LEGISLATIVE COUNCIL

Thursday 2 June 1983

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

REAL PROPERTY ACT AMENDMENT BILL

At 2.16 p.m. the following recommendations of the conference were reported to the Council:

That the Legislative Council do not further insist on its suggested amendment to the amendment of the House of Assembly and that the House of Assembly amend its amendment as follows:

4. The following section is inserted in Part XVIII of the principal Act after section 200:

201. (1) There shall be a fund kept at the Treasury entitled 'Real Property Act Assurance Fund'.

(2) The Assurance Fund shall have credited to it—

(a) any moneys advanced by the Treasurer under subsection (3) (not being moneys that have been repaid to the Treasurer in accordance with the terms of the advance);

(b) the moneys paid by way of assurance levy by virtue of the regulations; and

(c) any interest that may from time to time accrue to the Fund.

(3) The Treasurer may advance moneys to the Assurance Fund by way of grant, or on a temporary basis.

(4) Moneys standing to the credit of the Assurance Fund shall be applied for the purposes of this Part, but if those moneys are not immediately required for the purposes of this Part, the Treasurer may advance the whole or part of those moneys to the Consolidated Account and, in that event—

(a) if any payment is to be made from the fund and the balance of the fund is insufficient to meet that payment, the advance shall be repaid to such extent as is necessary to supply the deficiency; and

(b) any amount advanced to the Consolidated Account shall bear interest at the rate of 10 per centum per annum, or such other rate that may be prescribed.

(5) The regulations may—

(a) prescribe an assurance levy not exceeding the amount of two dollars per instrument to be paid in addition to the fees, or particular classes of fees, payable in relation to the registration of any, or all, of the following instruments:

(i) transfers on the sale of land under Part X;

(ii) leases and surrenders of leases under Part XI;

(iii) mortgages and discharges of mortgage under Part XII;

and

(b) exempt prescribed persons, or persons of a prescribed class, from payment of the assurance levy.

(6) The Registrar-General shall keep a separate account of all moneys received by him by way of assurance levy.

(7) The regulations prescribing an assurance levy under this section shall expire on the thirty-first day of December, 1988 and thereafter an assurance levy shall not be payable by virtue of this Part.

and that the Legislative Council agree thereto.

PAPER TABLED

The following paper was laid on the table:

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

Pursuant to Statute—

Referendum (Daylight Saving) Act, 1982.

PERSONAL EXPLANATION: TELEPHONE TAPPING

The Hon. C.J. SUMNER (Attorney-General): I seek leave to make a personal explanation.

Leave granted.

The Hon. C.J. SUMNER: The *News* today carried a report of a statement which I am alleged to have made about telephone tapping. I have not at any time made that or any other statement to the *News* or any other section of the media relating to telephone tapping. Some confusion apparently developed with an officer of my department over some background material on the general issue of the Crimes Commission. The statement is not attributable to me. The question of telephone tapping is covered by Federal law. Any extension of this to the States could only be considered after full discussion of the issues. No doubt it will be considered in the context of the Federal Government's consultation powers relating to the establishment of a Crimes Commission.

QUESTIONS

HONEYMOON URANIUM PROJECT

The Hon. M.B. CAMERON: I seek leave to make a short explanation before asking the Attorney-General a question about the Honeymoon uranium project.

Leave granted.

The Hon. M.B. CAMERON: Honourable members would be fully aware of the situation that occurred in relation to Honeymoon when this Government came to power. It was the decision of this Government that the Honeymoon uranium project should not be allowed to proceed. This matter was the subject of a Ministerial statement in this Council. Part of that statement was as follows:

> My Federal colleagues also pointed out that advice from their departments indicated that the world uranium market remained in a very poor state and was unlikely to improve significantly for several years. Doubts were expressed that acceptable contracts could be written while the market remained in its present state of over-supply.

Members would also be aware that production at Roxby Downs will be allowed to proceed because it is a mine which contains a significant amount of another metal—copper. We now have the unique situation in this State of several different types of uranium varying in danger. There is uranium which was found before July 1982—before the Labor Party conference which declared it unsafe. Uranium mined before that date is safe to use anywhere in the world! We have uranium which is found now and is about to be produced, we hope, at Roxby Downs. This was found in conjunction with another metal and is safe to mine even though, with an output of 4 000 tonnes a year, it is going to be the second biggest uranium mine in the world. So, there is uranium found in the future in conjunction with another metal, which is safe.

Then there is uranium that may be found in pure form that was not found or mined before that date. That is going to be unsafe uranium because it was declared unsafe by the Labor Party which has a new scientific theory that, as long as it was found in pure form after July 1982 it is not safe. This is the most remarkable set of circumstances existing anywhere in the world, I think, and shows the sheer hypocrisy of this Government and the Federal Government. However, part of that Ministerial statement appears to have been proved wrong, and today in the *News* an article appeared which states that Roxby Downs may get the green light in 1984. That is the mine that will produce 4 000 tonnes of uranium each year.

The Hon. R.I. Lucas: That is the safe stuff.

The Hon. M.B. CAMERON: Yes, that is the safe stuff, not because it was mined before July 1982 but because it matched the other criterion that sufficient quantities of copper were found with it. This is most remarkable. It

appears that the Government, or the company involved, may be in a position to indicate a decision to proceed with mining. The reason for this is that a new study by an authoritative industry body NUEXCO predicts a market revival by 1988. An article in today's *News* states:

> Western Mining Corporation chairman, Sir Arvi Parbo, said today the latest projection on the uranium market was in line with WMC's assessment, and could point to the ability of the company to write long-term contracts for supply from 1988.

Then, later:

> He said projections for an upturn in the uranium market by 1988, further strengthening in the early 1990s, fitted 'nicely' with the potential for the mine to be on stream at the earliest time.

We have a mine here called Honeymoon which is ready to go and from which this State will receive considerable amounts of royalties—

The Hon. K.T. Griffin: Plus jobs.

The Hon. M.B. CAMERON: Plus jobs, and that is probably more important, but royalties are just as important in view of the Government's statement of only yesterday that it could not proceed with an important capital project in this State (at Finger Point) because it lacks the finance to do so. This is one way that the Government can get that finance in a short time—by allowing Honeymoon to proceed and by reversing its previous ridiculous decision, which was based on such an incredible set of rules drawn up to fit in with A.L.P. policy. Will the Attorney-General, in view of this present situation, ask his Cabinet colleagues and the Government to review their decision in relation to Honeymoon—

The Hon. L.H. Davis: And their Federal colleagues.

The Hon. M.B. CAMERON: And their Federal colleagues—to allow only the supposed safe uranium to be mined from the mines that fit in with the circumstances of the Labor Party Federal Conference in order that we may get this project off the ground and gain the benefits from it for South Australia?

The Hon. C.J. SUMNER: I recall that a similar question was asked by the honourable member earlier in the session. I gave a full answer on the subject matter raised, and the situation has not altered. Accordingly, I refer the honourable member to the answer I gave at that time.

BREAD PRICES

The Hon. J.C. BURDETT: I seek leave to make a brief explanation before asking the Minister of Consumer Affairs a question about bread prices.

Leave granted.

The Hon. J.C. BURDETT: It has been stated in the press recently that not so long ago there was a fairly severe outbreak of bread discounting to quite a low figure. According to press reports, that has stopped for the time being but, unless something has been or is done, undoubtedly it will occur again. I have obtained a copy of a letter that the member for Mitcham in another place wrote to the Minister, although that letter might not yet have come to the Minister's personal notice. Undoubtedly, discounting will break out again.

This is a very complex issue, because so many different parties are involved—the consumers; the housewives, who quite rightly want to buy bread as cheaply as possible; the bread carters and the employees of the baking industry, who are worried about losing jobs if discounting by the supermarket chains continues; the delis and other small shops, which are also worried that massive discounting by the supermarket chains will damage their business; and the supermarkets, which maintain, with some degree of validity, that these days bread is really a grocery line and thus they are entitled to put bread 'on special' just as much as they are entitled to put other lines 'on special'.

This is not a new problem: it came to a head, as some honourable members may recall, during the term of the previous Government, and a meeting was called by the then Minister of Industrial Affairs (Hon. Dean Brown) and me at which we were able to negotiate an agreement with some of the parties. I believe that that agreement worked fairly effectively for a considerable time in preventing chaos in the industry. Has the Minister been able to negotiate an agreement with the parties or with some of the parties? If he has, what is the agreement, and if he has not, what steps are proposed to deal with the matter when it next arises?

The Hon. C.J. SUMNER: The honourable member rightly pointed out that an agreement was arrived at as a result of the previous Government's chairing a conference with various parties. The former Ministers who were involved in those discussions were the Hon. Mr Brown as Minister of Industrial Affairs and the Hon. Mr Burdett as Minister of Consumer Affairs. The agreement of 1980 limited discounting to a maximum of 5c.

The Hon. J.C. Burdett: And in certain cases—

The Hon. C.J. SUMNER: That agreement was substantially kept (although it is true to say that there has not been universal adherence to it) from 1980, when the agreement was reached, until the most recent bout of discounting. A couple of weeks ago, when discounting resumed, the Government encouraged adherence to the agreement that had been reached during the term of office of the previous Government.

No action was taken beyond that. That is the current position. The parties agreed to return to the agreed situation, as arrived at by them in consultation with the previous Government. The spate of discounting that occurred a couple of weeks ago was such that it could not be economically sustained by anyone. It was clear that the price was unprofitable to manufacturers and that it was quite unrealistic to expect that those excessively discounted prices would be maintained. After that week of discounting the situation returned to the position that obtained following the agreement arrived at by the previous Government. That is still the position, as I understand it.

PERSONAL EXPLANATION: STATISTICAL TABLES

The Hon. K.L. MILNE: I seek leave to make a personal explanation.

Leave granted.

The Hon. K.L. MILNE: Last night, when I was speaking on the Workers Compensation Act Amendment Bill, I quoted some examples of the various items which made up the total wage cost. I gave three examples. I quoted the first one in full and then said that I would seek the leave of the Council to incorporate the others in *Hansard* without my reading them. I omitted to seek leave. On speaking to an officer of *Hansard* this morning I found that he had noticed this and had kept the information aside, waiting to get permission. He would not include it unless I actually got the permission of the Council. I have spoken to the President this morning and he has agreed that the figures are statistical only, and has approved in principle. I now seek leave of the Council to include these (and the forbearance of the Council to do it now) in the *Hansard* record of my speech last night.

Leave granted.

QUESTIONS RESUMED

COURT SENTENCE

The Hon. K.T. GRIFFIN: I seek leave to make a brief explanation before asking the Attorney-General a question on the subject of an appeal against a sentence.

Leave granted.

The Hon. K.T. GRIFFIN: In the *Advertiser* of 24 May it was reported that Mr Justice Legoe had sentenced an 18-year-old Kimba farm hand, Hughes, to life imprisonment for the murder of a neighbour. The judge also fixed 3½ years as the non-parole period; the report observed that this was the shortest non-parole period for murder fixed in South Australia since the courts were obliged to set non-parole periods, from mid-1981. The report said:

> The judge said that despite some evidence that the first shot was not accidental, he fixed the non-parole term on the basis that it was and that the jury had accepted that possibility.

That is somewhat curious if the report is accurate because the conviction was for murder (causing death intentionally) not manslaughter.

The report went on to observe that catastrophic consequences had followed Hughes' action. The murdered man had left a young widow and child, and another child had been born after his death. In the light of the grave concern which the report has created and the shortness of the non-parole period for a conviction for murder, I ask the Attorney-General:

1. Has he decided to institute an appeal against the non-parole period?

2. If he has made a decision not to appeal, will he give his reasons?

The Hon. C.J. SUMNER: I have not yet made a decision on that matter. I have not yet received a report on the matter from the Crown Prosecutor. When I do, I will be in a position to advise the honourable member.

BURRA COPPER

The Hon. DIANA LAIDLAW: I seek leave to make an explanation before asking the Attorney-General, representing the Minister of the Arts, a question about the return of important cultural and historically significant items to the town of Burra.

Leave granted.

The Hon. DIANA LAIDLAW: Without comparing myself necessarily in any way, shape or form to Melina Mercouri, the Minister of Culture for Greece, I allude to her recent visit to Britain as part of a campaign by the Greek Government to retrieve the Elgin Marbles from the British Museum and restore them to their original site on the Partheon.

The Hon. J.R. Cornwall interjecting:

The Hon. DIANA LAIDLAW: As I said, I was not comparing myself with her at all.

The Hon. Frank Blevins: What about Mrs Thatcher?

The Hon. DIANA LAIDLAW: She is a winner. While our history is not as long or as colourful as that of Greece, Burra has played a most significant role in the development of our State. That role was acknowledged further on 7 May last, when the Premier and Minister for the Arts announced that Burra would receive $500 000, or one-quarter of the contribution to be made by the Federal Government to sesqui-centennial projects in South Australia. The money will be used to develop a national copper museum and to restore one of several pump-houses and several more of the miners' cottages in Paxton Square. The siting of a national copper museum in Burra is a coup for the town and for South Australia.

It is the view of a number of people associated with the project that the status of the museum and the quality of its exhibits would be enhanced if the museum was able to gain on permanent loan from the British Geological Museum in London a number of that museum's excellent and extensive specimens of rich copper ore taken from Burra in the 1850s, some of which are on display but much of which are held in storage. Further, it has been suggested that civil pride in Burra would be boosted considerably if the South Australian Museum would agree at the appropriate time to loan to the proposed national copper museum the magnificent piece of uncut malachite/azurite (approximately 18in. x 20in.) currently in the possession of the museum. This piece of ore, referred to as 'the punch bowl', is rated as the finest specimen of South Australian ore, and in 1851 was a prominent exhibit at the Philadelphia Exhibition.

I refer also to many important paintings of the township in the 1850s by the early South Australian artist S.T. Gill, which are currently held in storage by the Art Gallery of South Australia. I suggest that, if all or a number of these paintings could be displayed on a semi-permanent basis in Burra, this gesture would help to boost the tourism potential of the town and would be a fitting acknowledgement of the foresight and the immense amount of work undertaken by many conscientious people in Burra to protect and restore the heritage of the town for the benefit and pleasure of all South Australians. Does the Minister agree that the return of some copper ore specimens from the British Geological Museum would enhance the national copper museum at Burra?

The Hon. C.J. Sumner: The poor old British Museum will have nothing left.

The Hon. DIANA LAIDLAW: These articles are in storage. If the Minister does agree, is he prepared to take the appropriate steps to arrange for a number of the specimens to be transferred to Burra on a permanent loan basis? Further, is the Minister prepared to initiate discussions with the Board of the South Australian Museum to facilitate the transfer of the magnificent specimen of copper ore known as the 'punch bowl' to the national copper museum, and will he also initiate discussions with the Board of the Art Gallery of South Australia to facilitate the display of all or a number of the S.T. Gill paintings of Burra in a suitable venue in the town?

The Hon. C.J. SUMNER: The matters raised by the honourable member are interesting and important. I think the British Museum may well consider itself to be in a state of siege following the Greek Government's representations, and now the honourable member requests the South Australian Government to make representations to the United Kingdom for material held in the British Museum.

Members interjecting:

The Hon. C.J. SUMNER: I do not think that the British Museum will make any mistake in relation to the requests from the Greek Government and the South Australian Government. It would be quite a coup if that happened!

The Hon. M.B. Cameron: We have a bigger Greek population—

The Hon. C.J. SUMNER: We have a bigger Greek population than England. Melbourne is the third largest Greek city in the world.

The Hon. R.C. DeGaris: The second—

The Hon. C.J. SUMNER: It is third after Athens and Thessalonika.

The Hon. R.C. DeGaris: It is the first outside of Greece.

The Hon. C.J. SUMNER: Yes. The issues raised by the honourable member are important. I will have to obtain a report from the Minister and bring back a reply.

PARLIAMENTARY LIBRARY

The Hon. ANNE LEVY: I seek leave to make a brief explanation before asking the Minister of Health, representing the Minister of Local Government, a question about records in the Parliamentary Library.

Leave granted.

The Hon. ANNE LEVY: The Libraries and Institutes Act, section 148, requires that any material published in South Australia must have copies deposited in both the State Library and the Parliamentary Library. I am sure that many people who publish material in South Australia are unaware of this provision—

The Hon. R.I. Lucas: Including political Parties.

The Hon. ANNE LEVY: Some are, yes—and omit to provide such material to either the State Library or the Parliamentary Library. The result is that on numerous occasions members of Parliament and others search for material they expect to be in the Parliamentary Library and do not find it there, it never having been supplied to the library as it should have been under the Act.

I realise that notifying people of their obligation in this way may be a difficult procedure, but I am sure that the Minister of Local Government and his staff would be able to turn their minds to this so that material available in the Parliamentary Library could more adequately cater for the needs of members of Parliament and, incidentally, have the law obeyed in this respect. Some of the items which are not deposited there include, as the Hon. Mr Lucas suggested in his interjection, material and pamphlets issued by political Parties. Also, company reports are not lodged in the Parliamentary Library, as they should be, for all South Australian companies.

The Hon. K.T. Griffin: They are on file at the Corporate Affairs Commission.

The Hon. ANNE LEVY: That is not here. Also, I understand that many documents produced by Government departments which are public documents do not have a copy sent to the Parliamentary Library. Reports and submissions are prepared by many Government departments; some are circulated to members of Parliament; some are presented to the Parliamentary Library, but many are not. It would seem to me to be desirable that such things should be available when requested by a member without having to make specific application to the particular Government department or the Companies Office, all of which can take time, when, according to law, these things should be all available in the Parliamentary Library.

It may be that the Companies Office can help the library in this respect. Will the Minister take steps to ensure that the Act is complied with in this regard and more widely inform the publishers of this material in South Australia of their obligations under the Act, to the benefit of our library here?

The Hon. J.R. CORNWALL: I shall be pleased to take the honourable member's question to my colleague and send her a letter in writing (as my former colleague, the Hon. Mr Casey, used to say) during the Parliamentary recess.

MEEKATHARRA COAL

The Hon. I. GILFILLAN: Has the Minister of Agriculture a reply to the question I asked on 11 May 1983 regarding Meekatharra coal?

The Hon. FRANK BLEVINS: In response to the honourable member's supplementary question, I have been advised by the Minister of Mines and Energy that the reply of 11 May required no modifications subsequent to the information provided on 10 May.

MULTI-PASSENGER VEHICLES

The Hon. G.L. BRUCE: Has the Minister of Agriculture a reply to the question asked by my colleague, the Hon. C.W. Creedon, on 19 April about multi-passenger vehicles?

The Hon. FRANK BLEVINS: The Minister of Transport informs me that there are now at least seven passenger carrying vans on the South Australian market with seating capacity from five to eight passengers. Only one of these requires minor modifications to comply with the requirements of the Road Traffic Act, 1961-1981. The General Motors-Holden 'Shuttle LS', by definition, is a bus which has to comply with the requirements of the Code of Practice for Omnibuses. This vehicle does not, nor can it readily be made to, conform with the regulations under the Road Traffic Act or Code of Practice for Omnibuses. If it is intended to use the shuttle as a private family vehicle, it can be considered reasonable to exempt it from the regulations, subject to certain conditions. These conditions include the fitting of seat belts complying with current regulations to all seating positions.

Seat belts originally fitted in the rear compartment of the shuttle were not suitable. (It was possible for the seat belts to be partially engaged: a passenger could wear the seat belt believing it to be properly fastened when, in fact, the buckle could come undone in the event of an accident or a sudden stop.) One of the seat belts incorporated a non-locking retractor. This could be particularly dangerous in the case of a child passenger. Such devices are not approved under Australian Standards.

Some Holden Shuttles brought into South Australia by individuals are being upgraded to current legal requirements under the supervision of the Division of Road Safety and Motor Transport. This type of vehicle was occasionally further upgraded, by safety conscious individuals or companies, to provide for the fitting of approved child harnesses and child safety seats. It should be noted that the division is enforcing only minimum safety requirements under current regulations. Where individual members of the public wish to upgrade their vehicles to a higher level of safety, the relevant advice, supervision and inspection facilities are readily provided by the Division of Road Safety and Motor Transport.

ASIO

The Hon. R.I. LUCAS: I seek leave to make a brief explanation before asking the Attorney-General, as Leader of the Government in this Council, a question about ASIO.

Leave granted.

The Hon. R.I. LUCAS: At a luncheon meeting today addressed by Mr Peter Duncan, member for Elizabeth in another place, I understand that he advocated that ASIO should be disbanded. I am informed that the member stated his view that ASIO was an arm of the C.I.A. Can the Attorney say whether the member for Elizabeth was reflecting the policy of the State Government and, if he was, whether the State Government intends to place this view before the current royal commission into ASIO?

The Hon. C.J. SUMNER: I have not seen a report of the remarks made by the member for Elizabeth in the House of Assembly at a luncheon. The Hon. Mr Lucas was not there either, apparently, but has received some information on this topic which has prompted him to ask this question. The situation in relation to ASIO is the subject of an inquiry at the moment regarding both the specific allegations raised about Mr Combe and on the general question of the future of ASIO. No doubt the Royal Commissioner will produce a report which can be considered by the Government. At

this time the State Government has no proposal to put before the Royal Commissioner, but the matter is under due consideration.

The Hon. K.T. Griffin: I thought that the Premier was reported this morning as saying that the Government was not going to present a submission.

The PRESIDENT: Order!

MIGRANT/POLICE WORKING PARY

The Hon. M.S. FELEPPA: I seek leave to make a brief explanation prior to asking questions of the Attorney-General, as Attorney-General, and also representing the Chief Secretary, about the Migrant/Police Working Party Report.

Leave granted.

The Hon. M.S. FELEPPA: Honourable members will recall that I have asked this question several times in this Chamber, and I can assure you, Sir, that I do not feel any joy in reviving this matter again. The recent presentation of the report on the Migrant/Police Working Party and the subsequent comments in the press by the Police Commissioner have disturbed many South Australian residents of migrant origin, and, in regard to the report, Sir, there are some comments which are necessary prior to my question: the report seems excessively concerned about two points:

(a) that in the provision for the use of interpreters, migrants are not given an advantage or privilege not available to the rest of the community; and

(b) that the free hand of the police is affected as little as possible as a result.

On page 13 the report states:

> The party had to be careful not to place non-English speaking persons in a better position than English speaking persons.

In answer to this quote it is inevitable that I have to say that the working party is consumed by the fear of according wronged people some privilege which, minimally, could be seen as better than is offered to the rest of the community. Recommendation 2 of the report states:

> The decision as to whether a person requires an interpreter should be left to the police . . .

Again, I am amazed that a working party set up to inquire into the need for interpreters in the Police Force would come out with such a recommendation. Was this report not called for precisely because there were problems and accusations of injustice against the police? And yet here we are leaving the decision on whether an interpreter is needed to the entire discretion of the police themselves. That discretion was always there.

The report is prepared to deny a person the right to ask for an interpreter simply on the grounds that it may be abused by someone who does not need an interpreter, and yet insists on one as quoted on page 15 of the report, which states:

> . . . the right to an interpreter could be abused by some who do not need an interpreter and yet insist on one; . . .

The report is prepared to allow the police to decide on the need for an interpreter in spite of the fact that there have been innumerable complaints in the past, and it requires then the intervention of the court to make a decision as to whether the police were right or wrong in denying the interpreter. Will it not be too late then? Is it not easy to fabricate evidence to convince the court that under the circumstances the police officer was satisfied that his decision was correct?

The report describes also the current interpreting services available to the Police Department. It states that there are two interpreters who between them speak the following languages: English, Polish, Russian, German, Italian, and Ukrainian. It also states that neither has received formal training but they have been accredited by the National Accreditation Authority of Interpreters and Translators (NAATI) at level 2 (which is the subprofessional level). However, the report does not indicate in which language NAATI has accredited them.

The PRESIDENT: Order! I must remind the honourable member that explanations are given to make a question quite clear to the Minister of whom they are asked. They must not go into too much detail.

The Hon. M.S. FELEPPA: I accept your ruling, Mr President. However, I have not been taking too much time as I have observed the time taken by other honourable members. Finally, prior to my question, I must comment on the remarks of the former Police Commissioner, quoted in the *Advertiser* on 23 May 1983, about the level of his interpreters, that, after all, appropriate accreditation at the professional level of NAATI 3 is only a piece of paper, and I quote:

> Mr Giles said the standard of interpreting did not depend on 'a piece of paper' and that police were satisfied with the two officers' work.

I am astonished at his statement, something absolutely improper for a person in his position. With attitudes of this kind is there any wonder that interpreters have such low status in the Police Force? Is it also any wonder that migrants complain of unfair treatment by the police?

My questions to the Chief Secretary, as Minister in charge of police, are these: Will the Minister report whether the statement by the former Police Commissioner represents official policy of the department? Does this mean that the Commissioner, in the appointment of interpreters, does not consider their academic and accreditation achievements? Does it also mean that the Commissioner is prepared to employ persons without academic or NAATI qualifications? Finally, does the Commissioner also accord the same status of 'just a piece of paper' to the training they provide to the police cadets?

Will the Attorney-General order a report on the likely consequences of the implementation of recommendation 2, which gives the police authority to determine the need or not for an interpreter, as opposed to giving this right to the person under interrogation? Also, will the Attorney-General indicate how recommendation 2 fits in with the State A.L.P. policy, which requires this Government to legislate to provide a legal right to an interpreter?

The Hon. C.J. SUMNER: I can answer all of those questions. The official policy of the department is to support the working party report. There is no dispute about that. I am pleased at this opportunity to advise the Council on this matter, because there was some misconception about the attitude of the police to the Migrant/Police Working Party and the recommendations that went to Cabinet in that regard. There was some suggestion that no consultation took place with the Police Department on this report, and that was quite incorrect. There was consultation.

The matter first came before Cabinet on 21 March (of course, the police participated in the working party report), and the matter was adjourned to enable the police to be approached formally on the issue. In a memorandum to the Chief Secretary from Mr Giles, the Commissioner of Police, the attitude of the Police Deparment on the report is stated, as follows:

> I have reviewed this report and the associated Cabinet submission dated 10 March 1983 under the hand of the Minister of Ethnic Affairs. Generally, I concur with the recommendations, except to indicate that, with respect to recommendation (1) of the Cabinet submission, we reserve the right in special circumstances to use any available competent interpreter.
>
> As the matter of interpreting for police needs necessarily requires aspects of immediate access, confidentiality and general suitability to be considered, I look forward to working with the South

Australian Ethnic Affairs Commission in the practical implementation of the working party report.

That memorandum was written by the Commissioner of Police to the Chief Secretary prior to a decision being made by Cabinet.

The Hon. K.T. Griffin: What was recommendation No. 1 of the Cabinet submission?

The Hon. C.J. SUMNER: Recommendation No. 1 relates to the right to an interpreter independent of the police. The Police Commissioner said, 'We accept that recommendation subject to special circumstances.' The Commissioner's recommendation was set out in the minute to the Chief Secretary, which was reported to Cabinet, and it was acceded to by Cabinet.

As far as the Cabinet was aware when the decision was taken there was no disagreement with the Police Department or with the Commissioner of Police. Indeed, there was consultation with the Commissioner of Police prior to the decision being taken, which is quite contrary to the allegations that have been made by Liberal members and by certain other people in the community. I wanted to clarify that matter for the benefit of honourable members.

The official policy of the Police Department is to support the Migrant/Police Working Party, with that one reservation, which was accepted by Cabinet. It is Government policy to accept in principle the recommendations of the report. However, there are financial implications that must be properly considered. The question of interpreters and translators and their training has been under discussion for some years. The Government supports the professional training and recognition of interpreters, and it supports NAATI—the National Accreditation Authority on Translators and Interpreters—as did the previous Government. That should indicate to the honourable member the Government's attitude on the importance of interpreters.

The report recommended that whether an interpreter was needed in any circumstance was to be determined at the discretion of the police. That recommendation is accepted and is perfectly consistent with the Government's general attitude on this matter because, in addition, it was recommended that the Evidence Act should be amended to provide that evidence should be excluded from a criminal trial if there was evidence that a person had not properly understood the interrogation by police because of language difficulties. So, clearly, if the police in a situation where there were language difficulties did not opt to have an interpreter present, the evidence that they presented to the court could be subject to exclusion by the court in accordance with this amendment to the Evidence Act.

The Hon. K.T. Griffin: Are you going to do that?

The Hon. C.J. SUMNER: That was the recommendation of the Police Migrant Working Party and was accepted in principle, the principal qualification being that, because of the financial aspects, it would have to be further investigated by the Government.

The Hon. K.T. GRIFFIN: I wish to ask a supplementary question. As the implementation proceeds, will the Attorney-General from time to time make public any guidelines with respect to the mechanical process of implementation and decisions? Secondly, if extra staff, either permanent or contract, is required by the Ethnic Affairs Commission to ensure services to the police as competent as the services enjoyed by them at present, will funds be made available for that purpose?

The Hon. C.J. SUMNER: As I indicated previously, the report was approved in principle, but there were financial implications, which will be considered in a budgetary context. I am certainly happy to provide information to the Council from time to time, and honourable members may ask questions about the progress of the implementation of the report.

As everyone realises, there are difficulties in the current situation in finding funds for many desirable projects. I hope that the Ethnic Affairs Commission will be able to cope with the demand and that we can make available resources to ensure the full implementation of the report. However, as I said, the report has been approved in principle, although budgetary implications must still be examined.

NATIVE VEGETATION CLEARANCE

The Hon. H.P.K. DUNN: I seek leave to make a brief explanation before asking the Minister of Agriculture a question about the effect of native vegetation clearance control.

Leave granted.

The Hon. H.P.K. DUNN: Under the new vegetation clearance control regulations, there is an aspect of retrospectivity in that land that was previously approved for clearance will now have to be reconsidered for development approval. The relevant literature states:

> Approvals given to landholders to clear land under the Soil Conservation Act are for soil conservation purposes only. Landholders who have yet to clear land which has already received such approval are required to seek additional development approval under these new controls.

Those farmers who obtained approval to clear land and who are relying on this increased arable area to keep them viable will now have to resubmit applications for new approvals in regard to the area. Should a refusal to clear further vegetation force the farmer into a non-viable situation, the question is whether the Department of Agriculture will allow that farmer access to farm build-up funds so that he can build up his holding to a viable unit? If that is not the case, will the Government buy and pay market value for the now unusable area?

The Hon. FRANK BLEVINS: I believe that the honourable member will have heard that the Minister for Environment and Planning intends to establish a working party to consider these regulations, and I understand that that working party will comprise representatives of United Farmers and Stockowners to ensure that the point of view of the farming community is expressed directly and strongly.

The problems outlined by the Hon. Mr Dunn in certain circumstances are matters that, I presume, the working party will address. Therefore, rather than my pre-empting the working party at this stage, I will leave the issue until the working party has met and considered these matters.

I have had discussions with the Minister for Environment about this set of regulations, and I have had his assurance that there is sufficient flexibility within the regulations to overcome most of the problems that have been highlighted so far, with the exception of compensation. If this is found not to be the case, consistent with the general thrust of the legislation, and if there are anomalies that the regulations do not allow for, he will consider those problems and consider appeals if necessary to alter the regulations.

So, the position is still reasonably flexible. I am pleased that the Minister, the industry, and the U.F. & S. have got together and established a framework in which the question raised by the Hon. Mr Dunn can be addressed. If the Hon. Mr Dunn feels that there are specific questions that he would like answered prior to the decisions of the working party, I would be happy to look at those questions and bring back a reply during the break, by letter.

IF YOU LOVE THIS PLANET

The Hon. ANNE LEVY: Has the Attorney-General an answer to the question that I asked on 11 May regarding *If you love this Planet*?

The Hon. C.J. SUMNER: The documentary film, *If you love this Planet,* was produced by the National Film Board of Canada. I am informed that it has not yet been purchased by any television network in Australia, although it has been sold for theatrical distribution to Sharmill Films (27 Stonnington Place, Toorak, Victoria). It is therefore quite likely that it will be shown in commercial cinemas throughout Australia.

The South Australian Film Corporation was impressed with the film and has recommended it for inclusion in the State Film and Video Library. Copies will be purchased and made available as soon as the library's 1983-84 budget is approved. This film will therefore soon be available to interested audiences in South Australia, with or without the A.B.C. and commercial television's participation. The National Film Board of Canada's reputation is well-known to Australian audiences and the television networks, and the quality of this film is reported to be very good. The Premier, in his capacity as Minister for the Arts, believes that any decision to screen this documentary should be made on the basis of those reputations.

CENTRAL LINEN SERVICE

The Hon. L.H. DAVIS: I seek leave to make a brief explanation before asking the Minister of Health a question about the Central Linen Service.

Leave granted.

The Hon. L.H. DAVIS: On 4 May the Minister of Health answered a question from the Hon. Mr Burdett about the implementation of the Touche Ross Report on the Central Linen Service. In particular, the Minister stated that a plan of action and the details of the proposed $3 000 000 capital investment programme to upgrade the Central Linen Service would be available in about two weeks (I would put that date at approximately 18 May). However, he had previously advised the Hon. Mr Burdett on 22 March that this information would be available within two or three weeks (of 22 March). Therefore, over two months have elapsed since the Minister first promised this information. Could he now provide the Council with the details of this upgrading programme? If not, why not?

The Hon. J.R. CORNWALL: I am happy to tell the honourable member that it is all set to go. I will be talking to a mass meeting of all the workers at the Central Linen Service tomorrow at 1.30 p.m. I gave the undertaking, as honourable members will recall, that they would be among the first to know. So, I do not really want to divulge all the details and ruin a perfectly good story.

The Hon. L.H. Davis: Why don't you tell Parliament?

The Hon. J.R. CORNWALL: I would think that my clear first duty would be to those who work at the Central Linen Service. They have been messed about badly for three years. They are very concerned about their jobs and the laundry, and I have a clear obligation to tell them all about it. Honourable members will be able to read all about it, hear all about it on the radio and may be able to see it. It is very good.

CONSTRUCTION PROJECTS

The Hon. L.H. DAVIS (on notice) asked the Attorney-General: In view of the State Government's policy of allocating a greater share of construction projects to the Public Buildings Department at the expense of private contractors, will the Minister advise:

1. The value of tenders called from private contractors in each month for the period January 1982 to April 1983 inclusive?
2. The value of tenders let to private contractors in each month for the period January 1982 to April 1983 inclusive?
3. The value of work done by the Public Buildings Department in each month for the period January 1982 to April 1983 inclusive?
4. Estimates of the value of tenders to be called from private contractors in each month for the period May 1983 to December 1983 inclusive?
5. Estimates of the value of work to be done by the Public Buildings Department in each month for the period May 1983 to December 1983 inclusive?

The Hon. C.J. SUMNER: I do not have the answer; I can only suggest that the honourable member writes to the Minister of Public Works.

The Hon. L.H. DAVIS: I find that a very unsatisfactory answer. That information is quite clearly available, and the question was asked some time ago. It is information—

The PRESIDENT: This is not a matter of debate, but it is a matter of whether the honourable member wishes to ask another question at another time. I cannot allow any debate on the matter.

The Hon. C.J. SUMNER: Do you want me to get the answer?

The Hon. L.H. DAVIS: I would like it.

The Hon. C.J. SUMNER: I will do my best.

REPLIES TO QUESTIONS

The Hon. C.J. SUMNER: I seek leave to incorporate in *Hansard* without my reading them a number of answers by Ministers to questions that have been asked previously during the session.

In doing so, I indicate that this should not be taken as a precedent for the way that answers to questions will be treated in the future. The tradition has been that answers that have been requested by honourable members have been given at the time. However, as this is the last day of the session, I am prepared to accede to this practice.

Leave granted.

TRAVEL CONCESSION CARDS

In reply to the **Hon. M.S. FELEPPA** (3 May).

The Hon. C.J. SUMNER: The State Transport Authority does not consider Travel Concession Cards as valid until they are signed. Due to a number of these cards having been used in a fraudulent manner by persons other than the rightful owner, the authority has instructed its drivers to confiscate unsigned cards until such time as ownership can be proved. The cards are returned once rightful ownership has been established.

State Travel Concession Cards are usually not affected as the cards are signed in front of the Department for Community Welfare officer before the client leaves the Department for Community Welfare office.

In order to overcome problems faced by migrants who have not signed their cards a publicity campaign is to be initiated by the S.A. Ethnic Affairs Commission in the following manner.

1. The Department of Social Security will be asked to send out multilingual slips when transport concession cards are issued—to read something like 'For your own protection, please sign these cards immediately.' In order to encourage this, a multilingual

translation will be forwarded to the Department of Social Security.

2. Initial contact has been made with E.B.I. re community announcement.
3. Contact will be made with ethnic press contacts.

The commission will have a press release translated into various languages to ensure non-English speaking migrants are aware of the problems they could face if they do not sign their transport cards immediately upon receipt. The translations will be given to both E.B.I. and the ethnic press.

Consideration is also being given to publicising the whole range of concessions both State and Federal available to pensioners, unemployed and disadvantaged persons.

DOCTORS' QUALIFICATIONS

In reply to the **Hon. DIANA LAIDLAW** (4 May).

The Hon. C.J. SUMNER: On 12 May 1983 the Minister for Immigration and Ethnic Affairs, the Hon. Stewart West, tabled the Report of the Committee of Inquiry into the Recognition of Overseas Qualifications (the Fry Committee). Copies of the report have already been made available to the S.A. Ethnic Affairs Commission, the Department of Labour and other relevant departments for comment.

The Department of Immigration and Ethnic Affairs is in the process of sending copies of the report to groups and individuals who made submissions to, or were consulted by, the inquiry and to authorities with an interest in overseas qualifications. The report is on sale through Australian Government Publishing Service outlets. The report will be considered by Commonwealth and State Ministers responsible for immigration and ethnic affairs at a conference in June.

MINISTERS' PECUNIARY INTERESTS

In reply to the **Hon. R.I. LUCAS** (11 May).

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

1. Yes. The Premier is of the view that the application should have been referred to Cabinet.
2. A request has been made of Ministers to provide information substantially in accordance with the terms of the Members of Parliament (Register of Interests) Bill currently before Parliament. Once that Bill is passed all members will have to make open disclosure.
3. Yes.
4. Answered by questions 2 and 3.

YATALA PRISON UNREST

In reply to the **Hon. L.H. DAVIS** (24 March).

The Hon. C.J. SUMNER: The Chief Secretary has advised me that no warning was received that the fire on 22 March 1983 would take place. However, the Department of Correctional Services has been receiving threats over many years to the effect that the prison would be burnt down. At such times, appropriate precautionary measures are taken.

RETIREMENT INVESTMENT

In reply to the **Hon. L.H. DAVIS** (5 May).

The Hon. C.J. SUMNER: The Securities Industry Code requires persons who carry on a business of dealing in or advising on securities to be licensed. The definition of securities includes debentures, stocks and bonds issued by a government or a body corporate and also includes prescribed interests (such as units in property trusts and cash management trusts). The licensing requirements of the code do not extend to bills of exchange, promissory notes, companies who offer their own shares or debentures, life offices or trustees of superannuation schemes.

Licences are only issued to persons who are involved in the 'securities' industry as defined in the code. There are therefore other investment products available to persons to sell for which they do not require to be licensed under the Securities Industry Code. These include insurance deposits, friendly society deposits and superannuation schemes. (It was a person in the insurance deposit industry to whom the honourable member was apparently referring, when he mentioned that an independent Adelaide retirement investment consultant disappeared with a retirement cheque in excess of $100 000. He was not required to be licensed because of the above limitations. Police officers attached to the Corporate Affairs Commission, however, conducted the inquiries which subsequently led to the arrest and charging of the man.)

The Corporate Affairs Commission issues licences subject to the requirements of the Securities Industry Code which forms part of the national co-operative scheme for companies and securities. These requirements include an examination of a person's qualifications or experience and financial standing. There are no statutory guidelines for the required levels of educational qualifications or experience. A wide discretion is therefore vested in the Corporate Affairs Commission of each State and the Australian Capital Territory and uniform licensing policies have been developed in this area. It is the Corporate Affairs Commission's role to issue licences to persons whom it does not have any reason to believe will not perform the duties of a licensee efficiently, honestly and fairly.

Dealers and Investment Advisers Licences are issued subject to conditions. These conditions restrict the licensee to only deal in areas of securities (as defined) in which the applicant can demonstrate experience or qualifications. There are also financial conditions to be complied with and the lodgment of a security is usually required. The Corporate Affairs Commission also has the power to revoke or suspend licences.

The main categories of dealers are—stockbrokers, merchant banks, management companies and multi-agent dealers in prescribed interests. Common activities offered under the prescribed interest provisions are equities investment, property investment, forestry schemes and cash management trusts.

A person licensed as a stockbroker is able to provide a wider range of investment advice than someone licensed to represent several unit trusts. The licence conditions relating to financial requirements and security bond requirements of these persons are naturally different and are reflected in the licence conditions. The experience and qualifications of these persons are also not necessary of the same level.

The National Companies and Securities Commission in consultation with the State Corporate Affairs Commissions has developed policies which are aimed at regulating entry to and conduct in the Securities Industry. A committee comprised of N.C.S.C. and Corporate Affairs officers meets regularly to review licensing policy. This committee therefore considers what qualifications are required for various licences.

The matter raised by the honourable member requesting a review of qualifications of dealers and investment advisers is already under regular review.

ART GALLERY

In reply to the **Hon. C.M. HILL** (19 April).

The Hon. C.J. SUMNER: Following endorsement in principle of the major recommendations of the Edwards Report of Museum Policy and Development, initial emphasis has been given to commencement of Stage I of the S.A. Museum Re-Development Project.

At the same time as work had commenced on the construction programme, attention was being given to other recommendations, including those relating to future Art Gallery expansion.

Planning has continued to the point where funds have been allocated for a feasibility study to be undertaken by an architect from the Public Buildings Department with terms of reference agreed by the Art Gallery Board as follows:

1. To describe the existing facilities and accommodation of the Gallery.
2. To establish the present and future accommodation requirements of the Gallery.
3. To identify accommodation options to meet the present and future needs of the Gallery.
4. To establish approximate costs for the accommodation options identified.
5. To establish an outline programme for Gallery expansion.

Once the study is complete, consideration will be given to its recommendations which it is understood will take into account the options mentioned by the honourable member in his question. Further progress will be undertaken, commensurate with its priority for funds within the Government's overall forward capital works programme.

SOUTH-EAST ART GALLERY

In reply to the **Hon. C.M. HILL** (4 May).

The Hon. C.J. SUMNER: A report has been received from the Public Buildings Department regarding the possibility of a staged development which indicates that the size and design of the building would lend itself to a two-stage construction programme. However, any additional staging would reduce the size of the display and the ancillary areas to less than adequate and would dramatically increase the cost of the overall project.

The Public Buildings Department, in conjunction with the South-East trust's architect, estimated that a two-stage proposal would cost as follows:

first stage—$1 300 000.
second stage—$1 000 000.

The trust presently has on hand $750 000 which would mean that there is a shortfall of $550 000 on the first stage of the project and a total of $1 550 000 on the total project. A report is currently being prepared for the Premier and Minister for the Arts by the Department for the Arts on this project and the Government will consider any request for additional funds in the light of its overall capital works allocation.

ART GALLERY

In reply to the **Hon. C.M. HILL** (3 May).

The Hon. C.J. SUMNER: The Public Service Board recently completed a review of the staffing needs of the Art Gallery and indicated its view of the staff required, dependent upon the level of funds provided. In particular, filling of the position of Deputy Director was seen as of highest priority, together with a position of Front Desk Attendant.

Although these positions had not been able to be filled in 1982-83 due to Budget cuts imposed by the Budget Review Committee of the previous Government, they are currently under consideration for funding in the 1983-84 Budget allocation.

WHYALLA CULTURAL CENTRE

In reply to the **Hon. C.M. HILL** (11 May).

The Hon. C.J. SUMNER: The Premier has recently had a meeting with members of the Eyre Peninsula Regional Cultural Centre Trust to discuss this project. The commitment to the establishment of a network of regional cultural centres was quite considerably downgraded by the previous Government.

The problems has been that, as delays have gone on, so costs have risen and the project has become more difficult to accomplish. The Government is faced with either going back to the drawing board and trying to establish a completely new and separate regional cultural centre, at one end of the scale, or, at the other end of the scale, saying that we will have to defer it indefinitely or move into a compromise position. That is what was discussed with the trustees. The Premier has asked that a proposal be prepared for a pretender estimate on a 500-seat theatre which would include an additional auditorium as an extension to the existing Whyalla College of Technical and Further Education. It would include additional dressing rooms and shared front house areas. That means that there would be the smaller facility which already exists at the technical and further education college and the larger cultural centre trust which would enable major cultural activities, conventions and so on, to be held in a very fine venue in Whyalla.

The fact that this proposal will represent a compromise does not mean that it need not be of the highest standard and quality. I can assure the honourable member that the Government is reviewing its capital Budget with a view to trying to get this work under way as soon as possible because the longer it is delayed the greater the escalation of costs.

JUSTICES OF THE PEACE

In reply to the **Hon. K.T. GRIFFIN** (11 May).

The Hon. C.J. SUMNER: Answers to the specific questions asked are as follows:

1. Courses for justices of the quorum are still being conducted by Justice Marshall through the College of External Studies.
2. Justice Marshall's *Handbook for Justices* is being revised at the present time.
3. The Director, Courts Department, does ensure that Clerks of Court receive all amendments to legislation likely to relate to matters before the courts.
4. The Government does intend to continue the use of justices of the peace in courts of summary jurisdiction and in local courts of special jurisdiction.
5. The Government does not propose any changes to the summary jurisdiction so far as justices of the peace are concerned.
6. The Government has taken no action in relation to that provision of the Justices Act (section 4 of the Justices Act Amendment Act, 1982) which was suspended by the previous Government and provided that justices could not sentence to imprisonment.
7. As I have just pointed out and as I am sure the honourable member is aware, the previous Government suspended section 4 from operation because the State did not have sufficient magistrates to send to remote areas had

the prohibition of justices awarding terms of imprisonment come into operation. I understand that the Director, Courts Department, expressed this concern to you when you were in office regarding the particular amendment.

WASTE MANAGEMENT COMMISSION

In reply to the **Hon. K.T. GRIFFIN** (3 May).

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

1. My colleague, the Minister of Local Government, has informed me that the first time that the Waste Management Commission had any knowledge of the company's proposals for resource recovery from waste was when Mr W. Chernabaeff, a director of the company, called at the commission's office on 3 March 1982 to discuss an outline of his plans with two members of the commission's staff. Therefore, the company was not negotiating with the commission for a licence from 1981 as stated by the honourable member.

On 12 March 1982, the commission was advised by the Enfield council that an application for consent to land use had been made by Stapledon and McMichael Pty Ltd on behalf of Re-Use-It Pty Ltd '. . . for purposes of conducting a junk yard receiving, processing and recycling of waste materials . . .' The commission raised no objection to the proposal. The Enfield council gave consent subject to conditions on 3 May 1982. One of the council's conditions is that 'the development shall proceed strictly in accordance with the plans approved and conditions imposed by this consent'.

An application for a depot licence, dated 22 June 1982 accompanied by site and survey plans only, was received from the company on 24 June 1982. On 28 June 1982 the commission's Director wrote to the applicant seeking plans of the proposed installation showing details of the transfer station, resource recovery, compaction and baling operations and method of waste disposal from the premises. A draft management plan was also requested.

The information sought was received on 15 August 1982 and this together with the application and a staff report was submitted to a meeting of the commission held on 5 August 1982, the first meeting to be held following receipt of complete information of the proposal. At the same meeting the commission heard three representatives of the Cleanaway Division of Brambles Holdings who presented a case of objecting to the proposal of Re-Use-It Pty Ltd.

The commission determined that the proposal was for a solid waste transfer depot and that further information was required and therefore did not determine the application at that meeting. Mr Chernabaeff was advised orally of the commission's decision on 6 August 1982.

The commission's Director wrote to the company on 23 August 1982 seeking further information, in accordance with subsection 26 (2) of the S.A. Waste Management Commission Act, all of which information the commission considered was relevant and necessary for the purpose of determining the application.

The Director of the South Australian Waste Management Commission also advised that the commission had a need to seek a legal opinion with respect to the application. The opinion was required to assist the commission to determine whether its decision to treat the proposal as being for a transfer depot was correct or whether the facility should be treated as being solely for the purposes of resource recovery.

In a letter dated 24 August 1982, the company's solicitors reinforced the commission's doubt by submitting a case for the premises to be considered as being solely for purposes of resource recovery and as such being exempt from the licensing provisions of the Act. The commission sought and received a legal opinion from the Crown Solicitor on 7 September 1982.

The Secretary of the company was advised, in a letter dated 13 September 1982, that the Crown Solicitor's opinion was that the premises be licensed as a solid waste transfer depot unless the depot is used solely for resource recovery. The Secretary was also reminded of the commission's request for further information to enable it to determine the grant of a licence.

Subsequently, at a meeting of the commission held on 23 September 1982, the commission further considered the company's application together with some additional information supplied by the company's solicitors and the Crown Solicitor, and the written objection from Cleanaway.

As a result, the commission resolved to grant a licence, such granting occurring in less than two months after the commission members were first made aware of the proposal on 5 August 1982, a not unreasonable length of time considering the size and complexity of the proposal and the legal issues surrounding it. The then Minister of Local Government was advised of the commission's action by memorandum dated 24 September 1982.

The company was advised of the commission's decision in a letter dated 30 September 1982. However, because of the commission's concern with possible undesirable effects of rotting garbage, which may be contained in the incoming waste, upon the company's employees and the general public, the company was asked to provide further information relating to the putrescible content of the waste to be received. The issue of the licence was conditional upon receipt of satisfactory information being supplied by the company.

The State Manager of Cleanaway was advised of the commission's decision to grant a depot licence to Re-Use-It Pty Ltd in a letter of 4 October 1982. That company responded by lodging an appeal to the Minister of Local Government against the commission's decision, in accordance with section 41 of the South Australian Waste Management Commission Act, on 1 November 1982.

The process of appointing an arbitrator to determine the appeal was put in train on 2 November 1982. The then Minister of Local Government sought from the then Attorney-General a nomination of a judge of the Local and District Criminal Court for appointment as arbitrator by way of a memorandum dated 3 November 1982. The whole process of appointment of an arbitrator and subsequent appeal proceedings is outside the control of the commission.

The Secretary of Re-Use-It Pty Ltd was advised of the pending appeal on 8 November 1982. My colleague, the Minister of Local Government, appointed His Honour Judge Gerald M. Ward, as arbitrator on 16 December 1982.

After further oral prompting from the commission's Director the company's secretary supplied the additional information sought by the commission, by way of letter dated 14 December 1982, which was received in the commission's office on 17 December 1982, over two and one-half months after being requested.

This information was considered at a meeting of the commission held on 27 January 1983, the first meeting of the commission held following receipt of the information. Further legal advice from the Crown Solicitor was also considered. As a result, the commission instructed the Director that he was free to issue the licence to Re-Use-It Pty Ltd pursuant to the commission's decision of 23 September 1982.

The licence was hand delivered to the company's registered office on 23 February 1983 (not 26 February 1983, as stated), the delay of under one month being within the usual time that it takes for the commission's small staff to be able to attend to matters arising from commission meetings, together with the pressures of other day-to-day duties imposed on

them. In the meantime the hearing of the appeal had not commenced.

Without any advice having been given to the commission the company had dug a large trench along and just inside the eastern boundary of the premises. This came to the notice of the commission staff during an inspection of the Wingfield area on 7 February 1983. No such trench is indicated on the plans submitted to the commission as part of the application for a depot licence. At no stage did the company advise the commission that it wished to place hard rubbish in a trench on the premises or seek approval for such action which constitutes a solid waste landfill, a completely different activity to that proposed in the company's licence application.

Notwithstanding that the company had not constructed any of the facilities for the recovering of resources from waste and the transfer from the premises of waste, as detailed in the company's submission to the commission, the company opened the premises to the public for the depositing of waste in the trench, on 26 February 1983, without any effort being made to prevent the deposit of putrescible garbage among the mixed hard rubbish and garden waste.

On the same day the commission's Director called at the premises and advised the company's employees or subcontractors who were operating the depot that they were committing an offence against the South Australian Waste Management Commission Act in that they were receiving waste from the public, without having first provided the facilities in accordance with plans submitted to and approved by the commission and not conducting the operations of reception, storage, treatment and disposal of waste within the licensed premises in accordance with the approved management plan and general conditions of licence applying to solid waste transfer depots attached to the company's depot licence No. 0081. The company was asked to desist from committing the offence immediately.

The commission held a special meeting on 28 February 1983 to consider the company's action. The commission resolved to serve a notice on the company under subsection 46 (1) of the South Australian Waste Management Commission Act requiring the company to desist from committing an offence against the Act and to serve an order under section 32 of the Act to refrain forthwith from the receiving of any further waste, to remove all waste then deposited and to backfill all trenches in the depot.

The notice and order were both hand delivered to the company's registered office on 28 February 1983. An attempt was made to deliver copies to the home of Mr W. Chernabaeff but persons there refused to take delivery.

It is understood that the Corporation of the City of Enfield commenced action on the same day to stop the company's activities as they did not comply with the council's conditions of planning consent. The subsequent proceedings under the Planning Act are not directly relevant to this investigation and report.

The company made no response to the commission's notice and order and no attempt was made to comply with the requirements of the notice and order. In fact more trenches had been excavated.

Therefore, at a meeting held on 3 March 1983 the commission resolved to send a letter to the company in which offences against the Act, in the form of non-compliance with conditions of licence, as required under subsection 23 (3) of the Act, were listed. The letter, dated 4 March 1983, was hand delivered to the company's registered office. The company was advised that the commission would be meeting on Monday 14 March 1983 to consider whether or not the depot licence ought to be revoked and seeking any representations which the company may wish to make to be submitted in writing by 10 March 1983.

The company's solicitors did reply on the company's behalf on 8 March 1983 submitting that grounds for revocation did not exist. The Crown Solicitor's advice to the commission was to the contrary.

Consequently at the meeting of the commission held on 14 March 1983, the commission resolved to forthwith revoke the licence held by Re-Use-It Pty Ltd and to prosecute the company for offences against the South Australian Waste Management Commission Act. The notice of revocation of licence was served at the company's registered office at 5.30 p.m. on Monday 14 March 1983.

Following revocation of the depot licence the company continued to accept waste on the premises. This was observed by officers of both the commission and the Enfield council. Beginning on Friday 18 March 1983 officers of the commission did take up a position on South Road, Wingfield, near the gateway to the company's premises. They warned persons intending to deposit waste in the company's premises that they may be aiding and abetting the committing of an offence by the company, as the depot was unlicensed, if they proceeded to deposit their waste to other than licensed depots. If they refused to go elsewhere and proceeded to deposit their waste in the company's depot the name and address of the person and the vehicle registration number were recorded where possible. The commission's staff continued these activities until the company ceased operations in response to the Enfield council's action under the Planning Act. At no time did commission staff harass any member of the public or any of the company's personnel.

At a special meeting of the commission held on 21 March 1983 it was resolved to serve a notice on Re-Use-It Pty Ltd requiring the company to desist from receiving waste on premises which were not licensed as a depot, and advising that the offence was of a continuing nature.

An appeal against the commission's decision to revoke the company's licence, dated 31 March 1983, has been lodged with my colleague the Minister of Local Government.

In view of pending appeal and prosecution proceedings in the courts it is considered to be undesirable to make any further comment on the actions of either the company or the commission.

2. No member of the Waste Management Commission has a conflict of interest or potential conflict of interest in respect of Re-Use-It's application. Decisions of the commission are carried by a majority of the votes of the members of the commission present at a meeting. In all cases decisions in relation to Re-Use-It Pty Ltd were carried by a unanimous vote.

3. Refer to answer to question 2.

4. Appeals under the South Australian Waste Management Commission Act are heard by a judge of the Local and District Criminal Court who, no doubt, will commence the formal hearing as soon as it is possible for him to do so.

5. No harassment of Re-Use-It Pty Ltd by the South Australian Waste Management Commission has occurred or will occur.

POLICE GREYS

In reply to the **Hon. M.B. CAMERON** (5 May).

The Hon. C.J. SUMNER: The primary function of the Mounted Police Division is to provide operational support in general policing activities. Secondary roles are in the areas of State ceremonial occasions and Force public relations activities. In regard to the latter the Commissioner of Police has taken a decision that the unit will continue to perform at selected shows and similar events. The involvement will normally take the form of musical rides, tent pegging and vaulting displays, but not include competing in show jumping

events. There is no intention to curtail the current public relations activities of the Police band or motor cycle display team.

FIRE LIABILITY

In reply to the **Hon. M.B. CAMERON** (10 May).

The Hon. C.J. SUMNER: I have looked at the matter raised by the Leader and consider that whoever operates the machinery, be he an employee of the limited liability company or an individual, would carry liability for damage flowing from any negligence in the operation of the machinery. The company's liability would be limited as the Leader suggested in his remarks leading to his question.

YATALA LABOUR PRISON

In reply to the **Hon. M.B. CAMERON** (24 March).

The Hon. C.J. SUMNER: It is not the practice of this Government, or previous Governments, to advise the Attorney-General of threats of fire. Such threats are numerous. Whenever specific warnings are received, the Department of Correctional Services immediately investigates the matter to determine the possibility of the threat being carried out and any action which needs to be taken.

When deemed necessary, the department mobilises the police, the fire service, and the department's own resources. Since the fire at Yatala Labour Prison on 22 March 1983, there have been two specific warnings of the likelihood of fire and appropriate precautions have been taken.

JUSTICES OF THE PEACE

In reply to the **Hon. K.T. GRIFFIN** (11 May).

The Hon. C.J. SUMNER: The list of justices of the peace which appeared in the *Government Gazette* on 3 February 1983, giving notice of the resignation of those justices, was compiled from information received and at the request of individual justices as a result of the recent review carried out by my department.

My officers are still endeavouring to contact those justices who did not reply or whose questionnaires were returned unclaimed to the department to ascertain whether or not they in fact wish to retain this commission.

YATALA LABOUR PRISON

In reply to the **Hon. M.B. CAMERON** (23 March).

The Hon. C.J. SUMNER: The Chief Secretary has advised me that no warning was received that the fire on 22 March 1983 would take place. However, the Department of Correctional Services has been receiving threats over many years to the effect that the prison would be burnt down. At such times, appropriate precautionary measures are taken.

ELECTRICITY TARIFFS

In reply to the **Hon. H.P.K. DUNN** (12 May).

The Hon. FRANK BLEVINS: In response to the honourable member's question, I have been informed by the Minister of Mines and Energy that he is aware of the electricity tariff structure applying to certain parts of Eyre Peninsula and remote towns in the Far North of the State. The Minister wishes to draw the honourable member's attention to the speech he made to the House of Assembly on 11 May 1983 wherein he addressed this matter in detail.

SCHOOL FUNDING

In reply to the **Hon. R.J. RITSON** (3 May).

The Hon. FRANK BLEVINS: My colleague, the Minister of Education, has advised me as follows:

Part I

The total combined State/Federal expenditure (recurrent and capital) on education in State Government schools for the 1982 calendar year was estimated at $527 100 000. It is not possible to provide a precise expenditure figure for 1982 as certain expenditures incurred on behalf of the Education Department are accounted for on a financial year basis.

Part II

The estimated cost of educating a student in 1982 was as follows:

Primary	Secondary	Special
$2 020	$2 925	$6 403

The overall estimated cost of educating a student in 1982 was $2 397.

Part III

In the 1982 school year, the Minister's advisory committee on non-government schools in South Australia distributed $18 458 000 being *per capita* and needs grants to non-Government primary, secondary and combined schools. Federal figures should be obtained from the Commonwealth Minister and private funding levels should be obtained from individual schools.

Part IV

The level of funding per student was as follows:

	Needs	Per Capita	Total Per Student
	$	$	$
Primary	316.50	10	326.50
Secondary	490.50	20	510.50

Again, Federal figures should be obtained from the Commonwealth Minister and private funding levels should be obtained from individual schools.

Part V

This cannot be given unless all other sources of funding, that is, Federal, State, Government and non-government, are known and collated.

I suggest that the honourable member write to the Federal Minister for Education seeking details on funds distributed by the Schools Commission to non-government schools in South Australia. These funds may include recurrent, capital and special programme grants.

LIVE SHEEP SALES

In reply to the **Hon. H.P.K. DUNN** (10 May).

The Hon. FRANK BLEVINS: In reply to the honourable member's question regarding the supposed loss of a potentially worthwhile overseas contract for live sheep, I can only say that the existence of such a contract is completely unknown to the industry and officials in the Department of Agriculture. However, some confusion may exist over a live sheep feedlot complex contract for which SAGRIC International tendered, having successfully completed the design contract.

This tender, placed in conjunction with a South Australian manufacturing company and a South Australian building company, was for the supply and construction of a sheep feedlot complex on a 'turnkey' basis. That bid was submitted in April, 1982. After complex negotiations, the final result of the tender evaluation was that the client company chose

not to select any bidder on a turnkey basis. It is understood that the supply contract for the bulk of the materials was awarded to another Australian company and the construction contract to a Saudi Arabian firm.

CROSS-CODE BETTING

In reply to the **Hon. R.C. DeGARIS** (19 April).

The Hon. J.R. CORNWALL: In accordance with the Government's policy on racing, a Racing Industry Advisory Committee has been established to advise the Government on important industry matters. One of the first topics to be discussed will be cross-code betting and until this takes place no change will be made to the current policies.

The Trotting Control Board and the Greyhound Racing Control Board are in favour of cross-code betting and wish to extend the current practice. As this matter has not been formally raised with the South Australian Jockey Club since this Government took office, my colleague the Minister of Recreation and Sport is not able to state, with any certainty, what its attitude will be to specific proposals.

SELECT COMMITTEE ON THE BOUNDARIES OF MOONTA, WALLAROO AND KADINA

The Hon. J.R. CORNWALL (Minister of Health): I move:

That a select committee be established in order to investigate the need for an adjustment to the boundaries of the Corporation of the Town of Moonta, the Corporation of the Town of Wallaroo and the District Council of Kadina and any consequent adjustments to adjacent areas.

If the select committee considers that there is a need to change the boundaries of the Corporation of the Town of Moonta, the Corporation of the Town of Wallaroo and the District Council of Kadina, it shall prepare a Joint Address to His Excellency the Governor, pursuant to section 23 of the Local Government Act, 1934-1982, identifying the area affected and any required changes to the areas of any adjacent councils by uniting, or by severance or annexation, any consequent adjustment of liabilities or assets, the disposition of staff affected by any change and all other matters pursuant to the Local Government Act, 1934-1982.

It is the proposal of the Government to establish a select committee of the Legislative Council to investigate the boundaries of the Corporation of the Town of Moonta, the Corporation of the Town of Wallaroo and the District Council of Kadina. Members would be aware of recent select committees concerning local government boundaries which have been established in this place and the House of Assembly. Given the comparisons that can now be drawn between the operation and process of select committees in these two places, it is the Government's opinion that the Legislative Council should constitute any select committee which is concerned with local government boundaries and that they should prepare a Joint Address to His Excellency the Governor pursuant to section 23 of the Local Government Act, 1934-1982.

That was a deliberate and very sensible decision taken by the Government and, more particularly, by the Minister of Local Government. It was obvious that by involving members of the House of Assembly there tended to be a lot of politicising and polarisation. That was quite prejudicial to the good order and conduct of local government select committees.

The Hon. M.B. Cameron interjecting:

The Hon. J.R. CORNWALL: I cannot understand what the parrot opposite is trying to say. It was seriously suggested that this Council could play a bipartisan role in reaching a consensus in relation to these select committees. Further, it is proposed that a Minister will not be included in the membership of these select committees. This is an innovative and constructive move.

The three council areas are located on the western side of northern Yorke Peninsula. Both Moonta and Wallaroo are below the average size for rural councils in South Australia in terms of net general rate. Whilst Moonta has shown some growth in population in the period 1976 to 1981, which has most probably been caused by a retirement population, Wallaroo has experienced a decline.

Of the three councils, Kadina has the strongest position, and the township of Kadina is a focus for the northern Yorke Peninsula area. It is a regional centre with emphasis from State Government departments for regional offices. Members are aware of the position concerning the review of local government boundaries pursuant to section 23 of the Local Government Act. Under the previous Government, select committees were established on boundary questions for the local government areas of Mount Remarkable-Port Augusta, Port Lincoln and Port Pirie. In recent times, this Government has established select committees for Meadows and for Balaklava, Owen and Port Wakefield. It is considered that, given the small and declining size of some local governments in South Australia, and the increasing pressure by rising costs on service provision, there is an obvious need for a review of certain local government boundaries in order to achieve economies of scale. It is important to note that a large part of the pressure for change is now coming from local government areas themselves. This is the case in this instance with regard to the Corporation of the Town of Moonta and the District Council of Kadina.

In 1974, the Royal Commission into Local Government Boundaries recommended the union of the three councils. In April 1977, the District Council of Kadina united with the Corporation of the Town of Kadina and since then there have been discussions between Kadina and Moonta on the process of uniting. On 22 November 1982, both councils resolved to unite into one council pursuant to section 45a of the Local Government Act. The new council was to be called the District Council of Northern Yorke Peninsula. This proposal was received on 24 November 1982 and was forwarded to the Chairman of the Local Government Advisory Commission. The commission gave its approval to the proposal on 16 December 1982.

Section 45a of the Act provides for a poll of electors if 15 per cent of electors indicate to the Minister that they require such a poll. In January there were signs of growing opposition in Moonta to the union of the two councils. On 21 January 1983 a public meeting in Moonta expressed opposition to the proposal. It was obvious that an influential minority in the town were carrying a large sway with public opinion which could have biased any local poll. The two councils held a joint subcommittee meeting on 2 March 1983, and at this meeting it was decided that the section 45 joint proposal should be withdrawn and that the Minister of Local Government be asked to take appropriate action to exercise his powers to further the matter. The joint proposal has now been withdrawn and, as explained heretofore, it is proposed that section 23 of the Local Government Act be used to initiate any required change.

It is also proposed that the Corporation of the Town of Wallaroo be included within the terms of reference of any select committee on this subject. The main reasons for this are the proposals by the royal commission in 1974 for uniting Wallaroo, Moonta and Kadina and, more importantly, the geographical location of Wallaroo compared with the other councils, its rate revenue and declining population. Therefore, Wallaroo must be considered in this process. It is therefore proposed that a select committee be established in order to investigate any adjustment to the boundaries of

the Corporation of the Town of Moonta, the Corporation of the Town of Wallaroo and the District Council of Kadina.

The terms of reference for the select committee shall be as follows:

- The select committee shall examine any benefits or disadvantages to residents of the three councils and adjacent council areas, by a change of boundaries including, if appropriate, the unification of any or all of the councils, and the severance or annexation of any areas.
- In carrying out its examination, the select committee shall take into account any operational, financial, staffing and management issues it considers appropriate.
- The select committee shall take into account the impact of the towns of Kadina, Moonta and Wallaroo as regional administration and commercial centres and the influence they exert on the communities of interest.
- The select committee shall consider the impact of the proposal on adjacent council areas, and also any consequential adjustments to boundaries that may be required.
- If the select committee considers that there is a need to change the boundaries of the Corporation of the Town of Moonta, the Corporation of the Town of Wallaroo and the District Council of Kadina, it shall prepare a Joint Address to His Excellency the Governor pursuant to section 23 of the Local Government Act, 1934-1982, identifying the area affected and any required changes to the areas of any adjacent councils by uniting or by severance or annexation, any consequent adjustments of liabilities and assets, the disposition of staff affected by any change, and all other matters pursuant to the Local Government Act, 1934-1982.

The Hon. M.B. CAMERON (Leader of the Opposition): The Opposition supports the motion, although we are somewhat surprised at the way that it has come about. The Minister of Health indicated that the Minister of Local Government was taking a responsible move because of the politicising that occurred during a previous local government select committee—

The Hon. J.R. CORNWALL: Mr Acting President, I rise on a point of order. That is not what I said. I said that I believed that the Minister of Local Government was taking a sensible and innovative approach to this matter and, following suggestions made during debate on the last local government select committee report, it was thought preferable that these select committees should be handled by the Legislative Council.

The Hon. M.B. CAMERON: Mr Acting President, I rise on a point of order.

The ACTING PRESIDENT (Hon. H.P.K. Dunn): Order! What is the Minister's point of order?

The Hon. J.R. Cornwall: I just made it.

The Hon. M.B. CAMERON: I do not want to generate a debate; I simply wanted the Minister to provide more information. Following the last local government select committee, two-fifths of the membership of that committee were ignored. The Minister of Local Government trampled over the top of the select committee. The Opposition thoroughly scrutinised the debate in relation to that committee's report and found that no attempt to play politics had been made by any Opposition member. However, the Minister had already made up his mind, and that was the end of the matter.

The Opposition is well aware of the reason behind the move to set up local government select committees in this Chamber. The decision was made not by the Minister of Local Government but by Caucus and Cabinet, because the Minister of Local Government made such a hash of the previous select committee. Therefore, local government select committees will now be handled by this Council, which has a little more common sense.

The position is that the previous Minister did not have this problem. We did not have to shift committees to the Lower House because the Minister wanted to get away from them. The position being taken today is precedental. It exhibits an extraordinary lack of faith in the Minister of Local Government. I can well understand that after the mess we saw last time. For the first time in my recollection in this Council a select committee into local government boundaries is to be established in other than the Minister's own House. We have a situation where the Minister of Local Government is to be replaced by a back-bencher as Chairman of one of these select committees. It raises the possibility, I guess—

The Hon. K.T. Griffin: Of four Ministers in the Legislative Council.

The Hon. M.B. CAMERON: Yes. It is a clear display of a lack of confidence in the Minister of Local Government after the mess we got into last time. I do not want to reflect on the Hon. Mr Bruce and the Hon. Miss Wiese, in her absence. I think that one of them should be the Minister, particularly the Hon. Mr Bruce. I would imagine that a first move toward that end by the Government would be to bring the Hon. Mr Bruce into a situation where he can get some experience, but he had better hurry because we will be back in Government soon and he will not have much time to reach that stage.

Given the present Minister's performance, it is probably a good thing that we have now reached this position. Nevertheless, it indicates that the Government is concerned about its performance and its relationship with local government. It is an indication that the work of the most recent select committee chaired and dictated to by the Minister and its recommendations to forcibly amalgamate local councils, passed only with the support of the Australian Democrats, brought considerable embarrassment and concern to the Government. I can understand that.

Now the Government intends to keep the Minister right out of things altogether, and I can understand that, too. It is an indication that at last (I wish the Hon. Mr Blevins was in the Chamber now) the A.L.P is recognising the value of this Chamber as a more objective and sensible place for the conduct of select committees, despite the fact that it is less than half the size of the House of Assembly and, therefore, has fewer members from whom to choose for committees.

Clearly, members of this Council are very reasonable and responsible people. The Government's approach to the issue of council amalgamation remains of some concern. I am not referring to individual cases being considered but to the lack of consultation which takes place between the Government and local government prior to a decision to establish a select committee. I am advised that the councils involved in at least one of these proposals were not consulted before the motion to establish a committee appeared on the Notice Paper.

Is this the A.L.P.'s form of consensus? Does it indicate the Government's real attitude towards local government? Clearly, there has been a total breakdown in communication. Not only have the councils involved been kept in the dark, but the first thing that the local members involved knew of the proposal—I am talking about the member for Light and the member for Rocky River (the Leader of the Opposition in another place)—for the select committee was when they were approached by me in the corridor after I had been asked by the Government to provide names for people on the committee. That is extraordinary.

One would have thought that the Minister would at least have the courtesy to approach the local members concerned

in these proposals. In fact, in the first case (I do not even have the full names of the councils involved) the Minister of Local Government did not even adopt the normal courtesy of informing the shadow Minister of Local Government that the Government was intending to establish these committees.

These concerns aside, let me assure the Council that the Opposition will approach the task of considering the proposal put forward by the Government in a constructive and bipartisan way, as we have previously. I hope that the Government's apparent disregard for the local bodies and local members involved has in no way damaged the potential work of the committee. We support the motion.

The Hon. G.L. BRUCE: I was not going to enter into the debate but, after the comments of the Hon. Mr Cameron, I feel that I should do so. Some points raised by the Hon. Mr Cameron need to be answered in regard to his attack on the Minister in another place. There is a role for this Council to play, and I have argued for the last three years that it is in regard to such committee work. This Council is not confronted with questions of local boundaries as in another place. A problem in another place involves select committees dealing with such matters directly.

The Hon. M.B. Cameron: That's not what caused the problem in the last instance.

The Hon. G.L. BRUCE: I am saying that is what causes the problem in a situation like this when boundaries are looked at. It is a logical extension of power to use the powers of this Council where boundaries are not affected by members, because they represent the State as a whole.

As Council members represent the whole State, we can get together and come up with a consensus decision that will not smack of having anything to do with boundaries or districts. The logical thing is to bring a committee of this type to this Council. I deny that the Minister in another place is abdicating his responsibility. He is not doing that—he is taking the commonsense approach. If this Council is to have any validity or role to play at all, it is in such activity. I support fully what the Minister has done. It is a commonsense extension of the powers of Parliament. A select committee from this Council can look in a non-parochial manner at the matter which is so sensitive to people in local areas. I support fully what has happened.

The Hon. K.T. GRIFFIN: I support what the Hon. Mr Cameron has said. There has been concern at the lack of consultation with local councils in regard to the establishment of a select committee and the failure to consult with the local member. When committees were established under the previous Government in regard to local government boundaries, it was done only after consultation by the Minister and his officers with the local governing body involved and with the local members.

The previous Minister, the Hon. Mr Hill, did that because he wanted to ensure that there were no re-assessments of boundaries against the wishes of local communities. He wanted to ensure that there were good relations between the State Government and local government, which is an important sphere of government in this State and in Australia. If we have a situation where local councils are not consulted before select committees are established, and if local members of Parliament are not consulted, we run the risk that councils and ratepayers within those areas will be alienated by the State Government and the State Parliament, and they will begin to suspect that there is something sinister in committees being established without consultation.

That is a matter of grave concern to me because, from my understanding of the committees during the previous Parliament, they worked effectively. They were approached by members on both sides in a spirit of co-operation without the intrusion of Party politics, and they did effect changes to local government boundaries that were in the interests of local communities.

There was nothing compulsory about the implementation of decisions reached by the committees. We had the unfortunate debacle of Party politics intruding into the select committee on local government in another place and a debacle in respect of the recommendations made and their implementation. I do not want to see that sort of debacle recur.

If the establishment of committees in this Council, with the concurrence of the local government bodies affected and the local members involved, will achieve consensus, let us have such committees in this Council, but let us do it only after consultation with the local government bodies likely to be affected and with the local members, and let us not impose—

The Hon. M.B. Cameron: Can we get an assurance that that consultation will take place?

The Hon. K.T. GRIFFIN: I will come to that. Let us ensure that the problems will involve consultation in the future and that these two committees on which we will be making decisions will operate as they operated in the previous Parliament.

There has been no suggestion that they will not do this, but I express the fervent wish that this occurs. There are several questions I would like to ask the Minister if he is in a position to reply. If he is not in a position to do so during this debate, would he let me have the answers in due course? Have the local councils likely to be affected by this select committee and the select committee the subject of the subsequent resolution now been consulted? In that context of consultation, have the local members now been consulted by the Government? What is the likely time frame within which the select committees are likely to meet, consider evidence and report to the Parliament? In relation to the last question, I want to say that I do not believe that these select committees ought to be pushed along with a view to meeting any unreasonable deadline.

I think that part of the success of previous select committees has been that there has been an opportunity for steady progress to be made as a result of consultation. I would be very concerned if the reporting deadline were set such that there were likely to be changes effected in time for the October council elections this year. I think that that is an unreasonable time frame and would create tension rather than dissipating it, so I hope that the Government will take these factors into account. I hope that the select committees will be successful and that they will ensure that local government in these areas respects the initiatives of the State Parliament and the State Government rather than being antagonised by them, as was the case as a result of the present Minister of Local Government's attitude to the select committee in the other place.

The Hon. J.R. CORNWALL (Minister of Health): I will reply to the more reasonable contributions of the Hon. Mr Griffin first. With regard to his question whether local councils that are to be affected have been consulted, the answer is 'Yes'.

The Hon. Diana Laidlaw: 'Consulted' or 'advised'?

The Hon. J.R. CORNWALL: 'Advised' might be a better word. I am told that the Director informed them this week.

The Hon. K.T. Griffin: Have local members been consulted?

The Hon. J.R. CORNWALL: I do not know.

The Hon. M.B. Cameron: I can tell you that—'No'.

The Hon. Diana Laidlaw: Not even advised?

The Hon. L.H. Davis: Do you think that that is the right course of action?

The ACTING PRESIDENT: Order!

The Hon. J.R. CORNWALL: Thank you, Mr Acting President, for your protection. I am not in a position to know whether local members have been consulted. If the honourable member would like me to respond to that question by letter during the recess I will be pleased to do so. As to the time frame involved, it is not the intention of this select committee and other select committees to be pushed along, as the Hon. Mr Griffin put it. They will certainly be given time for steady progress. It is not intended that these select committees will meet until August.

The Hon. K.T. Griffin: Why set it up now when we will be sitting again in July?

The Hon. J.R. CORNWALL: It is not intended that the select committees meet earlier than August. It is important that they be set up now so that there will be adequate time for consultation—there is all June and July.

The Hon. K.T. Griffin: Do you mean that they are not going to hear evidence until August or are not going to meet at all until August? I am concerned to get this matter into perspective.

The Hon. J.R. CORNWALL: As I understand, they certainly will not be hearing evidence until August. There will be adequate time for all local councils to consider their position and to prepare the submissions that they wish to make. There will be an opportunity for local members, local communities, service clubs and organisations to get their submissions together. In other words, there will be plenty of time for progress, consideration and reason to prevail. I turn now to the remarks of South Australia's decerebral politician, the Leader of the Opposition. Decerebral means, literally, 'brainless' but I would not use that term because it is unparliamentary.

The ACTING PRESIDENT: You have just used it, Mr Minister.

The Hon. M.B. CAMERON: Mr Acting President, I know that the Minister has not yet reached the stage where he realises that as Minister—

The ACTING PRESIDENT: Does the honourable member have a point of order?

The Hon. M.B. CAMERON: Yes. The Minister still acts like a clown.

The ACTING PRESIDENT: That is not a point of order.

The Hon. J.R. CORNWALL: I must insist, Sir, that the Leader withdraw and apologise for calling me a 'clown'.

The Hon. M.B. CAMERON: I will do that after the Minister withdraws his idiotic remark that he seems to think is smart.

The Hon. J.R. CORNWALL: I rise on a point of order.

The ACTING PRESIDENT: Order! If the Minister and the Leader are going to continue acting like this I will have to take further action. Will both honourable members please come to their senses and debate reasonably?

The Hon. J.R. CORNWALL: First, I want to withdraw the word 'brainless' and apologise for using it. The word 'decerebral', of course, stands.

The Hon. M.B. Cameron: No, take that out, too.

The Hon. J.R. CORNWALL: No, that is not unparliamentary. The Hon. Mr Cameron used two words which were highly offensive and clearly unparliamentary and I ask that he withdraw them and apologise.

The Hon. M.B. CAMERON: Despite the Minister's qualification, I withdraw.

The Hon. J.R. CORNWALL: I regret that the Leader has tried to cause this debate to deteriorate to such levels.

The Hon. M.B. Cameron: You started it.

The Hon. J.R. CORNWALL: What I did say is that I regret, in view of the magnanimous gesture taken by the Minister of Local Government—

The Hon. M.B. Cameron: By order.

The Hon. J.R. CORNWALL: That was not by order and that was a scurrilous, heinous allegation to make and totally without foundation.

The Hon. Diana Laidlaw: That is not the information we have.

The Hon. J.R. CORNWALL: Your information, my dear, is totally incorrect. I happen to sit in the Cabinet, you see, and know what happens.

The Hon. M.B. Cameron: Do you also know what happens in Caucus?

The Hon. J.R. CORNWALL: Caucus had no reason to be involved in this matter.

The Hon. J.C. Burdett: The Premier told him.

The Hon. J.R. CORNWALL: That is wrong. It is half smart, but mainly stupid. The honourable member is deteriorating in his middle age.

The ACTING PRESIDENT: Order!

The Hon. J.R. CORNWALL: If you can control them, Mr Acting President, and stop them carrying on in an idiotic fashion, I will continue. What happened, in fact, was that there was some discussion. Of course there was, and the matter was canvassed in this place, as it was on several occasions, by the Hon. Gordon Bruce, one of the better politicians in South Australia and one of the more responsible politicians in this place.

The Hon. M.B. Cameron: That is why he has replaced the Minister.

The Hon. J.R. CORNWALL: The Leader is really carrying on in a quite irresponsible way. As I have said, the matter was canvassed inside and outside this place and there was discussion as to whether it would not be better for the select committees to be set up in the Legislative Council on the basis that local politicians would not be directly involved—local politicians in the context of local members of State Parliament in particular. That consensus of opinion certainly arose in this place in the first instance.

The Hon. M.B. Cameron: Only because of the—

The ACTING PRESIDENT: Order!

The Hon. J.R. CORNWALL: It was generated by the Government, but a very deliberate decision was taken that the matter should be left entirely to the Minister of Local Government, who subsequently—

The Hon. R.I. Lucas: Under some pressure.

The Hon. J.R. CORNWALL: Under no pressure at all.

The Hon. L.H. Davis: He wouldn't be under pressure, because he wouldn't know what was going on.

The ACTING PRESIDENT: Order! The Opposition will come to order.

The Hon. M.B. Cameron: I am pleased to recognise—

The ACTING PRESIDENT: Order!

The Hon. J.R. CORNWALL: Thank you, Mr Acting President. There was never any pressure on the Minister of Local Government. What the Opposition has claimed is absolute nonsense; in fact, it is a gross distortion, almost a heinous lie. I will repeat (and I will speak slowly, because I know that some members opposite, unfortunately, are slow witted) that there was never any suggestion of any pressure whatsoever on the Minister of Local Government. There was some debate and discussion in this place, and I must say that that was carried out in a far more rational and responsible way than has occurred today. There was some discussion here and some discussion outside. Some of us were of the opinion, in the most responsible way possible,

that, if reasonable amalgamations were to proceed, it would be better to take the politics out of the matter.

In the most commonsense way possible it was decided that the matters would be discussed in the Upper House and, in order to depoliticise the issue even further to the maximum extent possible and to look after the interests of local government, it was decided that a Minister should not serve on these committees. That matter has been canvassed in this place on many occasions and I believe it is a very constructive and responsible approach. It pains me to see members opposite parrotting and trying to score cheap political points before these select committees even get off the ground. This does not augur well. I will tell members now that, in the event that this sort of spirit pervades the select committees, this will be the last time we see—

Members interjecting:

The ACTING PRESIDENT: Order!

The Hon. J.R. CORNWALL: It is about time members opposite woke up to themselves and behaved like responsible adults. I serve notice now on the Opposition that, if the conduct of members opposite does not improve about 1 000 per cent (they are trying to politicise the committees before they even get off the ground), this will be the last we will hear of them in this place. That would be a great pity, because I believe that this is a major step in the right direction. I know that the Hon. Gordon Bruce and all my colleagues on this side agree with me. I must say that I find it very regrettable that very substantial innovations—

The Hon. M.B. Cameron interjecting:

The PRESIDENT: Order! I understand that the Leader is listed to speak.

The Hon. M.B. Cameron: I have already spoken. This is the close of the debate.

The Hon. J.R. CORNWALL: I regret that this innovation has been downgraded very substantially by the behaviour of members opposite, particularly of the Leader of the Opposition. Nevertheless, I ask that we try to lift our game a bit and support the motion.

Motion carried.

The Council appointed a select committee consisting of the Hons G.L. Bruce, C.W. Creedon, M.S. Feleppa, I. Gilfillan, C.M. Hill, and R.I. Lucas; the quorum of members necessary to be present at all meetings of the select committee to be fixed at four members, and Standing Order 389 to be so far suspended as to enable the Chairman of the select committee to have a deliberative vote only; the committee to have power to send for persons, papers and records, to adjourn from place to place, to sit during the recess and report on the first day of next session.

SELECT COMMITTEE ON THE BOUNDARIES OF THE TOWN OF GAWLER

The Hon. J.R. CORNWALL (Minister of Health): I move:

That a select committee be established in order to investigate the need for an adjustment to the boundaries of the Town of Gawler.

If the select committee considers that there is a need to change the boundaries of the Corporation of the Town of Gawler, it shall prepare a joint address to His Excellency the Governor, pursuant to section 23 of the Local Government Act, 1934-1982, identifying the area affected and any required changes to the areas of any adjacent councils by uniting, or by severance or annexation, any consequent adjustment of liabilities or assets, the disposition of staff affected by any change and all other matters pursuant to the Local Government Act, 1934-1982.

It is the proposal of the Government to establish a select committee of the Legislative Council to investigate the boundaries of the Corporation of the Town of Gawler. Members are aware of select committees concerning local government boundaries which have been established in recent times in this place and in the House of Assembly. Given the comparisons that can now be drawn between the operation and process of select committees in these two places, it is the opinion of the Government that the Legislative Council should constitute any select committee which is concerned with local government boundaries and that this select committee should prepare a joint address to His Excellency the Governor pursuant to section 23 of the Local Government Act, 1934-1982.

The Corporation of the Town of Gawler was proclaimed on 9 July 1857. The area of the new council was largely contained within land bounded by the North Para and South Para Rivers. The discovery of copper deposits at Kapunda in 1842 led to a large carrying trade between that town and Port Adelaide. Gawler became an important stopping place, and this situation was further enhanced by the opening of the Burra copper mines in 1846. Gawler established manufacturing activities for agricultural implements, railway locomotives and mining machinery and created a position as an important urban centre within the expanding colony.

The town's growth extended south of the South Para River into the areas of Gawler West, Bassett Town and Evanston, and this area was for many years governed by the District Council of Munno Para West. On 14 September 1899, following dissent from the residents of the area, the District Council of Gawler South was proclaimed. This council continued in existence until 22 June 1933, when it was amalgamated with the Corporation of the Town of Gawler to create a revised Corporation of Gawler with boundaries which are very similar to the present structure. The population of the area was at this time approximately 7 000 persons.

The population of Gawler has remained reasonably steady since this time, and at the 1981 census 6 099 persons were living within the municipality's boundaries. The post-war expansion of Adelaide's northern suburbs and an increasing accessibility to the Adelaide C.B.D. has brought about population pressures in the fringe areas of Gawler. In recent times there has been a growing population in the Evanston and Evanston Park areas, which are presently located to the south of the Gawler boundary in the District Council of Munno Para. In 1981, 2 456 persons were located in this area and there had been a growth of more than 20 per cent in population numbers since the 1976 census. A similar pattern exists to the west of the town in the District Council of Light, between the Gawler boundary and the alignment of the Gawler by-pass road. Population increase has also come from hobby farmers and farmlets within the District Council of Barossa and Light. Thus, although the population of the Corporation of the Town of Gawler has shown little change, there is a sizeable and growing population located immediately adjacent to its boundaries.

On 11 August 1981, a petition was submitted to His Excellency the Governor by the council seeking severance of a portion of the District Council of Munno Para and annexation of that portion to the town of Gawler. The portion of land concerned the adjacent southern and western areas mentioned above. A counter-petition was received from residents of Munno Para on 5 November 1981. Both the petition and counter-petitions were forwarded to the Local Government Advisory Commission for report and recommendation. It is understood that all petitions in this matter have now been withdrawn.

It is evident from the above information that there is a substantial and growing population adjacent to the boundaries of the Corporation of the Town of Gawler, but within adjoining council areas. This development is pronounced to the south and west of the town and has in recent times

become the subject of a petition for severance and annexation.

Gawler acts as a centre for a region which extends into the District Councils of Light, Barossa and Munno Para. It is obvious that a large number of people use the town area of Gawler for shopping, recreation, business and other activities such as medical support. It is noted that those persons living close to Gawler are enjoying the facilities of the town but are contributing little by way of monetary support. It is therefore possible that the boundaries of the town could be expanded to encompass this threshold population. This exercise is similar to that which has successfully been carried out in the regional centres of Port Pirie and Port Lincoln.

It is therefore proposed that a select committee be established in order to investigate the need for an adjustment to the boundaries of the Corporation of the Town of Gawler. The terms of reference of the select committee are as follows:

- The select committee should examine any benefits or disadvantages to the Corporation of the Town of Gawler and adjacent council areas by a change of boundaries to encompass urban growth areas.
- In carrying out this examination the select committee should take into account any operational, financial, staffing and management issues it considers appropriate.
- The select committee should take into account the impact of Gawler as a regional administration and commercial centre and the influence it exerts on the communities of interest.
- The select committee should consider the impact of the proposal on adjacent council areas, and also any consequential adjustments to boundaries that may be required.
- If the select committee considers that there is a need to change the boundaries of the Corporation of the Town of Gawler it shall prepare a joint address to His Excellency the Governor pursuant to section 23 of the Local Government Act, 1934-1982, identifying the area affected and any required changes to the areas of any adjacent councils by uniting, severance or annexation, any consequent adjustments of liabilities and assets, the disposition of staff affected by any change and all other matters pursuant to the Local Government Act, 1934-1982.

The Hon. M.B. CAMERON (Leader of the Opposition): I do not wish to hold up the Council, but I want to make the point that I do not at all resile from the remarks I made on the previous select committee. I want to reinforce the fact that when a previous motion for the amalgamation of councils came from the Lower House it was not a position that we supported. Councils were forcibly amalgamated. The committee did not operate as a select committee. We can well understand why the change has occurred, and we support the change. It is sensible, in view of the attitude taken by the Minister of Local Government previously, because the Minister was totally irresponsible in the way in which he conducted the previous select committee.

The Hon. J.R. Cornwall: That is history.

The Hon. M.B. CAMERON: Do not worry about it being history. The Minister supported what happened and was not happy when the Minister replied about the politicising of the previous committee. We are delighted to see that the Government—

Members interjecting:

The PRESIDENT: Order!

The Hon. M.B. CAMERON: —has seen the value of our remarks on the previous occasion. This Council was sensible, but the Minister was not sensible in the way in which he carried out the previous amalgamation. More importantly, there has been no consultation with local government this time. I know that the Hon. Mr Milne does not agree with these irresponsible amalgamations; he told me so, and I agree with him. They are being dragged in without consultation. Nor has there been any consultation with the local members involved. We used to do that, and it was sensible. If we are not careful we will make the same mistakes as we did previously, when people have taken positions before the committee has even started. We believe that there should be total consultation with local government areas, so that at least they feel that it is being done as part of a process in which they are involved, not without proper consultation. That is not right. We do not support that; we support the move towards the select committees being in this Council.

The Hon. J.R. CORNWALL (Minister of Health): It is most regrettable that the performance of the Leader of the Opposition in these matters today has been disgraceful and reprehensible. The entire thrust of this move to get the select committees into the Upper House and to have them conducted without a Minister being on the committees was to depoliticise the whole matter as much as possible. We were hoping to approach it in a bipartisan or, indeed, a tripartisan fashion. The remarks that I made at the beginning of this debate about moving them into this House for that particular purpose, so that there would not be politicisation and polarisation of those communities, are valid. It is most regrettable that the Leader of the Opposition in this place, in one of his most irresponsible performances—and that is saying something, because the Leader of the Opposition in this place can be almost totally irresponsible—has tried to demean the standards of this Council and of this Parliament.

The Hon. M.B. CAMERON: I rise on a point of order. I think I should ask the Minister to withdraw that remark. I have in no way attempted to demean the standards of this Council and of this Parliament. I ask him to withdraw the remark and apologise.

The PRESIDENT: I did not hear the remark that the Minister has been asked to withdraw.

The Hon. J.R. CORNWALL: I submit that there is nothing unparliamentary about it. I have said—

An honourable member: It was not a fact.

The Hon. J.R. CORNWALL: I am stating my opinion, at least, which I am entitled to do. I am stating that I thought that by his performance today the Leader of the Opposition was demeaning the standards of this Council and of this South Australian Parliament.

The PRESIDENT: The Hon. Mr Cameron has raised objection to it and asked the Minister to withdraw. As the mediator, I can only ask the Minister to withdraw.

The Hon. J.R. CORNWALL: Why is that? Are you, Sir, ruling that to say that he had demeaned this Council and this Parliament is unparliamentary?

The PRESIDENT: No, I am not ruling that at all. On behalf of the member who has approached the Chair asking for withdrawal, I am now asking the Minister to withdraw.

The Hon. J.R. CORNWALL: I am sorry—on what basis?

The PRESIDENT: My basis is to ask for a withdrawal. The Minister apparently does not intend to withdraw. Now he has the chance to explain to me why he does not intend to withdraw.

The Hon. J.R. CORNWALL: I submit that the word 'demean' is not unparliamentary and that to suggest in the normal cut and thrust and parry of Parliamentary debate that the Leader of the Opposition has demeaned the standards of this Council and this Parliament is a legitimate comment.

The PRESIDENT: The Hon. Mr Cameron has asked for a withdrawal. Apparently the Minister does not believe that he should withdraw. The decision now comes into my lap, as to whether I judge that the member has in fact demeaned the Parliament and whether it is necessary to proceed further.

In view of the discussion, as I heard it from outside, I would be inclined to believe that there has been some agitation on both sides. I do not think that there is any need to proceed any further.

The Hon. M.B. CAMERON: Mr President, I rise on a point of order. I will not proceed with my request for the Minister to withdraw his remarks, because the public is well aware of the sort of inflammatory and rather stupid remarks that he is inclined to make. I do not wish to proceed. He will be judged.

The Hon. J.R. CORNWALL: I am certainly not going to enter into a slanging match with the Leader of the Opposition. I will not dignify the Leader's remarks by commenting on them. I think it is about time that we got on with the legitimate business of the Council.

The Hon. M.B. Cameron interjecting:

The PRESIDENT: Order! I certainly hope that the Minister proceeds with his motion. If we are to have a dust-up, we are heading in the right direction. Having got this far it would be as well if little more was said about personalities.

The Hon. J.R. CORNWALL: Mr President, I could not agree more, and you will not get that type of irresponsible behaviour from me—I will leave that to honourable members opposite, particularly the Leader of the Opposition. It is regrettable that the select committee is making such an unfortunate start. Honourable members opposite have two months to settle down and behave a little more responsibly.

The PRESIDENT: It is with some regret that I indicate that, once again, because of the state of the Council, the second motion cannot proceed. I ask the Minister to proceed with his third motion.

The Hon. M.B. CAMERON: Mr President, I draw your attention to the state of the Council:

A quorum having been formed:

The Council appointed a select committee consisting of the Hons M.S. Feleppa, C.M. Hill, Diana Laidlaw, Anne Levy, K.L. Milne, and Barbara Wiese; the quorum of members necessary to be present at all meetings of the select committee to be fixed at four members, and that Standing Order 389 be so far suspended as to enable the Chairman of the select committee to have a deliberative vote only; the committee to have power to send for persons, papers and records, and to adjourn from place to place, to sit during the recess, and to report on the first day of the next session.

Motion carried.

REAL PROPERTY ACT AMENDMENT BILL

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

Consideration in Committee of the recommendations of the conference.

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

That the recommendations of the conference be agreed to.

A compromise was reached between the conference managers from both Houses. The conference was mercifully brief. The spirit of co-operation was quite remarkable, and I am pleased to indicate that there was unanimous agreement on the conference recommendations. Among other things, the Real Property Act establishes the Real Property Act Assurance Fund. The Government Bill, which came from another place, contained a money clause. The proposition was that there should be a fund but that the money levied on real estate transactions should be part of the general revenue of the State. That was not acceptable to the Council and the Hon. Mr Griffin moved amendments, which were adopted by the Council, to provide for the establishment of a separate fund in terms of a separate account.

The Council's amendments provided that no portion of that money should be used for the purpose of general revenue. The compromise, which I believe is most sensible, is that there will be an assurance fund. Moneys in that fund will not be part of general revenue, but moneys may be advanced from the fund to general revenue and, if that occurs, the Treasurer will be required to pay interest on those funds. On the other hand, if the Treasurer is required to pay out to meet claims on the fund a sum in excess of the amount in the fund, the Treasurer has the right to claim the moneys back from the fund when the fund is topped up from the levy that is applied to real estate transactions. I ask the Committee to support the conference recommendations. The regulations which prescribe the assurance levy will still expire on 31 December 1988.

It would need an amendment to the Act, should the fund be short of cash at that time. Also, whilst not entirely satisfactory, there is a maximum amount of $2 per instrument as the levy which can be applied under this legislation. Again, that was not entirely satisfactory to another place, but it has been agreed to. If it appears that the money going into the fund is not sufficient to meet the liabilities of the fund, the amendments will have to be brought back to Parliament for further consideration.

The Hon. K.T. GRIFFIN: I support the proposal. The agreement by the conference maintains essentially the amendment which I moved and which was supported by the Legislative Council but which accommodates the concern expressed by the Attorney in regard to the ability of the Treasury to make advances by way of loans to the fund and recover the amount advanced for that purpose from assurance levies and interest earned by the fund. I have always been anxious to ensure that the assurance fund is established as an identifiable account in the accounts of this State, that it could not be appropriate for purposes other than the fund, and that there is some incentive—

The Hon. R.C. DeGaris: Appropriate and forgotten!

The Hon. K.T. GRIFFIN: Yes—to ensure that there are limits on the amount that can be raised by way of levy and that there is a sunset provision which will require the matter to come back to Parliament in five years if the funds are insufficient.

Parliamentary oversight remains. The private sector, both for practitioners, land brokers, lawyers and parties to the real property transactions, have some assurance that it will not be taxed indirectly by a large assurance fund levy and that the funds which are collected by way of levy are used only for the purposes for which the levy was imposed. I am satisfied that the amendment achieves all those objectives and, accordingly, I am pleased to support the motion.

Motion carried.

SITTINGS AND BUSINESS

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

That the members of this Council appointed to the joint committee on proposals to reform the law, practice and procedures of Parliament and the joint committee on the administration of Parliament have power to act on those joint committees during the recess.

Motion carried.

WRONGS ACT AMENDMENT BILL

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

That the Select Committee on the Bill have power to sit during the recess and to report on the first day of next session.

Motion carried.

DENTISTS ACT AMENDMENT BILL

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

That the Select Committee on the Bill have power to sit during the recess and to report on the first day of next session.

Motion carried.

STATUTE LAW REVISION BILL

Returned from the House of Assembly without amendment.

WORKERS COMPENSATION ACT AMENDMENT BILL

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

EVIDENCE ACT AMENDMENT BILL (No. 2)

Returned from the House of Assembly without amendment.

CASINO ACT AMENDMENT BILL

Second reading.

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

That this Bill be now read a second time.

It amends section 25 of the Casino Act, 1983, which prohibits the possession or control of poker machines either in the premises of the licensed casino or elsewhere. The effect of the amendment is to limit the prohibition to the premises of the licensed casino only. While the principal Act has only recently been passed by the Parliament and was dealt with as a private member's measure, the Government is introducing this amendment because it does not believe that it was the intention of Parliament to put individuals who possess a poker machine at risk of a $20 000 penalty. This measure in no way changes the major provisions of the principal Act. It simply deals with a problem that has become apparent since the principal Act was passed.

Clauses 1 and 2 are formal. Clause 3 amends section 25 of the principal Act so that the prohibition against possession of poker machines will apply in the premises of the casino but will not apply anywhere else.

The Hon. K.T. GRIFFIN: As far as members on this side of the Council are concerned, the question of support or otherwise of the Bill is a matter for their consciences, as was the principal Bill. Accordingly, it is impossible to predict which way individual members will vote on it. I have some concern about the Bill. The Council will know that I voted against the Bill that became the principal Act, and I maintain my opposition to this Bill, notwithstanding that the Act has now passed through Parliament.

In respect of this amendment, I wonder whether the Attorney will consider several matters. In another place much concern was expressed about the low penalty imposed by the Lottery and Gaming Act for using poker machines privately but for gambling purposes. The maximum penalty is about $200. On the face of it, I believe that that is a grossly inadequate penalty for using poker machines for the purpose of gambling.

The Hon. G.L. Bruce: You never changed it while you were in Government.

The Hon. K.T. GRIFFIN: I am not criticising this Government or the previous Government for this situation: I am merely drawing it to the Attorney's attention in the hope that he will be able to do something about it. I am not speaking on this Bill in a spirit of knocking anybody: I am merely raising a matter of concern, that is, the inadequacy of the penalty for using a poker machine for gambling purposes. The information supplied in the other place indicated that there were something like 8 000 to 10 000 privately owned poker machines in South Australia. I am somewhat surprised by that.

The Hon. G.L. Bruce: It had risen to 40 000 by the end of the debate.

The Hon. K.T. GRIFFIN: That is somewhat more incredible. I have no doubt that the manufacturers of poker machines would be most anxious to increase those numbers, even if they were privately used. One of the concerns I have is that manufacturers of these machines will continue to promote the sale of them in South Australia so that instead of 8 000 machines being available there will be 40 000 in use privately in South Australia. No-one can tell me that they are used only for the very personal purposes of the owner.

The Hon. Anne Levy: It is illegal.

The Hon. K.T. GRIFFIN: I have a strong suspicion that, although some people may assert that friends are invited to use their poker machine, that they use it only with money that the private owner provides, and that no proceeds are to be taken off the premises, it is a spurious claim and that, in fact, the machines are, in many instances, used for private gambling parties. I have a real concern about that.

In particular, I have a concern about the undoubted push that will occur by poker machine manufacturers to get these machines into private facilities. I fear that to be the thin end of the wedge to get poker machines legalised in clubs, casinos and other places of so-called entertainment in South Australia.

My concern with this amending Bill, although I will not call for a division on it, is that it is the thin end of the wedge and that it is only a matter of time, if poker machines are tolerated in the private context, before they find their way into a legal context readily available to the public at large. In that context, also, poker machine manufacturers attempting to broaden the number of homes and places in which these machines are meant to be used privately will be able to rake off substantial profits. Undoubtedly, there is a lot of money to be made in both the legal and illegal use of poker machines. The use of these machines brings with it consequent ills and disabilities which have been explored in another place and in this Council, and I do not want to repeat them.

I want from the Attorney-General an assurance that the Government will closely investigate the provisions of the Lottery and Gaming Act in respect of private ownership and use of poker machines and, in particular, the low penalties involved for the illegal use of those machines and that it will, at the earliest opportunity during the next session, make a report available to the Parliament on that investigation and present it to the Parliament with any amending legislation which may be regarded as necessary as a result thereof. It is important that this investigation is conducted.

I understand that statements were made by the Premier which might indicate that the Government is already considering this matter, but in the context of the debate in this Council I would like the Attorney-General to give assurances about a matter which is of concern to me and I believe to many other members of this Parliament and other South Australians.

The Hon. ANNE LEVY: I support the second reading of this Bill. I wish to make two points. First, the Hon. Mr Griffin referred to penalties under the Lottery and Gaming Act for using poker machines for gambling. It may well be that a penalty of $200 is inadequate if the use of poker machines is to be prohibited in South Australia.

However, the Hon. Mr Griffin spoke of his disbelief of the suggestion that poker machines currently in private ownership are being used only by friends of the owner and not for gambling purposes. As I understand it, under the Lottery and Gaming Act the use of poker machines is prohibited in South Australia at the moment, whether for gambling or not, and it is prohibited to use tokens or to let friends use them. I am not sure whether one is prohibited from turning a poker machine into a table lamp, or whether that would be classified as a use of a poker machine.

The Hon. K.T. Griffin: It would cease to be a poker machine, then.

The Hon. ANNE LEVY: Not necessarily. Without going into the semantics of what 'use' means, I get the impression from the Hon. Mr Griffin that private use of a poker machine with tokens or opening up the back of the machine to redistribute coins to their owners is not an illegal use.

The Hon. K.T. Griffin: I did not mean to give that impression.

The Hon. ANNE LEVY: As I understand, that is just as illegal as gambling with poker machines under the legislation which he introduced.

The Hon. K.T. Griffin: Yes.

The Hon. ANNE LEVY: I would certainly agree with him that the Lottery and Gaming Act needs looking at again with regard to this matter, both in terms of penalties and the different purposes to which poker machines may be put.

The Hon. K.T. Griffin: One of the other difficulties with it is that it is only those machines which are prescribed by regulation that are involved, so they are not specifically prescribed in the Act, yet the regulations can be amended.

The Hon. ANNE LEVY: I appreciate that. It is for that and other reasons that I will certainly support a review of the Lottery and Gaming Act in this area. However, the Bill amends section 25 of the Act regarding the use of poker machines in the casino that is to be established in South Australia. It is an entirely appropriate amendment to the Casino Act and it seems eminently sensible to me that the Act should refer only to what happens in the casino.

I am quite sure that it is the wish of the Parliament that poker machines be prohibited in the casino. However, surely it is irrelevant to the purposes of the Casino Act whether poker machines should or should not be used elsewhere in the State outside the casino. That matter would be more properly dealt with under the Lottery and Gaming Act, and the Casino Act should refer only to what happens inside the casino. For that reason, I will support the second reading.

Without entering again into the merits of whether there should or should not be poker machines in a casino, I believe that Parliament has already decided that question and that the majority of members do not want poker machines in a casino in South Australia. I certainly support the Bill before us, which will restrict the view of Parliament to what is the proper purpose of the Act which we are amending, that is, the Act relating to a casino for South Australia.

The Hon. C.J. SUMNER (Attorney-General): I thank honourable members for their contributions, particularly for the co-operation that has been shown in relation to this matter. I believe that it became clear that there was an undeniable consequence in the passage of the casino legislation earlier in this session which has been partly remedied by this Bill, which has the support of the Council.

Prior to 1981, it was legal for a person to possess and use poker machines, provided that one did not use them for gambling. Obviously, people in the community bought poker machines; there was quite a trade in the South Australian community—a much greater trade than was believed. Many more people possessed poker machines than was considered to be the case when the Bill was passed.

However, it is now clear, as has been pointed out to me, that when one looks at the classified ads in the newspaper every day one sees that poker machines are for sale. Prior to 1981, it was possible for a person to possess and use a poker machine but he could not use it for gambling. When that practice became clearly illegal, a trade grew up and many people came to possess poker machines. Clearly, it was unfair immediately to say to all those people, 'You now have to dispose of the poker machine or subject yourself to a $20 000 fine.' The Bill brings the position back to what it was from 1981 until the passage of the Casino Bill.

Even that has created difficulties, because many people purchased poker machines and apparently used them in their homes, but not for gambling purposes. Under the 1981 amendments, that practice was illegal, and that has caused concern to the 300 people who attended the meeting last Sunday and who possess private poker machines. When I announced last Tuesday that the Government would be prepared to introduce this Bill, after I was questioned about the matter, I said that we would introduce a Bill to bring the situation back to what it was from 1981 to the present time and we would then consider any submissions from the committee elected at that meeting or from anyone else who wished to make submissions to the Government.

The Hon. Mr Griffin has asked what investigations we carried out. I can give the assurance that the Government will look closely at the Lottery and Gaming Act. I do not want to say that we will undertake a formal investigation, but certainly the Government will inquire into the matters raised by the honourable member, by any other member, and any other submissions placed before it, and it will consider the question of the penalty and the use and ownership of poker machines, although I believe that it would be difficult to do anything about the question of ownership at this stage. Certainly, we will consider the question of usage, penalty (which, as the honourable member pointed out, is not particularly high), and the illegal use of these machines for gambling.

I do not want to give the Council the impression that a formal report will be produced and tabled, but certainly we will inquire into the matter, and further information can be made available to the Council by way of a formal report or a Ministerial statement when the Council resumes in July. I thank honourable members for their support.

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

[Sitting suspended from 4.50 to 7.50 p.m.]

MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) BILL

Returned from the House of Assembly with the following amendments:

No. 1. Page 1, (Clause 2)—Line 26—After the word 'profession' insert ', business'.

No. 2. Page 2, (Clause 2)—Lines 28 and 29—Leave out the definition of 'spouse' and insert definition as follows:

'spouse' in relation to a member, includes a person who is cohabiting with the member as the husband or wife *de facto* of the member and—

(a) who—

(i) has been so cohabiting with the member continuously for the preceding period of five years;

or

(ii) has during the preceding period of six years so cohabited with the member for periods aggregating not less than five years;

or

(b) who has had sexual relations with the member resulting in the birth of a child;

No. 3. Page 2, (Clause 3)—Line 42—Leave out 'preceding period of ninety days' and insert 'period of ninety days preceding the day on which he became a member.'

No. 4. Page 3, (Clause 4)—Line 28—After the word 'State' insert ', by an employer'

No. 5. Page 3, (Clause 4) Line 29—Leave out the word 'to' and insert 'for or towards the cost of'

No. 6. Page 3, (Clause 4) Line 31—After the word 'period' insert ', and for the purposes of this paragraph "cost of travel" includes accommodation costs and other costs and expenses associated with the travel'.

No. 7. Page 5, (Clause 6)—Lines 17 to 19—Leave out subclause (3) and insert subclause as follows:

(3) Where any information or comment is published by any person outside Parliament in contravention of subsection (1), that person and any person who authorised the publication of the information or comment shall be guilty of an offence and liable—

(a) in the case of a corporation—to a penalty not exceeding ten thousand dollars;

or

(b) in any other case—to a penalty not exceeding five thousand dollars or imprisonment for three months.

[Sitting suspended from 7.53 to 9.5 p.m.]

Consideration in Committee.

Amendment No. 1:

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

That the House of Assembly's amendment No. 1 be agreed to.

This amendment clarifies in clause 2 the definition of 'financial benefit', which includes obtaining remuneration from a business as well as a trade, profession, or vocation.

The Hon. K.T. GRIFFIN: I support the amendment. In fact, it picks up the drafting of one of my amendments, which was lost on a previous occasion. I believe that this completes the ambit of the clause.

Motion carried.

Amendment No 2:

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

That the House of Assembly's amendment No. 2 be agreed to.

This amendment removes the reference to putative spouse but defines that spouse in the same way as a putative spouse is defined in the Family Relationships Act. I accept that it does not now require a declaration from the court for the situation in regard to a putative spouse. It is defined in terms of a *de facto* spouse, in the same terms as a putative spouse is defined in the Family Relationships Act, except that in that Act—

The Hon. J.C. Burdett: In that Act it is in regard to a particular date only.

The Hon. C.J. SUMNER: Yes, it is clear in regard to a particular date—

The Hon. J.C. Burdett interjecting:

The Hon. C.J. SUMNER: That is appropriate in relationships where we are talking about inheritance. It is also appropriate (and I hope that it is in the Bill we passed in this session) in regard to competence and compellability of a spouse.

My recollection is that that was clear in the Bill. That declaration could also be made by a court because a person involved in that situation is embroiled in court proceedings. A 'putative spouse', as defined in this legislation, was inadequate in the sense that there is no pending court proceeding related to this by which the person who applied is declared a putative spouse. So, it is felt that this definition is preferable. It is, in fact, the same as a 'putative spouse' definition, except that the court definition is there.

The Hon. K.T. GRIFFIN: I support the amendment. It certainly clarifies the relationship and removes the technical difficulties which the reference to putative spouse in the Family Relationships Act would have had by virtue of the provision that such a declaration would be made on a certain date by a court. Because this is a significant improvement to the definition of 'putative spouse', I support it.

Motion carried.

Amendment No. 3:

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

That the House of Assembly's amendment No. 3 be agreed to.

This is purely a drafting matter.

Motion carried.

Amendment No. 4:

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

That the House of Assembly's amendment No. 4 be agreed to.

This provision deals with the information that should be contained on an ordinary return. Clause 4 (2) *(c)* deals with the source of any contribution made to travel beyond the limits of South Australia, and there is an exception to the declaration of any contribution made towards that travel or any contribution made by the State or any public statutory corporation.

The intention of the House of Assembly's amendment is to exempt a contribution made by an employer. The fear was that an employee might have to make a declaration every time that the employer made a contribution to his travel when he went on an interstate business trip which had an air fare value in excess of $500. That was not a major problem, but it was agreed by the House of Assembly that contributions made by an employer should be exempt from the declaration.

I am prepared to recommend to the Committee that this be accepted. While dealing with this provision, I would also like to indicate to the Committee that certain other understandings as to the interpretation of this clause have been arrived at. They are consistent with the drafting of the Bill, as the Parliamentary Counsel advises, and the explanation of the Bill as it stands.

The difficulty that has been put to me is in regard to a member who may be a lawyer, medical practitioner or consultant of some kind who may travel interstate for the business of a client or patient. The fear was put that that travel on behalf of each individual client could be deemed to be a contribution made within the terms of clause 4 (2) *(c)*. The problem was raised even further than that—that it could be interpreted that every individual source of income from a client and every client may have to be named in the register in that situation. That was not intended.

I do not believe that it is caught by the legislation but, just in case there is any misunderstanding, I want to make it clear that in the understanding of legislation the following guidelines should be agreed to. It will be the Parliament that will be responsible for administering the legislation through the register. As to the guidelines, it is not intended in the case of a sole practitioner or business person that each individual client would be identified as a source of income. In relation to the disclosure of a source of any

contribution made in cash or kind to travel beyond the limits of South Australia, the contribution from an individual client made by that client for the genuine purpose of the person attending to the client's business need not be disclosed. However, any gratuitous contribution for which there is no contribution in terms of professional or business work performed should be declared.

The effect of that would be that, if there is a member of Parliament who is practising as a management consultant part time who may have certain clients—he may practise as a lobbyist—that person would not have to declare as a source of income each individual client. If a legal practitioner or medical practitioner or veterinary surgeon engages part time in their profession, that member would not have to declare each individual client as a source of income. He would merely have to declare: 'Source of income—legal practitioner—private practice'. A veterinary surgeon, if in a partnership, would nominate the partnership. That deals with the first interpretative clause. The second is to this effect that, if that person attends on business in Brisbane and the fare is over $500 and it is undertaken for the genuine purpose of the business of the client, then that does not have to be declared.

I imagine that that matter would be dealt with, in any event, by the member, business person, legal practitioner, or whoever by sending a bill to the client which would include as an expense, the cost of the air travel. I do not think that that would be caught by the legislation. However, some doubts have been expressed about this matter and I think that we should make it clear to this Council that it is not intended that that situation ought to be caught by this amendment. Neither would the situation be caught where the client purchased an airline ticket for a person to travel for the purpose of that client's business; that is clear.

However, if the client were to make a contribution to the member in a manner which had nothing to do with the business and for which there was no consideration in terms of work, then that would have to be declared. If the client felt that the member should be looked after for two or three weeks in some salubrious part of the Gold Coast it is expected that that would be declared. I think those remarks clarify what I believe is the correct interpretation of the legislation.

The Hon. K.T. GRIFFIN: I support the amendment and thank the Attorney-General for making that detailed explanation to clarify matters which were of concern to members, a concern which was heightened by the amendment which has come before us. That amendment raised questions even in the other place. I think that the understanding which the Attorney-General referred to does help very much in the clarification of the way in which not only this subclause but the whole Bill will be dealt with. The Bill is designed to identify those areas of benefit to a member which are likely to influence his decision, either as a Minister or a member of Parliament, in dealing with a particular circumstance. I am pleased to be able to support the amendment in the light of what the Attorney-General has said.

The Hon. R.I. LUCAS: I still have some serious concern about this amendment. I hate to impinge on the harmony prevailing at the moment, but I would be interested in the Attorney's response to the hypothesis that a casino operator or poker machine manufacturer might employ the Hon. Mr Bruce or the Hon. Mr Lucas as a consultant and send that person on a trip to San Francisco, Las Vegas and all the casinos throughout the world.

We were to vote on a casino Bill or poker machine Bill in this Council and the person employed as a consultant is sent by those people to obtain information, ostensibly for the casino operator or poker machine operator. The person enjoys the trip and reports back to the employer, but whether this happens before or after a Bill is passed there are still some reservations in my mind about this matter.

If the amendment provides that the travel arrangements, the name of the casino operator and the name of the poker machine manufacturer should not be declared, I would be seriously concerned. I am well aware that some of the reasons behind this amendment make good sense, but I am worried that a serious loophole could emerge.

The Hon. C.J. SUMNER: I can only hope that a serious loophole does not emerge. I believe that the honourable member's example is incredibly artificial. I would be astounded if a sitting member accepted the position of consultant in relation to a Bill that was before Parliament. The honourable member's example is artificial and the situation he describes is improbable. If any member went on a junket around the United States paid for by the casino operator (before or after the passage of the Bill), it would be totally irrelevant because, given the size of this Chamber, even if the member did not declare that event, everyone would know about it.

Theoretically, the situation described by the Hon. Mr Lucas could occur. A member could decide to be engaged by a poker machine manufacturer, and he could visit casinos overseas, but it is most unlikely that he would use that as an artificial device to avoid declaration. I submit that the member would be discovered without much difficulty. If a member did engage in an artificial contrivance similar to the honourable member's example, I believe his political reputation would suffer quite substantially. Obviously, there are interests that the public and Parliament cannot find out about.

The Hon. K.T. Griffin: It's covered by Standing Order 225.

The Hon. C.J. SUMNER: It is quite possible that a member is covered by that Standing Order, which deals with pecuniary interests. It could be that a member could not vote on that legislation because it would involve a direct pecuniary interest not held—

The Hon. R.I. Lucas: How would we know, if the member did not declare that the casino operator paid his bill?

The Hon. C.J. SUMNER: That could apply at present. Certainly, it could apply under this Bill. All I am suggesting is that the member would then be in breach of a very significant Standing Order, and any vote would be disallowed.

The Hon. R.I. Lucas: That's why you brought the Bill in—because that Standing Order wasn't strong enough.

The Hon. C.J. SUMNER: I am not suggesting that it was strong enough. All I am suggesting is that the situation outlined by the Hon. Mr Lucas is extraordinarily artificial. One could think of other examples, no doubt: if someone went through the Bill and wanted to avoid the consequences of the legislation, he could drum up artificial schemes to do so. However, I suggest that, if a person were found out, the political consequences would be quite disastrous. I do not see the same difficulty as the honourable member sees with respect to this amendment.

The Hon. R.I. LUCAS: Regarding the suggestion that it is contrived, let me pursue a point that the Hon. Miss Levy has raised about spouses. What is the situation where a Minister or a member who has some responsibility for dryland farming experiments overseas, or something of that nature, and the wife or the husband of that particular person is employed by someone and sent on an overseas trip? For example, John Shearer's or Horwood Bagshaw employs the husband or the wife of a Minister, and that wife or husband has some influence over the particular spouse. If John Shearer's, Horwood Bagshaw, or whoever it is, pays for the trip of the wife or the husband to undertake some studies

or look at the use of dry-land farming equipment in countries overseas where the State Government is involved, and the particular Minister or member has to make decisions and recommendations eventually on the whole attitude and policy of the State Government in that area, from what the Attorney-General is saying, that particular donation or arrangement entered into by John Shearer's or Horwood Bagshaw (I do not intend to impugn them at all; I am just giving them as instances)—

The Hon. C.J. Sumner: How would the member and spouse have got the money in those circumstances?

The Hon. R.I. LUCAS: They would not have got the money: they would just have had their travel paid for.

The Hon. C.J. Sumner: How would they be employed?

The Hon. R.I. LUCAS: They would be employed by, say, John Shearer's as a consultant. The person concerned—or the spouse—is employed as a consultant by someone like Shearer's or Bagshaw. I gave an example which the Attorney said was contrived. The intent, as I read it in this subclause, and the guidelines that the Attorney has given, would mean that the name of John Shearer's or Horwood Bagshaw would not have to be revealed.

The Hon. C.J. SUMNER: If a person were employed as a consultant by a company in the sort of situation that the honourable member has indicated it would, of course, be highly irregular for a member to act, I think, as a consultant in relation, as I think the honourable member is suggesting, to a Bill that might be before the House or some matter that may be considered of interest to the Government.

The Hon. R.I. Lucas: Or the spouse! Surely the spouse is entitled to work in whichever area he or she chooses.

The Hon. C.J. SUMNER: If there is an employment relationship, then the declaration is required under clause 4 (2) *(a)*, and the travel situation would probably become irrelevant. Under clause 4 (2) *(a)*, if a member or a spouse is receiving a financial benefit from a consultancy, then that is a source of financial benefit if they are actually employed.

The Hon. R.I. Lucas: It is, if there is a financial benefit; if it is solely travel, it is not.

The Hon. C.J. SUMNER: If the member were directly employed by a firm, and that member or spouse obtained a financial benefit (wages, salary or whatever), then under clause 4 (2) *(a)* that source of income would have to be declared. There could be situations where a member was employed as a consultant in relation to a matter that was going through the House; it would be irregular, I believe, if that did occur, but I suppose it could, and I think the honourable member is technically correct in saying that the source of that contribution would not have to be declared. I would think that that would be a blatant disregarding of the spirit of the legislation and even though I think that would be a fairly artificial situation, if a member should be found to be engaged in that situation, then there would be severe political embarrassment.

The Hon. R.I. LUCAS: I will not pursue the matter, as I do not want to delay the Committee any further. I am unhappy about it. The Attorney-General has conceded that in the examples that I have given the name of the employer would not have to be given on the return. I do not believe that is correct. I sense, or I know, that there is not much support in the Committee for the stance that I am taking; however, I will not support this particular provision.

The Hon. C.J. SUMNER: I believe the guidelines that I have outlined probably cover that situation in any event, as that travel as a consultant, in the sort of circumstances that the honourable member has outlined, would probably be, particularly in the casino example, a gratuitous contribution for which there is no consideration in terms of professional or business work; clearly, under the guidelines which I have outlined, that travel ought to be declared. I suppose if the member was genuinely engaged as a consultant by a firm in relation to a Bill before the Parliament and was actually doing work, then there is an argument that the travel contained in the carrying out of that work would not have to be declared. But I would find that situation highly irregular. I would think a member doing that would have difficulty in sustaining it in this House or in this Parliament for any length of time.

I would have thought it would become fairly obvious that a member was working in that way. I think the honourable member was trying to find his way through the legislation, I suggest not for any ulterior motive, but trying to find loopholes and, as I said before, one could probably artificially contrive schemes to avoid other aspects of the legislation as well. I would suggest that we give the Bill a chance to operate as drafted, with the amendment moved by the House of Assembly and the interpretative guidelines that I have indicated.

Motion carried.

Amendments Nos. 5 and 6:

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

That the House of Assembly amendments Nos. 5 and 6 be agreed to.

The amendments together deal with the definition of 'travel' and provide that the source of contribution to any travel includes accommodation costs, and other costs and expenses associated with any travel. It broadens the scope of the declaration and I suggest that it be supported.

The Hon. K.T. GRIFFIN: The first amendment is a matter of drafting, and I support it. The second amendment widens the meaning of the cost of travel, and I believe that it is an appropriate extension of the description of costs of travel and, accordingly, I support that amendment too.

Motion carried.

Amendment No. 7:

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

That the House of Assembly's amendment No. 7 be agreed to.

We debated this matter at some length when it was previously before us. It deals with the penalties which would apply in the case of publication outside of Parliament of any material contained in the register of interests, in contravention of the Act. The original Bill from the Government contained a penalty of $5 000. The Opposition felt that that was not satisfactory and increased it to $50 000. The House of Assembly has now suggested $10 000 for a corporation, and $5 000 or imprisonment for three months for an individual. That sounds like a reasonable compromise to me.

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

Leave out from proposed new subclause (3) the words 'ten thousand dollars' and insert the words 'twenty-five thousand dollars'.

This might be a minor amendment in length but in substance it is significant. For a breach of this clause, the penalty for a corporation is $25 000. I think that that is much more equitable than $10 000 for a corporation and $5 000 or three months imprisonment for an individual. I recognise that the form in which the amendment comes to us is markedly different from that which the Legislative Council passed on the first occasion. However, notwithstanding that, I am prepared to accept the format of the amendment, but I believe that the $10 000 maximum for a corporation ought to be increased to $25 000, because, to a corporation which is anxious to make political capital out of a piece of legislation such as this Bill, $10 000 will be more than recouped by the sales as a result of a headline of that type on the billboard.

Therefore, I think that the more appropriate and likely deterrent would be $25 000, rather than $10 000. I have therefore moved that the amendment be amended accordingly.

The Hon. C.J. SUMNER: I am not really happy about the honourable member's suggestion, but, as we seem to have almost reached agreement on the relevant clause, I am prepared to resist the temptation to prolong the debate on this matter.

Amendment carried.

Motion carried.

[Sitting suspended from 9.49 to 10.27 p.m.]

The House of Assembly intimated that it had agreed to the Legislative Council's amendment to the House of Assembly's amendment No 7.

PARLIAMENTARY LIBRARIAN

The Hon. C.J. SUMNER (Attorney-General): By leave, I would like to formally acknowledge in the Council at this time that Mr Stirling Casson, the Librarian to the Parliament for some 17 years, is due to retire towards the end of this month. Mr Casson is one of those people in the Parliament whom one could almost describe as an institution. He has been here for a long time, and he is a quiet but very effective worker. I have had much to do with him, initially during my period as a back-bencher, and as Leader of the Opposition in this Council.

It is as a back-bencher and in Opposition that one makes most use of the Parliamentary Library. I always found Mr Casson to be extremely co-operative. He was always able to find something on any topic that one approached him about and, if he was not able to find it in the Parliamentary Library (those occasions were rare), he was certainly able to obtain it readily from other sources.

Stirling Casson has a broad interest in politics and has been particularly suited to the position of Librarian to the State Parliament. As I said, on politics he was always able to give a lead to find an article or book, or even a small newspaper clipping that one might be requiring. I would like to take this opportunity, on behalf of the Government and members on this side of the Council, to express our thanks for the work that Stirling Casson has done for the Parliament in the Library, and to wish him all the best in his impending retirement.

The Hon. M.B. CAMERON (Leader of the Opposition): By leave, I would like to second the remarks made by the Leader of the Government in relation to the retirement of our Librarian. As the Attorney-General has said, he is an institution, and one almost wonders what the Library will be like without him. He has always been there and, as the Attorney-General has said, he has always been of tremendous assistance to any back-bencher or member in Opposition who has had a problem. I have never known him not to be able to come up with something, and I am amazed at what he has been able to find in the Library in relation to almost any subject that has come before this Council.

The depth of material that he has been able to provide has always been excellent and has been provided efficiently, willingly and quickly. I must say that, as a back-bencher for a considerable time while Stirling has been here, I have always found him 100 per cent co-operative. I certainly will miss him. He has been a friend to all members. One has always felt welcome in the Library and nothing one asked Stirling to do has been too much trouble. He has been willing to carry out any research that one wanted, and has continued to search after a member appeared to be satisfied, coming back with material that might be of assistance. I must say that his successor will find the job of replacing him very difficult.

I wish Stirling all the best in his retirement, and I am sure that all members of the Opposition will join me in that. I trust that whatever interest he continues with after retirement, whether it be just retirement or any other pursuit, will be successful. We all wish him well and trust that we will see him from time to time, because he will always be very welcome in the precincts of Parliament House.

The PRESIDENT: I would like to place on record several things. First, I would like to express my thanks on behalf of all members for the co-operation and service given to members by the staff in all quarters during this session; the catering staff, messengers, Library, the table officers and *Hansard*. Each group in turn is due for special thanks, and the functioning of this Parliament is so much better for the efforts of these people who serve it. I thank them most sincerely.

I, too, take this opportunity to place on record my appreciation of Stirling Casson's 17 years as Librarian. I have been a member of this place for a similar period, and I can speak with authority on Stirling Casson's contribution to this establishment. Stirling Casson is unflappable, unobtrusive and at all times ready to be of service to members. Although there may be better Parliamentary Libraries throughout this country, there have been no better Parliamentary Librarians. I say that with some authority, because I have been interstate on conferences with Stirling Casson.

Stirling Casson is recognised by Librarians throughout Australia as an authority on Parliamentary procedure and Parliamentary Libraries. As other speakers have already said, we will miss him. His successor will have a major role to fulfil to maintain Parliamentary debate at its present high standard. In fact, we may have to bring Stirling back from retirement if the standard of debate begins to fall away! I am sure all honourable members join with me in wishing Stirling and his wife the happiness that they deserve in their retirement.

ADJOURNMENT

At 10.37 p.m. the Council adjourned until Tuesday 5 July at 2.15 p.m.