LEGISLATIVE COUNCIL

Tuesday 26 August 1980

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

PAPERS TABLED

The following papers were laid on the table:

By the Attorney-General (Hon. K. T. Griffin)—

Pursuant to Statute—

Local Court Rules—Motor Vehicles Act, 1959-1980—Cancellation of Probationary Licences—Appeal.

South Australian Totalizator Agency Board—Report, 1979-1980.

The Savings Bank of South Australia—Balance Sheet as at 30 June 1980.

By the Minister of Local Government (Hon. C. M. Hill)—

Pursuant to Statute—

Education Act, 1972-1980—

Regulations—Committee Fees.

Regulations—Boarding Allowance.

Sewerage Act, 1929-1977—Regulations—Fees.

Waterworks Act, 1932-1978—Regulations—Fees.

Corporation of Port Adelaide—By-law No. 35—Cemetery.

District Council of Lincoln—By-law No. 27—Bathing and Controlling of Foreshore.

By the Minister of Community Welfare (Hon. J. C. Burdett)—

Pursuant to Statute—

Citrus Organization Committee of South Australia—Report for year ended 30 April 1980.

Narcotic and Psychotropic Drugs Act, 1934-1978—Regulations—Qualifications.

QUESTIONS

DRY LAND FARMING CONGRESS

The Hon. B. A. CHATTERTON: I seek leave to make an explanation before asking the Attorney-General, representing the Premier, a question about the Dry Land Farming Congress.

Leave granted.

The Hon. B. A. CHATTERTON: Last night I attended the opening of the Dry Land Farming Congress which was held in the conference room at the Festival Centre. The opening was held after a buffet dinner, and started with a band playing a medley of tunes for about half an hour. Delegates could have been excused for thinking that they were at a cabaret rather than at the official opening of the First World Congress of Dry Land Farming.

The master of ceremonies explained that the tunes to be played would represent the various parts of the world that had sent delegates to the congress. As members are no doubt aware, there was a strong contingent from Arab countries and delegates from Syria, Jordan, Kuwait, Libya, Tunisia, Iraq and China. I was somewhat surprised that the band played a Jewish tune to begin with and then launched into the Israeli national song. As members can imagine, the atmosphere in the conference hall was electric. There were no Arab tunes, and there were no Chinese tunes. It is quite incredible that the Minister of Agriculture and his department, who are joint organisers of the congress, should be so totally unaware of the conflicts in the Middle East. Surely, if they have not read the newspapers or listened to the radio (indeed, a Syrian plane was shot down by the Israeli Air Force over the weekend), they could have obtained a briefing from the Foreign Affairs Department.

Fortunately, the Arab delegates, although acutely embarrassed, did not walk out of the opening ceremony. The Minister of Agriculture certainly acquired quite a reputation for gratuitously insulting Arab countries, as members will recall, when he appeared on television and cancelled the Libyan contract.

The Hon. C. J. Sumner: What did he say then?

The Hon. B. A. CHATTERTON: He insulted both the Libyan Government and Arab farmers. On this occasion, his needless insults were delivered directly to the Arab delegates. I am not concerned that the Minister has appeared boorish and ignorant before an international audience, but I am concerned about the adverse effects his actions will have on South Australian trade and our relations with Middle East and North African countries. Of the two most important groups at the congress, the Arabs were insulted and the Chinese were ignored. Will the Premier take urgent steps to ensure that this type of fiasco is not repeated during the Dry Land Farming Congress?

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

MARINE RESEARCH

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 marine research.

Leave granted.

The Hon. J. R. CORNWALL: I have before me a document that reads very well indeed: it is the Liberal Party policy statement on the environment which was presented in August 1979. I fear that the Government's performance in no way matches its words. Under the heading "Planning of Land Use"—and I am not sure what that has to do with marine research—the policy reads:

> We will assess the direction of future industrial development and its impact on major environmental features of our State. For example, we will encourage and sponsor research on a continuing basis designed to give us an understanding of the ecological balance and dynamic equilibrium of the major gulfs and bays of the State.

How many research projects concerning the major gulfs and bays of this State, other than routine departmental investigations, has the Government sponsored since it came to office? What are the details of those projects? How much financial assistance has the Government provided for those projects?

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

NON-UNIONISTS

The Hon. J. E. DUNFORD: I seek leave to make a short statement before asking the Minister of Community Welfare, representing the Minister of Industrial Affairs, a question about non-unionists.

Leave granted.

The Hon. J. E. DUNFORD: Today I received correspondence from an organiser of the Australian

Workers Union, Mr. Neville Thompson, of Naracoorte. In part, the letter states:

> I would like to draw to your attention a matter regarding a chap from the D.L.I. by the name of Dennis Pearce. He has given misleading information to workers employed in the pastoral industry concerning union funds and the amount given to the A.L.P. in affiliation fees by the A.W.U. In a phone call conversation to one of these men he claims 40 per cent of union money goes to the A.L.P.

That is not a bad sling when one recalls that the A.W.U. in this State has an income of about $400 000.

The Hon. M. B. Cameron: No wonder you have so much influence.

The Hon. J. E. DUNFORD: What do you mean by that? Mr. President, what does he mean by that?

The PRESIDENT: Order! I am not interested in what the Hon. Mr. Cameron means. I am interested in what the Hon. Mr. Dunford has to say.

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

> I rang Pearce myself and he claims the information he gave was misinterpreted.

He did not deny saying these things but said that they were misinterpreted. The letter continues:

> However, the chap he spoke to regarding this matter said that is incorrect and that in fact he, Pearce, did give this information to him.
>
> Pearce also stated the Government's policy on union membership and ways to avoid joining unions. I have pointed out to Pearce that the Pastoral Award has a preference clause for union members and that Government policy has nothing to do with this award.

He goes on to tell me how difficult it is to sign up people into the trade union movement when one is opposed by the Department of Industrial Affairs and Employment, graziers generally (although not in all cases), and also non-unionists, who want something for nothing. This person is not difficult to deal with, in any case. I have dealt with thousands of non-unionists and, if the boss does not interfere, one can generally get them around to one's way of thinking, or at least they will join the union, anyway. I have had a great deal of success in that way.

However, there have been many cases involving this matter over the years. I recall, some 10 years ago, a case before Judge Bleby in the Industrial Court of New South Wales, in which there was a dispute between a council, the union, and a non-unionist. After a lengthy court hearing, the judge gave a decision against the non-unionist, who had been dismissed. He said that on all occasions employers should encourage their employees to join a union, should not take a non-involved approach, should not attack union officials or in any way discourage membership, and should not tell lies but should encourage employees in this regard.

It was the policy of the previous Government to encourage people to meet their obligations. This was a proper policy because, as you must know, Mr. President, non-unionists, with the support of some people in industry, do encourage people not to join the appropriate association. Because of this correspondence, my close association with the Australian Workers Union, and my definite respect for Mr. Thompson, who is a reputable unionist, I ask the Minister to ask the Minister of Industrial Affairs what information is given by officers of his department when inquiries are made by non-unionists in regard to joining the trade union covering the occupation in which the non-unionist is employed.

Secondly, what information is conveyed by officers of the Minister's department to those non-unionists in an industry in which the award provides for preference to unionists? Thirdly, will the Minister ask his colleague to inquire of Mr. Dennis Pearce the details of his conversations with the non-unionist mentioned and with Mr. Thompson, the A.W.U. organiser at Naracoorte?

The Hon. J. C. BURDETT: I will ask the Minister those questions and bring down a reply.

OVERSEAS ORDERS

The Hon. N. K. FOSTER: I seek leave to make an explanation before asking a question of the Minister of Community Welfare, representing the Minister of Agriculture, regarding possible cancellation of overseas orders.

Leave granted.

The Hon. N. K. FOSTER: I have been approached by some farmers' organisations regarding a matter that is obviously causing some concern. The concern is brought about by recent press reports that the member for Richmond in the House of Representatives, who is Minister for Trade and Resources and Deputy Prime Minister of this country, has seen fit to endeavour to take some spite out on T.A.A., whose orders for the Airbus are well established and advanced, by precluding T.A.A. from obtaining the Airbus fleet on the basis of a combined project involving a number of European countries and forcing it into procuring American aircraft.

The Liberal and Country Party Government has always supported that type of venture, and there has never been an aircraft procured by either of the national airlines in Australia involving anything but the American manufacturing area—mainly Boeing.

The Hon. R. C. DeGaris: What about the Viscount?

The Hon. N. K. FOSTER: The honourable member says "What about the Viscount?" He is back in the early 1960's and has not kept himself up to date. The Viscount went out as the premier flagship in about 1963.

The PRESIDENT: Order! I do not want the Hon. Mr. Foster to stray from the subject.

The Hon. N. K. FOSTER: For blatant political reasons, and because of his direct tie-up with the United States, coupled with his hatred of the E.E.C. and his denial of Australian farmers' rights to market in that area ever since the 1960's, Mr. Anthony is now endeavouring to do what I have described. That does not stop him, however, from buying a car manufactured in a certain country, in the price range of $40 000.

The PRESIDENT: Order! I would like the honourable member to come to the point of asking the question.

The Hon. N. K. FOSTER: I was about to do that, Mr. President. Will the Minister request the Minister of Agriculture to protest in the strongest possible terms to Mr. Anthony, member for Richmond, Deputy Prime Minister and Leader of the Country Party, to cease his action against the E.E.C.? Is he not aware of the great volume of increased trade in agricultural products that would result with the E.E.C., whereas at present Eastern Bloc countries are receiving the orders?

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

BUS SUBSIDIES

The Hon. C. W. CREEDON: I seek leave to make a brief explanation before asking the Attorney-General, representing the Minister of Transport, a question about bus subsidies.

Leave granted.

The Hon. C. W. CREEDON: I have been approached by

a number of people from Kapunda who have raised the matter of Kapunda-Adelaide transport. There was a train service once, but it was claimed that there was not sufficient patronage, so the passenger service was discontinued. A subsidised bus service operated for a time but when the subsidy was removed the operators apparently found it difficult to provide the 7.5 a.m. and 9.20 a.m. services each day. Another operator took over and the service was reduced to one a day, at 8.20 a.m. That is not very satisfactory for people needing to make an early start in the metropolitan area. Many people travel from Kapunda to the metropolitan area each day, and unless they can work in with that solitary bus service they are forced to use their own or a friend's vehicle. Perhaps the Government would consider providing a feeder service to the Gawler station. In any event, will the Minister restore the subsidy to the bus service operator and thus allow a more frequent service to these country residents?

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

PUBLIC SERVICE FILES

The Hon. FRANK BLEVINS: Has the Attorney-General a reply to the question I asked in June regarding Public Service files?

The Hon. K. T. GRIFFIN: Personal files are kept on South Australian public servants by the Public Service Board. These personal files usually comprise:

(a) the employee's original application for employment form;

(b) interviewer's comments at the time of initial employment;

(c) details of original employment conditions and salary;

(d) copy of confidential report for permanent appointment;

(e) copy of minutes approving subsequent promotions, transfers, reclassifications and salary adjustments.

In some cases, additional details relating to disciplinary offences or retirement for health or some other reason may be retained in personal files. Public servants do have access to their personal files held by the Public Service Board.

NUGAN HAND BANKING GROUP

The Hon. C. J. SUMNER: I seek leave to make a brief explanation before asking the Attorney-General a question regarding the Nugan Hand Merchant Bank.

Leave granted.

The Hon. C. J. SUMNER: Honourable members will be aware that the Nugan Hand merchant banking group, which I understand was registered in New South Wales, is in the hands of a receiver following the suicide of one of its directors, Frank Nugan, in January. It is also a fact that another director, Mr. Michael Hand, has disappeared since June this year. On 14 August the *Advertiser* published the findings in the second report of the Royal Commission into Drug Trafficking in New South Wales presided over by Mr. Justice Woodward, in which report the Royal Commission calls for an inquiry into the Nugan Hand dealings because of that group's involvement with criminals.

However, the 23 August issue of the *Advertiser* contained a report by a police officer in Victoria before an inquest that the collapsed Nugan Hand banking organisation was linked with the drug-related murders of a young New Zealand couple. It was also reported in the *News* last week that a Mr. Karl Fritz Schuller, the South Australian agent, and, I believe, a director of the Nugan Hand group in this State, had disappeared. It seems that Mr. Schuller had some business concerns registered in South Australia, including Karl F. Schuller and Associates and Western Silver Commodities Pty. Ltd.

It also appears that Mr. Schuller, having spent some time acting as an agent for the Nugan Hand group in South Australia and encouraging people to invest in the bank, has now disappeared with some of the money obtained as a result of his activities in this State. It may be ironic that Mr. Schuller's business was finance and estate planning.

First, has the Government ordered a report on the disappearance of Mr. Schuller and the financial affairs of his companies or other business activities in South Australia? Secondly, will the Attorney-General obtain a report from the Commissioner of Corporate Affairs on Mr. Schuller's activities and those of his business organisations and advise the Council of the result of that report? Thirdly, will the police be asked to investigate any possible breaches of the law by Mr. Schuller and others associated wih the Nugan Hand group in South Australia?

The Hon. K. T. GRIFFIN: As I understand the position, the Nugan Hand Bank, being incorporated in New South Wales, is in the hands of a receiver, but also the Corporate Affairs Commission in New South Wales is conducting its own inquiry and, because the company and its subsidiaries (so far as I am yet able to discover) are incorporated in New South Wales, the ordinary practice would be that any inquiry would be initiated in New South Wales by its Corporate Affairs Commission.

If assistance was required in any of the other States or Territories of Australia, the corresponding Corporate Affairs Commission, Department of Corporate Affairs, or similar body having responsibility for companies administration, would be requested by the New South Wales Corporate Affairs Commission to assist in such a manner as the home commission requested. That is not an uncommon practice. It happens frequently where, for example, special investigators are appointed in a particular State, which is the home State of a company or group of companies, and where the activities extend beyond the boundaries of that particular State. In that case the Corporate Affairs Commission asks for assistance from other Corporate Affairs Commissions or officers in the other States and, as a matter of course, that assistance is given.

I am advised that Mr. Schuller carried on business in South Australia under the business name of Karl F. Schuller and Associates. The business name was registered on 9 September 1974, and the applicants for registration who were then the proprietors of that business name (not a company, but a business name) were Karl Fritz Schuller and Karl Heinz Schuller, whose addresses are shown to be in Western Australia. The nature of the business shown on the documents lodged at the Corporate Affairs Commission is estate planning, mortgage broking, finance, assurance and superannuation consultants. The registration of this business name was renewed on 8 September 1974 and expires on 9 September 1980 under the provisions of the Business Names Act.

The other company to which the Leader of the Opposition has referred, I think it was Western Silver, is not a South Australian company as far as I am advised. The newspaper report suggests that the home State may be Western Australia. The report also suggests that where there has been any disappearance of bullion it has been in

Western Australia and not South Australia. The Federal police have a number of documents that were confiscated from the premises of Mr. Karl Schuller. They are presently examining those documents to determine whether or not there are any matters that relate to possible Federal offences. Those documents and papers will be available to the South Australian police and Corporate Affairs Commission. At this stage the Federal police have not requested any assistance from the South Australian Corporate Affairs Commission nor, for that matter, has the New South Wales Corporate Affairs Commission requested assistance from the South Australian Corporate Affairs Commission. There will be an opportunity for Corporate Affairs Commission officers and State police to examine the bundle of documents presently held by the Federal police when the Federal police complete their own inquiries.

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 about abortion statistics.

Leave granted.

The Hon. ANNE LEVY: I will relate briefly the history of my question. I think it was in 1978 that a private member's Bill was introduced by the then member for Kavel—the now Deputy Premier in another place. This private member's Bill amended the abortion law so that all hospitals had to notify the Director-General of Health (as he then was) of the number of abortions that took place in those hospitals, in order to provide better statistics on abortions occurring in this State. The regulations were gazetted early last year and came into operation on 1 July 1979. They required each hospital to notify the Health Commission by the twentieth day of each month of the number of terminations that had taken place in that hospital in the preceding month. Such regulations have now been in force for nearly 14 months.

In October last year I asked the Minister of Health whether she would provide me with figures on the number of terminations that had occurred in certain hospitals in South Australia for each of three months. I received a reply in November stating that the statistics were not available. I again raised the question in this Council on 13 November 1979, asking that these figures be made available, as they were held by the Health Commission and could easily be located and presented in a reply, and there was no additional work involving public servants supplying this information.

I received a reply on 11 January this year (although the reply was not printed in *Hansard* until February this year), which informed me that, although the Minister had considered the matter, "the figures will not be made available before the report is tabled in Parliament", the report there being the Mallen Committee's report on abortion statistics, which is presented annually to this Parliament. The financial year has now ended but we still have no Mallen Report presented to Parliament showing what is the proportion of abortions being performed in the various hospitals in this State.

Last night I attended a meeting organised by the National Council of Women at which the Minister of Health was the guest speaker. During the course of that meeting she proceeded to outline what proportion of abortions were occurring in two of South Australia's public hospitals. I was greatly surprised, because I had been informed that such figures were not available before the Mallen Committee reported to Parliament. In view of the fact that the Minister is leaking this information herself to public meetings in South Australia without waiting for the Mallen Committee to report, can the Minister tell the Council when the Mallen Report will be tabled in Parliament? Secondly, will the Minister now officially give me figures on what proportion of terminations of pregnancy in the last financial year were undertaken at the Queen Victoria Hospital, the Queen Elizabeth Hospital, Royal Adelaide Hospital, Modbury Hospital, and Flinders Medical Centre? As some of this information has already been given publicly by the Minister, will she now officially give me this information in Parliament?

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

POPULATION OF ADELAIDE

The Hon. G. L. BRUCE: Does the Minister of Local Government have a reply to a question I asked about the status of the City of Adelaide?

The Hon. C. M. HILL: This reply also covers a question asked by the Hon. Mr. Cornwall. The City of Adelaide is entitled to retain the status of a city in view of the fact that the city's population may have fallen below 15 000 people. Section 848 of the Local Government Act specifically provides that the corporate name of the corporation of Adelaide shall be "The Corporation of the City of Adelaide" and no specific criteria in terms of population are set down in the Act. The title "Corporation of the City of Adelaide" would appear to have been first bestowed on the corporation by Ordinance No. 11 of 1849 which first constituted the corporation.

APHIDS

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

Leave granted.

The Hon. B. A. CHATTERTON: Some weeks ago when the Minister of Agriculture cancelled the aphid task force he said that its work had been completed and that it was no longer necessary to have that group. Members will also recall that it was at about that time that the pea aphid was first identified in South Australia, and it caused considerable concern among producers that work was not being done in relation to the pea aphid. I carried out some investigations and asked the Department of Agriculture for its most up-to-date material about the resistance of pasture plants to the spotted alfalfa aphid, the blue-green aphid and the pea aphid, to see whether this work had been completed. I was given a technical note which shows, in the column referring to the pea aphid, in most cases, the initials "N.I.". Those initials stand for "No information".

It is particularly interesting that most of the more important pasture plants for South Australia have marked against them "N.I.". Will the Minister of Agriculture inform the Council whether more up-to-date information is available about the resistance of South Australian pasture plants, particularly to aphids, because the information given to me indicates that very little information is available?

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

WASTE MANAGEMENT COMMISSION

The Hon. J. R. CORNWALL: I seek leave to make a short statement before asking the Minister of Local Government a question about the Waste Management Commission.

Leave granted.

The Hon. J. R. CORNWALL: I still have before me a document released by the Liberal Party in August 1979 relating to important environmental matters. Under the heading "Waste disposal" it very bravely and boldly states:

> Waste disposal is one of the biggest environmental problems facing modern society. We will monitor the operations of the present legislation establishing a Waste Management Commission for South Australia and will seek legislative changes where necessary. In co-operation with local government and private enterprise we will encourage the most effective means of waste management through collecting, separating, recycling, or re-using and, finally, disposing of refuse. Emphasis will be placed upon re-usage of wastes, energy production, and efforts to minimise pollution resulting from present methods of waste disposal.

From reports that I have received, it seems that that rather grand statement is not being matched by any action at all. In fact, there is a right blue on in Cabinet at the moment between the city members and the rural rump, because there is tremendous disagreement as to how it will handle small country councils which are being (to use a common Parliamentary term) completely intransigent in their dealings with the Minister and in their attitude towards the Waste Management Commission.

It is causing considerable divisions not only within Cabinet, but, according to my very reliable sources, also in the Party room. Is it a fact that a total impasse has been reached between the Government and many country councils about the satisfactory operation of the Waste Management Commission? Is it also a fact that an impasse has been reached between the metropolitan members of the Government and the rural rump over the operation of the Waste Management Commission? What action does the Minister propose to take to resolve the wrangles? Does the Minister intend to disband the Waste Management Commission or to introduce amending legislation in the near future?

The Hon. C. M. HILL: I am rather amused at the expression "A right blue in Cabinet". I suppose when the Labor Party has a fight it is called "a left red". The honourable member quoted from Liberal Party policy, which indicated that my Party would monitor and consider change wherever necessary in relation to waste management control in this State. That is exactly what the Government is doing at the moment. The Government is monitoring results and is considering whether changes are desirable.

The Hon. J. R. Cornwall: Come clean and tell us.

The Hon. C. M. HILL: It is not a matter of coming clean. I have informed the Council what is happening at the moment. The honourable member referred to co-operation with local government. It is true that the Government has received correspondence from local government in various parts of the State. As a result of the Government's co-operation with local government, at this time we are not proceeding with regard to enforcing the regulations that have been gazetted. That is clear evidence of the Government's co-operation in relation to objections that it has received from local government. The Government has nothing to hide in relation to this matter. Some Government members have quite properly brought to my notice that in their electorates the local governing bodies have quite fairly and openly said to them that they feel that the regulations are a little harsh.

As a result of those representations and the fact that the Government is implementing its policy of monitoring and considering change, the Government is looking closely at this whole area. I inform the Hon. Mr. Cornwall that the Government is looking at the whole matter again and in the relatively near future, if some changes are thought to be in the best interests of local government and the State as a whole, the Government will certainly make those changes. At the moment I am not in a position to say what those changes might be. However, the Government is looking at the matter and is conducting a very close investigation into the whole area. When the Government has made a decision as to what those changes will be, they will be made public.

The Hon. J. R. CORNWALL: I desire to ask a supplementary question. Is the Minister trying to say in a very roundabout way that at the moment the Government is not proceeding with the Waste Management Commission?

The Hon. C. M. HILL: Not at all. As I have said, the Government is saying to the honourable member and local government, "Wait for a little while. The Government will certainly look at the whole matter and will inform you shortly whether it will make any changes."

The Hon. N. K. FOSTER: I ask a supplementary question. Will the Minister be in a position to tell this Council tomorrow afternoon—

The Hon. L. H. Davis: Come on!

The PRESIDENT: Order!

The Hon. N. K. FOSTER: I will repeat it for the member's benefit. He so rudely interrupted, outside Standing Orders. Will the Minister, no later than tomorrow afternoon, procure for this Council information on the extent to which toxic materials and industrial wastes in the metropolitan area and in industrial towns or cities, particularly Mount Gambier, are being indiscriminately dumped in a number of dumps, as a result of the Government's attitude to the postponement of regulations that are properly understood and provide an organised method for disposal of certain materials in those localities?

The Hon. C. M. HILL: Regarding industrial waste, toxic waste, and liquid waste, in metropolitan Adelaide these problems are within the management control of the staff of the commission, and the commission is working and receiving co-operation from industry, generally speaking, on this matter. I have been taken by senior officers of the commission and commission members to the Wingfield area and have had some of these problems pointed out to me. I was shown evidence that the private sector in the waste management industry is changing its methods of disposal and is co-operating and working with the commission to overcome these particular problems.

The pause that the Government has initiated to have another look at the matter as it affects local government has very little to do with the industrial waste question of the operations of the Waste Management Commission. In fact, the private sector in waste management control is operating at this moment under the gazetted regulations. It is operating according to the law and, in some cases, sending financial returns to the commission.

Regarding toxic wastes and the management of liquid wastes, I do not think there is any point in our pursuing that matter further. If the member would like me to get a general report from the Director of the Waste Management Commission regarding the extent of the problem because that is going to be of further constructive benefit to the member, I am happy to treat that as a separate question and do what is asked. However, as far as

the commission operating in that area is concerned, it is doing just as I have said. The member also mentioned the position regarding toxic and industrial wastes at Mount Gambier, and I am quite prepared to bring down a report regarding that subject as well.

The Hon. G. L. BRUCE: I wish to ask a supplementary question. I understood from the reply that the Minister gave earlier that some of the regulations are not being enforced. Can the Minister say what regulations are not being enforced and whether they are regulations that have been gazetted by the Government?

The Hon. C. M. HILL: Some regulations that apply to country councils regarding levy payments, registration of depots, and so forth, are the points that I was referring to when I said that we were having a close look at the whole matter to find out whether it was in the best interests of local government and of the State to introduce the charges. We have told councils at meetings of local government that the Government is prepared to have another look at those regulations, and, until we make decisions regarding that inquiry (and I hope that that will be very shortly), we will not be enforcing returns from those country councils.

The Hon. J. R. CORNWALL: I wish to ask a supplementary question. Is the Minister satisfied that those councils that have refused to co-operate with the Government, particularly the country councils that have completely refused to co-operate, in the operation of the Waste Management Commission have satisfactory arrangements in all cases for garbage disposal, or is it a fact that in some areas there is a genuine threat to the health, safety and well-being of the community because present garbage disposal is unsatisfactory?

The Hon. C. M. HILL: If there are any threats now because of improper waste management control by country councils, those threats were there before the regulations were gazetted.

The Hon. J. R. Cornwall: Which is precisely why the regulations and the Act were brought in.

The Hon. C. M. HILL: That is quite right. There was room for improvement, and both sides of Parliament agreed with that principle when Parliament passed the legislation. I do not think I can answer the Hon. Mr. Cornwall any further than that. I have had reports that some country councils control and manage their waste to the highest standard and I have had reports, too, that there is room for improvement in some country areas, just as there is in the metropolitan area. The whole matter will be tidied up.

I do not think there is need for the Opposition to be jumping up and down and getting too excited. It is a typical example of how the Government is able to co-operate with local government when local government tells us that it is unhappy. We do not wield the big stick and clamp down the enforcer's hand on local government as the previous Government did when local government was told what was good for it. The Liberal Government does not work that way. Local government is now patiently waiting—

Members interjecting:

The PRESIDENT: Order! I ask that the Hon. Mr. Dunford cease interjecting.

NUGAN HAND BANKING GROUP

The Hon. C. J. SUMNER: I wish to ask a question of the Attorney-General. The subject is the Nugan Hand banking group and Mr. Karl Schuller. In view of speculation about the contents of documents received by the Commonwealth police that it is alleged indicate some involvement of Liberal members of Parliament, past and present, in Schuller's activities in South Australia, can the Attorney-General assure the Council that no Liberal members of Parliament, past or present, were involved in support for and promotion of Schuller's business activities in South Australia?

The Hon. K. T. GRIFFIN: I have not heard of any allegation that those papers include any reference to any past or present member of the Liberal Party so far as any relationship either with Nugan Hand or Mr. Schuller is concerned. As far as I am aware, no present member of the Government, whether a front-bencher or a back-bencher, has had or now has any association with Schuller. I cannot answer for past members, because I have no knowledge of any interest or involvement at all.

The Hon. C. J. SUMNER: Does the Attorney know whether Mr. Karl Fritz Schuller, South Australian agent for the Nugan Hand group, who apparently disappeared recently, was a member of the Liberal Party or made contributions to election or other funds of the Liberal Party? If the Attorney does not know, will he ascertain this information and tell the Council?

The Hon. K. T. GRIFFIN: I do not know whether or not Mr. Schuller was a member of the Liberal Party or whether he made any contributions to the funds of the Liberal Party. He may just as easily have made them, if there were any contributions, to any political Party if he wanted to do so. The ordinary members of the Party and members of the Parliament have no access to the sort of information that the member is raising. I suppose it is conceivable that, if Schuller did make contributions, he may have made them to the Labor Party. He may well have been a member of the Labor Party as part of his business initiatives. The Leader of the Opposition is speculating wildly about information of which I have no knowledge at all.

PECUNIARY INTERESTS

The Hon. ANNE LEVY: I seek leave to make a brief statement before asking the Attorney-General a question on pecuniary interests.

Leave granted.

The Hon. ANNE LEVY: On 31 October last year I asked the Attorney-General a question regarding declaration of pecuniary interests of members of Parliament, and I quoted to him information regarding the situation in Canada as to the declaration of pecuniary interests by Cabinet Ministers. This related to the then Prime Minister of Canada, Mr. Joe Clark, and I have no information on the situation in Canada now that there has been a change in Prime Minister. At the time, the Attorney-General replied to part of my question and stated that he would refer the balance of my question to the Premier and bring down a reply which, incidentally, I have not received. More recently the Victorian Government changed its system regarding declaration of pecuniary interests. I need hardly remind the Council that the Victorian Government is a Liberal one. However, I understand that in Victoria not only do members of Parliament and their close relatives have to declare their pecuniary interests but also recently the requirement was added that all senior public servants have to declare their pecuniary interests. I was in Victoria when the change by the Hamer Government was announced, and there was certainly no reaction against it that could be discerned from reading Victorian papers. It seemed to be generally accepted by all members of the community and by the senior public servants themselves.

Will the Attorney-General outline the policy of the present Government on the declaration of pecuniary interests of members of Parliament, Cabinet Ministers, senior public servants and their close relatives? When can we expect legislation regarding this matter to be introduced into this Parliament, as has been done in Victoria?

The Hon. K. T. GRIFFIN: There is no immediate expectation of any such legislation being introduced into Parliament here. So far as the policy of the Government is concerned, we have clearly enunciated that conflicts of interest are not tolerated. In fact, the Premier indicated in an answer in the House of Assembly soon after the first session of this Parliament opened that he had required from all of his Cabinet Ministers information as to their pecuniary interests, to have on record areas where there may or may not be conflict in matters considered by the Government and Parliament.

The Hon. B. A. Chatterton: Is that a public record?

The Hon. K. T. GRIFFIN: No, it is not. The Standing Orders of this place and the House of Assembly make specific reference to the requirement for all members to disclose particular interests where they are interests related to matters before the House.

The Hon. N. K. Foster: Does that apply to Cabinet Ministers?

The Hon. K. T. GRIFFIN: That applies to all members of this Council.

The Hon. N. K. Foster: What about Ministers who are not members of this Council?

The Hon. K. T. GRIFFIN: As I understand it, there is provision in the Standing Orders of the House of Assembly. We have looked at the Victorian legislation. No decision has been taken as to further action that might be expected in this area.

ABORIGINAL LAND

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

That the resolution contained in message No. 4 from the House of Assembly be agreed to.

Section 712 contains 1·795 hectares and is located within the boundaries of pastoral lease 2433, lot 1196, situated west of and adjacent to Lake Eyre North and known as Anna Creek. This section was recently incorporated in pastoral lease 2433 held by Strangways Springs Pty. Ltd. Negotiations have taken place between the Aboriginal Lands Trust, the Commonwealth Department of Aboriginal Affairs and the lessees for the occupation of the land in question and the erection of houses for Aboriginal tenants. The Oodnadatta Housing Society has received a grant of $50 000 from the Commonwealth Government to finance construction of the houses. It is proposed to vest the land in the Aboriginal Lands Trust, which will then enter into a leasing agreement to lease the land to the Oodnadatta Housing Authority.

The Pastoral Board has agreed to the proposal, and section 712 has been absolutely surrendered to the Crown as a necessary step to enable the vesting to proceed. For the information of honourable members, a plan of section 712 is exhibited on the notice board in the north-western corner of the Chamber.

In accordance with section 16 of the Aboriginal Lands Trust Act, the Minister of Lands has recommended that section 712 out of hundreds be vested in the trust, and I ask honourable members to support the motion.

The Hon. BARBARA WIESE: The Opposition supports the motion, which proposes to vest in the Aboriginal Lands Trust a section of land amounting to 1·75 hectares located within the boundaries of pastoral lease 2433 at Anna Creek. It is consistent with the Australian Labor Party's policy concerning access of Aboriginal people to land.

The purpose of the transfer is, as the Minister said, to enable the erection of houses for Aboriginal people by the Oodnadatta Housing Society, which has received a grant of $50 000 from the Commonwealth Government for that purpose. This is indeed commendable. Housing for Aboriginal people in Australia is so scarce that any increase must be welcomed. The Department of Aboriginal Affairs has estimated that currently 10 000 houses are required for Aboriginal people, and that many existing houses need maintenance. According to departmental surveys, up to 63 per cent of Aboriginal housing is unacceptable and of such a standard that it is detrimental to physical and mental health.

Those Aborigines who are fortunate enough to have housing at all usually live in appallingly over-crowded conditions and the average household contains 13 people. Waiting lists for Aboriginal housing loans from the Housing and Personal Loans Fund date back more than eight years.

The need for Aboriginal housing is enormous, and urgent priority should be given to granting extra finance in this area, particularly to Aboriginal housing associations. In South Australia, there are 11 such associations, some of which have operated for some time. These associations, like the one involved at Anna Creek, are responsible for determining the number, design and location of houses, for the selection of tenants, for housing maintenance, and for the level of rental for houses built with funds provided by the Commonwealth Government for that purpose. The system seems to work well but, as I said earlier, more houses are needed.

This leads me to inquire about the proposed building at Anna Creek. I understand that only two houses will be built there by the Oodnadatta Housing Society with the $50 000 provided by the Commonwealth Government. These houses will be additional to the houses which have already been established by the Housing Trust and which have been occupied by Aboriginal people since 1975-76. I wonder whether the Minister can say in his reply how many people are living in the area and whether the provision of these further two houses is expected to satisfy the housing needs in that region.

In addition, I would be interested to know what kind of services will be or are currently being provided in the area in respect of water, electricity, and so on. I ask this question because these are matters to which more attention should be paid to improve the health and living standards of Aboriginal people in Australia. According to the Department of Aboriginal Affairs, 15 per cent of Aboriginal people throughout Australia have no water supply, 30 per cent have no electricity, and 29 per cent have no provision for sewerage. This failure to provide adequate services adds to the rate of disease and infant mortality among Aboriginal people.

In European urban communities, infant mortality began declining some 200 years ago as a result of improved public health measures, such as safe water supplies, safe sewage disposal and better housing. With constantly improving environmental conditions, this trend was evident in Australia from settlement; the decline continued until the

early 1940's and then began to level out slightly. The fall thereafter marked the introduction of antibiotics and better health and medical care.

In the Aboriginal communities in Australia, the infant mortality rate has remained high—much higher than that for the general Australian population. For example, in 1977 Australia's general infant mortality rate was 12·7 per 1 000 live births. The Aboriginal rate was 74·6. This is a disgraceful record in such a rich nation. Clearly, many of these deaths are due to the failure to provide access to adequate medical care. But a considerable improvement in the mortality rate among Aboriginal people would be achieved in the Aboriginal population, as it was achieved in the European population, by the provision of such services as sewerage and water supply. I should be grateful if the Minister could therefore give some information about the extent to which services like this are being provided at Anna Creek. I support the motion.

The Hon. C. M. HILL (Minister of Local Government): I thank the honourable member for her contribution, for her support of the motion, and for the depth with which she has researched her subject. I do not have the specific details regarding the situation at Anna Creek in relation to housing, but I can obtain them for the honourable member. Perhaps if I forwarded that information to the honourable member by letter, it might be the best course for me to adopt.

However, I should like to make some general comments regarding the need for Aboriginal housing and indeed about the efforts that are being made to solve the problem in this respect. It would be of interest to record that the Commonwealth has insisted, in relation to its housing allocation for the current year and in drawing up the new Commonwealth-State Housing Agreement that will apply for the five-year period beginning next financial year (the present financial year being the last year of the current agreement), and will continue to insist, on a separate allocation being made within grants to the States for Aboriginal housing purposes.

So, the Commonwealth Government certainly has the need of Aboriginals well in mind in laying down such requirements when it provides its housing money to the States. Although I am speaking from memory, I think that the current year's allocation for Aboriginal housing from the Commonwealth is $2 600 000. Therefore, the Commonwealth Government certainly is aware of the problem and is contributing to solving it.

The State Government, too, has its committees and means by which the Department of Housing and the Housing Trust try to satisfy the very large demand that exists by Aboriginal people for housing.

Of course, the same problem applies to all other people seeking housing. It may be of interest to know that in the last financial year, 1979-80, over 10 000 applications were made to the trust for rental housing. A large proportion of those applicants were welfare applicants. By that I mean that their incomes were well below the Australian weekly average earnings. I was pleased to learn that the number of people satisfied with tenancies exceeded 5 000. In fact, this was the best year, I believe, in the history of the trust for satisfying the number of prospective tenants with accommodation.

There still remains a great number of people seeking housing. I often quote the figure of about 15 000, but I understand that the trust records indicate a figure of about 18 000 applicants. I usually like to be a little conservative, because I believe that there are some people who have their names recorded but who perhaps may have been satisfied and who for various reasons would not accept housing if it were offered to them.

Certainly, there is a strong demand and need for housing by everyone, and that includes Aboriginals. From the point of view of the State and the Commonwealth, we are doing all that we can within the normal restraints to overcome the problem. True, a grant of $50 000 would only provide two houses, but it all helps to a small degree. I hope that, as a result of this motion's passing, those responsible for the provision of housing in the northern area of the State will be able to get on with the job and accommodate at least some Aboriginals in better accommodation than they live in at present.

Motion carried.

APPRAISERS ACT AND AUCTIONEERS ACT REPEAL BILL

Adjourned debate on second reading.

(Continued from 14 August. Page 360.)

The Hon. C. J. SUMNER (Leader of the Opposition): I must confess to being somewhat ambivalent towards this Bill. I think in the ultimate analysis the whole matter ought to be referred back to the Minister for a proper look at what he is really doing in this area. The Government promotes this Bill, which repeals the Auctioneers Act and the Appraisers Act, as one of its deregulation measures. The policy is stated in the second reading speech as one of eliminating unnecessary regulation of trade and industry.

The question that members in this Council must ask themselves when they decide what to do with this legislation is whether regulation of appraisers and auctioneers is unnecessary. Presently, an auctioneer under the Act must apply to the Local Court and must establish to the satisfaction of the court that he or she is a fit and proper person to be an auctioneer.

If this Bill passes, it means that anyone will be able to conduct an auction, irrespective of their character, irrespective of whether they are fit for the job and irrespective of whether they are a proper person. That must presumably mean a person of good character. Further, if this Bill passes, anyone can conduct an auction, except auctions of land or secondhand motor vehicles, which the Minister has indicated are covered by other legislation, that is, the Land and Business Agents Act and the Secondhand Motor Vehicles Act.

However, there are a number of other areas where auctions are carried out. I refer to the auctioning of stock on a rural property and the auctioning of a personal estate or agricultural implements. I am sure that the farming members of this Council would not feel happy about having the protection which presently exists being removed. What it means is that anyone at all can set themselves up as an auctioneer.

Presumably, they can also keep a trust fund to receive and pay out moneys on behalf of people for whom the goods have been sold. It may mean that a person with a criminal record, a history of defalcation and dishonesty in a firm, can establish himself as an auctioneer and, further, can keep a trust fund.

The Hon. R. C. DeGaris: Can a person auction something of his own at present?

The Hon. C. J. SUMNER: I do not know. That is not relevant.

The Hon. J. C. Burdett: What provisions has the present Act concerning trust funds?

The Hon. C. J. SUMNER: Of course it does not have any provision about trust funds, but it does require that the court make some kind of inquiry about whether a

person is a fit and proper person. There is at least some requirement on the person who wants to be an auctioneer to establish that he is a fit and proper person. If someone has just been released from gaol after having been imprisoned for some kind of fraud or offence relating to the disposal of people's money, he can start out the next day and establish an auctioneer's business, set up trust funds and deal with people's money. That is what this Bill does.

Further, it means that people who are bankrupt will be able to act as auctioneers, which is something that is currently prohibited by the Act. True, there is no great regulation under the present Auctioneers Act. At least an auctioneer must establish to the court that he is a fit and proper person. I imagine that the legislation came about because there were problems in the past in the last century with people setting themselves up as auctioneers and carrying on the auctions in some kind of illegal or unsatisfactory way that was contrary to the public interest.

One might also ask what happens if a person acts contrary to the Mock Auctions Act, for instance, one of the Acts regulating the conduct of auctions. Will there be any way that the person who has conducted the mock auction can be found out? At least if there is a register, there is a better chance of finding out who may have been guilty under the Mock Auctions Act.

At the moment an appraiser must establish, not to a court but at least to the Receiver of Revenue at the Treasury, who is responsible for the licensing of appraisers—establish to the satisfaction of the Government—that he is of such character and has such qualifications as to warrant his being licensed. If this Bill is passed, that will be removed. Once again, that would mean that anyone could establish himself as an appraiser or a valuer, not of land as the Minister pointed out, but of personal effects, stock, crops, and things of particular concern to rural communities, without any fall-back in terms of his character and without any inquiry as to his qualifications. In other words, someone who wanted to establish himself as an appraiser or valuer could do it tomorrow, without any qualifications, if this Bill is passed and the Appraisers Act is repealed.

The Minister has argued that the present protection to the public is negligible and that it is not an effective method of regulating those persons or protecting the public. Perhaps those measures are not completely effective, but at least they require some qualifications and criteria. A person is required to be of good character and, in the case of an appraiser, he must have some qualifications. The Government should look at the licensing of appraisers who do not have any qualifications. Further, if the Minister argues that the protection to the public is negligible, surely he should consider whether some kind of licensing or regulations—particularly relating to character, qualifications and the handling of moneys (for example, trust funds)—should not come under some regulation.

The present Act provides some control for the Government or the courts as to character and qualifications. However, if this Bill is passed there will be absolutely no controls and no regulation of this industry. The Minister should ask himself whether there is a need for such controls relating to character, qualifications and the handling of other people's money. Further, the Auctioneers Act prohibits auction sales on a Sunday. It is now clear that a land auction cannot be held on a Sunday, which is one of the days when many people would be in a position to attend an auction. Certainly, many house inspections are carried out on Sundays. Some people are undoubtedly placed at a disadvantage because they are working and cannot attend auctions during the week. In a sense, the prohibition on Sunday auctions militates against an ordinary person who must work from 9 to 5 during the week. The removal of the prohibition against auctions on Sundays will be of considerable benefit to consumers, and I am pleased to see that the Minister is taking into account the views of consumers on this matter. It could well be that this measure will be of considerable benefit to consumers.

However, the odd thing about this matter—and I believe it is further evidence that the Minister has simply thrown this Bill together in an attempt to get something into Parliament for this session—is that there is no mention of it in the second reading explanation. If the Minister had considered this matter carefully and had wanted to change the provision prohibiting auctions on Sundays, I would have thought that he would mention it in his second reading explanation. I can only suggest that the Minister did not know what he was doing. As I have said, I imagine that the Minister threw the Bill together and now finds to his surprise that he has repealed the prohibition against auctions on Sunday. I believe that further adds to the call for this legislation to be referred back to the Minister for further investigation.

Clearly, the Minister has not looked at the arguments relating to the desirability of having at least some controls and regulations governing appraisers and auctioneers. Furthermore, the Minister is now allowing auctions to be held on Sundays. As I have said, that is of considerable benefit to the consumer, but I do not believe that the Minister in any way intended to do that. Certainly, if the Minister did intend that, he has tried to deceive the Council, because he said nothing about that particular provision in his second reading explanation. I therefore move to amend the motion that the Bill be now read a second time, as follows:

> Leave out the word "now" and after the word "time" insert "this day six months".

I believe that that amendment is necessary, because the Minister has thrown this Bill together. In fact, it is an ill-considered piece of legislation, and the Minister has not put any proper thought into it. He has certainly not given any thought to auctions on Sundays. If my amendment is carried, the Minister will be able to take the matter back for proper discussions with his department and the industry in an attempt to come up with something that is a little better considered and, even if he wishes to proceed with the Bill, in the ultimate analysis he will at least be able to come up with some decent arguments in its favour.

The Hon. J. C. BURDETT (Minister of Community Welfare): I thank the Leader for his contribution. The measure has been thoroughly discussed. As far as the industry is concerned, there is very little industry to consult, because almost all auctioneers and appraisers are licensed under other Acts. The Leader has not given any good reason for retaining these two useless pieces of legislation on the Statute Book. They regulate nothing. I have pointed out that almost all auctioneers and appraisers are licensed under other Acts. The present Acts have no provisions about trust funds and no disciplinary provisions, and once a person is licensed there is no way of removing him or disciplining him in any way.

There are virtually no complaints that are not covered by other Acts. The department receives some inquiries but they are usually regarding the Land and Business Agents Act or secondhand motor vehicle sales. The Leader said that probably last century some problem was found, but that was not the case. The reason that was given, going back to Imperial legislation, was a revenue one, nothing else. There was no suggestion of any problem.

A breach of the Mock Auctions Act has nothing to do with the Auctioneers Act and depends entirely on the detection of the offence. If you detect the offence, you detect the offender. Regarding the red herring about auctions of land on Sundays, the Government has no intention of allowing auctions of land on Sundays. That matter can be discussed when it comes up in another Bill. There was no point in retaining this useless piece of legislation on the Statute Book just because of the question of auctions on Sunday.

That can be dealt with far better under the Land and Business Agents Act. The Government intends to do that in this session, in the not-too-distant future. The Government had simply not intended to present this Bill for assent until the other Bill had been passed. However, as the matter has been raised, I have placed on file an amendment to the effect that this Act shall come into effect on a date to be fixed by proclamation. The matter has been thoroughly reviewed, and it did not take much reviewing. There are no complaints under the Act, there are no disciplinary provisions, and the legislation does nothing.

The Hon. R. C. DeGaris: If it regulates nothing, how can you call it deregulating?

The Hon. J. C. BURDETT: That is purely semantic. I can think of it as deregulating because it costs the Government money to administer the two Acts. It takes a magistrate's time, a couple of hours a week, and it takes about a quarter of the time of the Assistant Clerk of the Local Court of Adelaide. It costs my department about $8 000 per annum to administer, simply in collecting money over the counter, and in addition it takes the time of people in senior positions in the department.

In answer to what I know was the kindly interjection by the Hon. Mr. DeGaris, I say that it is a measure of deregulating, because it takes away a substantial cost but no benefit. I oppose the amendment. There is no need to send the Bill back, as it has been thoroughly considered already.

Amendment negatived.

Bill read a second time.

In Committee.

Clause 1 passed.

New clause 1a—"Commencement."

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

Page 1, after line 4—Insert new clause as follows:

1a. This Act shall come into operation on a day to be fixed by proclamation.

I gave the reasons for this new clause previously, and I do not propose to repeat them.

The Hon. C. J. SUMNER: The Minister has explained that this new clause is to enable the Bill to be proclaimed after an amendment has been made to the Land and Business Agents Act to reinsert the prohibition against land auctions on Sundays. I should have thought that, as Minister of Consumer Affairs, he would be interested in extending the rights of consumers by allowing land auctions on Sundays. I wonder whether he could indicate why, although it was in the original Bill, he now feels that land auctions should not be held on Sundays.

The Hon. J. C. BURDETT: I think that that matter can be debated when the amendment to the Land and Business Agents Act comes before us.

The Hon. C. J. Sumner: It's before us now.

The Hon. J. C. BURDETT: It is not, actually. All that is before us is the fairly usual provision that the Act shall come into effect on a date to be proclaimed, so Sunday auctions can be dealt with then. I would say at this time that a thing like a public auction involves a lot of people. The matter has been considered in the past as not a satisfactory activity to be undertaken on a Sunday. I do not believe it ought to be undertaken on Sunday or that it would affect consumers advantageously in some respects.

The Hon. C. J. SUMNER: Can the Minister explain why in the second reading explanation there is no reference to the deletion of the prohibition of auctions on a Sunday?

The Hon. J. C. BURDETT: Because of the Government's intention, it was not considered necessary.

New clause inserted.

Clause 2—"Repeal of Appraisers Act, 1934-1961."

The Hon. C. J. SUMNER: Can the Minister provide some indication of the revenue that will be lost to the Government as a result of the repeal of both Acts?

The Hon. J. C. BURDETT: Regarding the Appraisers Act, it is $1 000. There were 100 appraisers. Regarding the Auctioneers Act, the amount is $30 000, but this will be more than offset by administrative savings in not having to collect revenue and administer the Acts.

The Hon. C. J. SUMNER: Has the Minister more specific details of the savings that will occur, and would there not have been more savings by not continuing the procedure through the Local Court but providing a speedier procedure through tribunals in the Minister's department?

The Hon. J. C. BURDETT: In my second reading explanation, I gave such details as can be specific and quantified. I thought they were fairly embracing. If we take it from the courts and put it somewhere else, we will be setting up another administration.

Clause passed.

Clause 3 passed.

Title passed.

Bill read a third time and passed.

SOUTH AUSTRALIAN ETHNIC AFFAIRS COMMISSION BILL

In Committee.

(Continued from 21 August. Page 556.)

Clause 6—"Constitution of commission".

The Hon. C. J. SUMNER: I have some general comments and questions to ask of the Minister and an amendment to this clause. Will you, Mr. Chairman, indicate whether you wish to have the amendment dealt with first?

The CHAIRMAN: Are the comments relevant to the amendment?

The Hon. C. J. SUMNER: They are questions on the clause itself.

The CHAIRMAN: The Leader can make the comments and then deal with the amendment.

The Hon. C. J. SUMNER: This clause deals with the constitution of the commission and with the method whereby members will be appointed to the commission. They will be appointed by the Governor upon the nomination of the Minister. I made the point in my second reading speech that this commission is a creature of the Government. It is in no sense independent of the Government, because it is subject to the general control and direction of the Minister.

The Hon. R. J. Ritson: It should be too, shouldn't it?

The Hon. C. J. SUMNER: I am not arguing with that. A commission of this kind ought to be under the general control and direction of the Minister but I make the point that it is a creature of the Government and is in no sense independent. Our policy was designed to try and develop amongst ethnic groups, if they wished, some kind of umbrella organisation that could have acted as an independent lobby and participatory group on behalf of

ethnic communities. We would have been prepared to provide financial assistance to such an organisation, the notion being that that organisation could then have decided by what method its members would be elected and could have acted as some kind of independent advisory group to the Government. But this proposal of the commission is not in that category. It is a creature of the Government in a similar way to a Government department but with more people participating at the executive level.

So, obviously, something that will be of crucial importance is the appointment of a full-time member and of seven part-time members. It has been put to me that perhaps there ought to be some method whereby the Minister ought to ensure that the appointments are acceptable to ethnic communities. It was suggested to me that perhaps the Bill could contain some provision that would provide ethnic communities with the right to object to the appointment of a particular person within a certain time, or that something ought to be written into the Bill to the effect that the appointment ought to be acceptable to the ethnic groups concerned. I would like to put that to the Minister to ascertain whether that would be acceptable to him and the Government. That would certainly ensure that the appointments to this body did gain the acceptance of ethnic communities. I raise this point because, in connection with the drafting of this Bill, I understand that it was not circulated to all ethnic communities and that some people were favoured with the draft, while others were not. This has caused some concern and disquiet amongst people to whom I have spoken about it.

With reference to the Greek community, I understand that a copy of this Bill was sent to the President of the Greek Orthodox Community, in Franklin Street, and to Bishop Ezekiel, of the Archdiocese community. However, there are a number of other Greek communities in South Australia (six, I believe, are mentioned in the Minister's own ethnic affairs directory), some of which did not receive copies of the Bill. One person who was concerned was the President of the Port Adelaide Greek community, Mr. Jim Kotrotsos. He approached me and was upset that he found out about the Bill only yesterday, and he justifiably expressed his concern to me. I am conveying that concern to the Minister and the Chamber, because if the same procedures, whereby there is little consultation, are adopted in relation to appointments the Minister will not be making appointments that are acceptable to the ethnic communities. First, will the Minister consider including in the Bill a proposal whereby there is some mechanism to ensure that appointments to the commission are acceptable to ethnic groups? Secondly, what is the procedure whereby he intends to make these appointments, and what consultation is envisaged with the communities?

The Hon. C. M. HILL: The Leader's contribution highlights the difficulties that any Government would face in trying to satisfy everyone who has an interest in this Bill. If we are pragmatic and take a realistic look at the question, we will have to come down with an answer that it is going to be impossible to satisfy everyone. The Hon. Mr. Sumner knows the great number of small communities within some of the larger ethnic groups. He, too, knows the number of various small minority ethnic communities that exist. If one set about to endeavour to forward a copy of this legislation to every group that one could list, it would be simply too large an exercise, and still some people would be excluded or omitted in error. So, the Government has endeavoured to keep as close as possible to the ethnic people generally—to the larger communities and the smaller communities.

The Government has been mentioning its plans and doing its best to publicise the proposal. Indeed, we have been having meetings of ethnic people from different groups and different backgrounds. We have discussed our plans and the draft Bill. Certainly, in all honesty, we have done what we thought best to achieve the progress that has been achieved so far.

There would be no easier way (and I am not saying that this is in the Leader's mind) to obstruct the passage of this concept of the establishment of a commission than to accept the need to go to all ethnic people everywhere and ask for their views. It would be absolutely impossible to do that or to strike common ground that would be supported by all. We have done our best, by a representative approach of speaking to people who we know have taken a deep interest in their communities and who understand the attitudes and feelings of large numbers of ethnic people, to bring together an attitude and general viewpoint of a large number of such people. If the gentleman at Port Adelaide came to the honourable member and made this complaint, I hope that the honourable member gave him a copy of the Bill.

The Hon. C. J. Sumner: He got it yesterday.

The Hon. C. M. HILL: If any honourable members hear of such people who are genuinely interested yet have been overlooked in some way, it is incumbent on them to show such people copies of the Bill.

Regarding whether or not sufficient research has been done in relation to ethnic people, I can only say that we have done our best. We have been working on the concept for about five years, which is a long time. Over that period we have brought together the general feeling and needs of people in the concept of the commission as provided for in the Bill.

The matter of how we will choose the commissioners, and whether we can consider any machinery by which those appointed might be checked out by some referendum of specific communities, or by the already appointed commissioner to see whether the recommended appointees are suitable, either to ethnic people generally or to their colleagues on the commission, and many other considerations relevant to the subject have been considered.

I refer, for example, to the situation that might arise (I do not believe that it will, although it has been put to me by people who are generally interested in the subject) if the part-time commissioners lose confidence in the full-time Chairman, what would happen then in relation to the good working of the commission, and the point whether any legislative check can be written into the Bill to solve a problem of that kind.

One could canvass all sorts of difficulties that might arise. Of course, difficulties will arise; I accept that. However, we must still push on and be extremely careful in regard to the choice of members of the commission. I am strongly of the view that, if ethnic groups put forward to the Government names for consideration for appointment as commissioners, and if the Government is extremely careful in its selection, from the list of recommended appointees it will be possible for us to put together a commission that will work well.

True, the commission will have its ups and downs and its disagreements. Nevertheless, the Government acknowledges that that will be the situation and is prepared to live with problems of that kind and to take a positive and constructive view in an attempt to overcome such difficulties.

As the Minister responsible for the general control of the commission, I will certainly maintain very close communication with the Chairman of the commission for the purpose of smoothing out any problems that will

inevitably arise, not for the purpose of interfering with the commission's work but in order to make a special effort to see that there is unanimity amongst commission members so that they work together in the best interests of the ethnic community generally.

Therefore, the Government has left fairly wide and broad the matters of choice and criteria that must be considered when the choice of the commissioners is made. Because of the extreme caution that we intend to take before making our final selection of the commissioners, we want room in which to manoeuvre.

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

Page 2, after line 30, insert the following:

and

(d) nature and extent of involvement with ethnic groups,

Clause 6 (2) provides that the Minister, in making appointments and nominating people for appointment, shall have regard to certain factors. At present, these are specified as being the knowledge, sensitivity, enthusiasm and personal commitments of those who come under consideration in the field of ethnic affairs. My amendment will add one other factor to which the Minister should have regard, namely, the nature and extent of involvement with ethnic groups. This will ensure that the persons appointed to the commission will have some knowledge of and involvement with ethnic groups.

So, while it will not be an absolute criterion, this is one of the factors to which the Minister should have regard, namely, whether the person considered for appointment has had just a ripple of involvement with ethnic groups or whether he has been deeply and intimately concerned with them for some time. I feel sure, in view of the Minister's explanation regarding what he intends by way of consultation and the method by which he must appoint people to the commission, that he should find no difficulty accepting my amendment.

The Hon. C. M. HILL: I do not have any objections to the amendment, although I hardly think that it is necessary, as any Government appointing a new commissioner (be it the first commissioner to form the first commission or a commissioner subsequently appointed) would naturally take into account the nature and extent of involvement with ethnic groups.

Amendment carried.

The Hon. C. J. SUMNER: The Minister said that if he was the Minister responsible he would ensure certain things. Has the Government any intention to alter the Ministerial responsibility for the administration of ethnic affairs, including this Act?

The Hon. C. M. HILL: No, we have not any plans at the moment.

The Hon. C. J. SUMNER: Can the Minister explain why, in relation to subclause (3), there is a fixed term of five years for the second appointment of a full-time member of the commission, whereas the first appointment would be an appointment not exceeding five years?

The Hon. C. M. HILL: The explanation is the degree of caution that I mentioned earlier. We will call for applications for this position and it may well be that some favoured applicant could accept a position for a shorter term than five years. An applicant may accept the position only if assured of a five-year term. That may involve people who are employed at the moment in some secure and relatively high position, but it does allow some flexibility, because we realise the great importance of the best choice for this key position within the community. It may be that we would like to offer the position to a particular applicant for a short term so that we can see what sort of success that man makes of the job in practice. It may be that we will find an applicant who is willing to take the position for, say, 12 months, and then come up for review. If we did find someone, and if those circumstances did apply, it would be a wise procedure to adopt, so that at the end of 12 months, if that person was making a success of the position, we could give him an appointment for a further five-year term.

The Hon. C. J. Sumner: Could that not apply to any subsequent appointment?

The Hon. C. M. HILL: If it is working we can then see whether there are any problems.

The Hon. C. J. SUMNER: Would the Minister's comments apply to any subsequent appointment as well? I think he suggested that, if that appeared to be a problem, the Government would consider it once the Act was in operation. Is that so?

The Hon. C. M. HILL: That is not quite right. The risk is greater in the first instance, because the commission has not been launched in practice. The greatest risk is the first appointment. If the position becomes vacant after five years and we then call nominations for a new Chairman and Executive Officer, at least we will know much about the workings of the commission in practice. I do not think that the risk that I foresee at the moment will be quite as great then as at this stage.

The Hon. C. J. SUMNER: The Chairman is the Chief Executive Officer of the commission and the one full-time member of the commission. Subclause (6) provides for the appointment of a Deputy Chairman but, in addition to one of the seven part-time members, it provides that an employee of the commission can be appointed as Deputy Chairman. Is that some person outside the seven part-time members? If that person were an employee of the commission, would he act only in lieu of the Chairman? That is, would he attend the meetings of the commission only when the Chairman was not there, or would he attend the normal meetings of the commission?

The Hon. C. M. HILL: The reason for that alternative is to give the Government some flexibility. What I imagine would be the case is that if the Chairman was absent in the short term it may well be that one of the part-time commissioners could take the Chairman's role for just a meeting or two. However, if the absence of the Chairman was prolonged, for example, on an overseas visit or for some other reason such as ill health, and if the Executive Officer who was the next most senior appealed to the commission as a person who could well fulfil the role temporarily as the Chief Executive Officer, then such an employee of the commission could be given that work. It is simply for the purpose of flexibility, and I imagine that it would depend in practice upon the particular circumstances, with specific reference to the period of time that the Chairman might be absent.

The Hon. C. J. SUMNER: I take it that it would be the Government's policy that a Deputy Chairman who would be an employee would be appointed only for the term that it was anticipated the Chairman would not be available.

The Hon. C. M. HILL: Yes, most definitely.

The Hon. C. J. SUMNER: In other words, the Minister is not expecting that there will be appointed as Deputy Chairman an employee who would be in addition to the seven part-time members who are appointed and who could be a permanent member of the commission?

The Hon. C. M. HILL: That is the position.

Clause as amended passed.

Clauses 7 and 8 passed.

Clause 9—"Meetings of the commission, etc."

The Hon. K. L. MILNE: I move:

Page 4, line 32—Leave out "twenty-eight days" and insert "fourteen days".

There are two reasons for this amendment. First, the New South Wales Act states that the Minister shall receive the minutes within 14 days, and I believe that this Bill should be consistent with that Act to bring it into conformity with other States. Secondly, in my experience as a secretary over the years, 28 days is too long between a meeting and a Minister receiving the minutes. If a Minister is going to receive the minutes at all, it should be earlier. The Secretary should write the minutes of a meeting as soon as possible after a meeting, because the longer they are delayed the less accurate and relevant they tend to become. Further, if a Minister has to wait up to 28 days before receiving the minutes, too much will have happened in between and his oversight will be reduced in value and his ability to advise will be greatly hampered.

The Hon. C. M. HILL: I am persuaded by the Hon. Mr. Milne's argument. Obviously, he has done his homework and has researched the New South Wales Act in great detail. I would have thought that any minutes would actually be in the Minister's hands within, say, 14 days, even though there may be some circumstances that might cause a small delay. To tidy up this matter, I have no objection to the amendment.

Amendment carried.

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

Page 4, after line 33 insert subclause as follows:

(6a) The Minister shall cause copies of the minutes to be laid before each House of Parliament.

This amendment deals with providing a copy of the minutes of a meeting to the Minister. Subclause (6) states that the minutes shall be furnished to the Minister within 14 days. I believe that there is some merit in having the minutes tabled before Parliament, because the whole object of the Bill is to facilitate participation by ethnic groups and people of ethnic origin in the affairs of the Government in this area. Therefore, they should be encouraged to have as much input to the decision-making of the commission as possible. Indeed, the report prepared by the Ethnic Affairs Commission of New South Wales referred to participation. Clause 12 refers to assisting and encouraging the full participation of ethnic groups in the community in the social, economic and cultural life of the community. I am sure that the Minister would agree that that is a most desirable intention. However, if participation is to mean anything for the groups concerned, they must also have access to the decisions that are made by the commission to more fully enable them to fulfil the objects of the Act in relation to participation. Ultimately, that will produce better community relations in South Australia.

Without some access to the minutes and the decisions of the commission on a regular basis, participation by people in the operations of the Ethnic Affairs Commission would be considerably hampered, as would encouragement to participate in life in the South Australian community. No doubt the Minister will argue that the commission is under the general control and the direction of the Government. I have said that the commission is a creature of the Government and that appointments are made to the commission by the Government. However, this particular commission is in a peculiar situation. Although it is a creature of the Government and is not independent of the Government, it very much depends upon involving people in the community in its operations. In fact, "participation" is a key word.

I believe the commission falls somewhere between the Health Commission, which is subject to the control and direction of the Minister and is really a Government department, and at the other end of the scale, a commission, group or organisation that is completely independent of the Government and can make its minutes and decisions available to the community in general. Therefore, the Ethnic Affairs Commission should be able to make its decisions available through its minutes. I can think of no better way of doing that than by having them tabled in Parliament, which would make them available to honourable members and to any interested persons in the community. Given the particular nature of this commission, I believe that my amendment should commend itself to the Minister and to the Government generally, because on numerous occasions it has spoken of making Government decisions more accessible to the people and open government generally.

The Hon. C. M. HILL: I cannot accept the amendment and I am quite overwhelmed that the honourable member would propose such a machinery measure. He is asking that the minutes of a statutory body be brought into Parliament and laid on the table for all to see. Not only would they be available for members of Parliament, but also the public, because once they are tabled they become public property. If that were done for every statutory body in this State, 260 sets of minutes would be tabled monthly. All the confidential matters contained in those minutes dealing with appointments and other matters that might be confidential would be made public.

The honourable member would be aware that the Minister in charge of this Bill is responsible to Parliament and that he is required to answer questions in relation to matters dealing with this legislation. The honourable member would also be aware that under clause 23 the Minister must table an annual report about the workings of this commission. That report must include all financial information after it has been audited by the Auditor-General. I am sure that the honourable member knows that that is the time when the public document dealing with the workings of the commission is available for all to see.

It is quite extraordinary for the member to suggest that other than committees of the Parliament should be encumbered by this restriction requiring them to report directly to the Parliament. I do not believe that the amendment is directly related to the purpose of the Bill, despite the Leader's explanation. It would be quite ineffective from a practical point of view. When Parliament was not sitting, the minutes would mount up. When would I be supposed to deal with them? The member does not say. I could wait 12 months and bring in all the reports that have been supplied, and in that way I would be complying with the member's proposals. Does he want them regularly or annually? That discloses weakness in the amendment.

The purpose of the Minister's receiving minutes from the commission is simply to enable him to keep in touch with the commission's activities. I stress that, in my case anyway, it is not to interfere with the commission. It is a helpful practice and I have found it so in other fields, particularly in the arts, where I have asked for the supply of information. In some cases, I suppose that that could be refused but it is supplied and it is an excellent way in which to keep in touch with the various boards.

Of course, the New South Wales Act does not contain this proposal and I suspect that the member is carrying his view on open government too far. The internal workings of a statutory authority board have nothing to do with open government. They are matters before the board. Open government comes with questions asked of me by members here, with correspondence to the responsible Minister on matters on which a member requires information, with Ministerial statements here, and with the tabling of annual reports.

I come back to the question of confidentiality. What kind of deliberation will the commission give to matters when it knows that within a few weeks everything that it discusses and decides will become public property? In my view, there is nothing to support the proposal, and I strongly oppose it.

The Hon. C. J. SUMNER: I am disappointed—

The Hon. L. H. Davis: But not surprised?

The Hon. C. J. SUMNER: I am not surprised at the Minister's attitude. I know that he wants to keep things bottled up in his own department and does not want Parliament to know what is going on.

The Hon. L. H. Davis: Can you give an example of a statutory authority where this is happening?

The Hon. C. J. SUMNER: No, and that is why I was at pains to point out the nature of this authority. I said that it fell somewhere between the sort of statutory authority that is almost a complete Government department and others which might be more independent of Government and which could make their minutes public.

The Hon. L. H. Davis: You wouldn't suggest the Electricity Trust?

The Hon. C. J. SUMNER: No. If the Hon. Mr. Davis had listened, he would have heard me say that this was a statutory authority somewhere between the two and that it depended on the rationale of trying to involve people in ethnic affairs. When you encourage people to become involved, you need to give them access to the affairs of the commission so they can make up their mind and participate in a meaningful way. I was not advocating that the minutes of all statutory authorities should be tabled but simply that, because of the nature of the commission and the work that the Minister has laid down for it, it would be desirable that the minutes be made available to the public, particularly the ethnic community.

If the Minister is concerned about confidentiality, I am prepared to put a compromise proposal whereby there could be excised from the minutes those matters that related, for instance, to the Budget, those that the Minister would not want to be public before the Budget was brought down, although I must confess that it is becoming more common for Budgets to be made available to the community before they are brought down. I can understand the Minister's concern about that, and there may be other matters, so I am prepared to put forward an amendment to cover that. He said that the amendment did not specify when he had to table the minutes. I should think that, as a conscientious Minister, he would table them as regularly as possible. Again, I am prepared to look at a compromise proposal.

The Hon. K. L. MILNE: I think the Leader is getting confused between a regular report by the Minister to this Council and regular minutes. On a statutory authority, a tremendous number of things should not be made public, particularly things that are half-way through being dealt with and ideas that are being developed. If we bear in mind the sort of people who will be serving on this commission and the matters of a confidential nature that will be involved, we will realise that this is one kind of authority where the minutes should not be produced to the public.

Members of the commission will have to work together and it will comprise people with varying views. They would not want matters made known to the public. Minutes do not convey to people who have not been present at a discussion exactly what has gone on. I see the Leader's point in wanting to help, but I am not in favour of the amendment.

The Hon. L. H. DAVIS: I join in opposing the amendment. If it was carried and became law, members of the commission would be making decisions with a weather eye to public reaction. It would politicise, which is to be avoided. The Minister was at great pains to ensure that the ethnic groups were represented and that their views would be properly expressed. The Bill provides for an annual report, and public releases of information that is of interest to the ethnic community can be provided.

People will have plenty of opportunity to be kept in contact with the views and aims of the commission. The Hon. Mr. Sumner has admitted that no statutory body has such an open book and it is somewhat ironic that he now, in Opposition, wants to have access to everything that he was not prepared to give access to while he was in Government.

The Hon. C. J. SUMNER: I did not say that there were no statutory authorities where this applied.

The Hon. L. H. Davis: You couldn't give us any examples.

The Hon. C. J. SUMNER: No, but I did say there were independent statutory authorities which, if they wished, could provide copies of minutes to the public. The point that has been missed by honourable members, including the Hon. Mr. Milne (and I cannot for the life of me think why he should say that the Ethnic Affairs Commission is in a special category relating to confidentiality), is that this commission involves participation by people. That is the whole rationale of the commission, and there ought to be ready access by those people to the commission's decisions. I merely ask the Minister whether he is prepared to consider the compromise suggestion that I put or whether he is prepared to consider some kind of regular reporting, perhaps on a quarterly basis, of the major decisions of the commission.

The Hon. C. M. HILL: I oppose any compromise in the matter at all. I assure the Leader that regular bulletins and publicity will be coming out from the commission and the Government to the ethnic communities, so that the ethnic people can gain information on what the commission is doing. That is the proper method by which the distribution of such information should be carried out.

Amendment negatived; clause as amended passed.

Clauses 10 to 12 passed.

Clause 13—"Functions of the commission."

The Hon. R. C. DeGARIS: I refer to "ethnic grou" in line 20, which I am sure would like a "p" (or "ps" if the plural is intended). I ask that this ethnic group be relieved of its anxiety without our undergoing the arduous process of having to move a formal motion.

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

Page 5, lines 15 to 27—Leave out all words in these lines and insert new subclause as follows:

13. (1) Subject to this Act, the functions of the commission are as follows:

(a) to investigate problems relating to ethnic affairs and to advise the Minister and make reports and recommendations on the basis of those investigations;

(b) to consult with and provide advice to Government departments and instrumentalities on the implementation of ethnic affairs policies;

(c) to undertake research and compile data relating to ethnic groups;

(d) to advise on the allocation of funds available for promoting the interests of ethnic groups;

(e) to provide services (including interpreting, translating and information services) approved by the Minister to ethnic groups;

(f) to consult with other bodies and persons to determine the needs of ethnic groups and the means of promoting their interests;

(g) to arrange and co-ordinate meetings, discussions, seminars and conferences with respect to ethnic affairs;

(h) to report and make recommendations to the Minister on matters relating to the avoidance of discrimination on the basis of ethnic origin; and

(i) to co-ordinate initiatives in the field of ethnic affairs.

My amendment expands subclause (1) by adding a number of other matters that will be considered functions of the Ethnic Affairs Commission. The first of those additions is set out in paragraph *(b)*, which states:

to consult with and provide advice to Government departments and instrumentalities on the implementation of ethnic affairs policies;

I believe that this addition is warranted. One of the things that concerned me as Minister was to ensure that there was some procedure for ensuring that Government departments outside the ethnic affairs area were made aware of ethnic affairs policies and were prepared to take action to implement those policies. The policies are, of course, always subject to the Government, and they would be the Government's policies. However, I believe that some additional authority in the legislation for the commission to consult with Government departments and advise them would give the commission additional authority when dealing with Government departments.

One of the problems that I have seen over the past few years is that in the area of ethnic affairs there have been dozens, almost hundreds, of reports prepared on the problems of ethnic groups and individuals within them, but there has been not only in South Australia but throughout Australia a tendency to order reports and then to have no follow-up on those reports in practical terms in the implementation of policies within Government departments. Despite that, in South Australia a considerable amount was done to implement ethnic affairs policies. I believe that more was done in this State than in any other State until recently, New South Wales having established an Ethnic Affairs Commission.

When I was Minister I obtained from Cabinet an agreement to a proposal whereby reports would be prepared on the implementation of Government policies within the various Government departments and working parties set up to ensure that down-to-earth practical proposals were put to implement those policies. I believe that, if this subclause is added to the general functions of the commission, it will give to it and the Minister some greater authority in dealing with other Government departments, realising all the time that the policy to be implemented is the policy of the Government. I would commend that addition to the Minister.

The second addition is to existing paragraph *(d)*, which in my amendment is paragraph *(e)*. Existing paragraph *(d)* talks about the provision of services as approved by the Minister to ethnic groups. It was put to me that of particular concern to ethnic groups was the provision of services relating to interpreting, translating and information services. I have merely added that as an addition to the services and made it more specific that interpreting, translating and information services are included within that, so that the new paragraph reads:

to provide services (including interpreting, translating and information services) approved by the Minister to ethnic groups;

I have then sought to add two additional functions, in paragraphs *(g)* and *(h)*, in my proposed new subclause. Paragraph *(g)* provides:

to arrange and co-ordinate meetings, discussions, seminars and conferences with respect to ethnic affairs;

That is precisely in the same terms as the New South Wales legislation, upon which the Minister has already indicated this legislation is substantially based.

Apart from the fact that it is in the New South Wales Act, it stands as an important function of the commission, as meetings, discussions, seminars and conferences are important in the sort of thing about which I was speaking earlier, namely, the involvement of people in the business of the commission to promote discussion about ethnic affairs policy and to enhance participation by people in the development of those policies. I am sure that the amendment fits in with the Minister's general thoughts on the Bill.

The final addition is paragraph *(h)*, which provides that an additional function of the commission will be to make recommendations to the Minister on matters relating to the avoidance of discrimination on the basis of ethnic origin.

The purpose of this amendment is to ensure that the Minister considers matters involving discrimination against ethnic groups or members of ethnic groups. A similar provision is in the New South Wales Act. That State has an anti-discrimination board, which is referred to specifically in the New South Wales legislation. In this case, however, although we have a Racial Discrimination Act, we do not have a board that is specifically charged with the responsibility of looking into matters involving race or ethnic discrimination. So, the new paragraph provides that the commission should consider questions of discrimination and make recommendations to the Minister in general terms about what should be done in relation to them.

Consistent with the rest of the Act, my amendment refers to discrimination on the basis of ethnic origin. What the Minister does when he receives a report is up to him and the Government. However, it is important that this be a specific function of the committee.

The Hon. C. M. HILL: I do not have any objection to these amendments, which, in effect, were covered by the existing functions, which had been left very broad. All the things about which the Leader has spoken could have been carried out under the original Bill. The Leader has spoken about consultation with Government departments. I know that the Leader and his friends are keen to go into Government departments and talk about ethnic affairs matters. I do not object to that.

However, to specify interpretating, translating and information services under the general heading of "Services" is really unnecessary, but, if the Leader wants particularly to highlight that aspect in order to satisfy certain people, I am happy with it. Quite a number of other matters were covered in clause 22, which deals with the question of officers of other departments co-operating with the commission. I do not oppose the amendment and, accordingly, am content to support it.

Amendment carried.

The Hon. C. J. SUMNER: Does the Minister envisage that the Ethnic Affairs Commission will carry out its functions with respect to all members of ethnic minority groups, irrespective of whether or not they are Australian citizens, without discrimination as between Australian citizens and those members of ethnic minority groups who may not have taken out Australian citizenship?

The Hon. C. M. HILL: Yes.

The Hon. C. J. SUMNER: The Attorney-General will be interested in this question and may be able to provide the Committee with some information regarding it. The Liberal Party's ethnic affairs policy which was issued at the last election and which I carry around in my pocket (as the Minister knows), states, in its preamble:

All people have the inalienable right to their own identity, both as individuals and as a group.

Does the Government intend to take any further action by way of a Bill of Rights or something of that nature to ensure that that right is enshrined in South Australian law? I particularly ask the Minister or the Attorney-General what is the Government's attitude to the ratification by Australia of the International Covenant on Civil and Political Rights, which has been before the Council of Ministers on Human Rights for some time. That covenant, which would cover the matters referred to in the preamble to the Liberal Party's ethnic affairs policy, was signed by the Whitlam Government but has not yet been ratified.

In 1975, legislation was before the Federal Parliament to ratify that United Nations international covenant. However, as it has not yet been ratified, I should like to know what is the Government's approach to ratification, whether it approves of ratification in such a way as would make the law binding on the States (and, therefore, would assist in the implementation of the Liberal ethnic affairs policy), or whether there ought to be some reservation whereby the ratification does not apply to the Australian States. I raise this matter, as it will ensure that the promise made by the Liberal Party in the preamble to its policy in this respect is enshrined in South Australian law.

The Hon. C. M. HILL: The Government has no plans at the moment regarding a Bill of Rights. Nor has it any plans at this stage to join in any international covenant on this general question at all.

The Hon. K. T. GRIFFIN: The Leader of the Opposition will know that the question of ratification has been before Commonwealth and State Ministers for quite some time. There are difficulties as regards ratification, because of the unknown extent of the external affairs power of the Commonwealth Constitution. The States are being particularly cautious about their approach to ratification at Commonwealth level, because of the consequences that may be much more far reaching than appears on the surface. The ratification of that treaty is irrelevant to this Bill which, if passed, will go a long way towards achieving the implementation of our ethnic affairs policy at the last election.

Clause as amended passed.

Clauses 14 to 16 passed.

Clause 17—"Voluntary workers."

The Hon. C. J. SUMNER: I raise this matter for the benefit of the Hon. Mr. DeGaris, who I know is most particular about the way that Acts of Parliament are expressed. He is concerned that they should be grammatically correct. Does he think that subclause (1) contains a tautology?

Clause passed.

Clauses 18 to 20 passed.

Clause 21—"Accounts."

The Hon. L. H. DAVIS: I move:

Page 7, lines 1 to 9—Leave out this clause and insert new clause as follows:

21. (1) The commission shall cause proper accounts to be kept of its financial affairs and not later than three months after the end of each financial year submit to the Auditor-General a statement of accounts for that financial year in a form approved by the Treasurer.

(2) The Auditor-General may audit the accounts of the commission at any time and shall audit the statement of accounts for each financial year.

(3) The Auditor-General shall have and may exercise in respect of the moneys and accounts of the commission and the officers of the commission the powers that are vested in the Auditor-General by the Audit Act, 1921-1975, in respect of public accounts and accounting officers.

I move this amendment because I believe that statutory bodies such as this commission, if and when this Bill passes all stages, should have a financial responsibility and accountability that should be written into the Bill. Whereas listed public companies are required by Stock Exchange regulations to present their interim (half-yearly) and their preliminary final reports within three months—

The Hon. N. K. Foster interjecting:

The Hon. L. H. DAVIS: They are further required to present their audited annual reports within four months, but there is generally no such requirement in respect of statutory bodies. The Hon. Mr. Foster can interject, but under the Labor Party the number of statutory bodies doubled. The provision of control over statutory bodies and their financial affairs, including the reporting of financial statements under the Labor Government, became a bit like a canine's first meal of the day.

The Hon. N. K. Foster interjecting:

The Hon. L. H. DAVIS: The Hon. Mr. Foster would call it something else. This legislation should be tightened up to provide that a statutory body should report its financial statements within three months. Subclause (1) requires the commission to have proper accounts kept, and within three months of the end of the financial year the accounts should be submitted to the Auditor-General for audit. After that audit, as indicated in relation to clause 23, the commission would also be required to table those audited statements in the report of the commission's work during the preceding financial year. The Auditor-General will still be able to exercise all the powers that are vested in him under the Audit Act in respect of moneys and accounts of the commission. He has far-reaching powers. He will have power to examine all relevant matters of the commission during the financial year.

In moving this amendment, I am not criticising public servants. Rather, it is a matter of setting certain standards to ensure that statutory bodies come under proper public scrutiny and that the financial statements that are presented by them are tabled only shortly after the period for which they have been prepared, thus ensuring that the financial statements are relevant public documents rather than irrelevant, as has been the case so often, and as was mentioned in the Address in Reply speech that I made recently in respect of several large statutory authorities reporting as late as 18 months after the appropriate financial period. My amendment to this clause in conjunction with my amendment to clause 23 seeks to correct that situation.

The Hon. C. M. HILL: I commend the honourable member for seeking to alter the Bill in this way. The amendment provides greater control on behalf of the public generally, and it requires the commission to complete its final accounts and annual report within periods that are specified. The honourable member may well seek to write this kind of provision into other Acts, because it is certainly tighter and more efficient legislation.

Amendment carried.

Clause 22 passed.

Clause 23—"Annual report."

The Hon. L. H. DAVIS: I move:

Page 7, lines 16 to 19—Leave out subclause (1) and insert subclause as follows:

(1) The commission shall, within one month after its receipt of the audited statement of accounts for each financial year, submit to the Minister a report upon the work of the commission during that financial year, incorporating the audited statement of accounts for that financial year.

This is a consequential amendment relating to clause 21. It

is appreciated that the Auditor-General faces a bottleneck at the end of the financial year, because he is required to prepare his report. Obviously, there are a number of statutory bodies that are obliged to forward their financial statements for the financial year just ended to the Auditor-General for audit.

However, I believe it is reasonable to expect that the commission should be able to have the report of its activities, together with the audited statement of accounts, in the Minister's hands within one month of the receipt of the auditor's statements, thus allowing some time for printing. B.H.P., which is undoubtedly Australia's largest company, presented its annual report to 31 May 1979 properly audited to its shareholders less than three months after that balance date. Under section 36 of the Audit Act, the Treasurer is required within two months to present to the Auditor-General a full statement in respect of the Revenue and Loan Accounts for audit. If it is good enough for the Treasurer to do that in respect of the very complicated and complex accounts for the whole of South Australia, then it certainly should be good enough for statutory bodies to at least comply with the spirit of clause 23 of this Bill.

The Hon. R. C. DeGARIS: Although my remarks do not relate to this clause, it is the only one I can find that allows me to raise this question.

The CHAIRMAN: I presume that there is a slight relationship.

The Hon. R. C. DeGARIS: Yes, Mr. Chairman. Much has been said about statutory bodies and sunset legislation in South Australia. In this measure Parliament is discussing the establishment of yet another statutory body. I realise that the Government uses statutory authorities for a reason and that over the years Governments have made use of this particular procedure. I am not arguing against the establishment of statutory authorities, but I am questioning why Parliament should pass legislation to establish yet another statutory authority without some forced Parliamentary review of its operation.

The statutory authority looks like having permanence. Every statutory authority is established with very strong grounds for permanence in our community. Further, in many countries and in some American States a system of review of the operation of statutory authorities has been established. This applies not only to statutory authorities but also to Government departments. A Government department, for instance, must establish within a certain period, usually six to 10 years, reasons for its continued existence. Each year Parliament has before it one-sixth or one-tenth of departments or statutory authorities and reports from officers who have conducted investigations to see whether those departments or statutory authorities should be continued. The investigation goes further than that, because it also looks at whether any changes should be made in the way an authority is spending and using its money. Has the Government given any consideration to this question, and what is its view in relation to establishing the principle that every statutory authority should be subject to review at a specified time irrespective of its operation?

The Hon. C. M. HILL: I will deal with the general thrust of the Hon. Mr. DeGaris's contribution by saying, first, that the Government does not relish the need for any new statutory authority. Last week I explained the Government's attitude and said that in an instance such as this, and perhaps on a few other occasions, there may still be a need for new statutory authorities. However, the Government is hopeful that some legislation under which established statutory authorities operate will be repealed in due course and those authorities will be abolished. Ultimately, the Government hopes that over a period it can gradually decrease the number of authorities. In this instance, the Government needed to carry out its policy, and it was necessary to proceed with legislation to establish a new statutory authority.

My second point deals with sunset legislation. The Government looks at that procedure closely when an authority such as this is established. In this instance, it seemed quite inappropriate to suggest that the Ethnic Affairs Commission could be looked at in five years time, for example, with the object of dispensing with it altogether. It is obvious that there will be a continuing need to serve ethnic communities and new migrants through the Ethnic Affairs Commission. New migrants will be arriving in Australia all the time just as they have been doing since this State, and this country generally, was first established. At the moment there has been a considerable increase in immigrants from Asia. Indeed, 28 per cent of the net migration to Australia at present involves Asians. Those people, in particular, need a great deal of help in regard to interpreting, translating and information services, and the provision of all other services that can be provided by this commission. Therefore, the Government does not accept that the operation of the commission as such could simply be stopped after a period.

It may well be that the operation of the commission could be run down after a certain period, but to dispense with machinery of this kind would indicate that the Government has little regard for the needs of migrants of today and the needs of future migrants. In relation to whether a statutory body should be involved in the sunset legislation procedure, one must look at the actual operations of the particular authority. In relation to the question of deregistration as it affects statutory bodies, at present the Government is deeply involved with an excercise dealing with that question.

The statutory bodies have all been listed and schedules drawn up as to further investigations regarding their need to exist and on whether their operations can be curtailed in some way. A general deregulation thrust is under way and I hope that before long the results of that activity will be seen. The same principle applies to our departmental structures in the Public Service. All Ministers have been given instructions (and these have been passed on to departmental heads) to look closely at departments to see whether the thrust of deregulation can be applied in the various departments in the Public Service.

All this means that one must be practical in dealing with the subject but at the same time the Government hopes that, in the general mix of departments and statutory bodies that will come under investigation, we can achieve the objectives to which the Hon. Mr. DeGaris has referred. As far as Parliamentary periodic review is concerned, I have not any objection to Parliament being involved in some way in some periodic reviews. Certainly, regarding statutory bodies as they exist now, Ministers who administer them are having some investigated at present on the basis of periodic reviews, and others will be looked at. The Adelaide Festival Centre Trust is the subject of a review of its operations.

The Hon. C. J. Sumner: What are you going to do there?

The Hon. C. M. HILL: The first thing to do is have a good look at it, just as the Leader's Party had a good look at it between five and six years ago. That will be done regarding other statutory bodies and I think that some reports on such inquiries, when they have been passed through Cabinet, will be tabled in Parliament, when they can be subject to discussion and debate. That is, in some

respects, Parliamentary review of the organisations. I make those comments, assuring the Chamber that the Government is concerned at the need for review of all statutory bodies, as well as departments in the Public Service.

The Hon. R. C. DeGARIS: The Minister has dealt with the question mainly on the basis that sunset legislation is designed to dispense with statutory bodies. Sunset legislation provides a mechanism whereby an organisation ceases to exist after a certain period, not with the idea of dispensing with it, because practically all bodies that come under sunset legislation are renewed. It has been found, where they use this sort of legislation, that, unless there is a specific clause allowing the organisation to lapse and be renewed by legislation, no review takes place.

It has been found in many places where sunset legislation is provided that they tried saying, "Let us have a review of the operation every six years." That was found not to work. The only way in which a review of statutory bodies can be made and the bodies kept on their toes is by providing that the Act terminate and the matter has to come back to Parliament with a recommendation by the authority that has been given power to review. Then debate takes place. Often, in the States that use sunset legislation, there is no debate.

Where a statutory body has been performing badly or its programmes are costly and could be done in a different way more efficiently, that is recommended. The important thing is that the statutory authority knows that the legislation must be renewed by Parliament and that there must be a review and report before it is renewed for the next period. The real point is the pressure that that applies on an authority to perform well.

The Hon. K. L. MILNE: I do not know what can be done at this late stage, but I think that the Hon. Mr. DeGaris is right. Here we have an opportunity to put into operation what the Government has been saying, namely, that there should be sunset legislation of some sort. Here is an example of an authority that we hope will perform well.

The Hon. C. J. Sumner: Why don't you move an amendment?

The Hon. K. L. MILNE: Can I move an amendment at this stage? I think the matter is worth considering. On the one hand, the Government says that it will create sunset legislation. Here is an opportunity to put it into practice. I am sure it would not be misunderstood. The matter needs thought and, without trying to interfere with the amendment moved by the Hon. Mr. Davis, I ask that progress be reported, and then we can give thought to an additional clause that would do this. If the commission is successful, it will be either less and less useful because it has done its job, or its job will have changed. The authority is forced to show that it has justified its existence. I think the Hon. Mr. DeGaris has hit the nail on the head.

The Hon. C. M. HILL: In this statutory authority, we are not dealing with the construction of houses, as in the Housing Trust, or with the production of electricity, as in the Electricity Trust. We are dealing with very sensitive human beings, and with a large number of them. About 25 per cent of the population of this State was born outside South Australia and 42 per cent of our population has at least one parent who was born outside the State, so that makes them members of migrant families. Those figures are getting towards half of the population, so we are dealing with many sensitive people who are trying to make their way in life up the ethnic ladder, and it is a difficult climb. If we are going to introduce an Ethnic Affairs Commission but say that there is a possibility that in five years time it could be extinguished, in my view those people will be upset by that course of action.

The Hon. C. J. Sumner: Why was it in your policy?

The Hon. C. M. HILL: Because, as I have said, when any authority is considered for establishment or when any existing authority comes under our deregulation review, it will be looked at to see whether it is suitable for the application of sunset legislation.

It is my very firm view that this authority, dealing with ethnic people, ethnic communities and ethnic affairs, is totally unsuitable to have imposed on it such a check, which could be so drastic that it could extinguish the whole activity.

The Hon. G. L. Bruce: Surely it brings it back to the Parliament.

The Hon. C. M. HILL: If the honourable member supports it, he can get up and say that.

The Hon. Anne Levy: It is in your policy.

The Hon. C. M. HILL: It is not in our policy at all that this authority should be subject to sunset legislation. It is all very well for members to be interjecting that it is in our policy. It is not in our policy that the Ethnic Affairs Commission will be subject to sunset leglislation.

The Hon. Frank Blevins: Argue with Mr. DeGaris and Mr. Milne.

The Hon. C. M. HILL: They are entitled to raise it. I respect their views on the matter, but I am making my position very clear. I believe that it is unsuitable for this statutory authority. I am not against the principle of sunset legislation, but I am not so hide bound as some members opposite who are saying that, because we have said it, we have to go on with it in every instance. We did not say that we would do it in every instance.

So, in reply to the Hon. Mr. Milne, everyone has to support the need for periodic reviews of some kind. Everyone wants to have a look from time to time at how statutory authorities run. Parliament wants to do that as do individuals. I will do anything that I can to assist in this matter. We have done it through providing for an annual report to Parliament, and if the members want to subject that report to a full debate I would welcome it. Questions can be asked and answers given about the activities of the commission, and Ministerial statements can be made. But I would caution the Council strongly in this instance against proceeding with a plan to amend this Bill; it could mean that the Bill would be repealed in five years time.

The Hon. R. C. DeGARIS: The Minister has one point relating to the insertion of a sunset clause in this Bill, which, if inserted, may cause some uncertainty in people's minds. However, I do say that, irrespective of what the statutory authority is, if sunset legislation is established, no statutory authority should be exempt from review. The point the Minister has stated which I accept is that to include a clause in this Bill might create the suspicion that he has talked about. If there is a case for sunset legislation, when it comes in it must apply to every statutory authority in this State, with no exceptions.

The Hon. C. J. SUMNER: I would like to make the Opposition's position clear in this matter. We would not have supported an amendment to place some kind of sunset clause in this Bill. All that needs to be pointed out is that, although it is the Minister's Party's policy to have sunset legislation (it has been raised by his colleague, the Hon. Mr. DeGaris, and the Hon. Mr. Milne) the Government is not prepared to act in accordance with its previously-stated attitude. Let there be no doubt in members' minds about our position: we would not have supported the insertion of a sunset clause in this Bill.

Amendment carried; clause as amended passed.

Clause 24 and title passed.

Bill reported with amendments. Committee's report adopted.

The Hon. C. M. HILL (Minister Assisting the Premier in Ethnic Affairs): I move:

That this Bill be now read a third time.

The Hon. C. J. SUMNER (Leader of the Opposition): In my enthusiasm to point out to the Hon. Mr. DeGaris that there was a tautology in clause 17, which referred to the gratuitous services for voluntary workers, I omitted to ask the Minister what precisely is envisaged with clause 17. Clause 17 provides for the use of voluntary workers by the commission in the area of ethnic affairs; it provides also for allowances on account of expenses being paid and for the commission to provide training for voluntary workers. I believe that it is consistent with the thrust of the legislation, as discussed previously (and the need for participation in the functioning of the commission and the functioning of the ethnic affairs policy), that some clause of this kind is warranted. However, I would like to know from the Minister how it is intended that it should work, because there are some dangers in connection with voluntary workers, particularly where there can be training for voluntary workers and payment of expenses in such a way that there may be the temptation to use voluntary and perhaps inexperienced or unskilled people when skilled and professional people are required.

There could be a temptation to try to cut costs by the involvement of voluntary people. I can see the need for voluntary involvement of part-time people or people who have other jobs and are prepared to work voluntarily and participate in this sort of organisation, particularly dealing with ethnic communities where the involvement of so many people on a voluntary basis is a feature of their club, society, or group. I merely point out to the Council this danger in connection with the way that the clause is framed at the moment, and I raise the question as to whether it will give the commission power and authority to cut costs and involve voluntary workers where professional and properly-trained people on a full-time basis ought to be employed. I would like the Minister to clarify what the Government has in mind in relation to clause 17.

The Hon. C. M. HILL: Certainly, the commission will not be permitted to employ voluntary workers, as contemplated in this clause, for the purpose of cutting costs. The purpose of voluntary workers is to give volunteers who have time and who are imbued with a desire to assist in the general area of ethnic affairs yet who do not want to accept positions as salaried staff an opportunity to be involved and to serve.

These people will be properly trained and will work under correct supervision. The principle has been mooted by my officers in the Ethnic Affairs Branch since the present Government came to office. We have not proceeded very far with the scheme, expecting that the commission would be established. We therefore considered that this area of activity could best be commenced in a properly organised way by the commission and that it would deal with matters in areas as decided by the new commission.

There is a tremendous opportunity for aid to be given in resource centres, in hostels, such as the Pennington Hostel, to which Asian migrants now go as the first stage, and in many other locations where newly-arrived migrants reside. There are also opportunities for volunteers to assist such migrants and to help in many other ethnic affairs areas. It is possible to harness the volunteer resource which is available and which comes mainly from ethnic people themselves who want to give back to the cause of ethnic affairs some sort of a contribution because they themselves have been able to make their way in the world.

This Bill provides the machinery by which such volunteers will be able to serve. I assure the Leader that great care will be taken by the commission in the implementation of the scheme so that some of the fears that he foresees will not come to fruition.

Bill read a third time and passed.

ADJOURNMENT

At 5.55 p.m. the Council adjourned until Wednesday 27 August at 2.15 p.m.