LEGISLATIVE COUNCIL

Tuesday 10 May 1983

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

PAPERS TABLED

The following papers were laid on the table:

By the Attorney-General (Hon. C.J. Sumner):

Pursuant to Statute—

Prisons Act, 1936-1981—Regulations—Relocation of Prisoners.

Rules of Court—Supreme Court—Supreme Court Act, 1935-1982.

Securities Industry (South Australia) Code—Inspectors' Requirements.

Companies (Acquisition of Shares) (South Australia) Code—Applications.

National Companies and Securities Commission (State Provisions) Act, 1981-1982—National Companies and Securities Commission—Witnesses.

By the Minister of Health (Hon. J.R. Cornwall):

Pursuant to Statute—

Planning Act, 1982—

Crown Development Reports by South Australian Planning Commission on—

Proposed land division at Elizabeth Field by South Australian Railways Commissioner.

Proposed erection of a transportable dual classroom at Murray Bridge High School.

Proposed land acquisition for road purposes, Peterborough.

Disposal and transfer of allotments in Hundred of Wonoka for road purposes.

City of Whyalla—By-law No. 36—Omnibuses.

By the Minister of Health (Hon. J.R. Cornwall) for the Minister of Agriculture (Hon. Frank Blevins):

Pursuant to Statute—

Engineering and Water Supply Department—Report, 1981-82.

South Australian Meat Corporation—Review of the structure and operation of the Corporation, 1979-80, to 1981-82.

QUESTIONS

FIRE LIABILITY

The Hon. M.B. CAMERON: I seek leave to make a statement prior to asking the Attorney-General a question about liability for machinery induced fires.

Leave granted.

The Hon. M.B. CAMERON: Many honourable members, particularly those with an association with rural affairs, would be aware of the extreme fire hazard posed by the use of machinery on days of high temperature. The danger is so great that many farmers simply do not operate any form of machinery or motor vehicles on their properties on such occasions. Fear of sparks from an exhaust, from touching metal or heat from friction, leads farmers to abandon efforts to harvest tinder-dry crops or check stock in dry-feed paddocks.

Those farmers who do decide to operate on 'high fire danger' days generally have a suitable public liability insurance to cover themselves should a fire occur. I have been advised recently of allegations that some operators are now seeking to avoid liability by a careful arrangement of their business and personal affairs. It is alleged that some farmers have established limited liability companies which purchase equipment such as harvesters. That equipment is then leased back by the farmer from the limited liability company. In this way the farmer avoids liability should it be found that the machinery or equipment owned by the company was the cause of a fire.

Accordingly, will the Attorney-General investigate the situation? If this mechanism can be used to avoid legal liability, will he give consideration to introducing legislation to curb the use of this practice?

The Hon. C.J. SUMNER: I will certainly have the matter looked into. I will make inquiries and will then be in a position to advise the Leader further on this question.

MINISTERIAL STATEMENT: ROYAL ADELAIDE HOSPITAL INQUIRY

The Hon. J.R. CORNWALL (Minister of Health): I seek leave to table the report of the inquiry into oral surgery and plastic surgery.

Leave granted.

The Hon. J.R. CORNWALL: I seek leave to make a statement.

Leave granted.

The Hon. J.R. CORNWALL: In December 1982 Cabinet approved my recommendation for an inquiry into oral surgical and plastic surgery services at Royal Adelaide Hospital. Accordingly, Professor G.D. Tracy, Professor of Surgery at the University of New South Wales and Past President of the Royal Australasian College of Surgeons, was appointed to conduct that review. The need for an independent assessment became clear following a question raised in Parliament by the Hon. R.J. Ritson, concerning the quality of patient care and delineation of clinical privileges.

Although the Royal Adelaide Hospital itself had undertaken an internal review, it was obvious that it was unable to resolve the demarcation dispute between dentally qualified oral surgeons and medically qualified plastic surgeons. For the information of honourable members I have tabled Professor Tracy's report. In doing so, I would like to express my thanks to Professor Tracy for the considerable effort he has made in exploring the problems before him and listening to the submissions of interested parties and in framing recommendations. I congratulate him on the clarity of his report which, as honourable members will see, proposes a number of administrative and consultative changes designed to end the ongoing disputes and restore public confidence.

Whatever the value of the competing claims of oral surgeons and plastic surgeons, it is clear from the evidence presented to the inquiry that both factions quoted disturbing cases to support their case. While I wish to encourage all the parties involved to co-operate in commonsense solutions along the lines proposed by Professor Tracy, I take this opportunity to express my dissatisfaction with professional conduct which caused such distressing examples of poor patient care.

While honourable members can read the details for themselves, I mention two specific areas. Dealing with the case made by plastic surgeons, Professor Tracy said it was argued that 'some oral surgeons, after learning from the observation of surgical procedures, were now attempting to practice independently in areas deemed inappropriate for oral surgeons'. According to Professor Tracy, an example given was surgical removal of the parotid gland where an oral surgeon had caused facial palsy by damaging the facial nerve. Other examples included soft tissue surgery not directly related to the jaws and teeth, such as cancers, salivary gland tumours and the surgical treatment of chronic sinusitis.

On the other hand, oral surgeons, said Professor Tracy, had contended that 'cases of facial fractures treated entirely by plastic surgeons had been referred to the dental hospital, after healing had occurred, for late reconstructive repair of

dental and occlusive problems' and that 'at that stage it was extremely difficult to achieve a satisfactory outcome because the opportunity for primary restoration had been missed'.

Again, said Professor Tracy, 'Several case histories were shown to illustrate unsatisfactory outcome from the management of facial fractures by plastic surgeons with neglect of important occlusal problems and serious functional impairment.' Professor Tracy had now put forward a framework for oral surgeons and plastic surgeons to work together as a team. His recommendations, including the formation of an integrated and combined Facial Injuries Service, headed by the head of the Crano-Facial Unit and the head of the Oral Surgical Unit, will require each group to respect the other's work.

Individuals will need to be committed to making the Facial Injuries Service work. As Professor Tracy points out, 'arbitrary delineation of clinical privileges is an extremely difficult exercise, fraught with competitive claims for territorial rights . . . '. In order to avoid conflicts of interest and the potential for continuing inter-professional disharmony, Professor Tracy suggests that the Royal Australasian College of Surgeons and the Royal Australasian College of Dental Surgeons be approached to form a liaison committee.

The Government concurs with the findings of Professor Tracy. Cabinet has approved the appointment of a team headed by the Executive Director of the South Australian Health Commission, Central Sector, Dr Bill McCoy, to ensure the implementation of the recommendations. The other members of that team will be Dr Norman Elvin, Administrator of the Royal Adelaide Hospital, and Dr Hugh Kennare, Chief Executive Officer of the South Australian Dental Service.

QUESTIONS RESUMED

UNIONISM

The Hon. J.C. BURDETT: I seek leave to make a brief explanation before asking the Minister of Health a question about lists of employees who do not have union subscriptions deducted from their wages and salaries.

Leave granted.

The Hon. J.C. BURDETT: All honourable members will be aware—it has been raised in this Council, of course—of the Public Service Board memorandum to permanent heads, requesting heads of departments to forward lists to the appropriate organisations, as indicated, which show the name, classification and location of employees or officers who do not have union subscriptions taken from wages and salaries. Honourable members will recall that the organisations listed were the United Trades and Labor Council with regard to weekly-paid employees, the Public Service Association, and the Royal Australian Nursing Federation in respect to all staff employed within the provisions of the Nursing Staff (General Hospitals) Award.

What concerns me is that I have been advised recently by some recognised hospitals that they have received letters from the Health Commission, requesting that similar information be provided in regard to their employees. Some of the recognised hospitals involved include quite small country hospitals, where it would appear to me that the request is quite inappropriate. I have been advised that the attitude of some boards is that this is an invasion of privacy in regard to records concerning their employees. After all, payroll information has traditionally been treated as confidential.

The Hon. L.H. Davis: Disgraceful!

The Hon. J.C. BURDETT: It is disgraceful. I understand that some boards have taken the attitude that they would be prepared to forward such information only with the employees' consent. This escalation of the principle appears to me to be a significant extension of the circular to permanent heads. One wonders how much further it would be broadened. Will it go to other organisations which are in receipt of Government funding?

The Hon. C.M. Hill: Big brother!

The Hon. J.C. BURDETT: Exactly. My questions are as follows:

1. Has the letter been sent to all recognised hospitals?

2. What will the attitude of the Health Commission be to hospitals which do not comply with the request, except where the employees agree to the information being forwarded?

3. What will the attitude of the Health Commission be to hospitals which do not comply with the request at all?

4. Will compliance or non-compliance with the request have any effect on funding, independent management or any other aspects of the operations of the hospitals concerned?

The Hon. J.R. CORNWALL: The honourable member is well aware that a decision was taken in Cabinet that this request should be sent to the permanent heads and the chairmen of statutory authorities, requesting the information that is referred to. This is a matter of public knowledge; it has been canvassed widely in the media. I can supply no further information.

The Hon. L.H. Davis: Do you think that it is a good idea?

The PRESIDENT: Order!

The Hon. J.R. CORNWALL: It is true that a letter has been sent to the boards of recognised hospitals, asking them to comply with the direction or request which the Cabinet made and which was circularised by the Premier. I point out to the honourable member that all the employees in the recognised hospitals are, in one sense or another, employees of the South Australian Health Commission.

The Hon. J.C. Burdett: Oh?

The Hon. J.R. CORNWALL: Yes, they are.

The Hon. J.C. Burdett: What about autonomy?

The Hon. J.R. CORNWALL: I made very clear, in regard to the question of autonomy, that a great deal of illusion was fostered by the previous Government, as I believe honourable members will remember.

The Hon. J.C. Burdett: You were talking about—

The Hon. J.R. CORNWALL: I was talking about substantial residual independence. The honourable member may as well get it through his head once and for all that substantial residual independence does not extend to defying the entirely legitimate policies and directions of the Government of the day.

Members interjecting:

The Hon. J.R. CORNWALL: It is no wonder that the honourable member ran third. I believe I have answered the question: I have nothing more to add. There is no question at all that recognised hospitals, through the Health Commission, are required in general terms to comply with the policies of the Government of the day, and that is precisely what they are being asked to do.

The Hon. J.C. BURDETT: I wish to ask a supplementary question. Will the Minister say what the attitude of the Health Commission will be to the hospitals that do not comply with the request?

The Hon. J.R. CORNWALL: The attitude of the Health Commission to hospitals that do not comply with the request will depend entirely on the attitude of the Government.

COMPANY LAW

The Hon. K.T. GRIFFIN: I seek leave to make a brief explanation before asking the Attorney-General a question about company law changes.

Leave granted.

The Hon. K.T. GRIFFIN: Yesterday, it was reported that the Commonwealth Government is considering so-called reforms (but they are more like radical changes) to companies and securities legislation. To do that, the Commonwealth would require the support of at least three States. The article indicates that those changes would require companies right across the spectrum to divulge such information as the following: the objectives, policies, and plans of companies or corporations; any products or services supplied to or by any company in a business group; any research, development or exploration by the company; new technology or new operation methods adopted by the company; finance and resources of the company; leasing franchises, joint ventures and partnership arrangements involving companies in a group; takeovers and mergers involving the company; economic and market conditions of the company; and details of the company's policy on employment and industrial relations.

Senator Evans's announcement referred also to industrial democracy measures, such as tripartite councils at national and industry level to develop policies for particular industries; moves to encourage companies to share information with union members and other members of the public; and provision for union members to have in their awards the right to prior consultation by companies before the companies instituted changes at the workplace. It was not clear whether Senator Evans was seeking to use the companies code to achieve those industrial democracy objectives.

The Confederation of Australian Industry has criticised the proposals by saying that they are regulation gone mad, and drawing attention to the direct and indirect costs of these proposals, saying that they would be astronomical for companies.

The General Manager of the South Australian Chamber of Commerce, Mr Schrape, is reported as describing the proposals as 'too ridiculous for words', and commented:

> The breadth and scope of the proposal is essentially based on the premise that business is bad for the country.

He stated that the move cannot be productive: it can only be counter productive. The Federation of Chambers of Commerce has also expressed concern and has stated that it is nothing new for a Labor Government to choke business. It stated:

> This time, it plans to blatantly abuse anything which ought to be, or could be, treated in confidence in business.

The Mixed Business Association stated that it believed that the requirements would be totally unnecessary. In yesterday's *Australian*, Mr Des Keegan wrote, as follows:

> Labor's plans to force disclosure of company secrets will bring little social benefit, huge extra costs, and bigger government. This mooted burden highlights the A.L.P.'s suspicion of business, and commitment to regulation. Australian business is already choking under regulations, and millions of working hours are wasted each year filing reports to gather dust in Government vaults. If the Government is serious about getting the economy going, unemployment down, and prosperity back, it should be trying to lower business constraints.

Some of the proposals by Senator Evans involve public access to what may be highly secret and confidential information; for example, the requirement to disclose any research, development or exploration. Of course, other proposals may require a company to telegraph information which may affect its competitive edge; for example, the requirement to disclose publicly its new technology or new operation methods. To me, it seems to be directed towards removing the competitive edge and making all companies equal. Of course, that means bringing them down to the lowest common denominator.

What I have related in this explanation indicates that there is widespread concern throughout South Australia and the Commonwealth about the Federal Government's proposals. My questions to the Attorney-General are as follows:

1. Does the Attorney-General support any of these proposals and, if he does, which ones does he support and which does he not support?
2. Does he agree that the proposals will place a considerable burden on companies, totally unnecessary in the regulation of companies?
3. Will he reassure commerce and industry in South Australia that his Government's policy is not to place extra burdens and costs on companies in South Australia and is to remove unnecessary burdens and red tape?
4. Will he do all in his power to resist these radical changes at the Ministerial Council level and at all other levels of government?

The Hon. C.J. SUMNER: I thank the honourable member for his interest in this matter. Of course, it is an issue that he was concerned with as the former Minister of Corporate Affairs during the term of the previous Government. It is interesting to see that he is continuing that interest in the area of companies and securities regulation. The honourable member is also aware of how the Ministerial Council works, as he participated on it for some three years. I have indicated in this Council previously in answer to questions from the honourable member that the Federal Labor Government intends to continue with the co-operative scheme for regulating the companies and securities industry, at least in the short term and probably in the medium term as well, provided, of course, that that scheme, which is still very much in its infancy, does in fact serve the Australian community and the interests of the industry concerned.

That is the first point that I wish to make: that the proposals that the honourable member has outlined to the Council will go to the Ministerial Council before any action is taken. I have not seen the details of the proposals which the honourable member has referred to in press reports, so I am not in a position to comment specifically on any of the matters raised. Naturally, the proposals which would, if the honourable member's allegations are correct, place added burdens on commerce and industry in Australia would need to be looked at carefully. As I say, I am not in a position to comment further as I have not seen the detailed proposals. I do not know whether the proposals came forward as a result of a considered policy document from Senator Evans or as a result of a speech or press comment.

Until I receive the details from the Federal Government I am not in a position to comment specifically on the matters raised by the honourable member. As I have said, the honourable member has been involved in Ministerial Council and knows how it works. He was also involved in the introduction of legislation which opened up the disclosure procedures for companies, and he supported that principle during his term of office. Indeed, the honourable member introduced legislation in this Council to provide for much greater disclosures by companies involved in take-overs.

In recent years, the trend has been for greater disclosure of company information to shareholders and to the public. One of the issues raised in the recent Von Doussa report tabled in this Council before Christmas was the extent to which shareholders are provided with information about a company. In recent times the trend has been towards greater disclosure of company affairs, in the public interest. One example of that trend is the broader disclosure principles introduced by the Hon. Mr Griffin when he was Attorney-

General. I make that broad statement and point out that it is a fact of life.

If the proposals are brought forward by the Federal Government at the Ministerial Council meeting in the form outlined by the honourable member, the matters will be considered by the Government. Prior to that occurring, I do not have the full details of the proposals: I have the press clippings and the Hon. Mr Griffin's explanation, which he also obtained from press clippings. If any specific proposals are placed before Ministerial Council, the Government will determine its attitude to them and that will be made known. If honourable members have any comments about the proposals I will be pleased to receive them, and I will certainly consider them when determining the Government's attitude. Certainly, if any members of the South Australian community have any comments to make about the proposals I will be very happy to consider them and take them into account when determining the Government's attitude in relation to these proposals, if they are raised at the Ministerial Council meeting.

The Hon. K.T. Griffin: They haven't been raised so far.

The Hon. C.J. SUMNER: No, the honourable member is quite correct: they have not been raised so far in Ministerial Council meetings. What has occurred (and I think it is an important measure) is that Ministerial Council has agreed to the establishment of a company law reform committee. That proposal was part of the initial co-operative scheme for companies and securities regulation, but that reform committee was never established by the Liberal Government. That commitment was given at the last meeting of Ministerial Council, and I would expect any proposals for the reform of the law to be considered by such a committee prior to consideration by Ministerial Council. There are procedures whereby these matters can be dealt with in the context of the co-operative scheme that I have mentioned. I trust that I have fully answered the honourable member's question.

The Hon. K.T. GRIFFIN: I desire to ask two supplementary questions. First, the Attorney-General has not answered my third question: that is, will he reassure commerce and industry in South Australia that his Government's policy is to not place extra burdens and costs on industry in South Australia but to remove unnecessary burdens and red tape? Secondly, am I correct in presuming from the Attorney-General's long answer, which skirted around the question, that Senator Evans has not even informally raised this matter with the Attorney-General?

The Hon. C.J. SUMNER: I answered the honourable member's first supplementary question; obviously he was not listening. I indicated that any proposals that might place extra burdens or costs on commerce and industry have to be given careful consideration. I said that in my previous answer. I have received no formal request from Senator Evans in relation to the matters that are now the subject of press reports. There has been no correspondence from Senator Evans to me about those proposals. I do not know where he intends to take them, apart from what he said in his statement. I assume, as I said previously, that they are matters that he will raise, if they are endorsed by the Federal Government, at Ministerial Council.

The Hon. K.T. Griffin: He's acting like a real centralist, isn't he?

The Hon. C.J. SUMNER: I do not know how Senator Evans is acting: honourable members will have to make their own judgment about that.

Members interjecting:

The PRESIDENT: Order!

The Hon. C.J. SUMNER: All I know is that Senator Evans is a very able constitutional lawyer, a man pre-eminent in his field of constitutional law, and certainly a significant legal figure in this country. Unlike certain honourable members opposite, he is committed to law reform in a wide range of areas. My response to the honourable member's question is that the matter has not been taken up with me formally, or informally either, for that matter. Therefore, if these matters are placed before the Ministerial Council, which is the proper (in fact the only) forum in which they should be dealt with (and the answer I gave was extensive and complete) they will be given consideration by the Government at that time. In the meantime, I am happy to accept any submissions that the honourable member, or members of the community, wish to make.

UNIONISM

The Hon. J.C. BURDETT: My questions to the Minister of Health are as follows:

1. What will be his recommendations to the Government in regard to hospitals which do not comply with the requests mentioned in my previous question?
2. Does he think that a request made to the recognised hospital is a good idea?

The Hon. J.R. CORNWALL: I will answer the second question first: yes, I think that it is a good idea, for a variety of reasons, including the fact that it is in line with Government policy and with a decision taken by Cabinet. From my point of view, it is certainly much easier if I can deal with the three or four major unions involved in the health and hospital areas. Since coming to Government I have met on a regular basis with my industrial liaison committee, which comprises representatives from the Australian Government Workers Association, Royal Australian Nursing Federation, and the Public Service Association. Of course, I have regular meetings with the South Australian Salaried Medical Officers Association.

It is nice to know, when I sit down with those people, as I do at least once a month, and talk about Government policies and sound industrial relations in the health area (an area, I might say, that is notoriously difficult in the industrial field), that I am talking to people who represent the majority (hopefully, the great majority) of people who are actually out there in the hospitals area. I am quite enthusiastic to get as many people as possible in the system as members of their appropriate industrial unions. I make no apology for that, because I happen to be one of those people who has believed for a long time that, if people are working within a system and a union is getting conditions for them in the Industrial Commission, it is perfectly reasonable to expect those employees who are benefiting from those conditions to be financial members of that union. That is hardly a matter that ought to come as a great surprise to members opposite, even though they like to be confrontationist in these matters. They also, it seems, believe that they can find themselves some sort of natural constituency in the smaller hospital boards in some of the rural seats. The Leader of the Opposition in another place, in a despicable attempt recently to polarise and politicise hospital boards wrote to 79 boards—

The Hon. M.B. Cameron: A perfectly reasonable letter.

The Hon. J.R. CORNWALL: It was not a perfectly reasonable letter; it misrepresented just about everything significant that I have said in the past five months about hospital boards. If the Opposition wants to carry on in this destructive way, so be it. It is the sort of thing that the people of this country rejected overwhelmingly on 5 March. For some reason members opposite are so locked into this negative, destructive way of carrying on that they just cannot help themselves. I find that very sad. It is certainly not going to influence the way in which I conduct my affairs or the way in which the Bannon Government conducts its

affairs in seeking constantly to find this 'consensus' I have talked about so much; in fact, I found that word several months before Bob Hawke found it.

Members interjecting:

The PRESIDENT: Order!

The Hon. J.R. CORNWALL: It is really quite disgusting to see the way in which members opposite are carrying on. I will continue to try to find consensus and conciliation. I suggest that, while we have young people in the gallery today, members opposite, for once, might try to act like a responsible Opposition.

CHILDREN'S SERVICES

The Hon. M.S. FELEPPA: I seek leave to make a brief explanation prior to asking the Minister of Ethnic Affairs a question about children's services in South Australia.

Leave granted.

The Hon. M.S. FELEPPA: In 1980 the Childhood Services Council published a report titled 'Children's Services in Metropolitan Adelaide', which focused on the western region of Adelaide, researching and making recommendations on the needs of and services for young children and their families. A significant proportion of the report relates to the needs of children of non-English speaking origin and the former Childhood Services Council oversighted the report with Government departments and the community represented in the areas of education, welfare and health. Since its publication, the report has been recognised nationally as an important and leading analysis of the needs and services for children. Can the Minister of Ethnic Affairs say if and when the State Government will establish a task force to implement the report, and will the Minister confer with his colleagues, the Ministers of Education, Health and Welfare, to facilitate this process?

The Hon. C.J. SUMNER: As honourable members know, the Government has proceeded to establish task forces in various Government departments to ensure that ethnic affairs policies and the needs of migrants and migrant groups in the community are taken into account in the development and implementation of policies in those Government departments. A task force has been established in the Health Commission, comprising representatives of that commission and the Ethnic Affairs Commission, to proceed with that programme. Other Government departments will be involved in it over the next three years. I am aware of the report that the honourable member has referred to. No specific action has been taken in relation to it of which I am aware so far as the Ethnic Affairs Commission is concerned. However, I will certainly accede to the honourable member's request to consult with my Ministerial colleagues involved in the provision of childhood services to ascertain what further action needs to be taken in relation to that report. I will provide the honourable member with a reply in due course.

UNIONISM

The Hon. M.B. CAMERON: I seek leave to make a brief explanation before asking the Attorney-General a question on compulsory unionism.

Leave granted.

The Hon. M.B. CAMERON: On 21 April I asked a supplementary question of the Attorney-General as follows:

> Does the preference to unionists concept put forward by the Government mean that any person applying for a higher position—a rise in status—in the Public Service from now on will be discriminated against if they are not an existing member of the union?

Honourable members will recall that that question related to the original document which was sent out to departmental heads and which related only to people coming into the Public Service. In his answer the Attorney-General stated:

> I do not believe that the policy of preference to unionists would impinge on the situation that the honourable member raised in his final question. Should that not be the case, I will advise the honourable member.

After 19 days, does the Attorney-General have a reply to that question?

The Hon. C.J. SUMNER: I do not have the reply with me at this stage. However, I will ascertain the information for the honourable member and bring it back.

NOTICE OF MOTION: JOINT SELECT COMMITTEE

The Hon. C.J. SUMNER (Attorney-General): I give notice that, on Wednesday 11 May, I will move:

> That, in the opinion of this Council, a joint select committee be appointed to inquire into the administration of Parliament, and in particular the organisational framework, conditions of employment, the provision of more effective joint support services and other related matters. In the event of the joint committee being appointed, the Legislative Council be represented thereon by four members, including the President, of whom two shall form a quorum of Council members necessary to be present at all sittings of the committee. That a message be sent to the House of Assembly transmitting the foregoing resolution and requesting its concurrence thereto.

The PRESIDENT: I point out to the Attorney-General that Standing Orders preclude the President from taking part in any such committee.

The Hon. C.J. SUMNER: I have perused the Standing Orders, and I do not believe that is the case. The President can participate if he so desires. Unless Standing Orders are suspended, he cannot be forced to be a member of the committee. No doubt that matter can be looked at when the motion is put. I understand the issue that you, Mr President, have raised.

The PRESIDENT: I believe it needs further study.

QUESTIONS RESUMED

PRIVATE SCHOOL GRANTS

The Hon. ANNE LEVY: Has the Minister of Agriculture, representing the Minister of Education, an answer to my question of 2 March in regard to private school grants?

The Hon. FRANK BLEVINS: The Minister of Education informs me that the Report of the Advisory Committee on Non-government Schools in South Australia is a public document available to members of the public on request; and the Minister is happy for the media to publish any part of this document that they wish. Since it involves public money it is appropriate that the information is readily available and I therefore seek leave to table the report.

Leave granted.

The Hon. FRANK BLEVINS: With respect to the Hon. R. Ritson's supplementary question regarding 'parallel figures', the Education Department is able to supply school-by-school Government expenditures. These do not provide meaningful comparisons with the grants made to individual non-government schools. Unfortunately, the advisory committee's report does not disclose school-by-school total expenditure, be it from private or other Government sources. The advisory committee is provided with confidential financial information in the form of the questionnaire as

contained in the tabled report. This information is not available for public or Parliamentary scrutiny. Full disclosure on a school-by-school basis is available from the Education Department with respect to all Government schools.

The Hon. ANNE LEVY: In view of the answer from the Minister of Education, will he make available the income and expenditures of a comparative cross-section of Government and non-government schools to enable us to be better informed of the average expenditure and income per pupil within such schools?

The Hon. FRANK BLEVINS: I will be happy to refer that matter to my colleague in another place.

MEEKATHARRA COAL

The Hon. I. GILFILLAN: I seek leave to make a brief explanation before asking the Minister of Agriculture, representing the Minister of Mines and Energy, a question on the Meekatharra coalfield.

Leave granted.

The Hon. I. GILFILLAN: On 23 March I asked a question of the Minister of Mines and Energy in relation to the Meekatharra coalfield. I believe I have waited patiently for long enough. I would like the Minister representing the Minister of Mines and Energy in this place to make it plain that I believe that, if the question has been treated seriously by the Minister or his department, I should have had an answer by now. I am far from satisfied with the procedure. To help the Minister and his department formulate a more informed answer, I refer to the Meekatharra Minerals Limited quarterly report, which is available to me and which deals with the normal procedures of assessing the *in situ* reserves, based on the Code for Calculating and Reporting Coal Reserves, as ratified by the Standing Committee on Coalfield Geology of New South Wales in December 1979. Without giving all the details, the estimated total in those fields is 10 190 000 000 tonnes of good quality steaming black coal. If we have that asset in South Australia, and if the Minister is concerned about the energy supply of South Australia (as he professes to be), it seems remarkable that I have had to wait so long for an answer on the potential of this coalfield in providing an energy source that will last for many years. Will the Minister of Mines and Energy expedite the answer to my earlier question of 23 March, and indicate whether the contents of the quarterly report of Meekatharra Minerals in any way affect his or his department's assessment of the matter?

The Hon. FRANK BLEVINS: I reject totally the statement made in the Hon. Mr Gilfillan's preamble that this Government or any of its Ministers do not take questions seriously. Having said that, I will refer the substantial matters in the honourable member's question to my colleague in another place and bring back a reply.

MINISTERIAL STATEMENT: THIRD PARTY INSURANCE

The Hon. FRANK BLEVINS (Minister of Agriculture): I seek leave to make a statement.

Leave granted.

The Hon. FRANK BLEVINS: The Government has approved an increase of 12½ per cent in motor vehicle third party insurance premiums to apply from 6 July of this year. The Minister of Transport received an application from the State Government Insurance Commission in February this year seeking an increase of 12½ per cent. The last increase in premiums had been granted from 1 July 1981. The Minister referred this application to the Third Party Premiums Committee, under the chairmanship of Mr Justice Sangster, and the committee resolved, at a meeting in late March, that an increase of 12½ per cent was justifiable.

The Government considers the increase to be a modest one in the circumstances. Although the Government has the power to refuse any increase, to do so merely delays and compounds the problem. Eventually the increase becomes unavoidable and extended delays or artificially suppressed premium levels then require massive catch-up adjustments. These cause greater distress to the community. Some strong arguments were put forward by S.G.I.C. in support of this claim for an increase. In the six months to 31 December 1982, S.G.I.C. recorded a trading loss on third party insurance of $5 900 000. This indicates a 12-month loss of nearly $12 000 000. Since the last increase in premiums in the period 30 June 1981 to 31 March 1983, the consumer price index in South Australia has risen by 20.73 per cent.

In the same period, average weekly earnings have risen by 25.39 per cent. Claims pressure on third party insurers, both here and in other States, has risen substantially in this period.

Some of the reasons put forward by insurers to explain the increased claims include: larger amounts awarded to persons sustaining permanent injury, on the basis that such persons are incapable of competing in a job market that is overloaded with able-bodied unemployed persons; higher awards from the courts for general damages (that is, pain and suffering, loss of amenities and enjoyment of life, etc.), greater awareness in the community of a person's legal rights and a greater willingness to pursue claims; and, of course, the general increases in salaries and wages, hospital and medical costs.

In other States the situation is similar. In Victoria, where the State Insurance Office reported a loss of approximately $130 000 000 last financial year, third party premiums were increased in January this year by some 30 per cent. The rate for private motorists rose from $136 to $177.30. In Queensland, third party rates were increased last week by 48.1 per cent overall, but for private motorists the increase was from $70 to $112, an increase of 60 per cent. The 12½ per cent increase in this State will take the private motorist rate from $130 to $146, which compares with current rates for private motorists in New South Wales of $168, Western Australia $124.20 and A.C.T. $189. The Queensland and Victoria figures I have already given.

The problems of controlling the continual increase in third party premiums are massive. Obviously, reducing the accident rates would have an impact, and governments continually work on methods of improving road safety. No-fault insurance systems may also be a device to reduce the impact of third party claims.

I have set up a committee to report on the application of no-fault schemes to South Australia. However, the committee is currently awaiting information from the Federal Government as to the proposal for a national no-fault scheme. In the meantime, the Government considers the present increase to be necessary and reasonable in the circumstances. On behalf of the Minister of Transport, I seek leave to table the report of the Third Party Insurance Premiums Committee.

Leave granted.

QUESTIONS RESUMED

URANIUM

The Hon. R.C. DeGARIS: I seek leave to make a brief explanation before asking the Attorney-General, as Leader

of the Government in this Chamber, a question on the Government's policy in regard to uranium.

Leave granted.

The Hon. R.C. DeGARIS: I read with a great deal of interest over the weekend that Mr Hayden, the Foreign Affairs Minister, had been overseas and talking to leaders of E.E.C. countries on Australia's policy in regard to uranium. It became quite clear that the French Government, which is a socialist Government, had put forward its view very clearly to Mr Hayden and that Mr Hayden, as I read the reports, was impressed with the case put forward.

The point is that the E.E.C. countries, and France in particular, have suggested that the Australian attitude towards the sale of uranium could affect Australian trade very much in regard to other commodities and, secondly, could involve a great deal of difficulty in relation to the French Government, in particular, in regard to the economics of its energy supplies and power generation.

As the French Government has put forward its view to Mr Hayden and as he seems rather impressed with it, will the Government here ensure that the viewpoint in regard to South Australian economic development and uranium mining is also put to the Federal Government in relation to this matter?

The Hon. C.J. SUMNER: I do not know whether Mr Hayden was impressed or not by the views that were apparently given on his visit to Europe.

The Hon. R.C. DeGaris interjecting:

The Hon. C.J. SUMNER: I do not know whether that appears in the newspaper report or not. The Hon. Mr DeGaris seems to glean from the report that Mr Hayden was impressed. I really cannot indicate one way or the other on that. I do not think that it is able to be ascertained from the statements in the press. The Federal Government's policy on uranium is well known, as, indeed, is the policy of the South Australian Government. I can add little more to that.

ARCHAEOLOGICAL DISCOVERY

The Hon. L.H. DAVIS: I seek leave to make a brief explanation before asking the Attorney-General, representing the Minister of Arts, a question about the archaeological discovery on the museum site.

Leave granted.

The Hon. L.H. DAVIS: The discovery of the basement of the industrial laundry which employed women housed in the destitute asylum is an exciting historical and archaeological find. Weekend digging has revealed well-preserved walls and brick floor, the boiler structure from which heated air was directed to the drying room, and artefacts of the period, including clay pipes, bottles and a leather shoe. The discovery covers a much greater area than was envisaged and is obviously of great significance.

I understand that several professional archaeologists believe that it is the most significant archaeological find ever in Adelaide. It is a remarkably well-preserved, eye-catching structure of the 1850s or 1860s, which is not only a valuable part of our heritage but also an important link with nineteenth century building techniques and industrial technology.

Apparently, early plans failed to show any sign of the existence of this basement area, which is directly in line with site work for a wall running east-west as part of the first stage of the museum redevelopment. It was generally believed that all structures had been destroyed when the trade school was built in the 1940s.

I understand that there has been excellent co-operation in deferring site work over the past few days to allow the dig to proceed. Both the builder (Hansen and Yuncken) and the Public Buildings Department should be commended for this co-operative attitude, which to date has cost little or no money. Since the discovery, P.B.D. has employed an architect from the South Australian Centre for Settlement Studies to monitor and report on developments. The enthusiasm of professional archaeologists and volunteers who have been working long hours to uncover this basement area should also be commended.

This important discovery creates a paradox: in building a new museum which is a focal point of our State's 150th birthday celebrations, will we destroy a rich part of our heritage—in itself a museum piece? But the present situation raises several questions:

1. Has the State Government sought costings of modifying building plans to incorporate this museum piece within the new museum and, if not, why not?
2. Has the Premier, in his capacity as Minister of the Arts, inspected this important discovery and, if not, does he intend to do so?
3. In many European countries, discoveries of significant historical and archaeological importance have been incorporated into existing or new structures, and this added attraction goes some way to financially compensating the cost of modifications. Will the Government consider intergrating this important discovery into the new museum complex?

In view of the urgency of this and the tightness of the time that has been allowed the diggers, I hope that the Premier can give this urgent attention and that the Attorney-General can bring back a reply on his behalf before the Parliament rises on Thursday.

The Hon. C.J. SUMNER: I understand the honourable member's interest in this matter. I, too, was interested in the publicity which was given to these discoveries. I do not have the specific information which the honourable member has requested and which, of course, would be available to the Premier as Minister responsible. I understand the honourable member's request for urgent consideration to be given to his propositions, and I will certainly attempt to obtain an early reply for the honourable member.

BETTING CONTROLS

The Hon. R.I. LUCAS: I seek leave to make a brief explanation before asking the Minister of Health, representing the Minister of Recreation and Sport, a question about betting controls.

Leave granted.

The Hon. R.I. LUCAS: On Saturday morning, a caller to the 5DN sports talk-back show stated that he believed that there was evidence of bookmakers acting together to set odds to the detriment of the betting public. The 5DN sports commentator and race caller, Mr Ray Fewings, stated that, at a recent meeting at the Gawler greyhound track, all bookmakers had entered into an agreement that each of them would not go over an agreed set of odds on a Melbourne greyhound meeting.

He also stated that one bookmaker had wanted to break that agreement and offer better odds, but that the other bookmakers had convinced him not to do so. If that is correct, frankly I am appalled that the best interests of the betting public in relation to obtaining good odds from bookmakers are not being protected. It is difficult enough to win from the bookmakers as it is.

The Hon. R.C. DeGaris: Was it a Melbourne race?

The Hon. R.I. LUCAS: Yes. I believe that we would all agree that bookmakers should be encouraged to compete at least to some degree in the setting of odds. I have been advised this afternoon that the Betting Control Board may

not have the power to compel bookmakers to compete with each other in the setting of odds but that certainly the board would frown upon such a situation and would investigate such an allegation if it was made. Certainly, too, the board would discourage such practices among bookmakers in South Australia.

First, does the Minister agree that such agreements between bookmakers should be discouraged or disallowed? Secondly, will the Minister ask the Betting Control Board, if it is the appropriate body, to investigate urgently this allegation? Thirdly, will the Minister bring back a report to this Parliament?

The Hon. J.R. CORNWALL: I am delighted that Mr Lucas is not letting me down in my prediction that he has quite a future. The honourable member has proved that by showing how flexible and how catholic he is, and what a wide range of interests he has. The honourable member is obviously now an avid listener to K.G. Cunningham and Ray Fewings on a Saturday morning, and he is probably also an avid listener to Geoff Medwell and is learning all the time. The honourable member's specific questions lie in the province of the Minister of Recreation and Sport in another place, and I will be pleased to obtain answers and bring them back as soon as possible.

SAGRIC

The Hon. H.P.K. DUNN: Has the Minister of Agriculture a reply to the question that I asked on 5 May about SAGRIC?

The Hon. FRANK BLEVINS: The honourable member may not be aware that the board of SAGRIC International comprises representatives of the private sector and other Government departments as well as officers of the Department of Agriculture. A number of discussions have been held concerning the structure of SAGRIC International and whether it is currently set up in such a way as to properly implement the Government's policies concerning overseas projects. The result of these discussions has been a review of SAGRIC International. The fact that this review is being carried out is common knowledge and more details concerning its terms of reference and membership will be announced shortly.

This summarises the current status of the matter, but the honourable member is free to ask further questions when the outcome of the review is to hand.

LIVE SHEEP SALES

The Hon. H.P.K. DUNN: I seek leave to make a brief explanation before asking the Minister of Agriculture a question about the sale of live sheep.

Leave granted.

The Hon. H.P.K. DUNN: It was reported in the *News* of 27 April that South Australia was the front runner to land a deal for the sale of live sheep that would be worth millions of dollars, a deal which this State cannot afford to lose. The benefits to the rural community and ultimately to the Government are quite obvious.

The Hon. M.B. Cameron: To Saudi Arabia?

The Hon. H.P.K. DUNN: Yes, those sheep were to be sold to Saudi Arabia. In the *News* it was stated:

> ... following the November State election, which brought Labor back into power and Mr Chatterton back as Minister, there was considerable disagreement over who should head the Saudi Arabian project.
>
> According to the sources, Mr Chatterton wanted 'his own man' in charge—not the officer who had been handling the operation for the overseas division.
>
> The Saudi Arabians had been disturbed by the on-going controversy and, after it was not resolved, had finally dropped South Australia from the short list.

Has the new Minister of Agriculture endeavoured to reverse the loss of the Saudi Arabian inquiry for South Australia to supply sheep for the contract in question? If he has, what action has been taken?

The Hon. FRANK BLEVINS: I have not seen the article in the *News* of 27 April to which the Hon. Mr Dunn referred. I was busily engaged on other matters that distracted me somewhat from reading the *News*. As I have not seen the report, I am not prepared to comment on it; nor can I vouch for the veracity or otherwise of the alleged enormous loss to South Australia. I have over the years read enough of this sort of kite-flying exercise to know that I should not count my sheep in advance. The role of the officer dealing with the overseas projects question was, I think, adequately dealt with in the answer that I gave to the honourable member's previous question. However, I will have an investigation carried out regarding the alleged large export order of live sheep to Saudi Arabia and bring back a detailed reply.

PERSONAL EXPLANATION: LIVE SHEEP SALES

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

Leave granted.

The Hon. B.A. CHATTERTON: Regarding the question that was asked by the Hon. Mr Dunn, certainly, when I was Minister, there was never any contract for the export of live sheep, nor was any officer of the Department of Agriculture involved in any such contract. When the *News* telephoned me regarding the allegations in the article, I stated that I had no knowledge whatsoever of the allegations that had been made.

JUSTICE INFORMATION SYSTEM

The Hon. K.T. GRIFFIN: Has the Attorney-General a reply to the question that I asked on 5 May about the justice information system?

The Hon. C.J. SUMNER: Mr Bruce Guerin is a member of the Policy Management Committee of the justice information system. Mr Guerin has not resigned from the committee following his appointment as Director, Department of the Premier and Cabinet. I understand that he will continue his membership of the committee. Further, for the information of the honourable member, I point out that I expect within the reasonably near future to receive from that committee a report on the justice information system.

BUSHFIRES

The Hon. K.T. GRIFFIN (on notice) asked the Attorney-General:

1. What amounts have been paid out of State revenue in consequence of the recent bushfires, and to what specific purposes have they been applied?

2. What further amounts are expected to be paid out of State revenue in this financial year in consequence of the recent bushfires, and to what specific purposes is it expected they will be applied?

The Hon. C.J. SUMNER: The honourable member has sought information concerning the estimated cost to the State of recent bushfires. Actual expenditure to around mid-April, based on those returns submitted by departments on

bushfire relief measures, has been relatively small. I seek leave to have the detail of expenditure inserted in *Hansard* without my reading it.

Leave granted.

Detail of Expenditure

	$ million
Loans to primary producers	.2
Fencing	.1
Transport of fodder, etc.	.1
Restoration of public assets	.1
Personal hardship	.2
Extra Departmental costs (including Bushfire Unit and Bushfire Relief Workers	.6
	1.3

The Hon. C.J. SUMNER: The honourable member may also be interested in an assessment of the overall costs of natural disasters which is attached as Table 1. Strenuous efforts are being made to ensure that work is completed in 1982-83, if at all practicable. However, there is a distinct possibility that some payments will carry over into 1983-84, despite our best endeavours.

It should be stressed that many of the figures are still only broad estimates. The actual costs will not be known until all claims are made and assessed. I seek leave to have inserted in *Hansard* without my reading it a table that is of a purely statistical nature.

Leave granted.

NATURAL DISASTER COSTS 1982-83

	State $m	Common-wealth $m	Total $m
Drought			
Loans to primary producers	11.2	24.8	36.0
Transport of fodder, etc.	0.4	1.1	1.5
Loans to small businesses	0.5	1.6	2.1
Pumping costs—E. & W.S.	3.0	—	3.0
Loss of revenue—Marine and Harbors	3.0	—	3.0
Frost			
Loans to primary producers	0.3	1.0	1.3
Bush Fire			
Loans to primary producers	5.0	15.0	20.0
Fencing	0.6	1.9	2.5
Transport of fodder, etc.	0.4	0.7	1.1
Loans for housing	1.0	3.0	4.0
Restoration of public assets— State	1.0	3.0	4.0
Local	0.3	0.9	1.2
Loans to small businesses	0.2	0.6	0.8
Personal hardship	0.4	1.2	1.6
Loans for community facilities	0.1	0.3	0.4
Extra departmental costs ø	1.0	—	1.0
Loss of revenue—Woods and Forests	4.0	—	4.0
Flood			
Loans to primary producers	0.2	0.6	0.8
Loans to small businesses	0.1	0.3	0.4
Restoration of public assets	0.1	0.3	0.4
Personal hardship	0.6	1.8	2.4
	33.4	58.1	91.5

ø Mainly Community Welfare and Police Departments.

GOVERNMENT EMPLOYEES

The Hon. K.T. GRIFFIN (on notice) asked the Attorney-General:

1. What were the numbers of public servants in each Government department as at 6 November 1982?
2. What were the numbers of public servants in each Government department as at 28 February 1983?
3. What was the number of teachers in the State education system as at 6 November 1982?
4. What was the number of teachers in the State education system as at 28 February 1983?
5. What were the numbers of daily paid and weekly paid employees respectively in each Government department as at 6 November 1982?
6. What were the numbers of daily paid and weekly paid employees respectively in each Government department as at 28 February 1983?
7. What was the number of employees in the Health Commission as at 6 November 1982?
8. What was the number of employees in the Health Commission as at 28 February 1983?

The Hon. C.J. SUMNER: The seasonal fluctuation in employment levels in the public sector means that it is misleading to compare one month with another unless those months are the same in each year. For the purpose of the Government's policy of maintaining employment levels in the public sector, July 1982 has been chosen as the base month. The employment levels for each Government agency as at July 1982 are available in programme form in the Programme Estimates Papers which were made available when the Budget was introduced in August last year. Information which will enable a proper comparison with July 1983 will be available in a similar form when the Budget is brought in in the next session.

JOINT SELECT COMMITTEE ON PARLIAMENTARY LAW, PRACTICE AND PROCEDURES

The Hon. C.J. SUMNER (Attorney-General): I move:

That in the opinion of this Council a joint select committee be appointed to consider and report upon proposals to reform the law, practice and procedures of Parliament with particular reference to—

(a) the method of dealing with Appropriations for the Parliament;

(b) a review and expansion of the committee system including in particular—

(i) the establishment of a standing committee of the Legislative Council on law reform;

(ii) the desirability of a separate committee to review the functions of statutory authorities; and

(iii) the method of dealing with Budget Estimates, inlcuding the desirability of a permanent Estimates Committee.

With regard to paragraphs *(b)* (ii) and *(b)* (iii) the committee should consider the role and relationships of the Public Accounts Committee in the context of these proposals;

(c) the rostering of Ministers for question time in each House;

(d) the prescription of a minimum number of sitting days each year;

(e) the methods of dealing with private members' business;

(f) other mechanisms to ensure the more efficient functioning of the Parliament including procedures to avoid excessive late night sittings.

In the event of the joint committee being appointed, the Legislative Council be represented thereon by six members, four of whom shall form a quorum of Council members necessary to be present at all sittings of the committee.

That a message be sent to the House of Assembly transmitting the foregoing resolution and requesting its concurrence thereto.

I seek leave to conclude my remarks later. I indicate that I will proceed with the explanation of the motion later today.

Leave granted; debate adjourned.

ACTS REPUBLICATION ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 4 May. Page 1125.)

The Hon. K.T. GRIFFIN: The Opposition supports this Bill. It is essentially technical and will facilitate the consolidation of various Statutes which have been amended over recent years. It will enable those who work with particular Acts of Parliament on a regular basis to have up-to-date copies of that legislation before them rather than having either to make their own consolidation or frequently refer back to annual volumes of the Statutes to obtain up-to-date information on amendments to the principal Act.

When I was Attorney-General I instructed the Crown Solicitor's Office to undertake consolidation of a number of Acts of Parliament that had been amended over the past 10 years or so, and these essentially are the ones to which the Attorney-General referred in his second reading explanation. There may have been certain minor variations, but I am pleased to see that he and I are of similar view: that these Acts ought to be consolidated as a matter of urgency.

Within the Crown Solicitor's Office staff had been allocated the task of consolidating these Acts. I notice that that responsibility for consolidation is now to be placed with the Parliamentary Counsel, still within the Attorney-General's Department, but obviously having a different emphasis from the occasion when it was in the Crown Solicitor's Office.

Also, when I was Attorney-General we were able to obtain access to the computer tapes relating to the 1975 consolidation of the Statutes. There were discussions with the Government Printer with a view to ascertaining whether or not he would be able to use these computer tapes in providing a more up-to-date consolidation of various Statutes. When I ceased to be Attorney-General, I understood that those discussions were continuing, but it was very much my concern to ensure that, as the Statutes were amended, consolidation became available to practitioners, public servants, those in the community who were affected by them, and anyone else who might want access to them.

Instead of getting a pile of Acts and amending Acts which would have to consolidated, such persons would have made available to them by the Government Printer, through the State Information Office, a consolidated volume of that Statute. Various means by which this could be achieved were being explored. One involved the Law Book Company, which held the contract for the 1975 consolidation and which still has the contract for the preparation of indices for the annual volumes of the State's Statutes.

We were also looking at whether or not the annual volumes could be produced in pamphlet form or loose-leaf form so that, whenever an amendment was made by Parliament, it would require only a reprint of particular pages and not a reprint of the whole Act. Various commercial organisations prepare material on that basis. The well-known C.C.H. series on companies, in regard to tax and other services, Butterworth's Income Taxation, and Industrial Law Services are all on a loose-leaf basis and are updated on a monthly basis.

I am not suggesting that the Government Printer should update State Statutes on a monthly basis, but certainly this work should be done on a more frequent basis than legislation is consolidated and updated at present.

I hope that the process of consolidation can be expedited and that, as soon as the various Acts listed in the second reading explanation have been consolidated, others will follow. What progress has been made to provide for the more regular consolidation of Statutes using the computer tapes for the 1975 consolidation as a basis? Has any progress been made in undertaking the consolidation and publication of Statutes on a pamphlet or loose leaf basis? Is there likely to be a major consolidation similar to the 1936 and 1975 consolidations within the foreseeable future and, if so, when will that occur? In that context, will such a consolidation be undertaken using the improved facilities of computers rather than relying on manual consolidation?

Will the Attorney-General give some indication why this task of consolidation was removed from the Crown Solicitor's Office to the Office of Parliamentary Counsel? Will the two part-time officers provided in the Crown Solicitor's Office continue with this work under the supervision of Parliamentary Counsel or will they undertake other work in the Crown Solicitor's Office (which will mean that only two full-time officers in the Parliamentary Counsel's office will be engaged on this work)? Subject to those questions, the Opposition is prepared to support the Bill.

The Hon. C.J. SUMNER (Attorney-General): I take it that the honourable member's indication of support for the second reading is not conditional on his obtaining that information now?

The Hon. K.T. Griffin: That's correct.

The Hon. C.J. SUMNER: As a result of discussions between the Crown Solicitor and Parliamentary Counsel it was decided that the most efficient way of dealing with this matter was to make Parliamentary Counsel responsible for Statute revision. In fact, the Office of Parliamentary Counsel is attached to the Crown Law Office, under the Attorney-General's Department. There is no particular significance in the transfer of this work. It was felt that it was more appropriate that this work should be carried out by the Office of Parliamentary Counsel, which oversees the preparation of legislation for the Government and for members of Parliament.

At this stage, there are no plans for another consolidation similar to the 1936 or 1975 consolidations. In fact, the 1975 consolidation was only completed about five years ago. Accordingly, at this stage, there are no plans in that direction. I will certainly obtain some information for the honourable member in relation to when another consolidation will be necessary. It may be that alternative methods will have to be found, rather than a complete consolidation, to ensure that Statutes are up to date. The honourable member mentioned a loose leaf system, and that is certainly a good idea in principle. The only problem is that additional costs will have to be added to the procedure. I appreciate the honourable member's comments about the future plans for the consolidation of Statutes. I will obtain the information sought by the honourable member and forward it to him by letter, if I can add to what I have said in my response today. I thank the Opposition for its support for this measure.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'A reprinted Act is deemed to be correct and shall be judicially noticed.'

The Hon. K.T. GRIFFIN: I do not intend to hold up the passage of this Bill. I accept that the Attorney-General will forward the information I sought during the second reading debate. I believe that steps should be taken to provide consolidations on a regular basis for those Statutes that are well used within Government and by the public and agencies in the private sector.

As I said during the second reading debate, officers were exploring the possibility of computer-based consolidations for those Statutes that are used on a regular basis by the public, the Government and the legal and other professions. I regard this as a matter of importance. I hope that I receive the Attorney-General's reply in the reasonably foreseeable future.

The Hon. C.J. SUMNER: I understand the honourable member's concern. In my second reading explanation I outlined in general terms what the Government had in mind. I certainly agree with the honourable member that attention should be given to ensure that Acts, particularly those that have been amended many times, are kept up to date by way of consolidation. It may be that computer technology can be used to facilitate that process. I will obtain the information sought by the honourable member and I will reply to him by letter. If the honourable member wishes to raise the matter subsequent to that, he may do so. In general terms, this Bill and the subsequent Bill facilitate the process of consolidation. The Government recognises that this process is important in providing the public with up-to-date copies of legislation.

Clause passed.

Clause 4 and title passed.

Bill read a third time and passed.

ACTS INTERPRETATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 4 May. Page 1124.)

The Hon. K.T. GRIFFIN: The Opposition supports this Bill. In some respects it brings before this Council matters which were well advanced when I was Attorney-General. It does pick up certain other areas connected with subordinate legislation. I suppose that the most significant public aspect of the Bill is the change in the method of citation of Acts of Parliament. At present, as the second reading explanation indicates, where there are amendments to an Act the method of citation is to use the date of the original enactment plus the date of the last amendment. I understand that this causes concern among administrators, particularly the police; each time they need to refer officially to a particular Statute they need to search for the date of the last amendment so that the title of the Act will be properly referred to.

On the other hand, that is not a particularly difficult task if one knows where to look for the up-to-date information, which is, generally speaking, found in the index to the last annual volume of the State Statutes. Notwithstanding that, I support the proposal to simplify the method of citation. It follows the Commonwealth model and the model, I understand, that is in existence in at least three other States. This proposal differs from the private member's Bill introduced in the last Parliament (I think by Mr McRae in the House of Assembly)—a measure I did not support because the proposals in it were much too complicated and, from memory, would have allowed Acts of Parliament to be cited in about four different ways. That, quite obviously, was likely to be confusing for all those who might be directly or indirectly affected by Acts of Parliament, so I was not prepared to support it. However, I indicated that the then Government did support the Commonwealth method of citation of Acts of Parliament and I am pleased that the Attorney-General has adopted that course, which I am pleased to support.

The two other major areas of clarification relate to subordinate legislation. Where a statutory instrument purporting to revoke an earlier regulation is disallowed, the Bill provides that the earlier regulation sought to be revoked then revives. It is most relevant in respect of regulations where a more recent regulation seeks to revoke an earlier regulation and the later regulation is disallowed. The Bill will put it beyond doubt that, in most circumstances, the earlier regulation is revived. There has been some doubt about this. I know that when the Road Traffic Act regulations were disallowed last year on the last day of sitting of a particular session there was real concern that that action would mean that there were no road traffic regulations in force. So, very speedily, the disallowed regulations were repromulgated and the suggestion was that there may have been a hiatus of one day between disallowance of the old regulations and promulgation of the new regulations.

I can accept that, if a later regulation is disallowed, then any earlier regulation which seeks to amend or revoke ought to revive so that there is not a hiatus. The other important area of clarification is where a part of a statutory instrument, particularly a regulation, but sometimes a rule or by-law, may be held by a court to be beyond power. The balance of the regulations, rules or by-laws is not always struck out. This Bill adopts what is, in effect, a procedure of severing the *ultra vires* provisions from those provisions within power. That, too, puts beyond doubt a matter which has been the cause of some debate over recent years.

Generally speaking, the other provisions of the Bill are technical, amending the definition of 'regulations, rules and by-laws' to the more appropriate definition of 'statutory instruments'. There are other areas which I do not believe it is necessary to speak on at length. Suffice it to say that I am pleased that the Attorney-General has picked up a number of matters that were being considered by the former Government and has brought this Bill forward. For those reasons, and because of the nature of the Bill, I am pleased to support it.

The Hon. C.J. SUMNER (Attorney-General): I thank the honourable member for his support of the Bill.

Bill read a second time.

In Committee.

Clauses 1 to 22 passed.

Clause 23—'Repeal of heading preceding s. 39.'

The Hon. K.T. GRIFFIN: From my research there does not appear to be a heading preceding section 39 of the principal Act. I freely admit that I might not have been able to find all the amendments to the Acts Interpretation Act and that it may be that this will demonstrate a deficiency in citing the date of original enactment. Can the Attorney-General indicate what that heading might be?

The Hon. C.J. SUMNER: I understand that that heading is 'Regulations, rules and by-laws', which appeared before section 38 of the principal Act. Section 38 of the principal Act was deleted by an amendment. 'Regulations, rules and by-laws' therefore comes immediately prior to section 39 of the Act. However, if this matter is of concern to the honourable member I am happy to report progress, obtain Parliamentary Counsel's opinion, and adjourn the debate until later.

The Hon. K.T. GRIFFIN: I am not too worried about it except that, as I was going through the Bill, it appeared that there was an error. Rarely does the Parliamentary Counsel make an error. If the Attorney-General is positive about the answer he has given, I see no reason to hold up the matter.

Clause passed.

Remaining clauses (24 to 28) and title passed.

Bill read a third time and passed.

SENIOR SECONDARY ASSESSMENT BOARD OF SOUTH AUSTRALIA BILL

Adjourned debate on second reading (resumed on motion).

(Continued from 4 May. Page 1135.)

The Hon. R.I. LUCAS: The Bill parallels in most respects the PEASA Bill introduced by the former Minister of Education (Hon. Harold Allison) late last year. In large part, it is based on recommendations of two committees of inquiry—

the committee of inquiry into the year 12 examination (commonly known as the Jones Committee) and the committee of inquiry into education (generally known as the Keeves Committee). As the measure is, in large part, similar to the original Allison Bill of last year, the Liberal Party supports the general principles enunciated in the Bill before this Chamber. I state that quite emphatically, particularly in the light of a press report on the weekend. I refer in particular to a report in the *Sunday Mail* last weekend. On page 2 of that newspaper was the heading 'Democrats may block school plan': perhaps the Hon. Lance Milne or the Hon. Ian Gilfillan will make reference to that later.

The Hon. R.C. DeGaris interjecting:

The Hon. R.I. LUCAS: I do not know; perhaps they are a law unto themselves. Under that heading, Mr Randall Ashbourne was clearly misleading (although I do not believe maliciously) in stating:

> The Liberals voted against the Bill in the Lower House, claiming it did not give tertiary institutions sufficient say in setting entrance studies.

I am sure he meant 'entrance standards', but it is printed as 'entrance studies'. That is not a correct reflection of what occurred in the Lower House when this matter was debated. Certainly the shadow Minister of Education, the Hon. Michael Wilson, moved amendments and indicated concern about entrance standards to universities. Certainly the Liberal Party, through its spokesman, indicated support for the general principles enunciated in the Bill. In fact, I believe that the general principles outlined in the Bill are supported by all political Parties represented in the Parliament. I refer not only to the two major Parties but also to the Democrats and the National Country Party. I am sure that the general principles were also supported by all parties concerned with education generally. I refer in particular to the universities as one party concerned with education. I will quote from a letter signed by the Vice-Chancellor of Adelaide University, the Director of the Institute of Technology and the Acting Vice-Chancellor of Flinders University and sent to all members of Parliament. Paragraph 2 of that letter states:

> The need for broadening the choice of year 12 subjects in South Australian secondary schools, and the desirability of a single public authority to assess all those subjects, is clearly recognised. Our institutions—

that is, the Adelaide University, the Flinders University and the Institute of Technology—

> support these desirable innovations very strongly.

Let there be no mistake: the universities and tertiary institutions do support the general principles outlined in the Bill. My hope is that the consensus in relation to the general principles of this Bill will not be lost in respect of the two areas (one in particular) where there has been disagreement between parties, both political and otherwise.

The major change instituted by this Bill is to introduce a single external assessment of students doing the year 12 course at our schools. This single assessment—and the word 'assessment' is used advisedly—may or may not include the traditional examination. I support that, as it introduces a much needed flexibility into our assessment procedures. The present situation, as members would be aware, is that we have a Matriculation certificate which is widely recognised by employers, and a Secondary School Certificate which is not recognised particularly well by many employers.

Most members would agree that the operations of the present year 12 are far from satisfactory. Many of us would recall the concept of streaming of students that has occurred in our schools during the years. In my time, and I am sure in the time of other members, we had the O-level and other level streams. The O-level stream, as it was known in my secondary school at Mount Gambier, studied maths I and II, physics and chemistry—the so-called hard subjects—and those subjects were traditionally used as the tertiary entrance subjects for students who wanted to go to tertiary institutions. We were encouraged to undertake those subjects and, in my case, I never studied and was never encouraged to study a subject such as history in the whole of my secondary or primary schooling (which, whilst it is at a tangent, is a sad failure of the secondary school system which was apparent when I went to secondary school).

This streaming concept certainly led to a feeling of an academic elite at secondary schools. Those who did not undertake the O-level were, to a certain degree, looked down on by some teachers and by a lot of students, as not being amongst those preparing themselves for tertiary study. That system, certainly, was distinctly unfair to those who were not preparing themselves for tertiary study.

The present P.E.B. certificate then, clearly and originally, is for entrance to tertiary education, but in practice, and partly due to the worsening job market that we have had over the past 10 years, many employers have come to require the Matriculation certificate as a necessary prerequisite for employment. There is no good reason why employers should insist on a student's having successfully concluded subjects required by a tertiary institution to qualify them for jobs in the present labour market, whether in banks, the Public Service or any sort of business.

The major factor in employer acceptance of the Matriculation certificate has been that it has been assessed externally, and this has provided some measure of comparative performance of students throughout the State. The Secondary School Certificate, because it is based on an internal system, has not had that advantage. At this stage, I would like to quote from an unpublished report by R. Osman (I do not know the sex of this person) in 1981, entitled 'Matriculation exams in South Australia: an analysis of participation and performance, 1974-80'. This report shows that the proportion of year 12 students sitting for Matriculation examinations has declined from 95 per cent in 1974 to 76 per cent in 1980. The 24 per cent of students not taking the Matriculation examination comprises many groups: some clearly take the Secondary School Certificate; others take special transition-oriented courses, such as the intensive commercial course or the newly developed trade courses, or they may well be students who discontinued study and did not sit for the final examination. It is clear to me, at least, that the proportion of students not taking the Matriculation certificate has been declining over the period to which R. Osman referred (1974-80). I have no good reason to understand that that situation would have changed very much since 1980.

It must also be remembered that the needs of tertiary institutions and employers are not the only needs to be considered by the proposed board for year 12 students. The first report of the Keeves inquiry noted (and I quote one paragraph):

> There is agreement among the members of the committee that the courses offered by the schools at the year 12 level must provide opportunities for students to manage their own affairs, and thus foster self-development, self-motivation and self-discipline. It is believed that this will be achieved by the provision of a broad and rich curriculum in the schools, and the opportunity for informed choice by the students.

I certainly believe that this general educational goal for year 12 must not be dispensed with in the need to cater adequately for the requirements of tertiary institutions and employers. It is absolutely imperative that the new year 12 assessment be accepted by all concerned as catering for the general educational needs of the students as well as the needs of tertiary institutions and employers.

In relation to the effectiveness of the present year 12, there has been much discussion about retention rates. It is true to say that the historical position in South Australia

and Australia is that retention rates are lower than in many other nations: in particular, Japan and the United States have been mentioned. Once again in the weekend press, I noticed in a report in the *Sunday Mail* that the Premier said:

I think it is significant only 30 per cent of our 17-year-olds are still being formally educated. In Japan, it is 92 per cent.

It has been suggested to me in discussions prior to this debate that one reason for the low retention rates, in South Australia in particular, has been the unsatisfactory nature of the present P.E.B. procedures. If this was the case, we would not expect to have seen retention rates increasing over the past decade. However, that has not been the case. I seek leave to have inserted in *Hansard* without my reading it a table headed 'School Retention Rates in South Australia for Years 10, 11 and 12 from 1970 to 1980'.

Leave granted.

Table 4.1 School Retention Rates in South Australia for Years 10, 11 and 12 from 1970 to 1980

Year	Year 10			Year 11			Year 12		
	Males	Females	Total	Males	Females	Total	Males	Females	Total
1970	85.3	82.9	84.2	66.5	57.6	62.2	30.9	21.6	26.5
1971	86.1	85.3	85.7	72.3	61.2	66.9	34.9	24.3	29.8
1972	87.0	87.0	87.0	75.1	65.7	70.5	37.6	26.7	32.4
1973	85.1	86.7	85.9	71.9	68.2	70.1	37.2	28.6	33.0
1974	85.1	87.5	86.3	69.6	67.3	68.5	34.7	30.1	32.4
1975	86.1	89.1	87.6	72.5	71.6	72.1	37.6	34.4	36.1
1976	87.7	89.6	88.6	69.4	71.7	70.5	37.4	36.7	37.0
1977	86.3	90.4	88.3	68.5	74.1	71.3	34.3	37.0	35.7
1978	89.8	92.3	91.0	71.2	76.2	73.6	33.3	38.3	35.7
1979	88.8	93.5	91.1	71.9	76.3	74.0	34.6	39.3	36.9
1980	89.5	93.4	91.4	74.8	79.3	77.0	36.7	41.0	38.8
1981							35.8	42.3	38.9
Aust. 1979	88.5	90.4	89.4	50.4	55.8	53.0	32.4	37.2	34.7

Source: Commonwealth Department of Education, Statistical Monograph No. 3, July 1980
Note: Data recorded includes both Government and non-government schools.

The Hon. R.I. LUCAS: This table, sourced by the Commonwealth Department of Education, indicates that in 1970, for example, the retention rate in South Australia in year 12 was 26.5 per cent, while in 1981 the corresponding figure was 38.9 per cent.

That was an increase from 26.5 per cent to 38.9 per cent in one decade. Regarding year 11, from 1970 to 1980 the retention rate increased from 62.2 per cent to 77 per cent. I believe that the Minister of Education in the press recently referred to retention rates in South Australian Government schools, whereas the figures I have cited relate to all schools. The retention rate in Government schools had increased significantly as at February 1983. I believe that Mr Arnold stated that, in regard to year 11, there was a retention rate in 1983 of about 83 per cent or 84 per cent, in contrast to the rate of 62 per cent in 1970, and that, in regard to year 12, the retention rate had increased from 26.5 per cent in 1970 to 43 per cent or 44 per cent. Clearly, the figures that were produced by the Commonwealth Department of Education have indicated a trend since 1980-81. Thus, it is not true to suggest that the only reason for low retention rates is the present unsatisfactory state of the P.E.B. That is by far too simplistic an interpretation of the situation. As I indicated previously, there has been general support for the principles of the Bill.

I refer now to an area of considerable dispute—the vexed question of clause 17. I am afraid that 'clause 17' has almost become a swear phrase in this debate. I am extremely disappointed that debate on this provision has dominated overall debate on the Bill. I firmly believe that the reforms embodied in the Bill will not be affected by the inclusion of clause 17 in some form. I do not intend to discuss in too much detail the precise nature of the amendment I will move on behalf of the Party: I will leave that to the Committee stage.

However, it is important to trace the history of the infamous clause 17. The original PEASA draft that was circulated to the bodies interested in education by the Hon. Mr Allison did not include clause 17, and that has been referred to by many of the lobbyists who have spoken on this Bill. That is quite true. However, after consultation with all groups, the Minister and the Government took a decision (as Governments and Ministers ought to do), based on the information that was presented by all interested parties, including tertiary institutions, that some form of clause 17 should be included in the Bill. In effect, the previous Minister of Education inserted a clause 17 in the Bill that was introduced into the Parliament.

It is unfortunate that the attitude of the tertiary institutions, and in particular the universities, has been misrepresented in this debate. As I indicated previously, the universities have expressed strong support for the general principles of the Bill. However, they have also expressed possible concerns in regard to the standards obtained by students in the subjects necessary for entrance to tertiary institutions. The importance of entrance standards to tertiary institutions should not be under-estimated. In my view, a key determinant in the exit standard of graduates is the entry standard of those graduates. If graduates from South Australian tertiary institutions are to be able to compete in the job market with graduates from other Australian and international tertiary institutions, the standards of excellence obtained by our students must not only be maintained but also, in many cases, increased.

This is particularly the case when we consider the important area of high technology industries. I have been told by some academics that already in high technology areas the graduates of some Asian universities are obtaining much higher standards than are corresponding graduates of Australian universities. To re-emphasise the importance of this matter, it was interesting to note on Sunday the comments of the Premier, when he stated:

In 1950, only 1 per cent of Japanese entering the work force had tertiary qualifications. In 1980, it was 40 per cent. 'Not surprisingly, these advances have assisted Japan to become the world leader in brain-based and high technology industries.' Mr Bannon said it was obvious the education system would have to be changed if Australians were to stay masters of technology, not the other way round.

Of course, this would have disturbing ramifications for the research and development that Australia needs to undertake in the future if it is to compete on the world market. Therefore, the question of entry standards, or overall standards, for our tertiary institutions must not be dismissed lightly by those involved in this debate as something that affects only a small number of students who actually attend tertiary institutions. Lobbyists have mentioned to me on a number of occasions that the question of standards will affect only 10 per cent, 6 per cent, or 8 per cent of students. Many figures of that order have been quoted.

The statement that this issue will affect only 10 per cent of students misses completely the point of the debate and the point raised by the tertiary institutions, and particularly by the universities in South Australia. Quite simply, this issue does not affect only the 10 per cent of students who are involved in tertiary education: it will affect all of us eventually, because of the effect on industry and on the ability of South Australian products to compete on world and national markets.

We should remember that the universities have the power under their Statutes to control entry standards. It is imperative that the universities are happy with the standards emanating from our year 12 assessment in order to ensure that they are not forced into a situation where they would have to set their own tertiary entrance examinations. Such a situation, in my view, and I am sure in the view of all members, would be disastrous, and must be avoided at all costs. No-one would welcome a situation where students were required to sit for a year 12 assessment and were then compelled to sit for a tertiary entrance examination should they wish to go on to tertiary study.

I also understand that a university, within its own Statute, could require that year 12 assessment not be undertaken: it could set its own tertiary entrance examination in effect in competition with the proposed year 12 assessment. I am sure all members would agree that such a situation would defeat the whole purpose of the Bill. If there was a separate tertiary entrance examination, certain secondary schools in South Australia would be able to gear themselves and their students towards the tertiary entrance examination and not be concerned too much about the year 12 assessment.

I suggest that that is exactly the same situation as we have at the moment. It is exactly what we are all trying to prevent from recurring. One possibility, if the tertiary institutions are not happy with the standards emanating from year 12, is that we may find ourselves back with certain schools gearing themselves for the tertiary examination. Certain employers might then accept those students who have passed the tertiary examination because those employers perceive that that certificate has higher status than the publicly assessed year 12 examination.

The other significant matter that has not been highlighted in this debate is the fact that universities are not concerned with all the subjects available in year 12 but only those required for tertiary selection. I refer to the letter sent to all honourable members (page 2, paragraph 3) by Messrs Stranks, Mills and Clark, which states:

> The concern of our institutions is only with those subjects being used for tertiary selection. Already there exist many subjects which are not used for tertiary entrance and it can be expected that this number will increase. The latter subjects are not under discussion.

The Vice-Chancellor of the University of Adelaide, in a letter to the shadow Minister of Education (Hon. Michael Wilson), has indicated that at present 42 subjects are involved (35 arts-related subjects and seven science-related subjects), whereas there are in total 78 subjects currently available for year 12 assessment in various secondary schools throughout South Australia; that is, on his estimate about 36 other subjects are offered by at least one secondary school for assessment in year 12 that will not be the subject of tertiary involvement under proposed clause 17. I seek leave to have inserted in *Hansard* without my reading it a list of the 36 non-Matriculation subjects, most of which are currently offered for the Secondary School Certificate.

Leave granted.

Non-Matriculation Subjects

The following is a list of 'non-Matriculation' subjects, most of which are currently offered for the Secondary School Certificate.

(01) English language
(02) Legal studies
(03) Religion studies
(04) Language total communication
(05) Social studies
(06) Social science
(07) Ancient studies
(08) Modern studies
(09) Australian economic studies
(10) Business mathematics
(11) Agricultural studies
(12) Physical science
(13) Natural resources management
(14) Environmental studies
(15) Physical education
(16) Technical drawing
(17) Design
(18) Health education
(19) Social and landscape studies
(20) Social education
(21) Technical studies
(22) Home economics
(23) Consumer studies
(24) Business studies
(25) Humanities
(26) Australian studies
(27) Sociology
(28) Physiology
(29) Archaeology
(30) Earth science
(31) Environmental health
(32) Communications
(33) Commerce
(34) Social biology
(35) Film and television
(36) French language studies

The Hon. R.I. LUCAS: One important effect of this Bill has been to weaken significantly the grip that tertiary institutions and, particularly, universities had on the year 12 assessments. For example, the number of representatives from the universities on the board will drop from 14 to four. True, the number of tertiary representatives on the new board will be 11 but, looking specifically at the universities, the number of representatives—the universities agreed to this, albeit grudgingly—has dropped from 14 to four representatives out of 29 on the new board.

Under this new procedure, no longer will the Chairman of all the subcommittees and the chief examiners for these subjects necessarily be members of the academic staff of the two universities, a provision which exists in the present P.E.B. arrangement. Whilst the universities have accepted this reduction in power on the board and in their overall influence, they saw in the original clause 17 their safeguard clause in the original Allison Bill. I quote from page 1 of the letter, as follows:

> Our institutions concurred with this major shift in membership to give broader community representation because the PEASA

Bill had appropriate safeguards to maintain the standards and content of those subjects to be used for tertiary entrance and selection.

They agreed to the reduction in their influence because they saw that influence being protected by their safeguard in clause 17. The amendment to clause 17 that I will be moving is different from the original clause 17 used by the Hon. H. Allison last year, and it is different again to the amendment moved by the shadow Minister of Education (Hon. Michael Wilson) in another place.

The Hon. Anne Levy: Can't you make up your mind? Third time lucky!

The Hon. R.I. LUCAS: The Hon. Miss Levy suggests that we cannot make up our minds. In fact, we are bending over backwards to be reasonable and reach a compromise; we are bending over backwards to try to ensure that the consensus reached on the general provisions of this Bill can be extended to the matters of some dispute and, in particular, to clause 17.

The amendment that I intend to move in Committee represents a compromise on the compromise on the compromise amendment that has been moved previously in an effort to seek consensus on this important issue. At this stage I would like to consider the situation that exists in some of the other States, especially New South Wales and Victoria. I do this because a number of lobbyists have suggested to me that in New South Wales and Victoria a situation similar to that envisaged by this Bill already exists and that the universities in New South Wales and Victoria are not overly concerned about the situation and the problems of standard emanating from the comparative year 12s in those two States.

I must confess that in listening to the lobbyists on that matter, without publicly acknowledging it, I thought that it was an eminently reasonable, sound and fairly persuasive argument. That is, the concerns that universities were expressing here in South Australia really ought to be discounted because much the same happened in New South Wales and Victoria a few years ago.

I asked the Registrar of the University of Adelaide to ascertain the situation from his colleagues in those States. I believe that the answer that I now intend to read to the Council introduces a significant new element in this whole debate. It introduces a significant new matter that has not been raised with me or the shadow Minister of Education in any way thus far in the debate. This letter from Mr F. O'Neill, Registrar, whose permission I have to read it, is as follows:

> Legislation similar to that now before the Legislative Council has been enacted in both Victoria (Victoria Institute of Secondary Education) and in New South Wales (Board of Senior School Studies). Neither of these Acts provide legislative safeguards to protect the academic standards of those subjects nominated for university entrance.

Those people who suggested that to me were quite correct, thus far. Mr O'Neill continues:

> Now some five years later the four Victorian universities are seriously concerned about the preservation of academic standards of year 12 subjects and the need for objective data on which to select students for enrolment. So much so, that those universities have recently established a committee consisting of the four Registrars and the four Chairmen of their academic committees to examine the general problems at the university/year 12 interface, and with a view to finding a solution which will maintain entry standards of school leavers enrolling in university courses. Similar disquiets are being voiced by the universities in New South Wales about a similar situation developing there.

I repeat that the Registrar of the Adelaide University provided me with that information early this afternoon. I believe that it is powerful new evidence to support the need for some form of revised new clause 17. It shows that the fears expressed by the universities of South Australia are genuine and I believe that it further underlines the need to support a provision which they see as a safeguard for the entry standards of students.

In Committee, I will move an amendment similar to that moved by the Hon. Michael Wilson in another place. The amendment will remove the sunset clause which provides that the Act will expire in 1986. There is considerable evidence to show that this provision is a nonsense. I have been informed that, while it is possible that the odd syllabus might be completed prior to 1986, it is highly unlikely that this will happen. My Party believes that it is ridiculous that the Act should expire after only 12 months of full operation of the new board and the syllabuses that it will introduce. I repeat that the Liberal Party supports the general principles outlined in the Bill, but it is concerned about the effects of this measure on the entry standards of students of tertiary institutions.

The Opposition will in Committee move an amendment which we see as a compromise in an endeavour to achieve consensus. We are strongly opposed to any action which even in a small way might raise the likelihood of a separate tertiary entrance examination in South Australia. I do not believe that the compromise clause 17 will negate in any way the overall changes that are instituted by this Bill. I firmly hope that the consensus that exists in relation to the general principles can extend to support for the compromise amendment that I will be moving.

The Hon. DIANA LAIDLAW: I support the second reading of this Bill, which seeks to replace the Public Examinations Board with a Senior Secondary Assessment Board and to widen the range of subjects and method of accreditation for students in year 12, the final year of secondary school. This is one of the most important Bills to come before this Parliament, for it is concerned with the future prospects of young South Australians, their ability to make a contribution to the development of our State and nation, and their ability to lead rewarding lives as involved and responsible citizens. Accordingly, at the outset I wish to record my disappointment that, when this Bill was debated last week in the other place, not one member of the Government, other than the Minister of Education, saw fit to contribute to the debate. This is a sad reflection on Government members.

The substance of this Bill is central to my belief in liberalism. In my maiden speech last December, I highlighted that, as a Liberal, my aim is to see a more equal society, not by penalising the successful but rather by encouraging more success in all. Our present system of assessment in year 12, the Matriculation examination, has not been a satisfactory avenue to realising this aim.

In my maiden speech I also dealt at some length with the unacceptably high rate of youth unemployment in this country, the high proportion of our 15-19 year old age group in the labour force and the very low proportion of this age group enrolled in full-time school and tertiary institutions. I also compared our poor position in all these instances to overseas experience. I noted that, while our standard of living in Australia had declined in recent years, the countries which had performed best in these terms over the corresponding period—Switzerland, Sweden and Denmark—were the same ones which placed great emphasis on the skills of their population through education.

I noted also that the Williams Committee Report on Education, Training and Employment, the Myers Committee Report on Technological Change in Australia, and the Keeves Committee Report on Education and Change in South Australia, were in essential agreement about the close relationship between our long-term economic and social prosperity and

development, the associated opportunities for young people to use their talents, and the provision of adequate and appropriate education and training.

Finally, I advocated a range of objectives for our education system: raising the rate of participation of our young both at the senior secondary and at the tertiary levels because all evidence suggests that those who suffer most in our complex unemployment market are those with the least qualifications; ensuring the content of year 12 programmes was relevant and appropriate at the general education level and did not cater only to those seeking to matriculate; adapting our education system to give everyone in the community, including women, the children of lower socio-economic groups, ethnic and Aboriginal backgrounds, better access to a range of educational options and quality of instruction; extending work experience programmes and improving the quality of vocational training; and ensuring that our overall academic standards were, at the very least, equal to those prevailing internationally.

The Bill before us now, which is similar to one introduced late last year by the former Minister of Education (Hon. Harold Allison), is in many respects a constructive attempt to address the problems that I discussed at length in my maiden speech and have now highlighted, albeit briefly.

Since the Public Examinations Board Act was introduced in 1968, education policies in this State have been undergoing significant changes influenced principally by economic and social changes. Possibly the biggest single influence has been the expectation that schools should shoulder a growing number of social responsibilities in the training of young people, responsibilities that were once the province of the family and society itself.

Significant structural changes in our economy also have exerted a strong influence over the direction of education, and economic factors will continue to do so as the introduction of new technology results in the displacement of large numbers of routine jobs. In the future, we will require growing numbers of school leavers who are innovative, imaginative and adaptable. This means that our schools face a greater challenge than ever before in bringing the best out of the available talent we have in this country. Our present methods of assessment in year 12 are not adequate to meet this challenge and require reform so that all students, not only candidates for higher education, benefit from one credible system of public accreditation.

The central purpose of the Matriculation exam has been to select people suitable for entry to higher education. It is clear, however, that even in this respect the system has been somewhat less than satisfactory. The examination ranks students in terms of academic performance but does little in the way of preparing students or assessing their suitability for the subjects that they wish to pursue. The high attrition rates among first year students, particularly those at universities and colleges of advanced education, is a matter of concern. It is interesting to note by contrast the higher success rate achieved among students given mature age or concessional admission. The requirements for these categories of entry, in addition to consideration of academic success, include questioning on what applicants have done in life since leaving school, what they wish to achieve and how they wish to proceed.

These categories need to be highlighted, for they are an indication that tertiary institutions are developing other, and I believe much better, ways of selecting people for higher education. Assessment by examinations alone acts against these methods spreading. As an aside, in 1973 I was fortunate to be among the first students to gain entry to Flinders University under a concessional arrangement, and I take this opportunity to commend both the universities in this State for developing and encouraging this system of entry. While the Matriculation system cannot be justified in terms of being an entirely reliable selector or preparer of students for tertiary education, there is a matter of possibly greater concern—that is, the perception that there is something wrong with, or that there is something lacking in, those students who do not sit for or do not pass this examination. Effectively, the system is declaring that the great majority of our students are failures.

The secondary school certificate was introduced in an effort to remedy this situation, but it has not been an effective alternative. Employers, for instance, and many parents, have been sceptical of its value, preferring to rely on the Matriculation certificate. While the latter is seen as more prestigious, it is clear, from a recent survey by the New South Wales Institute of Public Affairs on the collective views of employers on the quality of young recruits, that employers tend to ask for higher academic qualifications than they require in the belief that such attainments are associated with the attitudes and values they seek in recruits—reliability, initiative, responsibility, high moral value and self-discipline. While the Matriculation certificate was not intended for this purpose, the Senate Standing Committee Report on 'Preparation for the Workforce 1981' also noted that employers tend to favour Matriculation or other traditional external examination systems over forms of school-based assessment in the belief that the former are a measure of potential work proficiency. Employers complain that school-based assessments are too vague and general, and the Senate Committee received considerable evidence which supported the view that such assessment procedures and methods tended to vary significantly from school to school and therefore had little credibility and, in turn, were of negligible value to the student.

It is proposed that the Senior Secondary Assessment Board will be empowered with the responsibility of developing and approving new assessment methods. In the course of their deliberations it will be imperative that the board addresses the problems that I have highlighted in relation to the Matriculation exam and the secondary school certificate if tertiary institutions, employers and parents are to have confidence in the new procedures and if the aspirations and talents of the students themselves are to be realised. Above all, the board must seek to restore and maintain high standards of instruction and reflect this requirement through the assessment processes.

I would be remiss if I did not refer during this debate to the general erosion of confidence in this country in the quality of instruction in schools today, in particular in relation to literacy and numeracy skills. The fact that remedial training is so readily identified as the area in urgent need of extra resources is a sad reflection on our education system and should be of considerable concern to all members of this Parliament. This problem is not confined to Government schools, but it is on these schools in general that concern has centred. Enrolments in the non-government sector have been rising for some years and are continuing to do so despite an overall decline in the school-age population. This is significant if one considers that in these times of economic restraint an increasing number of parents are opting to reject a free service for their children in favour of paying the higher fees charged for tuition at non-government schools, in addition to subsidising, through general State indirect tax and Federal income tax, the education of those who use the Government schools.

Raising public respect for the quality and ability of education in Government schools is a major problem that we in this Parliament, the proposed Senior Secondary Schools Assessment Board and teachers in Government schools in general must address as a matter of priority. Standards of accountability, quality of instruction and assessment are the

essential issues in education today, not the level of funding, as many activists would have the public believe. Indeed, public education at all levels in Australia has just passed through a period of unprecedented generous funding. Class sizes have never been smaller. Pupil-teacher ratios have never been more favourable. Teachers have never enjoyed so much assistance from support staff. Buildings have never been as adequate or as well equipped. Libraries have never been better stocked. In primary schools, teachers have never been better qualified, in formal terms. In secondary schools, teachers have never had greater independence or access to assistance than they have at present. Most of the problems that could be dealt with by voting more material resources to education have been solved. Other problems remain, some of which are addressed in this important Bill.

Before I conclude, I wish to indicate that, in supporting the second reading of this Bill, I intend to support the amendments to be moved by the Hon. Mr Lucas during the Committee stage. I do so because, while the Bill addresses my concern about the inadequacy of present assessment procedures, it does little to alleviate my concern about the quality of instruction and the decline in standards. I believe it is important that, in terms of future standards in higher education in particular, the tertiary institutions in this State have the opportunity to nominate subjects in which they require assessment of students and to nominate persons to be appointed to undertake the assessment of those students.

Universities and other tertiary institutions are entrusted with the wardship of certain disciplines. They have a special responsibility to see that these disciplines flourish and that those who seek to extend them or to teach them do so at the highest possible level. This responsibility extends through to those who introduce the disciplines into the schools. I believe that the universities and other tertiary institutions will be failing in their obligations, and so will we in this Parliament, if they condone or, indeed, facilitate a situation where the universities and tertiary institutions abandon this responsibility. Rather, we should be supporting the tertiary institutions in their endeavours to maintain and increase standards. I will speak further on this matter during the Committee stages of the Bill.

The Hon. K.L. MILNE: I have listened with care and admiration to the detailed speech on this Bill given by the Hon. Mr Lucas. It was full of excellent information—most of it, if not all of it, accurate and true. The only difficulty was that it led him to the wrong conclusions.

The Hon. M.B. Cameron: In your opinion.

The Hon. K.L. MILNE: Yes, in my opinion. I have also listened to the warning issued by the Hon. Miss Laidlaw. I agree with a great deal of what she said, because this Bill is in fact placing a greater responsibility on the school system, which I hope recognises that. Perhaps I should say now that we will not be supporting the Opposition's new clauses and will in Committee move a new definition clause of our own.

We have seen many of the same letters referred to by the Hon. Mr Lucas. We have heard substantially from the same people from whom he has heard. In fact, the Hon. Mr Lucas has been a great help to us in our research on this subject, and we thank him for it. From my own experience in the education field, which was fairly brief—

Members interjecting:

The Hon. K.L. MILNE: My study period was long. From my experience in the tertiary education field (some 4½ years all told), and as a member of the former Universities Commission and the Commission on Advanced Education, I can well see that there will be problems in implementing the principles in this Bill. However, I do not see why they should stop us from trying. We support the Bill with the minor adjustment to which I have referred.

It seems that the main object of the Bill is to regulate the assessment of all subjects in the final year of secondary school (year 12) so that all students finishing their secondary school education can obtain the same level of certificate or other evidence of their achievement, whether they are going on to the five tertiary institutions, the community colleges or into the world for a job.

One of the important points about this is that employers will know that students with this certificate whom they want to employ in the business world have qualifications of the same standard as those in a position to continue with tertiary education and will thus be capable of handling special training courses required in their careers—training courses outside the tertiary institutions proper.

The membership of the new board is apparently not in question, but the issue with the University of Adelaide, Flinders University and the South Australian Institute of Technology is that the former section 17 of the previous Public Examination Authority of South Australia legislation has been removed. It seems that it gave them proper protection in safeguarding the standards and the subject matter of the syllabuses of the subjects which the students will be listing to gain entrance to these tertiary institutions.

As the Hon. Mr Lucas explained, two groups of subjects are available to students in year 12. The first group unquestionably involves subjects for tertiary institution preparation and entrance. There are already 42 such subjects. The second group of subjects, which involves those presently known as senior secondary school subjects (I understand that there are 36 of them), provide a more general preparation for the community colleges and entry into the workforce.

The Hon. Mr Lucas and the Opposition have seen fit to include a clause somewhat similar to the former clause 17 in the PEASA Bill. It has changed a little since the first attempt, but we believe that it has still the same intention. The main difference is that the unanimous approval of the five tertiary institutions is required before any one of them can nominate a subject for tertiary purposes. This unanimous opinion, knowing the education system, would be very difficult to obtain, in my view. When they do this, naturally they would desire to nominate some members of the syllabus committee for that subject (so that they would have an input into the subject matter of it), and to nominate some of the examiners who would need not necessarily be members of the tertiary institutions concerned. This seems natural enough, so that the universities and colleges can have confidence in the outcome of the deliberations of these various people and so that they can accept that subject into their entrance subjects list or assessment list.

I repeat that the subjects which I am now discussing are the present 42 subjects approved by all tertiary institutions for entrance. However, after further discussions with representatives of all interested parties, universities, colleges, the Education Department, schools and the Minister, I think that clause 15 in the new Bill gives the tertiary institutions all the influence and protection that they need, provided that the word 'Institution' is carefully defined and that it is quite clear that it includes the universities and the colleges of advanced education. The Australian Democrats intend to move for a new clause to be inserted for this purpose. It is purely for clarification and will not change the thrust of the Bill but may make it acceptable to all parties involved. When the Bill is passed (as we hope that it will be), the situation will change so that year 12 students will be examined in the schools but under the supervision of the Senior Secondary Assessment Board.

It seems clear to us that this will raise the status and prestige of the alternative year 12 subjects, because all sub-

jects will have the same emphasis. Also, members of the public, particularly those in the business world, will soon come to understand that students undertaking alternative subjects are just as intelligent and capable as those undertaking subjects for university college entrance. At least, that would be our hope. I would expect that hope to be shared by everyone in the education system, and we believe that it is. If that is so, it seems that this legislaton is a big step forward. We congratulate the Minister on introducing it. We give due credit to the work done by Mr Harold Wilson on this subject last year.

Members interjecting:

The Hon. K.L. MILNE: I meant Mr Harold Allison. A lot of work was also done by Mr Wilson. If handled with care by all of us, it will surely turn out to be of great value to primary school teachers, secondary school teachers, tertiary institutions, the business world and, most of all, the students. We will oppose the sunset clause and will speak briefly to it in Committee. The Australian Democrats support the Bill and will, in Committee, seek support for our amendment, which is standing in my name.

The Hon. ANNE LEVY secured the adjournment of the debate.

MOTOR VEHICLES ACT AMENDMENT BILL

The House of Assembly intimated that it had agreed to the recommendations of the conference.

APPROPRIATION BILL (No. 1)

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

The Hon. C.J. SUMNER (Attorney-General): I move:

That this Bill be now read a second time.

It provides for expenditure totalling $120 000 000. I propose to give a brief outline of the State's general financial position. Honourable members will recall that the Budget introduced last August by the former Government claimed that it provided for a balance on the operations of the Consolidated Account for 1982-83. It allowed for a deficit of $42 000 000 on recurrent operations which was to be offset by a diversion of $42 000 000 from capital works funds. Achievement of that result would have left the accumulated deficit of $6 100 000 on the Consolidated Account as at 30 June 1982 unchanged as at 30 June 1983.

Honourable members will also recall that on coming into Government last November we ordered an immediate review of the Budget position. That review was carried out by the Treasury, and a report was provided by the Under Treasurer. It was far worse than we could possibly have anticipated from the financial statement of the former Premier and Treasurer at the time he brought in the 1982-83 Budget. Indeed, at no time did the former Government inform the people of South Australia of the gravity of the financial situation which has been developing over the past few years, even though they were advised by Treasury of the serious difficulties that lay ahead.

It is clear to the Government that the Budget presented in August 1982 was both incomplete and dishonest, and that it was never intended to meet its planned target of a balance on Consolidated Account. As the review by Treasury showed, that claimed balance had in just three months deteriorated to a likely deficit on recurrent operations of between $72 000 000 and $97 000 000, which would have meant a deficit on Consolidated Account of between $30 000 000 and $55 000 000, even allowing for the proposed diversion of capital funds. This rapidly deteriorating situation was the legacy which the Tonkin Administration left to future Governments and to the people of South Australia.

It has meant that this Government has not been able to proceed with the implementation of its programme at the pace it would have wished. We have, however, honoured the most urgent of our election promises, the cost of which is now expected to increase the deficit by $8 000 000. This is a quite modest figure, and virtually identical to the costings made by the former Government of similar commitments. Nevertheless, we were confronted with a deficit on recurrent operations of around $104 000 000 in 1982-83. For capital works, the estimated surplus of $42 000 000 remained unchanged at that stage, subject to the outcome of a review of the Government's capital works programms.

In summary, on the basis of the December review, the Government inherited a situation in which the most likely 1982-83 deficit on Consolidated Account would have been of the order of $62 000 000. In that case, the accumulated deficit would have increased to some $68 000 000 as at 30 June 1983.

The position now needs to be considered against the background of three major factors, which have occurred subsequently: first, the Ash Wednesday bushfires, with the resultant tragic loss of life and the devastation of private and public property, and the recent flooding, particularly in the Barossa Valley area, have placed further unavoidable demands on the State's recurrent resources; secondly, Treasury has had the opportunity to undertake a more detailed review of the recurrent side of the Budget, based on actual results to 31 March 1983; thirdly, a detailed review of the Government's capital works programme has been completed and some changes have been made.

As to the recurrent side of the Budget, Treasury's latest review suggests that the deficit on recurrent operations could now be of the order of $115 000 000 for 1982-83, that is, a deterioration of about $73 000 000 on the original Budget as put to Parliament. That deterioration of $73 000 000 is made up of an overall increase in gross payments of $145 000 000, offset partly by an increase in gross receipts of $72 000 000.

For gross payments, the increase is the result of a number of factors:

The destructive effects of natural disasters have beset this State in recent times. I believe that South Australia has never before had to cope with three major disasters (drought, fire and flood) in the one year.

While there is some difficulty in assessing accurately the extent of the need for carry-on finance and other relief measures for both the bushfire and the flood, the present expectation is that the payments for drought, fire and flood relief and restoration of public assets under the natural disasters programme are likely to total about $81 000 000 (and on the basis of present sharing arrangements, the Commonwealth Government will contribute about $58 000 000 of that expenditure).

Additional costs of pumping water from the Murray River are expected to exceed the Budget estimate, including the amount provided in the round-sum allowance for price increases, by some $8 000 000.

The overall estimates of the cost of new salary and wage awards has increased further, despite the wage pause. The cost is now likely to exceed the round-sum allowance provided in the Budget by about $14 000 000.

The establishment of a job creation programme has a cost of $5 000 000 in 1982-83 (Commonwealth funds are available).

After the Budget was presented, the previous Government granted a remission of the gas levy paid by the

South Australian Gas Company under the Gas Act. The cost in 1982-83 is $4 000 000.

Two election promises (that is, the holding of the number of teachers in primary and secondary schools to allow a reduction in class sizes and concessions to pensioners for electricity bills) are estimated to cost about $3 000 000 and $4 000 000, respectively.

Departmental expenditures and advances are running ahead of Budget estimates in many areas and overall are likely to exceed Budget by about $26 000 000 for reasons other than higher levels of costs. This may be broken into Health Commission, $17 000 000, and all other $8 000 000. Three main factors are relevant in the deterioration of the Health Commission: first, there has been an increase in the number of uninsured patients receiving hospital care. This and a reduction in the overall number of bed/days utilised means that receipts of the Health Commission are now likely to be $21 000 000 below the original Budget estimate, despite an increase in hospital fees from 1 February 1983. Secondly, because health units have been unable to hold their staffing levels at the original Budget levels, there has been a need to support their budgets to the extent of an additional $5 000 000. Thirdly, a further $2 000 000 is likely to be required in this financial year for the settlement of past workers compensation claims which are being managed by the State Government Insurance Commission as part of a new insurance arrangement entered into by the Health Commission from 1 July 1982.

Under the hospital cost sharing arrangements, the impact on the State Budget of the additional expenditure is expected to be about $17 000 000. That estimated impact takes into account: that not all of the $28 000 000 deterioration relates to recognised health units under the hospital cost sharing arrangements; and some shift in expenditure from recognised to non-recognised (community health) units since the Budget was formulated.

Honourable members will recall that the Government earlier this year authorised a review of the overall health area and also a separate review of the administrative machinery of the commission's central organisation. The Government received the report of the latter review group last month. However, it must be noted that the major deterioration in the health area is directly related to the economic recession which has gripped the whole of the nation. It has meant that more people are unable or unwilling to meet the cost of the health care which the Government provides through the Health Commission.

As to gross receipts, the expected increase arises from: an expected recovery of $58 000 000 from the Commonwealth Government under the national disaster relief programme; a special grant of $10 500 000 from the Commonwealth Government to partly offset the impact on the State Budget of the Ash Wednesay bushfires; a contribution of $5 000 000 from the Commonwealth Government for a job creation programme.

At this juncture, I would add that there have been some extraordinary statements from the Leader of the Opposition, which have been repeated by certain sections of the media, that the State Government has received almost $100 000 000 from the Commonwealth in recent months for disaster relief and from wage pause savings in the Commonwealth Public Service. This, of course, is a gross distortion of the actual position. As outlined earlier, the State Government expects to recover $58 000 000 from the Commonwealth in the national disaster relief programme; however, the total cost of relief is expected to be $81 000 000, leaving a net impact on the Budget of $23 000 000. The only funds that we have received from the Commonwealth for general budgetary assistance is the special grant of $10 500 000 which, as I have outlined, is to partly offset the impact of the bushfires on our finances.

The other moneys received for job creation schemes and welfare housing have absolutely no impact on the Budget outcome. They are given for specific purposes and will be carefully spent on those specific purposes. Indeed, if there is any effect at all on the Budget, it is to slightly increase our expenditure, as the cost of administering those job creation schemes has to be borne by the State.

To return to an explanation of the State's current financial position, an expected decrease overall of about $1 500 000 in other receipts, a number of variations, both above and below Budget are emerging. The major variations include water charges (up $5 000 000 mainly as a result of seasonal conditions), other departmental fees and recoveries (up $5 000 000), marine and harbor charges (down $3 000 000 mainly because of seasonal conditions), the contribution from the Woods and Forests Department (down $6 000 000, of which about $4 000 000 arises from the consequences of the bushfires) and State taxation (down $2 500 000). As to State taxation, the expected downturn reflects mainly the implementation of two election promises, that is to say, an increase in the stamp duty exemption level for the first home buyer from $30 000 to $40 000 with effect from 1 December 1982, and an increase in the pay-roll tax exemption level from $125 000 to $140 000 with effect from 1 January 1983. The cost in 1982-83, in terms of revenue forgone, is almost $1 500 000.

From the above explanation, honourable members will see that there are some factors (such as natural disaster relief) common to both recurrent receipts and recurrent payments. Also, some of the adverse effects of the shocking season are shown separately. Adjusting for these factors and bringing them together, it can be said that, in net terms, the expected deterioration of $73 000 000 derives from the following major variations (to the nearest million dollars). I seek leave to have the statistical information inserted in *Hansard* without my reading it.

Leave granted.

COMPOSITION OF DETERIORATION OF $73 000 000

	$ million	
Natural Disasters:		
Relief and restoration (81 gross expenditure, 58 recovery from Commonwealth)	23	
Pumping water (8 gross cost, 5 additional revenue)	3	
Loss of Woods and Forests Department contribution	4	
Loss of harbor revenues	3	
	33	
Less special budget assistance	10	23
Salary and wage increases	14	
Remission of gas levy	4	
Spillovers in departmental expenditures and advances	26	
Cost of election promises (with both revenue and expenditure impact)	8	
	52	
Less increase in receipts (other than above)	2	50
Total		73

The Hon. C.J. SUMNER: As was explained earlier, spillovers in departmental expenditures and advances are comprised mainly of additional payments to the Health Commission to finance a shortfall in fees. It would be wrong to conclude from the explanation that the net cost to the State of the recent natural disasters will be contained at $33 000 000. There could well be some further costs in 1983-84 as final assessments of bushfire losses are made. In addition, it is unlikely that the Woods and Forests Department will be in a position to make any contribution to the Consolidated Account in 1983-84 and possibly for a year or two beyond that. The cost to the State Budget could be as much as $6 000 000 a year in present values.

Regarding capital works, the review of the programme had regard to the effectiveness and the economic justification of major projects planned for development during the period up to and including 1985-86. Cabinet has accepted in principle the recommendations flowing from that review, which include:

The deletion of three major projects from the programme. They are:

The rehabilitation of the Cobdogla irrigation area.

The establishment of a sewage treatment plant at Finger Point in the South-East.

The establishment of an aquatic centre on the old brewery site in Hindley Street. Options are being considered to attract the funds which the Commonwealth included in its 1982-83 Budget for this project.

Rescheduling of the north-east busway programme to permit:

The opening and operating of the Park Terrace-Darley Road sector in 1986.

A review of other options for the sector beyond Darley Road after 1986.

Some rescheduling of the museum redevelopment project to enable options to be considered in order to:

Give greater effect in Stage 1 to the most urgent needs of the museum.

Minimise as far as practicable the recurrent costs associated with the redevelopment.

The changes proposed in the review will have little effect in 1982-83. However, they will provide the Government with some flexibility in the immediate years beyond to address urgent problems, although flexibility in 1983-84 is likely to be restricted as a result of previous commitments. The Government hopes that the support announced by the previous Commonwealth Government, under a water resources programme, will be confirmed by the new Government. If confirmed, this would enable us to proceed with the filtration of the northern towns water supply and the Happy Valley reservoir system simultaneously.

The Commonwealth Government has also provided for 1982-83 an interest free loan of $11 000 000, repayable at the end of three years, to assist in the salvage and storage of logs from the Woods and Forests Department's plantations damaged in the recent bushfires. In addition, it will support, at the June 1983 Loan Council meeting, a special temporary addition of $22 000 000 to South Australia's semi-government borrowing programme for 1983-84. For 1982-83, the present expectation is that there is likely to be some slight improvement in capital receipts and some small deferments in capital payments. That expectation takes into account the receipt of $11 000 000 from the Commonwealth and a corresponding payment to the Woods and Forests Department.

A surplus of some $43 000 000 could now occur on capital works—$1 000 000 more than the original Budget forecast. A deficit of $115 000 000 on recurrent operations and a surplus of $43 000 000 on capital works would give an overall deficit on the operations of the Consolidated Account for 1982-83 of $72 000 000. However, it must be stressed that a small percentage variation in either receipts or payments on either recurrent operations or capital works could vary the final result now forecast by many millions of dollars. A deficit of $72 000 000 would increase the accumulated deficit of $6 100 000 on the Consolidated Account as at 30 June 1982 to some $78 000 000 as at 30 June 1983.

Honourable members would appreciate the seriousness of such a position. Even allowing for the one-time effect of the drought, the fire and the flood, and even allowing for some modest improvement in the economy, the underlying deficit is such that, if left unchecked, it could result in an accumulated deficit on the Consolidated Account approaching $400 000 000 by 30 June 1986. This is a situation that any Government in office today would have to face, regardless of Party affiliation. It is a situation in which any Government would have few options.

Taxes and charges can be raised. Government employees could be retrenched. The State's cash reserves might be used in the short term to fund the deficit, but would quickly be exhausted. Funds could be raised by borrowing, but such borrowings have to be serviced. Community services, increasingly regarded as essential in the current economic climate, could be cut back or abolished. None of these options are palatable or even desirable.

Our community now finds itself facing a very difficult period in which economic growth will be minimal and in which all industries will have to strive to maintain as much employment as possible. It would simply not make economic sense to put more people out of work and the Government's firm commitment to a policy of no retrenchments will not be altered. We do not believe that the South Australian people would want the Government to add to unemployment. Nor do we believe that the community would want the Government to turn its back on the increasing demand for welfare and other services. As for the other options which imply a degree of financial recklessness, let me simply say that, regardless of political cost, we will not allow this State to be weakened by the destruction of its reserves, nor will we allow the problems to be put off, with future administrations being made to pick up the bill.

While this Government is fully prepared to take on the task of extracting South Australia from the financial crisis in which it now finds itself, let me make it clear that we do not intend to allow the former Government to evade responsibility for what took place. It is inconceivable that a Budget which was so much in tatters after just three months was honestly framed. The evidence is now more clear. The former Government was advised that major financial problems were looming. The former Treasurer and in particular the Budget Review Committee were given briefings and written advice on the likely difficulties. And the former Cabinet was told that the position could only be improved by a substantial inflow of funds by way of increased taxation or by a substantial reduction in funds for school buildings, hospitals, housing, and so on.

Clearly, the former Government was planning either major increases in taxation or major cutbacks in services if it had survived last November's election. As honourable members already know, the former Premier made it clear at the Premiers Conference in June 1982 that he was planning major increases in taxation and charges. This Government also has to now face the need to raise more revenue. However, we have attempted to honestly put before the people of South Australia the true state of our finances and we have not tried to avoid the responsibility that any Government in our situation has to take on. We are now considering the most appropriate course of action to follow.

It would not, however, be appropriate to canvass these options in too much detail. For example, as honourable

members would know, many of the revenue measures available to State Governments involve business franchise licences, and it is not desirable to speculate on changes in advance of the actual introduction of legislation. Overall, we will try to ensure that the measures chosen will have as little impact as possible on the State's economy and level of employment. In this regard, I can say that the Government does not intend to introduce a surcharge on pay-roll tax as has been done in other States, even though that option would provide substantial revenue. Indeed, legislation will soon be introduced to give further concessions in this area consistent with our election promises and our belief that pay-roll tax is effectively a tax on employment, the burden of which should be alleviated as much as possible.

Let me also make it clear that we do not propose to reintroduce State succession duties. The Government does not expect to overcome the State's financial problems in a single year. The neglect of our finances has been allowed to go on for so long that it will take a number of years to retrieve the situation.

Last week, the Premier and Treasurer released to a meeting of businessmen and trade unionists, called to discuss the outcome of the national economic summit, a Treasury briefing paper on the State's finances. That paper has now been more widely circulated and will be made available to honourable members. It does not represent Government policies, but does outline the extent to which revenue will have to be raised to cover the State's deficit. In order to give some comparison, it shows that the average family in South Australia would be affected to the extent of approximately $3.20 per week. It also makes the point that this amount will increase each year until the deficit is removed as the State will also be required to cover the interest payments on the increasing debt.

The obvious conclusion is that the sooner we move, the less will be the burden on all South Australians. However, I would stress that, until next year's financial arrangements with the Commonwealth are worked out at the Premiers Conference in June, it is not possible to be more precise. This will mean that the revenue measures will most likely be introduced as part of the Budget later this year. The Government will also establish, as a matter of priority, an inquiry into the State's revenue base, and its ability to raise the revenue required to fulfil the demands placed on the Government sector by the community. This inquiry formed part of our election platform. The terms of reference have now been finalised and it is expected that they, and the composition of the inquiry, will be announced within the next few weeks.

The Government gives its assurance that a firm and responsible line will be taken on all expenditure and we will ensure that only expenditures of high priority will be allowed to continue. Indeed, as the financial details in this statement make clear, we have already had some success in restraining expenditure levels which were beginning to run over budget at the time we came into office. We will also have to review the timing of many of our election promises. We have committed ourselves to maintaining employment in the public sector at July 1982 levels. However, at this stage, we do not intend to expand the overall employment levels beyond that figure. We hope that all sections of the community will assist us and, by doing so, assist South Australia by taking a balanced community view, by not pressing individual sectional interests, and by not resorting to pressure to achieve their own ends. I seek leave to have inserted in *Hansard* without my reading it the more detailed explanation of the more specific matters covered by the Bill.

Leave granted.

Explanation of Specific Matters

Appropriation: Turning now to the question of Appropriation, honourable members will be aware that, early in each financial year, Parliament grants the Government of the day Appropriation by means of the principal Appropriation Act. If these allocations prove insufficient, there are four other sources of authority which provide for supplementary expenditure; namely, a special section of the same Appropriation Act, the Governor's Appropriation Fund, a transfer of Appropriation from another purpose, and a further Appropriation Bill.

Appropriation Act—Special Section 5 (1) and (2): The main Appropriation Act contains a provision which gives additional authority to meet increased costs resulting from wage awards. This special authority is being called upon this year to cover most of the cost of salary and wage determinations, with a small amount being met from within the original appropriations. However, it is available only to cover increases in salary and wage rates which are formally handed down by a recognised wage fixing authority and which are payable in the current financial year. The main Appropriation Act also contains a provision which gives additional authority to meet increased electricity charges for pumping water. The drought has led to increased pumping from the Murray River. Also, tariffs have increased at a rate greater than that provided for in the Budget.

Governor's Appropriation Fund: Another source of appropriation authority is the Governor's Appropriation Fund which, in terms of the Public Finance Act, may be used to cover additional expenditure. The operation of the fund has been explained to honourable members previously. The Appropriation available in the Governor's Appropriation Fund is being used this year to cover most of the individual increases above allocations.

Transfer of Appropriation: The Public Finance Act provides for adjustments within the amount of moneys appropriated from Consolidated Account so that excess money for one purpose may be transferred to another purpose where there is a deficiency. Any transfers made are expected to be relatively small.

Supplementary Bill: Where payments additional to the Budget Estimates cannot be met from the special section of the Appropriation Act or covered by savings in other areas or are too large to be met from the Governor's Appropriation Fund, a further Appropriation Bill must be presented. It may also be used as a means of informing Parliament of particularly significant Budget developments, even though extra Appropriation authority is not technically required. The details of the Supplementary Bill are as follows:

1. PAYMENTS OF A RECURRENT NATURE

Treasurer—Miscellaneous: Following a sharp increase in the price of Cooper Basin gas, the previous Government approved a remission of the levy paid by the South Australian Gas Company in accordance with sections 5d and 5e of the Gas Act in order to assist SAGASCO to avoid too large an increase in its tariffs to consumers. The remission is effective from 1 January 1982, and is for the period up to and including 30 June 1983. The appropriation of $4 100 000 now sought represents the amount credited to recurrent receipts since 1 January 1983.

Education: We have taken action, in accordance with an election promise, to hold the number of teachers in primary and secondary schools to allow a reduction in class sizes. This has resulted in a requirement for additional funds, beyond the Budget provision for 231 teachers and some ancillary staff. An appropriation of $2 900 000 is now sought for that purpose.

Agriculture—Miscellaneous: Gross payments for carry-on finance and other relief measures to support persons

affected by the drought, the bush fires and the floods are expected to be about $40 000 000, $37 000 000 and $4 000 000 respectively in 1982-83. There may be some carry-over into and further payments in 1983-84. An appropriation of $81 000 000 is sought for this purpose. Some $58 000 000 will be recovered from the Commonwealth Government under the Natural Disaster Relief program.

Community Welfare—Miscellaneous: We have taken action, in accordance with an election promise, to provide a concession to pensioners of up to $50 a year on their electricity bills. This measure came into effect on 30 November 1982. The appropriation of $4 000 000 now sought is the expected cost of this measure in 1982-83.

Health: As I outlined earlier, the present expectation is that the Health Commission will exceed its budget allocation by about $17 000 000 for reasons other than increased levels of costs. The appropriation now sought is in line with that expectation.

2. PAYMENTS OF A CAPITAL NATURE.

Woods and Forests Department: As mentioned earlier, the Commonwealth Government has provided an interest free loan of $11 000 000 to assist in the salvaging and storage of logs from the Woods and Forests Department's plantations damaged in the recent bush fires. The loan is repayable at the end of three years. The appropriation now sought is to enable the payment of that amount (credited to capital receipts) to be made to the Woods and Forests Department.

The clauses of the Appropriation Bill (No. 1) 1983 are in an identical form and give the same kinds of authority as the Act of last year.

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

SUPPLY BILL (No. 1)

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

The Hon. C.J. SUMNER (Attorney-General): I move:

That this Bill be now read a second time.

It provides for the appropriation of $320 000 000 to enable the Public Service of the State to be carried on during the early part of next financial year. In the absence of special arrangements in the form of the Supply Acts, there would be no Parliamentary authority for payments required between the commencement of the new financial year and the date on which assent is given to the main Appropriation Bill. It is customary for the Government to present two Supply Bills each year, the first covering estimated expenditure during July and August and the second covering the remainder of the period prior to the Appropriation Bill becoming law.

Honourable members will notice that this Bill provides for an amount about 10 per cent greater than the $290 000 000 provided by the first Supply Act last year. The increase of $30 000 000 is needed to provide for the higher levels of costs faced by the Government. The Government believes this Bill should suffice until the latter part of August when it will be necessary to introduce a second Bill.

Clauses 1 and 2 are formal. Clause 3 provides for the issue and application of up to $320 000 000. Clause 4 imposes limitations on the issue and applications of this amount. Clauses 5 and 6 provide the normal borrowing powers for the capital works programme and for temporary purposes, if required.

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

JOINT SELECT COMMITTEE ON PARLIAMENTARY LAW, PRACTICE AND PROCEDURES

Adjourned debate on motion of Hon. C.J. Sumner (resumed on motion).

(Continued from page 1327.)

The Hon. C.J. SUMNER (Attorney-General): Parliamentary democracy has three fundamental tenents:

It is a representative democracy under which the citizens have the right at periodical elections to choose the representatives who will sit in the Parliament. (This implies that the representatives are elected on the basis of one vote one value).

It is a responsible democracy in that the representatives are responsible to the citizens for the actions that they carry out and that the Government—the Cabinet, the Ministers and the Public Service—is responsible to the Parliament and, through the Parliament, to the citizens or the voters.

It involves the supremacy of the Parliament in the network of institutions of Government.

This Westminster system of Parliamentary Government is based on the supremacy of Parliament and an acknowledgement that Parliament is the peak of the political process. The Executive or the Cabinet in the Westminster system is drawn from the Parliament and remains part of it as well as being directly responsible to it.

Parliamentary democracy and its associated freedoms are fundamental to the Labor Party. The democratic method is the only valid means of achieving change. Within this context mechanisms must be established which enhance public discussion and debate and promote the formulation of options for consideration by the electorate. Lasting reforms can only be achieved by obtaining community support and co-operation with other groups in the community and by building a firm consensus using democratic means. The policy that I outlined at the last election included the following statement:

> Parliament should be made a more effective instrument for discussion and debate on community issues and for the scrutiny of Government action. The reputation of politicians is low because people are fed up with the political bickering and point scoring which occurs in Parliament. Mechanisms should be developed to assist the promotion of agreement and consensus on issues which are not of great political controversy.

This point has been made a number of times in this Council and, while there is general agreement with the notion of the primacy of Parliament, there will always be differences or conflicts between Parties which illustrate the differences of ideology and approach that are taken by them. Nonetheless, greater scope must be given for the community's elected representative to scrutinise the activities of Government. The increasing complexity of society has resulted in greater power of the bureaucracy. Labor initiatives in the formation of the office of the Ombudsman and more recently in the establishment of a committee to inquire into the development of freedom of information legislation and a committee to inquire into the receiving of public complaints against the police are just two examples of how this Government is attempting to ensure that there is improved scrutiny over decisions made by the bureaucracy. This current proposal is designed to ensure a greater scrutiny over the actions of Government as a whole, through the Parliamentary mechanism itself.

There are many matters on which I believe that consensus can be reached across Party lines. It is true that political

Party confrontation will and should always exist in a properly functioning robust democracy and that there will always be matters of high principle about which agreement cannot be reached. Nevertheless, there are many issues particularly at the State level where politicians of all Parties should cooperate to find solutions in the community interest.

This proposal before the Council is designed to establish a mechanism by which elected representatives of the community can be involved in a more extensive scrutiny of the operations and decisions of Government as well as in an exploration of many of the major social issues that are facing our community. The proposal is for a joint select committee to consider and report upon proposals to reform the law, practice and procedures of Parliament.

The mechanism of a joint select committee is being chosen because it is the Parliament as a whole that should be given the opportunity of determining the appropriate mechanisms for a greater surveillance of actions taken by the Executive. The bickering that I referred to earlier that many people in the community see as typical of politicians is not merely related to differences of opinion between the leaders and members of political Parties but also between the two Houses of Parliament.

It is the institution of Parliament to which this proposal is directed. It is intended to provide the opportunities for all members of Parliament to contribute to the debate about the supreme institution of our political process. As with all joint select committee proposals, the membership of the proposed committee would be evenly divided between the two Houses so that it reflects a Parliamentary view, rather than the view of one or other of the Houses.

In reply to a question from the Hon. R.C. DeGaris on 23 March 1983, I said that it would be necessary to approach any proposal to consider the practices and procedures of Parliament on a consensual, bipartisan basis. I have therefore had informal discussions with representatives of both major Parties in both Houses, as well as with the Australian Democrats in this Chamber.

There are other matters which the Parliament must consider. I shall refer to fixed-term Parliaments and the power of the Council in respect of Supply later. The other matter, the actual administration, organisational framework, and supply of services and staff to Parliament will be the subject of a separate inquiry, notice of which I gave earlier today.

The proposed joint select committee on Parliamentary reform is, in its formulation and in its establishment, one which illustrates the spirit which I hope will be brought to bear on its deliberations. Both the Commonwealth Parliament, particularly in its system of Senate committees and, more recently, the Victorian Parliament in the establishment of a number of joint House committees have moved down the path of greater parliamentary scrutiny of executive action and of the major issues affecting the community. These actions have brought widespread acclaim, not only within the Parliamentary arena. The Senate committees have in themselves attracted considerable attention and the reports that they have produced have been instrumental in alerting the community to a variety of matters that might not otherwise have had the public airing that they were accorded through this procedure. In particular, it is easy to recall the work of Senator Rae's Select Committee on Securities and Exchange, as well as the Standing Committee on Constitutional and Legal Affairs which provided the major vehicle for a public discussion of the issues relating to freedom of information.

The Victorian proposal goes one step further in that the 1982 legislation establishing the five joint House committees incorporates the strict requirement that, in the first instance, the appropriate Minister must respond to the recommendations of a committee and report to Parliament within six months on the action (if any) to be taken by Government on the recommendations of the committee. Like the current proposal, the Victorian system includes a special committee on law reform and indeed a separate committee to review the functions of statutory authorities. It also includes a committee to deal with Budget expenditure. These three areas are of quite vital importance to the functioning of our democratic system.

There will always be a need for law reform as new practices, new technologies and community expectations change the nature of the relationships between people and between people and institutions. A permanent Parliamentary committee which is able to constantly monitor the changing social and political environment and to recommend alterations that ought to be made to the law is a very widespread notion and one which will be well worthy of the consideration of a select committee. Similarly, the burgeoning of the numbers and functions of statutory authorities is a matter that has worried both political Parties for some time. It was certainly a common practice in the past 10 to 15 years for special purposes statutory authorities to be established to carry out functions determined by the Parliament, but these have never had their functions effectively terminated. I am sure that there will be many interesting submissions that will be made on the procedures that ought to govern the establishment, conduct and termination of the activities and functions of statutory bodies as well as their relationship to Parliament and the scrutiny that can be made of their activities by the Executive and by Parliament as a whole.

Budgets, as all members would realise, are the most important policy documents produced by a Government. While reflecting some of the policy directions that a Government would wish to take, they also indicated the constraints within which any Government works as a result of commitments made in earlier years by other Governments in response to different sets of community expectations. Greater debate and greater consideration of the issues going into the formulation of a Budget are important parts of the process of understanding how the system of public administration works. The attempts by the former Government through the Budget Estimates Committee and the programme and performance budgeting systems were a step in this direction. Now the establishment of the joint committee provides the opportunity for all members of Parliament and other people to evaluate that process and see whether any changes should be made.

The other issues dealt with in paragraphs *(c)* to *(f)* of the motion refer to some more particular machinery matters about the operations of Parliament and the ways in which individual members of Parliament can have greater access to information and a greater scrutiny over the activities of individual Ministers and departments. They are also designed to ensure that there is a wide canvassing of opinion about the most effective use of Parliamentary time and Minister's time to ensure that the process is productive, and that members of Parliament are able to carry out their scrutinising and inquiry activities at a time when their faculties can be best utilised.

I indicated earlier that there is need for some inquiry into the actual administration of Parliament, and I gave notice of a motion earlier today. On that matter there is a wide degree of consensus about the need for a resolution of the outstanding matters arising from the review of the organisation and staffing of Parliament, which was carried out by a review team of the Public Service Board during 1982.

The other issue of major importance is the proposal for fixed terms for the House of Assembly, simultaneous elections for the House of Assembly and the Legislative Council, and the removal of the power of the Legislative Council to block Supply. These proposals were widely canvassed here

in Adelaide only two weeks ago at the national Constitutional Convention. On that occasion, the attempt to develop a broadly based consensus across political lines, across different Chambers of Australia's Parliaments and between States and the Commonwealth failed. The argument about the powers of Upper Houses to refuse Supply to a Government to carry on the normal processes of Government has been widely canvassed in the media and in political circles for some time. It is now quite commonly accepted that continual speculation about early elections is not conducive to good government. It would be fairer for groups in the community wishing to contest Parliamentary elections if Parliament ran for a fixed term.

The proposal for fixed terms, in the Government's opinion, goes hand in hand with the proposal to remove from the Upper House the power to refuse Supply to the Government. Once the term is fixed—as 80 per cent of South Australians believe it should be—it is essential to ensure that a Government which retains the confidence of the Lower House has the means of performing its functions throughout that term. Quite simply, the Legislative Council should not have the power to bring down a Government before the expiry of its term by blocking Supply. By Supply, I mean Appropriation for the ordinary services of Government. Such a change will require constitutional majorities in both Houses and a referendum. It is not necessary for this same referendum procedure to be followed in respect of fixed terms. It is only necessary for there to be an amendment to section 20a of the Constitution, which currently provides that every House of Assembly shall continue for three years from the day in which it first meets for the dispatch of business, subject nevertheless to be sooner prorogued or dissolved by the Governor.

The notion of fixed terms envisages a fixed three-year term for the House of Assembly. The normal general election date would be specified as, say, the first Saturday in March or October of every third year but the fixed term would be qualified in the following way: an early dissolution would be allowed where a motion of no confidence in the Government is passed in the Assembly and no alternative Government can be formed within seven days. These proposals are not out of kilter with community expectations and are, if anything, behind them. The Government remains clearly committed to a policy of fixed terms of Parliament and the consequential removal of the power of the Council to reject Supply and prevent a Government formed in the House of Assembly from completing its fixed term.

I wish to place on record that the Government does intend to proceed with these proposals in the Budget session in August this year. Accordingly, the Government will introduce a Bill at that time for fixed terms of the House of Assembly and for removing the Council's power to block Supply. Just as the Government believes the effective functioning of Government should be placed on a firm footing, so it believes that the scrutinising role of Parliament should be established solidly on a basis that allows that role to be performed effectively.

I have outlined a package of significant measures for Parliamentary reform. This select committee is one part of the process. Other reform will be dealt with by legislation. In the motion before the Council, and in the related matters I have raised, there are the makings of changes that will equip our primary democratic institutions to function in the future. It is important to make the most of the opportunity. I commend the motion.

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

SENIOR SECONDARY ASSESSMENT BOARD OF SOUTH AUSTRALIA BILL

Adjourned debate on second reading (resumed on motion).
(Continued from page 1336.)

The Hon. ANNE LEVY: I support the second reading of this Bill, for reasons some of which have been outlined by previous speakers. The Hon. Mr Lucas mentioned the retention rates applying in secondary schools. I have a table from which I will give a few examples. The year 11 retention rate has risen from 62 per cent of the age group in 1970 to 74 per cent in 1979 and more than 80 per cent in 1982. Likewise, the year 12 retention rate has risen from a mere 27 per cent in 1970 to more than 40 per cent in 1980. The Education Department expects this figure to rise to more than 60 per cent by 1988. It is quite clear that years 11 and 12 are becoming years of mass education in our schools. This did not apply at the time the present Public Examinations Board was set up.

Historically, it is interesting to note that at the turn of the century primary education was the mass education and all secondary education was treated as being for an elite only, an elite which was heading for tertiary studies. By the 1940s and 1950s this situation had changed considerably and secondary education, or the early years of secondary education, had also become mass education years. However, at that time it was still true that years 11 and 12 of secondary education remained as catering for an elite only, an elite which was headed for tertiary studies. This is changing rapidly as the retention rate figures indicate. It is quite clear that year 11 is now a year of mass education and it will not be long before year 12 can be considered in the same way. These final years of secondary school, must, therefore, cater educationally and socially for all young people in the community, and not just for the small minority who proceed to tertiary studies.

I would remind honourable members that in 1980 only 40 per cent of the age group did year 12, and only 16 per cent went to university for tertiary studies. We need to have, at the end of the school period, a means of certifying the achievement that all young people have made. There is obviously a need for some recognition or statement of the mastery of the content of the syllabus which individual students have made. The assessment system which is used at the moment may, indeed, be mathematically elegant, and I am sure that it is a fair assessment as between different subjects taken by year 12 students.

However, in effect, the result of the aggregate score is to rank individuals only, it is not an indication of any absolute measure of achievement, giving only the relative performance of an individual against all others who are taking the Matriculation examination. I was struck by a comment made by a working party set up by the Flinders University which stated that such is our current system of assessment that, if all the teachers of Matriculation chemistry throughout the State decided to teach astrology instead of chemistry for a given year, the chemistry results would be exactly the same because what is being measured is not mastery of the content but the ranked order of the individuals taking the examination and the score is not a measure of content mastery at all.

The Bill before us to set up the new Senior Secondary Assessment Board of South Australia guarantees that this board will be broadly representative of people and institutions with a legitimate interest in such assessments. It will comprise four people from the universities (as has been stated by other speakers), five people from the colleges of advanced education, and two people from technical and further education areas. While various individuals have

complained about the reduction of the influence of the tertiary sector, I point out that the old Public Examinations Board with 14 university representatives out of a total of 32 meant that university representatives comprised 43.75 per cent of the membership. Under the new board, the tertiary sector as a whole will have 38 per cent of the total membership, which is hardly a radical change in proportion.

The board will have on it representatives of the teachers institute, the Catholic school system, parents, employees and trade unions. The Commissioner for Equal Opportunity has been added to the board by this legislation. The Commissioner was not mentioned in the Bill introduced last year by the Liberal Government, and I am delighted to see this addition, in the interests of encouraging non-sexist education in this State. I was also interested to see that not one member of the House of Assembly who took part in the debate on this Bill made any comment about someone representing the Commissioner for Equal Opportunity on the board.

I hope that this will have an influence in gearing our syllabuses to women as well as to the needs and interests of men. For example, it may be that women might even be mentioned in general history and literature courses instead of being omitted or put in a special category of their own. However, I readily admit that one must not expect too much from the influence of one individual in 29.

The controversy relating to this Bill has been mentioned by other speakers. It does come, as indicated, from our two universities and the Institute of Technology. I fear that this is, in effect, a misplaced anxiety. It is true that universities are very properly concerned about their selection procedures, standards and reputation. However, the international reputation of a university depends on the quality of its staff and its graduates, the excellence of its research, and the quality of its courses and teaching. Its international reputation does not depend on its admittance requirements or its selection methods, so on that score I feel that our universities need not worry about their reputations.

Universities are concerned about the standards of those who enter as students and the selection procedures which they need to adopt in choosing the limited number of students who can fit into the quotas which are permitted them by the Commonwealth Government. There is nothing in this Bill and nothing at all in the Secondary School Assessment Board which will in any way detract from or limit the right of the universities to lay down their selection processes or to require certain standards of those they admit as students.

The universities wish, via the amendments which have been proposed in varying forms, to have a say in determining the course content and the assessment standards of certain subjects in year 12. The Bill before us rejects this approach and, on balance, it is right to do so. A certificate which a student gets from SSABSA will indicate an achievement of that individual student; such a certificate of achievement should be obtained before any selection process for tertiary study is carried out; that is, that selection for university study must not precede or replace assessment, but come after assessment. It may well be true that a hierarchical classification of subjects in year 12 will develop between subjects which are used for tertiary selection and others which are not, but I do not think that such a hierarchical classification should be given statutory legitimacy. In like manner, we must be sure that our secondary schools do not isolate the future tertiary students from their peers any earlier than is absolutely necessary.

As far as the Secondary School Assessment Board, students and the general public are concerned, all accredited courses will be of merit and will be certified to be of such a standard that achievement can be regarded as equally valid in all courses. The board that is being set up will obviously be jealous of its own standards and will not want its measure of achievement to be devalued or diluted relative to achievements which are obtained elsewhere.

The members of the board come from a wide range of interest groups, which I have mentioned, all of which will be quite legitimately concerned with standards. To say that standards will fall because they are not uniquely determined by those in the tertiary sector is insulting to the many people outside universities and colleges of advanced education who are vitally concerned with educational matters. Those individuals on the board from the tertiary sector will, of course, have a vital role to play, as they are probably the people best informed about recent advances in knowledge and thought, but I reject completely the idea that they will be the only ones concerned about standards.

The course content of year 12 is rightly a concern of the tertiary sector, but again I feel that the concern that they have expressed is necessarily alarmist. Clause 15 (2) of the Bill before us allows SSABSA to approve syllabuses and courses proposed to it by institutions; I regard universities and colleges of advanced education as institutions. Any course content put up by a university will be very closely considered and probably receive accreditation by the board; that is, it will get the board's blessing. I would be very surprised, too, if many tertiary academics did not continue to be members, chairpersons and chief examiners of syllabus committees. Some such people from the universities, to whom I have spoken, are very glad to contribute in this way to the examining and setting of syllabuses, and they do a great deal of work, I may say, for peanuts of a financial return, but these people will frankly admit that there are currently some chief examiners and chairpersons of syllabus committees who could be described only as relatively uninterested and lazy, and it would be much better if they could be replaced by other people outside the tertiary sector.

With regard to course contents and standards, I have a concern which has not been frequently voiced in the debate about this topic, relating to what I call the sequential subjects; that is, those whose knowledge is built up on a foundation laid in the previous year's study. To sit in on History I at the university would not be incomprehensible to a student who had not done Matriculation history—perhaps slightly difficult, but certainly not impossible—whereas Maths I does require knowledge of Matriculation maths. At the suggestion of my colleagues, I seek leave to conclude my remarks.

Leave granted; debate adjourned.

[Sitting suspended from 6.3 to 7.45 p.m.]

The Hon. ANNE LEVY: Before the dinner adjournment, I was discussing my concern in regard to the change in the year 12 programme which will result from the legislation before us. I stated that my concern relates to what may be called sequential subjects, that is, those in which knowledge is built up on a foundation of study in previous years. Subjects such as mathematics would be virtually impossible to follow at university unless one had achieved a sufficient standard in that subject at Matriculation level. These sequential subjects include mathematics, physics, chemistry, perhaps biology, the languages, and so on—that is far from the full range of courses taught in the tertiary sector.

My fear is that course and syllabus content in year 12 may change as a result of this Bill, in some way to make the courses more relevant to the needs of the total student body, but that the universities and the colleges of advanced education will take no account of this. In particular, some of the independent schools that pride themselves on grooming their students for university will tailor their teaching to

what will be of advantage in university selection and course work.

On the other hand, Government schools, which cater for a much wider cross-section of the community and which have a responsibility to all children in the State, will not do that, at least not consciously. The result may be that, once they attend a tertiary institution, students from Government schools may be at a disadvantage compared to those from some independent schools, and their failure rate in the first year may rise, at least in these sequential subjects.

Of course, the situation can be monitored, and I hope that the universities and colleges of advanced education will produce statistics in this area. However, it will take several years to collect data in regard to both pre-SSABSA courses and post-SSABSA courses to determine whether there is a significant change in this regard. I understand that the universities do not have the data readily available at this time but that they have information on which data could be collected to give base figures before any change in courses occurred.

If there are changes in the relative performance of students from Government and independent schools, we may have to think again, but in the meantime I believe that it is better to proceed according to the Bill before us, which is of undoubted benefit to the great majority of students who do not proceed to tertiary studies. We must not let the tertiary sector dominate the year 12 courses and have ripple effects through the whole secondary schooling system.

I am very glad to see that SSABSA will be given the power to undertake research into assessment procedures, which can, of course, be by examination, school assessment, projects, or various other tests. Assessment procedures are a matter of great interest in educational circles at present, with phrases such as 'competency based' and 'criterion reference' being splashed around in literature. The Australian Schools Commission and the Tertiary Education Commission have both funded projects in Western Australia to examine ways of certification of achievement and tertiary selection, and South Australia should certainly participate in this neccessary and exciting research. If SSABSA is as responsible and invigorating a body as we hope it will be, it will contribute to these challenging problems with its own research contribution.

In conclusion, SSABSA parallels closely the Victorian Institute of Secondary Education, which was set up in 1976 by the then Liberal Victorian Government. VISE gives guidelines and course approval and maintains standards, while allowing flexibility to the schools in the interests of students.

The Hon. R.I. Lucas: There have been problems.

The Hon. ANNE LEVY: I realise that there have been problems in recent times in Victoria, but I do not believe that those problems are insurmountable or that suggestions have been made to scrap VISE and return to the previous system. On the contrary, the approach in Victoria seems to be, 'We have encountered a few difficulties, but these can be ironed out to the benefit of the secondary education system as a whole.' I too believe that SSABSA will be of great benefit to the vast majority of children in this State and that we should welcome its birth and the reforms that it brings. I support the second reading.

The Hon. L.H. DAVIS: The Bill before us proposes to establish a statutory body that will undertake the assessment and accreditation of year 12 examinations. All students in year 12 will come under the umbrella of the Senior Secondary Assessment Board of South Australia, irrespective of whether or not they subsequently seek entrance to a tertiary institution. Concern has been expressed for some time that the two-tier system of examinations at year 12 is not equitable, especially for students who are not contemplating tertiary education. Of course, those students make up a significant majority of year 12 students. Therefore, I support the purpose of the Bill. It is an important, sensible, and overdue measure.

What I do not support is the role afforded the tertiary institutions, particularly the universities. The views of the University of Adelaide, Flinders University, and the South Australian Institute of Technology have already been canvassed. However, opponents of so-called clause 17, or a modified version of that clause, ignore the fact that those three tertiary institutions are interested only in subjects that are used for tertiary selection. Dr Mayfield, the Acting Director-General of Education, this morning stated that he feared that the proposed amendments would undermine the aim of the new examining body. I fail to see how that could be the case if the tertiary institutions, principally the universities, are concerned only with subjects that are used for tertiary selection.

Quite clearly, the implementation of the Jones Report will see a broadening of the subjects being offered to students not seeking tertiary entrance, and one can imagine what some of those subjects may be, for example, legal studies. Mr Justice Kirby has made the point that school curricula in the Eastern States are already adding legal studies as a specific course. In his recent book *Reform the Law! Essays on the Reform of the Australian Legal System,* he observes that in Victoria legal education is the third most popular optional subject at secondary school level and that, in New South Wales, through the initiatives of the Law Foundation, legal topics are being drafted on to the school programme. I am pleased also to observe that legal studies have recently been introduced in the curricula in South Australian secondary schools.

It is also important that people should be able to understand the history of their country. How can we hope to foster national pride if our young people know little or nothing about their nation? I previously observed in this Chamber that the Bicentennial Authority has noted that a secondary school student of 15 years in a South Australian State school would have had only a 25 per cent opportunity to study the history of the State in which he or she lives. I suspect that there could be few States or countries in the world that would have such little input at the primary or secondary level in terms of the history of that State or nation.

Also, it is important when looking at the expanding curricula for subjects other than for tertiary entrance that people should better understand how the mixed economy in which we live works. Again, in this Chamber last year I raised the fact that Enterprise Australia, which was initiated in New South Wales, had devised a video cassette series of lectures suitable for schools in New South Wales. That series was devised with the support and encouragement of the New South Wales Trades and Labour Council, the New South Wales Government and, in particular, the then Minister of Education (Mr Paul Landa), as well as employer groups.

That series of lectures involved teaching schoolchildren about the economy in which they live and how it works. Yet, when Enterprise Australia sought to come to South Australia, the response of the South Australian Institute of Teachers was to denounce publicly Enterprise Australia through a press release and SAIT refused to attend a cocktail party, and generally it poured scorn on the very concept which had bipartisan support in another State. Certainly, that is not advancing the cause of education.

The attitude of SAIT on that occasion left something to be desired. Indeed, the education debate in this State in recent years has not been particularly edifying. It has been drenched with politics - and not the politics of reason. In

fact, it brings to mind that lovely quotation from Lewis Carroll's *Alice in Wonderland:*

'That's the reason they're called lessons,' the Gryphon remarked, 'because they lessen from day to day.'

It has been reflected in SAIT's continuing obsession with classroom sizes. Small is not necessarily beautiful and, if one is one of 17 per cent of students attending South Australian private schools, one would be in classes at least the size of those in State schools, yet the parents of those students, for the most part, are largely uncomplaining of those class sizes. I seek leave to have inserted in *Hansard* without my reading it a table of a purely statistical nature which sets out student:teacher ratios in Government and non-government schools in Australia in 1974 and 1981.

Leave granted.

STUDENT:TEACHER RATIOS[a] IN GOVERNMENT AND NON-GOVERNMENT SCHOOLS, AUSTRALIA, 1974 AND 1981

	1974	1981
PRIMARY		
Government Schools	24.2	20.0
Catholic Schools	28.4	23.6
Other Non-government Schools	17.6	17.5
SECONDARY		
Government Schools	14.8	12.3
Catholic Schools	20.4	16.2
Other Non-government Schools	14.3	13.2
TOTAL		
Government Schools	19.7	16.4
Catholic Schools	24.9	20.0
Other Non-government Schools	15.3	14.6

Source: Australian Bureau of Statistics, 'Schools' Bulletins 1979 and 1981. Catalogue No. 4202.0.

The Hon. L.H. DAVIS: That table illustrates clearly that there has been a far more dramatic improvement in the student:teacher ratios in Government schools over that seven-year period 1974-81 than has been the case in Catholic schools and non-government schools. True, that table sets out information covering Australia, but that trend is much more evident in the figures for South Australia.

Therefore, we need to recognise the need for excellence in education, and the only difference of emphasis in the debate on this Bill is that the view from this side of the Chamber expressed in another place and also in this Council is that there is a need to recognise and preserve excellence in education. We need to pay more than lip service to Diogenes' dictum:

The foundation of every State is the education of its youth.

Professor Karmel, Vice Chancellor, Australian National University, said last year:

Enrolments of young people in higher education have been declining in absolute terms at a time when they should be increasing not only as a basis for the long-term health of the economy but also as an element of youth policy.

It is simply not only a matter of ensuring that our system can cope with increased enrolments of young people in higher education: it is also very much a matter of ensuring that those standards in tertiary institutions are maintained and that the base which is built to better enable the students to cope with the challenges of tertiary education is enhanced.

Mr Justice Kirby, Chairman, Australian Law Reform Commission, has long been a critic of the current Australian education system. Indeed, only last week, he wryly observed:

By the standards of our competitors, we are in an under educating society.

He criticised the education system in an address to the Phillip Institute of Technology graduation ceremony in Melbourne last week, when he made the fairly devastating point:

Whereas Japan has only 24 per cent of 15-19-year-olds in the labor market, Australia in 1980 had 61.5 per cent.

He said that in 1980, and I think that the Hon. Miss Laidlaw made a similar comment: 31.7 per cent of 17-year-olds were still at school in Australia compared with 88.1 per cent in Japan.

The figure for 17-year-olds in tertiary and secondary institutions in America is 84.6 per cent, the comparable figure in Australia being only 39.9 per cent. As Mr Justice Kirby observed:

It is not necessary to be a genius with figures to realise the long-term significance of these statistics for the Australian standard of living and even the safety of Australia in a world of rapid social and technological change.

Quite clearly, the figures show that there has been a decline in the number of school leavers going on to full-time higher education. Professor Karmel made that observation, and the figures support him. In 1979, 15.5 per cent of young people went on to universities, colleges of advanced education or technical and further education colleges; by 1981 that figure had dropped significantly to 13.6 per cent. That is very much the basis for Mr Justice Kirby's complaint that we will continue to be 'the lucky but undereducated country'. In the conclusion to Mr Justice Kirby's very important address in Melbourne last week, he said:

But to revive Australia's flagging fortunes we must build a society responsive to the age of science and technology and that is a formula for more education, more higher education and different education.

We live in a society of rapid change, of rapid technological change: a change where our manufacturing industry is dramatically shrinking and a society where the children of today cannot automatically get a job (which was the case with my generation).

Our education system must be responsive to the changes that are taking place and it must be sensitive to the needs of young people. We require standards of excellence and flexibility within the system to enable the education system at primary, secondary and tertiary levels to cope with the challenges that exist today. The Hon. Mr Lucas mentioned that we have the dilemma of a low retention rate, as I have already observed. In his second reading speech I think he tabled retention rates for South Australia in recent years. I emphasise that point and point out that, according to current statistics, students stay in school longer in South Australia than in any other State. However, one may argue that that could be because of higher unemployment. One cannot be dogmatic about the reasons for that higher retention rate.

Although the retention rate in South Australia is slightly above the national average, it has reflected the national average over the last decade or so; that is, it has slowly improved. It has not been a dramatic improvement, as predicted by the Karmel Committee of Inquiry into education in 1971; it has only been a slow improvement. I seek leave to table in *Hansard* a purely statistical chart showing student retention rates for Australia from 1969 to 1981.

Leave granted.

STUDENT RETENTION RATES, 1969 TO 1981

	1969	1972	1975	1977	1978	1979	1980	1981
Percentage retained to:								
Year 10—Persons	77.5	82.7	84.9	87.7	88.8	89.4	90.5	91.4
Males	78.7	83.8	84.8	87.1	88.3	88.5	89.5	90.3
Females	76.2	81.6	85.1	88.3	89.5	90.4	91.5	92.6
Government	75.2	80.6	82.8	86.1	87.1	87.3	88.5	89.2

STUDENT RETENTION RATES, 1969 TO 1981—*continued*

	1969	1972	1975	1977	1978	1979	1980	1981
Non-government	85.2	90.4	92.3	93.6	95.2	96.8	97.1	98.6
Catholic	77.6	84.4	87.9	89.5	91.5	92.9	93.5	95.3
Other	107.3	107.4	104.7	105.1	105.5	108.0	107.0	107.8
Year 11—Persons	42.5	48.2	50.5	52.3	53.4	53.0	54.0	55.2
Males	46.0	50.7	50.7	50.3	51.1	50.4	50.8	51.6
Females	38.7	45.5	50.3	54.4	55.8	55.8	57.3	59.0
Government	38.3	44.2	46.2	48.0	48.8	48.0	48.7	49.7
Non-government	55.9	61.9	65.7	67.5	69.6	70.6	72.2	73.5
Catholic	42.0	48.6	53.5	56.4	58.4	59.5	60.9	62.8
Other	96.5	99.6	99.9	97.8	100.9	101.8	104.2	102.7
Year 12—Persons	27.5	32.4	34.1	35.3	35.1	34.7	34.5	34.8
Males	31.1	35.7	34.6	34.0	33.1	32.4	31.9	32.0
Females	23.7	28.9	33.6	36.6	37.3	37.2	37.3	37.8
Government	23.0	27.6	28.6	29.7	29.6	28.9	28.4	28.5
Non-government	42.1	48.5	53.4	54.9	54.5	55.4	56.1	56.9
Catholic	29.7	35.2	40.9	43.2	43.1	44.1	44.8	45.6
Other	78.5	86.5	88.2	87.6	85.5	87.1	87.9	89.2

Source: Commonwealth Department of Education, Statistical Monograph No. 3.

The Hon. L.H. DAVIS: Without a clause 17 type proposition, how will standards for university entrance be maintained? Without wishing to be elitist, the tertiary institutions, particularly universities, are the apex of the education system. I do not believe that the Bill does enough to protect the apex of this pyramid.

Clause 8 of the Bill sets out the composition of the board, which will have 29 members appointed by the Government. The board will be a mix of educators and administrators, a mix of representatives from the tertiary level and the secondary level, teachers and parents. One can sympathise with this Government and the previous Government in striving to achieve an equitable balance acceptable to the many parties that are involved and have an understandable interest in this important subject.

I do not particularly quibble about the fact that there are 29 board members, but I do quibble about the fact that there are only four representatives from the universities; I concede that there are 11 representatives from the tertiary sector. If one wanted to be practical about this matter and pay more than lip service to the fact that we are equipping students for life more so than ever before, it could well be argued that there should be more than one person appointed from the employer group and more than one person appointed from the employee group. After all, the largest proportion of students in year 12 will enter the workforce rather than proceed into a tertiary institution.

The demands, expectations and pressures of the employers become important in the competitive job market. Of course, the wishes and expectations of the trades group and those people who best represent that important sector in our community (the United Trades and Labor Council) are important. No doubt, one could mount an argument to say that there should be greater representation from the employer and employee groups.

I am interested to note that clause 9 concedes the point that was a matter of some bitter debate in this Chamber some little time ago, namely, that the board shall appoint one board member to be Chairman and another board member to be Deputy Chairman. Members on this side fought for that principle quite strenuously in a Bill that was before us recently. I am pleased that the Government has accepted the principle that the board should have autonomy in so far as those appointments are concerned.

The Hon. R.I. Lucas: The Minister of Education is perhaps more reasonable than the Minister of Health.

The Hon. L.H. DAVIS: That is not for me to comment on, but I observe that it is very easy to judge. Division II sets out the functions and powers of the board and they are set out in some detail in clause 15. They are fairly wide ranging functions and I agree that they should be couched in fairly broad terms. I believe that they are, correctly, sign posts rather than a firmly defined path. I find that approach quite acceptable. The Hon. Miss Levy pointed out that it is good to see that the board has been given a specific function to undertake research into methods of assessing students in relation to subjects studied by them in year 12. I take that point, too. However, there is no provision in this Bill which strengthens or guarantees the role of tertiary institutions in relation to subjects nominated by them in regard to enrolment in tertiary level designated subjects. That is really the nub of the debate and the nub of the differences between the two Parties. I believe that that point is important. It is fundamental to my belief in excellence in education that the tertiary institutions that set the standards of excellence, the pinnacle from which many of our future leaders will come, should have the right written into legislation to ensure that they can have some definite say in syllabuses and in making assessments and accreditations for tertiary related subjects.

That is fundamental, I believe, to an education system such as we have in South Australia. I have two other points to mention. First, clause 20 states:

> The board shall, on or before the thirty-first day of March in each year, deliver to the Minister a report of its operations, during the period of 12 months that ended on the preceding thirty-first day of December.

I congratulate the Government on this provision, because so often we see reports from statutory authorities limping into home base two years after the period on which they are reporting.

The Hon. R.C. DeGaris: Not even to home base.

The Hon. L.H. DAVIS: They run out of steam before they reach home base. I must commend the Government for providing the same standards for a statutory body as those required of private institutions such as the B.H.P.

Some of the biggest companies are required by stock exchange regulations to report within three or four months after their reporting period is over. Therefore, the material in that report has some relevance and meaning to the people interested in the company. I commend the Government for picking up that requirement to report and hope that it can be a standard set for any statutory body, existing or proposed, in future.

The last clause in the Bill is the so-called 'sunset clause', which provides for the Act to expire on 31 December 1986—the sun sets after 3½ years. I am told that this is a compromise to appease the universities. It is a strange compromise because the Bill, in a sense, is a lame-dog Bill. It could be that a changed Administration will completely review this legislation. Admittedly, any Act of Parliament is capable of review, but, in this case, the sunset clause means that the people concerned with this clause will be required to start a review procedure at least 12 months before the expiry date required in this legislation. Therefore, presumably, in a little more than two years a heterogeneous collection of people interested in senior secondary assessment in South Australia will come together to see whether it is working. It is, I believe, an unsettling provision in the sense that people may, for a variety of reasons, see this as a lame-dog Bill from day one.

Quite clearly, the syllabus prepared or approved by this board is not going to start coming into play, members were told in another place, until perhaps early 1985. Being more realistic, it is going to be, I would have thought, 1986. Undoubtedly there is a very long lead time involved in preparing syllabuses, and we accept that. But surely it is more satisfactory, given the goodwill and recognition that exists on both sides of the importance of this measure, to try to resolve something now, so that senior secondary assessment in South Australia can go ahead with some certainty, instead of knowing that within two years it may be perhaps torn asunder. It is a strange provision. It is almost the Bill you are having when you are not having a Bill. Given the essential, long-term nature of a board like this, they just do not turn the ship of education around very quickly.

The Hon. J.C. Burdett interjecting:

The Hon. L.H. DAVIS: As my colleague, the Hon. Mr Burdett says, they will be sunsetting it just as the sun comes up. How ludicrous that is. This Bill, therefore, is a holding operation only. I believe that it is unsettling and unnecessary. We all know the demoralising effect there is on the teaching institutions, teachers and, indeed, the students and everyone involved in education when there is controversy affecting assessment boards and the procedures for assessment as went on with the old Public Examinations Board. We can all remember those days. I would hate to see, through the sunset provision enshrined in this Bill before us, that procedure repeated. It is the legislation you are having, as I have said before, when you are not really having legislation.

I do not understand (given the long lead time that is necessarily involved in preparing syllabuses, devising assessment procedures and bringing everyone together—all disparate groups involved, as reflected quite clearly in clause 8 when one looks at the range of interests involved in the membership of the board) why it is necessary to have clause 24 to sunset the Bill, so that the universities (or whoever it may be the Minister is seeking to appease) are appeased. I find that a disappointing conclusion to a Bill that I largely support. I stress again that I very much resist the non-inclusion of provisions which enshrine in the legislation some guarantee that tertiary institutions will be able to set standards for tertiary related subjects at the secondary level. It is so important in this so-called lucky country that is slipping down in living standards, when compared to our O.E.C.D. partners, that we maintain the pursuit of excellence in education rather than mediocrity. The pursuit of excellence in education should be the aim of all educators and legislators and that is why I very much commend to all honourable members the amendments which will be the subject of more debate during the Committee stages of this Bill. I support the Bill.

The Hon. M.B. CAMERON (Leader of the Opposition): I do not intend to detain the Council for long on this particular matter because it is fairly obvious what the end result will be. However, I feel that it is necessary to express a few opinions about what is occurring in relation to clause 17. Regarding the Allison clause, as the Hon. Mr Lucas has pointed out, there have been some variations of what was originally proposed. There is no doubt that in our institutions these days, and in the outside world, academic excellence has become an essential prerequisite for positions.

Society has changed dramatically, and in our technically based society we need to be sure that our standards are not only equal to but, if possible, better than those of the rest of this country and, certainly, the rest of the world. We are all aiming towards technically based industry in this State with high technology as the basis. That does not mean that they are the only industries that we will have, and there will always be others, but in terms of increasing the number of people employed this certainly is one of the greatest areas of growth and one that we have to look at very closely.

Many students from this State seek to attend universities in other States. It is essential, therefore, that the standards with which our students come out of our school system are acceptable in other States. I am thinking, particularly in this case, of the area in which I live in the South-East, where there is a very strong tendency for people to go to universities in Victoria.

The Hon. R.C. DeGaris: The Victorians come here, and they have the same sort of thing.

The Hon. M.B. CAMERON: Yes, at the moment, but the honourable member probably listened to the Hon. Mr Lucas's statement about the University of Adelaide in relation to Victorian standards. That is where I see a problem arising: while they are looking at curing what they see as a problem we are about to enter into the problem, and I would be very concerned if this happened. I deeply suspect that we could find ourselves—not all of us; some of us may not be here—in a few years looking again at this project and what has occurred to try to find how to cure the problems that we are creating tonight, and that disturbs me.

I am not opposed to this Bill as such. It is a move that has to be made. To some extent, we are blaming the universities for something that is not their fault; it is not their fault that the employers have taken the Matriculation certificate as one of the main standards by which to judge people, and perhaps employers and other people should have looked more deeply into that certificate and standard before they started using it so prolifically.

However, that will now be changed, but I have the distinct feeling that we may go too far and that we may find ourselves in a position of having to rectify this decision. I predict that certain schools in this State will direct their standards towards university entrance. We may well find a specialisation in schools, with a year 13 coming in directed towards university entrance. That is a potential problem and I would be very sorry if we caused people to have to go through an extra year at school in order to satisfy the universities that they were of sufficient standard because the standards laid down were insufficient.

I have already had some communication that this may well be the thinking of some schools, and that really bothers me. This would be occurring because the universities, in

my view, may well be pushed aside through the lack of acceptance of some direct input or sufficient direct input from them into this measure. I was not surprised when the Hon. Mr Lucas brought forward the information from Victoria and New South Wales—and I may say that I had no idea until this morning that he had either sought or received such information—because I had a feeling that that could well be occurring in those States. It is not just a matter of whether problems will arise concerning the year 12-university interface, but, when it happens (if it happens, and I predict that it will), it will be the result of a lack of university input into the system. With those reservations, I support the second reading.

The Hon. FRANK BLEVINS (Minister of Agriculture): I thank honourable members who have contributed to the debate. I was pleased with the strong expressions of support for the general principles that are enshrined in the Bill. To date, the only two contentious clauses that honourable members have mentioned are clause 17, of course, and clause 24. I suspect that there may well be before the night is over a great deal of debate on those clauses, and I think that we will leave the details of that debate until the Committee stages. I thank those who have contributed and have given the strong support that all honourable members have expressed, and I hope for the speedy passage of the Bill through Committee.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—'Interpretation.'

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

Page 1, after line 30—Insert the following definition:
"institution" includes an institution the principal function of which is the education of students at the tertiary level:'.

We are doing this simply to tidy up the definition. It does not alter the thrust of the Bill in any way, but we wanted to make quite sure that the word 'institution', which is used only in clause 15, does in fact refer to the universities, colleges of advanced education and other tertiary bodies that might be prescribed from time to time. We thought that this made the position a little clearer and took away some doubts that the universities, in particular, had as to whether it did or did not apply to their level. We went on with it because some doubts were expressed by the Parliamentary Counsel. This is the answer, and I understand that the Minister approves of it.

The Hon. FRANK BLEVINS: The Government agrees with the Hon. Mr Milne that this amendment makes the clarification to which he referred. We are happy to accept the amendment, and we thank him for drawing it to our attention.

The Hon. R.I. LUCAS: I am very surprised at those comments from the Minister, because I believe that this amendment is clearly superfluous. I am surprised at the suggestion of the Hon. Mr Milne that Parliamentary Counsel did not advise that this amendment was superfluous. However, I take the Hon. Mr Milne's word: I do not call him a liar, because that would be unparliamentary.

The CHAIRMAN: It certainly would be unparliamentary.

The Hon. K.L. Milne: It would be inaccurate in this case.

The Hon. R.I. LUCAS: Frankly, I am surprised that the Parliamentary Counsel advised a member of this Council to that effect, because, on any layman's or non lawyer's interpretation of the word 'institution', in no way can that word be limiting.

The Hon. K.L. Milne: Why have you defined it in such detail in your amendment?

The Hon. R.I. LUCAS: I will refer to that later.

The Hon. R.C. DeGaris: Don't get carried away. Why argue about it?

The Hon. R.I. LUCAS: Does the honourable member support it?

The Hon. R.C. DeGaris interjecting:

The CHAIRMAN: Order!

Members interjecting:

The Hon. R.I. LUCAS: I seek your protection, Mr Chairman. I believe that the definition adds nothing to the Bill. It certainly does not meet the needs that I believe can be met by a compromise clause 17. However, as the definition adds nothing to the Bill, I am not too fussed about it, and I am sure that my Party is not fussed about it. The Government has agreed to insert a superfluous definition, and so be it.

Amendment carried.

The Hon. R.I. LUCAS: I move:

Page 1, after line 32—Insert the following lines:
'tertiary institution' means—
(a) the University of Adelaide;
(b) The Flinders University of South Australia;
(c) the South Australian College of Advanced Education;
(d) the South Australian Institute of Technology;
(e) the Roseworthy Agricultural College;
(f) the Department of Technical and Further Education; and
(g) an institution declared by proclamation to be a tertiary institution for the purposes of this Act.
(2) The Governor may, by proclamation published in the *Gazette*
(a) declare an institution to be a tertiary institution for the purposes of this Act;
and
(b) vary or revoke a declaration made under this subsection.

The two amendments in my name are consequential, and the substantive amendment refers to clause 17. I seek your guidance, Mr Chairman, on whether I can address the general matters in both amendments in moving what, in effect, is the test amendment to clause 4.

The CHAIRMAN: The honourable member may address himself to his amendment to clause 4, which will be a test case for the main amendment, which he has circulated, namely, new clause 17a.

The Hon. R.I. LUCAS: I will not go over the ground I covered at some length in the second reading stage. Before I address clause 17 in detail, I will refer briefly to three points I raised this afternoon. First, the original clause 17 is now a compromise of a compromise. In effect, it is the clause that the universities and the tertiary institutions saw as a safeguard for the reduction of powers, the reduction of membership on the board from 14 to four, and the removal of the mandatory provision that the Chairman of the subject committee and the chief assessor of subjects be members of the staff of the two universities. The universities agreed to that safeguard provision in Mr Allison's Bill and were happy to support it. Clause 17 was removed from the Bill, and this amendment seeks to insert a compromise clause 17.

The second point I reiterate is that, according to the information I have received from Frank O'Neill, the Registrar, there is concern in Victoria about a provision that is similar to the provision to which the Hon. Ms Levy referred in her contribution. There has been so much concern that the four universities, five years after the introduction of a similar measure in Victoria—

The Hon. Anne Levy: It has been seven years.

The Hon. R.I. LUCAS: According to Frank O'Neill it has been five years.

The Hon. Anne Levy: That was in 1976.

The Hon. R.I. LUCAS: According to Frank O'Neill, it has been five years. The four universities are seriously concerned about the preservation of academic standards in

year 12. He further stated that a committee is now being established for registrars and the four chairmen of the academics committees to examine the general problem of year 12 interface with a view to finding a solution that will maintain entry standards of school leavers enrolled in university courses. I am sure that the Hon. Ms Levy can see the implication behind that sentence. Frank O'Neill further stated that similar disquiet is being voiced by the universities in New South Wales about a similar situation developing there.

The third point to which I referred in the second reading stage was the result of the possible non-passage of clause 17 and the possibility however slight (and I hope it is slight—I hope it does not happen), of the formation of a separate tertiary entrance examination in South Australia, which I believe would be disastrous. I did not quite understand the full import of what the Hon. Ms Levy suggested in regard to the need for tertiary entrance to be decided after year 12: I am not sure whether she was supporting the concept of a separate exam. However, she did not suggest that, so I do not say that she did so. I would be interested to hear exactly what she meant by that statement.

The amendment to clause 4, which the Hon. Mr Milne asked me to explain provides a definition. Quite simply, it sets out the definition of 'tertiary institution' and defines a tertiary institution as being the University of Adelaide, Flinders University, the South Australian College of Advanced Education, the South Australian Institute of Technology, Roseworthy Agricultural College, and the Department of Technical and Further Education. It includes a catch-all provision, and refers to an institution declared by proclamation to come into that definition and into the provision of tertiary institutions later on. In regard to the substantive amendment, to which I refer particularly, there is a very important change in the wording of this compromise new clause 17a compared to the original provision in the Allison Bill. New clause 17a (1) states:

A tertiary institution may, if it has the approval of every other tertiary institution . . .

I believe that the Hon. Mr Milne referred to the difficulty that would be entailed in the tertiary institutions coming to some form of unanimous agreement. My amendment does not comply in every respect with what the representatives of the universities might do if they were standing in my place this evening. They, too, recognise that that provision would mean that they could not dictate their views to all tertiary institutions. That was one of the major factors in the compromise, particularly if one refers to the Department of Technical and Further Education, which is a tertiary institution under this definition, responsible to the Minister of Education.

Under the amendment, the approval of every other institution must be forthcoming. I am sure that, if the universities had their way, they would be looking for a majority view from those tertiary institutions. They believe strongly that there should be consensus in this debate (and overall, all members hope for a compromise as well as consensus in regard to this provision).

If that is the case with the universities, they have to gain unanimous approval. Clearly, the Minister of Education has input with the Department of Technical and Further Education in regard to the view the department takes. The views of the university cannot thus hold sway over all the other tertiary institutions. One need look only at the debate about clause 17 to see how difficult it is for the universities to convince all other tertiary institutions to join them in the letter sent to all members.

In the end, the two universities got the South Australian Institute to join them but were unable to get the South Australian College of Advanced Education; I am not sure whether they approached the Roseworthy College, they may have done so. I am sure that they did not approach TAFE. They were unable to get unanimous support for their view on clause 17 from all tertiary institutions. I refer to proposed new clause 17a (1) and subclauses (3) and (4), which are the big steps towards compromise. I seek a compromise in proposed clause 17a that can be supported by all Parties. Subclause (2) is simple. It does no more than require the board to establish a committee to prepare a syllabus for the subject concerned. It provides that the board 'shall' establish a committee. Subclause (3) provides:

The tertiary institution may, if it has the approval of every other tertiary institution, nominate persons to be appointed as members and the person to be appointed as chairman of the committee and the board may, where it thinks fit, make appointments in accordance with those recommendations.

It is solely a recommending power. The board, as it should be, as the subcommittees are subordinate in this respect to the overall powers of the board, will make the final decision. That is a sensible provision. It means that the board will make the final determination in relation to membership and the final decision in regard to the chairmanship of all subcommittees.

It gives the tertiary institutions a guaranteed right to make recommendations. The change there as compared with the present P.E.B. legislation is significant, because there is no indication that the chairman of the committee needs to be a member of the academic staff of either university. Certainly, we do not believe that the present provision ought to be reflected in the new Bill, and we have not sought to do that. It is more than likely that certain subcommittees will be chaired by people who are not members of the academic staff of the universities, and we support that flexibility.

The amendment in regard to subclause (4) will give all tertiary institutions collectively the power to nominate persons to be appointed to undertake the assessment of students; in effect, chief assessors or examiners. It is just a nominating and recommending power to the board and the board may, where it thinks fit, make appointments in accordance with those recommendations. Once again, the board retains the final power, as it should, in relation to the appointment of chief examiners. Again, the chief examiner need not be a member of the academic staff of either university, as provided in the current Public Examinations Board Act.

In relation to clause 17 and the suggested compromise, what do we have? All tertiary institutions must agree, and therefore the universities cannot hold sway. They can nominate subjects and the board must establish a subcommittee. The board can agree or not agree to nominations of membership of the subcommittee. The board can agree or not agree to the chairmanship of the subcommittee, and it can agree or not agree and not have to give reasons in regard to the position of chief examiner. Out of the whole procedure will come some form of syllabus. What happens to it, and who makes the final decision? Clearly and correctly under clause 15, the board does. There are safeguards all the way along within the compromise amendment regarding the powers and functions of the board.

Frankly, some of the claims that have been made about the respective forms of the compromise clause 17 have been a little far fetched. To suggest that a compromise clause 17 will negate in any way the whole purpose of the Bill is really stretching the truth a little far. In fact, amongst the many people with whom I have had discussions on the matter was one prominent opponent of clause 17 who represented one of the major lobby groups. I will not name him, but he argued his case well and, after questioning and debate at length, conceded that clause 17 in his view does not really give the tertiary institutions any greater power than they already have. He said, 'Clause 15 is the coverall.'

It really is a question of emphasis. I respect his view. I do not agree with it because, if it is really only a matter of emphasis—we accepted the amendments of the Hon. Mr Milne in regard to an earlier superfluous amendment to the definition clause—and if the view of this opponent is correct that it is only a matter of emphasis, then why cannot members support the compromise clause 17? In that case, the problems and disputation that have arisen in this whole matter would disappear over night. That has explained at sufficient length the background to compromise clause 17. I hope that in Committee tonight we might see some consensus and acceptance by the other Parties for my amendment.

The Hon. FRANK BLEVINS: The Government opposes this series of amendments. In his second reading speech the Hon. Mr Lucas said that his Party supported the principles behind the Bill. My argument and that of the Government is that that clearly is not the case. The Hon. Mr Lucas is attempting to destroy the whole intent of the Bill.

The Hon. R.I. Lucas: Nonsense.

The CHAIRMAN: Order!

The Hon. FRANK BLEVINS: That comes across very clearly indeed. We are trying to achieve a little more relevance in the year 12 examinations. The majority of students who take the Matriculation course do not go on to tertiary studies. However, the curriculum for that year is geared that way. We are attempting to make year 12 and courses leading up to year 12 examinations much more relevant to the needs of students coming out of schools in the 1980s. Therefore, we are trying to ensure that what they are examined on has some relevance to their future employment.

The introduction of these amendments is an attempt to negate that whole idea. The Hon. Mr Lucas has referred to a Mr O'Neill who apparently supports his proposition. Mr O'Neill is entitled to his opinion and he is entitled to use the Hon. Mr Lucas as his mouthpiece. However, who supports the Government? The Opposition has brought up only the universities and a Mr O'Neill. All members of the Committee have received a letter from the Chairman of the Advisory Curriculum Board, Professor I.S. Laurie, as follows:

> In view of the impending debate in the Legislative Council on the Senior Secondary Assessment Board of South Australia, I draw to your attention the following resolution which was adopted unanimously at yesterday's meeting of the Advisory Curriculum Board:
>
> > The Advisory Curriculum Board supports the Senior Secondary Assessment Board of South Australia Bill as passed in the House of Assembly on 3 May 1983 and expresses strong opposition to the amendments proposed by the member for Torrens, Mr M. Wilson, in the Lower House.
>
> The Advisory Curriculum Board is a statutory authority established under section 82 (2) of the Education Act, 1972-1974, to assist the Director-General of Education to determine the curriculum in South Australian schools. Its membership includes representatives of:
>
> Independent Schools Board
> Catholic Education Office
> Education Department
> Chamber of Commerce and Industry
> South Australian Institute of Teachers
> Public Examinations Office
> South Australian School Parents Club
> South Australian Association of State School Organisations
> Joint Matriculation Committee
> Department of Technical and Further Education
> United Trades and Labor Council
> High School Councils Association
> Association of Junior Primary School Parents Clubs
>
> On behalf of the Advisory Curriculum Board, I urge that in view of the weight of opinion opposing the effect of the proposed amendments the Legislative Council will allow the Bill to pass unamended.

I believe that all those organisations represent a strong show of unity. They represent a broad spectrum of the community with a broad range of expertise, from the Trades and Labor Council right through to the Chamber of Commerce and Industry. Surely, the weight of opinion from all those organisations must persuade us much more than the Hon. Mr Lucas and his Mr O'Neill. I am not in any way trying to denigrate Mr O'Neill or the Hon. Mr Lucas. They have their opinion and no doubt they hold it quite sincerely. However, when one looks at the weight of opinion on the other side, I believe that one must come down on the side of the Bill.

The Hon. R.C. DeGaris: What is Professor Laurie professor of?

The Hon. FRANK BLEVINS: I would not have a clue.

The Hon. Anne Levy: He is a professor of French.

The Hon. FRANK BLEVINS: He is writing not as a professor of French but as Chairman of the Advisory Curriculum Board. I think that of whatever faculty he is professor is fairly irrelevant. Apparently, the Liberal Party never learns. The Liberal Party has an elitist image. In fact, that was mentioned by its Parliamentary Leader, and statements to that effect at a Liberal Party meeting received wide publicity. He said that ordinary people did not believe that the Liberal Party cared for them.

When one looks at the amendments now before the Committee one cannot blame ordinary people for thinking that way. The Liberal Party just does not care: it has an elitist view of society, which is entirely consistent with its philosophy, and that is recognised by the people. That is also recognised by all the groups mentioned in Professor Laurie's letter, and they have all asked for the Bill to go through as it is.

The Hon. R.I. Lucas: They have not recognised that the Liberal Party is being elitist. You're reading more into it, Frank.

The Hon. FRANK BLEVINS: The Hon. Mr Lucas should contact those organisations and tell them where they are going wrong. Those organisations have made it quite clear that they support the Bill as it stands.

The Hon. R.I. Lucas: They did not say that the Liberal Party was elitist.

The Hon. FRANK BLEVINS: No reasonable person could infer anything else.

The Hon. R.I. Lucas: You're implying that those organisations believe the Liberal Party to be elitist.

The Hon. FRANK BLEVINS: That is the only inference that can be drawn. As I stated earlier, the whole thrust of this Bill will broaden the curriculum and make it more relevant. I urge the Committee to oppose the amendments.

The Hon. I. GILFILLAN: First, I refer to a comment that may have created some doubt about the accuracy of a remark made by my colleague. As I served as research assistant to the Leader of the Democrats in that instance, it is probably the transport of information from the Parliamentary Counsel where the fault occurred. I would hate Parliamentary Counsel to shoulder the blame for what may be our mistake. As all honourable members would know, the Australian Democrats are rather light on in relation to research assistance. I ask for the Committee's indulgence in what may have been a misunderstanding between my Leader and myself.

Coming from a sheep farm and never having attended a university, taught in a school or been very close to a school for a long time, I think that my view of this matter is certainly from the side and that I do not have any prejudiced position. I believe, as I have with similar quality legislation in the past, that this Committee is showing an example of how to achieve consensus and constructive reform. Therefore, I have been embarrassed to hear excessive language from the Minister representing the Minister of Education. I have absolutely no sympathy for the Minister's opinion that the Hon. Mr Lucas and the Liberals are attempting to destroy this Bill. I believe that the Liberal Party is sincere

in its efforts to achieve a proper piece of effective legislation, as is every other member in this Chamber. It is a rather unfortunate reflection to regard elitism as being appropriate to this debate. In passing, I commend the Minister for his fairly snappy suit. The Minister certainly graces the office that he holds.

These are only minor details on the landscape as we progress towards the successful passage of this Bill. The Hon. Mr Lucas made a few remarks on which I will comment. He was inclined to imply that our amendment is superfluous. I do not think that it is. That he is attempting to introduce as one of his amendments a definition of 'tertiary institution' shows that the Bill is, in fact, added to by having a more specific interpretation and identification of what is meant by the word 'institution' in it.

The Australian Democrats' amendment, even if it does not add substantially to the Bill, does clarify matters for those having a casual read of what is intended. The lament of falling standards which has been forecast with some gloom as a consequence of this Bill is not relevant. The actual lament of falling standards has already been made frequently by people. I am not subscribing to this opinion, because I am not yet convinced that there are no other reasons for the way in which statistics have been recorded, and that slipping standards in some academic form may be compensated for by other criteria which show confidence in dealing with other aspects of life other than passing exams. Where the Hon. Mr Lucas argues in favour of his amendment I think we get to a point where the Democrats have been able to be of assistance in looking in from the side. It is a shame that this particular tussle seems to have generated so much heat. We are convinced that clause 17a (as amended, as amended, as amended) really offers no more than does clause 15 to tertiary institutions and, in fact, has some disadvantages.

Mr Lucas has already mentioned the principal disadvantage so far as getting unanimous approval is concerned. The wording of the amendment is similar to the provision which states that the board may, where it thinks fit, do certain things, which is virtually the same phrase as that used in clause 15 *(b)*. I believe sincerely that the hearts of both major groups are involved in getting this legislation through (realising that there is no significant difference between what is achievable in clause 15 of the current Bill and what may have been thought to be achievable in amended clause 17a). It is unfortunate that they are in the position where maybe a loss of kudos may appear to go with any concession given. I believe that the Bill will do as good a job without proposed clause 17a, so I will oppose the amendment.

The Hon. ANNE LEVY: I, too, oppose this amendment. I will take up a few of the comments made by the Hon. Mr Lucas and agree with several of the comments made by the Hon. Mr Gilfillan. The Hon. Mr Lucas again stressed the reduction in membership of the tertiary section on the new SSABSA board. I remind him, as I reminded him this afternoon, that the present Public Examinations Board gains 43.75 per cent of its membership from the tertiary sector. The new SSABSA board will gain 38 per cent of its membership from the tertiary sector. I do not think that that reduction is relevant to the matter we are discussing.

I regret it if my remarks this afternoon regarding selection for tertiary studies and assessment were not clear to the Hon. Mr Lucas. When I said that the selection process should come after assessment, I was not in any way supporting a separate examination for selection for tertiary studies. I agree completely that this would be disastrous. I cannot imagine that such a situation would arise. I was attempting to explain that the assessment procedure should be divorced from notions of selection for tertiary studies, that it should not be geared to selection for tertiary studies, that it is a valid process in its own right, and that, once assessment procedures have occurred, selection for tertiary studies is a separate process. I certainly do not support separate examinations for that purpose.

I am surprised that the Hon. Mr Lucas has put forward this amendment whereby there must be unanimity between tertiary institutions. He has specifically stated, quite correctly of course, that one of the tertiary institutions in this State is the Department of Technical and Further Education. This being a Government department, it is under Ministerial control. So, by his amendment, the honourable member is giving Ministerial control to what subjects will be nominated and used for selection of students for tertiary studies.

The Hon. R.I. Lucas: Don't you think the Minister would be reasonable?

The Hon. ANNE LEVY: I think that this is removing autonomy from tertiary institutions, which they would be aghast at contemplating. My understanding, from people at universities to whom I have spoken, is that they do not welcome such a condition being placed in the legislation. They would be appalled at the idea of having to get unanimity between all tertiary institutions before a subject could be designated as being used for selection for tertiary studies. The amendment put forward by the Hon. Mr Lucas, by definition including a Government department under Ministerial control, is removing autonomy from tertiary institutions that I am sure they would not wish to give up. The University of Adelaide Act and the Act for the establishment of Flinders University of South Australia certainly give these two tertiary institutions at least complete autonomy in terms of selection criteria.

The Hon. R.I. Lucas: As it still would.

The Hon. ANNE LEVY: It would not.

The Hon. R.I. Lucas: They could do whatever they wanted under their own Statute. This would provide possible additional powers. Their present Statutes are not touched in any way by this.

The Hon. ANNE LEVY: It would mean that they would require Ministerial approval before they could indicate that a subject at year 12 level was wanted by them in selecting students for enrolment. This is an abrogation of the autonomy of the universities that I am sure they would not uphold. My information is that they do not wish for this amendment in this form in any circumstances. They are jealous of their autonomy, and rightly so, and would not wish it affected in the manner suggested here, whereby there could be indirect Ministerial control over the subjects required for enrolment at the tertiary level.

The Minister has carefully indicated the advice we have all received from the Advisory Curriculum Board, representing a very wide range of educational organisations, and their opposition to the type of amendment which the Hon. Mr Lucas has moved. I must say that they are not the only organisations which have indicated opposition to the type of amendment suggested. The Secondary Deputy Principals Association has written, certainly to me, and I imagine to all members of Parliament, expressing its opposition to this type of amendment.

The Curriculum Directorate Working Party, the High School Principals Association, the Commissioner for Equal Opportunity and, very significantly, TEASA are opposed to this type of amendment. (For those who are not familiar with these multitudinous educational acronyms, TEASA is the Tertiary Education Authority of South Australia, the controlling authority for the tertiary sector outside the universities; this is a body of considerable significance in the tertiary sector of education in the State, and it is opposed to the type of amendment which the Hon. Mr Lucas is proposing.)

I can see no value in this amendment. It is opposed across the board by all sorts of educational bodies, and I am sure that its supposition of Ministerial control is opposed by universities, along with the other sections of the tertiary education scene in the State. I certainly oppose the amendment.

The Hon. L.H. DAVIS: The Minister made the point that the proposed amendment of the Hon. Mr Lucas will make year 12 syllabus subjects less relevant to the needs of the students. How will that be the case?

The Hon. FRANK BLEVINS: The Hon. Mr Davis seems to have forgotten the whole intent of the Bill, and I am quite happy to stand here again for 15 minutes and set it out, but that would be tedious and probably out of order.

The Hon. L.H. Davis: Just answer the question.

The Hon. FRANK BLEVINS: I will do that when I am good and ready. The whole intent of the Bill is to broaden the curriculum as much as is practicable and make it much more relevant to what students actually do when they are past year 12. The whole intent of the Hon. Mr Lucas's amendment is to restrict and tie up the year 12 examination as much as possible and to keep it oriented to tertiary students.

The Hon. R.I. Lucas: No.

The Hon. FRANK BLEVINS: If that is not his intent, I suggest that the honourable member go back to the drawing board and the Parliamentary Counsel and look at the amendment, because there is no doubt that that is what the Hon. Mr Lucas wants to do and that that is what the universities — and that is the only group — want to do, whereas almost the whole of the rest of society wants to do what the Government wants to do. That, broadly, is the answer. That is what it gets down to. If the Hon. Mr Davis cannot see that, I regret that his understanding of what is going on here tonight is very limited, but it does not surprise me.

The Hon. R.C. DeGARIS: Most of the honourable members in this Council know my views on this Bill. I would like to say at the beginning that the Minister representing the Minister of Education, handling one of his first Bills in the Council, needs to learn one thing: that is, when he has the numbers he should not talk too much.

The Hon. Mr Gilfillan pointed out that the argument against the amendment of the Hon. Mr Lucas, dealing with the question of elitism and things like that, does not assist those who may have to attend to it in the long run. The Hon. Mr Lucas has done a lot of work on this Bill, and I appreciate what he has done. I also appreciate that there is an argument in favour of the line that he has taken; I do not accept that argument. I support the Bill as it is for my own reasons, but I do not criticise in any way the view expressed by the Hon. Mr Lucas.

This Bill has been subject to a good deal of lobbying from both the tertiary institutions and from the people involved in the secondary education system, and there are arguments both ways. I favour the Bill as it is because I believe that the procedures which we need to adopt, and in which achievement is assessed to precede selection of tertiary education or employment, are extremely important.

Universities and colleges will have interest in what is included in the syllabuses and the students' performances in subjects of particular interest to them. They will need to be sure that the students going to them have a higher level at year 12 to enable them to cope in their future studies. What concerns me is that if we continue with the present arrangement we will continue with the assessment for tertiary students only rather than looking at student achievement as part of the board's responsibility.

As I read the Bill, there is adequate protection for tertiary institutions. They have the absolute right to say which subjects will be acceptable to tertiary education. I point out that 11 tertiary representatives are on the board. There is nothing to prevent the tertiary institutions engaging in their own development of syllabuses which, if they meet the criteria set down by the board on which they are represented, will be approved. I do not see any great difficulty in this Bill, but I am not at all critical of the Hon. Mr Lucas, who, I believe, has done a tremendous amount of work, and I congratulate him for it; but, I do not agree that his amendments do anything in this Bill to add to its concept.

I would like to comment here on further amendments, but I will stay with the Bill as it is drafted. I believe that the sunset clause, if the Hon. Mr Lucas's amendments are not passed, should remain in the Bill.

The Hon. R.I. LUCAS: I am frankly very disappointed with the Minister's contribution to this evening's debate, in particular, with his inference that the bodies which approve of Professor Laurie's letter and whose names he read into the transcript (and I will not read them out again) believe that the Liberal Party was elitist in its views on education. That is a gross error by the Minister, and I think that on mature reflection he may well wish that he had not said that. At least, I hope that on mature reflection he would withdraw that inference about those bodies and their views with respect to the Liberal Party being elitist.

The Hon. Frank Blevins: I was talking about your Leader.

The Hon. R.I. LUCAS: Read it in *Hansard.* I accept that these bodies take a view that is different from the view I am putting. I accept that, but I do not accept the inference made by the Minister, who should look at the record. In addition, the letter from which the Minister has quoted from Professor Laurie does not refer in any way to the amendments before this Committee. The Hon. Ms Levy was wiser: she referred to a type of amendment. Those institutions have had the opportunity to consider the amendments moved by the Hon. Mr Wilson in the House of Assembly.

The Hon. Frank Blevins: It is the very same principle.

The Hon. R.I. LUCAS: That was the point the Hon. Ms Levy made, but I disagree with that. As I argued in the second reading stage, this is a compromise of a compromise. It is a further amendment, and is different in two major respects from the Michael Wilson amendment.

The CHAIRMAN: Order! The honourable member has picked up a nasty habit of referring to honourable members by their Christian names. That is contrary to Parliamentary practice.

The Hon. R.I. LUCAS: Thank you, Mr Chairman. Mr Wilson's amendment provided in subclauses (3) and (4) that the board shall agree unless it can find substantial reason not to agree. The provisions (as I am sure the Minister would agree) of this amendment are significantly different. I agree that those bodies do not accept the amendment moved by the Hon. Mr Wilson. However, that is beside the point.

The Hon. Frank Blevins: They say that they support the Bill as it is.

The Hon. R.I. LUCAS: They do not say that. It is stated:

> The Advisory Curriculum Board supports the Senior Secondary Assessment Board of South Australia Bill as passed in the House of Assembly and expresses strong opposition to the amendments proposed by the Hon. Mr Wilson in the Lower House.

The Hon. Frank Blevins: In the last line, it is stated that the Legislative Council will allow the Bill to pass unamended.

The Hon. R.I. LUCAS: That was not the resolution passed by those bodies: that is stated in the letter from Professor Laurie. There is a difference between a resolution and a letter from a gentleman relaying the views expressed by a meeting of a number of bodies. The Minister should realise that what I have just quoted was the resolution, and it refers to the amendments moved by the Hon. Mr Wilson in the

Lower House. I repeat that the amendment that has been moved in this Committee is significantly different from the amendment moved in the Lower House.

Another matter to which I refer was also raised by the Hon. Ms Levy. I do not believe it is true that the universities strongly oppose the provisions of this amendment. I do not doubt that, in an organisation as big as the University of Adelaide, certain members of the academic staff (whom the Hon. Ms Levy might have consulted or who might have expressed a view to her) may hold different views. However, the official negotiating team (if I might use that term), the group that was given the power to negotiate in the absence of the Vice-Chancellor in the past week, and in effect the Vice-Chancellor with respect to this provision, has indicated to the shadow Minister and to me that they supported this provision.

Those people much preferred the provision in this amendment rather than the Government Bill without any amendment. It is important to place that point on the record. The official stance of the university (as I guess in regard to many things) may be different from the personal views that might have been expressed to the Hon. Ms Levy regarding this provision. I believe, as I think the university negotiators believe, that the Minister is a reasonable person and would not seek in any way to subvert this amendment if it is carried, the intent of the amended clause, or the clause. They believe that, with some argument, discussion and debate, that they could reach an agreement.

Finally, I cannot agree with the suggestion that the amendment would in any way affect the powers of the universities under their own enabling Acts and statutes. That power under their statutes will remain. If the universities want to set up their own tertiary entrance examinations, if they want to set subjects and assessment procedures, they can do the whole box and dice. Basically, this gives them the opportunity to plug into (and hopefully they will do so) the Senior Secondary Assessment Board system. With those comments, I urge members to support the amendment.

The Hon. ANNE LEVY: I want to set the record straight. The comment I made earlier regarding the opposition of the University of Adelaide to the requirement of unanimity among tertiary institutions did not come from individual members of the academic staff, be they friends or acquaintances of mine: those views came from the Registrar, Mr O'Neill, who, as the Hon. Mr Lucas says, is the chief negotiator for the university in this matter in the absence of the Vice-Chancellor. It was Mr O'Neill who told me that the university did not like the idea, or was opposed to the principle, of having to obtain unanimity. I am not inventing that view.

One comment I would certainly like to make is that I do not think anyone should take the view that the universities are opposed to the principles of this Bill. From the various discussions I have had with members of staff at the university and those on the university council, of which the Hon. Mr Lucas and I are members, there is complete agreement with the principle that year 12 should be broadened and made more relevant to the general body of students who undertake this course of study and that the requirements of the tertiary institutions should not distort the secondary school curriculum. The universities agree on this point. They are also concerned about standards, and rightly so.

However, in Plato's time there was talk of falling standards of education. It is a constant cry that one hears all the time from more senior members of educational communities. There may be many theories why people make such statements but, without evidence of falling standards, one must take such statements with a fairly large helping of salt, particularly since such comments on falling educational standards have been made ever since Plato's time.

They were not at such a pinnacle then that they have been going downhill ever since.

The Hon. I. GILFILLAN: Honourable members have quoted various authorities to support their stand. We would like to have our say. I had a conversation with the Chairman of the Matriculation Committee, David Hester, Lecturer in Classics, and through the Registrar with the Deputy Vice-Chancellor, Professor Glow. I was certainly confident after those conversations this morning that their opinion was that with our amendment, which was an interesting reflection to me on the ambiguity of the original text, they were happier with the Bill unamended, and that is the position that I had verbally from them. I assure the Committee that I do not think by defeating this amendment we will offend at least those two people, who are significantly representative of those most concerned in the matter.

The Hon. FRANK BLEVINS: I cannot resist taking up the challenge once more after the patronising remarks of the Hon. Mr DeGaris, who did not even have the saving grace of being original. Some dispute has arisen in regard to the letter I read out earlier in Committee, when I quoted the organisations associated with the sentiment of the letter. The Hon. Mr Lucas suggested that, because they had not seen his actual amendments, the statements made in the letter had no validity. The resolution states:

> The Advisory Curriculum Board supports the Senior Secondary Assessment Board of South Australia Bill as passed in the House of Assembly on 3 May 1983 . . .

Those are the first three lines of the resolution, and I cannot see how anything can be clearer than that. To suggest that those organisations do not support the Government position is quite misleading. The last line of the letter states:

> . . . the Legislative Council will allow the Bill to pass unamended.

That is not the position of these groups, and it is a little misleading on the part of the Hon. Mr Lucas.

The CHAIRMAN: I will put this amendment as a test case.

The Committee divided on the amendment:

Ayes (8)—The Hons J.C. Burdett, M.B. Cameron, L.H. Davis, H.P.K. Dunn, K.T. Griffin, C.M. Hill, Diana Laidlaw, and R.I. Lucas (teller).

Noes (11)—The Hons Frank Blevins (teller), G.L. Bruce, J.R. Cornwall, C.W. Creedon, R.C. DeGaris, M.S. Feleppa, I. Gilfillan, Anne Levy, K.L. Milne, C.J. Sumner, and Barbara Wiese.

Pair—Aye—The Hon. R.J. Ritson. No—The Hon. B.A.Chatterton.

Majority of 3 for the Noes.

Amendment thus negatived; clause as amended passed.

Clauses 5 to 7 passed.

Clause 8—'Membership of the Board.'

The Hon. R.I. LUCAS: What is the Government's thinking in providing for one member to be appointed on the nomination of the Commissioner for Equal Opportunity?

The Hon. FRANK BLEVINS: I would have thought that that was self-evident. The whole thrust is to give greater opportunity to all students in South Australia. Obviously, one of the people best able to ensure that is the Commissioner for Equal Opportunity. If the Hon. Mr Lucas has some objection or query about any of the people who are to nominate members, the last one he should query is the Commissioner for Equal Opportunity.

Clause passed.

Clauses 9 to 23 passed.

Clause 24—'Expiry of Act.'

The Hon. R.I. LUCAS: This clause provides that the Bill will expire on 31 December 1986. As I said in my second reading speech, I do not believe that there is any good, solid or sound reason for having such a provision in this Bill. I believe that there is considerable evidence to the contrary. The Minister in another place indicated that the present

Public Examinations Board syllabuses will, in the main, extend through to 1985. He indicated that it is possible that the new board could approve the odd syllabus prior to 1986, but, in the main, the syllabuses will be as approved by the P.E.B. at the moment.

I am advised by the P.E.B. that some of the subjects for 1985 are already completed and that by June of this year major amendments to some syllabuses will be completed and, certainly by November this year, all of the syllabuses for 1985 will have been completed. I am also advised by the P.E.B. that the present procedures are such that schools are generally given 12 months warning prior to the introduction of a new syllabus. If that is the case and the present procedures are followed by the new board, any syllabus introduced prior to 1986, that is, 1985, would require notification by early 1984. In effect, that would mean that the new syllabuses would have to be approved within six months after the initial operation of the new board.

Quite clearly, the first full year's operation of the new board will be 1986. The first full year in which it is possible that the new syllabuses will be up and going is 1986. Clause 20 provides:

> The Board shall, on or before the thirty-first day of March in each year, deliver to the Minister a report of its operations during the period of twelve months that ended on the proceeding thirty-first day of December.

The report from the board will not come in until, probably, March 1987. In effect, the legislation will cease prior to the receipt of the first report from the board after its first full year of operation. I believe that is nonsensical. In fact, I see no good reason for the clause.

I understand that the Minister believes, as outlined to the University Council (of which the Hon. Ms Levy and I are members), that this clause is some form of compromise in relation to clause 17. I do not think that the compromise is worth anything. I ask the Government to reconsider this clause. The board will not be able to operate in a manner that will be conducive to the good operations of the Bill, and the clause should be removed.

The Hon. FRANK BLEVINS: The Hon. Mr Lucas is being much more reasonable in relation to this clause and far more co-operative than he was earlier in the evening. There is nothing sinister in this clause at all. To suggest that this clause is some kind of compromise is drawing too much of a long bow. Some reservations about this proposition have been received from various quarters. It was considered not unreasonable that the whole question of the Bill and the whole topic should be reviewed after December 1986. We believe that that is a reasonable proposition. Whether or not this clause survives, the whole concept of the Bill will be under constant review. I support this clause, but I am happy to accept the decision of the Committee on the voices.

The Hon. K.L. MILNE: My Party believes that a sunset clause in this type of Bill is a mistake. We are almost overwhelmed by the eloquence of Opposition speakers. A review of some kind in 1986 may be helpful. As the Minister has said, the Government will be reviewing the progress of this legislation from time to time. Surely, if the new scheme is not working properly, everyone involved will know about it. Surely, the people involved can review the situation by mutual agreement without having it laid down in legislation. I think it is preferable to leave it to the discretion of the people we have asked to trust each other to make the system work. Hoping that that will prevail, we support the deletion of this clause.

The Hon. ANNE LEVY: I refer to the time table delineated by the Hon. Mr Lucas. It is true that by early 1986 there will not have been an opportunity for the effect of any new courses in year 12 to be evaluated according to the results attained by students.

The reason for the insertion of this clause was because of concern not only about how students might perform under a new system but also about the system itself and the establishment of procedures for drawing up syllabuses and choosing examiners. The sunset clause is proposed because the tertiary institutions felt that the whole process of establishing new syllabuses was not satisfactory from their point of view and so that it could be reviewed in three years time.

I agree that it is far too early a review to assess results obtained by students but, in terms of reviewing the processes involved, it would not be too early.

As I understand it, the clause was inserted by the Minister to reassure the universities in particular regarding their concern about the processes of determining syllabuses. I felt it necessary to explain that it is not a question of the timing schedule, as explained by the Hon. Mr Lucas, being really applicable to the argument on this clause.

The Hon. R.C. DeGARIS: I make my point quite clear: this clause should remain in the Bill. I do not want to go through all the arguments again, but it is necessary to ensure that this Parliament does discuss this matter at some time in the future. A sunset clause is necessary in this matter. I would not mind if the sunset clause was longer away than 1986, but, because of the problems pointed out by the Hon. Anne Levy, Parliament should be aware of them and the Bill should come back at some stage. As the end of 1986 is a reasonable time for it to come back, I support the clause.

Clause negatived.

Title passed.

Bill read a third time and passed.

INDUSTRIAL RELATIONS ADVISORY COUNCIL BILL

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

The Hon. C.J. SUMNER (Attorney-General): I move:

That this Bill be now read a second time.

It cannot be denied that more has been achieved in the development of society as we know it through co-operation and mutual consideration than through the adoption of a bald, steam-roller approach. This is no less true of government. Over the years, it has been a fundamental premise of the Labor Government that consultation and co-operation are the very foundation-stones of good government upon which development, progress and harmonious relationships are to be built. While this principle operates across the whole spectrum of public activities, it is especially applicable in the area of industrial relations.

In the three short years the Liberal Government occupied the Government benches, this State unfortunately experienced the very antithesis of this basic rule of industrial relations. That Government appeared deliberately to ignore in the formulation of its industrial policies not only the views of the trade union movement and workers in general but also employers and their organisations, the very bodies which traditionally support conservative governments. The Liberal Government's inadequacies in this area were epitomised by the former Minister's confrontationist approach in the handling of industrial disputes, areas inevitably requiring the use of delicate conciliatory skills to achieve a satisfactory resolution for all parties. This speech, however, does not strive to list the failures of the former Government in this respect. What it does seek to highlight is that Government's blatant disregard of the basic courtesy and common sense practice of consulting with all relevant parties

on legislative matters which would have, or were to have, a significant impact on the industrial relations system operating in this State.

I refer, of course, to the 1981 amendments to the Industrial Conciliation and Arbitration Act and the amendments last year to the Workers Compensation Act which were thrust at very short notice upon members in this place and the community at large. These amendments involved significant changes to the workers' compensation system in South Australia and to the wage fixing principles applicable to decisions of the State tribunals.

Of even more concern were the amendments introduced to the Industrial Conciliation and Arbitration Act in September last year in which the then Government sought to ride roughshod over the recommendations of the very authority that it had appointed to review and advise the Government on any changes necessary to that Act, Mr Frank Cawthorne. It is well known in industrial circles that Mr Cawthorne reported to the former Government in April 1982 and that his recommendations as foreshadowed in his discussion paper are far reaching and important. It was unfortunate for both Mr Cawthorne and the South Australian public which funded the report that Mr Cawthorne made recommendations with which the Liberal Government disagreed. In times gone by, the bearer of bad tidings was summarily executed. The Liberal Government was a little more refined. When it got the information it did not like, namely, that its policy was out of touch with industrial reality, it simply ignored it and refused to publish Mr Cawthorne's findings.

This was a deliberate act to hide from the people of South Australia what the people of South Australia had paid for and what they had a right to know. The thinking was obviously, 'Well if we do not agree with it it must be wrong, therefore no one else is going to know about it.' It was an arrogant, autocratic action from a Government desperate to hide from the people just how intellectually lacking its industrial relations policy really was. On several occasions in the other place, the present Minister challenged the former Minister on this matter and sought to persuade him to fulfil his obligations. However, the then Minister was adamant in his decision and, indeed, chose to totally ignore the vast bulk of the recommendations in that report in introducing his provocative amendments to the Industrial Conciliation and Arbitration Act. As a result of this action the present Minister of Labour gave an undertaking that, should a Labor Government be returned to office at the then looming election, his first task as Minister of Labour would be to release the Cawthorne Report for general consideration and comment. To this end, in December last year he was able to fulfil this promise, and copies of Mr Cawthorne's report were made available to all interested parties.

The Minister of Labour would like to take this opportunity to place on public record his appreciation for the thorough, conscientious and comprehensive task performed by Mr Cawthorne in his review of the Industrial Conciliation and Arbitration Act, and I certainly endorse the Minister's support. Mr Cawthorne's report, accompanied by his discussion paper, covers the whole gamut of industrial relations issues, and they stand as major works on this most important area. The Minister foreshadows that the report will be given tripartite consideration through the means afforded by this Bill before decisions are made on the recommendations it contains.

However, at this point, I must stress that I have been particularly impressed by Mr Cawthorne's concern to suggest improvements to the system which, as a whole package, would attract and gain the acceptance of the major participants in that system. He stresses that a consensus view is especially necessary in industrial relations matters, and that any imposition of changes without widespread acceptance is doomed to failure.

This point once again emphasises the dangers of imposing unilateral decisions on the community without the appropriate degrees of consultation and discussion as a necessary preliminary to any legislative or other policy action. As far as industrial legislation is concerned, the Labor Government specifically included in its election policies the promise that consultation would become the paramount feature. To this end, this Bill seeks to entrench the principle of consultation and advice in the industrial legislative process and to establish the machinery through which such consultation is to take place.

The Industrial Relations Advisory Council has existed as a non-statutory body since 1971, when the Minister's predecessor as Minister of Labour and Industry, Mr D.H. McKee, appointed the first council. It comprised representatives of the four major employer associations in this State, the United Trades and Labor Council, and the permanent head of the Department of Labour and Industry. It was chaired by the Minister.

Until the change of Government in 1979, the council met on a regular basis to confer on industrial relations, industrial training and associated matters and, through the Minister, to advise the Government on such issues. However, under the previous Government, council meetings were held only spasmodically and, indeed, the council did not meet at all in 1982 until the Minister called the members together for a meeting on 17 December 1982.

In his report, Mr Cawthorne recommended that the status of the body would have to be reviewed if the council was to be made more effective. This observation is strongly supported by the Government. In this respect, it is considered that the council can play an important role in the review of draft legislation on a tripartite basis and in advising the Government formally on industrial relations and related matters.

Accordingly, this Bill seeks to make the Industrial Relations Advisory Council a statutory body, with the explicit function, among others, of considering all proposed industrial legislation and to advise the Minister. The Council is to comprise four employee representatives and four employer representatives. They will be nominated by the Minister after consultation with the United Trades and Labor Council and employer associations. The council, which will also include the permanent head of the Department of Labour, will be chaired by the Minister. In order to ensure that the frequency of meetings of the council does not become haphazard, the Bill creates a statutory obligation for the council to meet quarterly, and also requires the council to report on its activities to the Premier annually.

In addition to its role in legislative review, the council's functions will be to assist and advise the Minister in the formulation and implementation of policies affecting industrial relations, employment and other related matters. It can also investigate and report to the Minister on any matters referred to the council by the Minister or other council member. In this way, it is proposed to formalise an official channel of information from industry to the Government through the Minister, in order that policies can be made in full knowledge of the particular circumstances involved.

In order to fulfil the function of considering industrial legislation, the Bill specifically requires that draft copies of all proposed industrial legislation be placed before the council at least two months prior to the intended date of introduction into Parliament of the relevant Bill. The legislation to be reviewed in this way is listed in a schedule to the Bill, which includes all Acts under the Minister's administration.

As a matter of practical reality, however, this Bill recognises that in some cases the need for Parliament to react urgently

to a particular situation will be necessary. Accordingly, the Bill will allow the council in such circumstances to itself waive or reduce the two months lapse period, although not the consultative process as such. This will ensure that all legislation will be scrutinised and commented upon by the council, although the time for lengthy consideration may not be available.

In keeping with the spirit embodied in this Bill, the Minister circulated copies of it to the existing Industrial Relations Advisory Council in December for comment. The comments were considered at a meeting of the council on 17 March 1983 and the final Bill was endorsed on Tuesday. In the light of these consultative arrangements, Parliament and the community can be assured that due consideration has been given to all the issues raised in legislation, and that the points of view of all parties involved have been examined.

Finally, I should mention that a sunset clause has been included in the Bill. This means the legislation will expire after three years unless legislative amendment to the contrary is made. This will enable the Government of the day to review, naturally in consultation with the Industrial Relations Advisory Council, the effectiveness of the arrangements. I seek leave to have the Parliamentary Counsel's detailed explanation of the clauses included in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clause 1 is formal. Clause 2 provides for the commencement of the measure. Clause 3 sets out the arrangement of the Act. Clause 4 is an interpretation provision. Included in this provision is an explanation of the cases where legislative proposals have industrial significance, which is of relevance to later provisions of the Bill. The review of certain legislation proposals of industrial significance by the Industrial Relations Advisory Council is provided for in a later section.

Clause 5 provides for the establishment of the Industrial Relations Advisory Council. Clause 6 constitutes the membership of the council, being the Minister, the permanent head of the department administering this Act, four employee representatives, and four employer representatives. The Minister is to be the chairman of the council. Provision is made for the appointment of alternative members. Clause 7 provides for the term of office of members and for the Governor, on specified grounds, to remove a member from office and to fill any vacancy in membership. It is noted that one ground for removal is that a member of the council has ceased, in the opinion of the Governor, to be a suitable person to act as a representative. This provision allows regulation of the situation where a member ceases to be associated with the persons whom he was appointed to represent.

Clause 8 provides for the remuneration and expenses of members. Clause 9 sets out the proceedings of the council. Meetings are to be held at least quarterly. A quorum is to be constituted by six members, including the Minister and at least two employee representatives and two employer representatives. The council is directed to seek to achieve consensus on all questions arising for its decision. Proceedings should be conducted on a non-political basis and the council should not interfere with the work of industrial tribunals. A degree of confidentiality is prescribed and public announcements on decisions of the commission can only be made with the unanimous agreement of members.

Clause 10 provides that the council may, with the consent of the Minister, establish committees to assist it in its work. Clause 11 describes the functions of the council, being to advise in the formulation of policies affecting industrial relations and employment, to advise upon legislative proposals of industrial significance, and to investigate other matters referred to it by the Minister, or by members. Proposals of industrial significance should be referred to the council at least two months before a Bill to give effect to the proposal is introduced into Parliament. However, the provisions of the Bill are not to apply to legislative proposals introduced by members of Parliament who are not Government Ministers, nor to proposals introduced during the course of the Parliamentary process. Provision is also made for the council to waive, or reduce, the prescribed period of consultation.

Clause 12 provides that the council shall provide a report annually on its work to the Premier. Clause 13 is a sunset provision and limits the life of the Act to three years. The schedule sets out the list of Acts to which it is proposed that this measure apply.

The Hon. C.J. SUMNER: The Bill that I am presenting is an attempt to put some coherence and consistency back into the industrial relations field after the scatter-gun, confrontationist approach over the past three years from the Party opposite. As I mentioned previously, the Bill itself was drawn up after consultations with all parties involved. So, it is not just the unilateral action of one party. It is something that already has the approval of people from different political persuasions.

It is only through such an advisory process that consensus can be reached on issues that significantly affect our lives. The recent State and Federal elections have shown that this is the approach now most favoured by the community. I urge all members to vote in favour of this Bill.

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

ADJOURNMENT

At 10.14 p.m. the Council adjourned until Wednesday 11 May at 2.15 p.m.