adelaide	5 746	42.1	7 905	57.9	8.3	1 540 votes AD 169 votes AP	1 240	469	
Albert Park	7 346	46.1	8 589	53.9	10.2	1 527 votes AD	839	688	
Alexandra	12 522	75.3	4 110	24.7	6.3	1 434 votes AD	938	496	
Ascot Park	7 122	48.3	7 609	51.7	10.8	2 549 votes AD	1 006	543	
Baudin	8 200	44.3	10 321	55.7	10.0	2 520 votes AD	1 117	1 403	
Bragg	10 528	71.1	4 283	28.9	5.8	1 637 votes AD	757	880	
Brighton	9 209	54.7	7 625	45.3	12.8	1 731 votes AD	1 014	717	
Chaffey	10 452	64.1	5 849	35.9	4.5	876 votes AD	482	394	
Coles	10 234	62.2	6 209	37.8	10.8	248 votes AMP 1 127 votes AD	732	643	
Davenport	13 173	80.6	3 161	19.4	6.4	1 533 votes AD	920	613	
Elizabeth	6 360	39.5	9 754	60.5	11.8	2 021 votes AD	1 076	945	
Eyre	7 856	59.9	5 250	40.1	4.0	2 candidates			
Fisher	13 346	70.2	5 673	29.8	9.8	2 350 votes AD	1 460	890	
Flinders						Dealt with at end of analysis			
Florey	7 238	46.3	8 386	53.7	13.3	1 885 votes AD	1 178	707	
Gilles	6 915	44.6	8 589	55.4	7.4	2 010 votes AD	1 100	910	
Glenelg	10 218	67.2	4 980	32.8	7.2	1 302 votes AD	691	611	
Goyder	11 772	77.1	3 495	22.9	4.4	2 candidates			
Hanson	10 044	64.5	5 525	35.5	9.1	916 votes AD	585	331	
Hartley	7 314	44.9	8 959	55.1	5.3	1 351 votes AD	645	706	
Henley Beach	8 289	51.0	7 976	49.0	10.3	1 878 votes AD	1 045	833	
Kavel	12 143	74.3	4 195	25.7	5.5	1 464 votes AD	895	569	
Light	9 947	67.2	4 856	32.8	6.5	999 votes AD	535	464	
Mallee						Dealt with at end of analysis			
Mawson	10 384	53.0	9 201	47.0	9.5	2 278 votes AD	1 159	1 119	
Mitcham						Dealt with at end of analysis			
Mitchell	6 999	45.7	8 321	54.3	7.1	1 721 votes AD	1 024	697	
Morphett	8 499	55.3	6 867	44.7	5.6	910 votes AD	540	370	
Mount Gambier	8 983	55.6	7 162	44.4	4.2	2 candidates			
Murray	10 693	65.9	5 524	34.1	5.9	900 votes AD	513	387	
Napier	6 111	40.5	8 976	59.5	11.4	2 465 votes AD	1 429	1 036	
Newland	10 765	56.1	8 433	43.9	15.9	2 192 votes AD	1 104	1 088	
Norwood	7 373	50.1	7 340	49.9	10.3	893 votes AD	474	419	
Peake	6 066	42.2	8 319	57.8	9.6	2 candidates			
Playford	7 201	44.9	8 839	55.1	11.9	2 691 votes AD	1 376	1 315	
Price	5 387	39.5	8 262	60.5	8.9	1 507 votes AD	939	568	
Rocky River	9 845	63.1	5 759	36.1	4.9	2 638 votes CP	2 176	462	
Ross Smith	4 400	31.6	9 522	68.4	3.8	1 179 votes AD	654	525	
Salisbury	6 996	39.2	10 840	60.8	8.7	2 candidates			
Semaphore						Dealt with at end of analysis			
Spence	4 027	29.8	9 502	70.2	7.1	2 candidates			
Stuart	5 054	33.1	10 236	66.9	7.0	2 candidates			
Todd	9 287	54.6	7 721	45.4	11.1	1 595 votes AD	809	786	
Torrens	8 777	60.1	5 835	39.9	7.6	1 313 votes AD	591	722	
Unley	6 503	47.7	7 119	52.3	7.8	1 293 votes AD	598	695	
Victoria	9 476	68.0	4 451	32.0	2.7	2 candidates			
Whyalla	4 798	33.3	9 607	66.7	6.5	217 votes IND. 719 votes AD	502	434	
This leaves the four seats of Flinders, Mallee, Mitcham and Semaphore in which a two-Party preferred vote has to be calculated.									
Flinders	11 640	80.0	2 908	20.0	5.8				
Mallee	11 145	79.4	2 893	20.6	6.5				
Mitcham	11 363	73.7	4 046	26.3	8.0				
Semaphore	6 087	37.8	10 012	62.2	10.0				
Total	403 833	55%	330 994	45%					

The Hon. R. C. DeGARIS: Yesterday, the main thrust of Opposition questioning stemmed from the shock of the stunning defeat inflicted upon the Australian Labor Party. The Opposition Leader concentrated his rather child-like questioning of the Attorney-General on the job creation programme promised by the Liberal Party before the recent election, and has gone on today in his Address in Reply speech to refer again to the same matter.

It is the firm belief of the Liberal Party that, apart from the confidence of the business sector, which will herald a rise in employment in South Australia, the constructive pay-roll tax concessions will see a marked rise in the employment of young people in South Australia. Already many firms have been making inquiries as to how that policy will operate, and I know the reaction is such that a significant rise in job availability to young people will

result from the implementation of these policies. The abolition of death duties will prevent the flight of valuable capital from South Australia. Can anyone blame capital from fleeing from South Australia when we were the only State, if the Labor Party had still been in power, that would have continued to inflict that harsh form of taxation? Honourable members should not doubt that capital staying in South Australia creates jobs.

The estimation of an extra 7 000 jobs because of these policies is probably an under-estimation. It is true to say that the policies advocated by the A.L.P. during the election would have created no new employment opportunities at all and I think here, at this level, a comparison should be made. It was the unconcern that the A.L.P. demonstrated to this whole question of youth employment that was one of the reasons that the young

voter turned to the Liberal policies, rather than to vote for the Labor Party.

The Hon. Mr. Sumner also referred to an advertisement in his questioning that was raised at the declaration of the poll by the Hon. Mr. Milne. The Hon. Mr. Sumner knows as well as I do that the advertisement referred to was accurate in all details. There is nothing misleading in that advertisement. I do not doubt that the comments of the Hon. Mr. Milne were genuine, because he probably does not fully understand the voting system for the Legislative Council. He may well understand that the advertisement is quite accurate, especially after this explanation.

The point I wish to stress is that the voting system is no more than a mathematical gerrymander in which votes cast in good faith are never counted. It is all very well for the Hon. Anne Levy to stand there and wind her handle, but what I am saying is a fact. This system is the most undemocratic voting system in Australia. Votes cast in good faith are consigned to the waste paper basket. I ask the Hon. Anne Levy to tell me of any other electoral system in this country where a voter's vote cast in good faith is consigned to a waste paper basket and never counted.

The Hon. Anne Levy: That does not happen.

The Hon. R. C. DeGARIS: It does happen.

The Hon. Anne Levy: I scrutineered the poll, and no votes went into the waste paper basket—not even forms that were blank. All votes were counted.

The Hon. R. C. DeGARIS: No, they were not; let me explain. In such circles, people voting for small fringe Parties may (and I stress "may") never have their votes fully counted, and the total votes for that fringe group are lost.

Over the years we have heard a lot from the Australian Labor Party about the question of one vote one value, yet in a system of voting that is so obviously unfair the A.L.P. has always refused to make any alteration to that system. The A.L.P.'s blood brothers in New South Wales introduced a Bill that followed the same system in use in South Australia. However, that Bill was referred to a Select Committee, which recommended very important changes. The 50 witnesses that gave evidence before that Select Committee all opposed that system.

The Hon. C. J. Sumner: Didn't you agree to it, though?

The Hon. R. C. DeGARIS: No, I did not.

The Hon. C. J. Sumner: You voted for it in 1973.

The Hon. R. C. DeGARIS: If I go back through that again—

The Hon. C. J. Sumner: But you did.

The Hon. R. C. DeGARIS: I amended that Bill in this Council. The Bill went to conference and, as always with a genuine House of Review when we go to a conference, particularly with the pressure that was on at that stage, we reached a compromise. We now have something that is better than what was proposed by that so-called democrat, Mr. Dunstan.

The Hon. Anne Levy: Was it better when it was 16 members to four members?

The Hon. R. C. DeGARIS: We are talking about the system of voting that is now in existence. I am saying that you cannot show me another voting system in Australia where votes that are cast in good faith are never counted; so much for the publicised one vote one value of the A.L.P. The A.L.P. does not believe in that system and has never believed in it. When an opportunity arose to change the system to one vote one value, it voted against it.

The Hon. Lance Milne was elected to this Chamber by 1 700 votes over the A.L.P. candidate Jim Hennessey and entered this Parliament on a shoestring majority. However, in reality he won by 10 000 votes or more. That

is because if the votes that has been expressed for the Liberal Party to the preferred Party, the Democrats over the A.L.P., the Hon. Lance Milne would have won by that majority. In other words, the surplus votes expressed with a preference to the Democrats from the Liberal Party were never counted. Because of the system inflicted upon this Council by the Opposition when it was in Government, that is the position. Taking it a shade further, if the Hon. Lance Milne had polled 7 per cent of the vote, instead of 7.3 per cent, he would not be in this Chamber. That 7 per cent vote would have been consigned to the waste paper basket and would never have been counted, even though the Democrats who voted for him expressed a preference if he was not elected.

Putting it another way, in 1975 the A.L.P. on this so-called proportional representation system, with 48.5 per cent of the vote, elected six out of 11 people to this Chamber. The Liberal Party and the Liberal Movement with 51.5 per cent of the vote elected only five members. If the Australian Democrats had polled 7 per cent of the vote, instead of 7.3 per cent and the A.L.P. with 40.5 per cent of the vote had elected five out of 11 members, that would have meant that in this Chamber today, with an average vote over two elections of over 45 per cent, the A.L.P. would have controlled 50 per cent of the members, yet they talk about one vote one value and proportional representation. I hope the Government recognises this anomaly and sets to work as soon as possible to introduce legislation to introduce a voting system that is just and fair in this Chamber.

No doubt the Hon. Lance Milne, who is a well-known accountant who can understand figures, will look at what I have said and will understand that the voting system in this Chamber is not fair and the only way it can be made fair is to ensure that where a voter expresses a vote it should be counted at its full value at all times. It is perfectly true that under this iniquitous system a vote for a small Party runs a grave risk, if that vote falls between 4.16 per cent and 7 per cent, of never electing anyone. The unfortunate part of this system is that the only way a voter can be certain a vote will count to elect a member is to vote for the A.L.P. or the Liberal Party. Such a system should not be tolerated in any democratic system. I look forward to the introduction of legislation to democratise the Legislative Council voting system and I look forward to the support of all members of this Council to see that that Bill passes on to the Statute Books.

As far as the Council vote is concerned, the Liberal Party vote on a two-Party preferred basis is the highest vote ever recorded for any political Party in a State election since compulsory voting was introduced for the House of Assembly in 1944. I take great pride in that achievement and I am proud to have carried the No. 1 position in the team that achieved that result.

The Hon. J. E. Dunford: You should have been in the Ministry if you were No. 1 on the ticket.

The Hon. R. C. DeGARIS: That is a matter for conjecture. In the House of Assembly the Liberal Party achieved a smaller vote; nevertheless, it was the highest vote for any political Party in the House of Assembly since compulsory voting was introduced in 1944 on a two-Party preferred vote basis. However, that result shows the need for redistribution of electoral boundaries in the House of Assembly. That is because, with a two-Party preferred vote of 55 per cent to the A.L.P.'s 45 per cent, the Liberal/Country Party/Democrats should be holding 30 seats to the A.L.P.'s 17, applying the accepted "Cube law" rule. Actually, they hold 27 seats. Henley Beach and Norwood are held by less than 1 per cent.

Even the most cursory of glances at that position indicates that a new distribution must be made as soon as possible.

The Hon. C. J. Sumner: You agree with that?

The Hon. R. C. DeGARIS: I agree with that. In South Australia we have suffered, both in this Council and in the Lower House, with a voting system which is undemocratic and unfair and which the A.L.P. refused to change. If one looks at the results of this election in the House of Assembly, taking note of the enormous vote for the Liberal Party and also taking into account the anti-Labor votes that went to the Country Party and the Australian Democrats, we should hold a majority of 30 seats to the A.L.P.'s 17 seats under a redistribution. There is a gerrymander of three seats favouring the A.L.P. in the House of Assembly. It is necessary that we have a fair system.

The Hon. C. J. Sumner: You agree with P.R. for the Lower House?

The Hon. R. C. DeGARIS: No, one can fiddle boundaries whether it is equal numbers or not.

The Hon. C. J. Sumner: Are you suggesting that the commission has fiddled the boundaries?

The Hon. R. C. DeGARIS: No, it is the term of reference.

The Hon. C. J. Sumner: Which ones?

The Hon. R. C. DeGARIS: The main one is that requiring that existing boundaries be preserved. Finally, I refer again to the question of economic development. There is no question that in this election the development of Roxby Downs and the development of mining there was a clear issue before the people of South Australia. It was clear to many in the A.L.P. as well. I believe that the A.L.P. was rather evenly divided on the issue of Roxby Downs but—

The Hon. C. J. Sumner: Do you think Mr. Milne is a left-winger?

The Hon. R. C. DeGARIS: No, but you know as well as I know that in the A.L.P. there were people who advocated the development of Roxby Downs. In any case, it is clear that left-wing pressure prevented realistic policies being adopted. I wonder how many members followed Mr. Dunstan's course in England before he resigned as Premier of this State. Did they understand what he was told in Great Britain? They will not go into that any further, because they know the story as well as I do. It is clear that the A.L.P. wanted the development of Roxby Downs, but left-wing pressure prevented that happening. They have opposed the development of Roxby Downs, yet the Liberal and Country Party vote in both the House of Assembly and the Legislative Council shows an outright majority over the combined A.L.P. and Democrats vote.

It is clear that a mandate of the electors of South Australia exists for the development and exploitation of all minerals at Roxby Downs. If the Government can maintain its economic objectives, which the people of South Australia have so overwhelmingly endorsed, we will see a new era in South Australia. If I can use an A.L.P. slogan of some time ago, "It's time", it is time for a new economic deal for South Australia. However, I warn the Government that, if it chases after ephemeral, emotional shadows, this State will continue in its financial decline. The ball is at the Government's feet. I support the motion for adoption of the Address in Reply.

The Hon. G. L. BRUCE: I support the motion. In his temporary absence, I would like to congratulate the President on his election to the Chair. During the previous Government's term of office the Hon. Mr. Whyte held this position, and the fact that this Council has seen fit to elect

him again to this high position speaks well of the regard in which he is held.

I take this opportunity to extend my best wishes to all those newly elected members of the Council. I also thank present members and re-elected members for the assistance and guidance extended to me during the brief time that I have been here.

I was intending to refer to the speech made by the Hon. R. J. Ritson and congratulate him on his speech, although I disagree with him. The Hon. Mr. DeGaris also referred to there being too much legislation. In the society in which we are living, we must have legislation. I draw attention to the present flammable clothing regulations, requiring that manufacturers produce clothing that is fireproof. I presume that refers mostly to children's nightwear or other clothing. If it was left to free enterprise, everything would be done in the name of profit, and nothing would be done for the people. However, everything must be done for the people. We look at legislation to see that it is responsible and serves a consensus of opinion in the community. It is not good enough to say that we should do away with legislation; we must support good legislation.

I thank the Hon. Mr. DeGaris for his reference to new members. In his Speech the Governor referred to measures for incentives that would lead to more jobs being created. I sincerely hope that this occurs but with the cutback in Government spending and initiatives I find this hard to believe. The Hon. Mr. DeGaris said that Government was not good for the community, and he supported private enterprise. However, Government incentives and Government initiatives create the ability for private enterprise to thrive.

His Excellency the Governor referred to legislative provisions or administrative instructions which, in effect, impose compulsory union membership, and to steps being taken to repeal or revoke such measures. Compulsory unionism exists where the majority of members in the industry or area concerned elect to have a closed shop agreement. I suggest that by abolishing the rights of the majority of unionists to continue in this way would successfully pave the way for more, and not less, strife in industry. It would mean that those dedicated to and involved in the union would be calling all the shots without the balance of power and checks that full representation of the workers in the industry would give.

To cite an example, I refer to a recent stoppage in the union with which I was connected. A general meeting of the union was attended by a small handful of members. They were concerned about their wages and conditions and wanted to move for a stoppage. It was indicated to them that, with the magnification of such a stoppage, it would not be fair for them to take that action without involving the industry and the people they represented. In the award that covers the particular industry, provision had been made for a paid stop-work meeting, which would cost the workers nothing to attend. The union called the meeting, and 240 members of the industry saw fit to attend. Approximately 130 of them voted for a stoppage on a Friday night in order to press for a \$25 a week increase, and they called for a report back in two weeks time. There was all the flak in the world from all the members who did not bother to come to that paid stop-work meeting—all those people who should have been involved but were not. There is no excuse for apathy, but a fortnight later, when the next meeting was called, about 1 000 members attended. They moved that they would go to arbitration to seek the \$25 increase and, in the interim, resume work. The apathy of those members who do not attend meetings does not absolve them from the criticisms and actions of those who do attend meetings. If one is not

going to solve problems, one will merely create more problems.

One of the main areas of concern that we have quoted to us is that the trade union movement supports a political Party, the Australian Labor Party. People say, "We do not want any more of our money or fees to be going to a political Party." Perhaps if those people examined more closely the history of the trade union movement and of the Australian Labor Party, they would realise why this relationship exists. We do not hear much about the employer organisations. They recognise the importance of unity, and there are no problems about membership there.

The campaign mounted by the employer groups in the recent election showed, at least publicly for the first time, where their sympathy and money were. I should imagine that the campaign cost them many thousands of dollars. Of course, that money would have come originally from the public purchasing and consuming goods offered and sold by the firms and businesses that are members of the employer organisations. As a consumer, I have no rights to elect that any money made from the purchase of goods by me does not go to a political Party. To me, this is one of the checks on the balance of power, and I have accepted the situation. Now, however, we are being told that the other team's balances for a check on power are to be ditched.

It is interesting to note, on the front page of the *Advertiser* of Friday 12 October, that Mr. Justice Staples makes reference to Government and union roles, and is highly critical of present Federal Government legislation in relation to unions. It is interesting also to note part of his letter, as follows:

One of the key practices of totalitarian and authoritarian regimes is to dissolve trade unions and to put puppets in their place. This legislation provides for precisely that possibility. A fortnight before Mr. Justice Staples' letter was published in the press, 24 commissioners supported him. I suggest that this Government, with its indicated attitudes to trade unions and its intended legislation in the industrial field, would emasculate the union movement in line with current Federal Government policies and other State policies. Of course, what Mr. Justice Staples was saying was that Governments were tending to make trade unionists no longer full citizens. I will be doing all in my power to see that legislation is introduced into this Parliament which protects trade unionists and does not destroy or weaken such a vital section of the work force and community. In the stop press in today's *News*, it is reported, under the heading "60 face sack", that 60 workers are to be retrenched from a bakery.

I will be watching with interest the development of initiatives in the tourist and hospitality industry. As one of the few labour-intensive industries left, I believe utilisation of resources and people in this area is greater than has so far been achieved, and the chance to create jobs in this area should not be overlooked. It seems from the headlines last night that the issue of an international hotel is far from dead. The direct and indirect employment that that would create should not be under-estimated, and I ask the Government to consider any proposals with a view to bringing them to fruition. This issue has been kicked around for years.

It is my firm belief that what people need from Governments is credibility. It is no longer good enough to make grandiose election promises and then fail to live up to those promises. I believe that this Government could have a credibility problem. The fact that references were made in the Governor's Speech to employment and that advertisements in the *Advertiser* preceding the election stated that Liberal incentives would create 7 000 new jobs

for people under 20 years of age, and that a further 10 000 jobs that would be created by the development of mining resources, plus other jobs, will readily be available as confidence is restored to the community, will certainly be watched with interest by members of the Opposition and the electors. The Government's credibility is certainly at stake on this issue alone, and I am sure it will be judged by this at any subsequent election it faces.

I cannot pass up this opportunity without referring to an article in the *Sunday Mail* of 2 September last. The article refers to an interview with the Hon. Ren DeGaris, and in part states:

Although he was confident the Liberals would retain control of the Upper House Mr. DeGaris said the future of democratic rule in South Australia was bleak if Labor gained a majority.

I wonder how he arrived at that conclusion. Evidently he does not see full adult franchise for the Upper House as being democratic. Evidently he does not think that the electors were capable of electing an Upper House of their choice and knowing the consequences of that choice. I listened with interest to the honourable member's comments on how the electoral system worked. I am not familiar with that, but I remember the time when a person did not get a vote for the Upper House.

I wonder what his views are now that the electors of South Australia have spoken. I would be interested to hear his views on democracy. They certainly must differ from mine. For the first time in 137 years, we now have an Upper House elected by full adult franchise. I am proud to belong to a Party that has fought so long and hard for the right of all the people to participate in all aspects of Government. In my view that is real democracy, and to me this session of the Upper House is an historic occasion if for no other reason than this.

I have been a worker, a trade unionist, and union official, and I make no apologies for any of these roles. It would appear from this election campaign that trade union officials were about to take over the Parliament and then South Australia, and that no-one could feel safe any more. Headlines pronounced "Trades Hall March to Corridors of Power," etc. Somewhere along the line was the implication that trade union officials were lesser persons than anyone else and were completely callous and had no regard for people, the community or anything else for that matter. What a lot of nonsense! I believe that trade union officials have seen more of the seamier side of the capitalist system than most people and are more ready to expose it than most.

They see the exploitation of people in their work places and the right of redress to many wrongs denied these people, with the fear of dismissal being held over them, should they try to rectify a wrong. A recent report in the *Sunday Mail* indicated how a lad was dismissed when he sought to have his correct wages paid to him. In one of the areas that I have come from, this would be a common occurrence: a query on pay is virtually a request for dismissal, the stock answer being, "If you are not happy with the wages, there are plenty who are; there's the door".

A look at any of the entertainment pages of our daily press will expose what I believe is further blatant exploitation of working people. A quick look shows numerous hotels and restaurants advertising to customers that topless waitresses or bare delights are there for them to feast their eyes on while wining and dining. I am not a wowsler, but I believe that if any of these establishments wish to persist with this type of service it should be classed as entertainment and people paid and employed as such, and that it should not be a part of a waitress's job to strip

to hold her job. In a lot of cases the failure to strip would mean that you would not get the job even if you were the best waitress in Adelaide. This is what I call exploitation of the workers. I wonder how member here would feel if in Parliament House the waitresses had to go bare-breasted. No worker should be forced to accept what is unacceptable in the community so that that person can hold a job.

Other matters which I feel were not given the proper attention they deserved during the election campaign were the proposed amendments to the industrial legislation which my Party would have introduced had it been returned to power. There is no doubt that some of those proposed amendments would have cost employers money. One of the main amendments would have been the new section relating to dismissals and redundancies which would have introduced termination notices and pay for retrenchment in line with the years of service given to the firm or company; surely that is not unreasonable. Surely there should be some regulation or law to cover people who have given many years of service to the industry and are entitled to consideration.

Another amendment would have given a tighter definition to "employer". In the industries I represented in my previous capacity, this alone would have created several hundred permanent, part-time or casual jobs for workers. I refer to the club situation, where voluntary labour is a problem. The clubs compete with other areas but do not pay wages in many cases.

It was also envisaged that the present Act would be widened to ensure that all employees, casuals especially, were covered by section 15 (1) (e) of the Act in order to pursue a case against a harsh, unjust or unreasonable dismissal. A recent case conducted on behalf of five casual employees who were dismissed from a suburban hotel resulted in the following decision being given by the Industrial Magistrate:

Having carefully considered the evidence in these matters, I conclude that the five applicants did not receive industrial fair play and that their respective dismissals were harsh, unjust or unreasonable. On the assumption that the applicants still seek to be re-employed in their former positions, I order that the respondent re-employ them in their former positions on terms no less favourable than if they had not been dismissed.

The reason they were dismissed (and some had been there for up to three years) was that they did not smile enough. No other reason was offered. Following this decision, the hotel appealed the case. The President of the Industrial Commission heard the appeal and gave, in part, the following decision:

. . . that the relationship between the appellant and the respondents was, on the facts, essentially of a casual nature . . . The arrangement was essentially one in which each period of employment stood on its own and concluded as soon as the employer indicated that on the day in question the employee was no longer required at work.

The President upheld the appeal, thus effectively denying the rights of casual employees to the protection of section 15 (1) (e) of the Industrial Code and to fair play at their place of employment. To my mind, this is further exploitation of those workers, when one takes into consideration that they had worked a consistent 25-30 hours per week for a period of up to three years without any complaint about their work. In many cases this was their sole income. They were people dependent upon those jobs, but they had no right of redress against a harsh and unjust dismissal. Needless to say, immediately following this decision the employer group concerned advised its members that they should not pay for long service leave for their casual employees, as this could

possibly be challenged and need not be paid in future. More exploitation of the worker!

Another area of attack against workers in the industry I was engaged in involved penalty rates, which, as everyone would be aware, were designed to compensate workers for having to work overtime, at weekends and on public holidays, and for the disruption of their family life that their work entails. The present attack on penalties is being promoted by the falling profitability of some employers in the retail and what has now become known as the hospitality industry, and with the cry "no penalty rates, more jobs" the Federal Government has jumped on the band waggon.

The average worker's base rate for a 40-hour week is \$146.10 in this industry, so he is dependent on his penalty rates to earn a living wage. In fact, even the employer organisations in this area have spoken out against the abolition of penalty rates, evidently to no avail, because the matter of abolition of penalty rates is still a live issue in some circles. Abolition of penalty rates without compensation, and without consensus of opinion from workers involved in the industry, which will result in a reduction of take-home pay, is just another example of the exploitation of working people. One could go on and on with the injustices that occur in those sections of industry I have come into contact with.

This brings me back to my original point and my reasons for detailing the above. What gives members on the Government side the right to think that they have all the answers to the electors' problems and that trade unionists in their so-called march to power know nothing or care nothing for those people they have represented, and in being elected to Parliament can only spell doom and disaster for this State and the people of South Australia?

My fear is that this Government could be the instrument whereby workers in this State will be further exploited. It can be done in many ways, and possibly an outline of an experience I had several months ago while on holiday in Victoria shows how easily various forms of exploitation of workers can take place. I had reason to go with a friend of mine to get some information from the Victorian Department of Labour and Industry, or its equivalent, in a large provincial city of Victoria, bearing in mind that if a worker in a small industry asks his boss what the wages and conditions are supposed to be he is asking for the sack. The department was away from the main street and situated in a back lean-to on the verandah of a converted house which housed numerous Government offices. The one we went to would, I suggest, be the worst positioned of those offices.

There was only one person employed in that office, and he had to deal with complaints and queries and service the office. The office was closed two or three days a week while the officer did field work. No office staff was provided during his absence. This officer's field work involved an area covering hundreds of square miles.

For a complaint about wages or conditions of a worker to be checked it must be accompanied by a statutory declaration, and permission to use the name of the person lodging the complaint given (meaning a sure-fire dismissal). If one went and said that Joe Bloggs wanted to check on a wage claim, Joe Bloggs got the sack. I was advised that the department could have had better offices and accommodation in the main street of this provincial city but this had been rejected on the grounds that they could not have coped with the extra queries this would have brought. Without additional staff and facilities, needless to say, this service was not readily available. Information and advice were given on the queries we sought. However, awards, wages, etc., had to be obtained

from Melbourne by the person seeking the advice, and copies were not obtainable from the department. All that was given was the address of the Government Printing Department in Melbourne, where the information could be obtained. A fortnight after sending the request and the money, we received a copy of those awards. The overall impression I received was that the dice were loaded in the employer's favour, and that this was another example of worker exploitation by denying proper and protected access to award and wages information, including the proper checking of these matters at the place of his employment.

I am fearful that this Government could adopt this same attitude, and, in line with its union bashing policies, seek to cut back funding and staffing and dismantle that part of the regional and suburban system of the Department of Labour and Industry which is readily available and gives protection to the working class of South Australia.

Of course, if you seek to join a union in an area that is not unionised, this is virtually inviting dismissal, so there is no redress for the worker, and he can be readily exploited in areas where jobs are scarce and labour is plentiful. There is no doubt that employer groups will readily support the concept of no union in an area because unions seek award conditions and payments. I consider myself a socialist to the extent that I believe that the taxes we pay should go to create a more equitable society—a society where all people have the right to adequate housing, schooling and work, or compensation if no work is available, adequate retiring benefits and health services, in fact, all of those things that should make living in South Australia and Australia more preferable than in any other part of the world. Unfortunately, this is not to be at present.

Turning now to the subject of superannuation, I believe that a proper superannuation scheme is of vital concern. The fairest way for this to be done would be for it to be on a national basis, but unfortunately this does not seem likely, especially with the attitude of the present Federal Government and the State Government. I believe it is completely wrong that, usually in the top echelon of business, a superannuation scheme exists ensuring that management receives the equivalent of about three years salary on retirement, or something along those lines.

Most workers receive nothing, or perhaps a gold watch if they are lucky. That is just not good enough, and this area is crying out for legislation. More enlightened firms and companies are making proper provision for all their employees but, of course, this puts them at a disadvantage to their cut-throat competitor who seeks to maximise profit and does not care one iota about those people who produce the wealth and goods that he sells.

Attempts are being made by some unions to cover workers under their awards by an employer-constituted superannuation scheme administered by the union. I believe that there should be a proper, concerted effort to bring in uniform legislation and that it should not be just a piecemeal thing covering only a few workers in industry.

Just as I said that people are looking for credibility in Government, similarly, Government is entitled to look for

credibility in its electors. It is no longer good enough that certain sections of the community can avoid the obligations of living in that community. Tax avoidance schemes are to be deplored, and the general attitude of "I'm all right Jack, blow you", can no longer be tolerated.

The very fabric of our society is threatened by the social problems of unemployment and, with the advent of further technology, it is no longer good enough that just the luck of the draw gives some people jobs and relegates others to unemployment and dole handouts for the rest of their lives.

Everyone is entitled to share in and receive the benefits of leisure and technology, not just the employed in this great country of ours. Governments failing to come to grips with this problem do so at their own peril. It is just not good enough to change a Government; the problem is greater than this and, if we are to survive as a society, we must face up to all our responsibilities as a society, not just some of those responsibilities. The welfare of all, the stopping of exploitation, concern for the old, the young and the unemployed people of our society are matters that we as legislators must seek to remedy. It is a shared responsibility with the people of South Australia, and I trust that we will not fail.

I look forward to my term as a legislator in this Upper House, and, to clear up any misunderstanding as to where I stand in relation to certain issues, I indicate that I am a member of the Australian Labor Party, and as such am bound by the policies and decisions reached by a consensus of its members; and that policy is readily available to anyone who cares to read the A.L.P. Party platform.

I am proud of its record of concern for people; it is a workers' Party formed for the common benefit of all; and it is a Party that is not frightened by change or challenge. I believe that democracy in Australia is served by the Opposition being a viable alternative Government.

I believe, too, that in South Australia the A.L.P. is that viable alternative Government, and democracy in this State will remain healthy while the people have control of Government through the ballot-box. As I said, we are a Party not frightened by change or challenge. The challenge of Opposition will be met by my Party with the strength and vigour it has always displayed in the face of adversity. We have been proved right over many controversial issues that have been fought. Time will tell whether we are right on some of the vital issues that we will be facing during the coming years. I look forward to the challenge of the 1980's and the changes that will occur. I support the motion.

The Hon. BARBARA WIESE secured the adjournment of the debate.

ADJOURNMENT

At 5.23 p.m. the Council adjourned until Thursday 18 October at 2.15 p.m.