LEGISLATIVE COUNCIL

Wednesday 13 October 1982

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

SUPPLEMENTARY QUESTIONS

The PRESIDENT: I would like to draw the attention of honourable members to the fact that yesterday I permitted a supplementary question to a question that really had not been answered. I will not make the mistake twice.

The Hon. N.K. Foster: I asked you whether I was in order.

The PRESIDENT: The honourable member did; he was right in asking that, and I was wrong in the reply I gave. In order that there is no mistake again, I bring that to honourable members' notice.

QUESTIONS

SPLATT CASE

The Hon. FRANK BLEVINS: I seek leave to make a brief statement before asking the Attorney-General a question concerning the Splatt case.

Leave granted.

The Hon. FRANK BLEVINS: Almost everyone in South Australia, let alone members of the Council, would be aware of the case of Edward Charles Splatt, who at present is serving a sentence of life imprisonment for the murder of Mrs Rosa Simper on 3 December 1977. All members of the Council will be aware, also, of the recent legal opinion that has been forwarded to the Government by solicitors who have been instructed by the Legal Services Commission.

Also, members will be aware that Mr F. Moran, Q.C., made an investigation for the Legal Services Commission and was very critical of the manner in which the scientific evidence was dealt with. Of course, that report has not been made available to the public, as I understand it.

The Hon. K.T. Griffin: Nor to me.

The Hon. FRANK BLEVINS: Nor to the Attorney-General. Certainly, that information was sufficient to prompt the Legal Services Commission to brief a firm of solicitors to carry out a further investigation. In the most recent report released yesterday, it is interesting to read one or two parts to show why there is so much disquiet in the community as regards the decision in this particular case. For example, Sir Geoffrey Badger, formerly Vice-Chancellor of the Adelaide University and Professor of Chemistry at the Adelaide University, stated:

> If the jury and the judges at the appeal thought that identity had been proved, they were wrong.
>
> The choice of material to be submitted to scientific test, some selected, some ignored as irrelevant is most reprehensible.
>
> I firmly believe that the 'scientific evidence' presented at the court was far from satisfactory.

Professor Bevan, Professor of Chemistry at the Flinders University, stated:

> You claim that 'the investigation was unscientific and slipshod'. On the basis of what I have read I can only agree with this, in so far as the investigation purported to be scientific.

Mr Harold J. Rodda, scientist from the Adelaide University, also stated:

> In conclusion it is my opinion that the 6 recorded chromatographs are of such quality that all conclusions drawn from them must be suspect.

It is not surprising, given those opinions, that there is widespread concern in the community about this particular case. In the light of these opinions, what action does the Government intend to take to further review the Splatt case?

The Hon. K.T. GRIFFIN: The material I received late yesterday through the Premier, to whom it was first delivered, was in fact a submission and not a report: it was a submission by the solicitors for Mr Splatt, seeking a review of his case by a royal commission. I have not had an opportunity to give detailed consideration to the report.

The Hon. Frank Blevins: The submission.

The Hon. K.T. GRIFFIN: Yes. I will be doing that and I have indicated publicly, and I now indicate to the Council, that I would expect my detailed examination of the submission, in the context of all the other material relating to the case over the years, would take several weeks rather than days. I will then be in a position to make a recommendation to the Government on what course of action, if any, the Government should follow.

BATONS

The Hon. ANNE LEVY: I seek leave to make a brief statement before asking the Minister of Local Government, representing the Chief Secretary, a question about PR-24 batons for police.

Leave granted.

The Hon. ANNE LEVY: Members may be aware that prior to the Commonwealth Games some police in Queensland were issued with the new PR-24 baton, which was also used in New Zealand during the Springbok tour. I have a photostat copy of a pamphlet on the PR-24 baton, which is much larger than the baton currently used by police. It is two-handled, and the brochure indicates that it has four to nine times the striking power of a conventional baton. Further, the brochure states:

> It can be effective without being noticed; ideal for crowd control and family disturbances.

The brochure contains a warning that the PR-24 baton can be a dangerous and lethal instrument. A diagram shows how to use the baton and includes the so-called 'pool cue jab' used in a long extended position. It looks extremely dangerous and unpleasant.

I understand that the Doctors Reform Society in Queensland has expressed grave concern at the possible health hazard posed by the PR-24 baton if it is used in situations of crowd control. It seems that this weapon is a rather undesirable one for police to be using in situations of crowd control because of the possible lethal consequences which could result from its use. As I have stressed, that it can be a lethal instrument is set out in the official brochure describing the baton. Can the Chief Secretary say whether the introduction of this PR-24 baton is proposed in South Australia? If it is, will strict instructions be given that it is not to be used in situations involving crowd control where the possible lethal effects of the baton would be completely unwarranted? Hopefully, will the Minister consider not introducing this potentially dangerous baton to South Australia?

The Hon. C.M. HILL: I will refer that matter and those questions to the Chief Secretary, who is in charge of the police, and bring down his reply for the honourable member.

PENSIONER DENTAL SERVICES

The Hon. M.S. FELEPPA: Has the Minister of Community Welfare, representing the Minister of Health, a reply to my question of 18 August about pensioner dental services?

The Hon. J.C. BURDETT: The replies to the honourable member's questions on pensioner dental services are as follows:

1. Yes. The Minister of Health has reviewed the letter to pensioners referred to by the honourable member.
2. The Government has introduced a number of initiatives in the areas of dental care for pensioners and other needy groups. Waiting times have been dramatically reduced.

Pensioners in need of emergency dental treatment can receive treatment promptly through any of the public dental clinics and also by dentists employed in school dental clinics in country areas.

The Hon. M.S. FELEPPA: Has the Minister of Community Welfare, representing the Minister of Health, a reply to the question that I asked on 31 August about the pensioner dental scheme?

The Hon. J.C. BURDETT: The replies are as follows:

1. Yes. People included under the pensioner denture scheme receive a letter from the Minister of Health which serves as the authority for the private dentist to provide care.

2. No. 262 dentists participated in the scheme in the 1981-82 financial year.

3. No. Pensioners requiring further information are advised to contact the Australian Dental Association.

4. Participating dentists provide treatment at considerably reduced fees.

INTERPRETERS AND TRANSLATORS

The Hon. M.S. FELEPPA: Has the Minister of Local Government, representing the Minister of Education, a reply to a question that I asked on 1 September about interpreters and translators?

The Hon. C.M. HILL: My colleague, the Minister of Education, has informed me that the Government would view with concern any decisions that would hamper the continuation of the interpreting and translating courses. The South Australian College of Advanced Education has made no decision to eliminate the degree of Bachelor of Arts, Interpreting and Translating, and is at present reviewing its staffing resources to ensure that the courses and programmes it offers are not unduly affected by the Budget. This is in accordance with the Commonwealth Government's requirement that the emphasis on teacher education be moved to other areas, notably business studies and technology.

The Principal of the college has given assurances that the college views interpreting and translating and community languages as an area of priority and will maintain staffing at a level consistent with the nature and needs of the programme. The South Australian colleges of advanced education were amalgamated to assist rationalisation of courses. However, staff reductions may place at risk the accreditation of the course by the Tertiary Education Authority of South Australia and the National Accreditation Authority for Translators and Interpreters.

The Chairman of the Tertiary Education Authority of South Australia has been requested to confer with the Principal of the South Australian College of Advanced Education and to report to the Minister of Education. I shall provide further information as to the outcome of their discussions.

ETHNIC AFFAIRS

The Hon. M.S. FELEPPA: Has the Minister Assisting the Premier in Ethnic Affairs a reply to a question I asked on 15 September about ethnic affairs?

The Hon. C.M. HILL: The Public Service Board has received the report and referred it to the Equal Opportunities Advisory Panel for advice concerning the development of policy and programmes that are appropriate in the light of the report. It is the board's intention that the report will be generally released following consideration and recommendations from the Equal Opportunities Advisory Panel.

MEAT HYGIENE AUTHORITY

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

Leave granted.

The Hon. B.A. CHATTERTON: On 2 March this year, I asked the Minister a question about the Meat Hygiene Authority. The question was prompted by a letter that was written by the Local Government Association, which had complained to the Minister about a number of aspects of the Act, in particular about the lack of definition of the role of local government within the administration of meat hygiene in this State.

I received an answer to that letter about 10 days ago; it seemed to me that quite an incredible time was taken to draft a reply to what was a fairly straightforward question. In part, the Minister stated that he was having discussions with the Local Government Association with a view to drafting a suitable amending Bill to provide a clearer definition of the role and responsibilities of local government in the regulation of slaughterhouses.

There is a notice of motion on the House of Assembly Notice Paper indicating that the Minister of Agriculture intends to introduce amendments to the meat hygiene legislation. Will the Minister of Community Welfare ask the Minister of Agriculture to speed up his discussions with the Local Government Association so that he will be able to introduce the amendments referred to in his reply to my question at the same time as he introduces the amendments which he is obviously having drafted and which he intends to introduce?

The Hon. J.C. BURDETT: I will refer this question to the Minister of Agriculture and bring back a reply.

HOUSING TRUST FLATS

The Hon. ANNE LEVY: I seek leave to make a brief explanation before asking the Minister of Housing a question about fences for Housing Trust flats.

Leave granted.

The Hon. ANNE LEVY: I have been approached by a number of constituents who live in Housing Trust flats that are situated on main roads. I am sure that the Minister is well aware that there are a number of such flats on main roads throughout the metropolitan area. The people living in these flats are very concerned because no fences are provided for them and, as a result, many people take short cuts through the grounds of these flats. There is little protection for children who may play on the lawns around the flats. Children are living in some of these flats, although I realise that this is not the intended purpose.

Many of the people involved, particularly those near main roads, feel the need for the privacy and protection that a fence would provide. I realise that dwelling places in less busy areas frequently make do without fences, but I am sure that the Minister would realise that the situation is different for people living in flats on busy roads. I ask the Minister whether the Housing Trust will consider providing

fences for Housing Trust flats that are situated on busy roads for the benefit of the people living therein.

The Hon. C.M. HILL: I do not think that there are many Housing Trust flats (and I use the word 'flats' in the true meaning of the word) that have families with children as tenants. The trust's policy generally is to place families with children in single unit residences that the trust owns for letting purposes. All such houses are fenced in the usual way.

The vast majority of Housing Trust flat tenants are elderly people and single couples. Considerations such as the aesthetics of the amenity and of the local environment are considered in these matters. Of course, the economics involved are taken into account by the trust in the provision of this kind of accommodation. That is why the usual run of blocks of flats owned by the trust do not usually have front and side fences, although there are fenced areas at the rear to provide privacy and for other domestic reasons such as clothes drying, and so forth.

I will refer the honourable member's question to the Housing Trust and, if there are instances where children are living in these flats and where it is quite evident that an unsafe situation might exist, I am sure that the trust will look favourably at making some change. However, I will get a detailed report for the honourable member.

NURSING HOMES

The Hon. B.A. CHATTERTON: On behalf of the Hon. Dr Cornwall, I ask the Minister of Community Welfare whether he has a reply to a question asked by the honourable member on 10 August concerning the Glendale Nursing Home.

The Hon. J.C. BURDETT: The reply is as follows: I refer to the matter raised recently by the Hon. J.R. Cornwall concerning the validity of a document signed by one of his constituents which related to the Glendale Nursing Home. The honourable member's constituent had, in fact, lodged a complaint with the Department of Public and Consumer Affairs and the matter has now been clarified. The original document signed by Mrs Crichton has been sighted, and legal opinion is that it is indeed valid and enforceable. In addition, the requirement to give one week's notice of removal of a patient or to pay one week's fees in lieu is not considered unreasonable. I understand that in this particular case the bed was vacant for some days after the patient was removed and that this is one of the reasons that such a requirement is not uncommon. The emphasis on maintaining maximum bed usage levels by nursing homes hinges on the basis of Commonwealth participation in the funding of such homes, which is calculated on a bed occupancy rate of 98.5 per cent. As is common with nursing homes, such a fee is not charged on the death of a patient. I did bring this matter to the notice of my colleague, the Minister of Health, who has indicated that the statutory powers of the Health Act are confined to matters concerning the licensing of premises. As I indicated at the time, the matter falls within the jurisdiction of the Department of Public and Consumer Affairs. My department is writing separately to Mrs Crichton explaining the situation in detail.

COMPUTER PUNCHING

The Hon. ANNE LEVY: I seek leave to make a brief statement before asking the Minister of Community Welfare, representing the Minister of Agriculture, a question regarding computer punching.

Leave granted.

The Hon. ANNE LEVY: I have been told that no computer punching is now being performed by members of the Department of Agriculture, that four computer terminals have been closed down and that the staff who did the computer punching have been redeployed elsewhere in the department. Following this, the computer punching has been put out to private contractors. The complaint has reached me that this results in inordinate delays and, in one instance that was drawn to my attention, it was suggested that a casual employee had waited more than 2½ weeks for payment whereas previously payment to any casual employee had been made very much more rapidly.

Computer punching in the department had previously, I understand, been concerned with salary data, travelling expenses, general accounting procedure, and analysis of research data. All these matters now are being put out to private contractors. I am not sure whether this is accurate information, but I ask the Minister to ascertain from his colleague whether computer punching is being put out to private contractors by the Department of Agriculture. If this is happening, why is it happening? What is the cost of such private contracting? Is it resulting in delays in payments to individuals and in analysis of research data, and how long is such putting out of computer punching likely to continue?

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

REPETITION INJURIES

The Hon. N.K. FOSTER: Mr President, would I be in order today in asking the question which I directed yesterday and which you ruled was somewhat out of order?

The PRESIDENT: The only thing that was out of order was the point of its being supplementary. The honourable member had every right to ask the question.

The Hon. N.K. FOSTER: I take it that the question was noted by the Minister?

The PRESIDENT: Yes.

MIGRANTS-POLICE COMMITTEE

The Hon. M.S. FELEPPA: I seek leave to make a brief explanation before directing a question to the Minister Assisting the Premier in Ethnic Affairs.

Leave granted.

The Hon. M.S. FELEPPA: On 8 June 1982 I asked a question of the Minister relating to the migrants-police working committee, and the deliberation of its report. On 15 June 1982 the Minister informed this Council that the committee had just completed its deliberations and that the Chairman, Mr Manos, expected to present a report to the Premier on 18 June. On 27 June the Minister confirmed to this Council that the report was presented to the Premier by the Chairman of the committee and, further, the Minister said:

> I shall be happy to obtain an interim report on any matters that would be of interest to the honourable members. I cannot say at this stage whether or not the report will be tabled. The committee, it is fair to say, can be assumed to be a committee of the Ethnic Affairs Commission, even though that committee was sitting prior to this Government's coming to office. Nevertheless, since the commission has been established it has been looked on as one of the commission's committees. I will refer the matter to the commission and endeavour to obtain a copy of the report for the honourable member, so that he can become cognisant of the information in the report and of its findings.

Again, the Minister said on 17 August:

> The report of the migrants-police working party has been presented to the Premier and is currently being looked at by the

South Australian Ethnic Affairs Commission and will be considered at the commission's meeting of 10 August 1982.

For the Minister's further information, when I contacted the South Australian Ethnic Affairs Commission, seeking a report, I was told that it was not within the responsibility or the duty of the commission to release a report. I therefore now ask whether the commission considered the report at its meeting of 10 August? If so, can the Minister suggest when and where a copy of the report can be obtained?

The Hon. C.M. HILL: The commission considered the report and sent it back to me. I further considered the recommendations in the report and the comments on it that came from the Ethnic Affairs Commission through its Chairman. The report and my recommendations then went to Cabinet, and the matter is still at Cabinet level. I will do my best to expedite the matter and, when it is agreed to by Cabinet, the question as to its public release or of making a copy available to the honourable member will be decided. I assure the honourable member that, because of his close interest in the report, I will do my best to expedite the matter.

The Hon. M.S. FELEPPA: I have a supplementary question. Will the Minister say whether the report will be released this year or next year?

The Hon. C.M. HILL: If the honourable member is patient, he may see the report this year.

STATE LIBRARY

The Hon. J.A. CARNIE: Will the Minister of Local Government give an explanation regarding the criticism of State Library services as reported in this morning's press?

The Hon. C.M. HILL: Since 1979 the Government has put an enormous effort into the development of public libraries in this State. In the past three years the number of public libraries has increased from 59 to 92. A further 13 libraries will be opened this year. The Government has allocated an additional $1 000 000 approximately in order that those communities in South Australia not served by public libraries can have the benefit of a modern library with a wide range of material.

The State Library on North Terrace has also been undergoing a full-scale review. A major automated circulation system has been introduced, and after initial teething problems it is now providing the basis for a quick and accurate service to the public. Following the full-scale review of the management of the Stae Library, a number of major changes have been made. A new South Australiana Library is to be established in the Jervois Wing, the historical centre of the cultural institutions spread along North Terrace. As a result of this planned development, improvements to newspaper research facilities and an increase in opening hours of the South Australiana collection will lead to increased public access to this material.

Cabinet has approved the drafting of new legislation for the archives. With the introduction of this legislation, the public records function of the archives will be separated from the present library. This follows practice in other States. In parallel with this, the Public Service Board will develop with the archive staff an approach to records management across the Public Service. In the meantime, additional staff have been placed at the archives to cope with the extra demand placed on this area by the public.

Quite sweeping changes have been made in the senior management of the library. Mr Ray Olding is now responsible for the development of a Ministerial advisory committee on library services that has the objective of co-ordinating the expansion of technical services required by modern library systems; Mr Euan Miller is Acting State Librarian; and Miss Maureen Fallon is Acting Deputy State Librarian. They are introducing changes in the library recommended by a committee chaired by the Chairman of the Libraries Board. These changes will orient the reference library towards a wider service role to the public and develop the South Australiana project.

The annual report of the Libraries Board mentions the problem of the roof. This year's estimates provide for $450 000 for its repair. In other words, the Government has already approved that sum. No staff reductions are planned in the State Library area this year. Also, the problem of backlogs in the cataloguing areas are being overcome through the use of the Australian Bibliographical Network Computer Catalogue service, which has increased cataloguing productivity substantially.

The State Library has had to share the general constraints of public spending necessary for the sound economic management of the State. However, the major thrust of library development has been maintained vigorously with emphasis on council-based public libraries.

NURSES

The Hon. J.R. CORNWALL: I seek leave to make a short statement before asking the Minister of Community Welfare, representing the Minister of Health, a question regarding nursing.

Leave granted.

The Hon. J.R. CORNWALL: Yesterday during my Budget speech I referred to the anticipated problems that may well occur in the system during the next few years because of the relatively small number of nurses now being trained in South Australian institutions. The Minister of Health confirmed, during evidence given to the Budget Estimates Committee, that there were 2 949 students and trainees at Government metropolitan hospitals in 1978, and that by 1982 the figure had been reduced to 1 749, which is a reduction of 1 195 trainees. That is, of course, almost 1 200 fewer student nurses in the wards. The wisdom of this Government seems to be that student nurses are a negative force altogether, that they simply get in the way and take up the time of registered nurses. As I said yesterday, surely nobody who has ever been in a hospital would be expected to believe that.

During the period that these 1 195 student nurses disappeared from the hospital-based nurse training schools of the major metropolitan hospitals, they have been replaced by only 187 registered nurses. So, there is a net loss of 1 000 nurses in the wards of our major public hospitals. Of course, this is an immediate and visible problem and is having a direct and disastrous effect on the quality of patient care. In October 1982, when a nurse tells a patient requiring assistance that she will be back in a minute, she normally knows very well that she may not be back for an hour.

The longer-term consequences are even more worrying. It has been estimated by both the Nurses Board and the Commissioner's working party that South Australia needs to train and qualify between 750 and 800 nurses annually to meet projected demands through the 1980s and into the next decade. That rate has been maintained to date because of the number of student nurses who were already in the system when this Government came to office, but we now know that there are 1 200 fewer student nurses in the major metropolitan hospital-based nursing schools. In addition (and the Hon. Mr Blevins raised this matter, or a matter relative to it, only yesterday), many country-based nursing schools have been instructed that they should not have student intakes in 1983.

The Government's very loosely stated policy seems to be that future nurse training in South Australia should be based on tertiary courses. However, there is at present in South Australia only one tertiary-based course, namely, that at the Sturt campus of the South Australian College of Advanced Education and, at its peak, it can graduate, in the foreseeable future, something fewer than 100 diploma nurses per year.

In summary, we have a documented reduction, as given by the Minister herself, of 1 195 student nurses in a major metropolitan teaching hospitals, a further estimated reduction of 500 student nurses in nursing schools formerly based in country and church hospitals, and virtually no increase from Sturt. The Sturt intake has not varied significantly since 1977-78. We are facing a real possibility of a critical shortage of qualified nursing staff by 1985, even if urgent action is taken immediately. Mr President, I thank you for your patience in this matter.

The PRESIDENT: I was sure that the honourable member would.

The Hon. J.R. CORNWALL: I can only presume, Sir, that you realise that this is an extremely important matter and you therefore gave me this leniency.

The PRESIDENT: I thought that the honourable member had more answers than questions.

The Hon. J.R. CORNWALL: You were very good, Sir. I have always admired your patience. I ask the Minister to ascertain how many student nurses the Minister of Health anticipates could qualify in South Australia in each of the years 1983 to 1986 inclusively?

The Hon. J.C. BURDETT: As the question has been put in such a nice way, I shall be pleased to refer it to my colleague and bring down a reply.

HUMAN ACHIEVEMENT SKILLS

The Hon. ANNE LEVY: I seek leave to make a brief statement before asking the Minister of Community Welfare, representing the Minister of Agriculture, a question about human achievement skills.

Leave granted.

The Hon. ANNE LEVY: I have asked questions of the Minister previously relating to a programme of so-called human achievement skills which I understand has been undertaken by a number of officers in the Department of Agriculture. I first asked a question on 11 February this year and received a reply on 25 March. I asked a Question on Notice and received a reply on 1 June this year indicating that 83 Department of Agriculture officers have had human achievement skills training.

At that time I asked whether any report or evaluation of that programme was available, and I was told that the occupational psychology group of the Public Service Board had prepared a report on the human achievement skills programme. Also, I was advised that a copy would be made available for me but, although I received notification 4½ months ago, I have not yet received any report prepared by the occupational psychology group of the Public Service Board. Is the Minister willing to see that a copy of this report reaches me, as promised in his reply of 1 June?

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

PIE CART

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

That by-law No. 10 of the Corporation of the City of Adelaide concerning street traders, made on 5 August 1982 and laid on the table of this Council on 10 August 1982, be disallowed.

The Council will be aware from the minutes tabled by the Joint Committee on Subordinate Legislation that the committee believes that the regulations relating to the pie cart on North Terrace are unfair. It is true to say that the committee, which met this morning to try to resolve this longstanding matter, adopted a 'pie partisan' approach to it.

It is perhaps necessary to go into the history of this matter when 50 years ago there were about 12 pie carts in the city of Adelaide. About 20 years ago the number was down to two. There was Cowleys pie cart at the G.P.O. and another horse-drawn pie cart in King William Street just south of Rundle Street. In 1971 it was moved to its present site outside the railway station. From 1972 complaints were received almost exclusively from the Grosvenor Hotel, which is diagonally opposite the North Terrace pie cart.

In November 1980 the Adelaide City Council advised the proprietor of the pie cart, Mr Oram, that he was to cease trading at 11.30 p.m., pack up, and shift to King William Street on the west side by Parliament House, very near to the room occupied by the Hon. Anne Levy, and he was to operate there between the hours of 11.30 p.m. and 6 a.m. There appears to have been no prior consultation with Mr Oram and no reasons were given to him by the council for this move. One has visions of tourists and Adelaide residents trotting alongside the pie cart, bowl in hand, following it around from the railway station to the new King William Street site.

It does not take too much imagination to recognise that the council's suggestion would impose considerable burdens on Mr Oram, because 11.30 p.m. would have been his peak trading time. Not unreasonably, Mr Oram pointed out that it would take perhaps an hour for him to pack up, resite the pie cart, manoeuvre it into place, clean the footpath and do all the other jobs necessary with that very cumbersome procedure suggested by the council.

In fact, Mr Oram objected so strongly that he issued proceedings in the Supreme Court and, to that end, was granted an injunction against the council. In June 1981 the council rescinded its earlier decision of November 1980 in respect of shifting the pie cart from North Terrace to King William Street at 11.30 p.m. and decided not to proceed with that approach. Instead, the council decided to call evidence and the Legislation, Properties and General Committee took evidence between October and December 1981.

The main complaints came from the Grosvenor Hotel again, the Strathmore Hotel and from workers associated with the Australian Railways Union, who complained that they often had to clean up the mess around the pie cart site. In the meantime, Mr Oram was still a strong advocate of the trading hours under which he had been allowed to operate for almost a decade, namely, from 6 p.m. to 6 a.m.

He arranged for a sound engineer to spend a night in a second-floor room with a North Terrace frontage in the Grosvenor Hotel. The sound engineer took readings through the night with the window both opened and closed, and he concluded that the noise from the pie cart was quite unobtrusive. In addition to the sound engineer who spent a night in the hotel, Mr Oram arranged for an agent from a private investigation agency in September 1981 to observe the pie cart during the night. He reported that much of the noise near the pie cart site was caused by passing vehicles and groups of people quite unconnected with the pie cart.

Mr Oram gave that evidence to the council which, of course, was seeking evidence from various interested parties between October and December 1981. In evidence to the Joint Committee on Subordinate Legislation, Mr Oram indicated that police had told him that they did not consider the pie cart to be a problem. The interesting thing is that the Adelaide City Council in taking what proved to be an

enormous amount of evidence on the pie cart did not take any evidence from the police, nor from the Ansett Gateway Hotel which claimed that the pie cart was not a problem as far as it was concerned. The council took no evidence from the State Transport Authority Board; rather, it took evidence from workers and individual private detectives associated with the railway station.

So, we reached an impasse with the Adelaide City Council, which resolved to make the hours of the pie cart from 6 p.m. to 11.30 p.m. on Monday to Thursday inclusive and from 4 p.m. to 11.30 p.m. on Friday and Saturday nights. These new hours were to take effect from 1 July 1982. Previously, Mr Oram had been allowed to trade from 6 p.m. to 6 a.m., so, in effect, the council was cutting the hours of trading of this long-established pie cart (an institution in Adelaide and a tourist attraction that is unique to Adelaide) from 77 hours to 42 hours a week, but at the same time more than doubling the rent for the pie cart stand.

Although I stated that the pie cart is unique to Adelaide, that may be stretching things a little, because the committee was given evidence that there are pie carts in Queensland. However, there is an important distinction: pie cart proprietors in Queensland open the pie and put the peas inside, instead of on the top, as they do here. There is no pie floater in Queensland, and the luminescent green pea soup that is so well associated with the Adelaide pie floater is missing.

The Adelaide City Council, from its evidence, refused to take any notice of continual police observations that the pie cart was not a policing problem. In fact, we received evidence from Superintendent John Lockhead, Officer-in-Charge, Adelaide Police District, which takes in the North Terrace area down to the Torrens. Superintendent Lockhead presented very persuasive evidence to the committee and stated that Inspector Kennett had made special observations and inquiries about the pie cart in 1978. In the opinion of Inspector Kennett, the traffic in the area was most orderly and a lot of the trouble that occurred in the area was not generated from the pie cart but from the discos in Hindley Street and the Playgirl Club, which is now Patchs. Inspector Kennett stated that he did not view the pie cart as being a major policing problem.

Superintendent Lockhead made the point that in 1981 Inspector White, who was at that time inspector for the area, made the same observations. Superintendent Lockhead stated that Inspector White had made an identical finding to that of Inspector Kennett. Inspector White found that the pie cart proprietor, Mr Oram, was doing everything possible to reduce the noise and behavioural problems at the pie cart and, with the attention being given by the beat and mobile patrols, he believed that little else could be done.

The Hon. N.K. Foster: Are you going to deal with the urinal matters?

The Hon. L.H. DAVIS: No, I will not: I will leave that to the honourable member. Inspector White also believed that the pie cart did not present a policing problem. Superintendent Lockhead further made the point that the number of assaults and arrests at the pie cart over the last financial year 1 July 1981 to 30 June 1982 was minimal. In fact, one of the rare problems that occurred involved a person who left his vehicle with the engine running, double parked, and with the ignition keys in the car: the car was stolen while that person went to buy a pie. That was one of the very few complaints that were received from the pie cart area.

The committee is concerned about this matter, because Mr Oram believes that the changed conditions may well force him to close his pie cart. He has sacked three employees as a result of the shortened hours. In February 1982, Mr Oram's accountant prepared a forecast which indicated that shortened hours would reduce the turnover by up to 33 per cent, and Mr Oram gave evidence that, indeed, that has occurred. The number of customers decreased from 3 500 a week (under the old hours) to as low as 2 700 a week (under the new hours).

Mr Oram also gave evidence that a writer for a United States food and wine magazine, which has a circulation of many millions, was recently in Adelaide and wrote an article about the pie cart, stating that it was unique to Adelaide and was undoubtedly a tourist attraction. We have endeavoured to discuss this matter with the Adelaide City Council and at the last two meetings we have sought to reach a compromise with the council. Mr John Sharman, who is the Managing Director of the Grosvenor Hotel, agreed to a compromise and accepted that 1 a.m. would not be an unreasonable time for the pie cart to close, allowing an extension of trading of 1½ hours. We also took evidence from members of the State Transport Authority, and Dr Scrafton and other members of the authority accepted that 1 a.m. would be a reasonable compromise. The proprietor of the Strathmore Hotel was amenable to a compromise of 12.30 a.m.

The compromise proposal was put to the Adelaide City Council, which refused to accept it. At a meeting with the Lord Mayor (Dr John Watson), Councillor Chapman (who is now Alderman Chapman) and other members of the council, this fresh evidence was presented, evidence that the council had not obtained when it considered the matter last year. But, sadly, the compromise has been refused and, in fact, in the minutes of the meeting of the city council on 27 September, after the Joint Committee on Subordinate Legislation met with councillors to discuss the possibility of a compromise, a motion was put and subsequently passed by the council as follows:

> The request from the Minister of Local Government to restore the previous trading hours of the pie cart adjacent to the railway station be refused on the grounds that no new evidence has been presented that would cause the council to rescind its previous decision.

Quite frankly, I find that amazing, in view of the fact that quite conclusive new evidence had been presented, which showed that Mr John Sharman (who has a very deep interest in tourism in South Australia and who runs an excellent hotel), the management of the Strathmore Hotel, and the State Transport Authority were prepared to compromise and to go along with longer trading hours for the pie cart from 11.30 p.m. to 1 a.m. As I have already stated, the Ansett Gateway does not view the pie cart as a problem.

Therefore, the committee has unanimously recommended that by-law No. 10 of the Corporation of the City of Adelaide concerning street traders be disallowed. We believe that this regulation unduly trespasses on the rights of previously established law, and we feel it is wrong that the council has sharply increased fees while at the same time reducing the trading hours that are available to the proprietor. I should also mention that, at the same time, the council has introduced provision for three new pie cart sites, one immediately to the west of the Morphett Street Bridge in North Terrace (and I understand that a pie cart is already there), a site in the north-east corner of Light Square, and another site in Currie Street, near the Topham Street car park. Mr Oram, whose expertise in these matters should, one would imagine, be respected because he is a pie cart trader from way back, believes that these sites are not terribly appropriate. He admits that he was given the first opportunity of accepting these sites, but stated that the majority of trade of a pie cart comes from passing foot traffic.

Quite clearly the present location of the pie cart near the railway station receives passing foot traffic from Hindley Street, the Festival Theatre, functions in hotels and the

railway station. In speaking to this motion (which has assumed an importance out of all proportion to the issue we are discussing, in the eyes of many people, not least the Adelaide City Council) I do so with the certainty that the Joint Committee on Subordinate Legislation is united in its view that the Adelaide City Council has been unreasonable in not recognising the rights of Mr Oram and the importance of this pie cart to the city of Adelaide.

The Hon. FRANK BLEVINS: I congratulate the Hon. Mr Davis and members of the Joint Committee on Subordinate Legislation on the comprehensive report just delivered to this Council. However, he did spoil things somewhat by, in conclusion, saying that this is an issue that has been taken out of all proportion to its importance. To see a humble pie seller take on city hall is something that we should all salute and get right behind. How many times have all of us citizens wanted to take on city hall, but have found it was too hard or, after battering our heads against the seemingly impervious walls for some months without getting anywhere, have given it away?

The fact that Mr Oram has persisted with his stand against what appears to me to be a quite illegitimate action by the Adelaide City Council is to be commended. My purpose in rising is to support the Hon. Mr Davis and the Joint Committee on Subordinate Legislation and, also, to ask the Minister of Local Government what action he intends to take in this matter. It is all very well for the committee to bring down this comprehensive and fine report, but I want to know whether or not it will be ignored. When a citizen such as Mr Oram has been handed the treatment he has, where is his final appeal if not to his members of Parliament? In this case, it is the Minister of Local Government to whom Mr Oram has indirectly pitched his appeal.

It could be said that the Hon. Mr Hill is Mr Oram's last resort. I hope that the Minister gives prompt attention to this matter. I would hope that the attention given is much more prompt than that given by the Minister to my questions several weeks ago relating to a possible alternative site being used after a certain hour at night (not that I was suggesting that that was necessarily an appropriate course of action, but merely something to be investigated). I hope that now this issue is being debated in a substantial way on the floor of this Chamber that the Minister has the answers to my questions. Again, I congratulate the Joint Committee on Subordinate Legislation on its report and the Hon. Mr Davis on his report to the Council. I am sure that all members of the Opposition will be happy to support this motion.

The Hon. C.M. HILL (Minister of Local Government): I can recall the Hon. Mr Blevins asking me questions about this matter on 24 August. There were many interjections at that time. The Hon. Mr Sumner put his oar in and said that it ought to be put around the corner.

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. HILL: The Hon. Mr Foster also interjected.

The Hon. N.K. Foster: I—

The PRESIDENT: Order! Interjections and hubbub will cease so that the Minister can be heard.

The Hon. C.M. HILL: As a result of that question and the interjections made at that time I gave an undertaking that I would pursue this matter. As evidence that I did that, I quote from a letter dated 7 September 1982 that I wrote to the Town Clerk of the City of Adelaide, as follows:

Dear Mr Llewellyn-Smith,

The matter of the pie cart located on North Terrace is receiving considerable public attention. In debates on this matter in Parliament I have consistently taken the view that the location of street trading stands and their regulation is a local matter.

I am sure that you understand, however, that there is a very strong public interest in this matter because of the particular character which the pie carts add to the national image of Adelaide. Criticism exists in Parliament and elsewhere at the apparent dominance of the views of nearby hotels.

I am grateful that you have allowed me to study the transcript of committee discussions and also to read evidence presented by the owner of the pie cart and the hotel proprietors. Nevertheless, the issue is being interpreted as one of insensitivity toward the operation of the pie cart, and an over-concern at the reactions of those who allegedly claim to be disturbed by the operations.

I have written to my colleague, the Minister of Transport, taking up a suggestion made by a member of the Legislative Council to see whether Station Road between the railway station and the Constitutional Museum might not be a suitable alternative. At this stage it is not possible to predict the response of the State Transport Authority, but until a reply has been received, I would be grateful if council would consider temporarily removing those restrictions which have been placed on the operator of the pie cart.

In response to that letter, the Lord Mayor, accompanied by the Town Clerk, called upon me and discussed this matter at length. I later received the following letter dated 4 October from the Corporation of the City of Adelaide:

Dear Mr Minister,

I refer to your letter of 7 September 1982, requesting the temporary removal of the limits on trading hours imposed on the North Terrace pie cart and to discussions that were held on this subject between yourself, Dr Ian McPhail, The Right Honourable the Lord Mayor (Dr A.J. Watson), and myself on 23 September 1982.

I have to advise that council at its meeting on 27 September 1982, considered this matter and decided not to restore the previous trading hours of the pie cart adjacent the Adelaide railway station, on the grounds that no new evidence had been presented that would cause the council to rescind its previous decision.

If the Parliament feels so strongly about the matter then it is suggested that an area be made available on land controlled by the Government, and the responsibility for the operation of the pie cart would then be the Government's.

Yours faithfully,
Michael Llewellyn-Smith, M.A., (Town Clerk)

In keeping with my undertaking to this Council, I contacted the Minister of Transport by memo, as follows:

LOCATION OF PIE CART

As you are probably aware, the location and trading hours of the North Terrace pie cart has caused some controversy over the last few months. One suggestion which has been made to me is that the pie cart be located on Station Road, which I understand is under the control of the State Transport Authority. If a site on this road was made available, it may overcome the issue of noise disturbing guests of nearby hotels. It would not affect or interfere with the work of members of Parliament. I would appreciate your views on this suggestion.

I will now quote from a recent reply from the Minister of Transport dated 12 October, as follows:

RAILWAY STATION PIE CART

The Chairman of the State Transport Authority has described the problems associated with the location of the pie cart adjacent to the south side of the railway station with the Lord Mayor, the Manager of the Grosvenor and others. Mr Rump has indicated to the Joint Standing Committee on Subordinate Legislation that if (despite the problems) the pie cart is to remain in the vicinity of the station, the S.T.A. would prefer it to be at its present location.

That is as far as I can go in making my report to the Council and in making my reply to the questions and interjections put to me back in August. I have done my best to complete my part. I have endeavoured to negotiate with the local governing body. I have endeavoured to see whether any progress could be made with the State Transport Authority. I have to report that the position seems to be as it was previously. There does not seem to be any of the compromise which has been suggested by the other parties to the matter and I, therefore, can well appreciate the final decision that has been taken by the Committee on Subordinate Legislation.

The Hon. N.K. FOSTER: I support the Minister. One of the reasons why the situation arose is that Parliament has not been sufficiently vigilant in respect of the powers it hands to the Adelaide City Council, which is one of the most powerful, non-representative bodies in the whole of this Commonwealth. Recently, I directed a question to the Hon. Mr Hill, as the Minister representing the Minister of Transport in this place, about a press statement that was made by the Town Clerk of the city council in respect to the Government's proposed plan for the O'Bahn as it reached the city of Adelaide.

The PRESIDENT: This motion does not really deal with that matter.

The Hon. N.K. FOSTER: I have the transcript of the evidence taken by the city council. That is one of the key documents, as I understand it.

The PRESIDENT: If it relates to the pie cart, it is in order. The Council must not get on to the subject of O'Bahn.

The Hon. N.K. FOSTER: The Adelaide City Council was so stupid that it said that the pie cart ought to be placed on 'fornicating corner', the corner outside Parliament House on King William Road, until it was suggested that the bus stops extend from that corner to Festival Plaza. The council was so stupid as to suggest that it spend money to put a power point there so as to put the pie cart there at 11.30 p.m., with someone having a running lunch between the railway station and that corner. That is the stupidity of this council. Worse than that, it has an arrogant Town Clerk, and I am ready to tell him that to his face outside this place at any time he likes. The council suggested that that venue was worthy of defence, but when the S.T.A. representatives came to the committee I raised the matter with its manager because of the so-called complaints to the S.T.A. about the Adelaide railway station and people urinating there. They also urinate alongside this building in which we sit. Why do they do that?

An honourable member: Inside, too.

The Hon. N.K. FOSTER: Yes, inside, too. I can remember the Hon. Mr Sumner bleating once that he was almost urinated on when he was out the front. Apparently he is worth doing it on—I do not know; that is your idea, not mine. When people congregate and wait for buses at the eastern side of this building at night, there are no public conveniences at all. The underground toilet has been closed for sometime and the one in Currie Street, some distance away, is not used. They talk about tourism! This seems to be one of the most convenience-lacking cities in the Commonwealth late at night.

The Hon. Anne Levy: It is a long way to Victoria Square.

The Hon. N.K. FOSTER: I would not be able to make it. If that is what happens in this city for female members of the community, it is a disgrace to the Town Clerk and his council. It is something for Dr Watson, the newly elected Lord Mayor, to take up, and for the recently elected female alderman, or alderwoman.

The city council could have done a great deal with respect to complaints about this pie cart rather than spend its ratepayers' money and the handouts and grants given to it by this Government. I take Des Colquhoun's point in the *Advertiser* recently that Parliament should have more to do than talk about a pie cart. At the risk of being condemned by him when he returns from overseas, if he has not already done so, I want to put my oar in and say emphatically that the questions that I directed on the matter were raised because the Adelaide City Council singled out this person for psychological business warfare. It did not impose these restrictions on any other pie cart operator in the city, nor did it even suggest that it would impose these conditions on the pie cart operator who suddenly finds himself under the Morphett Street bridge in the late hours of the day. I understand that there is one there by the old church, although I have not seen it personally. This is a further lousy, scurrilous attempt by the city council, which has given the option to Mr Oram to clear out of there and get into Light Square. Who would want to go to Light Square in the early hours of the morning? Very few people would want to do so, not even those from the discos in Hindley Street. According to the police reports, people tend to use this road to go through to the Festival Centre and the Torrens and into the North Adelaide area. The city council wants to tell Mr Oram to go to Currie Street, but you could not shoot anyone there at 11 p.m. if you had a double machine gun at both ends; alternatively, the council wants Mr Oram to go into Hindley Street or by the Morphett Street bridge. The council was not prepared to offer him the same consideration that was accorded the hotel owners opposite the railway station.

Complaints of road traffic noise were brought up as evidence, but the Town Clerk had some problems in answering a question that I asked him as to how many access roads went through the city to give access to the western and eastern suburbs. It took him 10 minutes to realise that there were Currie Street and West Terrace. There were complaints about the traffic noise. When the trucks come from Mount Gambier on Thursday at 3 a.m. the only place where the drivers can get anything to eat is the pie cart. They go there for 10 minutes before taking their tonnes of fresh vegetables to the Central Market in the Gouger Street area. The city council overlooks the fact that the traffic lights there operate for 24 hours a day. All the traffic noise is not from people stopping for the pie cart, but from normal traffic stoppages brought about by the electronic change in the traffic light system. The council was so bloody-minded and determined to condemn that fellow that it ought to be condemned. Members of the Council might consider that the battle has been won, but it has not been won yet. It is for this Parliament to tie a knot around the neck of the city council in respect of this matter to ensure that individuals have a right to some freedoms and to be treated equally with business partners on the other side of the street.

There are a number of implications in describing it in that way. It is not good enough that the city council take upon itself the right of being God and then in this grand, great and infamous manner discriminate in such a way. I commend the motion to the House.

Motion carried.

SELECT COMMITTEE ON STANDING LEGISLATIVE COMMITTEES

Adjourned debate on motion of Hon. R.C. DeGaris:

That a Select Committee be appointed to inquire into and report on the establishment of Standing Legislative Committees of the Legislative Council, similar to the Committees operating in the Commonwealth Senate,

to which the Hon. C.J. Sumner had moved the following amendment:

Leave out all words after 'report' and insert 'on reform of the powers and procedures of the Legislative Council including, in particular, whether—

1. The powers of the Legislative Council should be reduced to a delaying power of one month in the case of money Bills and twelve months for other legislation; and
2. Standing Legislative Committees should be appointed similar to the Committees operating in the Commonwealth Senate'.

(Continued from 6 October. Page 1213.)

The Hon. J.A. CARNIE: In speaking to this matter, all members will know my long-standing belief in the value of the committee system for this Council. In my maiden speech

in 1975 I dealt with that subject, and I have spoken on it at least twice since then. In my swansong, as far as the Address in Reply is concerned, in July of this year I raised the matter again. So, there is no secret that I am a strong believer in the committee system or that I believe that the establishment of permanent standing committees will enhance and preserve the role and status of the Legislative Council.

Having spoken at length on at least four occasions on this subject and having given some history of the establishment of standing committees in the Senate and my reasons for believing that such a system would be of value here, I will not go over that same ground again. The Hon. Mr Sumner gave some history in his contribution last week. He said that standing committees in the Senate were established between 1972 and 1975. My understanding was that it was a little earlier than that.

The Hon. N.K. Foster: That is right.

The Hon. J.A. CARNIE: I am glad to have that confirmation, because that was my understanding, and the resolution, I believe, agreeing to the establishment of permanent standing committees was passed unanimously in the Senate in June 1970. The five Estimates Committees, as there were at that time, and the two other committees (the Standing Committee on Health and Welfare and the Standing Committee on Primary and Secondary Industry and Trade) were established in 1971.

However, I will not quibble over the date. The important thing is that those committees were established. I agree with the Hon. Mr Sumner concerning the role played not only by Senator Murphy but also by Senator Gair and the Government (which played a big role therein at the time) in the establishment of the Senate standing committees. This, to me, bears out one important fact: this whole matter must be approached in a non-partisan way. If the committees are to play the role envisaged for them, namely, investigating and reporting to the whole of Parliament, then Party politics must be pushed to the background.

The Hon. N.K. Foster: Party politics and also protecting a Minister.

The Hon. J.A. CARNIE: I agree. However, in saying that Party politics must be pushed to the background, I also believe that it is essential that the long-standing convention of the Senate is followed, namely, that the Government of the day provides the Chairman, even though the Government may be in the minority in the Senate. I said that I do not intend to go over all the things that I have said so often inside and outside this place before.

This Council knows my feelings and beliefs on this matter, so I will come to the subject of the debate, namely, the motion moved by the Hon. Mr DeGaris. Although I strongly believe in the establishment of standing committees of the Legislative Council, I will vote against the motion on the grounds that a select committee in my view is unnecessary. This Council already has the power to establish committees.

During the last session, the Government introduced a Bill to establish a Statutory Authorities Review Committee. That Bill was amended unacceptably by this Council and, having been allowed to lapse, has only recently been restored to the Notice Paper. I sincerely hope that on this occasion reason will prevail, that the Council will not insist on its amendments, and that the Bill will pass in its original form. That is an example of a Bill to establish a committee and that Bill, of course, must pass both Houses.

I also believe that this Council could have its own motion to set up any committee that it liked, and this is what was done in the Senate, where a resolution to establish standing committees was agreed to. If it was considered that any investigation or inquiry was necessary (and I accept that probably such investigations or inquiries would be necessary for a couple of things that come to mind, namely, to establish what areas the committee should cover, the number of members on the committees, and so on), a committee already exists that is well qualified to undertake such inquiries. I refer, of course, to the Standing Orders Committee.

Again, this is what was done in the Senate. Originally, the Standing Orders Committee was requested by the Senate to examine the standing committee system and report back to the Senate, and from there it flowed on to the establishment of committees. After all, who would give evidence to such a committee? It is very much an internal Parliamentary matter. I cannot imagine what outside organisation or individual would give evidence or have any opinions to express on the question of setting up standing committees of this Council.

Certainly, it may be necessary to obtain information from Parliaments such as Canberra or New Zealand, to name only two that use the system. But, this could be done quite simply, possibly even by a letter from the Standing Orders Committee. I repeat that, although I believe very strongly in the use of standing committees, if I was remaining in this place I would continue my crusade for their establishment. I intend to vote against the motion moved by the Hon. Mr DeGaris on the grounds that it is unnecessary.

I now turn to the amendments moved by the Hon. Mr Sumner. It was inevitable that an attempt would be made to bring A.L.P. doctrine into this, and that is exactly what happened. The original motion is quite simple: it deals only with whether or not there should be an inquiry to investigate the use of standing committees. The Hon. Mr Sumner moved an amendment that would expand such an inquiry to that of almost the whole function of the Legislative Council, in particular, its power to delay any Bills, specifically money Bills.

During the Hon. Mr Sumner's contribution he read into *Hansard* a summary of A.L.P. policy on the general reform of Parliament, most of which had nothing whatever to do with either the original motion or the amendments that he subsequently moved. The Hon. Mr Sumner also quoted at length from a paper that he delivered at a workshop in Perth. I do not disagree with many of the things that he said in that paper, in particular, his statement that 'the Upper House should not be the House that can make and unmake Governments or unreasonably frustrate its legislative programme'. I have said the same thing in this Chamber several times and I have, in fact, on at least one occasion, quoted the Rt Hon. Sir Robert Menzies, who said much the same thing in regard to the Senate. The Hon. Mr Sumner also referred to the so-called Constitutional crisis in Canberra in November 1975.

At that time, 12 November 1975, a motion was moved in this Council, and part of that motion was quoted in the Hon. Mr Sumner's paper. He also made the point that the motion was carried by 11 votes to seven in this Council, and that the Hon. Mr Cameron and I voted for the motion.

I do not resile from that fact. I am a strong believer in convention and, at that time, the convention was broken. I approve of the end result of that action because, since 1975, Australia has been served by a responsible Government. However, I did not at that time, nor do I now, approve of the blocking of Supply, but I point out to the Council a big difference between the motion that I supported in 1975 and the proposal that is outlined in the Hon. Mr Sumner's amendment to the motion.

In this respect I should point out that the Hon. Mr Sumner quoted only part of the motion carried in this Council in 1975. For the record, I refer to the full motion (*Hansard*, page 1835 on 12 November 1975), which is as follows:

That the Legislative Council respectfully draw the attention of

His Excellency the Governor to the following constitutional principles and respectfully affirm that they should be followed:

(1) The Lower House of the Parliament grants Supply. The Upper House may scrutinise and suggest amendments to money Bills but should not frustrate the elected Government by refusing or deferring Supply.

That is the only part of the motion which the Hon. Mr Sumner quoted in his paper given in Perth and which was given to the Council last week. The motion continues:

(2) The Governor, in accordance with Letters Patent, should act on the advice of his Ministers, and should not dismiss a Ministry except in the case of that Ministry's acting in breach of the law or its losing the confidence of the Lower House.

Really, that paragraph has nothing to do with either the motion or the amendment, but the next paragraph is relevant and is as follows:

(3) As neither ground for dismissal occurred in the case of the Federal Government of Mr Whitlam, the action of the Governor-General in dismissing Mr Whitlam and refusing his advice to hold a Senate election was wrong according to all constitutional convention, precedent and propriety, and should not on any occasion be followed as a precedent in this State.

I stress the words 'constitutional convention, precedent and propriety', because there is a big difference between a convention and having the same thing written into law, which is what the A.L.P. policy has in mind and what the Hon. Mr Sumner's proposed amendment has as its intention.

Again, I am disappointed that a long-standing convention was broken in 1975. I hope, and I am glad to see that to date, at least, that has not set a precedent. However, I still believe that there is a big case to be made out for keeping some things as a matter of convention, rather than writing them into law. Also, the Hon. Mr Sumner's amendment has the intention of enlarging to an unwarranted degree what was a comparatively simple motion.

For that reason, and for the reasons already stated, namely, that convention should not be written into law, I will not support the amendment. Also, as I stated earlier, because I believe that the setting up of a select committee is unwarranted, I will not support the motion.

The Hon. L.H. DAVIS secured the adjournment of the debate.

SELECT COMMITTEE ON PASTORAL LANDS

Adjourned debate on motion of Hon. B.A. Chatterton:

That a select committee be appointed to investigate the pastoral lands with particular reference to:

1. The present condition of the pastoral lands and the means employed by pastoralists, scientific agencies and the Department of Lands, Department of Agriculture and Department of Environment and Planning to assess and monitor their condition.
2. The control and management of the pastoral land and, in particular, the operation of the Pastoral Board, the staffing resource it has at its disposal, the forms of tenure currently applying, and the rights of public access.
3. Possible conflicts between pastoral use of the land and Aboriginal land claims, mining and tourism.
4. Amendments to the Pastoral Act needed to implement any recommendations of the select committee.

(Continued from 1 September. Page 885.)

The Hon. M.B. CAMERON: I do not support the motion, which is designed to set up a select committee which, I believe, would have no end. Its terms of reference are so broad that it would still be sitting two years hence. I have already been through one of those exercises with the uranium select committee which had a predetermined end before it even started, and that would be the result of this motion. There is little doubt about this matter from the Government's point of view, because it introduced a Bill which was defeated in this Council and which clearly laid out the Government's requirements to changes to the Pastoral Act. The Government believed that those changes would have led to better management of the pastoral country, would have led to better access to finance and better incentives for people to monitor and look after the land, and would have provided, as honourable members would know, reasonable restrictions on access to people other than those using the land.

It is not proper for the Hon. Mr Chatterton and the Opposition now to attempt to override by another motion the previous Bill in which the Government laid out its policy. If the Hon. Mr Chatterton wishes to put forward his views at some future date (if he ever gets into Government), that is his good fortune, but I believe that it is almost an act of arrogance now for him to move for the appointment of such a committee, having defeated a reasonable Government proposal that was the first move in many years to change the management of pastoral land.

If further information is needed about the pastoral country, I assure the Council that it is already available. We have had enough inquiries already to provide the information that might be required by a select committee: we have had the Vickery Report and many other investigations over the years. The simple fact is that the Government had a policy in respect of pastoral lands. It presented a Bill that was defeated by the Council, and at some stage the Government will reintroduce that Bill because it believes that it was a reasonable proposal.

The most important part was that pastoralists should have the opportunity of permanent tenure, but with conditions on it. I will be saying a little more in relation to that when I speak to another Bill that is to be debated today on a similar matter. Our previous Bill was thrown out, and there was no indication from the Government then that it would support a committee on that Bill because the policy was properly investigated and put forward. I oppose the motion.

The Hon. K.L. MILNE: I can understand the attitude of the Hon. Mr Cameron in relation to the fact that he and the Government believed that a Bill that was introduced was an improvement on the present situation in the administration of the pastoral lands. My argument was, and still is, that the Bill would not solve the difficulties, because the problem relates more to the Pastoral Board. The present Pastoral Act could almost be workable if there was a proper authority to make it work. The Bill introduced by the Government, in my view, simply weakened the Pastoral Board still further. I have received a tremendous amount of support from outside this Parliament (from all sorts of people, including pastoralists) for the suggestion that a select committee be established, and I would like to support the motion. In so doing, I move the following amendment:

After paragraph III insert new paragraph IIIA as follows:

'IIIA. The possible establishment of a statutory authority to be known as the Northern Lands Commission representing major groups interested in the northern pastoral lands.'

The amendment provides that the select committee shall consider the possible establishment of a statutory authority, to be known as the Northern Lands Commission, representing major groups who are interested in the northern pastoral lands. Even if the matters as stated in the motion put by the Hon. Mr Chatterton were reported on and agreed to, there would still be a need for a stronger authority with more power to make those recommendations work.

The Hon. N.K. FOSTER: Had the matter gone to a vote, I could not have supported it. However, members in this Council have an inherent right to express an opinion, and I believe that that opportunity should be afforded. I have received a great number of representations about this matter, some good and some bad. I was very interested in the views of the University of Adelaide Department of Botany in

regard to the Middleback Range area and the scientific activities that have taken place there since 1980 in relation to species and group graduate training in arid zones. There have been contributions by staff, and in all about 67 people were involved.

I do not intend to quote the material or suggest that it be inserted in *Hansard,* because it would not be strictly within the bounds of Standing Orders in respect of statistical information. The land care programme has been associated with the University of Adelaide Department of Botany. Members know that I stated that I would not support a select committee, but I might have supported a select committee on the Bill if the Government had brought it back. Perhaps that Bill could have been referred to a select committee. In view of the Government's attitude on this matter, that is no longer wise, and it will possibly fall to the responsibility of an incoming Government to resolve this matter.

While I make a very valid and strong criticism, I believe that the present Act is extremely good. There is nothing wrong with it. Of course, what is wrong is the timidity over the years of certain boards under the Act and politicians, particularly Ministers, of all political persuasions. In endeavouring to speak to people interstate on this matter, I have found that there is a great deal of praise for the South Australian Act as it now stands. Anyone who has studied the Act will know that the criticism comes because of a lack of conviction and the failure of people to carry out properly the terms and aspirations of the Act in respect of the arid lands, to which the Act owes its life. That is what it is all about. An article in the publication *Ecos* in the spring of 1982, under the heading 'Monitoring the health of the arid inland' stated:

> What is happening to Australia's arid and semi-arid land? Does it grow as much pasture as it used to? Is it eroding—and, if so, how badly? And are the native plant communities adequately conserved? Although rangelands make up more than 70 per cent of the nation's area, and although stock first ran over parts of them 130 years ago, we cannot yet fully answer these questions . . .

Might I say that emotionalism from conservation groups, four-wheel drive vehicle groups, pastoral groups, and farming communities is not enough on which to make a reasoned assessment and decision and to undertake debate. I purposely quote this material so that it appears in *Hansard* and so that all those who are interested in the matter can relate to what the article reveals. It was further stated:

> . . . a state of affairs that researchers at the C.S.I.R.O. Division of Land Resources Management are determined to change. Dryland pastoral country presents its own particular challenges to both graziers and scientists. Nobody ploughs, fertilises, or sows seed. Native plants (augumented by some accidental aliens) make up the only crop, grazing and fire the only major tools of management.
>
> If too many sheep or cattle feed on the pasture, the plant community may go into a decline resembling an ecological succession in reverse: the community's composition and productivity change, some species become extinct, and the soil may become unstable. In severe cases the changes may prove irreversible, particularly if erosion sets in and only a handful of unpalatable plants remain.
>
> In essence, these points are only too well known to those who try to wrest a living from the arid and semi-arid zone; but, for research purposes, broad qualitative generalisations do not suffice. If scientists are to detect changes in the 'health' of the rangelands before serious 'sickness' sets in, they must identify and measure the factors involved.
>
> They must find ways to record the accumulated knowledge of experienced graziers and agricultural advisers, in a form that can usefully be passed on to newcomers. (It is all very well to read in an old diary that 'the country was a sea of wire-grass', but how much was 'a sea'? And which species of 'wire-grass' did the writer have in mind?) Scientists must teach pastoralists how to recognise the early symptoms of ailing rangeland: to identify the key species and learn their responses to different grazing pressures and to different seasons. In short, they must encourage the pastoralist to 'read the land'.
>
> A recent South Australian interdepartmental working group inquiring into the State's Pastoral Act commented on the 'dearth of knowledge' about the arid lands. 'To a large extent,' the group said in its report, 'we do not know what resources these lands support and how they are affected by various land uses.'
>
> Apart from pasture, dryland areas serve forestry, water supply, mining, conservation, tourism, and other purposes. 'There is an urgent need', the report added, 'to create an inventory of arid zone resources and determine the extent, cause, and nature of degradation.' These remarks apply with equal validity to the rest of Australia's rangelands.
>
> THE STATE OF THE COUNTRY
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> From considerations such as these has arisen the idea of 'range condition'. This concept was developed in the United States of America, and different people have defined range condition in different ways.
>
> Dr Allan Wilson, the officer-in-charge of the Division of Land Resources Management's laboratory at Deniliquin, N.S.W., likes to define the condition of the land in terms of its potential value. If people's use or management of an area has reduced that land's potential, then its condition has deteriorated.
>
> Dr Wilson stresses that this definition has nothing to do with the normal fluctuations in productivity that come with favourable and poor seasons. All land, whatever its condition, has both good years and bad. 'Range condition does not refer to the amount of forage growing on the land, or to the fatness of the livestock', he explains. It is a statement of how closely a particular area approaches the best performance of which that land type is capable.
>
> Just what performance may be expected of the land depends, of course, on the purpose to which it is being put, and for this reason Dr Wilson insists that different scales for measuring land condition must be devised to assess a site's suitability for different types of land use. By this philosophy, the question 'What is the condition of this area of rangeland?' has no single answer. Overseas, range condition has been variously defined: in the United States field workers assess it by estimating the extent to which the original vegetation has undergone ecological change, while South Africans prefer to assess it in terms of the land's capacity to carry stock.
>
> Dr Wilson argues that these approaches may serve pastoralists well, but that one must always remember that the land's suitability for some other purpose, such as recreation, tourism, or conservation, may be quite different.
>
> Even when the land use has been specified, a number of difficulties face the scientist setting out to devise a scale for measuring range condition. For example, different land types or areas with different climates respond in different ways to man's interference, and separate scales may be needed for each. Furthermore, the 'back-ground signal' of, say, a decline in the land's condition must be distinguished from the 'noise' caused by fluctuating seasons. To make the task yet harder, grazing continues all the time, and cannot be halted so that scientists can see what happens. And researchers always face the problem of grappling with the huge size of Australia's rangelands.
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> PLANTS COME AND GO
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> The system of pastoral land assessment used in America dates back to the second decade of this century. Mr A.W. Sampson suggested that when a landowner noticed some plants replacing others he knew he was grazing the land too intensively. The Soil Conservation Service of the United States Department of Agriculture followed up this idea, and soon after World War II Mr E.J. Dyksterhuis, who laid the basis for current assessment methods, defined range condition as 'the percentage of the present vegetation which is original vegetation for that site'.
>
> Dr Wilson explains that the Dyksterhuis system does not satisfy Australian needs. In the first place, the United States approach begs the question whether the original vegetation was necessarily 'best'—a question whose answer must depend on the land use. In any case, in an area that has been settled and used for a long time, scientists may have difficulty establishing just which plants did make up the original community, and in what proportions.
>
> Introduced plant species create another obstacle. There seems little point in comparing the vegetation of a piece of Australian rangeland with its supposed presettlement state if the introduction of vigorous exotic species, some of them valuable pasture plants, has guaranteed that the 'virgin' community can never be restored under natural conditions.
>
> The American system can work well—it grew, after all, out of field experience. But the system assumes that the main change to rangeland involves the composition of its plant communities, and that other important changes go hand in hand with these shifts in vegetation. In Australia these assumptions do not always hold. Moreover, the American system ignores soil erosion and—a vital consideration in open woodland—does not take trees into account.
>
> All in all, Dr Wilson maintains that the condition of the land must not be thought of as a precise quantity, simply waiting for a researcher to come along and measure it with scientific precision. 'Range condition is a concept, like succession', he says. 'You cannot tie it down mathematically; it occurs in so many different forms.'

DECIDING WHAT TO MEASURE

If range condition is such a slippery entity, how then can you measure it? According to Dr Wilson, you draw up a list of the site's characteristics, usually referred to as attributes, and rank them in an order of importance that will depend on the land type and the use to which it is to be put.

The land's attributes fall into three categories: vegetation, soil, and productivity. Typical vegetation attributes include the composition of the plant community, the density of trees and shrubs, and the extent of cover afforded by smaller plants. The vegetation begins to show the impact of grazing or other use before either soil or productivity, and is the easiest to measure.

A soil's attributes include its structure and fertility, whether it is eroding (and, if so, how fast), and whether the surface has developed a crust.

Productivity may be assessed in terms of the number of animals that the land supports, the quality of the forage it produces, its ability to withstand drought, its value as wildlife habitat or for tourism or the conservation of rare plant and animal species, or even (if it forms part of a catchment area for water supply) the amount of water it yields.

Soil erosion, Dr Wilson emphasises, must always be given the top priority (the extent and rate of soil erosion in Australia were described in *Ecos* 25). Land use will determine which attribute to put next on the list.

How in practice, then, do you set about assessing the condition of a particular rangeland property? To answer this question let us look in more detail at one widespread type of pasture land, the bladder saltbush *(Atriplex vesicaria)* community, and let us start by considering how to arrive at a measurement (often called an index) of the vegetation.

ASSESSING SALTBUSH COUNTRY

In general, you can make two measurements of the plants: qualitative and quantitative. A qualitative approach involves recording which species occur in the study site; you can make it semi-quantitative by recording each one's frequency of occurrence.

For a fully quantitative index, you must measure some feature of the plants, such as their biomass (how much they weigh), or—more simply—how much they contribute to the total cover. The quantitative measures seem more precise, but unfortunately they are also more sensitive to grazing, and so researchers have recommended that in bladder saltbush country you should measure each species' contribution to the cover, but only during periods of light grazing.

Although changes in the vegetation make up one of the most striking and rapid results of heavy grazing, the condition of the land may well hinge far more on the stability of the soil. A paddock may look grazed to exhaustion, but, provided the soil has not begun to erode, it may not have suffered any irreversible damage and, given good rains and wise management, the land may well recover.

Once erosion sets in, however, the soil loses both those vital nutrients that were held in the top layers and its capacity to hold a good proportion of the water received in a downpour. Light-textured soils wash away, and 'duplex' soils (those in which one type of earth overlies another contrasting one) become scalded—that is, they lose their fertile, porous upper layer, exposing an infertile, hard new surface that takes in little water and supports sparse, poor vegetation.

In order to judge whether a particular paddock has begun to erode, you must devise an index appropriate to that soil type. Sometimes the ratio of plant cover to bare, eroded ground provides a satisfactory measure; sometimes you will need to assess such symptoms of erosion as rills, gullies, and 'pedestals' of higher soil on which tussocks of grass grow, surrounded by lower, more eroded, soil.

In New South Wales, researchers are testing two measures: the proportion of the surface area that has suffered sheet erosion (loss of the upper layer) or scalding, and the extent of those symptoms like rills and gullies. Scalding affects saltbush country; sheet erosion, rills, and gullies occur in savannah woodlands.

The procedure for assessing saltbush and bluebush country (collectively known as chenopod shrublands) is being devised and tested by collaborating teams of researchers from the South Australian Pastoral Board, the New South Wales Soil Conservation Service, and the C.S.I.R.O. Division of Land Resources Management. Although the details remain to be worked out, we can picture fairly clearly how a landowner or an adviser will set about quantifying the condition of a particular property.

For a really thorough examination of the property, the assessors would measure the vegetation and other attributes at five sites in every paddock. In practice, there will probably not be enough time or people to permit this, and so each paddock (or as many as possible) will receive a general survey, complemented by measurements at just one or two carefully chosen sites.

From the survey, an experienced assessor will ascertain the present condition of the land; then repeated measurements in subsequent years will pinpoint changes—in particular, giving early warning of any deterioration.

If maps of the land systems making up the property are available, the assessors will consult these before selecting which paddocks to survey. Failing maps, a preliminary study of the distribution of the land types will do; the paddocks studied should include at least one in each main land type.

In making their general survey of a paddock, the assessors will 'score' the land on three counts: the chenopod shrubs, perennial forage plants, and quality of the soil surface. Each of these attributes could be given a rating on, say, a five-point scale: excellenct, good, fair, poor, or very poor. If they are to mean anything to people in the future, these categories must be precisely defined. In the past, such survey estimates, using ill-defined categories, have proved of little value.

LINES AND TRANSECTS

The assessors will give careful thought to choosing their measurement sites. These sites will contribute enormously, not only to the ratings that this paddock receives when the land is first examined, but also to the impression that assessors obtain over the years of any changes in the land's condition. The sites should not suffer heavy stock movements, and should therefore be at least 1.5 km from any watering point, and away from fence-lines.

The assessors will probably make measurements of plant canopy cover along a 500-m transect, pushing along the line a wheel bearing several spikes. As a spike touches the ground, the assessors record what species is growing at that point. The spike may land on bare soil, in which case the assessors will note its state—for example, whether it is scalded.

Measuring the density of bushes will require a transect about 100 m long and 1 m or more wide.

To complete their record of the special study sites, the assessors will take several photographs, following a standard procedure. Already State Government officers in South Australia have established some 700 'photopoints', marked by posts, at which pictures are regularly taken, partly to complement other information on changes in the landscape brought about by seasonal or management influences, and partly for the impact they can bring to an extension officer's recommendations.

After a paddock has been examined in this way, it will be awarded separate ratings for shrubs, forage, and soil. Just how these three ratings are combined into one final score remains to be decided. Researchers say it would be meaningless simply to average the three figures, as the importance of each attribute will vary from place to place. The stability of the soil should always receive the heaviest weighting.

In order to eliminate the relatively short-lived effects of varying seasons, the researchers suggest that the study sites should always be compared with a 'reference area'. In the United States of America, where this idea originated, a reference area consists of a piece of land of the same type as the study site, fenced off against stock.

Australian paddocks generally lack fenced-off sections, and in any case scientists have some reservations about the value of eliminating stock entirely from a reference area, as the vegetation may become senescent or overgrown with shrubs.

Where chenopods grow, the reference area could be a lightly grazed site, say, 5 km from a water hole. In saltbush country, particularly, where their food contains quite large amounts of salt, the animals generally graze only lightly land that is far from water.

In Western Australia, the State Department of Agriculture has been developing methods for assessing range condition for some 12 years. During the course of large-scale surveys of the State's pastoral resources, field workers compare the soil and vegetation with agreed standards for the land systems being examined, and come up with scores for both erosion and pasture condition. From these scores the assessors can assign each land system to a range condition category.

These assessments have been used in drawing up recommendations on such management matters as stock-carrying capacities, fencing, and even the withdrawal of badly affected land from use to allow it to recover.

Here, too, reference areas or 'benchmark sites' will provide a measure of the effects of climate over the years. By reference to these sites, the Western Australian field workers will be able to distinguish between seasonal variation on the one hand, and, on the other, changes in range condition due to management practices. Assessors will monitor trends in condition at fixed sites, where they will record the plant community's species composition, and measure plant density and vegetation cover.

Similar principles will govern the assessment of other types of rangeland, but the detailed procedure must be worked out separately in each case. Researchers from the New South Wales Soil Conservation Service and C.S.I.R.O. are drawing up suggestions for semi-arid woodlands. Here, heavy grazing leads to an invasion of inedible shrubs, and the land's condition will perhaps be expressed

mainly in terms of tree and shrub cover and the degree of soil erosion.

CATTLE COUNTRY

For cattle country in central Australia, an assessment tool called STARC (Standards for Testing and Assessing Range Condition) has been developed by members of two Northern Territory agencies (the Department of Primary Production and the Land Conservation Unit of the Conservation Commission) and the C.S.I.R.O. Division of Land Resources Management at Alice Springs.

About one-third of all the properties in the Alice Springs district have now been assessed using STARC, which involves analysing the composition of the plant community found at each study site. Extension officers of the Department of Primary Production, who have used STARC when examining properties, see it as a tool that helps assessment, and therefore ultimately management, but have found that it needs both modifying and complementing.

Modifications are required because, as it happened, STARC was developed during a run of good seasons. Since then the district has experienced drier weather; pioneer and colonising species make up a larger proportion of the vegetation, and perennial grasses have declined.

The present STARC scales therefore give a misleading impression of the range's condition after a dry spell. The Department of Primary Production, in a joint project with the Division of Land Resources Management, intends to carry out the necessary research to adapt the system for the conditions that prevail during and soon after drought.

In the revised STARC, as in the scales being developed for chenopod shrublands and semi-arid woodlands, assessments of both shrubs and soil will complement forage indices. Assessors in the Alice Springs district have found that simply measuring the biomass percentages of fodder plants does not give a full enough picture of the state of the land.

HOW LANDSAT CAN HELP

Every set of measurements takes up a great deal of time—and still leaves the problem that the site chosen may not typify the paddock under study. In arid country, one paddock may occupy more than 100 sq. km.

Arid zone researchers are therefore keen to develop satisfactory ways of estimating vegetation cover and the extent of soil erosion.

Aerial photography has proved a useful tool, giving impressions of entire properties and helping with mapping—for example, of land systems; but the regular orbits of the Landsat satellite provide a steady stream of information that, if it can be suitably interpreted, may prove of considerable value for the management of Australia's inland properties.

The earth's surface acts as a partial mirror, reflecting some wavelengths of sunlight up into the sky. As Landsat passes overhead, its own mirror scans to and fro, receiving the light reflected from a strip of the planet's surface that lies adjacent to the strip surveyed during the satellite's previous orbit. In this way Landsat 'looks at' every point on the planet once every 18 days.

The satellite's mirror reflects the light it receives onto equipment that responds to four bands of wavelengths, converting the energy of these wavelengths into radio signals picked up by tracking stations on the ground. The Australian station is at Alice Springs.

From these signals, scientists reconstitute the image 'seen' by Landsat. Because two of the bands of wavelengths measured by the satellite lie in the infra-red, and therefore cannot be seen by the human eye, scientists compile their Landsat images in 'false colours': they may represent infra-red as red, and objects that to the satellite appeared red may come out on a Landsat picture in green, and so on.

The resulting glossy, colourful prints make striking wall displays—but how can they help management?

To be of use, the images must convey valuable information about the land's condition. In other words, if Landsat's images can tell us the extent of vegetation cover and any other attributes that assessors study on the ground, then the satellite could prove a major tool in rangeland assessment.

Before they could translate a Landsat image into shrubs and soil, researchers had to find out how much light, in each of the four wavelength bands Landsat uses, bounced back off the different kinds of surface found on a pastoral property. To do this they used a hand-held radiometer, an instrument that recorded the amounts of light it received in those bands.

DOWN TO EARTH

By holding the radiometer in turn over bare soil, sparse vegetation, dense cover, and so on, Dr Dean Graetz of the Division of Land Resources Management found that the sort of information needed for land assessment could be extracted from just two of the wavelength bands (numbered 5 and 7); the other two bands virtually duplicated this information.

The scientists examined some 400 sites. Each type of land reflected light in a particular way, characteristic of that type of land in that condition. When the researchers placed each site on a graph, plotting the strength of light reflected in band five against that reflected in band seven, they found that all the sites fell more or less into a triangular pattern.

Just where in that triangle one site ended up depended essentially on two factors: the proportion of bare soil and the greenness of the vegetation.

The division organised an even more comprehensive calibration of Landsat's imagery last summer, when researchers visited 43 sites in South Australia, west of Broken Hill. At each site they took radiometer readings and measured the ratio of vegetation cover to bare soil, the amount of plant litter, and the extent to which lichen encrusted the soil—lichen's reflectance is much like that of saltbush. In addition, every plot was photographed from an altitude of 300-500 m.

The researchers made these measurements on or about 17 December, when Landsat passed over the area. Unfortunately the satellite's view of the ground that day was obscured by cloud, but no such problem marred the following orbit, on 4 January. As the intervening period had been free of rain, the state of the land had remained virtually the same, and the researchers are now analysing the mass of information collected in the field and matching it against the Landsat pictures of 4 January.

Among other things, the scientists want to sort out exactly what influence the atmosphere exerts on the Landsat image: it seems that the air absorbs some of the wavelengths registered by the satellite, but not others.

The more clues a detective examines, the more complete his reconstruction of the scene of the crime will be. Likewise, scientists augment satellite pictures with other information: for example, Landsat tells you how much vegetation is growing, but by taking into account the time of year and recent rainfall figures you can deduce how much of that foliage is perennial and how much of that foliage is perennial and how much must be ephemeral.

Nonetheless, Landsat can tell you only so much about the land. Study sites on the ground will always be needed, both for fuller information and for continuous calibration of the satellite's images.

Above all, land condition depends on management, and for a full interpretation of satellite images researchers therefore need to know how each property is managed and where the property boundaries lie.

GETTING STRAIGHTENED OUT

Much of this additional information is stored on conventional maps, and researchers have therefore needed to 'stretch' or 'squash' the satellite pictures in order to bring them into line with these maps. Landsat images have a shape of their own, determined by various things—including the varying speed at which the mirror performs its sweep, any yawing or pitching by the satellite, perspective, and the earth's curvature.

To align satellite pictures with the Australian Map Grid, the researchers identify landmarks such as creek junctions or road intersections and re-scale the satellite image accordingly.

Once the image has been 'rectified' in this way, scientists can readily superimpose on it such information as property boundaries, rainfall statistics, stock records, contours, and soil types. The collected information then constitutes the heart of LIBRIS, a Land Image-Based Resource Information System, developed by Dr Dean Graetz of the Division of Land Resources Management, Dr John O'Callaghan of the Division of Computing Research, and the South Australian Pastoral Board.

LIBRIS, which the scientists developed from a similar system devised in California to examine land use in and near cities, constitutes a store of information that may be analysed and drawn upon to assist our understanding of the land and how it can be used.

To put LIBRIS through its paces, the researchers chose an area of more than 8 000 square km of South Australian sheep country west of Broken Hill, containing about 50 properties and ranging from salt-bush shrubland in the south to sandplain mulga in the north. (Last December's calibration exercise took place in this area.) They analysed two sets of pictures taken five years apart, in July 1973 and July 1978, taking a grid of points about 200 m apart, and determining from the satellite image the extent of vegetation cover at each point.

Analysis of Landsat images of the rangelands west of Broken Hill reveals manmade patterns in a number of places. Some of these patterns can be explained by property boundaries: perhaps the land may have less cover on one side of a fence because that pastoralist has stocked more sheep to the hectare than his neighbour.

Other lines on the images correspond not to modern boundaries but to fences that were pulled out at least 40 years ago. This is one of the unexpected discoveries made by Ms Melissa Gibbs, a sociologist with the Division of Land Resources Management, who is investigating the social factors that influence pastoralists' management decisions. Miss Gibbs has visited 30 properties in the LIBRIS study area of north-eastern South Australia.

She is asking how people manage their land (how many stock they run and so on), and asking for details of their families, of

their financial circumstances (where people are prepared to divulge these), and of the history of the property. When she has finished gathering and analysing all this information, she hopes to be able to pinpoint which social and other factors exert the greatest effect on the condition of the land.

As she points out, you can learn quite a lot from Landsat images, but you cannot always explain what you see. It is all very well to record that 'this land is in poor condition', but does the cause lie in today's management or in that practised half a century ago? [This is really important.]

And how far are pastoralists' options restricted by social factors? With no local schools, many graziers feel they have to send their children to boarding school in Adelaide—an expensive commitment that, like debt, may rule out those management options that put less pressure on the land but yield lower immediate returns.

Miss Gibbs would also like to know more precisely what the word 'drought' conveys to pastoralists; she is asking them how they define a drought and what signs they look for in deciding whether a drought has begun and stock should be moved. In the same vein, she is investigating the pastoralists' perceptions of the quality of their land and the extent—and seriousness—of erosion.

But when all is said and statistically done, questionnaires are, Ms Gibbs stresses, of limited value. 'You also have to watch people in a drought and see what they actually do.'

By adding information on property boundaries, the scientists were able to calculate whether the amount of cover on each property had improved or deteriorated over the 5-year period. And, since bare soil soon erodes, this information referred to both the quantity of fodder and the stability of the soil on these properties.

The researchers have stored all this information (property boundaries, Landsat signals, and so on) on computer, and can 'call up' on a screen a map of the study area with, say, the property boundaries or rainfall figures superimposed.

To help analyse the results, the scientists often assign colours to the different types of information that interest them. For example, in their analysis of the two Landsat images taken five years apart, they instructed the computer to work out which areas had experienced an improvement in cover and to mark them in one colour, giving another colour to areas that had deteriorated, and a third to areas showing no appreciable change.

But can this technique provide accurate, useful information on the condition of the land? Yes, say the researchers; the LIBRIS assessment of vegetation cover generally agreed with measurements made on the ground, and, as a result of exercises like the one conducted last December, the interpretation of Landsat images will go on improving.

If all goes well, the Pastoral Board of South Australia, which carries responsibility for the land under survey, will eventually use LIBRIS as a tool to assist in giving management advice. The Board has agreed to evaluate the project.

Landsat, then, could play an important role in the assessment of range condition and in monitoring the effects of management programs. Ideally, this should assist pastoralists and Government departments to develop management practices that extract the best productivity from the rangelands that can be achieved without prejudice to the long-term stability and fertility of the land.

It was wearying to refer in such detail to that matter, but that information spells out the problem. Certainly, no good purpose can be achieved by following a path of division between Parties, departments and pastoralists in this matter. Whichever Government is returned after the next election, it should consider many matters, including the controversial issue of perpetual leases, the provision of a quarterly report to the Minister, and perhaps the provision of Landsat information covering the whole pastoral area of this State. It would be most valuable over five years and could be subject to examination by Parliament. Parliament could then determine priorities from the evidence made available by experts, and in this way introduce a scientific approach and safeguards.

In some instances perhaps pastoralists should have been kicked off their properties. Successive Ministers of Agriculture have been confronted with this problem. Parliament should receive quarterly reports over five years in order to get the best value from the information available to it in dealing with this problem. Indeed, in dealing with the pastoral lands the Government must separate the scientific question (retaining the land and native vegetation) from the economic question (involving tenure). One of the ugliest aspects arising from perpetual leases relates to the blatant capital gain that can be achieved after the land has been raped by overstocking or by poor management.

Much has been said by city dwellers in condemnation of pastoralists and leaseholders, but I do not believe that all such criticism is fair. I know of no members in this Council who would willingly live in the arid zone of this State, and there is much to be said for people who like that type of life. City dwellers would say, 'What a bastard of a place'—

The PRESIDENT: Order! There is no need to use that sort of language, and I ask the honourable member to withdraw.

The Hon. N.K. FOSTER: I withdraw. Some people believe that the pastoral lands are God's own country. Some people in mining areas even remain in the pastoral lands for their holidays. The argument advanced by some people that the whole area should be declared a park is stupid. Indeed, we should be thankful that some people are willing to remain in this area to save it from ruination, especially as it has been subjected to stocking for the past 100 years. Otherwise, the land would go to noxious weeds and feral animals.

Feral animals have been introduced over the last 100 years, but particularly in the past 25 years. Although some people fear for the extinction of the kangaroo, the increased availability of water in dams and the like has led in some areas, to an increase in wildlife, especially kangaroos, although this does not apply to birds, which are threatened by feral cats. These cats should be wiped out. At Robertstown, about 60 miles from Adelaide, one could not move for kangaroos until the shooters came.

The Hon. R.C. DeGaris: Much of the country now carrying kangaroos never carried them before.

The Hon. N.K. FOSTER: Yes. Finally, people should not be over critical of the residents of the arid zone. Such criticism is not justified except in respect of a small minority.

The Hon. B.A. CHATTERTON: The debate on the pastoral lands, including the Government's Bill, has served a useful purpose. It has drawn the problems of the pastoral area to the attention of a much wider group in the community. We have seen good coverage of the problems by various sectors of the media. The A.B.C.'s *Countrywide* undertook two programmes on the pastoral area and added much to the community's knowledge of existing problems. The *Advertiser* undertook a series of articles based on extensive investigations, and these reports also extended community knowledge on problems of the area. What has come out of this debate and the media discussion is the fact that the existing Act is probably adequate to carry out most of the management of the pastoral area.

There could be further refinements to that Act, but eventually land care could come under the present Act. What has been shown to be lacking is the will by the administration to enforce the Act. The select committee will consider how the administration can be improved, and how we can develop an organisation that is prepared to take the responsible decisions. The *Advertiser* in its series of articles showed that the Pastoral Board, which has the prime responsibility for the management of the pastoral area, has failed in its duties. The articles mentioned quite specifically instances of documents and reports of the board and the fact that the board had not really looked at the questions of overstocking and bad management on a large number of properties.

The Government has admitted that failures exist within the Pastoral Board and its administration, and the Chairman of the board has been moved sideways; although he is still on the board, he is no longer the Chairman. The Government has also launched an investigation into the board. However, this is quite inadequate, because the investigation is being carried on from within the Department of Lands. We do not expect anything new to be resolved by that investigation. This select committee is intended to consider the manage-

ment of the pastoral area as a whole and to show how a more suitable administration could be developed. Where it is considered necessary, the Pastoral Act could be amended to improve the administration. As I pointed out earlier, it is basically the management of the land rather than the legislation that is at fault, and I urge honourable members to support the establishment of this select committee.

The Council divided on the amendment:

Ayes (10)—The Hons Frank Blevins, B.A. Chatterton, J.R. Cornwall, C.W. Creedon, M.S. Feleppa, N.K. Foster, Anne Levy, K.L. Milne (teller), C.J. Sumner, and Barbara Wiese.

Noes (9)—The Hons J.C. Burdett (teller), M.B. Cameron, J.A. Carnie, L.H. Davis, M.B. Dawkins, R.C. DeGaris, K.T. Griffin, C.M. Hill, and R.J. Ritson.

Pair—Aye—The Hon. G.L. Bruce. No—The Hon. D.H. Laidlaw.

Majority of 1 for the Ayes.

Amendment thus carried.

The Council divided on the motion as amended:

Ayes (9)—The Hons Frank Blevins, B.A. Chatterton (teller), J.R. Cornwall, C.W. Creedon, M.S. Feleppa, Anne Levy, K.L. Milne, C.J. Sumner, and Barbara Wiese.

Noes (10)—The Hons J.C. Burdett (teller), M.B. Cameron, J.A. Carnie, L.H. Davis, M.B. Dawkins, R.C. DeGaris, N.K. Foster, K.T. Griffin, C.M. Hill, and R.J. Ritson.

Pair—Aye—The Hon. G.L. Bruce. No—The Hon. D.H. Laidlaw.

Majority of 1 for the Noes.

Motion as amended thus negatived.

PASTORAL ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 16 September. Page 1115.)

The Hon. M.B. CAMERON: It seems unusual to be speaking on the same subject so soon after the loss of a motion for the appointment of a select committee. Of course, the reason for this is that Opposition members were trying to get the credit for continuing to try to do something about the land. This has largely been an exercise in trying to continue to support the press in this matter. This relates particularly to the Hon. Mr Milne, who introduced this Bill.

This Bill is designed to create a brand new organisation to oversee the Pastoral Act. It disposes of the Pastoral Board as such and establishes a Northern Land Commission. It proposes to establish a statutory corporation which would have all the present powers of the Pastoral Board with some additions and almost all the present powers of the Minister under the Pastoral Act. Approximately two-thirds of the area of South Australia is held under pastoral lease tenure from the Crown, and the administration of those tenures and the Crown's reserved interest in them should, in our opinion, be the direct responsibility of a Minister of the Crown.

The Hon. J.R. Cornwall: Why did you propose to freehold them then?

The Hon. M.B. CAMERON: We kept the matter under the administration of the Minister of Lands.

The Hon. J.R. Cornwall: It was the land rights to pastoralists Bill.

The Hon. M.B. CAMERON: Not at all. That is nonsense, and the honourable member knows it. The land rights Bill for Aboriginals is a totally different issue. It is a limited freehold tenure and that is totally different, as I thought the Hon. Dr Cornwall would know (because he is not a stupid man—he has some intelligence).

The Hon. Frank Blevins: He was a Minister of Lands.

The Hon. M.B. CAMERON: That is correct, and he ought to understand these things. The previous Bill did not give a freehold tenure. It provided a permanent tenure, but with very different requirements on it. There are no requirements on the land that was given to the Aboriginal community, so to try to relate the two is absolute nonsense. I am sorry that the Hon. Dr Cornwall raised that issue. I will come back to it a little later.

Although clause 6 of the Hon. Mr Milne's Bill provides that the commission shall be subject to the control and direction of the Minister, the intention of the Bill is clearly to invest the present powers of the Minister in the commission. The Bill therefore is in conflict with the Government's policy with regard to the establishment of additional statutory corporations and to the concept of executive responsibility for the administration of Crown Lands comprising a large proportion of the area of the State.

The Government's policy as expressed in the Pastoral Act Amendment Bill introduced by it was that pastoral lessees should have the opportunity to convert their tenures to a form of perpetual tenure. The Hon. Mr Milne's Bill continues the present provisions for expiring tenures, albeit with a slightly extended term and continuous right of renewal.

The Bill proposes the creation of an eight-member Northern Lands Commission as a successor to the Pastoral Board. The Government is of the view that this proposal is unwise and unacceptable on the following grounds: first, an eight-member commission is numerically too large and administratively costly and unwieldy to sustain and service; and secondly, proposed membership of the commission is drawn largely from vested private sector interests which are imbalanced and exclude those related to tourism and recreational pursuits. Such imbalanced membership drawn from areas of private vested interests can only lead to protracted argument and heated disagreements, resulting in imbalanced decisions.

The report of the royal commission into the pastoral industry in 1926-27 recognised and emphasised the need for a full-time professional Pastoral Board dissociated from politics and vested interests. This principle was embodied in the Pastoral Act of 1936, has proved to be eminently satisfactory, and is supported by the Government and the present Pastoral Board.

The Hon. B.A. Chatterton: That is correct.

The Hon. M.B. CAMERON: That is correct, and the Hon. Mr Chatterton knows that the few examples given in the press as reasons for drastic opposition are very isolated examples indeed and have been deliberately picked out. In fact, I have much criticism of the way in which the press has handled this whole issue, because it has quite deliberately implied that the present Government has not been interested in the pastoral lands and that it has, in fact, taken steps that would deleteriously affect the pastoral lands. Such is not the case.

Press representatives have selected a couple of examples and, in one case in particular it is, as the Hon. Mr Chatteron knows, the result of pastoral activities of many years ago. The present Government has set out to give a better understanding of the problems of the Pastoral Act and to make changes. Those changes could have happened in most cases almost immediately, because all the conditions of tenure would have been renewed immediately on the granting of new tenures. The only new media presentation that has shown any indication of understanding the problems of the pastoralist was *Nationwide* a few nights ago when, for the first time—

The Hon. J.C. Burdett: That's unusual.

The Hon. M.B. CAMERON: Yes. However, they did show some understanding. It was clear that representatives

had gone up to this country without any preconceived ideas. They had for the first time gone to the country to ascertain what the problems were. The real problems facing pastoralists were put in a very clear way, in my opinion. They are the problems of access and native and feral animals. That is the first time that that issue has been raised by any responsible news media outlet. The way in which the whole issue has appeared in the press is shameful.

The scientific expertise proposed for the commission is quite inappropriate, in that it does not specify expertise in the assessment, monitoring, and management of arid lands and natural renewable resources. Whilst acknowledging the excellence and undoubted high standards of scientific knowledge and research endeavour possessed by the Adelaide and Flinders Universities, it must also be recognised that the best currently available expertise and skills in natural resources management are only available from faculties of Natural Resources Management in institutions such as Roseworthy College, and the University of New England at Armidale, etc.

Similarly, the legal expertise proposed for the commission is also considered inappropriate, as legal practitioners and law faculty members having the desirable specialised knowledge and experience relative to tenures held from the Crown are not necessarily numerous or readily available. This situation is perhaps a consequence of the generally remote specialised and complex nature of the law relating to such tenures, the result of which is general recognition that the best legal and practical authorities thereon are already in the service of the Goverment in the Departments of Law, Crown Solicitor, Attorney-General, and Lands.

The proposal in new section 14a of the Bill for the declaration of direct and indirect interests by commission members is impractical and fraught with complexity and risk in pastoral matters where the distribution of interests in pastoral companies and families, and family relationships by blood and marriage, are complex and extensive, particularly in the older traditional pastoral families and companies.

The Northern Lands Commission is to conduct an inquiry into the condition, use, care and management of South Australian pastoral lands. This proposed duty or task is considered to be a clear duplication and repetition of the 1981 review of the tenure, administration and management of South Australian pastoral lands by an expert inter-departmental group appointed by the present Government, and the 15-year land use study of South Australian outback lands and resources which has recently culminated in authorised development plans for the Flinders Ranges and Far North planning areas.

Furthermore, such an inquiry is unlikely to result in recommendations that are significantly different from those which are available already and on which the Government has endeavoured to act by the introduction of the previous Pastoral Act Amendment Bill No. 108 of 1982.

This inquiry task of the proposed Northern Lands Commission is therefore a futile duplicatory one which is unlikely to produce positive results but which will be extravagant and wasteful of time, resources and public funds.

The next point on which I wish to express a view is the expiring tenure system of 50-year terms with *ad hoc* renewal provisions linked to financial borrowing and subject to seven-year covenant review.

This proposal deserves no consideration whatsoever because an extension of current 42-year lease terms to 50 years is inconsequential and insignificant, and a tenure system having *ad hoc* renewal provisions based on lessees financial commitments is fraught with the risk of abuse and confidence trickery, and would prove extremely costly and complex to administer. One would not have to be a financial genius to work out a system around those. One would soon be bankrupt on a 50-year term, and then one would be financial again.

The Hon. B.A. Chatterton: It's like getting an interest subsidy, isn't it?

The Hon. M.B. CAMERON: It is. It would be almost impossible to run and could lead only to severe problems with monitoring whether or not a person was being above board. I cannot imagine how any person with financial experience could expect that provision to work.

Such a tenure system would be of little advantage to lessees whose financial and tenure security needs are frequently related to seasonal stresses rather than to improvement and livestock requirements. (In any case livestock financial needs should be linked to stock mortgages rather than to land tenure.) The Hon. Mr Foster already has made that point.

Covenant review at seven-year time intervals would be totally unacceptable in the arid zone physical and socio-economic environment where nutrient, moisture, seasonal, economic, and, in fact, all responses and cycles are of a long-term nature. In such circumstances, seven-year covenant review is quite unrealistic and would lead to severe distortion and misclosure of covenants and land management objectives.

The Bill introduced by the Hon. K.L. Milne is in the foregoing respects a most impracticable proposal, and falls far short of the measures proposed in the Bill put forward previously by the Government, which, by comparison, proposed for permanent tenure subject to Ministerial discretion, management plans, and 14-year covenant review, the retention of a professional/technical statutory management authority, with private and vested interests having an advisory role and input to the Minister only, and management provisions to provide and control public access rights to pastoral lands. It is somewhat arrogant of the Hon. Mr Milne now to introduce a Bill.

The Hon. Frank Blevins: It was Brian Chatterton who was arrogant a minute ago.

The Hon. M.B. CAMERON: I am not worrying about him, as he represents a reasonable proportion of the population. However, the Hon. Mr Milne represents only about 7 per cent.

An honourable member: A reasonable proportion?

The Hon. M.B. CAMERON: I used the word 'reasonable' because he obviously does not represent the majority of people in this State, as was shown by the last election. The Hon. Mr Milne has introduced a Bill which proposes virtually to take control of this matter out of the hands of the Government, because the Government previously had introduced a Bill that had provided for distinct improvements in the management of pastoral lands. The Hon. Mr Milne said that it weakened the Pastoral Board. I reject that totally. He knows that that is not correct, because it did not weaken the Pastoral Board. It strengthened it.

That is the point on which the previous Bill foundered—it provided for permanent tenure for pastoralists. Immediately that proposal was put forward, various groups in the community came forward and expressed dishonest views that this would lead to the abuse of pastoral lands and, in one case, to freeholding. That was even said. I am referring particularly to the Conservation Council, which, I believe, was untruthful and dishonest in this matter and misled the public.

An honourable member interjecting:

The Hon. M.B. CAMERON: If the honourable member wants me to go through it chapter and verse again, I will. I am prepared to do that because I have in front of me a

copy of its press release, which was quite dishonest and untruthful.

An honourable member interjecting:

The Hon. M.B. CAMERON: The honourable member should not worry about the U.F. and S., which can express its own views. I am referring to the Conservation Council. I know exactly what happened to the Hon. Mr Milne. Members of the Conservation Council have taken over his Party, so he has no choice but to come into this House, express his views, put forward the Bill that he has put forward, and reject the proposal that was put forward previously by the Government. That is his problem and not mine. He has turned into an anti-rural section of this Parliament and has totally rejected the people out in the rural areas who would have been assisted by the Government's previous Bill.

An honourable member interjecting:

The Hon. M.B. CAMERON: He did get out there, but I do not think that he will get out there again for some time to come.

Honourable members interjecting:

The PRESIDENT: Order!

The Hon. M.B. CAMERON: I would not if I were the honourable member. I would be very careful. He was given all the necessary information and, in the end, he rejected that. Now the honourable member comes back with a Bill that totally ignores the needs and views of the people out there—something that the Government did not do. The Government was prepared to listen to outside views, as the Hon. Mr Milne knows. Before the honourable member rejected the Bill, he received a very good hearing from the Government and from the pastoralists, whom he has now wiped off the face of the earth. He has totally ignored their needs and desires, and has introduced a Bill on behalf of the 6 per cent or 7 per cent of the people who voted for him and whom he represents in this Parliament.

The honourable member is trying to take over from the Government in this matter and to apply his own views to the people concerned. In this case, the Hon. Mr Milne and his Party are showing a high degree of arrogance. The previous Government Bill provided for better management of pastoral lands, and for immediate review of all the covenants and conditions on leases before any perpetual leases were granted. That, in itself, was a very big advantage, because it meant that any covenants and conditions that were not appropriate or tough enough could have been changed immediately instead of at the end of the 42-year period. That Bill provided for a 14-year review of all the covenant conditions instead of the 42-year review of the leases and conditions that applies at the moment. It provides for the board to be able to insist on control of feral animals. How was that a weakening of the Pastoral Act? It was not, but it was a toughening of the Act, which was needed especially in the present drought conditions—and I will finish on that in a moment. The Act provided for other interests to be involved in the Pastoral Act. It provided for some restrictions on access. Anybody with any knowledge of the country and the problems that face pastoralists would know that that is very necessary because pastoralists have very severe problems. Nobody would say that all pastoralists are perfect.

That Bill also provided for a Minister to be able to revert a perpetual tenure to a 21-year tenure if covenants and conditions were transgressed. It also did not alter the present system whereby pastoral leases could be cancelled if conditions and covenants continued to be transgressed.

When I looked at the press release of the Conservation Council prior to the defeat of the last Bill, I found that its views were quite dishonest and untruthful on almost every item that it raised. The council said that it was intended to freehold the land, and it made a number of claims that were quite erroneous. It was clear, first, that it had no knowledge of the Pastoral Act and, secondly, that it had not read the Bill. I reject the council's views on the previous Bill totally, and I also reject this Bill.

What has now happened is exactly what I predicted to the Hon. Mr Milne prior to the defeat of the last Bill, namely, that we were heading towards a severe drought; that has now occurred. The result of the defeat of the previous Bill is that family-owned pastoral companies, not the big company pastoral leases, because they are not so much affected by a drought as they have the resources to survive (and I am not talking about the non-viable pastoral leases; that is another issue altogether) will be in severe financial difficulties, mostly because they cannot borrow from reasonable sources. These people cannot borrow from banks because the banks do not regard expiring tenures as proper security. So, they are being forced into the hands of stock companies. Of course, the stock companies will lend on stock numbers only, so the borrowing power of these people is disappearing daily.

In most of the pastoral country now stock numbers are down to 50 per cent. I know of one property (and no doubt there are more) where the stock numbers have gone down from 10 000 to 500. What sort of borrowing capacity do these people have? They virtually have none. When these people borrow from stock companies the pressure is on to keep the stock, because that is their security. So, there is always the tendency to keep the numbers of stock up.

Fortunately, the Pastoral Board applies very severe restrictions on these people, and most pastoral owners are sensible and are getting rid of the stock. But, these people have been left in a very desperate situation because of the actions of the Labor Party and, more particularly, the actions of the Hon. Mr Milne, who should have known better. These people are paying 3 per cent to 4 per cent more interest than they need to pay on their borrowings. Their power to borrow has been severely restricted because the previous Bill, which provided reasonable long-term permanent tenure, was not passed, although it was not a permanent tenure in the sense that it was irrevocable.

The Hon. M.B. Dawkins: It was thrown out on the second reading.

The Hon. M.B. CAMERON: That is right, and it was not because it was irrevocable: it was because it was possible for a Government or a Minister, if the conditions on the lease were transgressed, to revert to a 21-year tenure. Of course, that would have provided more discipline than is presently available, because lending sources would have a highly vested interest in the form of tenure on which they were lending. So, new discipline would have been introduced which, I believe, would have been much more effective than the present discipline, which, as people say, has not been applied. It was a form of discipline not quite as severe as the total loss of tenure, but it provided a very severe warning, as it reduced the person's ability to borrow.

I have no hesitation in totally rejecting this Bill, and I would imagine that most of my colleagues would feel the same way. This is a very arrogant move by the Hon. Mr Milne on a matter than has already been put before the Council in a very reasonable form by the Government. I believe that the previous Bill should have been passed and the Government given credit for tightening up the Pastoral Act and for providing, for the first time, for control of animals other than stock and for interested groups to be able to have influence in the pastoral industry through the Pastoral Act.

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

BUDGET PAPERS

Adjourned debate on motion of Hon. K.T. Griffin:

That the Council take note of the papers relating to the Estimates of Payments and Receipts, 1982-83.

(Continued from 12 October. Page 6.)

The Hon. ANNE LEVY: I had not intended to say anything in this debate, as I felt that other members had adequately covered the necessary material. But, I wanted to raise a few points in relation to the amazing speech made by the Hon. Dr Ritson on 6 October. The Hon. Dr Ritson made a whole series of allegations concerning the Australian Union of Students and the elections that had taken place at the university. I have been contacted by a number of people at the university who are concerned about the remarks made by the Hon. Dr Ritson, and I wish to take this opportunity to set the record straight on several matters. When speaking of the Australian Union of Students, the Hon. Dr Ritson said:

More often than not it is under communist control and its finances are in many cases suspect, to say the least. One hears stories of large sums of money either unaccounted for or being donated to radical Marxist extremist movements and the like.

I have received a letter from Paul Klaric, President, Students Association of the University of Adelaide, who assures me that A.U.S. is controlled by students who have democratic procedures to bind their delegates to the central meetings of A.U.S. He states:

In terms of Party politics, the President, the education vice president, the media officer, all three State regional organisers and four members of the national executive are members of the Labor Party. The executive also includes Liberals, Democrats, independents and National Civic Council students. There are two Communist Party members on the executive. This is by no means 'control'.

The Hon. Frank Blevins: How many members are on the executive?

The Hon. ANNE LEVY: I do not know the total number, but there are 10 members of the Labor Party, Liberals, Democrats and N.C.C. students.

The Hon. Frank Blevins: It sounds like a big executive.

The Hon. ANNE LEVY: Yes, with well over 20 members, but only two are members of the Communist Party, and I do not know how that can be interpreted as being communist controlled. Further, the association President states:

It is very difficult for an organisation as closely watched by Governments and Liberal students to do anything with its money, let alone mismanage it. If students or politicians have any questions on the use of A.U.S. funds, the union's officers, or its auditors, Opic, Allmand and Co. (Melbourne) would be only too pleased to listen.

To suggest that this money is mismanaged is a reflection on the auditors and would not stand up to any examination. He further states:

If Dr Ritson would like to name the radical Marxist extremist movements that A.U.S. supposedly funds, our members and solicitors would be most happy. Happy because this just does not and will not happen. We can prove this if Dr Ritson wishes.

Later in his speech, the Hon. Dr Ritson referred to students belonging to A.U.S. Mr Klaric states:

Students who object to compulsory unionism have an appeals procedure. Indeed, students who object to A.U.S. can call for a referendum at any time to decide whether or not their campus remains affiliated. The fact that this has not been done in South Australia since 1978, and that when it has been done it has been successful at only one campus (S.A.I.T.) indicates wide support for A.U.S.

Further in his speech the Hon. Dr Ritson casts aspersions on the conduct of elections for the Students Association of the University of Adelaide and at Flinders University. He implied that the ballots for the association had been manipulated, that the returning officer had deliberately placed non-communist candidates at the bottom of the ballot paper and, in fact, had not behaved honestly in conducting the ballot.

It so happens that I have spoken with the returning officer of student ballots at the University of Adelaide. He is not, as was stated by the Hon. Dr Ritson, a prominent lecturer in politics: he is a post-graduate student who has been the returning officer four times for the student elections at the University of Adelaide. Not only is he not in cahoots with the returning officer at Flinders University but also he does not even know who is the returning officer at Flinders University; nor does he know when the elections were conducted there. This gentleman has told me that, at the request of the majority of the candidates, he drew lots to determine the order of names on the ballot paper. There are no specific rules about how the ballot paper is to be organised for such elections, but there is a provision in elections for the union council for names on the ballot paper to be drawn by lot. It was the request of candidates that the same procedure be applied for them.

Further, the Hon. Dr Ritson was quite inaccurate in his analysis. Of the 12 candidates standing, only one was a communist, and she made no attempt to hide the fact that she was a communist. In the Flinders University elections none of the candidates was a communist. In fact, four were Labor Party students, two were Liberal students and another was a National Civic Council student. Therefore, the suggestions made by the Hon. Dr Ritson do not stand up to any analysis at all.

Moreover, the President of the association says in his letter that the person who gave the Hon. Dr Ritson such totally inaccurate information which he used was one of the candidates who was not elected at the University of Adelaide election. This individual, whose name has been provided to me, has admitted that he was the person who contacted the Hon. Dr Ritson. He also wrote in regard to *Bread and Circuses,* which the Hon. Dr Ritson raised in Parliament. It is suggested that it was a question of sour grapes on the part of a bad loser.

The student concerned did not approach the association with these complaints before taking them up with the Hon. Dr Ritson, doubtless for the good reason that he knew that his complaints were quite fallacious and would not stand up to any rigorous examination.

The statements about scrutineers at the ballot, again, are totally inaccurate. The candidates were told that they could have scrutineers at the ballot, and, in fact, many of them had scrutineers at the preliminary sorting of the ballot-papers, which was to decide which votes were informal and which were valid votes. Scrutineers were present at that preliminary sorting of the ballot-papers. Those votes that were ruled to be formal were then taken to the computing centre and put on the computer for counting.

While there were no scrutineers present at that time, scrutineers were certainly present for any decisions as to whether the ballot-papers were formal or informal. The candidate did not obtain a result within a week, as stated by Dr Ritson: the counting took 2½ weeks to achieve a result. It is true that some results were available within one week, but the result in regard to that candidate was not available then. I am sorry to take up the time of the Council on what may seem to be a trivial matter and what is certainly not related to the motion before us. However, if Dr Ritson can use the time of the Council to smear individuals who have no right of redress and to provide irrelevant and irrational information, I feel it incumbent on me to set the record straight in this case. I support the motion.

The Hon. K.T. GRIFFIN (Attorney-General): I do not intend to respond at length to this debate. I have already

commented in reply to the second reading stage of the Appropriation Bill (No. 2). I appreciate the attention that honourable members have given to this motion, which is part of the consideration of the 1982-83 Budget.

Motion carried.

CO-OPERATIVES BILL

The Hon. K.T. GRIFFIN (Attorney-General) obtained leave and introduced a Bill for an Act to make provision for the registration, incorporation, administration and control of co-operatives; to repeal the Industrial and Provident Societies Act, 1923-1982; and for other purposes. Read a first time.

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

That this Bill be now read a second time.

In view of the time, I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Bill

This Bill deals with the registration and regulation of bodies formed to pursue a wide range of co-operative endeavour. It will deal with all types of co-operative, other than those branches of co-operation which are the subject of specific legislation, namely, building societies, credit unions and friendly societies.

The co-operative movement and the co-operative philosophy have the endorsement and support of the Government. Co-operation in all its forms is acknowledged to be a major source of benefit to the community. Up to the present time, the co-operative movement in this country has not assumed the size and vitality of its overseas counterparts. In Europe and the United States of America co-operatives are sophisticated and accepted competitors with other business ventures in the private sector. It is with the object of giving impetus to the co-operative movement that this Bill provides, among other things, for the establishment of a Co-operatives Advisory Committee, as a link between the movement and the Government.

The Government is acutely conscious, as recent events have shown (for example, the failure of Riverland Fruit Products Co-operative Ltd and Southern Vales Co-operative Ltd), that the fortunes of individual co-operatives within the movement dictate the fortunes and lives of many ordinary citizens, the sum of whose efforts are represented in every registered co-operative. This Bill is a long awaited modernisation of important legislation to deal with many of those problems. It endeavours to encourage the co-operative philosophy, provide for appropriate public accountability, provide both regulation and guidelines which hopefully will help to prevent alienation of member from management, and to make for greater uniformity in accounting and management practice within co-operatives.

The history of this legislation goes back a very long way. The need for its complete review is apparent from the fact that the principal Act which was enacted in 1923 is based very substantially on the United Kingdom Act of 1893. Over many years amendments to the principal Act have been mainly consequential upon the enactment or amendment of other legislation. The first review of the present Act was made by the Law Reform Committee of South Australia. In its forty-first report made in the early 1970s, the committtee referred to substantially the same deficiencies in the Act as are referred to in the report of a working party established by the previous Government in 1978. One of the terms of reference of that working party was to review the Industrial and Provident Societies Act.

The working party was continued under the present Government, to which it reported late in 1980 in respect of the legislative review portion of its assignment. The report indicated that the working party had sought the views of a wide segment of the co-operative movement, both within and outside South Australia. The working party considered the Industrial and Provident Societies Act, 1923-1982, to be anachronistic and completely out of harmony with modern commercial needs and practice. By way of example the report cites the maximum fine of $40 which can be imposed for offences against the Act. As the report indicates, this penalty is hardly likely to ensure compliance with the few sanctions which the Act imposes.

When the report was exposed for public comment only four submissions were received. Those submissions, two of them being from organisations representing co-operatives, expressed agreement with the findings of the working party. This Bill gives effect to numerous recommendations made in the report of the working party. Those concerned with the operation of co-operatives have been consulted during the drafting of this Bill. In moving on to deal generally with the contents of the Bill it must be mentioned that a new Act was required as the present Act was inappropriate for amendment. It will be observed that the title of the Bill is now expressed clearly in modern terminology.

The view is expressed in the report that there is no reason why co-operatives should not be regulated on a basis similar to companies, other than in those areas where fundamentals of co-operative philosophy are involved. While the Government agrees with this approach from the point of view of deregulation and rationalisation, it has ensured that the Bill makes appropriate provision for relief from the application of the law relating to companies in cases where its application would place undue burdens on small co-operatives.

Another matter referred to in the report is the quantity of documentation required to be lodged with and registered by the Registrar. The present requirements are almost without exception excessively time-consuming and cumbersome, and out of keeping with the policy of the Government on deregulation. This matter has been dealt with in the Bill. The powers and authorities under the present Act are conferred on the Registrar of Industrial and Provident Societies. The holder of that office has always been associated with the administration of company law, the present Registrar being an officer of the Corporate Affairs Commission. As the whole of the administration of the present Act is undertaken with the resources of the commission, it is administratively convenient that the Corporate Affairs Commission should be given responsibility for this Act, and that the office of Registrar should be abolished.

The status of registered co-operatives and registered rules which were accepted under the existing law is not disturbed. It is hoped that those co-operatives, whose rules were registeed under the present Act, may be moved to update those rules voluntarily where they do not accord with the philosophy expressed in the Bill. Provisions for initial registration have been simplified, and a new definition of co-operative included. Both the Law Reform Committee and the working party expressed concern at the lack of discretions available to the Registrar to refuse registration under the Act.

Because of this situation there is no doubt that some organisations which have been registered under the Act are co-operative in name but not in spirit. Frequently the choice of the present Act as the vehicle for incorporation was a deliberate ploy to gain full corporate status, without becoming subject to the much more onerous provisions of the Companies Act. To provide an additional facility in determining eligibility for registration, the principles of co-operation are set out in the Bill.

The concept of a co-operatives advisory council is not without precedent in that recent legislation established a Building Society Advisory Council. Co-operative advisory councils have been established under equivalent legislation in other States. While this innovation is experimental as far as South Australia is concerned, it is the intention of the Bill that the advisory council will be a means of encouraging co-operation at all levels, and be a monitor in ensuring that legislation is kept under review. It is the intention of the Government to consult with the Co-operative Federation of S.A. Incorporated with regard to appointments to the advisory council in order to obtain the maximum advantage from the council and broad representation.

At present the Registrar is powerless to investigate complaints made against co-operatives, and similarly has no power to make inspections to ascertain if a co-operative is abiding by the Act. The Registrar is limited to requesting the Minister to appoint an inspector to conduct a special investigation. This procedure not only involves considerable expense, but would be totally inappropriate other than in cases involving allegations of some grave impropriety in the administration of the affairs of the co-operative. Because of the number of complaints received by the Registrar, and because a power of inspection is essential if any body corporate legislation is to be effective, the provisions of the Companies (South Australia) Code relating to inspections have been invoked to give a broader range of options in dealing with matters of complaint or concern.

The provisions to facilitate the amalgamation of co-operatives and the resolving of disputes which appear in the present Act, have been repeated in the Bill in a more practical form. The Bill quite properly sets a high standard in respect of rules, which are of no effect prior to registration. A new provision is that an explanatory memorandum is to be sent to members with the notice of meeting at which a resolution to change the rules is to be proposed. Experience has shown that without an explanation in narrative form, it may be difficult for members to appreciate the purpose and merits of the proposed alteration.

The matter of voting rights, which is a fundamental issue in co-operatives, has been placed on a more satisfactory basis in this Bill. Every member is entitled to one vote irrespective of the number of shares held by that member. Any rule which provides for a different scale of voting, or which denies a vote to a class of shareholder, cannot be registered without the consent of the Minister. The justification for invoking certain companies code provisions has been mentioned previously. These provisions have been invoked in respect of the prohibition of certain persons acting as members of a committee, and in respect of the conduct of members of a committee in the discharge of their duties. It was the view of the working party, which has been accepted by the Government, that even where they act without fee members of a committee have a heavy responsibility of honesty and diligence which should be no less than is required of company directors.

The accounts and audit provisions in the Bill are substantially those which now apply to companies under the Companies (South Australia) Code. These provisions have been set out at length because they apply to all co-operatives on a recurring basis. Again, there is no reason why co-operatives of significant size and affluence should not be subject to the accounting standards which are applicable to companies.

These provisions have been adjusted to take account of the unique features of co-operatives, for example, fluctuating capital. It is intended that the regulations will provide a schedule similar to that provided under the Companies (South Australia) Regulations as to the contents of accounts of co-operatives. In fairness it must be said that at present some large co-operatives prepare accounts and, where necessary, group accounts on the same basis as companies, although this standard is not prescribed under the present Act or regulations. It is mentioned again that provision is made to accommodate those co-operatives which for special reasons are unable to comply with the new requirements.

Provision has also been made in the Bill for the transfer of the undertaking of a co-operative to another body corporate. These provisions would apply if a co-operative resolved to abandon its registration under this legislation, and trade as a company or other type of body corporate. The Bill provides that the sale of assets having a value equal to the total issued capital of the co-operative, is to be authorised by special resolution. The notice of the meeting will be accompanied by information which will enable the member to make an informed decision. This requirement ensures member participation in such a significant decision.

A new mode of winding up is included in the Bill to supersede the instrument of dissolution method which is cumbersome and unsatisfactory. This new mode of winding up commences when the Minister issues a certificate on prescribed grounds. A similar provision for winding up appears in the legislation relating to building societies and credit unions. The Bill will deal with the vesting and disposal of assets which are discovered subsequent to the dissolution of a co-operative. These outstanding assets will vest in and be disposed of by the Corporate Affairs Commission. The net proceeds of sale will be paid to the Treasury, where they may be claimed by any person who can establish an entitlement to those moneys. The absence of such a provision is another defect in the present Act.

While this Bill imposes greater regulation than that imposed under the present Act, it also provides for substantial deregulation in a number of areas. The existing legislation reflects nineteenth century concepts and early twentieth century money values. In consequence, this Bill must of necessity impose greater accountability which is nevertheless in keeping with other modern body corporate legislation.

Clauses 1, 2 and 3 are formal. Clause 4 sets out the definitions that are required for the purposes of the new Act. Included in this provision is the definition of 'co-operative', which is principally a society which is formed on the basis of the principles of co-operation and which carries on an industry, business or trade. Subclause (2) sets out the conditions upon which a society will be regarded as having been formed on the principles of co-operation.

Clause 5 sets out which corporations are to be considered as subsidiaries of a co-operative. Clause 6 provides for the repeal of the Industrial and Provident Societies Act, 1923-1982, and contains certain necessary transitional provisions. Clause 7 provides for the administration of the new Act by the Corporate Affairs Commission. The commission is to be subject to the control and direction of the Minister. Clause 8 provides for the keeping of registers by the commission and provides for inspection of the registers and inspection of documents held by the commission under the new Act.

Clause 9 empowers the commission to extend limits of time prescribed by the Act or to grant exemptions from obligations imposed by or under the Act. Clause 10 provides for the commission to furnish an annual report upon the administration of the Act. The report is to be laid before Parliament. Clause 11 establishes the 'Co-operatives Advisory Council', which is to consist of a chairman and between four and eight other members appointed by the Governor on the Minister's nomination. Clause 12 provides that the council is to advise the Minister on various matters that affect co-operatives. Clause 13 extends the provisions of the

companies code relating to inspection and special investigations to co-operatives.

Clause 14 deals with the manner in which an application for incorporation is to be made. Clause 15 deals with the registration and incorporation of co-operatives under the new Act. It is to be noted that it empowers the commission, in special circumstances, to register societies under the proposed new Act which may not possess all the characteristics normally associated with co-operatives but which, nevertheless, have in some degree been formed on the basis of the principles of co-operation. This provision also sets out the general powers of a co-operative incorporated under the new Act.

Clause 16 provides that the liabilities of an incorporated co-operative do not attach to members or officers of the co-operative. Clause 17 provides for the amalgamation of registered co-operatives. Clause 18 provides that the rules of a registered co-operative bind the co-operative and all the members of the co-operative. Clause 19 deals with an alteration of the rules. Any alteration must be passed by special resolution and must be properly explained to members before a vote is taken. An alteration comes into force on registration.

Clause 20 deals with the voting rights of members of registered co-operatives. The principle of one member being only entitled to one vote is encouraged, and any rule to the contrary proposed after the commencement of the new Act must be approved by the Minister. Clause 21 specifies the requirements that the names of registered co-operatives must comply with. Clause 22 sets out certain general powers of registered co-operatives. Clause 23 deals with the manner in which a registered co-operative is to enter into contracts. Clause 24 limits the doctrine of *ultra vires* in relation to registered co-operatives.

Clause 25 deals with the rule in Turquand's case. It provides that a person dealing with a registered co-operative is not to be presumed to have notice of its rules. Clause 26 deals with the management of the affairs of a registered co-operative. A committee of management must have at least five members, to be called 'directors'. Clause 27 deals with the disclosure of interest by directors of registered co-operatives. Clause 28 prevents directors of a registered co-operative who have a pecuniary interest in contracts proposed by the committee of management from taking part in deliberations or decisions of the committee with respect to such contracts. Clause 29 provides that a person who is disqualified from acting as a director of a company under the companies code cannot take part in the management of a registered co-operative. Clause 30 sets out the duties of honesty and diligence that must be fulfilled by officers of registered co-operatives.

Clause 31 extends the provisions of the companies code relating to prospectuses and registration of charges to co-operatives. Clause 32 provides that a registered co-operative must maintain a registered office within the State. Clause 33 sets out the registers that a co-operative must keep. The registers are to be available for public inspection. Clause 34 provides for the holding of an annual general meeting of a registered co-operative. Clause 35 provides that a registered co-operative shall not expel any person from membership unless he has been given a reasonable opportunity to be heard by the committee of management. Clause 36 provides that a sale of assets for a price equal to the total issue capital of a registered co-operative must be approved by a special resolution. Appropriate information concerning the proposed transaction must be supplied to members.

Clause 37 sets out the definitions to assist the part of the proposed new Act that deals with accounts and audit. Clause 38 deals with the obligation of registered co-operatives to keep accounts and to have those accounts audited. Clause 39 seeks to ensure that as a general rule the financial year of any subsidiary of a registered co-operative will coincide with the financial year of the holding co-operative. Clause 40 provides that the directors must in each financial year cause to be made out accurate accounts, balance sheets and group accounts. These accounts are to be audited. The directors must certify their accuracy. Clause 41 requires directors to provide an annual report of the accounts and operations of a registered co-operative to the members of the co-operative. Clause 42 requires directors of a registered holding co-operative to provide an annual report of group accounts and operations of all subsidiaries in the group.

Clause 43 provides some further specific requirements to be included in the reports made under the preceding two clauses. These requirements assist to explain the accounts and directors' reports. Clause 44 allows regulations to be made for the rounding-off of accounts and reports. Clause 45 requires the directors of a holding co-operative to wait for the receipt of the accounts of subsidiaries before they prepare the group accounts. They are also to take reasonable steps to obtain appropriate reports from the directors of each subsidiary. The directors of the holding co-operative may request any further information required for the preparation of proper group accounts. The accounts and reports received from the subsidiaries must be sent to the members of the holding co-operative. Clause 46 requires a registered co-operative to send to each member of the co-operative a copy of all the accounts, balance sheets, statements and reports which are required to be prepared under this Part.

Clause 47 provides for all accounts and reports for the preceding financial year to be laid before the annual general meeting of a registered co-operative. Clause 48 provides that a periodic return of accounts and such information as may be prescribed must be lodged with the commission. Clause 49 provides the penalties to be imposed on co-operatives and on directors that fail to take all reasonable steps to secure compliance with the accounting provisions of the proposed new Act. Clause 50 sets out the qualification that must be possessed by auditors of registered co-operatives. Clause 51 deals with the appointment of auditors for registered co-operatives. An auditor must be appointed within one month of the date of incorporation. Casual vacancies in the office of auditor may be filled by another auditor appointed by the committee of management, or appointed by resolution of the co-operative.

Clause 52 provides for the nomination of auditors prior to appointment. Clause 53 deals with the removal and resignation of auditors. The commission is to be informed of any change in auditor. Clause 54 provides that an auditor ceases to hold office on the winding-up of the co-operative. Clause 55 allows an auditor to recover reasonable fees and expenses from a co-operative. Clause 56 sets out the powers and duties of auditors as to reports on accounts. The auditor's report is to be presented at the annual general meeting of a registered co-operative. The auditor is required to report to the commission where he becomes aware of any breach of the accounting provisions of the proposed new Act by the co-operative, or its directors. Clause 57 provides that the accounts of all subsidiaries of a registered co-operative must be audited under the provisions of the proposed new Act, even if they may be exempt under the companies code from appointing an auditor. The auditor of a holding co-operative is to be the auditor of any subsidiary that has not otherwise appointed an auditor.

Clause 58 makes it an offence to obstruct an auditor in the performance of his duties under the proposed new Act. Clause 59 empowers the commission to grant an exemption from obligations imposed by or under the Part of the proposed new Act that deals with accounts. Clause 60 extends the provisions of the companies code relating to arrange-

ments and reconstructions, receivers and managers and official management to registered co-operatives. Clause 61 allows a registered co-operative to request the commission to transfer all of its undertakings to a body incorporated under some other Act. Clause 62 deals with the winding-up of registered co-operatives. Included is provision for a winding-up, on specific grounds, on the certificate of the Minister.

Clause 63 deals with the completion of winding-up proceedings commenced under the repealed Act. Clause 64 provides for outstanding property of societies which have had their registration cancelled under the repealed Act to vest in the commission. Clause 65 provides for appeal against decisions by the commission. Clause 66 makes it an offence to knowingly provide false information under the proposed new Act. Clause 67 requires a co-operative to keep accurate minutes of all proceedings and meetings of the co-operative and its committees.

Clause 68 provides that minutes must be available to members for inspection. Clause 69 forbids a registered co-operative from offering or granting an option for shares in the co-operative. Such action is contrary to the principles of co-operation. Clause 70 restricts the manner in which registered co-operatives may offer shares for public subscription. Clause 71 provides that interest on share capital may only be paid upon the authorisation of the directors and the approval of members in general meeting. Clause 72 requires a registered co-operative to print its name on certain documents that are commonly used in its affairs. Clause 73 requires a registered co-operative to notify the commission of changes in certain particulars, including the registered address and composition of the committee of management of the co-operative. Clause 74 provides for proof of certain formal documents.

Clause 75 provides for service on co-operatives. Clause 76 provides a general penalty for contravention of the proposed new Act. Clause 77 applies sections of the companies code which deal with the investigation of misconduct in relation to the affairs of corporations. Clause 78 deals with proceedings for offences against the new Act. Clause 79 provides that, where a fee is payable upon lodgment of a document with the commission, the document shall not be regarded as having been duly lodged until the fee is paid. Clause 80 provides for the payment of fees received by the commission into general revenue. The commission is to keep proper accounts of receipts and payments under the new Act, which are to be audited. Clause 81 provides for the making of regulations.

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

SUPREME COURT ACT AMENDMENT BILL (No. 2)

Adjourned debate on second reading.
(Continued from 6 October. Page 1215.)

The Hon. C.J. SUMNER (Leader of the Opposition): The Opposition has no objection to the passage of this Bill.

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

FENCES ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 6 October. Page 1215.)

The Hon. C.J. SUMNER (Leader of the Opposition): The Opposition does not oppose the passage of this Bill.

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

SITTINGS AND BUSINESS

The Hon. C.J. SUMNER (Leader of the Opposition): I move:

That Standing Orders be so far suspended as to enable me to move:

That the order made this day for Order of the Day (Private Business) No. 5 to be an Order of the Day for Wednesday next be discharged and for the Order of the Day to be made an Order of the Day for the next day of sitting.

Motion carried.

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

That the order made this day for Order of the Day (Private Business) No. 5 to be an Order of the Day for Wednesday next be discharged and for the Order of the Day to be made an Order of the Day for the next day of sitting.

Motion carried.

ADJOURNMENT

At 5.53 p.m. the Council adjourned until Thursday 14 October at 2.15 p.m.