LEGISLATIVE COUNCIL

Tuesday 16 February 1982

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 Minister of Local Government (Hon. C. M. Hill for the Hon. K. T. Griffin)—

Pursuant to Statute—

Public Finance Act, 1936-1981—Regulations—Approved Dealers.

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

Pursuant to Statute—

Corporation of Mount Gambier—By-law No. 32—Hire of Motor Vehicles.

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

Pursuant to Statute—

Forestry Act, 1950-1974—Proclamation—Hundred of Waitpinga.

MINISTERIAL STATEMENT: CANNING FRUIT

The Hon. C. M. HILL (Minister of Local Government): I seek leave to make a statement.

Leave granted.

The Hon. C. M. HILL: On 11 June 1981, the Government announced a guarantee to Riverland canning fruit producers assuring them of payment for 7 100 tonnes of fruit at the Fruit Industry Sugar Concession Committee (FISCC) prices applying for the 1981-82 season. This quantity was made up of 6 000 tonnes of peaches, 600 tonnes of pears, and 500 tonnes of apricots. The tonnage quoted at that time was based on likely quota information provided by the Australian Canned Fruit Corporation. Since that statement was made, the amount of fruit able to be processed by Riverland Fruit Products Co-operative has dropped dramatically. It is now anticipated that some 3 750 tonnes of peaches will be canned. There may still be several hundred tonnes of pears which cannot be canned.

There has been no problem with apricots because a shortage eventuated and the FISCC prices for 1982 are the same as those for 1981. The Government, however, will honour its June 1981 guarantee. To this end $282 000 will be provided from State funds for the payment to growers for their fruit at current FISCC prices. This includes $159 000 to be paid to growers on delivery of fruit to the cannery, to be processed either for paste or for a West German order. Also in this figure is an amount of $105 000 to be paid for 700 tonnes of peaches and $18 000 for 200 tonnes of pears which will not be delivered to the cannery.

In the absence of Federal Government support, the South Australian Government will provide a further $282 000 (making a total of $564 000 in offered assistance) for hardship loans to growers who may suffer cash flow shortages as a result of lower FISCC prices in 1982. The 1982 FISCC prices are $45 a tonne and $30 a tonne less than the 1981 FISCC prices for peaches and pears, respectively. For those growers who qualify for this loan assistance, the interest will be at a rate of 6 per cent per annum. The terms, conditions and procedures to be followed in applying for these loans will be announced in a few days.

MINISTERIAL STATEMENT: NAOMI WOMENS SHELTER

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

Leave granted.

The Hon. J. C. BURDETT: In regard to the Naomi Womens Shelter, the Council will be aware that for some time concern has been expressed by the Department for Community Welfare and others in the community over the management of the Naomi Womens Shelter at Prospect. This shelter is only one of 11 (seven metropolitan and four country) shelters funded by the State Government in South Australia, although complaints and controversy surrounding the Naomi shelter might have some people believe it is the only shelter available for emergency care and support of women and children in need.

In fact, the State Government, in line with its general support of voluntary welfare agencies, has consistently and strongly supported the womens shelter movement. Last year the State Government increased its support by 10 per cent to a total grant of $759 000. This support illustrates the Government's appreciation of the excellent care and support provided by the shelters to women and children who, at a time of domestic crisis, are in desperate need of food and shelter.

At the same time, the Government has a responsibility to South Australian taxpayers to ensure this money is accounted for and spent effectively. The Government does not believe this can be said of the Naomi Womens Shelter. A number of allegations and complaints against the shelter have been made to the Department for Community Welfare, virtually since the shelter began operation in 1974. Throughout this time Mrs Annette Willcox has been the shelter's administrator and at the same time secretary to the S.A. Mutual Assistance Association, which manages and operates the shelter.

From its inception, the Naomi shelter has been the subject of repeated complaints. Allegations have been made of misuse of funds, neglect in shelter management, unconstitutional activities of the management committee and lack of adequate care and assistance available to women and children residents. Throughout, great difficulty has been experienced by the Department for Community Welfare in achieving any co-operation from shelter staff in resolving these complaints. The department and other agencies have constantly been rebuffed when attempting to co-operate with the shelter for the benefit of women and children residents.

Following my request for an investigation, a Crown Law report provided substantial information from people with knowledge of the shelter. This information substantiated allegations of serious mismanagement, bordering on neglect, in the provision of adequate care to the shelter's residents. The management committee of the shelter was requested to meet with the Director-General of Community Welfare on 27 January 1982. Prior to the meeting, a writ issued by the shelter sought the release of statements made by the people who provided information to the Crown Law investigation.

The Hon. J. R. Cornwall: Is this matter *sub judice?*

The Hon. J. C. BURDETT: No, it is not.

The Hon. J. R. CORNWALL: I rise on a point of order, Mr President. I seek your guidance. It is my understanding that Supreme Court writs have been issued in this matter, which may well be *sub judice.*

The PRESIDENT: I have no knowledge of any writ and whether the matter is *sub judice.* The Hon Mr Burdett.

The Hon. J. C. BURDETT: The meeting with the shelter's management committee was held, but covered only broad

management issues because specific allegations could not be addressed in view of the writ.

Among these allegations which could not be raised at the time were claims that the shelter often ran out of food and some women had to seek emergency financial assistance from my department despite the fact that there is adequate Government funding to provide food for residents. The answers provided by the shelter's management committee at the meeting were not satisfactory and gave continued cause for concern.

For example, one serious matter that has not been resolved despite repeated requests to do so is the fact that members of the management running the shelter are also paid staff of the shelter. In fact, Naomi is something of a family affair, with Mrs Annette Willcox and her daughter Jacqueline Elliott Willcox on the management committee both being paid staff of the shelter. A sister of Mrs Willcox is also a volunteer and a member of the management committee.

Concern over the operation of the shelter has also been expressed by the Womens Shelter Advisory Committee, which represents all South Australian womens shelters except Naomi shelter. In fact, it is relevant to note that the shelters advisory committee informed me earlier this month of its decision to exclude the Naomi shelter. It did this because of its experience of women who have not received adequate care at Naomi. The committee has also told me it wishes to dissociate itself from the actions and public statements of the Naomi shelter.

The Naomi shelter receives the largest amount of Government funding of any shelter in this State—its funding for 1981-82 was allocated at $94 600. The State Government believes its commitment to support the essential service of women's shelters is compromised by continuing to fund this shelter which clearly provides inadequate care to those who seek refuge. In these circumstances, the funding to Naomi is clearly disadvantaging other South Australian women's shelters. As such, the State Government has decided that from 31 March Government funding for the shelter should stop.

The State Government recognises the aims of womens shelters in South Australia and the need for women and children in crisis to have alternative shelter. Accordingly, I am asking the Womens Shelter Advisory Committee to form a properly constituted management committee to establish an alternative shelter to Naomi to be ready immediately Naomi funding ends on 31 March. I wish to make clear that the Government's decision to stop funding Naomi will not affect the overall funding of South Australian womens shelters which have the strong support of the State Government.

MINISTERIAL STATEMENT: FRUIT FLY

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

Leave granted.

The Hon. J. C. BURDETT: While travellers entering South Australia either as tourists or for business are most welcome, the Government is becoming increasingly concerned at the number bringing fruit into the State, despite widespread publicity about the danger of fruit fly to our horticulture industry and home orchards. An advertising campaign designed to alert South Australians to the danger of the pest, particularly metropolitan residents, has been most successful. So far this season there have only been two outbreaks reported in the metropolitan area. However, this record has been overshadowed by the interception of fruit at our borders.

In the first six weeks of this year, officers of the department confiscated 10 parcels of infested fruit, four more than reported in the six months to the end of December last. Each one of these cases could have placed in jeopardy the State's $74 000 000 a year horticulture industry, as well as the $10 000 000 a year production from home orchards. If the fruit fly reported in Victoria became established in the Riverland, it would be disastrous. Four of the interceptions this year were during the Australia Day holiday period, and extremely heavy infestations were found in peaches at Oodlawirra, on the Broken Hill Highway.

None of the travellers realised he was carrying dangerous fruit, and this demonstrates that even heavily-infested fruit can appear quite normal on the outside, while harboring a mass of maggots within. At Pinnaroo, two separate travellers were found to be carrying infested tomatoes during the same holiday period. Although the number of maggots was less than those found in the peaches at Oodlawirra, these interceptions show the danger that exists with some vegetables as well as fruit. I appeal once again to travellers not to bring any fruit or vegetables into South Australia. Anybody who suspects fruit or vegetables are infested with fruit fly should telephone (08) 269 4500. This number operates 24 hours a day, and any reports of suspected infestations are investigated.

QUESTIONS

SOUTH AUSTRALIAN FILM CORPORATION

The Hon. C. J. SUMNER: I seek leave to make a brief explanation prior to asking the Minister of Arts a question on the South Australian Film Corporation.

Leave granted.

The Hon. C. J. SUMNER: The future of the South Australian Film Corporation and employment in the film industry in South Australia is under threat from the South Australian Government. It is under threat in two respects: first, through the Government's proposal to abolish the Government Film Committee and, secondly, through the attitude of the Government and the Film Corporation in regard to the production of feature films. The Government has decided to abolish the Government Film Committee. That committee was established by the previous Government with the task of commissioning films on behalf of Government departments from the South Australian Film Corporation. The allocation to that committee in the Budget by the previous Government was $700 000 per annum. That figure has now been cut by the present Government to $350 000.

In a circular issued by the Director-General of the Department of the Premier and Cabinet on 26 January 1982 it is made quite clear that the Government Film Committee will be abolished. The circular states:

> The Government has decided that, beginning with the 1982-83 financial year, funds for new film and video projects will not be provided through the Department of the Premier and Cabinet miscellaneous line 'Production of films by South Australian Film Corporation'. Departments and authorities will have to make financial provision for such projects within their own estimates of expenditure, and deal directly with the Film Corporation on all aspects of the production of and payment for them.

The reason for the establishment of the Government Film Committee by the previous Government was that the committee, which acts essentially on behalf of the Government, was the only effective way to ensure adequate work for the South Australian Film Corporation in the area of Government films. Without that central Government Film Committee departments might not give priority to providing that base to the industry which the previous Government

considered desirable. One can see what will happen in the future: if this Government continues its cuts in funding, departments will ascertain where cuts can be made and films that would otherwise have been made will be cut from their individual budgets.

The PRESIDENT: Order! I must remind the Leader that he is providing answers to his questions. It is developing into a debate rather than an explanation.

The Hon. C. J. SUMNER: Not at all.

The PRESIDENT: That is my interpretation.

The Hon. C. J. SUMNER: If a cut in funds occurs, it will be a blow to the film industry in the State. The second matter I mentioned was the attitude of the Government and the Film Corporation in regard to the production of feature films. Some of the great successes of the Film Corporation have been in this area. Many of the financial successes have been in that area through such films as *Sunday Too Far Away, Picnic at Hanging Rock* and, more recently, *Breaker Morant*. I have received information which indicates that the Film Corporation will not be making any more features, at least in the immediate future. As a result of these actions it has been put to me that there will be a loss of in excess of 100 jobs. I have heard of people who have to contemplate moving to Sydney in order to find work in the film industry.

There is much concern in the industry about these matters and about the future of the South Australian Film Corporation. There is no doubt that the Film Corporation was a success story under the Labor Government and established an important industry in this State. Irreparable damage will be done if the Film Corporation is allowed to run down. My questions are: first, will the Minister assure the Council that the Budget allocation for production of Government films will not be further reduced and, secondly, what is the Government's policy on the production of feature films by the South Australian Film Corporation?

The Hon. C. M. HILL: First, let me deal with the point made by the honourable member concerning the reduction in Government allocation to the film committee. I might add, somewhat as an aside, that almost the identical question was asked in the other place last week and the Premier gave a complete answer to claims made there by the Leader of the Opposition. It is true that in this current financial year, due to financial constraints, the Budget for films made through the film committee was reduced from $700 000 to $350 000. It was hoped that the departments and statutory bodies themselves would find some funding from their own budgets and, with that extra funding added to the money allocated, namely, the $350 000, that a programme of film production would have been in train this year comparable with that of the previous year. I think that that objective could have been attained. However, in the past month or so there have been inquiries by film producers interested in this whole area of the film committee and the production of films for Government and semi-government purposes. Within the Premier's Department there has been an investigation into the future worth of the existing film committee. As a result of that investigation, it has been decided to change the method by which film production shall be initiated for a Government department in future. The film committee will continue to do the contractual work that is already in train and its existence will probably remain throughout this financial year, and possibly throughout the next financial year, so that that general run-down in the programme can be supervised by the old committee.

What the Government proposes in the future is to form another committee or council, as it has been mooted, which we feel will be far more successful than the previous arrangement. It is hoped that this new committee or council (and I might add that there are going to be further discussions about this matter at the end of this week, as there were last week, between the Premier and representatives of the Film Producers Association and myself) will be a little more progressive in its methods of contacting Government departments and statutory bodies. It is the Government's intention to promote the production of films by the film corporation and to promote the production of films by, or through, the various departments and statutory bodies so that a larger programme will be achieved in future than has been achieved in the past.

This committee or council is expected to include direct representation from the South Australian Film Corporation. Hopefully, representatives from the committee will make direct, personal contact with the departments and sell the benefits to be gained from films of this type. That kind of promotion was never undertaken by the previous committee. The previous committee which, as the honourable member said, was set up by the previous Government, was simply given a relatively large amount of money and it waited for departments and statutory bodies to contact it to make their needs known. In future, the emphasis will be on a new committee going out to sell the idea of more films being made.

The Hon. B. A. Chatterton: Was there ever any shortage of requests to the old committee?

The Hon. C. M. HILL: No, there was no shortage of requests. However, there had to be a certain amount of processing as to whether some of the requests or proposals were wise. We believe there has been a need for closer contact between the intermediary body and the client departments. In this way the Government hopes it will assist the Film Producers Association more than it has been assisted in the past. We expect to obtain funds for this work from the various departmental budgets.

The Hon. C. J. Sumner: Is there going to be a further reduction?

The Hon. C. M. HILL: There will not be one specific sum at all. At this point in time one does not know how much the various departments will be prepared to allocate in 1982-83. The Government believes that this will be a better procedural arrangement than that which existed in the past. Therefore, the Government believes that the fears that have been brought to the honourable member's notice are unfounded. Indeed, the Government believes that film production will increase in the forthcoming financial year. Further, the Government will endeavour to encourage departments to make films which will help build up confidence in this State by the citizens who live here. It is quite an imaginative and refreshing change of plan. However, I am prepared to admit that in some areas of the film production industry it has been somewhat misunderstood, and some fears have been expressed. Just as the Premier did in another place, I will also endeavour to—

The Hon. C. J. Sumner: What about features?

The Hon. C. M. HILL: I will come to features in a moment; you took a long time with your explanation. I give an assurance that the Government will do its very best to give more work in the documentary film area and to the excellent film production companies that have been established and built up in South Australia since the South Australian Film Corporation was established.

The Hon. C. J. Sumner: Will less money be available? Can you give a guarantee that no less money will be available?

The Hon. C. M. HILL: The honourable member has not followed my explanation. I have indicated that an approach was to be made to departments to have films made. It is impossible to say at the moment the aggregate sum that will be invested in the next financial year. The Government certainly hopes that an increased sum will be spent in this

area in 1982-83. In relation to feature films, I have no idea at all where the honourable member obtained the information that there was some plan or other to stop the production of feature films or to run down the production of feature films. Then, to add salt to the wound, the honourable member indicated that the Government was not interested in the South Australian Film Corporation.

Since this Government has been in office it has achieved more for the South Australian Film Corporation than the previous Government did in all its years, except the first year when the film corporation was established. What has this Government done? It has allocated more than $500 000 to set up the film industry in its new home at Hendon. Honourable members should contrast the new situation with the fragmented structure we were confronted with when we first came into Government, with the corporation's library in North Adelaide, its production studio on the Parade, and its office and administration block on Fullarton Road. I emphasise that this Government stands behind and fully supports, and has given nothing but praise to, the corporation since this Government came to office.

What the honourable member probably meant was that there have been some fears in the area of feature films. That situation is due to the tax arrangements of the Federal Government which have been somewhat confused as far as investors are concerned. There has been uncertainty over the past 12 months as to whether investors would continue to invest funds in this area because of the tax deductibility arrangements, which were not made perfectly clear.

Regarding the feature films, the corporation has just completed a feature film called *Freedom*. Within a few weeks of this film being completed and marketed it was sold in the Philippines for $150 000. It was sold to the Film Studio in New York, which specialises in Australian films, for only $50 000 less than what *Breaker Morant* was sold for. This price is only an up-front price and there are many more percentages on top of that. *Freedom* is the first film made in South Australia by a South Australian and written by a South Australian. Everything is going well as far as feature films are concerned. On top of this, the corporation has also entered the television series area. This particular area was not dreamt of when the previous Government was in office. I hope that this explanation helps the honourable member. I assure him that we are totally behind the corporation and want to help the producers of documentaries and the people in the documentary industry who have, in the past few weeks, been expressing some fears about their future.

CHRISTIE DOWNS RAILWAY

The Hon. D. H. LAIDLAW: I seek leave to make a brief statement prior to asking the Minister of Local Government, representing the Minister of Transport, a question on the electrification of the Christie Downs railway line.

Leave granted.

The Hon. D. H. LAIDLAW: In 1973 the previous Government announced plans to electrify the Christie Downs railway line and subsequently purchased suspension poles, electric cable and controls for this operation. Subsequently, the State railway system was transferred to the Federal Government and came under the control of Australian National. Plans to electrify the Christie Downs railway line have either been abandoned or left in abeyance. I am advised that this equipment is still owned by the State Transport Authority and was not transferred to Australian National at the time and has been held in store at the Islington workshops for the past seven years. What is the approximate value of this equipment? Is it intended to dispose of this equipment or hold it for some eventual use?

The Hon. C. M. HILL: I will refer that question to the Minister of Transport and bring back a reply.

MRS LENE NESTLER

The Hon. J. R. CORNWALL: I seek leave to make a statement before asking the Minister of Community Welfare, representing the Minister of Health, a question concerning the death of Mrs Lene Nestler.

Leave granted.

The Hon. J. R. CORNWALL: At 6.30 p.m. on Christmas Eve last year Mrs Lene Nestler became acutely ill at a family gathering. The onset was immediate and she collapsed and held on to a doorway awaiting help. She began to vomit and lost control of her bodily functions. She obviously was very acutely ill and within minutes she was conveyed to the Queen Elizabeth Hospital. Mrs Nestler was 68 years old and had a history of heart disease and angina.

Her daughter, Mrs Heide Smith, followed the ambulance to the hospital. Mrs Nestler was admitted to the emergency section where she apparently had an electro-cardiogram and an X-ray. After waiting for two hours Mrs Smith talked to a duty doctor who said that her mother had suspected food poisoning. The daughter naturally queried the diagnosis as all other five adults at the family gathering had eaten the same food and had not become ill, but she received no satisfactory answer to her inquiry.

Mrs Smith (that is, the daughter) was sent home and told to ring the hospital the next morning. Mrs Nestler (the patient) was kept in an observation area adjacent to the emergency section but was apparently never officially admitted at that time. Her daughter telephoned at 7 a.m. the next day (that is, Christmas morning) and was told that her mother was fine and that she could collect her at any time.

When Mrs Smith arrived to collect her mother at 9 a.m. she was shocked by her appearance. Mrs Nestler appeared dehydrated and distressed. Mrs Nestler had complained overnight of dizziness and severe headaches. She was put in a wheelchair and carried into her daughter's car by a porter. During the journey home she slumped forward on the dashboard. On arrival at home she was carried to her bed and started vomiting again. Both Mrs Nestler's son and her daughter returned to the Queen Elizabeth Hospital and asked why their mother had been discharged in this condition. The were told by the medical registrar on duty that if they were not happy that they should bring their mother back.

Mrs Nestler was returned to the hospital by ambulance that afternoon at 4 p.m. (that is, Christmas Day) by which time she was semi-conscious. At approximately 7 p.m. a medical registrar spoke to the daughter, Mrs Heide Smith, and said that her mother had developed cranial bleeding and a left-sided paralysis, but that he did not believe the bleeding was in the brain. A resident neurologist said that they would carry out a brain scan the next morning, if necessary. By this time, 24 hours had elapsed since the original admission. The CAT scanner, the resident neurologist said, was being used for only one hour each day and he indicated at the time that they could release the cranial pressure if it did build up.

Mrs Nestler was never admitted to intensive care at any time. When Mrs Smith rang the hospital at 10 p.m. on Christmas night she was told that her mother's condition was unchanged and that she was stable. At 10.30 p.m., just half an hour later, a doctor summoned both Heide Smith

and her brother back to the hospital. On arrival they were told that their mother was dead.

On the morning of 26 December Mrs Heide Smith and her brother, Mr Tilo Nestler, told the doctor who had admitted Mrs Nestler that they believed there had been gross negligence and that their mother's examination, treatment and diagnosis had been, in their opinion, both negligent and incompetent. On 27 December, the following day, John and Tilo Nestler, the two sons of the deceased woman, with their sister, Mrs Heide Smith, went to the hospital to see Dr Jeans, who confirmed, amongst other things, that the brain scanner was operated for only one hour a day. Dr Jeans indicated that, in his opinion, no autopsy was necessary. The death certificate shows that Mrs Nestler died from a ruptured cerebral aneurysm—in other words, a brain haemorrhage—of approximately 24 hours duration. This is clearly indicated on the death certificate. Obviously, this was the problem when she was originally admitted.

The Nestler family came to me on 6 January. I immediately sent them to a solicitor to get him to seek their mother's medical records from the hospital. Queen Elizabeth Hospital is being very evasive about releasing those medical records and, as late as yesterday, they had still not been made available. The hospital is obviously most concerned about adverse publicity and, I might say, with very good reason.

Mrs Nestler's original diagnosis was completely wrong. She was never given a brain scan, which would have immediately identified the problem. Her treatment on the two occasions on which she was in the hospital was grossly inadequate and she was discharged while her condition was still deteriorating. My impression of her husband and her three adult children is that they are intelligent and fine citizens. Naturally, they have been distraught at their mother's death. However, their principal reason for raising this matter is not with any malice: it is to seek a full coronial inquiry to identify the incompetence in the system and to discover why very expensive diagnostic equipment in a public hospital lies idle while diagnoses are made that are completely wrong. They do not wish to see other people receive the same shocking incompetence and damaging diagnosis and treatment as their mother received.

This is probably the worst case of negligence in our public hospital system that has been brought to my attention in the past 12 months. However, there have been literally hundreds of others. Will the Minister demand that the Queen Elizabeth Hospital release immediately Mrs Nestler's medical records to the Nestler family solicitor? Will she take any and every step necessary to ensure that a coronial inquiry is held into Mrs Nestler's death? Will the Minister initiate immediately a reorganisation of procedures in emergency and out-patient departments in our public hospitals to ensure that such tragic negligence and mistreatment is eliminated from the system?

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

MEAT SUBSTITUTION

The Hon. B. A. CHATTERTON: Has the Minister of Community Welfare a reply to my question of 30 September 1981 about meat substitution?

The Hon. J. C. BURDETT: There is a research project in which samples of meat products being sold as pork sausages have been purchased from retail outlets in all States and the A.C.T. for analysis to ascertain the true nature of the meat included in those products. The project has been undertaken by the Australian Pig Industry Research Committee.

In South Australia relevant products were purchased for analysis from butchers and supermarkets within the Adelaide metropolitan area earlier this year. To complement the Minister's reply, I wish to bring the honourable member's attention to a reply which I gave to the Hon. C. J. Sumner on 21 October concerning the contents of sausages generally.

WEIGHT REGULATIONS

The Hon. BARBARA WIESE: Has the Minister of Community Welfare a reply to the question I asked on 3 December 1981 about weight regulations?

The Hon. J. C. BURDETT: The Department of Industrial Affairs and Employment refers all complaints of discrimination to the South Australian Committee on Discrimination in Employment and Occupation or to the Equal Opportunities Division of the Department of Public and Consumer Affairs. Both of these bodies publish statistics on the various forms of complaints. There is no need to duplicate this exercise. I understand that two formal complaints on the basis under discussion were received by the South Australian committee in the financial year 1980-81. In neither case could discrimination be proved.

The regulation concerned is deemed to be an instrument for protection of women who cannot lift heavy weights without risking injury, rather than a discriminatory one. In view of the protective nature of these provisions, and the lack of evidence that it is having an adverse effect on the employment of women, I do not believe further investigation is warranted at this stage.

LOCAL GOVERNMENT

The Hon. N. K. FOSTER: I seek leave to make a brief statement before asking the Minister of Local Government a question in regard to local government matters.

Leave granted.

The Hon. N. K. FOSTER: The Minister will be aware that last week I asked questions in relation to Victor Harbor council, and that I referred to an officer of the Port Adelaide council, although not by name but by office. Also, I made remarks generally concerning tertiary (or inside) staff, a term I used to draw a clear distinction between officers at that staff level and those known as 'outside staff', such as gardeners, garbos and others.

I raised the matter because, for a considerable period, I have been concerned about local government and the way it carries out its accepted responsibilities in some areas as it sees fit, and ignores others. Ratepayers in almost all urban council and country council areas are required to pay a rate which covers salaries of all staff, both inside and outside staff, and which provides for rubbish collection. I have been told by some country people that they pay $600 in rates a year just for having a garbage can picked up once or twice a month. The other purpose to which the bulk of income paid by ratepayers is put is to service a total debt structure brought about by a decision of the council concerned, often without the knowledge of ratepayers generally. True, there are times when ratepayers polls are required under the Local Government Act. In one instance, the Whyalla council conducted a poll on Boxing Day or New Year's Day a couple of years ago, on a public holiday when most people in the town were away.

Such antics are undertaken by local government apparently while the Local Government Act itself, a weighty document comprising hundreds of sections and by-laws, is not properly scrutinised. In relation to advertisements made in respect of positions, people concerned must be a member

of a trade union or an association, one being at one end of the scale of employment and the other being at the other end of the scale.

I notice also that a considerable percentage is spent from time to time by local government in opposing the claims by the Australian Workers Union, but very rarely has anything been said about the Municipal Officers Association. Before I ask the question, I draw the Minister's attention to his very swift reply to me in respect of the Munno Para council the other day, and he can note, in percentage terms, the increase in the income of that council, the increase in the number of staff, and the relatively very, very small increase in the number of ratepayers in that area.

I ask the Minister whether he will ascertain, on behalf of this House of the South Australian Parliament, the number of councils and the number of councils that still rely on a percentage of the ratepayers' payments and/or property held by a council in respect of the salaries for inside or tertiary employees of the council. Will he provide this Council with information as to the superannuation or retirement fund applicable to a great number of councils, and will he say whether there is any contribution? Further, are the ratepayers consulted in respect of the superannuation or retirement fund applicable to local government within the terms of the Act?

Finally, on how many occasions does the figure exceed $250 000, $500 000, $750 000 and $1 000 000, and I ask whether this acts as an impediment to the freedom of the council to exercise its elected rights because of an inability to meet the monetary requirement for the retirement fund as it applies to tertiary staff across the whole local government sector in South Australia?

The Hon. C. M. HILL: I will have a close look at the questions that the honourable member has asked and endeavour to bring down the information that he seeks.

The Hon. Frank Blevins: I hope he has more success than I do in getting answers.

The Hon. C. M. HILL: I am always willing and wanting to assist and to bring down all the information sought in this Council. Salaries of local government officers, of course, are set by the Municipal Officers (S.A.) Salaries Award. The Government is not a respondent to that Federal award, and I have no jurisdiction in any determinations under it. I am not speaking now about the A.W.U. situation: I am speaking about inside officers, to whom the member has referred. Pay-out figures for voluntary retirement are subject to payment for normal annual leave, long service leave, and superannuation, plus any agreed arrangement between the employers and the employees.

The Hon. N. K. Foster: Agreement between whom?

The Hon. C. M. HILL: Between a council and a member of staff who treats with a council about retirement. Of course, councils do not know what that latter figure is until negotiations begin. The point I am making is that there is no predetermined formula that I can bring to the honourable member's notice, because that is a matter of arrangement at the time.

The Hon. N. K. Foster: That's what I want you to find out.

The Hon. C. M. HILL: I may find out any instance where it has already occurred, but one cannot find out this information where negotiations have not already commenced. Pay-out figures for dismissal may be subject to legal proceedings between the parties. In regard to superannuation, there is not just one common superannuation scheme for all local government. Different councils have their own. As I understood one of the questions, I am to ascertain the superannuation schemes that exist. That is quite a task. At this very time, the Local Government Association is endeavouring to marry up all these schemes and develop a common scheme which, hopefully, may be beneficial to local government and which may ultimately be accepted by local government. I think that the best way I can satisfy the honourable member, because his questions are fairly comparable to those that he asked last week, is to wait until I get the *Hansard* proof of the exact details. Then I will bring down a reply for him.

SUPERANNUATION FUND

The Hon. D. H. LAIDLAW: I seek leave to make a brief statement before directing a question to the Minister of Local Government, representing the Treasurer, on the subject of investments by the trustees of the South Australian Superannuation Fund.

Leave granted.

The Hon. D. H. LAIDLAW: In 1980, the Federal Minister for Administrative Services declared surplus the old Adelaide Mail Exchange building in Grenfell Street. It was offered for sale by auction through a licensed real estate firm. At the auction, no bidder reached the reserve price. Subsequently, the vendor called for revised sealed bids from the two highest bidders at auction. The trustees of the South Australian Government Superannuation Fund were successful at a price of about $1 300 000.

A year or more has passed, and I understand that the building lies unoccupied. The loss in interest on this purchase money is in excess of $200 000 a year in addition to the expense for rates and taxes and maintenance. This is a substantial loss of income for public servants who belong to this fund. Since the trustees seemingly were very keen to buy this building for the benefit of the South Australian Government Superannuation Fund, do they now intend to make any use of the building or leave it as a memorial to the Adelaide mail sorters?

The Hon. C. M. HILL: I will refer the question to the Treasurer and bring back a reply.

ON-THE-SPOT FINES

The Hon. FRANK BLEVINS: I seek leave to make a brief statement prior to directing a question to the Minister of Local Government, representing the Chief Secretary, the Minister of Transport, and the Attorney-General. He can pick the eyes out of the question and refer it to the appropriate Minister.

The PRESIDENT: What is the subject?

The Hon. FRANK BLEVINS: It is regarding on-the-spot fines.

Leave granted.

The Hon. FRANK BLEVINS: I think all members of Parliament would be aware of the public concern throughout South Australia since the introduction of the so-called on-the-spot fines. I cannot think of any other measure that has caused as much controversy in the short period that it has been in operation. The Opposition did not oppose this measure, on the basis that it was being brought in to streamline the administrative actions required to process road traffic offences. However, we were not told that apparently the police would use those fines to harass motorists and other road users, such as people who ride motor bikes. We were not told that the system would be used as a revenue-raising measure for this Government. Had we been told that, perhaps we would have opposed it, because that is certainly what has happened.

I do not think that on any other issue have I and, I am sure, other members of Parliament received so many complaints. Police officers themselves have mentioned that there

has been some criticism, and I quote a report in the *Advertiser* of 12 February of a statement by Superintendent Beck. He said there had been some criticism of 'over-zealous officers'. In that article it was also stated that 12 000 people in South Australia had in January been issued with traffic infringement notices, and that is 40 per cent higher than the figure for the same period last year. I just do not believe that the standard of driving of South Australians has deteriorated to that extent in that time. It can only be, as Superintendent Beck himself said, the result of over-zealous policing by the officers concerned.

It is obvious that it is very easy to sit around in a police car and issue these notices willy-nilly. It is obvious that the police are taking the easy way out. Superintendent Beck, in this article, said that safeguards were built into the system. I do not know what the safeguards are. However, in view of the 40 per cent increase in notices of infringement issued under this system, we had better look at what safeguards exist. At this stage they certainly do not seem to be very effective.

The Hon. R. C. DeGaris: One of the safeguards is for a member of Parliament to ask questions.

The Hon. FRANK BLEVINS: That is correct—it is built into the system. An article in the *Sunday Mail* of 14 February this year contained the comments of the Hon. Trevor Griffin. I would have thought that the Chief Secretary, who is in charge of the police, would deal with police matters, but we appreciate that the Attorney-General has to deal with these matters himself rather than allow the Chief Secretary to do so. The Hon. Trevor Griffin made some defence of the system, and said that the monster that was created by the on-the-spot fine legislation was in the mind of Peter Baker and certainly was not inherent in the legislation. I would say that the Attorney-General is the only one of that mind left in South Australia. What Peter Baker and members of the public have said is quite true. This legislation is turning into something of a monster. However, in deference to time, I will now ask my question. What safeguards are built into the system, as referred to by Superintendent Beck in the *Advertiser* of 12 February? Has it been found necessary to use these safeguards, and is the Minister satisfied that the safeguards are strong enough?

The Hon. C. M. HILL: I will ask the Attorney-General to bring down a considered reply to the honourable member.

ETSA RATES

The Hon. ANNE LEVY: I seek leave to make a brief explanation before asking the Minister of Local Government, representing the Deputy Premier, a question on ETSA rates.

Leave granted.

The Hon. ANNE LEVY: It has been drawn to my attention that the womens shelters in South Australia are not being charged for electricity at domestic rates although, as we are all aware, they function very much as a household with a large number of people in it. In no way can they be regarded as commercial establishments or profit-making organisations. However, the Electricity Trust is applying the S tariff to womens shelters in this State, the same tariff as is applied by ETSA to boarding houses, hotels, motels and such places, all of which are commercial profit-making ventures. It has refused to permit womens shelters to have their electricity charged at the M tariff, the normal domestic tariff that most people pay.

There are, of course, differences between the S and M tariffs. While it is true that for large consumers of electricity the S tariff will work out cheaper than the M tariff, at low electricity consumption the M tariff would be much cheaper than the S tariff. I believe that the cut-off point is about 4 000 kilowatt hours. For any consumption less than 4 000 kilowatt hours the M tariff is a good deal cheaper than the S tariff and, for any consumption greater than 4 000 kilowatt hours, the S tariff is cheaper than the M tariff. Most boarding houses, hotels and motels would have an electricity consumption greater than 4 000 kilowatt hours and are obviously benefiting from the S tariff. However, the womens shelters in this State have an electricity consumption—whilst perhaps greater than in many domestic surroundings—less than 4 000 kilowatt hours, at which point the S tariff becomes advantageous. As a result, their electricity bills are considerably higher than they would be if they were able to be charged at the M or domestic tariff rate.

It is also true (as I am sure most people would know) that all residents in a womens shelter come within the category of pensioners or people on benefits of one type or another. The Gas Company will give concessions to pensioners who have bills presented in their name. However, the Gas Company will not give the same concessions to the womens shelters, even though all the residents of the shelters come into the category of pensioners who would, on their own, be entitled to a Gas Company rebate on their bills.

I was pleased this afternoon to hear the Minister of Community Welfare say that he fully supports womens shelters, that the Government is happy to help them and fully supports them in the very necessary work they do. In light of the charges being applied, will the Minister ensure that the Electricity Trust grants domestic or M tariff rates to womens shelters instead of the S tariff that presently applies? Also, will he urge the Gas Company to grant to womens shelters the same concessions as it gives to all other pensioners?

The Hon. C. M. HILL: I will refer those questions to the Deputy Premier and bring back a reply.

DIETICIAN'S APPOINTMENT

The Hon. J. E. DUNFORD: I seek leave to make a brief statement before asking a question of the Minister of Community Welfare, representing the Minister of Health, about the method of appointment of dieticians in public hospitals.

Leave granted.

The Hon. J. E. DUNFORD: It has been drawn to my attention that Mrs Prue Tonkin has been appointed as a dietician at the Flinders Medical Centre. It has been alleged that the job was not advertised. I have checked the Public Service weekly notices back to July 1981, and no such position was advertised in those notices. When was Mrs Tonkin appointed; how many applicants were there for the position; and, when and how was the position advertised?

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

ON-THE-SPOT FINES

The Hon. N. K. FOSTER: My question is directed to the Acting Leader of the House. To what extent are on-the-spot fines affecting the defect notices which used to be issued by the police in respect of a number of matters? Are many of those matters now the subject of only on-the-spot fines? Is the correction of faulty vehicles now impeded because of the introduction of on-the-spot fines?

The Hon. C. M. HILL: I will ask the Attorney-General to include a reply for the honourable member in the material he will provide the Hon. Mr Blevins.

FISHERIES RESEARCH

The Hon. B. A. CHATTERTON: I seek leave to make a brief explanation before directing a question to the Minister of Local Government, representing the Minister of Fisheries, about fisheries research.

Leave granted.

The Hon. B. A. CHATTERTON: I have been informed by people within the research section of the Fisheries Department that they are not able to undertake fisheries research work unless the returns coming from that work, in the form of money obtained from the fish caught, are greater than the cost of the research work itself. If this is in fact the case, it is quite a disgraceful situation that fisheries research will be conducted only on a profit basis. In many cases, the whole objective of the fisheries research is to try to find out why the fish are not there, or why certain areas are not producing the amount of fish that they should be producing. If fisheries research officers have to estimate whether a fisheries research operation will be profitable, it makes a complete mockery of fisheries research in this State. Will the Minister of Fisheries say whether it is true that officers now have to calculate expected profit from fisheries research before undertaking such work and, if that is in fact the case, will he do something to provide adequate funds to the department so that it can continue fisheries research on a proper basis?

The Hon. C. M. HILL: I will refer those questions to the Minister of Fisheries and bring back a reply for the honourable member.

IMPRINT ACT (REPEAL) BILL

Read a third time and passed.

HIGHWAYS ACT AMENDMENT BILL

Read a third time and passed.

STATUTES AMENDMENT (JUSTICES AND PRISONS) BILL

Adjourned debate on second reading.

(Continued from 11 February. Page 2785.)

The Hon. C. J. SUMNER (Leader of the Opposition): The Government introduced this Bill on Thursday of last week as a matter of urgency. It is said to correct a problem which had developed regarding the issuing of warrants of commitment for non-payment of fines and resulted from a decision of the Full Supreme Court. The court held that such warrants of commitment should not, unless ordered specifically by the magistrate, be served at the end of any prior sentence but that the sentence was, in effect, to be served concurrently. That was contrary to a practice that had existed since 1954. Consequently, some prisoners were released from prison. This practice, which had built up over those years, was found by the court not to have been in accordance with the law.

The Opposition opposes this Bill in its present form. First, I believe that there has been insufficient time for consideration of the measure. The Government introduced the Bill as a matter of urgency last Thursday, but I put to the Council that there is really no urgency about this Bill. The Government has not demonstrated any urgency about it. The fact is that a justice or magistrate issuing a warrant of commitment for the non-payment of a fine or costs can, if he wishes, order that that term of imprisonment be effected after any term of imprisonment that the person concerned is currently serving. Therefore, the situation that the Government wishes to achieve can, in fact, be achieved by the justice's issuing a warrant making it conditional on being served at the expiration of any present term of imprisonment.

Secondly, the Government has put to the Council that there may be a number of claims for damages by prisoners for illegal imprisonment. Again, that is not a matter of any great urgency, because, if there are to be such claims, they will take some considerable time to process, in any event. I do not believe that the matter has to be rushed through Council today. I believe that it is not as urgent as the Government has made out. The explanation contained in the second reading explanation is, as usual, completely inadequate.

Thirdly, the Opposition wants the Crown Solicitor's opinion on which this practice was based (the opinion being a 1954 one) tabled and made available to members of this Council so that we can consider it. Finally (and this is the most important reason, so far as we are concerned, why this matter ought not to proceed today), while we have the decision of the Full Court, which is that this practice of executing these warrants cumulatively is illegal, we do not have the full reasons of the court for that finding.

This matter is somewhat technical. The Opposition believes that the Council, which has a responsibility to amend the law if it contains any defects, should have the benefit of the full reasons for the Full Court's decision. This is really a ham-fisted attempt by the Government to deal with the problem. Indeed, the rush to introduce this Bill has now been shown to have been somewhat premature. I understand that the Government is no longer satisfied with this Bill and that it now wishes to move amendments. Prior to last Thursday the Government did not sufficiently consider the amendments that were necessary, and I believe it has now produced yet another set of amendments.

As I said, at the present time there is really no problem. In practice, a justice of the peace or a magistrate can overcome the problem by making the execution of a warrant of commitment conditional upon the completion of any term of imprisonment already being served. Therefore, there is no urgency in the Bill. It may be that when issuing warrants justices will have to give them closer attention. I believe that that is not a bad thing. Apart from that problem there is no difficulty with the current law.

I have said that the Opposition believes that we should have the reasons for the Full Court decision available. There are two aspects to the legislation, one aspect being the retrospectivity. It is interesting to note that honourable members opposite, in particular the Attorney-General, have severely criticised retrospective legislation. Indeed, when discussing the Santos legislation in May 1979 most members opposite referred to retrospectivity. In fact, the Attorney-General stated:

> The Bill departs from what I regard as basic principle in three major respects: first, its retrospective application . . .

However, the Attorney has now introduced legislation which does just that. When dealing with taxation measures, honourable members opposite always seem to complain very bitterly about retrospective legislation. However, this case deals with people's civil rights, because people have been detained illegally; yet the Government seems to have no qualms about introducing retrospective legislation.

Retrospective legislation is needed in some circumstances. However, when looking at legislation Parliament must consider very carefully the general conventions which exist in

Parliaments concerning the enactment of retrospective legislation. In considering this aspect and the Opposition's attitude to the Bill, the Supreme Court judgment will be very important. It will be important in determining whether or not this was a purely technical mistake, a simple administrative error for which the Government or the Public Service has no real responsibility. However, the matter could be more serious. Did the Government ignore complaints about the administrative arrangements that existed prior to the Supreme Court decision? I have received information from the Legal Services Commission which indicates that complaints from prisoners about this procedure have been surfacing over a period. Prisoners have raised with the authorities, the keepers at the gaols, the question of whether these warrants should be executed concurrently. Prisoners have been told on all occasions that the law states that warrants should be executed cumulatively. That procedure has been shown to be plainly illegal and incorrect. A submission was also put to the recent Royal Commission on prisons by the Aboriginal Legal Rights Movement making the point that this procedure was illegal.

Last year complaints about this procedure were brought to the Government's attention. Unfortunately, the Royal Commissioner did not comment on this procedure. The reasons behind the Full Court's decision will be significant when the Opposition decides its attitude to retrospectivity, given the general principles that I have outlined. Was it purely a technical mistake, or is there some culpability on the part of the Government?

The Hon. R. C. DeGaris: Or Governments.

The Hon. C. J. SUMNER: Yes, or Governments. Secondly, it may help us to determine whether this legislation is really necessary. At this stage I do not believe that the legislation is necessary. I believe that the powers contained in the Justices Act are sufficient, if they are exercised properly by the justices who are issuing the warrants. It has been put to me that the procedure for issuing warrants is a farce, that it really is a complete rubber stamp job. The police prepare the warrants, give a bundle to a justice who, without reading them or individually considering each one, signs them in a more or less *pro forma* manner. In other words, it is treated as a purely administrative exercise.

A justice issuing a warrant has a judicial duty to perform. He must be assured on the face of it that there is sufficient cause to issue a warrant. Under the rubber stamp procedure that has existed up to the present time I do not believe that justices of the peace or magistrates have given sufficient attention to the individual circumstances that relate to the issue of each warrant. The system of justices issuing warrants needs to be fully reviewed. We must look at the whole system: the police when they prepare the warrants and the J.P. who simply stamps them as a matter of form without exercising any individual judicial discretion. Recently, I received complaints about the certifying of complaints by people involved in summary matters in the Magistrates Court, particularly by J.P.s involved in local government prosecutions where the same accusation has been made. The J.P. who certifies the complaint does not exercise any individual judicial discretion to see that there is at least some substance in the case for the issue of a complaint. Once again, he merely goes through a completely administrative rubber stamp procedure.

In any review of the system of issuing warrants or complaints, the role of justices of the peace in the issuing of those complaints and the duties that they have should be properly investigated. If there is a problem, then the only justices of the peace who ought to be selected to issue complaints or warrants should be those who have been properly trained.

If this Bill is passed in its present form, considerable hardship could be caused to persons within the community, particularly those persons who are less able to afford to pay fines. I will put a hypothetical situation to this Chamber. What happens if, on 1 January, a person is fined for a traffic offence with a gaol term in default of payment of the fine, and then seven days later he is imprisoned for six months for some other offence? If this Bill is passed and a warrant of commitment is issued during that six-month period, which is envisaged by the Act, then at the end of that six-month period that person will then have to serve the period in default of payment of his fine. This indicates the injustice that can result from this Bill. That person will then have had only seven days within which to pay the fine after it was first imposed on 1 January, although the time for payment may have been 28 days or much longer and will then have found himself imprisoned for six months with no opportunity of earning money to pay the fine and, indeed, without any opportunity at all to pay the fine.

That is the consequence of this hastily drawn up legislation and, quite frankly, it would be a great injustice. What this legislation does is make imprisonment the primary punishment in cases of traffic offences. In cases of traffic offences the primary punishment is supposed to be the fine; imprisonment is only a means of enforcing the fine. If this legislation is passed, for people who find themselves in the situation I have outlined, the fine will not be the primary punishment, but imprisonment will. Therefore, we have one law for the rich, one law for the people who can readily pay their fines, and another for the poor.

Another problem that has been put to me is that where these warrants have been ordered to be served cumulatively, it has affected the prisoner's application for parole. Indeed, one case brought to my attention was where an application for parole was refused because the person had a warrant of commitment for non-payment of a fine or other costs still outstanding that had to be served at the end of the prison sentence. I find it difficult to see how this situation has come about since 1954. If one looks at sections 92 (2) and 93 of the Justices Act, it makes clear that a justice of the peace always has the power in the situations mentioned in those sections to order that the warrant should be executed at the conclusion of an already-existing sentence. That power, it seems, did exist in certain circumstances and one would have thought from reading those two sections that the normal situation was the situation that the Supreme Court recently found to be the case. It is for that reason that we should have, in this Chamber and in the Parliament, a copy of the 1954 Crown Solicitor's opinion.

In summary, insufficient information has been provided to the Parliament. The Crown Law opinion should be tabled. Secondly, it is premature to debate the Bill further until we have the reasons for judgment of the Supreme Court. Thirdly, there is no urgency about the measure, despite a claim by the Government to that effect. Fourthly, there are serious problems with this Bill and in its present form it is not satisfactory to the Opposition. Whether the Bill is necessary and the problems of retrospectivity have not been sufficiently explained to the satisfaction of the Opposition and a case for them has not been made out. If we are forced to debate and vote on this measure today before the reasons for judgment are given by the Supreme Court, then we will oppose the Bill. The third course is that we await those reasons for judgment and then mature and reflective consideration be given to the Bill and any possible amendments and changes in the practice and procedure that operate regarding justices issuing warrants. On that basis I seek leave to continue my remarks later.

Leave granted; debate adjourned.

PARLIAMENTARY SUPERANNUATION ACT AMENDMENT BILL (No. 2)

Adjourned debate on second reading.
(Continued from 10 February. Page 2729.)

The Hon. ANNE LEVY: The Opposition supports this measure which is designed to correct certain anomalies which have arisen in regard to Parliamentary superannuation. I initially stress that this measure is not going to cost the taxpayer anything and may save the taxpayer a great deal of money, so there is no question of members of Parliament trying to feather their nests with this legislation before us. This measure corrects three anomalies which have become apparent in the Parliamentary superannuation scheme. The Bill permits people who have more than one special office in the Parliament to pay the contribution and receive superannuation regarding those two offices, if they are held concurrently. I am sure that this was intended when the provisions for additional payments for people with Parliamentary office were first introduced, but to clear the matter up completely the amendment is being moved.

The second anomaly that is being corrected refers to the pension payable to the spouse of a deceased member. This refers to the pensions payable to widows, as there are currently no widowers of deceased members to whom it could apply, but this may occur in the future. Presently, the wording of the legislation is such that it would be possible on one interpretation for the widow to receive a greater pension than her husband was receiving while he was alive. Clearly, this is not intended under the Parliamentary superannuation scheme, and the amendment corrects this anomaly.

The third anomaly to which the Bill refers deals with members of this Parliament who have had periods of service in other Parliaments within Australia, either in a State or Territory Parliament or in the Commonwealth Parliament. It has certainly been the intention of Parliament to enable people who have served in another Parliament to count that service towards their service in this Parliament, providing that they make the appropriate payments to the superannuation fund.

Reciprocity exists with other Parliamentary superannuation schemes throughout the country, and there are several examples of people who have served in this Parliament and then been elected to another Parliament, be it the Commonwealth Parliament or the Parliament of another State. These members have been able to count their service in this Parliament towards their superannuation from that other Parliament. Reciprocity in such situations seems entirely reasonable and has been attempted by this Parliament previously.

Unfortunately, the trustees have received legal advice and are no longer sure that the amendments passed by Parliament have achieved what Parliament certainly intended, and it is hoped that this Bill will make clear Parliament's intentions, so that members who have served in other Parliaments can, by making the appropriate payments, count that time as if it was spent in this Parliament for the purposes of superannuation. I understand that discussions have been undertaken in regard to the wording of this amendment, first, to establish that the intentions of Parliament are being achieved by this measure and, secondly, to establish that we will not again be placed in a situation where the legislation does not accurately reflect Parliament's wishes.

The Hon. R. C. DeGaris: I don't know that we can guarantee that.

The Hon. ANNE LEVY: It is difficult for a non-lawyer to determine whether the wording is as members wish it to be. This enters the area of legal expertise and lawyers doubtless can argue about whether the intention has been achieved or not. Non-lawyers have to take opinions and, if we have three lawyers look at the Bill, doubtless they will come up with four different opinions on what it means. The intentions outlined in the second reading explanation are clear. I hope that the intentions can be achieved by this Bill. Further, I understand that discussions are proceeding in regard to the Bill. The Opposition indicates that it may be necessary for amendments to be moved in Committee. The Opposition hopes that the Committee stage can be delayed so that appropriate discussions can take place. Therefore, with that proviso the Opposition supports this Bill, which should remove the three anomalies that have been referred to.

The Hon. R. C. DeGARIS: I have been told that today is George Washington Day in America, and I have found out that no-one works in America on George Washington Day. Certainly, I support the Bill, and I would like to support some of the views expressed by the Hon. Anne Levy in relation to it. I agree with her that from the point of view of a non-lawyer and even people with legal expertise there is great difficulty in saying what we want to say in superannuation Bills.

As the honourable member says, the Bill does three things: it handles the question of the meaning of 'additional salary'; it clarifies the question of a spouse's pension where, under the existing Act, it is possible for a spouse to gain a pension on the death of a member which is higher than it should be if the member has commuted any part of his pension to a lump-sum payment; and, thirdly, it deals with the question of portability, which has been around for some time.

I agree with the honourable member when she says that it is difficult to understand whether the Bill does what the second reading explanation says it does. I spent much time looking at the Bill and trying to analyse it. I agree that in regard to portability there is some difficulty in saying whether that amendment does what the second reading explanation claims. In regard to the pension payable to a spouse, I believe it does what the second reading explanation claims. However, in regard to the question of additional salary, I have some difficulty in understanding why section 17 has been amended at such length when all it does is clarify the question of additional salary.

I have checked the principal Act with the Bill and cannot understand why the draftsmen have gone to such trouble to make a minor amendment in the definition of what is additional salary. I do not want to go into any analysis of the two, but I ask the Government whether this amendment is a redrafting of the whole section, because there has been some query in relation to what the principal Act really means. Can the Government give me reasons why it is necessary to have such a long redraft for such a small matter? I have read both the principal Act and the Bill, and I cannot find any difference between the two. In Committee I will be looking carefully to see whether the actual provision does exactly what the second reading explanation claims. Those matters can be argued in Committee, but at this stage I will support the second reading and agree with what the Hon. Miss Levy said, that it is a difficult matter to understand exactly what a Bill of this nature really does in the complex area of superannuation Bills.

The Hon. M. B. DAWKINS secured the adjournment of the debate.

LAND SETTLEMENT ACT REPEAL BILL

Adjourned debate on second reading.
(Continued from 11 February. Page 2791.)

The Hon. M. B. DAWKINS: I rise to support this Bill with some considerable reluctance, because I believe there is still a role to be played by the Land Settlement Committee had this Government been prepared to grapple with the problem, which I believe was caused by the previous Government. It is a fact that the committee was set up to advance land development way back in 1944, particularly for soldier settlers. It is also a fact that this committee performed a very useful and important function for this Parliament long after the settlement of returned soldiers was to all intents and purposes completed.

I disagree with the Government when it says that the need for the committee has disappeared. Except to the extent that it was deliberately allowed to virtually disappear by the Labor Government and allowed to continue in this non-operative role by this Government, I am convinced that there is still a limited (and I emphasise 'limited') amount of land that could and should be developed under the guidance of an active Land Settlement Committee. In this Chamber more than 12 months ago, I discussed this matter in regard to small areas on Kangaroo Island, Eyre Peninsula, Yorke Peninsula and in the Lower Mallee area, south of Lameroo and Pinnaroo.

I think there are areas there that may be described as marginal land, as the Hon. Mr Chatterton said, that could be developed if they were dealt with with great care. Some of this land has been dedicated as national parks by the previous Government. I emphasise once again that I am not against national parks but I believe that some excessive areas have been so treated and that other areas, such as those on Kangaroo Island, which I have mentioned, have been allowed to remain in their natural state because, in my opinion, this Government has not been prepared to grasp the nettle.

For the Labor Party to oppose this measure, which it has done in the other place, seeing that it allowed the committee to die on its feet and that the Labor Government was committed to the socialisation or nationalisation of as much land as possible, is the very height of hypocrisy. I must absolve the Hon. Mr Chatterton from this criticism, for he is at least going to listen to the Minister in reply before committing himself, as he said at the conclusion of his speech. He may have compromised this attitude by the notice of motion that he has given today.

I also refer briefly to the marginal land that he discussed and the soil erosion that occurred by unwise and inexperienced use of marginal land in earlier years and also erosion that occurred in undulating areas of this State as a result of unwise use of land. I must give credit to Mr Robert Irvine Herriot, O.B.E., for the pioneering work that he did in combating soil erosion in the undulating land and marginal land areas of this State. As a layman (perhaps I could emphasise a phrase that a colleague in another place uses), I think that, had Mr Herriot developed a thesis on the work that he did on soil erosion and combating it, that thesis should have been worth a further degree in his favour. The work that Mr Herriot did in combating soil erosion ought to go down in the history of this State.

I support this Bill with reluctance because I think the matter has now been allowed to go to the point of no return, and I do not believe that the Labor Party's suggestions regarding this committee and the possibility of shifting its emphasis are viable. I must add, with due respect, that the present land settlement committee is full of expertise in other fields but, with one exception, knows little or nothing about land and it has no expertise in making judgments for itself on the types of person who may come before it under the Rural Advances Guarantee Act.

That Act, which was one of Sir Thomas Playford's initiatives, has been allowed to become out of date, but I fear that the present committee, as a whole, would not have the agricultural experience to make a good judgment as to the suitability or otherwise of a candidate for assistance under that Act. I say that with respect because, as I have stated previously, the committee may well be full of expertise and qualifications in other fields but, with the one exception that I have already mentioned, it has little or no knowledge of practical agriculture or of the people who may be regarded on the one hand as having a very good chance or on the other hand of not having so good a chance of success.

The suggestion, which was contained in the Minister's second reading explanation and which will be effected by another Bill, that applications under the Rural Advances Guarantee Act will now be dealt with by the Industries Development Committee fills me with no confidence either. Here again, we have a committee full of expertise in other fields and well able, I believe, to handle important and far-reaching applications for industrial expansion on a large scale or to assist industries that are in trouble, but with little or no knowledge of the land and no experience at all in assessing the capabilities or otherwise of a candidate under the Rural Advances Guarantee Act.

In making these comments regarding the Industries Development Committee, I am well aware of the great experience and capabilities of my friend and colleague the Hon. Mr Laidlaw in his own fields of industry. However, I doubt that even he would claim to be an expert on rural industry or a judge of the capabilities of a young farmer, although I am well aware that he has some rural interests.

The Hon. J. E. Dunford interjecting:

The Hon. M. B. DAWKINS: The Hon. Mr Dunford, who is about to leave the Chamber, which may be an improvement, is a capitalist living on an estate at McLaren Vale.

The Hon. L. H. Davis: A socialist squatter.

The Hon. M. B. DAWKINS: That is a very good description. These relatively small decisions regarding agricultural matters are so unrelated to decisions on assistance to industry that I feel that the decision that this committee should take over the matter of dealing with what is known as the 'Rag' Act, the Rural Advances Guarantee Act, is not a good one. I believe that this Bill and the related one are two unsatisfactory pieces of legislation. Nevertheless, they have been brought to the point of no return by the previous Labor Government, some members of which now oppose this legislation. In recording my protest I must, however, give credit to the present Government for what it is doing to enable the freeholding of leasehold land, which I believe is a forward step. Therefore, with some reluctance, I support the Bill.

The Hon. FRANK BLEVINS secured the adjournment of the debate.

LONG SERVICE LEAVE (BUILDING INDUSTRY) ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 11 February. Page 2784.)

The Hon. FRANK BLEVINS: The Opposition supports the Bill and most of the intentions in it. It would be appropriate to say a few words about the principal Act, an Act of which members on this side of the Council are proud. It ensures that workers in the building industry and

some in building classifications in other industries are able to enjoy the advantages of long service leave. As honourable members will know, in this industry and these areas of industry workers, through no fault of their own, very often cannot stay with one employer sufficiently long enough to qualify for long service leave. The industry, by its very nature, commences jobs, completes them and workers have to find other employers in the related fields. Before the principal Act came into being, they did not enjoy long service leave.

The only quarrel I have with that is that it does not go far enough. There are still numerous workers in this State who, for reasons very similar to those of building workers, do not enjoy the benefits of long service leave and, through no fault of their own, are forced to work for different employers over a period of time. That is one area at which the Opposition, when it becomes the Government at the next State election, will be looking and extending these provisions as far as possible.

The principal Act has been in force for about six years. Various anomalies have been brought to the attention of the Government. I concede readily that the Government is doing a reasonable job in attempting to correct these anomalies. It is not surprising that some anomalies have been brought to the attention of the Government. Legislation of this nature, which has been described as pioneering legislation, quite often, after a period of time, is found to be deficient in some areas and needs correcting. In other words, we learn as we go along.

One of the principal anomalies in the Act, which has been brought to the attention of the Opposition as well as the Government, is the case of an employee who went on long service leave some time after it was due and could not be paid at the rate to which he was entitled at the time he went on long service leave. For example, if long service leave was due 12 months before the employee was able to take advantage of it, he would be paid at the rate applying 12 months previously. In these days of quite rapid inflation it would mean a considerable loss to the employee to have to take long service leave on a lower rate of pay. I am pleased to see that this anomaly has been corrected in this legislation. I regret that there will be no retrospectivity, because people have, for the past six years, been disadvantaged by this provision. Certainly, it was an oversight; it was not intended to disadvantage employees in this way. It is worth mentioning that employees have been disadvantaged, and the fact that there is no retrospectivity in this legislation further disadvantages them. It could lead to a discussion on retrospective legislation, because here is one example where it would be welcomed by at least members on this side.

One of the major attempts in the Bill is to unbind the Crown. At first sight that certainly gave the Opposition some disquiet. We believe that the Crown, as far as possible, should be bound to all legislation. It did appear that the Crown was attempting to get out of its obligation to pay long service leave to its employees who are employed in the classifications covered by the principal Act. However, that is not the case. It has been explained to us that the employees are still the subject of long service leave legislation—in fact, in some instances, of better provisions. So, we have no quarrel with that at all. The Government has assured the Opposition and the Trades and Labor Council that no employee, whether moving from the public sector into the private sector, from the private sector to the public sector or staying entirely within the private sector for the period necessary to qualify for long service leave, will be disadvantaged. We accept that it is not the Government's intention to disadvantage these employees and, after looking carefully at the legislation before us, we accept that that will not happen.

When this Bill was brought into the House of Assembly it contained a provision which allowed the Government to use the finance set up to provide for long service leave at the discretion of the Minister for virtually any purpose. The Opposition very strongly objected to this proposal because the Minister did not spell out why he wanted access to those funds and what he was going to do with them. I think that that is an example of the Government's not really coming clean with the Parliament or the people of the State. I suppose what the Minister had intended to do with these funds that had accumulated was quite all right. However, why did he not say so and why was it necessary to attempt to hide his intent within lots of words within the Bill? The Government intends to use the funds to assist the employers who undertake the group apprenticeship training scheme. Everybody in the industry benefits from that scheme. It is an excellent scheme and one which the Opposition supports. However, some expenses are being incurred by the operators of that scheme. I believe that it is only fair that this fund should be used to defray some of those expenses.

There is one point involved that I think the Minister handling the Bill could cover when he responds to the second reading debate. At the moment some of these funds are apparently used by the State Bank and the Housing Trust to provide low-interest loans for new houses as well as to assist in the provision of low-rental housing. It is quite clear to me that less funds will be available for that particular purpose, so I would like the Minister to comment on that. What reduction can we expect in this area of funds made available to the State Bank and the Housing Trust because, whilst the apprenticeship training scheme is certainly important, I would argue that it is no more important than the provision of low-cost homes. We appear to have something of a conflict there, that with one Minister scoring over another, and I would welcome (although I do not expect I will get) the Minister of Housing commenting on that aspect of the change. I would like to know why the original second reading speech could not have explained what the Minister's intention was. Why did it have to be ferreted out, as it were, by the Opposition's raising this matter in the House of Assembly, with the Minister finally having to move an amendment to clarify the point and to advise the House just what his intentions were?

I have some difficulty in speaking to the second reading of this Bill because, apparently, the amendments moved in the House of Assembly were all rejected by the Minister. However, in rejecting them, he said that he would take them away over the weekend and have discussions with his advisers. He thought that perhaps some formula could be arrived at that would satisfy the Trades and Labor Council about the various points of contention. I believe that that has happened to some degree, but to exactly what degree I am not quite sure. Therefore, I would appreciate the Minister's taking this Bill into Committee so that the Opposition can study carefully the amendments that the Minister will move to ascertain whether they accord with the Opposition's thinking on this matter. With those very necessary qualifications, I am pleased to indicate that the Opposition is happy to support this Bill, which will attempt to correct these anomalies that have shown up over the past six years.

The Hon. D. H. LAIDLAW: I support the second reading. This legislation was designed to establish a fund to provide long service leave for itinerant workers under State awards in the building industry. It was introduced into this Chamber in February 1976. I remember the occasion clearly because it was soon after I became a member of this Council and

at a time when the building industry in South Australia was depressed. I moved several amendments. The salient one was to defer introduction of this scheme until the economy improved, because at that time the building industry was depressed and the requirement to pay 2½ per cent of a worker's take-home pay to the fund would have affected costs.

Members will recall that that was the end of an era of very high inflation. The Secretaries of the building unions took umbrage at my actions and descended in force to see me at Parliament House, introduced by the Hon. Mr Foster. One senior secretary threatened to roll my car unless I withdrew the amendment. He probably thought he was talking to one of his own members. Anyway, I persisted and, with the support of my colleagues, and after a conference, it was agreed that this Bill would not take effect until 1977. Other amendments were also agreed on.

From the outset there has been difficulty in determining what employees are covered by the Act. I refer, for example, to employees in a joinery shop which makes furniture that is not earmarked for buildings under construction. Some master builders argue for the widest possible coverage, with the intention no doubt of spreading the burden of financing the fund. Clause 3 of this Bill amends section 4 and, fortunately, clears up this uncertainty. It provides that the Act will apply to an employer who engages in off-site construction work, say operating a joinery shop, if he also engages in on-site construction work and this on-site work is his principal activity in terms of number of employees engaged.

To assist in clarifying who is covered, the definition of 'employees' henceforth will exclude those engaged on roadworks, railways, airfields, breakwaters, docks, wharves, irrigation drainage projects, drilling rigs, gas-holders, pipelines, navigation aids, liquid and gas storage, power transmission, and telecommunications. When one reads out a list like that, one realises what broad coverage this Bill had when implemented in 1977. I doubt whether the drafters of the Bill expected that it would operate so widely.

Clause 3 also excludes the Crown from the application of this Act, which means that employees of, say, the Public Buildings Department will not be covered in future. Apparently, the Government has not contributed from the outset. Ironically, this exclusion came about at the request of the Trades and Labor Council. It is unusual for the unions to exclude any employer from making payments for its workers. In practice few, if any, workers employed by Government departments transfer to the private sector. There is security of employment in the public sector. No-one is retrenched and numbers are reduced only by natural wastage. By working continuously for a Government department, a worker qualifies for long service leave under the ordinary State Long Service Leave Act. Furthermore, he is entitled to join the Government superannuation scheme after a qualifying period, and that is an additional benefit.

I am informed that the Government permits its employees to accrue their long service leave entitlements until retirement or death. Because of inflation, the entitlements escalate and under existing tax laws employees are taxed on only 5 per cent of the lump sum payment when it is received. This practice, I think, is to be deplored because it nullifies the object of long service leave, which is to give an employee reasonable breaks from work during his working life. In addition, it is so much more costly. Few employers in the private sector allow it to accrue because, apart from anything else, they have to provide and pay tax on such provisions year by year as they occur. Nevertheless, all Australian Governments, both Federal and State, seem to permit this practice of deferring long service leave. Perhaps respective Treasurers believed that it was easier to leave posterity to care for such payments rather than have to pay for workers on leave in the current period and perhaps have to employ others to take their place.

From the outset, the employers' contribution to the Building Industry long service leave fund was set at 2½ per cent of total wages. This included overtime, site allowances and over-award payments. Critics of the scheme wondered whether this sum would be sufficient to keep such a fund solvent. Fortunately, the rate of inflation has lessened since 1976 and at present the fund has about $6 000 000 invested with the State Bank and the Housing Trust. The Public Actuary has advised that the rate of contributions at present is greater than is needed.

The Government has sensibly decided, as from 1 July 1982, when these amendments will come into effect, to assess the 2½ per cent contribution on a worker's ordinary weekly award wage, excluding fringe benefits and overtime. This will reduce the burden on employers. At the present time any gesture to reduce building costs must be welcomed. However, when taking long service leave in future, employees will be paid according to their award wage at the time rather than at the rate when the leave accrued, which is the present situation. This will somewhat increase the outgoings from the fund, but seems fair.

The Minister stated that in future trustees of the fund may invest moneys interest free or at low interest rates in worthwhile projects in the building industry. While this is a worthy motive, I trust that this Bill to produce income, increase benefits and lessen the interest received on investments will not leave the cupboard bare, especially since a period of inflation in Australia is upon us. I will refrain from commenting on other aspects of the Bill, most of which are of a minor nature. I support the second reading.

The Hon. J. C. BURDETT (Minister of Community Welfare): I thank honourable members for their contributions to this debate. The matter raised by the Hon. Mr Blevins in relation to State Bank funding is not a matter which is directly relevant to the Bill. I see no point in trying to answer questions relating to priorities. The Hon. Mr Blevins also mentioned that amendments had recently been placed on file. I indicate that that is the case. It is proper that Opposition members should have an opportunity to peruse the amendments to ascertain their attitude to them. I indicate that when the Bill goes into Committee I will report progress to allow the Opposition to consider the amendments.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—'Commencement.'

Progress reported; Committee to sit again.

TECHNOLOGY PARK ADELAIDE BILL

Adjourned debate on second reading.

(Continued from 11 February. Page 2786.)

The Hon. ANNE LEVY: I support the second reading of this Bill, which is hardly new or surprising to members of Parliament. According to a report in the Parliamentary Library, the Government has announced this important project on no less than eight occasions. I am sure that most citizens of South Australia are aware of this development, which could be described as bipartisan. It brings to fruition proposals which were started during the time of the Labor Government. It is a very important development for South Australia. It will be the first of its kind in Australia, but it is hardly novel by world standards. I understand that there are about 25 technology parks

throughout the world at the moment. I also understand that two technology parks are planned for London; they may see the light of day before our own Technology Park is very far advanced.

It is certainly true that technology parks need not be established in major population centres to be successful. In fact, there are numerous examples of successful technology parks being established away from major population centres. The importance of a technology park is that the high technical industries which are to be fostered there do not require large transport costs. They are very largely the product of highly skilled brains and can thrive very well in places such as Adelaide. It is certainly our fervent hope that the technology park planned under this legislation will indeed be most successful. It will encourage the development of technology and new industries for the State, and that can only be of benefit to everyone.

The essence of a technology park is that it is associated with at least one tertiary institution. The Adelaide Technology Park will obviously involve the Levels Campus of the Institute of Technology. I understand that it will also involve work with the two universities in this State—the University of Adelaide and the Flinders University. A technology park is not simply an industrial estate. It involves research into technological areas—hence the association with tertiary institutions. It is interesting to realise this association of industry with research for the benefit of the community is being recognised in many parts of the world.

Members may have heard a discussion on the ABC last night which detailed the steps that are being taken by President Mitterand in France in relation to the development of research and technology in that country. The new Socialist Government in France is placing major emphasis on the development of science and technology and research relating to technological advances. Many steps are being taken in this regard. I understand that the five-pronged approach which is being used involves research into micro-electronics, engineering, general industrial and biotechnological areas, as well as consideration of worker participation programmes and the way in which they contribute in this area.

As I understand it, the proposals for the Technology Park, while involving co-operation with the Institute of Technology next door through its Techsearch organisation, will, I hope, not be limited to engineering-type projects but will also have regard to biotechnology advances which are occurring elsewhere in the world and in which Australia has a very high reputation and considerable expertise. In this respect, I call to mind the recent announcement that the University of Adelaide is to be funded specially for a Centre of Excellence in Gene Technology. A publication from the University of Adelaide on the Adelaide Centre for Gene Technology, under the heading 'Industrial implications', states:

> Although the centre will be devoted to basic research into the structure and functions of genes, the centre will also develop specific methods for the production of the chemical and biological intermediates which are essential for research and commercial applications of biotechnology. These intermediates are highly expensive and it is hoped that the centre will be the basis for a high technology industry in South Australia, supplying these intermediates to this burgeoning industry.

This modern advanced technology and the research from which it is developed are occurring in Australia and in South Australia, and the development of Technology Park should take advantage of these advances which are being made and which contribute greatly to the development of this State.

Having praised the principles behind this development, I do not wish to appear carping if I criticise some of the aspects of the project, particularly regarding the price paid for the land, which is being acquired from Elders-IXL for the development of Technology Park.

The Minister in another place has stated that the total cost of Technology Park will be $5 000 000. Sometimes, according to *Hansard,* he has said $6 000 000. Whether this is a slip of the pen or the tongue I do not know, but it is agreed that this cost includes $2 400 000 for the land.

The Hon. M. B. Dawkins: The cost is $6 100 000 if you include external drainage works, which are a local government responsibility. The cost to the Government is $5 000 000.

The Hon. ANNE LEVY: There is no doubt that $2 400 000 is the cost of the land, and that this has been paid to Elders-IXL.

The Hon. L. H. Davis: It is $1 900 000, not $2 400 000.

The Hon. ANNE LEVY: Tonkin and Associates say $2 400 000; if they are right on one thing they are right on another. They certainly claim that the cost of the land is $2 400 000, yet it has been stated that the Valuer-General is valuing this land for rating purposes at only $1 000 000. Clearly, there is an anomaly here, and one can only suspect that the Government has paid far more than it needed to pay for this land. This is a burden that the taxpayer should not be required to pick up, and the benefit of this excess payment will go to a private company, no doubt a good friend of the Government, Elders-IXL. Whether the receipt by Elders-IXL is $1 900 000 or $2 400 000 is irrelevant to the question that the Valuer-General says the value of the land is $1 000 000. Clearly, the taxpayers are paying far more than they should.

It is ironic that in setting up Technology Park the Government is establishing a statutory authority. I have no objection whatsoever to a statutory authority being established, but this is being done by a Government that deplores the establishment of statutory authorities and believes in deregulation (which is the cutting out of statutory authorities), and by a Government which decries the value of statutory authorities at every possible opportunity. Yet here we have the Government setting up another statutory authority. I am not saying that a statutory authority is not appropriate, but it seems to me that the Government, which makes great play of cutting down on statutory authorities, should give extra justification for setting one up in this instance, as it seems so contrary to what it normally bleats about.

There is also the question of the condition of the land with the flooding risks and drainage problems that have come to public attention with the publication of the Public Works Committee report on the project. I do not wish to go into this in great detail as it has been thoroughly aired in the press already. I remind honourable members, if they have not been keeping up with the newspapers, that flood control for the entire Dry Creek area will cost nearly $11 500 000. While it is true that only about $1 000 000 of this is necessary for the actual area of Technology Park, obviously the drainage project for the entire area will have to be undertaken, as one cannot control flooding in a small part of a large area. This will involve considerable expense which, although highly desirable, may not have been undertaken at this stage if this particular land had not been chosen for Technology Park.

One hopes that the authorities which have to provide the remaining $10 000 000 or so for this flood control programme will not feel that they have been tricked into undertaking these drainage works long before they would have otherwise been undertaken, at the expense of other capital projects which they would prefer to put at a higher priority.

My final comment is a commendation—rare though such things are—for the Minister of Industrial Affairs in another place. In his second reading explanation and elsewhere the

Minister has spoken of the risks associated with Technology Park being worth while for South Australia. It is encouraging that the Minister for once is not thinking just in terms of dollars and cents but is looking at the social value of a project.

Certainly, there are financial risks associated with Technology Park, but these are risks which a Government should take for a project which has the social value which Technology Park will have in our community. Rarely does the consideration of social value enter into the consideration of many members opposite, and it is refreshing to find at least one Minister occasionally giving lip-service to the social value of projects undertaken, and taking this into account in evaluating the risks.

The development of Technology Park is a 15-year project. We will not see major results in the short term, because it will be 15 years hence before those of us who are still able to undertake such visits will see the final flowering of Technology Park. Meanwhile, I can assure all honourable members that the Opposition supports fully the concept of Technology Park; it supports the Bill and wishes Technology Park well for the future. I support the second reading.

The Hon. M. B. DAWKINS: In supporting this Bill to set up Technology Park, I wish to comment on several matters which affect not only this Bill but other Bills as well. This Minister, just having received a somewhat backhanded compliment from the Hon. Anne Levy, can surely digest some mild criticism from one of his own supporters. My criticism refers not just to this Minister, or Ministers of this Government, but I refer to the tendency of Ministers in general who yield to the temptation to grasp headlines and to refer to projects which still must be referred to the Public Works Committee, as if the projects concerned were virtually an accomplished fact and that the Public Works Committee was just a rubber stamping formality.

The Public Works Committee has never fitted into that category, and I hope and trust that it never will. In this context I refer to this project, which I support. I refer also to the A.D.P. Centre which has just been announced, although the Public Works Committee has yet to examine it. The committee has been told that it must be in somewhat of a hurry over that matter. Further, I refer to a proposal which, in some contrast, was examined in detail and at some cost in time and money before being finally recommended, yet the local community was then told by a Minister (for whom I hasten to add I have in every other way much respect) who had not been within 500 miles of the project, that it was now not only deferred (which in the present financial stringency may well have been reasonable enough) but also was not necessary!

May I suggest respectfully that Ministers of whatever Government—and this has not just happened now, because it happened previously as well—should confer with the Public Works Committee more closely when that committee is directly involved in a project. To come back to this Bill, I believe that Technology Park is necessary. I am pleased to that extent to agree with the Hon. Anne Levy, because I cannot always do so, but I, too, believe that the project is necessary. It is an imaginative concept and I support it.

The Public Works Committee recommended this project after due consideration, but it also pointed out some qualifications with regard to flooding and other matters, as was its responsibility. For the press to say, as it did, that the State Government rejects the committee's finding, and I think there was a headline to that effect or the like, is incorrect and inaccurate reporting. The committee has a clear obligation to draw attention to any drawbacks or difficulties that might be encountered in any project. If the committee makes a positive recommendation in spite of these comments, which it did on this occasion, it means that on balance the project is considered to be necessary and 'valuable' for the State.

For Mr Tonkin, of Tonkin and Associates, to write to the Minister and claim that the Public Works Committee's qualifications in its findings were based on a misconception or misinterpretation of his evidence is quite incorrect and may even be presumptuous. I wish to inform that gentleman that the committee does not form its conclusions on the evidence of one man only. In this case, or in any other, it seeks evidence from as many people as it considers necessary to come to a well-considered decision. I can assure the Council that the committee followed this course of action in regard to Technology Park.

Much has been made of the eventual ('ultimate' was the word used) cost of $11 300 000 for a flood mitigation programme to safeguard the whole area (not merely Technology Park) which includes S.A.I.T. and adjacent council areas. It was not made clear to the general public that the effect of such a scheme was as wide as it would be, nor was it made clear that local government would bear a significant proportion, no less than 50 per cent, of the scheme's implementation. I refer to page 25 of the Public Works Committee report which indicates that the three councils involved—Salisbury and Tea Tree Gully, which both have significant amounts to contribute, and Enfield, which must contribute only a small amount—support the eventual implementation of that scheme.

The Hon. J. R. Cornwall: You don't think that Cheltenham might be a better site?

The Hon. M. B. DAWKINS: We were not asked to consider Cheltenham. If the honourable member would like to suggest Cheltenham as an alternative site to the Government, he is free to do so. It would think he was foolish, but he is at liberty to do that. The Public Works Committee has always had an overriding obligation to examine a project from every angle, and that was done on this occasion.

As to its viability, a senior Treasury officer gave evidence that it was estimated that Technology Park could show a profit of about $1 200 000 a year if one took an optimistic view and, at worst, if one took a pessimistic view, his estimate was of a loss of about $500 000 a year, and his most hopeful view was a break-even situation. Leaving aside the other benefits that would accrue from Technology Park, as indicated by the Attorney in his second reading explanation, which I do not now wish to repeat, I point out that the evidence outlined on pages 6 and 7 of the committee's report lists the objectives and benefits of the concept. Honourable members can inform themselves about that later. In conclusion, I refer to three points listed on those pages of the report. The report states:

> Technology Park Adelaide is an initiative of the South Australian Government, and is aimed at improving the competitiveness of local industry and providing an environment conducive to the establishment of high technology industry. A technology park is a specialised industrial complex known also as a 'science park'.

There was further elaboration on that, which I do not propose to quote. I will now indicate the objectives of Technology Park. The objectives of Technology Park Adelaide are twofold. One is to foster the establishment of high technology-based industries in South Australia and the second is to encourage local industry to be more innovative and receptive to new technology. That is spelt out in more detail and members can read it for themselves.

Finally, I indicate the benefits to industry that are expected. The benefits for tenants of Technology Park are many—a carefully planned environment, the opportunity for joint use of facilities, access to the human and physical resources of the South Australian Institute of Technology and other academic institutions (that is most important),

and a vigorous professional environment. The Public Works Committee investigated in considerable detail the position regarding flooding and I quote provisions suggested, as contained on page 29 of the report, as follows:

> The proposed provision in Dry Creek is for 137 cubic metres a second maximum drainage flow which is equivalent to a 1-in-100-year flood frequency and, whilst this is recognised as a high level of protection, [I emphasise that] in a recent investigation into the River Torrens Flood Mitigation Scheme a flood frequency protection of 1-in-200-years was deemed necessary on that occasion.

Whilst there is what may be called some limited danger from the flooding of Dry Creek, it is only a small creek and the flooding situation should not over-balance the need for Technology Park and the possibility of placing it where it is proposed to be located. I support the Bill.

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

EVIDENCE ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 10 February. Page 2723.)

The Hon. J. R. CORNWALL: I understand that the Bill is similar, at least in part, to a Bill that was previously before this Council. I am sure that the Council will remember that the question of evidence and procedures for evidence has been an on-going topic and a matter of interest during this Parliament. I am sure all members recall that a Select Committee was set up on the original Evidence Act Amendment Bill and I hasten to add that that committee, which the Opposition moved to set up, was appointed with the support of the Hon. Lance Milne. The committee did very good work. I should like more time to study the Bill and I seek leave to conclude my remarks later.

Leave granted; debate adjourned.

HAIRDRESSERS REGISTRATION ACT AMENDMENT BILL (No. 2)

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

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

That this Bill be now read a second time.

The amendments contained in this Bill are intended to improve the efficient administration of the Act. The most important amendment requires that all persons who are employed to teach hairdressing by the Department of Further Education after the proclamation of this Act must be registered hairdressers. This amendment is based on the principle that persons who teach those indentured under an apprenticeship system to the requisite standard of examination for registration purposes, should themselves be registered hairdressers—a principle that I firmly support. To protect those unregistered hairdressers who are employed at this time by the Department of Further Education the amendment will not be retrospective in operation. However, no further teaching appointments will be made prior to the passing of these amendments unless the appointee holds a Certificate of Registration granted by the Hairdressers Registration Board.

It has been argued that the Act, as it presently stands, could prohibit an apprentice hairdresser from practising his trade during the term of his indenture. To clarify this situation, a further amendment will permit an apprentice hairdresser to practise hairdressing during the term of his apprenticeship for the purpose of his training.

The Act now requires a person practising hairdressing in the metropolitan area of Adelaide to be registered with the Hairdressers Registration Board. However, this requirement makes no allowance for a person practising hairdressing in the interim period which often occurs between the successful completion of his apprenticeship and the date upon which he obtains registration. Therefore, the Bill provides for the practice of hairdressing by an unregistered hairdresser for a period of up to six months after the completion of his apprenticeship, providing that he is employed by a registered hairdresser.

The necessity for another amendment has been demonstrated by the difficulties experienced by some persons resident in the metropolitan area seeking to be registered, but who, whilst they were still practising hairdressers, were not actually practising hairdressing on the precise date of 1 April 1979 (the operative date of the 1978 Amendment Act) and, therefore, were ineligible for automatic registration. Whilst the Hairdressers Registration Board has been using its discretion in some of these cases to allow registration, an amendment to the Act would be desirable, in order to give effect to the board's intention and to allow more flexibility when further country areas are prescribed. The proposed amendment means that short breaks in the continuous employment of a hairdresser during the six months preceding the time at which an area is proclaimed a prescribed area do not affect his eligibility for automatic registration.

Finally, I would mention that the proposed amendments have been discussed by officers of my department with all interested parties, including the Department of Further Education, the then Apprenticeship Commission and the Hairdressers Registration Board. I seek leave to have the detailed explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clause 1 is formal. Clause 2 provides for the commencement of the Act upon proclamation. Clause 3 gives automatic registration to persons who were practising as hairdressers in a prescribed area of the State at any time during the period of six months before the area is prescribed. Clause 4 exempts apprentices, and persons who are in the first six months of employment as a hairdresser after completing their apprenticeship, from the requirement to register. New subsection (2b) requires Department of Further Education teachers appointed after the commencement of the amending Act to be registered. The same requirement may be extended by regulation to teachers of hairdressing in other institutions, if the need arises.

The Hon. J. E. DUNFORD secured the adjournment of the debate.

RURAL ADVANCES GUARANTEE ACT AMENDMENT BILL

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

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

That this Bill be now read a second time.

This small Bill is consequential upon the Land Settlement Act Repeal Bill which I have just introduced. The Land Settlement Committee has the functions of looking at all applications for guarantees of rural loans, and at requests

made by borrowers for deferment of mortgage repayments, and of making appropriate recommendations to the Treasurer. It is believed that these functions can be carried out by the Industries Development Committee, being another Parliamentary committee which has the necessary expertise.

Clause 1 is formal. Clause 2 provides for the Act to come into operation on a day to be proclaimed. Clause 3 amends the definition of 'the Committee' so as to refer to the Industries Development Committee.

The Hon. B. A. CHATTERTON secured the adjournment of the debate.

PETROLEUM (SUBMERGED LANDS) BILL

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

LOCAL GOVERNMENT ACT AMENDMENT BILL (No. 3)

Returned from the House of Assembly without amendment.

BUILDING ACT AMENDMENT BILL

Returned from the House of Assembly without amendment.

ADJOURNMENT

At 5.22 p.m. the Council adjourned until Wednesday 17 February at 2.15 p.m.