

LEGISLATIVE COUNCIL

Tuesday 13 November 1979

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

LAND TAX ACT AMENDMENT BILL

His Excellency the Governor, by message, intimated his assent to the Bill.

BOATING ACT AMENDMENT ACT

The PRESIDENT: I draw the attention of honourable members to the *Government Gazette* of 1 November 1979, wherein a proclamation notifies Royal Assent to the Boating Act Amendment Act, 1978, and fixes 1 November 1979 as the day on which the Act shall come into operation.

NURIOOTPA RESEARCH STATION

The PRESIDENT laid on the table the report by the Parliamentary Standing Committee on Public Works, together with minutes of evidence, on Nuriootpa Viticultural Research Station, Office Block, together with minutes of evidence.

OVERSEAS STUDY TOUR REPORT

The PRESIDENT laid on the table the report by the Hon. R. C. DeGaris on his overseas study tour 1979.

MINISTERIAL STATEMENT: NATIONAL PARKS

The Hon. J. C. BURDETT (Minister of Community Welfare): I seek leave to make a statement.

Leave granted.

The Hon. J. C. BURDETT: A certain amount of confusion has been generated in the past few days following an interview given by the Minister of Agriculture in another place.

The Hon. N. K. Foster interjecting:

The PRESIDENT: Order!

The Hon. J. C. BURDETT: The interview, last Thursday, was on the ABC programme *Country Hour*. Unfortunately, certain statements by the Minister were misinterpreted. The confusion resulted from an answer the Minister of Agriculture gave in reply to a question about areas of land which the Lameroo Council discussed with him during recent talks. The Minister has advised me that the talks with the council covered all the dedicated national park land in the area plus any unallocated adjacent Crown lands. Unfortunately, this answer was incorrectly linked with questions about what land he believed should be considered for future farming purposes.

The Hon. N. K. Foster: He's telling lies.

The PRESIDENT: Order! I ask the Minister please to resume his seat. I purposely did not hear what the Hon. Mr. Foster said. However, I do intend that, when I call "Order", the Council will come to order, and the person who has the call and is on his feet will be heard. It is ridiculous for the honourable member to carry on in such a manner.

The Hon. J. C. BURDETT: In fact, when he said there was some land that could possibly be farmed he was meaning those areas of unallocated Crown land, the future of which is still subject to review and decision by the Government. The Minister, at no stage during the interviews, indicated that he would support farming on dedicated national park land.

The Hon. N. K. FOSTER: On a point of order, this amazes me, because, in a telephone conversation that I had with Mr. Chapman's office, I was told that he was not misreported. Why, therefore, should the Minister of Community Welfare be given leave in the Council to whitewash the position?

The PRESIDENT: Order! That is not a point of order. The Minister of Community Welfare.

The Hon. J. C. BURDETT: I repeat that the Minister, at no stage during the interviews, indicated that he would support farming on dedicated national park land. In fact, at the beginning of the interview in question, the Minister made this clear by saying:

I would like to make it quite clear that it is not our intention to reclaim national park land for rural production purposes.

The Hon. N. K. Foster: But his office said that he told the truth and he was correctly reported.

The PRESIDENT: Order!

The Hon. J. C. BURDETT: This stand has been made quite clear time and again by the Government before and since it came into office. The Liberal policy with regard to national parks is clear and precise and one which conservation groups and rural communities have applauded. It bears repeating.

In contrast to the past nine years, we will pursue a responsible policy of managing the State's system of national parks and reserves for recreation, inspiration, education, scientific study and for environment and wildlife conservation.

Our commitment to management will specifically be related to preservation of already dedicated reserves where appropriate areas of reserved land will be increased. Good management is vital. It is vital for the preservation of those lands already dedicated, and it is vital in reducing the problems which can develop when farming land adjoins reserve areas.

The Government has a comprehensive, workable policy for the State's conservation parks. As I have said, this policy will result in dedicated reserves being substantially better managed than before.

QUESTIONS

SITTINGS AND BUSINESS

The Hon. C. J. SUMNER: I seek leave to make a brief explanation before asking the Leader of the Government a question about the sittings of Parliament.

Leave granted.

The Hon. N. K. Foster interjecting:

The Hon. C. J. SUMNER: The Hon. Mr. Foster has just said that the Government is anxious to close the Parliament down because of the performance of the Ministers in Parliament. I suppose one could only agree with that statement after the extraordinary Ministerial explanation that we have just heard from the Hon. Mr. Burdett, representing the Minister of Agriculture. It was with considerable surprise that I heard only yesterday that Parliament would rise today or tomorrow for the Christmas recess. I now understand that even tomorrow is to be denied us and that Parliament will rise today for

Christmas, after sitting in the Budget session for only four weeks and one day. It was all that this Government could manage. I realise that the Government does not wish to keep the Parliament sitting because it has its administration to attend to as a new Government. However, there are a number of disturbing aspects to this decision. It is absolutely unprecedented that the Address in Reply in another place should not be finished before Christmas. That has never happened before in the history of the South Australian Parliament.

Members interjecting:

The PRESIDENT: Order! The Hon. Mr. Sumner.

The Hon. N. K. Foster interjecting:

The PRESIDENT: Order! The Hon. Mr. Foster is looking to commence his spell from Parliament earlier than prescribed.

The Hon. N. K. Foster: We're going to get a three-month spell.

The PRESIDENT: Order!

The Hon. C. J. SUMNER: It is traditional that the Address in Reply immediately follows the Governor's Speech, which opens Parliament each year; it takes precedence of the Budget debate; and it is one opportunity for members to talk on an issue at large without the constraints of relevance. It is a particularly important debate for private members and new members. On this occasion, after the opening of Parliament, the Opposition co-operated in allowing the introduction of the Budget in this Council at the same time as it was being debated in another place, as well as some legislation before the Address in Reply. We agreed to this because of the situation of the election earlier in the year. However, in so doing, we had no idea that the Government would not even complete the Address in Reply in another place but would adjourn today, six weeks before Christmas, without concluding that debate and enabling the Address to be returned to the Governor.

I think that the Opposition could have expected the Address in Reply debate to be finished before Christmas. I should have thought that it could be finished this week or early next week in another place, but it seems that the Government does not wish to keep Parliament sitting, even for that length of time, to enable this traditional reply to be given to the Governor. Indeed, it is almost an affront to the Governor in regard to the Speech he delivered when opening the Parliament. It is particularly disturbing that, in another place, until the Address in Reply debate finishes, no private members' time is permitted. Yesterday we received the programme, which stated that the Parliament would sit this week.

The PRESIDENT: Order! This is a very long explanation. It is almost a personal explanation.

The Hon. C. J. SUMNER: It is, Mr. President, but I do not think you could query the relevance of it. Last week, guarantees were given that this Council would sit on Wednesday of this week to—

The Hon. J. E. Dunford: By the Leader of the Government.

The Hon. C. J. SUMNER: Yes, by the Hon. Mr. Griffin. At present, almost 70 questions that have been asked without notice remain unanswered, although some may be answered today. There are also about eight or nine Questions on Notice to be answered. I think this indicates a disturbing attitude by a new Government towards the sittings of the Council and the Parliament. Last week there was the example that the Government wished to continue a closed system of Select Committees, despite its earlier policy statement. The Government also failed to agree to reports of Ministerial conferences being tabled.

The PRESIDENT: Order! The Hon. Mr. Sumner must

come to his question.

The Hon. C. J. SUMNER: I am coming to it. The final disturbing aspect of the Government's approach to Parliament is that, despite assurances and the fact that we have sat for only about four weeks in the Budget session, with six weeks remaining before Christmas, the Government will not have Parliament sit. I believe that the South Australian Parliament, under a Labor Government, sat for longer than did Parliaments in other States. I am particularly concerned about whether the Government will adopt the approach of its coalition colleagues in Queensland, where the Parliament hardly sits at all.

Can the Attorney clarify the position with respect to sittings of the Council? When is it expected that the Council will rise for the Christmas recess, when is it expected that it will resume after Christmas, for how long will it sit then, and can the Government guarantee that, during the term of office of the Liberal Government, Parliament will not sit for any lesser time than it did during the Labor Government's term of office?

The Hon. K. T. GRIFFIN: The length of the explanation and the nature of the question require some detail. The election was held on 15 September, 18 months before it was due, and the calling of the election by the former Government was not of our making: it was of the making of that Government, so it must accept responsibility for the somewhat shorter session. Within 26 days of the election, we called Parliament together. That was less than a month after the election and, when we announced the date on which Parliament would resume, we indicated that it would sit for a relatively short time, something from four to six weeks, to enable us to deal first with the Budget so that the affairs of the Government could continue and so that promises made during the election campaign that were already then in force could be enacted in legislation.

We have sat a total of four sitting weeks and two days from 11 October until today, and on some of those occasions we have sat at night. We have managed to complete the Address in Reply debate and to present the Reply to His Excellency. We also have passed the Budget and five tax Bills that honour some of our election promises. Several other Bills of an urgent nature are currently being debated in Parliament. In fact, we have completed the immediate legislative programme that we announced at the time we called Parliament together again.

The Hon. N. K. Foster: Are you going to put 100 000 people back to work? Have you done that? Come off it, I have your promises in front of me.

The PRESIDENT: Order!

The Hon. N. K. Foster: Here is your document—

The PRESIDENT: Order! The Hon. Mr. Foster will cease his incessant interjecting.

The Hon. K. T. GRIFFIN: The Leader of the Opposition generously conceded that the Opposition had allowed some legislation to be debated in the Council before the debate on the Address in Reply debate had been completed. However, I remind the Council that that was a supplementary Appropriation Bill to enable the public servants of South Australia to be paid. If that Bill had not been passed in October, funds would most likely have been unavailable to pay public servants and keep the Government running after October. That was the only piece of legislation that we dealt with during the course of the Address in Reply.

The Hon. C. J. Sumner: That's not what I said.

The Hon. K. T. GRIFFIN: That is what the Leader said: he said that the Opposition had allowed some legislation to be passed before the Address in Reply debate in this Council had been completed.

The Hon. N. K. Foster: When did he say that?

The Hon. K. T. GRIFFIN: You check *Hansard*. The fact is that we have completed the immediate and urgent part of our legislative programme that we needed to have enacted. The Council will be rising this evening. The date to which I expect it to be adjourned will be 12 February 1980. I am not able now to indicate for how long we will sit, nor am I able to indicate on a statistical basis whether we will sit for as long as the Labor Government sat whilst it was in office. I should like to make one other comment which is relevant to the question and which was referred to by the Leader in what was an extraordinarily long explanation—

Members interjecting:

The PRESIDENT: Order!

The Hon. K. T. GRIFFIN: The Leader said it was unprecedented for the Address in Reply debate not to be completed in another place before Parliament rose for the Christmas break. I have already indicated that I and the Government believe that there are circumstances requiring further attention to all of the problems which were left to us by the previous Government and which we need to attend to now, and we will attend to the legislative programme in more detail in February.

OVERSEAS PROJECTS

The Hon. B. A. CHATTERTON: I seek leave to make a short statement before asking the Minister of Community Welfare, representing the Minister of Agriculture, a question about overseas projects.

Leave granted.

The Hon. B. A. CHATTERTON: The Minister of Agriculture indicated in another place a few weeks ago that he had reversed his previously stated policy of winding down overseas projects. He indicated that such projects would be proceeding at full steam, and among the countries that he listed as areas where possible projects would be undertaken was China. Previously, the Department of Agriculture has translated much technical material into Chinese, particularly an excellent translation of a book on pasture seeds from South Australia. What additional publications have been translated into Chinese for the development of projects in that country? How many of the publications have been distributed to the Chinese Government or to other people who might be interested in them, and has the Department of Agriculture been able to claim export development grants as part of the cost of translation and publication of these Chinese publications?

The Hon. J. C. BURDETT: I will refer the honourable member's question to my colleague and bring down a reply. Because of the recess I will see that the answer is transmitted by letter.

LEAD CONTENT RULES

The Hon. R. C. DeGARIS: Has the Attorney-General a reply to my question of 18 October about lead content rules on motor spirit?

The Hon. K. T. GRIFFIN: The Commonwealth Government has not approached the South Australian Government on the question of revising lead content rules on motor spirit, and South Australia has no current legislation dealing with lead content in motor spirit. However, the matter is at present being examined and, should this position change, the honourable member will be advised accordingly.

NATIONAL PARKS

The Hon. J. R. CORNWALL: I seek leave to make a short statement before asking the Minister of Community Welfare, representing the Minister of Environment, a question about farming national conservation parks.

Leave granted.

The Hon. J. R. CORNWALL: Last Thursday the Minister of Agriculture said during the *Country Hour* on ABC radio that he believed certain areas in the Mallee and the Upper South-East presently designated as conservation parks contained some valuable agricultural land. The Minister also said that he would support a move by the Lameroo District Council to allow farming in certain parts of Scorpion Springs and Billiat conservation parks. This was both his statement and his intent. No amount of ducking, dodging or dissembling, can change that. His statement was unequivocal and apparently premeditated, and the transcript is available as proof. I was both outraged and disgusted by the Minister's statement, and I certainly felt very sorry for the Minister of Environment, who must surely be gravely embarrassed by such grossly irresponsible behaviour.

In order to give the Minister of Environment a chance to publicly state his position and to dissociate himself from the Minister of Agriculture's public position on this matter, I ask, first, whether the Minister of Environment agrees with his colleague the Minister of Agriculture that certain areas in conservation parks, be they marginal or any other regions of South Australia, comprise valuable agricultural areas and should be farmed. Secondly, if not, will the Minister of Environment strenuously dissociate himself from any such suggestions? Thirdly, does the Government intend to permit farming on either cleared or uncleared areas in any national or conservation park in South Australia? Fourthly, is a resolution of both Houses of Parliament necessary to permit farming of any portion of national or conservation parks under the National Parks and Wildlife Act, whether by annual licence or any other form of tenure?

The Hon. J. C. BURDETT: I will refer the honourable member's question to my colleague and bring down a reply. Again, and I indicate this in regard to any other answers where I am asked questions on behalf of Ministers in another place—

The Hon. N. K. Foster: Go away.

The Hon. J. C. BURDETT:—that I will—

The Hon. N. K. Foster: You've no right to pre-empt questions in this place.

The Hon. J. C. BURDETT: I am simply trying to be helpful.

The Hon. N. K. Foster: Helpful! That is not being helpful; it's being obstructive.

The Hon. J. C. BURDETT: Any question I am asked on behalf of Ministers I represent who are in another place will be answered by letter. If you want them—

The Hon. N. K. Foster: Will they go in *Hansard*?

The Hon. J. C. BURDETT: Yes.

The Hon. N. K. FOSTER: Mr. President, I rise on a point of order. I have raised this matter before and I do so again this afternoon, because I am quite disturbed by what the Minister has just said. The Minister is attempting to tell this House that we are going to have secretive government. Members of the public will be able to read certain questions in *Hansard*, but the answers will never appear in *Hansard* if they are answered by letter during the recess. That situation is not fair to the public. I have raised this matter before when my Party was in

Government, and I say again that it is a shabby move, a shabby trick, and the Minister should not be able to get away with it.

The PRESIDENT: Order! I will give the honourable Minister an opportunity to explain the position (which I understood quite clearly) if he wishes to repeat his previous remarks.

The Hon. J. C. BURDETT: The answers will appear in *Hansard* if members so request, so they may be—

The Hon. N. K. Foster: They should appear there automatically.

The PRESIDENT: Order! Do you want to hear the answer?

The Hon. J. C. BURDETT: Honourable members opposite can wait until February, when the Council resumes, to receive their answers if they wish, but I am letting them have the best of both worlds, so that they can receive the answers in the meantime which will also appear in *Hansard*. If members opposite do not want that, they need not have it.

The Hon. N. K. FOSTER: Mr. President, I rise on a further point of order. Will you inform this House what procedures are open to members on this side to have those replies put in *Hansard*? The Minister is a liar, because he knows there is no procedure to do that.

Members interjecting:

The PRESIDENT: Order! The honourable member will withdraw that remark.

The Hon. N. K. FOSTER: Well, the Minister is procrastinating and misleading members on this side and himself.

The PRESIDENT: Order! Do you withdraw?

The Hon. N. K. FOSTER: Yes, I withdraw. Mr. President, I take a further point of order, and I take it quite seriously. You will not bog me down like that Mr. Burdett. This has been the procedure in the past, and I have not agreed with it. I am not necessarily criticising the present Government; I raised this matter previously regarding our own Ministers when we were in Government.

The Hon. L. H. Davis: Did you attack them?

The Hon. N. K. FOSTER: I am not attacking the Minister, but I have a right to make my views known. In the past, members of the community have requested information from this House and have later telephoned me and said, "You asked a question, where the devil is the answer, because I cannot find it in *Hansard*?" Be it three days, four months, or six months, that is what we are here for, Mr. Davis—to represent people, not the Liberals.

The PRESIDENT: Order! What is your point of order?

The Hon. N. K. FOSTER: Unless a question is responded to further by the person who asked the original question, there is no way under Standing Orders that the answer will automatically appear in *Hansard* so that the public can see that answer, whether it relate to rotten vegetables or the rottenness of the Liberal Party.

The PRESIDENT: You asked for a further explanation and you received it. There is no point of order.

The Hon. N. K. FOSTER: Will this matter be referred to the Joint Committee on Standing Orders, because the Opposition is entitled to have a reply for the benefit of the public? The position is being hidden, and that is not what this Government said it was about.

The PRESIDENT: Order! You can at any time refer matters to the Standing Orders Committee.

PUBLIC ACTUARY'S OFFICE

The Hon. D. H. LAIDLAW: Has the Attorney-General

a reply to my question of 17 October, when I asked why South Australia has more actuaries in the Public Actuary's Office than has any other State?

The Hon. K. T. GRIFFIN: Some States concentrate their actuarial employment within one office whilst others employ actuaries in more than one department. Consequently, there are large variations between the duties of the State Government Actuaries ("Public Actuary" in South Australia). A fair comparison between States would take into account all actuaries employed by each State. The question uses the term "qualified actuary". The Institute of Actuaries indicates that such a description should be restricted to Fellows of the Institute but the question also refers to Associates (a lower qualification), and the following information covers both categories: South Australia employs two Fellows and two Associates; New South Wales employs four Fellows and eight Associates; Victoria employs three Fellows (full-time), two Fellows (part-time) and three Associates; Queensland employs three Fellows and three Associates; and Western Australia employs one Fellow. The vacant position in the Public Actuary's Office (that of Deputy Public Actuary) was filled some months ago and the new appointee will commence duties this month. He has been included in the figures quoted.

SITTINGS AND BUSINESS

The Hon. C. J. SUMNER: I seek leave to make a brief statement before asking the Attorney-General a further question about the sittings of the Council.

Leave granted.

The Hon. C. J. SUMNER: In my earlier explanation I stated that the Opposition in this Chamber had co-operated in allowing the introduction of the Budget and some legislation before the Address in Reply. In his reply, the Attorney-General latched on to the "some legislation" part of my explanation and indicated that the only legislation the Opposition let through before the Address in Reply was the Supplementary Estimates. However, there was another part to my explanation, and that was that the Opposition did in fact allow the introduction of the Budget in this Chamber in a manner that did not accord with the normal procedure of its first passing the Lower House and then coming in to this Chamber as a Bill. I said that the Opposition was happy to do that, and I was not making any criticism of that procedure. However, we would surely have expected that the Council, and Parliament as a whole, to complete the Address in Reply prior to getting up for Christmas, which is still six weeks away. In my explanation, I also referred to unanswered questions, calculating that about 70 questions without notice and about nine Questions on Notice still remained unanswered. Concern has been expressed about when honourable members can expect answers to those questions. Last week, during the course of proceedings, the Hon. Frank Blevins interjected as follows:

The Minister has asked that I put the question on notice for Wednesday next. Can the Minister give an assurance that the Council will be sitting next Wednesday?

The Attorney-General replied "Yes". In view of that comment, will the Attorney-General, as Leader of the Government in the Council, tell the Council what arrangements, if any, will be made with respect to answering questions without notice and questions on notice?

The Hon. K. T. GRIFFIN: The Leader referred to the introduction of the Budget papers before the Address in Reply had been completed, although his first question

related to legislation. In reply to the Leader's present question, I state that I had intended to indicate (but omitted to do so) that those questions that are now on notice will be answered in two ways: first, by letter to enable the honourable members who asked them to have the answers thereto as expeditiously as possible, and, secondly, if it is the wish of the member who asked the question, for the answer to be read into *Hansard* for record purposes when Parliament resumes in the new year. With respect to questions that are not on notice, the answers will likewise be supplied by letter, so that honourable members will be able to communicate the replies to the constituents who may have asked the questions, and so that honourable members will have the answers before them as quickly as possible. However, that does not mean that those replies will not appear in *Hansard* because, if the honourable members who asked the questions want them to be inserted in *Hansard* when Parliament resumes in the new year, I am willing now to state that, in the event of an honourable member's requesting accordingly, the replies will be so inserted.

The Hon. FRANK BLEVINS: Will the Attorney-General tell the Council and the South Australian public what has happened since last Wednesday, when (as reported at page 774 of *Hansard*) he made a clear statement that the Council would be sitting tomorrow? What has happened to alter that situation?

The Hon. K. T. GRIFFIN: Last Wednesday, the Government expected that the Opposition would ask so many questions during the Committee stage of the Budget debate that the Council would be sitting this week. At that stage, it looked very much as though we would have a protracted questioning and debating period on the Budget. However, as a result of sitting last Wednesday night and Thursday, we were able to clear the legislative business more quickly than we expected last Wednesday.

Members interjecting:

The PRESIDENT: Order! I have been very patient with honourable members. However, my patience has just about run out. I ask honourable members to cease interjecting.

HEAVILY-LADEN TRUCKS

The Hon. C. W. CREEDON: Has the Attorney-General, representing the Minister of Transport, a reply to the question I asked on 25 October regarding heavily-laden trucks?

The Hon. K. T. GRIFFIN: The Minister of Transport reports that section 162 of the Road Traffic Act makes it an offence for a person to drive a vehicle carrying a load which is not fastened or confined so as to ensure that it will remain in or upon that vehicle while it is in motion. The Act places the onus on the driver of the vehicle to take whatever measures are necessary in order to comply with the requirements.

Section 108 of the Act makes it an offence to deposit any materials on a roadway likely to damage the surface of the road or to cause damage to vehicles or injury to persons. It is considered that there are adequate provisions under the Road Traffic Act to cover the security of loads on vehicles.

ROAD TOLL

The Hon. C. W. CREEDON: Has the Attorney-General, representing the Minister of Transport, a reply to the question I asked on 30 October regarding the road toll?

The Hon. K. T. GRIFFIN: My colleague reports that it would be extremely difficult to determine whether an

accident was caused by the unroadworthiness of a vehicle, and no statistics are available on the subject. The Road Safety Committee has estimated that a reduction of 5 per cent in road accidents would be achieved as a result of the introduction of periodic vehicle inspections. The introduction of a compulsory periodic motor vehicle inspections scheme in South Australia is under consideration.

RAILWAY CARRIAGES

The Hon. C. W. CREEDON: Has the Attorney-General, representing the Minister of Transport, a reply to the question I asked on 18 October regarding railway carriages?

The Hon. K. T. GRIFFIN: The Minister of Transport reports that it has not been the practice to provide receptacles for litter on suburban rail cars, but this is now being considered in conjunction with the introduction of the new rail cars. Smoking on rail cars in the Adelaide metropolitan area will be banned as from 1 January 1980, the expected date of introduction of the new rolling stock.

FOOTBALL PARK LIGHTS

The Hon. J. A. CARNIE: Has the Attorney-General, representing the Minister of Transport, a reply to the question I asked on 24 October regarding Football Park lights?

The Hon. K. T. GRIFFIN: The Minister of Transport reports that the Government was completely satisfied that there would be sufficient lighting for the intended purpose at Football Park, even with the light intensity of the proposed system being reduced by one-third.

THEBARTON COMMUNITY CENTRE

The Hon. FRANK BLEVINS: Will the Minister of Local Government say whether the Thebarton Community Centre has had its budget cut from \$168 000 to \$150 000? Are the rumours correct that the project is to be deferred or even abandoned totally? Is the Minister to meet with employees of the centre tomorrow and, if he is, has the Minister's visit any connection with rumours that are circulating regarding the abandonment of the project?

The Hon. C. M. HILL: The future of the Thebarton Community Centre is still under consideration. Although I am not certain about the exact amount of any reduction therefor in the Budget, I am prepared to accept the honourable member's figures, if he has checked the Budget. If those figures are correct, that reduction was accepted by this Parliament without, incidentally, the Opposition asking a question regarding it.

An appointment was made for me to visit the centre tomorrow, although I understand that that has been cancelled because of a problem of commitments clashing. However, I intend within the next few days, if an appointment can be arranged to suit the staff, those in charge of the centre and my office, to visit the centre and to have a preliminary look at it and to assess some of the factors that the Government will take into account when the centre's future is decided upon.

ABORTION STATISTICS

The Hon. ANNE LEVY: I seek leave to make a brief statement before asking the Minister of Community

Welfare, representing the Minister of Health, a question regarding abortion statistics.

Leave granted.

The Hon. ANNE LEVY: Quite some time ago, I put a Question on Notice regarding the numbers of terminations of pregnancy conducted in four hospitals in this State during three months of this financial year. The reply that I eventually received from the Minister last Wednesday merely indicated that the statistics on the numbers of terminations of pregnancy in those hospitals would be included in the next annual report of the Mallen committee and that they would be available to me when that report was tabled. That seems to be quite an unreasonable answer for the Government to give to a question.

The law was specifically amended by a private member's Bill originating from the now Deputy Premier of this State, so that hospitals had to provide statistics on how many terminations of pregnancy occurred therein. Regulations were gazetted earlier this year to enable this to occur. The regulations provide that each hospital at which terminations of pregnancy occur must, by the twentieth day of each month, supply to the Health Commission a form indicating how many terminations of pregnancy occurred in that hospital during the previous month.

The Health Commission obviously has the information that I am requesting, unless, that is, hospitals are not sending in the forms that they are supposed under the regulations to be sending in. I am merely asking for 12 figures involving the number of terminations of pregnancy that occurred over a period of three months in four hospitals. This information is now held by the Health Commission, and it would take very little time for someone to look up the information and provide it to me. It seems totally unreasonable for me to be told that I must wait 11 months before the Mallen report is tabled in the Council in order to get the information.

It is totally unreasonable. Will the Minister reconsider his reply and provide me with these 12 figures? It will not take a great deal of effort on the part of the Minister or any officers of the department to provide such figures.

The Hon. J. C. BURDETT: I will refer the honourable member's question to my colleague and bring down a reply.

200-MILE FISHING ZONE

The Hon. R. C. DeGARIS: Has the Minister of Local Government a reply to my question of 17 October about the 200-mile fishing zone?

The Hon. C. M. HILL: State fisheries officers have already been involved in the preparation of a report which is used by industry as a guide to applications for fishing licences in the 200-nautical mile fishing zone. These officers are continuing to consult with Commonwealth officers at fisheries meetings on access to the zone, feasibility fishing ventures, the setting of total allowable catches and the study of technical data collected from licensed foreign and Australian research vessels.

State technical and inspection staff will act on behalf of the Commonwealth Government in carrying out observer and inspection duties on foreign and other vessels which fish within the zone, and the Department of Fisheries will be reimbursed by the Commonwealth for this work.

DRAINAGE RATES

The Hon. R. C. DeGARIS: Has the Minister of Local Government a reply to my question of 23 October about the abolition of drainage rates?

The Hon. C. M. HILL: The Government is currently giving consideration to drainage rating in the South-East, which includes the District Council of Millicent area.

SERVICE STATIONS

The Hon. K. L. MILNE: I seek leave to make a brief explanation before asking the Minister representing the Minister of Transport a question on the ownership of service stations.

Leave granted.

The Hon. K. L. MILNE: This Council will be aware that recently, during the petrol shortage (either real or imaginary), a chain of petrol stations had their supplies cut off while the oil companies concerned continued to supply petrol stations which they operated. This matter is a Federal matter mainly, but it concerns this State and many small businesses in it. In mid-1976 a Royal Commission on petroleum was in progress. When the recommendations of the commission were made public, the then Government decided not to implement any of the recommendations. However, the Fraser Government did institute a new committee concerning all interests. The Chairman was the Hon. Wal Fife, Minister for Business and Consumer Affairs. He reported that there should be a package deal whereby the oil companies were prohibited from operating petrol stations themselves. Similar legislation had been introduced in one or two States of the United States of America. He reported that a package of four recommendations should be agreed to; otherwise, the scheme would be incomplete. The petrol resellers agreed with this.

Since then, nothing has happened until recently. The Federal Government has now come out with a scheme whereby it will do half of it, and the Government will not go on with the divorcement of the petrol stations from the oil company suppliers. Has the State Government taken any action to demand that the Federal Government change its decision to defer legislation relating to the divorcement of the oil companies from retail marketing? Does the Government contemplate taking action to insist that the Federal Government proceed with the total package announced by the Hon. Wal Fife on 30 October 1978 as a result of his committee's deliberations? Does the Government agree that the most important part of the Hon. Wal Fife's announcement is that the oil supplying companies be prohibited from themselves retailing petroleum through direct sales sites? Does the Government understand that the present system of petroleum distribution and sales through commissioned agency sites controlled by the oil companies is a direct threat to the very existence of the small business retailers, particularly in periods of petrol shortage?

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

WAITRESSES

The Hon. G. L. BRUCE: I refer to the answer given to my question on topless waitresses and the reply given to the original question, which was as follows:

I cannot give an answer as to what the Government will do until I have had advice on whether or not there is a breach of

the anti-discrimination laws. Obviously, if the advice given to me by my officers is that there is such a breach, I will consider doing something about it.

As the advice given confirms that the Commissioner considers it to be a discriminatory employment practice in terms of the Sex Discrimination Act, does the Minister intend to take any further action on this matter?

The Hon. J. C. BURDETT: In terms of the Act, the procedures laid down are that, if any person who claims that he has been discriminated against makes a complaint, the Commissioner for Equal Opportunity can take it up, investigate it and do something about it. If any male person, or any woman who is physically unsuitable, applies for a job which is advertised as being a topless waitress position and is refused and considers that he or she has been discriminated against, that person can apply to the Commissioner for Equal Opportunity, who will take up the matter.

The Hon. G. L. BRUCE: Is the Minister aware that the people in the industry who are prepared to take it up do so at the risk of losing their own jobs?

The Hon. J. C. BURDETT: No, I am not aware of that. Some applicants may not have jobs. There is no procedure under the Act whereby I or the department can initiate a prosecution. The Act was introduced by the previous Government, and the procedure which is provided is that, where a person complains, the Commissioner for Equal Opportunity can take up the matter. If the complaint is made, it will be done.

The Hon. G. L. BRUCE: Is there any chance of the Government altering the Act so that it can implement its own investigations and inquiries, rather than having to wait for applicants to place their jobs on the line by making a complaint?

The Hon. J. C. BURDETT: That would be a departure from the present procedure, but it could be considered.

NARCOTICS

The Hon. J. E. DUNFORD: I seek leave to make a brief explanation before asking the Attorney-General a question on narcotics.

Leave granted.

The Hon. J. E. DUNFORD: I refer to an article in the *News* on 8 November. I would hope that this article would be untrue. However, it is in the public's interest that they know the truth of the matter. For some time rumours have had it that big business is behind the drug scene in Australia. I was approached on this matter after the article had appeared in the press. The article, headed "M.P's link to syndicate", states:

Several Queensland politicians were connected with people in a drug smuggling syndicate, a Federal narcotics agent claimed today. The agent said the politicians were named in top secret Narcotics Bureau files.

"We do not have actual files on the politicians, but they are mentioned on files as being connected with people in a drug organisation," the agent said. "The organisation is a syndicate importing dope."

The Federal Narcotics Bureau also had recently questioned a former top Queensland policeman. The agent said there was no doubt the former policeman was involved with the "Milligan group", which was named by New South Wales Royal Commissioner, Mr. Justice Woodward, as one of the six top drug syndicates.

The agent said: "We know he still has strong connections with senior police and they have helped certain members of that syndicate to get off charges that they should not have got off."

Silent phone numbers of top Queensland police were found at the former policeman's home. The agent said he and others in his department were worried about handing over files when the bureau joins the Federal police.

That has already been done. The report continues:

He said the confidential files containing potentially damaging information about politicians and police could be "lost" in the changeover.

"I would not like to see any of the files disappear," he said. The agent did not want to be named. A second agent said disbanding the Narcotics Bureau would mean "open slather" for people smuggling heroin into Australia. People "high in politics" in all States were involved in major drug-smuggling syndicates.

It seems that, if he mentions all States, he would be referring to South Australia.

The Hon. L. H. Davis: Which page is that on?

The Hon. J. E. DUNFORD: Read *Hansard*, and you will see it. You should be listening.

The PRESIDENT: Order! The Hon. Mr. Dunford has the call.

The Hon. L. H. Davis interjecting:

The PRESIDENT: Order! The Hon. Mr. Davis must desist.

The Hon. J. E. DUNFORD: Will the Attorney-General undertake the necessary investigations to ascertain the validity of statements by narcotic agents reported in the *News* of 8 November and bring back a reply as soon as possible?

The Hon. K. T. GRIFFIN: The area of responsibility to which the honourable member refers is that of the Chief Secretary. I will refer the question to him and endeavour to bring back a reply.

SMOKING

The Hon. BARBARA WIESE: Will the Minister of Community Welfare, representing the Minister of Health, obtain the following information from his colleague:

- (a) As a matter of high priority, will the Minister visit the Health Commission's Health Education Unit at Norwood to acquaint herself with the excellent anti-smoking programmes being conducted there?
- (b) In view of her stated intention to emphasise preventive health care, will the Minister, as a matter of urgency, increase funding to the Health Education Unit to enable its anti-smoking programme to continue and expand?

The Hon. J. C. BURDETT: I will refer the question to my colleague and obtain a reply.

S.G.I.C.

The Hon. N. K. FOSTER: I desire leave of the Council to make a statement prior to directing a question to the Attorney-General on the matter of the Government's boycotting the State Government Insurance Commission. Leave granted.

The Hon. N. K. FOSTER: We in this place have had the spectacle, if you will bear with me, Mr. President—

The PRESIDENT: I will, but the clock will not. I draw the honourable member's attention to the clock.

The Hon. N. K. FOSTER: I know that the clock will beat me. The Hon. Mr. Hill sacked people because he had not received an invitation to a chivoo at Campbelltown just before the State election. In view of the fact that the present Government saw fit to boycott the farewell party

for the General Manager of S.G.I.C. last Monday week, is this why the Government intends to do all it can to discredit the S.G.I.C. during the Government's short term of office?

The Hon. K. T. GRIFFIN: So far as I am aware, there has not been any indication that the Government is boycotting S.G.I.C. The matter comes under the Treasurer, and I will refer the question to him and bring back a reply.

Dr. DUNCAN

The Hon. C. J. SUMNER: Has the Attorney-General a reply to the question I asked about Dr. Duncan?

The Hon. K. T. GRIFFIN: The Government is not disposed to release the report or any part of it unless it can be persuaded there are substantial reasons for doing so that are in the public interest. It is understood that some Ministers of previous Governments have had access to the report and have concluded there has been no justification for its release.

LAW AND ORDER BOOKLET

The Hon. C. J. SUMNER: Has the Attorney-General a reply to my question about a law and order booklet?

The Hon. K. T. GRIFFIN: This booklet has been distributed to certain interested organisations as well as to those on the usual distribution list for crime statistics reports. I have also arranged for copies to be made available to all members of Parliament.

The PRESIDENT: Call on the business of the day.

The Hon. FRANK BLEVINS: I rise on a point of order, Mr. President. Would it be in order for the Attorney-General to move for an extension of Question Time sufficient for us to get the replies to questions that he has indicated he has, or perhaps to ask that replies be inserted in *Hansard* without being read?

The Hon. K. T. Griffin: We will incorporate them in the new year if requested.

The Hon. N. K. FOSTER: I take a point of order, and I seek guidance. I have five slips of paper, dealing with crime, Football Park, the research energy programme, on which questions were asked of the Attorney-General, another regarding a question asked of the Minister of Community Welfare—

The PRESIDENT: Order!

The Hon. N. K. FOSTER: There is also another one.

The PRESIDENT: Order! I am not interested in what the questions are. I should like to point out that there was plenty of time during Question Time, had it been used sensibly. Call on the business of the day.

PERSONAL EXPLANATION: MEMBER'S STATEMENT

The Hon. C. J. SUMNER (Leader of the Opposition): I seek leave to make a personal explanation.
Leave granted.

The Hon. C. J. SUMNER: I should like to make a correction to the *Hansard* report of the speech last Wednesday during the debate on the motion to appoint a Select Committee to investigate uranium mining. Unfortunately, I did not get the opportunity to correct it on the next day, so am not in any way trying to say that it is a mistake apart from my own. At page 777 of *Hansard*, my

speech should read, after the quote from the Flowers report and the words "indefinite future":

That inquiry indicated that it would be about two decades before a satisfactory method could be established. The Fox report says:

There is at present no generally accepted means by which high level waste can be permanently isolated from the environment and remain safe for very long periods. Mr. Justice Parker, in the Windscale inquiry in the United Kingdom last year, said:

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

The United States Congressional inquiry also last year said:

Yet, there is still no demonstrated technology for permanently and safely disposing of this waste.

Then my speech goes on, "As recently as last year there were still clear-cut statements", etc.

ART GALLERY ACT AMENDMENT BILL

The Hon. C. M. HILL (Minister of Local Government) obtained leave and introduced a Bill to amend the Art Gallery Act, 1939-1978. Read a first time.

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

That Standing Orders be so far suspended as to enable the Bill to pass through all its stages without delay.

The Hon. C. J. Sumner: No, the motion should refer to the second reading speech—the normal procedure. I would like to hear some reasons.

The Council divided on the motion:

Ayes (10)—The Hons. J. C. Burdett, J. A. Carnie, L. H. Davis, M. B. Dawkins, R. C. DeGaris, K. T. Griffin, C. M. Hill (teller), D. H. Laidlaw, K. L. Milne, and R. J. Ritson.

Noes (7)—The Hons. Frank Blevins, G. L. Bruce, B. A. Chatterton, C. W. Creedon, Anne Levy, C. J. Sumner (teller), and Barbara Wiese.

The PRESIDENT: There are 10 Ayes and 7 Noes. Standing Order No. 457 provides for an absolute majority of the whole number of members of the Council. Therefore, the motion is lost.

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

That this Bill be now read a second time.

Its objects are to increase the membership of the Art Gallery Board from seven to nine, and to provide for the appointment of a deputy chairman. In April of 1979, the Art Gallery Board requested that the Act be amended to provide for the appointment of a deputy chairman by the Governor. The need for an appropriate person who can act in the absence of the chairman has been perceived for some time, and the matter has become particularly urgent as the present chairman of the board will be overseas during 1980. It is also felt that the membership of the board should be increased so as to allow for a more diverse range of skills and expertise, particularly in the fields of business administration and finance. The majority of the interstate art gallery boards have nine or more members.

Clause 1 is formal. Clause 2 provides for the commencement of the Act on a day to be proclaimed. Clause 3 provides that the board is to be constituted of nine members. Clause 4 increases the quorum of the board from three members to five, in accordance with the current general practice. Clause 5 provides for the appointment by the Governor of a deputy chairman. Clause 6 provides that, in the absence of the chairman, the deputy chairman shall preside at any meeting of the board. In the absence of both the chairman and the deputy

chairman, the members present at the meeting shall elect one of their number to preside at the meeting.

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

REDCLIFF BOUNDARIES

The Hon. C. M. HILL (Minister of Local Government): I seek leave of the Council to amend the motion standing in my name on the Notice Paper. I believe the amended motion has been circulated to honourable members.

Leave granted.

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

That a Select Committee be appointed to prepare an address to His Excellency the Governor praying that—

1. The boundaries of the City of Port Augusta be altered to annex areas of the District Councils of Wilmington, Kanyaka-Quorn and Port Germein, and certain areas presently unincorporated to include the proposed Redcliff petro-chemical project, the airstrip, and the area on the western side of Spencer Gulf.
2. Any other consequential changes be made to the boundaries of adjoining or nearby local authorities.

In preparing the address the Select Committee should—

- (1) consider the impact of the proposed boundaries on the District Councils of Kanyaka-Quorn and Wilmington, and if it deems necessary recommend they be joined in full or in part with any other district councils, or each other;
- (2) take note of the report of the Local Government Advisory Commission (No. 28) 24 July 1979 on recommended boundary changes in the Port Augusta and Redcliff area; and
- (3) consider consequential changes to wards, employees of councils, the adjustment of assets and liabilities, and any other related matters deemed necessary by the Select Committee.

Motion carried.

The Council appointed a Select Committee consisting of the Hons. G. L. Bruce, J. A. Carnie, C. W. Creedon, J. E. Dunford, C. M. Hill, and R. J. Ritson; the quorum necessary to be present at all meetings to be four members; the Chairman to have a deliberative vote only; the committee to have power to send for persons, papers and records, and to adjourn from place to place; the committee to report on 12 February 1980.

DISTRICT COUNCIL OF BURRA BURRA (VESTING OF LAND) BILL

The Hon. C. M. HILL (Minister of Local Government): I move:

That Standing Orders be so far suspended as to enable the introduction of a Bill forthwith and its passage through all stages without delay.

A division on the motion was called for.

While the division bells were ringing:

The Hon. C. J. SUMNER (Leader of the Opposition): Mr. President, I seek leave to withdraw the call for a division.

Leave granted.

The Hon. C. J. SUMNER: I seek leave to make a personal explanation.

The PRESIDENT: All honourable members are becoming so cunning that they have confused not only themselves but also the Chair. The Minister of Local Government is about to move the suspension of Standing Orders.

The Hon. C. M. HILL: Mr. President, I have already moved that motion. Do you want me to start again?

The PRESIDENT: Yes.

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

That Standing Orders be so far suspended as to enable the introduction of a Bill forthwith and its passage through all stages without delay.

Motion carried.

The Hon. C. M. HILL obtained leave and introduced a Bill for an Act to vest certain land in the District Council of Burra Burra and for other related purposes. Read a first time.

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

That this Bill be now read a second time.

Its object is to vest in the District Council of Burra Burra certain land in the township of Burra presently held by the Lewis Trust Incorporated. This trust was established by the Hon. John Lewis in 1922, with the object that the land and premises in Paxton Square would be "forever used for the purpose of affording places of residence for such deserving persons as may from time to time be selected . . . by the . . . board of management of the said trust". The 33 cottages erected on the land are now of considerable historical interest and were some time ago declared to be historic relics under the Aboriginal and Historic Relics Preservation Act. Unfortunately, they are also in a state of considerable disrepair, and it is essential that renovations are carried out at the earliest opportunity.

The board of management of the Lewis Trust believes that the objects of the trust are no longer applicable and has accordingly requested the District Council of Burra Burra to take over the property. The council is willing to do so, provided the land is freed from the trusts, and it is the council's intention to restore the cottages and rent them out as accommodation for tourists to the district. In view of the fact that an application to the Supreme Court would be protracted, expensive and perhaps uncertain of outcome, the parties have sought legislation as a solution to the problem, on the basis of the precedents set by such Acts as the District Council of Lacepede (Vesting of Land) Act, 1976, the Old Angaston Cemetery (Vesting) Act, 1978, and the amendment to the Local Government Act in 1972 vesting Beaumont Common in the Burnside Council.

Clause 1 is formal. Clause 2 provides the necessary definitions. Clause 3 vests the land in Burra council for an estate in fee simple, freed from all existing trusts, mortgages or encumbrances. Clause 4 requires the Registrar-General to note in the register book the vesting effected by this Act. No registration fees or stamp duty are payable in relation to such notation.

Clause 5 empowers Burra council to deal with the land as it thinks fit. Clause 6 provides that the Burra council must discharge any liability that the Lewis Trust may have incurred prior to the commencement of this Act.

The Hon. C. J. SUMNER (Leader of the Opposition): This is a hybrid Bill and, therefore, under Standing Orders must be referred to a Select Committee. The Opposition has no objection to that course of action and will vote for the second reading of the Bill to enable it to be referred to a Select Committee for consideration. We will then consider whatever submissions are put to the Select Committee before determining finally our attitude to the Bill. However, at this stage we can see no objection to its proceeding.

I should perhaps use this opportunity to explain the position as I understood it when the Minister sought leave to introduce the Bill and to have it pass through its remaining stages without delay. To my way of thinking, that motion means that the second reading, Committee

stage (possibly including a Select Committee) and the third reading stage of the Bill could pass this Council today. Whether or not that is correct, this is certainly my understanding of the formulation of the Minister's motion to suspend Standing Orders to enable the Bill to pass through its remaining stages without delay.

The arrangement that I had with the Minister of Local Government on this matter was that the Opposition would facilitate the setting-up of a Select Committee on the Bill, and I should have thought that the suspension sought by the Minister would go that far and that far only. So, it was out of an excess of caution that I called for a division on the Minister's motion to suspend Standing Orders to enable the Bill to pass through its remaining stages without delay.

I discussed this matter with the Clerk, who said that in his view the suspension would cover placing the Bill before a Select Committee only. On that understanding, I withdrew my call for a division. However, I consider that the motion on the suspension of Standing Orders could be sufficiently broad in fact to enable the Bill to pass through its remaining stages without delay. I may be incorrect in that interpretation, and I will certainly examine Standing Orders a little more fully before making a final judgment on it. However, I repeat that I asked for the division because my arrangement with the Minister (an arrangement on which the Opposition is happy to co-operate with the Government) was to allow the Bill to be referred to a Select Committee. Accordingly, I support the second reading.

Bill read a second time and referred to a Select Committee consisting of the Hons. J. A. Carnie, J. E. Dunford, C. M. Hill, Anne Levy, R. J. Ritson, and Barbara Wiese; the quorum necessary to be present at all meetings to be four members; the Chairman to have a deliberative vote only; the committee to have power to send for persons, papers and records, and to adjourn from place to place; the committee to report on 12 February 1980.

CATTLE COMPENSATION ACT AMENDMENT BILL

Second reading.

The Hon. J. C. BURDETT (Minister of Community Welfare): I move:

That this Bill be now read a second time.

The national campaign to eradicate bovine tuberculosis and bovine brucellosis has pointed up the need to make amendments to the Cattle Compensation Act in a number of different areas. These may be summarised as follows:

- A. At present compensation is paid for cattle condemned for tuberculosis at routine slaughter, in addition to positive reactor cattle ordered for slaughter. It is understood that the provision was originally made in order to protect owners of infected properties from undue discounting of their cattle by meat operators. Now that freedom from tuberculosis has been achieved throughout most of the State, payment of compensation for such cattle is tending to deter owners of infected herds from fully co-operating with eradication procedures. It is therefore no longer desirable that compensation be paid for non-tested cattle condemned at slaughter.

- B. Unavoidable delay in preparation and processing of claims for compensation, particularly of brucellosis reactors, has caused financial

hardship to many cattle owners. It is desirable for payment of agreed market value to be made without delay from the fund. Subsequently, the residual meat value will be paid into the fund. Where residual value exceeds agreed market value, the excess will be paid to the owner.

- C. To expedite tuberculosis eradication in remote areas the use of trained lay personnel is necessary. Section 15a (1) precludes payment of compensation unless cattle have been tested by a registered veterinary surgeon. It is therefore desired that section 15a (1) be amended to allow for payment of compensation for cattle tested by lay personnel.

- D. Under the Act expenses incurred in the slaughter and disposal of animals may be reimbursed to the owner. There are circumstances where disposal of cattle by burial on contract is required. Where several owners are involved, division of costs is difficult. Authority is needed for the fund to pay the contractor direct.

Moreover, during the past year cattle prices have risen substantially. In view of the buoyant state of the fund, it is appropriate to increase the maximum compensation that may be paid in respect of any one animal or carcass. To allow for flexibility in the future, it is proposed that this maximum should be fixed by regulation. No regulation will be made without proper consultation with the industry.

Clauses 1 and 2 are formal. Clause 3 is a drafting amendment. It alters the definition of "carcass" to make it clear that it includes portion of a carcass where portion only of a carcass is condemned. This makes the wording of subsequent provisions less cumbersome. Clause 4 contains several amendments to section 5, which deals with compensation payable to owners of cattle. The first effects a minor amendment consequential on the amendments contained in clause 3, while the second provides that compensation shall not be payable where a carcass is condemned by reason of the fact that the animal was suffering from tuberculosis. The remaining two provide for amendments consequential on the amendments in clause 6.

Clause 5 sets out a minor amendment to section 6 of the principal Act consequential on the amendment in clause 3. Clauses 6 and 8 establish the new system for paying compensation in respect of cattle destroyed or carcasses condemned. The owner will receive the assessed market value of the cattle (subject to the statutory maximum) but will assign his rights to the carcass and hide. If the owner objects to an assessment of market value, he has a right of appeal to the Minister. If the residual value of the animal exceeds the assessed market value (or the statutory maximum) the balance will be paid to the owner.

Clauses 7 and 9 effect amendments to sections 8 and 10, respectively, of the principal Act, consequential on the amendment in clause 3. Clause 10 removes the requirement that a person testing for tuberculosis must be a veterinary surgeon. Clause 11 provides for an amendment to section 16 of the principal Act consequential on the amendment in clause 3, and clause 12 empowers the chief inspector to authorise a payment from the fund covering the cost of destroying diseased cattle.

The Hon. B. A. CHATTERTON: I support the Bill, which makes a number of quite small but important changes to the Act. Indeed, they are quite important changes as far as the cattle producers in this State are

concerned. The first of the amendments seems somewhat paradoxical, in that the removal of routine compensation for tuberculosis will actually improve the situation in eradicating that disease. Having discussed the matter with the veterinary officers who are concerned with the eradication campaign, I am convinced that the payment of compensation on a routine basis is impeding the final eradication of tuberculosis, because it encourages or allows people not to bother about testing their herds. Under the Bill, compensation will be paid only for tested cattle; this will encourage people to test their cattle and will thereby hasten the eradication of tuberculosis.

The new system suggested under the Bill for the payment of compensation will certainly be supported by all cattle producers in this State. There have been some unavoidable delays, in spite of the efforts of the Department of Agriculture in speeding up and processing accounts for compensation for tuberculosis reactors. These delays have come about because of the system that has operated until now. This new system, which will allow quicker payment and the finalisation of accounts, will be applauded by all cattle producers in this State.

The use of trained lay personnel is very necessary, particularly in the more remote parts of the State, and it is supported by all producers. I think it has been discussed with the Veterinary Association, which supports its use in this case. Fluctuating cattle prices make the payment of compensation by regulation a very sensible alteration to the Act, because it has been difficult to change the level of compensation quickly enough to adjust to the various changes in cattle prices.

A number of cattle producers in recent months have been quite severely disadvantaged because the level of compensation has not adequately reflected the market price. It is a wise move to put the level of compensation payable under the Act under regulation so that it can be adjusted regularly to make sure that cattle producers in this State receive a fair level of compensation. They are the major matters covered by this Bill, involving relatively small amendments to the Act but amendments that are quite important to the cattle industry. I support the second reading.

The Hon. M. B. DAWKINS: I support the Bill. The Cattle Compensation Act has been a very valuable Act over the past 40 years. It is a most necessary piece of legislation in this State. This Bill makes a number of necessary alterations to the legislation, particularly to compensation and one or two other matters as well. The honourable member who has just resumed his seat referred to the tuberculosis problem. He also referred to the following comment made by the Minister of Agriculture in another place:

Now that freedom from tuberculosis has been achieved throughout most of the State, payment of compensation for such cattle is tending to deter owners of infected herds from fully co-operating with eradication procedures. It is therefore no longer desirable that compensation be paid for non-tested cattle condemned at slaughter.

I would be happy to agree with that statement if such freedom had been achieved throughout the whole of the State. I take note of the comments of the Hon. Mr. Chatterton and hope that he is right when he says that the reasons for doing away with this payment for T.B. infected cattle will hasten the eradication of tuberculosis in the further-out regions of the State. However, I still have some queries about that matter. The Minister also referred to the fact that during the past year cattle prices have risen substantially and that an increase in compensation should

be made. I agree with that. The Minister went on to say that no regulations would be made without proper consultation with the industry. The Minister confirmed that by saying:

I place on record that it is the Government's intention to consult with the industry before bringing before the House any regulations to change the maximum compensation figure in the future.

Generally, I support the Bill. However, there are one or two matters that I wish to bring to the notice of the Council. I query the amendment in clause 4 to section 5 of the principal Act. Clause 4 (d) provides:

by inserting after subsection (2) the following subsection:

(2a) If cattle to which a notice under subsection (2) of this section relates are not destroyed at abattoirs designated in the notice, the Minister may reduce the compensation payable under this Act in respect of the cattle by such amount as he thinks fit.

That is a fairly wide provision and I query it. Why should a beast destroyed under the direction of an inspector attract less compensation than if it were killed at a designated abattoir? During a period of drought or any other period when there is a reason for depressed prices, the amount involved, where a beast has to be sent to an abattoir some considerable distance away, might not even meet the freight costs to such designated abattoir. Will the Minister say why that new subsection is inserted and indicate in what way it is intended to be carried out? As it is a fairly wide-open provision, will the Minister indicate the machinery by which it is intended to operate? I have already referred to the regulation which, if this Bill passes, will be introduced. The figure of \$200 in section 7 of the principal Act will be replaced by "the prescribed amount", and I support the amendment.

As the Minister underlined in his second reading explanation in the other place, he will consult the industry. With those queries, I support the legislation and hope the Minister will be able to answer these questions.

The Hon. R. C. DeGARIS: I, too, support the second reading but I will raise some queries, as the Hon. Mr. Dawkins has done. The first Cattle Compensation Act, from memory, was introduced in 1939. The scheme then implemented the idea that stamp duty was payable on the sale of any cattle, and that money was paid into a fund to compensate for any cattle or carcasses that had to be destroyed because of disease. That fund built up to a large sum over the years. We all remember that the fund was virtually used to help to pay for the brucellosis and tuberculosis campaign.

The Hon. N. K. Foster: I am pleased you said "help".

The Hon. R. C. DeGARIS: I did say that. That campaign was undertaken by this Government, with assistance from the Commonwealth. I always have had grave doubts about the correctness of using that money for that purpose. I understand that the fund did not accrue any interest but, when it was used in the brucellosis and tuberculosis campaign, the Government had to pay into the compensation fund and interest was payable on that money, to bring it out of the red.

The Hon. N. K. Foster: What is the state of that fund now? Isn't it about \$1 000 000 in credit and not being used for the purpose for which it was intended?

The Hon. R. C. DeGARIS: If that is correct, the right thing to do was to reduce that stamp duty on cattle sold. It is an insurance fund that has been paid by owners of cattle to compensate them for loss of carcasses because of certain diseases. My first comment on the Bill refers to the fact that compensation will not be paid for tuberculosis where

the animal has not been tested. If an animal is bought, probably by a butcher, sent to the abattoir, and slaughtered, and found to have tuberculosis, the butcher receives no compensation.

I realise that the Government is introducing this measure to ensure that people who own cattle have them tested for tuberculosis. What concerns me is the case I have mentioned of a butcher buying stock in the market and sending it to the abattoir, where it is condemned because it has tuberculosis. No compensation is payable to the butcher, and that may have ramifications extending beyond what the Government has considered in regard to this legislation.

If the tuberculosis campaign has been as successful as the Government claims, few cattle purchased in the sale rings will be tested for tuberculosis, so the run on this fund will be small. The Government hopes that the buyers in the market will discount cattle that have not been so tested, thus forcing the whole rural sector into the question of tuberculosis testing.

I have doubts about the measure, but the compensation fund has already been used for eradication, and the tuberculosis campaign has been singularly successful. The number of cattle for which compensation will be paid will mean payout of a limited amount. I believe it would be better to leave things alone at this stage.

The reason why only tuberculosis, and not brucellosis, has been excluded is that brucellosis can be detected only by blood test, not by slaughter. Therefore, only tuberculosis comes into this. I believe that there is an anomaly there regarding the disease.

I refer now to another matter which has been raised by the Hon. Mr. Dawkins and which I believe needs to be corrected. Clause 4 provides:

If cattle to which a notice under subsection (2) of this section relates are not destroyed at abattoirs designated in the notice, the Minister may reduce the compensation payable under this Act in respect of the cattle by such amount as he thinks fit.

As I see the position, the Minister would require this power so that he could reduce the compensation payable where, say, a bullock on the Northern Territory border was ordered to be slaughtered. Adelaide abattoir prices could be paid for compensation for that bullock. That is the only case I can see where the Minister would want the right to reduce the compensation payable, and I believe that the Minister's power should be restricted to that particular case. In other words, the compensation payable should be the amount that the beast is worth at the point where it is.

For example, if a farmer at Two Wells had a bullock, he would be paid compensation, less, say, \$10 as the cost of cartage to Adelaide. If the bullock was on Eyre Peninsula, it might cost \$30 or \$40 to get it to the abattoir. The amount should be the price at the abattoir less cartage to get it there. I think that is the only instance where the Minister should exercise his prerogative in reducing compensation. To leave the provision wide open means that he may reduce compensation by such amounts as he sees fit, and I think that that is going too far. I should like that provision spelt out so that the Minister will know exactly what are his powers regarding varying compensation payable and where he can vary the compensation.

Another point is that we are moving to regulation of the prescribed amount, instead of having the \$200 that is in the existing legislation. I do not object to this form of legislation, where we have varying prices for stock. Cattle prices have varied tremendously in the past three years, and the only way that the matter can be handled satisfactorily is by having regulatory power regarding the

compensation available. I agree with that change. The last matter about which I have doubts is one that I thought the Hon. Dr. Cornwall might have spoken on. However, he seemed happy about it.

The Hon. J. R. Cornwall: I do not go outside my shadow portfolio, or I do so rarely.

The Hon. R. C. DeGARIS: I had not noticed that during Question Time in the past two weeks. The matter to which I refer is that the inspector is given the powers that previously were given to veterinary surgeons. I think, with the brucellosis campaign at present, that is reasonable, and I raise no objection. I should like comments from the Minister on the non-payment of compensation for tuberculosis and also on the very wide powers given to the Minister to reduce compensation. I believe that his powers should be spelt out exactly.

The Hon. N. K. FOSTER: I rise to support the Bill and to comment specifically about the diseases covered by it. Apart from tuberculosis, the Hon. Mr. DeGaris referred to brucellosis, which is the worse of those two evils. Regarding compensation to cattle producers, I believe that the Legislature has not really examined the problems associated with disease in the industry as it affects people.

Most States are completely out of step with the rights of workers who get Q fever from handling cattle with a number of diseases. Brucellosis and other diseases are feared by most abattoir workers. As in most other States, a problem exists in South Australia where, although many employees work under Federal awards and are covered in the event of their catching such a disease, workers residing in a State and employed under a State award but working in the same area are not compensated in the same way as are workers employed by the Commonwealth Department for Primary Industry.

If an inspector employed by the Federal Department for Primary Industry falls ill to such a disease, he is adequately compensated, but a person working in a South Australian abattoir who is not employed by the Commonwealth is denied similar benefits and has to run the gauntlet in respect of his doctor's opinion. With Q fever and other diseases, a worker can feel as strong as a bull while in the surgery, yet within a few hours, even after being keen to return to work, he has had it.

Dealing with eradication, the swiftness with which the Government has introduced this measure and its virtual closing down of this place today has denied me the time I would have liked to become acquainted with the debate that took place a few weeks ago in the Federal Parliament, where much was said about the eradication programme that has been referred to this afternoon. My attention has been drawn to the disparity between the sum levied from producers and the sum actually spent by the Federal department in seeking to eradicate such diseases. That situation is a rip-off.

Although producers are now buoyant, I would not be all that confident if I were a producer having to rely on Japanese and American markets. I refer to the Cattlemen's Union and the work of Barry Cassell, although little is heard of it today because of changes in the industry. I remember the words of Black Jack McEwen, who said producers should either, "Get back, get out, get going into beef, or starve," or something to that effect. Many producers went into cattle and phased out sheep, with disastrous results. They looked through rose-coloured glasses at both Japanese and American markets.

An examination should be made by the South Australian Department of Agriculture of the funding of eradication programmes within the cattle industry to

obtain an understanding of the way in which funds are collected and invested in order to determine the return through the investment. It should determine what percentage of the funds collected is ploughed back into the industry to provide for compensation payments to cattle producers, growers, auctioneers, and racketeers (they do exist in the industry) to ensure that value for the dollar is given to those entitled to it.

Honourable members should forget the Government's cry of value for dollar in the health field. How can one say that there will be health value for the health dollar when it is expended on such areas as maternity, pathology, and terminally-ill patients dying of cancer and the like? That stupid phrase was quoted by Mrs. Adamson merely because she thought it would attract attention to some of her policies. She is strong on publicity but negative on other matters. There should be value for dollar in the area covered by this Bill.

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

WHEAT INDUSTRY STABILISATION ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 8 November. Page 855.)

The Hon. M. B. DAWKINS: I support the Bill, which is most necessary so that the wheat stabilisation scheme, which has generally been so successful, may continue to be effective. We must ensure that the Commonwealth-State marketing scheme can still operate without interruption. This Bill is necessary because of the Commonwealth's intention to alter the Wheat Stabilisation Industry Act of 1974. If it is desirable or essential that the State make complementary changes to its legislation during the Christmas recess, the Bill enables this to be done, in the short term, by regulation. I take the Hon. Mr. Chatterton's point about regulations and that we, as the then Opposition, complained consistently about too many actions being done, or being enabled to be done, by regulation.

Whilst I complain not so much about action by regulation as I do about action by proclamation, I still believe that the Government can do too many acts by regulation. I assure the honourable member that this will still be my attitude, and I will complain if the Government wants to do too much in that manner. I take the further point raised by the Hon. Mr. Chatterton that, as ironic as it may appear to him, because he was unhappy about the aspect dealing with regulations, he could not see any other way of overcoming the present difficulty. Unaccustomed as I am to agreeing with the honourable member, I do agree that there is no other way to deal with this problem in the short term. The wheat industry is most important to Australia and must be preserved without the chaos and uncertainty that could occur, at least temporarily, if this legislation is not passed. It is intended to make a first payment of \$75 a tonne to wheat farmers who deliver their crop in the relatively near future, and that a further payment will in due course be made to complete the normal first advance to growers.

Any regulations made under this Bill will, as the Minister said, have no effect after the end of March 1980. Therefore, it is an interim measure that will take care of the situation until the February and March sittings of Parliament, when the necessary alterations in line with the new Commonwealth legislation can be confirmed. I support the Bill.

The Hon. J. C. BURDETT (Minister of Community Welfare): I thank honourable members for their contributions to this debate.

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

PYAP IRRIGATION TRUST ACT AMENDMENT BILL

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

The Hon. C. M. HILL (Minister of Local Government): I move:

That this Bill be now read a second time.

Approval has been given to provide a \$94 000 grant and a \$40 000 loan to the Pyap Irrigation Trust to enable the replacement of existing open earth channels with a closed pipe system in lands under the trust's control. To make funds available, it is necessary under the Public Finance Act for the department or authority to which finance is to be made available to have in its special Act a clause providing specific power to borrow or accept grants from the Treasurer. At present, no such power exists under the Pyap Irrigation Trust Act and, before the approved funds can be appropriated, it is necessary to amend the Act. The present Bill contains the necessary amendments.

Clause 1 is formal. Clause 2 inserts new provisions into the principal Act empowering the Treasurer to make grants or loans to the trust. The Treasurer may also guarantee loans obtained by the trust from other sources.

The Hon. B. A. CHATTERTON: I support the Bill, which was referred to a Select Committee in another place. It is necessary for money to be made available to the Pyap Irrigation Trust so that the continuing job of upgrading the earthen channels to a closed pipe system can take place. This important work has been going on throughout the Riverland area in an attempt to assist the growers in that area to control the problems of salinity, because for a long time the earthen channels have caused water to leak into the underground water table, thereby raising it and causing a great deal of salting in a lot of the land.

The conversion of the earthen channels to a closed pipe system is a very important part of an overall programme to try to control salinity in the Riverland area, because it will also mean that water will be available to growers on demand, enabling them to use other systems of irrigation that are more suitable for the distribution of water evenly over the ground. Things like drip irrigation, and so on, will be able to be used, whereas open channels usually require a periodic irrigation over quite large distances, making it impossible to use the drip irrigation system. Water supply on demand is required with drip irrigation, so this Bill will enable the Pyap trust to carry out this very necessary upgrading. I support the Bill.

The Hon. M. B. DAWKINS: I, too, support the Bill. As I indicated in my Address in Reply speech, I am pleased to see that this Bill has been introduced, because I had some connection with the Pyap Irrigation Trust very early in my Parliamentary career. I am very pleased indeed to see that the Government is to assist the Pyap Irrigation Trust with a \$94 000 grant and a \$40 000 loan. The Pyap Irrigation Trust, as I understand it, was established in the 1890's. It may have been appropriate for the Hon. Mr. DeGaris to speak on this short Bill, because his family was instrumental in the commencement of the Pyap Irrigation

Trust. I am quite sure that the replacement of the out-of-date channels by a closed system is necessary and that the upgrading is desirable. I support the Bill.

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

[Sitting suspended from 4.32 to 8.15 p.m.]

CATTLE COMPENSATION ACT AMENDMENT BILL

Adjourned debate on second reading (resumed on motion).

(Continued from page 900.)

The Hon. J. C. BURDETT (Minister of Community Welfare): I thank honourable members for their contribution to this debate. The Government is prepared to cater for the two objections raised by the Hon. Mr. DeGaris and the Hon. Mr. Dawkins. The Hon. Mr. DeGaris objected to clause 4 (b), which sought to insert after "because of disease" the passage "(not being tuberculosis)". He made the point that this could disadvantage, for example, an innocent butcher who purchased diseased cattle.

I have placed on file two separate amendments, one of which will delete clause 4 (b). The Government is willing, for the time being, to accept that course of action and to consider the matter further. The Hon. Mr. DeGaris and the Hon. Mr. Dawkins also raised some objection regarding proposed new section 5 (2a), on the ground that it conferred too wide a discretion on the Minister. Obviously, there must be some sanction against an owner of cattle who refuses to take cattle to designated abattoirs for destruction. The practical result of such a refusal would be that the cattle would have to be destroyed on the farm. This would in some cases greatly reduce the residual value of the carcass and, under the new system proposed by the Bill, the fund would suffer a consequential reduction of income. In order to overcome the objection to the wide Ministerial discretion envisaged by the Bill as it stands, the amendment proposes a criminal, rather than an administrative, sanction. Thus, it will be an offence under the amendment to refuse to comply with a reasonable direction by an inspector to take cattle to designated abattoirs for destruction. However, it will be a defence to a charge under the new provision if the defendant can prove that the inspector's direction was not reasonable in the circumstances.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Interpretation."

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

Page 1—

Line 11—After "amended" insert "(a)"

After line 14—Insert paragraph as follows:

and

(b) by striking out from subsection (1) the definition of "market value" and insert in lieu thereof the following definition:

"market value" of cattle means the value of the cattle calculated as if—

(a) the cattle were free from disease; and

(b) the cattle were sold and delivered to the purchaser—

(i) at the place where the cattle were when ordered to be destroyed or when consent for their destruction was given; or

(ii) where the cattle are taken by and at the expense of the owner of the cattle to abattoirs designated by the chief inspector or an inspector when ordering or consenting to their destruction—at the abattoirs where the cattle were destroyed.

The purpose of this amendment is to provide a new definition of "market value", which is designed to bring the present definition into conformity with what is, in fact, the current practice. Where cattle are destroyed on the farm on which they are condemned, their market value should, as the present definition suggests, be calculated on the basis of a hypothetical sale of healthy cattle to a purchaser who accepts delivery on the farm. If, however, the owner is required to take the cattle to designated abattoirs for destruction, the hypothetical "market value" should obviously reflect the expense of transporting the cattle to the abattoirs. The present definition does not provide for this; hence an expanded definition is inserted which will mean that enhancements of value resulting from transportation of cattle to abattoirs will be reflected in the compensation payable under the principal Act.

The Hon. R. C. DeGARIS: I thank the Minister for his co-operation in working on this amendment. It was discovered in discussions with the Minister that a certain practice that had been undertaken by the department was not covered by the Act. This amendment corrects that anomaly. Also, it has a direct application to the amendments in clause 4. In future, the market value will be paid for cattle ordered to be slaughtered at their value in the situation in which they are located when the order is given.

Amendment carried; clause as amended passed.

Clause 4—"Compensation payable to owners of cattle."

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

Page 1—

Lines 18 and 19—Leave out paragraph (b).

Lines 20 to 25,

Page 2—

Lines 1 and 2—Leave out paragraphs (c) and (d) and insert paragraph as follows:

and

(c) by striking out subsection (2) and inserting in lieu thereof the following subsections:

(2) Where the chief inspector or an inspector orders or consents to the destruction of cattle in the circumstances referred to in subsection (1) (a) or (1) (c) of this section, he may, by notice in writing given to the owner of the cattle, direct that the cattle be taken by the owner to abattoirs designated in the notice so that they may be destroyed at those abattoirs.

(2a) If the owner of cattle fails to comply with a direction under subsection (2) of this section, he shall be guilty of an offence and liable to a penalty not exceeding two hundred dollars.

(2b) It shall be a defence to a charge of an offence against subsection (2a) of this section for the defendant to prove that the direction to which the charge relates was not reasonable in the circumstances.

As I said when replying to the second reading debate, the first part of the amendment removes the objection raised by the Hon. Mr. DeGaris to the exception of tuberculosis that was provided in the Bill as first presented.

Regarding the second amendment, the Hon. Mr. Dawkins and the Hon. Mr. DeGaris referred to the Minister's wide discretion in reducing the amount of

compensation payable. It was a wide discretion that was intended to cover a situation where stock was moved or where extra expense was incurred. It is proposed instead to delete proposed new subsection (2a) and to create an offence, as there ought to be some control when a direction is given by an inspector.

So, the new subsection provides that, where a direction is given, non-compliance shall be an offence, with a penalty applying similar to the standard penalty in the rest of the Act. However, there shall be a defence if the person charged can show that the Minister's direction was not reasonable in the circumstances.

The Hon. M. B. DAWKINS: I express my appreciation for the consideration that the Minister has given to this matter. As the Minister said, the amendments involve two different matters. I expressed doubt about inserting in the provision the passage "(not being tuberculosis)". The Minister said that tuberculosis control had been achieved in most of the State but, as I said, it had not been achieved throughout the State. I express appreciation also because the Minister has overcome my objections to proposed new subsection (2a). I support the amendments.

The Hon. R. C. DeGARIS: The problem regarding the first amendment is that, as the Council is rising this evening, it is difficult to obtain an opinion from the industry regarding the effects of the amendment.

The Hon. C. J. Sumner: We shouldn't be getting up tonight. You could get the Government to keep sitting.

The Hon. R. C. DeGARIS: I am happy to accept this compromise. The method proposed in the Bill is that the Cattle Compensation Act is being used as a lever to force T.B. testing in areas where there is still a T.B. problem. That may be the only method that can be adopted. At this stage I believe that greater thought should be given to the proposal. I am somewhat concerned about the fact that the Cattle Compensation Act is being used in that way. I am informed that some other State or States have already made a move in this direction. At this stage I believe that it is correct that the subclause should be deleted. If the correct approach is along these lines the Bill can come back in the autumn and be passed. We should give careful consideration to whether or not we should use the Cattle Compensation Act as a lever to force T.B. testing, particularly in the North of the State.

The second amendment is related to the first amendment. There is a redefinition of "market value". Where an order is given for the destruction of cattle, an order is given that the cattle must be taken to a designated abattoirs. The owner must deliver the cattle there, but he will still get the compensation at market value on his property. If the owner then refuses to do it, he commits an offence. The defence to that charge is that the direction of the inspector was not reasonable in the circumstances. That puts the matter quite clearly and fairly. I support the amendments.

Amendments carried; clause as amended passed.

Remaining clauses (5 to 12) and title passed.

Bill read a third time and passed.

Later:

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

CONSUMER TRANSACTIONS ACT AMENDMENT BILL

Returned from the House of Assembly without amendment.

CONSTITUTIONAL POWERS (COASTAL WATERS) BILL

Returned from the House of Assembly without amendment.

ART GALLERY ACT AMENDMENT BILL

Adjourned debate on second reading (resumed on motion).

(Continued from page 896.)

The Hon. C. J. SUMNER: The Opposition has a different approach to this Bill, depending on which portion we are looking at. The first is the legislative sanction of the appointment of a Deputy Chairman. Apparently, nothing in the principal Act at the moment gives authority by legislation for a Deputy Chairman to be appointed. I understand that the position is that the Chairman is due to be overseas for most of next year and that the board wishes to appoint someone to act in his stead during next year. It is probable that the board could do that on an informal basis in any event. However, there is certainly no objection to providing in the Statute for the appointment of a Deputy Chairman to cover the eventuality of the Chairman's being absent. I understand that the Art Gallery Board would like this amendment to ensure that, from a legal viewpoint, the appointment of a Deputy Chairman is beyond doubt. On this issue we have no disagreement with the Government's proposal.

The second main aspect of the Bill is the proposal to expand the membership of the board from seven members to nine members, and upon this point we do have objection. We do not necessarily disagree with the expansion of the board to nine members, that is, by two additional members. What we say is that one of those members ought to be an employee representative from the Art Gallery. Although the Government, since its election, has adopted a different approach to employee participation on boards such as the Art Gallery Board, the Opposition, while in Government, adopted a consistent approach of attempting, where possible, to provide that there ought to be employee representation. By that we do not just mean the Director or the executive head of a statutory corporation or board. The Director of the Art Gallery, at the present time, is a member of the board. We believe that employee participation should go further than that and provide for a rank-and-file worker—someone who is involved in the everyday work of the Art Gallery—to be given a position on the Art Gallery Board. I understand that that was the approach adopted by the previous Government until its defeat on 15 September; the previous Government did what it could to foster within the Art Gallery, and put to the board, the proposition that there ought to be an employee representative.

The proposal in this Bill states simply that there should be two additional members—an increase from seven to nine. No qualifications are placed on who those additional members should be. We believe that one of those additional members should be an employee representative. Our approach, while in Government, was that we would not take up the position of one of the existing members of the board; that is, we would not just stick with the seven members and make one of those seven an employee representative in addition to the Director—the employee representative should be in addition to the seven who now constitute the board.

Now the Government is bringing forward this Bill, which increases the size of the board beyond seven, and we take the view that one member, in accordance with the

position we have consistently adopted in the past few years, should be an employee representative. That is where we disagree with the Government's proposition.

We are happy to facilitate passage of the Bill in so far as it deals with the appointment of the Deputy Chairman. On the other hand, we are not prepared to facilitate passage so far as the measure deals with the increase in the size of the board. Earlier there was a division on the question of whether we would be prepared to agree to the suspension of Standing Orders to enable this Bill as a whole to pass its remaining stages without delay. I took objection to that motion, because we had had no notice of the contents of the Bill.

The Hon. Mr. Hill spoke to me this morning and gave me a broad outline of the two proposals that I have mentioned. We are perfectly happy, on issues that are not controversial or not complicated, to agree to the passage of legislation through the Council without delay. Accordingly, we raise no objection to passage without delay of the part of the Bill that deals with the Deputy Chairman, because we see that as a matter of urgency and not one about which we would want to detain the Council.

On the other hand, the other matter is one of principle that ought to be debated fully, at least in the Committee stage, where there ought to be amendments. For that reason, we were not prepared to grant a suspension of Standing Orders to enable the whole Bill to pass through its remaining stages without delay. I believe that that attitude is reasonable, given that no notice earlier than this morning had been given about the measure and that the normal procedure is for a Bill to be introduced, Standing Orders suspended to allow the Minister to give the second reading explanation, and then the debate adjourned to allow members to consider it.

We could not see any reason, on the second part of the Bill, which involved the increase in the size of the board, why that procedure should not be followed. For that reason, we objected to the suspension of Standing Orders. I believe it is a reasonable position for the Opposition to have taken. I emphasise that we are perfectly happy to co-operate on matters of urgency or of pure formality, but the increase in the size of the board did not fall into those categories.

Accordingly, we would be happy if the Bill was divided and the part dealing with the Deputy Chairman sent to the House of Assembly without delay tonight and dealt with there, but we would not be prepared for this to happen with the other part of the measure.

While speaking about Standing Orders, I mention that it is also true that earlier this afternoon there was a problem in relation to suspension of Standing Orders on the District Council of Burra Burra (Vesting of Land) Bill. The Minister in charge of that Bill also wanted a suspension of Standing Orders to enable it to pass through its remaining stages without delay. I objected to that suspension because I thought it went beyond the suspension required to enable the Bill to be referred to a Select Committee, which we were perfectly happy to have happen. I called for a division on that suspension and, after discussion of the matter, withdrew the call.

However, having considered the matter more closely, I believe that I was right in calling for the division, because the motion for suspension of Standing Orders went beyond what was required to enable the Bill to be placed before a Select Committee. The motion moved by the Minister would have removed all barriers to the Bill being passed through all stages tonight. The requirement that a Bill should be referred to a Select Committee because it is a hybrid Bill could have been negated by a suspension of Standing Orders to enable the Bill to pass all stages

without delay; that is, it went beyond the suspension of Standing Orders that required the Bill to be referred to a Select Committee.

I do not raise any great point about this, because there was an understanding between the Hon. Mr. Hill and me that the matter would go to a Select Committee. Nevertheless, there was a request for suspension that went beyond what was required. I was persuaded to withdraw my call for a division. However, on reflection, I believe that the call was correct and that a suspension of Standing Orders ought to have been sought to enable passage up to the point agreed between the Parties. We are not happy to permit passage of the provision that increases the size of the board from seven to nine. The Opposition supports the second reading to enable the measure to be split so that one part may be sent to the House of Assembly and the other reserved in this Council until next session for further debate and possible amendment.

The PRESIDENT: I point out to the Hon. Mr. Sumner that, regardless of the technicality he has raised, there was no doubt in my mind that that was a hybrid Bill and, as such, would have gone to a Select Committee regardless of his opinion on the matter.

The Hon. C. M. HILL (Minister of Local Government): I thank the Leader for his comments and for the degree of support he has given the measure. I should point out that it is not uncommon, in the dying stages of sessions of Parliament, for Ministers to have what they consider relatively simple measures passed without a great deal of notice being given.

That has happened in almost every session that we have had. This is a simple measure, and that is why I gave some advance notice to the Leader. I thought that the Bill could have been passed today. What was a simple measure in my eyes was not a simple measure in the eyes of the Opposition, because it has raised an aspect that had not occurred to me; that is, the Opposition's attitude to worker participation.

I would have thought after the defeat of the former Government that the Opposition's policy on worker participation would be one of the policies that it wanted to review in much detail if it wished to regain some favour with the public. It is obvious from the manner in which the Opposition has raised worker participation in this debate that it is still hell bent on proceeding with worker participation in South Australia and that it has not yet changed its view at all.

The Hon. Anne Levy: You supported worker participation in the university legislation. What's the difference between that and the Art Gallery Bill?

The Hon. C. M. HILL: There is a difference between employee participation as laid out in the Liberal Party policy and the old worker participation which was practised by the previous Government when it was in office.

The Hon. Anne Levy: You supported it in the university legislation.

The Hon. C. M. HILL: I support some employee participation. I support the principles of employee participation, but it is in regard to this Bill that the Opposition has said it wants to proceed with its old established policy of worker participation regarding the Art Gallery Board.

The Hon. Anne Levy: Will you amend the university legislation to take it out?

The Hon. C. M. HILL: I do not intend to make any changes to that legislation regarding employee participation. I thank the Opposition for its support for the first point in the Bill concerning the Deputy Chairman of the

Board. I will seek to split this Bill so that the second point, involving the increased number of members of the Art Gallery Board from seven to nine, can be held over until we meet again in February, when Parliament can further debate this matter and the Opposition will have plenty of time in which to do all its research and bring down all its principles on worker participation to both Parliament and the public.

Bill read a second time.

The Hon. C. M. HILL (Minister of Local Government): I move:

That Standing Orders be so far suspended as to enable me to move an instruction without notice.

Motion carried.

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

That it be an instruction to the Committee of the Whole on the Bill that it have power to divide the Bill into two Bills, one Bill comprising clauses Nos. 1, 5 and 6, and the other to comprise clauses 2, 3 and 4, and that it be an instruction to the Committee of the Whole on the No. 2 Bill that it have power to insert the words of enactment.

Motion carried.

In Committee.

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

That according to instruction the Bill be divided into two Bills, the first to be referred to as the Art Gallery Act Amendment Bill, 1979, to comprise clauses 1, 5 and 6, and the second to be referred to as the Art Gallery Act Amendment Bill (No. 2), 1979, and to comprise clauses 2, 3 and 4.

The Hon. C. J. SUMNER: I am happy to support this motion, because it gives effect to the comment I made during the second reading debate. In his reply to that debate the Minister said that it was usual for there to be some Bills presented to this Chamber in the dying stages of a session (the last day of a session or of a sitting before a recess) that are dealt with expeditiously and passed through all stages. True, that happens on such occasions. The Opposition would be happy to facilitate that course when there is a genuinely urgent measure or, alternatively, a measure that is merely one of formality.

However, the Committee should remember that this position results from the Government's not wishing to continue this session despite the commitments made last week. No doubt when the Hon. Mr. Hill gave notice of motion last week he fully expected that the Council would be sitting this week and that we would be able to debate the Bill, pass it through its various stages in the normal way and send it to another place. The Committee must remember that the precipitate decision of the Government that Parliament should not sit beyond today, after only four weeks of sitting in this Budget session and six weeks before Christmas, has caused this position, which is why the Hon. Mr. Hill finds himself in this dilemma.

The Opposition is happy to co-operate with the Government to suspend Standing Orders for genuine matters of urgency or for purely formal matters but, where matters of principle are involved, as the Hon. Mr. Hill has acknowledged, the normal procedures of the Council are to be followed.

The Hon. M. B. CAMERON: I am amazed to hear the Leader of the Opposition complaining about the lack of notice on this Bill, about the Parliament's getting up after what he termed a relatively short time, and about matters on the Notice Paper. I refer him to the Notice Paper of the last day of the previous session at this time of the year when we must have had 30 or 40 Bills to pass in one night. I draw that situation to the attention of the Leader. The Minister of Local Government was reasonable in his

request this afternoon, and I hope that the Opposition is not going to continue to complain about what is on the Notice Paper at the end of the session.

The Hon. C. M. HILL: In answer to the Hon. Mr. Sumner I want to say that I am not in any dilemma whatsoever. Today I introduced an extremely simple Bill, including two very simple changes affecting the Art Gallery and the Art Gallery Board. I would have thought that Parliament would pass the measure with a minimum of debate in an extremely short time. However, that was not to occur because, as I have said, the Opposition raised the question of worker participation. The Opposition was not willing to proceed to debate this matter today, although we certainly have time to do so, because it is not yet 9 p.m., and I think that this is the last item on the Notice Paper. The Opposition was not afraid to delay this matter, because it knew it had the numbers. For the first time this session, the Opposition used its tactic of refusing the suspension of Standing Orders.

The Hon. C. J. Sumner: No.

The Hon. C. M. HILL: Yes, it did, and it used that weapon because it knew that it was the only weapon it had at its disposal. The Opposition was not prepared to debate the measure and take its chances in either winning its point or suffering defeat.

The Hon. Anne Levy: You did not stick to your agreement.

The Hon. C. M. HILL: Yes, we did. Members on this side must have 12 votes to prevent suspension of Standing Orders. The Opposition knows that the Government has only 10 members on the floor and, if the minor Party member, namely, the Hon. Mr. Milne, supports the Government, the Opposition knows we can muster only 11 votes. Therefore, the Opposition used that tactic as a means of gaining its point on this Bill, and that matter will not be forgotten.

The Hon. C. J. SUMNER: I am sorry that the Hon. Mr. Hill has seen fit to speak in that way, particularly on the last night of this sitting before Christmas. The Hon. Mr. Hill's remarks were so aggressive in his attitude to the Opposition that I really think he has breached the Christmas spirit. To set the record straight, the Opposition was not prepared to allow the suspension of Standing Orders to enable the Bill to pass through all its stages, for the reasons that I have already mentioned. We received notice of it only this morning, and the measure involves matters of principle as far as the Opposition is concerned. We desire an opportunity to debate the matter fully and to move amendments, and we believe that this is a protection that the Opposition and indeed the public have against rushing legislation through Parliament. Therefore, the Opposition felt it was appropriate to refuse the suspension of Standing Orders to the Government on this occasion.

I repeat that I want the Council to know that the Opposition will co-operate in instances of genuine emergency or matters of pure formality. The Opposition certainly does not wish to stand in the Government's way in the presentation of legislation and its expeditious passage where it is warranted. The Opposition parted company with the Government on this issue because there was no particular urgency about the extension of the size of the Art Gallery Board from seven members to nine members. As far as the Opposition was concerned, this issue raised matters of principle that the Opposition wished to have fully debated. Indeed, we wish to conduct our own research, as the Hon. Mr. Hill has said, and make our own inquiries about the issue. For that reason, the suspension of Standing Orders was opposed, although I repeat that the Opposition is happy to agree in appropriate circumstances.

Motion carried.

Clause 1 passed.

Clauses 2, 3 and 4 postponed until after consideration of Bill No. 1 has been reported and concluded.

Clauses 5 and 6 passed.

Title passed.

Bill No. 1 read a third time and passed.

Later:

Returned from the House of Assembly without amendment.

ART GALLERY ACT AMENDMENT BILL (No. 2)

In Committee.

Clause 1—"Short title."

Progress reported; Committee to sit again.

ADJOURNMENT

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

That the Council at its rising adjourn until Tuesday 19 February 1980.

In moving this motion I take the opportunity to express my thanks and those of my colleagues to many people who keep Parliament working and moving, often against great odds. I refer to the officers of the Council—the Clerks, messengers, and other staff, Parliamentary Counsel, Hansard reporters, catering staff, telephonists, and all those other members of the staff in this building who keep Parliament working smoothly and well. Those people make a significant contribution to that function, and I think we would all recognise that without their assistance there would be chaos. From time to time, we make their job difficult but, notwithstanding those difficulties, they cope admirably with their respective tasks and responsibilities.

I therefore place on record my thanks and those of my colleagues for all the service that these people have given not just to the Parliament but to the people of South Australia in the very important work that they are doing. Although it is still some 5½ weeks to Christmas, I take this opportunity of extending Christmas greetings to them, to you, Mr. President and to members of the Council. I look forward to seeing you all in the new year somewhat refreshed after a reasonable Parliamentary break.

The Hon. C. J. SUMNER (Leader of the Opposition): I endorse the Attorney's remarks, particularly those which he made at the latter end of his speech, when he said that he hoped to see us all back refreshed at the end of the recess. I certainly agree with that. I have had what could only be described as a reasonably heavy year, from the time of the resignation in February of the then Premier, Mr. Dunstan, until now. I must say that I have certainly had years in which I had less to do. In the period immediately following that resignation, I was (as indeed many honourable members were) involved in the three-week or four-week Norwood by-election campaign, as well as in the procedures leading up to the election of the new Corcoran Ministry. I suppose that at that stage members opposite were able to have a rest, but certainly I could not do so.

I refer also to the busy interim period experienced when sitting in a side office during the period of office of the interim Attorney-General (Hon. D. H. L. Banfield), as well as to the period after getting into the saddle until 15 September. Prior to that came the four-week election campaign, as well as a trip to New Guinea, when I caught the flu, which did not help my good humour! I refer also to the problems experienced following the election of the new Government, leading up to the brief present session.

I suppose one could say that in one's life or career there could not be a more hectic, busy or indeed traumatic time. So, although I consider that the Government could have managed to sit for a couple of days (perhaps even a week) longer, in order to finish the Address in Reply debate in another place, I must say that, on the other side of the coin—

The Hon. C. M. Hill: We're doing you a favour.

The Hon. C. J. SUMNER: That is right. On the other side of the coin, I must say that the Government is doing the Opposition a favour, as I think it could be said that for honourable members, particularly those on the Opposition benches, the past six months has been very busy—

The Hon. M. B. Cameron: And traumatic.

The Hon. C. J. SUMNER:—and in some respects a traumatic time. I endorse the Attorney-General's remarks regarding those who help to keep Parliament ticking over. I wish them and all Government members the best for the coming season. I hope that they return for the February session not only refreshed but also in good humour. I support the motion.

The PRESIDENT: I should like to add my remarks to those already expressed by the Attorney-General and the Leader of the Opposition. The staff of the South Australian Parliament is equal to that of any other Parliament in the world. Although I have not been to many other Parliaments, I am sure that, if any of them have a staff that is better than ours, they are extremely lucky.

I refer particularly to the Legislative Council staff, with whom we work so closely and who do all they can to make honourable members' lives as easy as possible. The members themselves do not do a lot to help on some occasions, and certainly no blame in this respect can be attached to any of the service given by the staff.

I should like also to refer to the rather pleasing session which we have just experienced and in which the new members have contributed very well, if not excellently, to the debates. The two Leaders are, I believe, due for some special praise. Whether each honourable member agrees with what the Attorney or the Leader has said is another matter, although the presentation of the respective cases by the two Leaders has been very pleasing. This augurs well for an interesting and fruitful Parliament.

I add my Christmas greetings and hope that members return next year refreshed and, as the Hon. Mr. Sumner said, in good humour. I agree that this would not hurt us one scrap. I endorse the remarks of the Attorney-General and the Leader of the Opposition.

Motion carried.

At 9.37 p.m. the Council adjourned until Tuesday 19 February 1980 at 2.15 p.m.