HOUSE OF ASSEMBLY

Wednesday, February 19, 1975

The SPEAKER (Hon. J. R. Ryan) took the Chair at 2 p.m. and read prayers.

DEATH OF HON. SIR NORMAN JUDE

The Hon. D. A. DUNSTAN (Premier and Treasurer): I move:

That the House express its deep regret at the death of Hon. Sir Norman Lane Jude, former Minister of Local Government, Roads and Railways from 1953 to 1965, and member for Southern District in the Legislative Council from 1944 to 1971, and place on record its appreciation of his public services; and that, as a mark of respect to the memory of the deceased gentleman, the sitting of the House be suspended until the ringing of the bells.

Sir Norman Jude was the first Minister of Roads in South Australia and took over the new portfolio of Roads and Local Government on the creation of that extra Ministry in 1953. He had a significant effect on the development of the roads policy in South Australia, and represented South Australia and Australia internationally at roads conferences. He was prominent in primary producing and sporting organisations in South Australia, and gave long service to this Parliament and the people of this State. He was widely popular amongst people who knew him, and I am sure that we all join in expressing our sympathy to Lady Jude and the family at his passing.

Dr. EASTICK (Leader of the Opposition): I support the Premier's remarks. "Judy", as he was most popularly known over a wide circle of friends in this place and in many areas of the State, was a character who will be remembered for many years. His involvement in sport (he represented this State at sports), his special interest in racing, and the many administrative positions he held in several sporting organisations in this State bear testimony to the interest he had shown and the opinion held of him in relation to these matters. He, as he was the first to admit, was an import to South Australia and, indeed, to Australia. It is unfortunate that this motion has to come before the House, but it gains the full support of my colleagues.

The SPEAKER: I ask members to rise in their places and carry the motion in silence.

Motion carried by members standing in their places in silence.

[Sitting suspended from 2.5 *to 2.22 p.m.]*

QUESTIONS

UNEMPLOYMENT

Dr. EASTICK: My question, which is addressed to the Premier, is subsequent to the announcement that he made yesterday regarding the financial affairs of this State. Will the Premier say whether he has been able, in the period since his announcement yesterday, to quantify the number of workers in South Australia who will benefit from the increased funds to be made available in both the private and public sectors? It was rather strange to see the figure of 4 000 new jobs suggested in the late evening press yesterday. Whilst I acknowledge that at page 8 of this afternoon's press there is a statement from the Premier indicating that he was not aware of the actual numbers involved, I ask whether he has had any report from his officers that would suggest that the funds will be available only to maintain the job opportunity for those people already employed, or whether there will be an opportunity to increase the employment rate in South Australia. In saying this, I point out to the Premier that my colleagues look forward to an early return of full employment in this State. It is against that background that I ask how many South Australians will benefit from this flow-on.

The Hon. D. A. DUNSTAN: I am grateful to the Leader for raising this matter. Yesterday, before a statement was made to the House, the full statement that was made to the House at 2 o'clock was released to the Adelaide *News* with an embargo that no publicity should occur until the statement had been made to the House. The press statement was also issued to the *News.* The reporter concerned prepared material for the *News* based on that statement. Nowhere in the statement did I suggest that the action taken by the Government following the decisions of last Friday's Premiers' Conference would result in the creation of 4 000 extra jobs in South Australia; in fact, I specifically refused to quantify the number to Mr. Jory. I pointed out to him that it would be quite impossible in the circumstances to give a precise number in relation to the creation of jobs. I spoke to the Editor of the *News* following the publication of that headline and the headline to which the Leader referred in the debate yesterday, and I received apologies from him on both scores; he said that he regretted the incident. He agrees that the report that was given to the *News*—

Dr. Eastick: Did he agree that the $41 000 000 announcement—

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: He agreed that the headline to which the Leader referred was not an accurate representation of the material that I had given to the *News.* He expressed his regret, and said that this had revealed a situation within the *News* organisation that required some action on his part and that that action would be taken. The position in relation to the creation of jobs is as follows: the moneys that are provided to us will allow the letting of contracts which otherwise we would not have been able to let and which are to some extent within and to some extent beyond the original Loan programme approved for this year by the State.

Mr. Coumbe: Some of which had been deferred.

The Hon. D. A. DUNSTAN: Some had been deferred; some are beyond what our original approvals were for this year. That means that there are in some cases works that go beyond what we had originally provided for in employment. On the other hand, we have to set off against that that certain of our jobs have been proceeding more quickly during this year than had been expected and, therefore, the fact that we are letting out more money at the moment does not necessarily mean that we will bring additional people into employment, although in some cases it will.

Mr. Venning: It will keep the show on the road.

The SPEAKER: Order! The honourable member for Rocky River is out of order.

The Hon. D. A. DUNSTAN: The honourable member is out of order, but in this instance he is quite right.

The SPEAKER: Order! He is still out of order.

The Hon. D. A. DUNSTAN: The honourable member is quite right in saying that it will keep the show on the road; that is what I am talking about.

Members interjecting:

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: In relation to the works we are letting, some jobs will be provided for the private sector which otherwise might not have existed or in respect of which retrenchments might have occurred because of a down-turn in the private sector of building. In other cases, particularly in relation to the $3 600 000 for employment-creating works, funds will specifically provide additional

jobs. The moneys promised by the Commonwealth Government under the Regional Employment Development scheme will also do that. We expect that the combination of all those factors will create additional jobs in the community that will get towards the number of 4 000. However, the 4 000 jobs will not be created simply out of the moneys put out by this Government. Exactly how many extra jobs will be provided in employment-creating works beyond the State works programme, and how many will be provided by the additional letting of Government contracts at the moment, has been impossible in four days to quantify. However, clearly the way we are letting the money out will have the maximum employment effect.

RELIGIOUS EDUCATION

Mr. CRIMES: When he is able to do so, will the Minister of Education say how many children in State schools will be offered religious education in 1975? How many of these children have been opted out by their parents on conscientious grounds, and what provision is being made in schools for children who have been opted out of this education? Concern has been expressed to me that children opted out of religious education should be permitted to occupy their time constructively during the period involved in religious education, rather than being given duties that may be construed as being a penalty imposed for not taking part in religious education.

The Hon. HUGH HUDSON: Answering the last part of the honourable member's question first, I make clear that any alternative offered to those who opt out of religious education will be such that it will be impossible for anyone to construe it as a penalty imposed on the student opting out. That position will be made clear to the schools in this State. Regarding the first two parts of the honourable member's question, this year religious education will be introduced in 38 schools, representing about 6 per cent of the schools in this State. However, initially it will not be introduced in all classes in those schools, so far fewer than the total number of children enrolled! in the 38 schools will be involved in religious education classes this year. I will check with the department, obtaining an accurately estimated figure of how many children will be involved. At this stage, it is not possible to say how many children have opted out, because in some cases the religious education courses will start later in the year, so that the opting out process will not have taken place yet. When I am able to give figures on the position, I shall arrange to make them available to the honourable member.

PETRO-CHEMICAL PLANT

Mr. COUMBE: Will the Premier give information about the Redcliff project, which last year was the subject of some priority, with phrases such as "crunch day" and the like being used in relation to it? What is the main reason for the decision not to proceed with this project? Has the decision resulted from the requirements of the conservation provision or is it the result of any action by the State or Commonwealth Government? What is the current position, and what will be the future position, of the producers in the Cooper Basin as a result of the decision?

The Hon. D. A. DUNSTAN: The project is not cancelled. The consortium that was negotiating with the Government had virtually reached agreement with the Government on the contents of the indenture agreement. However, the price that it could pay for natural gas and liquids from the Cooper Basin had been calculated on figures originally computerised two years ago, and there has been a marked escalation in the costs of producing liquids and natural gas in the Cooper Basin. In consequence, the new figures that can now be supplied following final calculations about the provision of a dry gas project to Sydney as well as that existing to South Australia have caused the consortium to set about new studies in relation to producing a viable market price under present world conditions. It has said these new studies may require some redesign of the project. If redesign is involved, it will be impossible for the consortium to complete the necessary environmental impact statements required by the Government before the introduction of the indenture in this House. We have indicated that these environmental impact studies must be completed so that when the indenture comes before this House it will be possible for the Select Committee on the indenture to deal with the environmental impact statements and satisfy itself and the public that there will be no environmental damage from this installation. The producers have said they are therefore proceeding with their studies but they are unable to get to the stage of completing the indenture with the environmental impact statements to put before Parliament during this session and therefore they will continue. They are continuing with their studies of the project and with the list of environmental studies.

Mr. Millhouse: Didn't you say that if the indenture—

The SPEAKER: Order!

Mr. Millhouse: —didn't come into the House before Christmas it would be too late to do anything at all?

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: In fact, the time is becoming very much tighter as a result of this situation. When I made that statement last year, that was the statement made to me by the producers and by the department.

Mr. Gunn: The Commonwealth Government—

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: No, there is no action of the Commonwealth Government that has produced this situation.

Dr. Eastick: What about Mr. Connor's intrusion?

The Hon. D. A. DUNSTAN: I do not know what the Leader means by talking about Mr. Connor's intrusion. Mr. Connor for a long period has been helpful to the utmost in the development of this project, and that is acknowledged by the State Government and by the consortium. So, the situation which has arisen is largely the result of escalating costs in the Cooper Basin in providing liquids and natural gas, and it requires a reassessment of the viability of the project on markedly escalated costs, far beyond those in competing fields overseas. This has been a real problem, but the producers and the consortium have made clear that they consider a viable project can be produced, and they are proceeding to spend substantial sums of money based on their studies in relation to the project itself and its design and in relation to the environmental impact studies.

Mr. Coumbe: When can we expect an indenture Bill?

The Hon. D. A. DUNSTAN: I have not got a date for that. In the circumstances, I am not able to put a date, nor has the consortium put a date, upon the redesign of the project.

Mr. Goldsworthy: Perhaps you can announce it again before the next election.

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: We come back to the old situation. If I had not said at election time that the Government had reached the stage that it had in relation to this project, I would have been accused by the Opposition of refusing open government and trying to hide what we were doing. When I announced it, I was attacked

for announcing it. It is the old position with honourable members opposite, as they have demonstrated, each one of them, with utter opportunism throughout the history of this project.

Members interjecting:

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: All they are concerned to do is to try to knock something that is for the benefit of South Australia. They do not care about the benefit of South Australia as long as they think they can make some political point, no matter how contradictory it is.

SUPERANNUATION AGREEMENTS

Mr. WRIGHT: Will the Attorney-General state whether it is the intention of this Government to legislate to secure the registration and supervision of private superannuation agreements? Secondly, is the Attorney aware that grave difficulties and losses have been caused and may be caused in the future to employees because of the current structure of private superannuation funds? The Attorney would be aware that, over a long period of years now, many private organisations have established superannuation funds in respect of which both the employer and the employee make contributions so as to provide for some of the needs of the employee in retirement. I have been contacted by the Australian Bank Officials Association concerning the Bank of Adelaide Provident Fund (both of these organisations have headquarters in my district). It is alleged that the Bank of Adelaide Provident Fund, while not any worse than many provident funds, does in fact display some of their more notorious evils.

Mr. Becker: You had better be sure of your facts.

Mr. WRIGHT: You ought to know, because you were the President.

The SPEAKER: Order!

Mr. WRIGHT: You should be doing something about it.

The SPEAKER: Order! Interjections are not permitted during Question Time, nor will I permit replies to interjections. The honourable member for Adelaide.

Mr. WRIGHT: First, it is suggested that the terms of the deed are so vague that it may not be enforceable as a trust deed at all, thereby potentially leaving the employee at the mercy of the so-called trustees. Secondly, no provision is made for representation of employee members on the board of trustees. There are high-ranking managers who are technically employees, but this appears to make the situation even worse, as it heeds the evil referred to. Thirdly, there appears to be investment on a large scale of provident funds in the bank itself and its agencies. The union has attempted to have discussions with the bank, but the bank has refused. Will the Attorney, in addition to stating Government policy on legislation generally, institute an inquiry into this fund?

The Hon. L. J. KING: I will consider the matters raised by the honourable member.

YATALA PRISON

Mr. GOLDSWORTHY: Will the Attorney-General report to the House on the trouble at Yatala Labour Prison whereby warders are reported to be fearful for their safety?

The Hon. L. J. KING: With reference to the radio and press reports in regard to a stop-work meeting of prison officers yesterday, I have received a report from the Director of Correctional Services which indicates that the complaints made as a result of the meeting were of a general rather than a specific nature. It is not clear what was meant by the report that prison officers had stated that they had lost a great deal of authority, and one comment was made on air that certain restrictions had been removed in regard to prisoners. The Director reports to me that no changes to the Act, regulations or standing orders have been made in a number of years, with the exception of the regulation regarding haircuts and beards. The Director has already reported upon the changing attitude of prisoners in his 1973-74 annual report, and on the lack of respect for any sort of authority, not only that of prison officers. This is particularly noticeable amongst the younger prisoners, who do not seem to understand that they must earn privilege, not demand it. This is seen as part of the department's function of providing a learning experience to the individual as well as providing social defence for the community. It is true that the incidence of physical assaults at Yatala Labour Prison has increased in recent times. A meeting has been arranged between representatives of the Australian Government Workers Association, the Assistant Director of Correctional Institutions, and the Superintendent at Yatala Labour Prison. The meeting will take place on Friday. It is hoped that, as a result of this meeting, the area of concern will be more clearly defined, so that appropriate action can be taken.

MOTION FOR ADJOURNMENT: STATE FINANCES

The SPEAKER: I have received from the honourable member for Mitcham the following letter, dated February 19, 1975:

I hereby notify you that it is my intention this afternoon to move:

> That this House at its rising adjourn until tomorrow at 1 o'clock for the purpose of discussing the following matter: namely, that, in view of the moneys received by South Australia from the Commonwealth, the Government should honour immediately the undertaking given in this House by the Premier on November 19, 1974, not to proceed with the Business Franchise (Petroleum) Act and the Business Franchise (Tobacco) Act.

I call on those members who approve of the motion to rise in their places.

Three members having risen:

The SPEAKER: As the requirement of Standing Order 59 is not met, the motion lapses.

Mr. Millhouse: This is great! They care so much about the people of this State that they are prepared to do a thing like that, when they opposed the Bill tooth and nail.

The SPEAKER: Order! I warn the honourable member for Mitcham that he is acting contrary to Standing Orders.

MASLIN BEACH

Dr. TONKIN: Why did the Government act to declare portion of Maslin Beach a free beach, contrary to the wishes expressed by the Willunga District Council and local residents, when an undeveloped beach nearby could have been used in this way with due consideration for the rights and privileges of every member of the public? Inevitably there are people who live at Maslin Beach, who have shacks at Maslin Beach, or who have been in the habit of using the facilities at Maslin Beach for a number of years. Inevitably also, there are people among them who are offended by unclad bathing. I am not going into the pros and cons of whether one should be offended by unclad bathing, but it is a fact that a number of members of the community are so offended. As a result, there has been a very definite falling off in use of the beach by those people who are offended. Further, there has been a decided feeling that their rights and privileges have been abused by this Government's action, taken without consulting them in any way. I have been told that there are other beaches

nearby which have not been developed and which are not being used to such an extent by the community. It has been suggested that such beaches could be used as free beaches without in any way impinging on the rights and privileges of the community as a whole. I believe that the rights and privileges of all people should be upheld at all times.

The SPEAKER: Order! The honourable member is commenting now. The honourable Premier.

The Hon. D. A. DUNSTAN: The honourable member, in his introduction, made several incorrect statements. First, it is not the case that the Willunga District Council expressed opposition to. the move of the Government. The council's attitude was that it was not opposed to the action (this was the expression of the Chairman and the District Clerk to me) but that it required that that action be taken by the Government and that the Government take responsibility for it rather than that the council should. Its attitude was that, if it was the policy of the Government that nude bathing should be allowed, that should be expressed governmentally and not by the council through its by-laws. That was clearly expressed to me. The only opposition the council had had was to what was an existing practice at Maslin Beach South, and that opposition was from certain residents of Maslin Beach North.

There are no houses adjoining the area of Maslin Beach South that has been declared, and the residents of Maslin Beach North are not the owners of the whole of the beach. The beachfronts of South Australia are for the whole of the people of South Australia, and there are no private beaches. Regarding the residents of Maslin Beach North, there is a considerable area of beach immediately adjoining the area where they are living and to the south of it which is available to them without their seeing or being involved with unclad bathing. They can go ahead and bathe there, and they will not be offended unless they get out their binoculars and look down to the south.

Dr. Tonkin: You're not being serious now.

The Hon. D. A. DUNSTAN: I am taking it much more seriously than some of the things said by the honourable member and his Leader deserve. The reason why Maslin Beach South was chosen was that that was where the practice had originated and where, in fact, nude bathing had been taking place for a considerable time without, until recently, major public difficulty. The action taken by the Government has obviated some of the public difficulty that occurred recently and has allowed the police to be perfectly clear as to what the law is in that area. Prior to that time, the police were in some difficulties, about which the Commissioner had previously protested to me.

Mr. Millhouse: I suggest that that's going too far. The law is by no means clear, as you well know.

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: The member for Mitcham has his own peculiar view of the law. I can only say that the view of senior members of the profession expressed publicly is very much to the contrary of his own.

Mr. Millhouse: Who have expressed that opinion?

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: The position now is such that the police are clear in their minds, however much confusion the honourable member wants to sow in them, as to what their duties are and what the law provides, and that is to the benefit of the public as a whole, including the residents of Maslin Beach.

MONARTO

Mr. PAYNE: Can the Minister of Development and Mines say whether there is any basis for an allegation made by the Leader of the Opposition during a debate with the Minister today on the television programme *Today at One* to the effect that the Government's own transport experts, headed by Dr. Scrafton, were unhappy with the internal transport pattern intended for Monarto and were also unhappy, according to the Leader's allegation, about the lack of consultation between them and the Monarto Development Commission? The programme would be well known to members, and today the topic was a debate on Monarto. At the commencement of the proceedings, a film on Monarto was shown. This was followed by the debate and some remarks from the commentator concerned. I understand that the objective of the channel was to try to find out whether the Opposition had any policy on Monarto. I see that the Leader is coming back to the House, and I am pleased that he is: I would not wish him to think that in his absence I was questioning some action of his. As far as I can find out, the programme failed to find out whether the Opposition had a policy.

The SPEAKER: Order! The honourable member may not comment.

Mr. PAYNE: However, at the moment I am more concerned with the major allegations that have been made, and the public would be well served if the Minister replied to my question.

The Hon. D. J. HOPGOOD: Whilst it is true that Dr. Scrafton's name was not mentioned at any stage during the exchange, it is also true that the allegation that the Leader made was substantially as my colleague has reported. I have had the opportunity, in the short time since that programme was shown, of getting the benefit of advice from my colleague the Minister of Transport and from Dr. Scrafton, who was at pains to assure me that at no stage had he or his staff been dissatisfied with the co-operation and consultation occurring between them and the Monarto Development Commission. They are extremely pleased with the development of the transport pattern for Monarto and, as I have said, with the full discussion and. exchange of views that have occurred. If there are any transport experts available to the Government other than Dr. Scrafton and those persons under his control, I should be pleased to know of them.

CARRY-ON FINANCE

Mr. RODDA: Will the Minister of Works ask the Minister of Lands whether action has been taken to ensure that the Rural Industries Assistance Authority has sufficient funds to provide assistance that may be required by beef and cattle producers who are feeling the current down-turn and the low market prices being paid at present? The Minister will be aware that in both our districts this question is being aired at public meetings and in market places, and interest in the matter of carry-on finance is increasing day by day. Some people who have seen me are faced with the prospect of walking off their properties. It seems that the Rural Industries Assistance Authority may be called on to provide the necessary stop-gap finance that regular financial institutions cannot give, because of the current situation. I shall be pleased if the Minister will tell the House whether action is being taken to provide this stop-gap finance.

The Hon. J. D. CORCORAN: I will refer the question to my colleague and obtain a report.

ORDER OF BUSINESS

Mr. MILLHOUSE: My question refers to the business of the House today. Will the Premier say whether the Government intends to allow time today or on some other (and which) day for debate on the motion, notice of which is standing in my name as item No. 3 under Notices of Motion, Other Business, on today's Notice Paper? That is a motion of which I gave notice yesterday, dissociating this House from certain remarks of the Leader of the Opposition and (as I also must say in all fairness) describing the Government as a poor Government. The notice has aroused much interest and comment publicly.

The Hon. J. D. Corcoran: In a certain circle!

Mr. MILLHOUSE: In a very wide circle, as a matter of fact. I desire to know, especially in view of the nature of the motion and of the disgraceful action of the Liberal Party a few minutes ago, whether time will be allowed for debate on this motion.

The Hon. D. A. DUNSTAN: No; the Government will try to allot time to be given to members to vote on the very large amount of private members' business that remains on the Notice Paper. However, because of that list and also the list of Government business, the Government is not able to provide additional private members' time at this stage of the session.

WINE INDUSTRY

Mr. ARNOLD: Will the Premier be supporting a further approach to the Commonwealth Government by the wine industry for a reduction in the valuation placed on wine stocks for taxation purposes, and a reduction in the present rate of excise payable on brandy? These two measures have resulted in a falling off in the demand for wine grapes this year. No-one can claim that the increasing prices for grapes set by the Commissioner for Prices and Consumer Affairs are really a factor in the reduction in demand for wine grapes, as the rate determined by the Commissioner this year still gives to the grower only a small return on capital investment. The major factors involved are the increased tax payable on wine stocks and the increased brandy excise rate, which has resulted in a drop in brandy sales in this country. Will the Government support a further approach to the Commonwealth Government to try to create an additional demand this year for South Australian wine grapes?

The Hon. D. A. DUNSTAN: Approaches by the State Government to the Commonwealth Government on this score have been continuing. Indeed, submissions were made to Senator Murphy regarding a number of customs matters, as well as the submission that the Senior Government Economist and I made to the Commonwealth Treasurer when I was at Terrigal. The Senior Government Economist, together with representatives of the Wine and Brandy Producers Association and the Australian Wine Board, will be going to Canberra within the next few days to make representations to the Commonwealth Ministry on this matter.

SUPERPHOSPHATE

Mr. BLACKER: Can the Premier say whether the State Government will, on behalf of producers and those industries that rely on primary production, make a State submission to the Industries Assistance Commission in support of the reintroduction of the superphosphate bounty? The Australian Government has referred the matter of the reintroduction of the superphosphate bounty to the commission and, as South Australia has some of the largest areas of phosphate-deficient soils, it is only natural that its productive capacity will suffer the most. Because of the work force involved not only in producing rural products but also in processing commodities and manufacturing and servicing associated machinery, it is important that maximum production be maintained. Will the Government present a State submission on behalf of those involved?

The Hon. D. A. DUNSTAN: I will examine the matter and bring down a considered reply for the honourable member.

KANGAROO ISLAND BUSH FIRES

Mr. CHAPMAN: Will the Premier, on behalf of his State Cabinet, accept sincere thanks from Kangaroo Island's recent bush fire victims, and will he convey special praise to his Ministers of Lands, Transport, and Agriculture? The islanders have reported clearly to me their gratitude for the prompt and humane response of the respective Ministers in answer to their call for help, following the most destructive and disturbing bush fire in the island's history. Apart from the reported physical and financial assistance granted by this Government, Cabinet's speedy attention to the islanders' plight has boosted individual and personal morale, lifting their will to have another go. This aspect is recognised as being extremely valuable and most important at a time when the farmers' life-time assets were devastated, particularly in the case of the Couchman family which was tragically torn apart by the death of the volunteer fire fighter, their husband and father, who, incidentally was a top farmer and a great citizen of that community. Due recognition has been directed to Dr. Eastick for his personal support during the disaster. I hope that circumstances may never arise again in which I am caused to bring a message of this nature before the House.

The Hon. D. A. DUNSTAN: I appreciate the honourable member's expressions in this matter. Naturally, the Government considered that the whole community of South Australia was concerned and dismayed at the events on Kangaroo Island with their tragic destruction of life and property, and we wanted to do everything that we could to help. I will convey to the Ministers the honourable member's expression of appreciation on behalf of the residents and settlers of Kangaroo Island, and I should like to express publicly not only our sympathy to the residents and settlers, as we have done before, but also the thanks of the Ministers and I am sure of the Kangaroo Island community to the officers who acted so promptly in those departments in investigating the situation and making the necessary recommendations to the Government. Our earlier recommendations went along the way to help, but the officers came back and said, "We think help could be given more generously in additional areas in order to give effect to what needs to be done on the island." We readily accepted what they suggested. I am sure the honourable member will want to associate himself with the expressions of appreciation to these officers who so promptly and effectively investigated the situation and recommended to the Government what assistance should be given.

NOISE POLLUTION

Mr. DEAN BROWN: Can the Minister of Environment and Conservation say whether the Government intends to introduce legislation to establish standards for noise levels, and, if it does intend to honour its earlier promise, when will legislation be introduced? Anti-noise legislation is urgently required in Adelaide, as it is in most other large metropolitan areas. In May, 1972, the report of the Committee on Environment in South Australia (in other words, the Jordan report) recommended that legislation

should be introduced urgently. Before Parliament met last year an article in the *News* was headed "Noise gets top billing" and in the article, which I presume was accurate and written from information supplied by the Minister concerned, we were told that legislation would be introduced last year to control noise levels in the metropolitan area, particularly relating to motor vehicles. Such legislation was not introduced last year, so that the Government's promise has not been honoured. Recently, I have received many complaints from people relating to modified motor vehicles and house air-conditioning units. Now that it is summer these units are causing disturbance in the metropolitan area during the evenings, and the actual noise level shows that one unit has increased the noise to 50 per cent above the acceptable level in the metropolitan area. Outside that house it has lifted to 100 per cent above the acceptable level. There is an urgent requirement for legislation of this nature, so I ask the Government to introduce the legislation as soon as possible.

The Hon. G. R. BROOMHILL: The honourable member is right; there has been much discussion within the Government on the question of noise control legislation. However, while I have a personal and departmental interest in the matter, it is nevertheless conceded by the Government that, because legislation of this nature requires some policing and because the question of public noise so heavily concerns the Public Health Department, the Bill will be introduced into Parliament by the Minister of Health. I understand that it is still expected, depending on the difficulties associated with drafting legislation of this nature, that the legislation will be .introduced during the current session of Parliament. However, I will check that and let the honourable member know.

FISHING INDUSTRY

Mr. BECKER: Can the Minister of Fisheries say what action the Government will take to control the sale of mercury-polluted seafood and to protect South Australia's fishing industry? In an article in the *Australian* of February 18, 1975, it is stated that the Commonwealth Government's survey into mercury-polluted fish in four States has found a high proportion of mercury in cooked fish. I understand the survey was conducted in fish shops in Melbourne, Adelaide, Perth and Hobart. In Adelaide one out of 20 items tested showed .8 parts per million of mercury to be present. I understand that the Commonwealth Government intends to introduce legislation setting a standard of .5 parts per million as an acceptable level. This afternoon's *News* states that the South Australian Minister is expected to fly to Canberra tomorrow to talk to Commonwealth Ministers about this matter. The report also states that the State Minister was unaware of the Commonwealth Government's action. I therefore ask the Minister what action his Government intends taking to protect the South Australian fishing industry and consumers, to whom this matter is of great concern. I also ask the Minister what checks or surveys of polluted waters are made by his department in South Australia and whether it is not now opportune to appoint a Director of Fisheries.

The Hon. G. R. BROOMHILL: The honourable member knows little about the subject, because he makes it appear that the reason for mercury levels showing up in the analysis of fish is that the fish come from polluted waters;. that is not the case anywhere in Australia. The situation is that the larger species of fish, particularly sharks, which are cannibalistic, will consume over many years a large number of smaller fish each of which contains a small but naturally occurring quantity of mercury. This metal is naturally retained in the fish that have eaten smaller-sized species. It has been highlighted in recent years that larger South Australian sharks contain substantial levels of mercury; in fact, in some cases it is 5 parts per million. The medical authorities and I recognise that, at this level, the risk is too great for regular consumption. However, in Australia, the national health organisations have examined the problem, but without doing necessary research. They have not determined the level of mercury contained in fish caught around the Australian coasts. Of course, people have been consuming fish without coming to any harm. The authorities have simply taken a figure and, following their normal procedure, have included a 10 per cent tolerance allowance. They have then assessed that people are able to eat such fish seven times a week.

At 3.16 *p.m., the bells having been rung*:

The SPEAKER: Call on the business of the day.

LEAVE OF ABSENCE: MR. McRAE

Mr. LANGLEY moved:

That two months leave of absence be granted to the honourable member for Playford (Mr. T. M. McRae) on account of ill health.

Motion carried.

LEAVE OF ABSENCE: MR. WELLS

Mr. LANGLEY moved:

That two months leave of absence be granted to the honourable member for Florey (Mr. C. J. Wells) on account of absence overseas on a Government-sponsored study tour.

Motion carried.

PLANNING AND DEVELOPMENT ACT AMENDMENT BILL (CITY PLAN)

The Hon. D. A. DUNSTAN (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the Planning and Development Act, 1966-1973. Read a first time.

The Hon. D. A. DUNSTAN: I move:

That this Bill be now read a second time.

This short Bill, which consists of only one operative clause, clause 2, extends the life of Part VA of the principal Act, the Planning and Development Act, 1966-1973, from June 30 of this year to that day in June of 1976. Members will no doubt recall that this Part provided for the establishment of the City of Adelaide Development Committee as a body to exercise planning oversight in relation to the State capital. The arrangements set forth in this Part were and still are intended to be of a transitional nature.

Members will also be aware that Urban Systems Corporation Proprietary Limited, a firm of consultants, has been retained by the Council of the Corporation of the City of Adelaide to prepare a planning study incorporating a plan for the development of the city. This planning study has been given considerable publicity by the council, and interested persons were allowed until January 31, 1975, to make representations to the council on the plan.

At the same time the Government is engaged in an. in-depth consideration of the plan and its effects from its own point of view. In view of the foregoing it is clear that neither the Government nor the council will be in a position, before the end of this session, to give formal instructions for the preparation of such legislation as may

be necessary to give effect to the matters contained in the report, this notwithstanding the inclusion in the planning study of a "lay draft" Bill for a proposed "City of Adelaide Environment Act".

Orderly planning and development of the capital of our State, to the end that both those who dwell in it and those who spend their working lives in it shall benefit, is not a matter that can be undertaken without the fullest consideration and for this consideration ample time is essential. Accordingly, this Bill proposes that the present transitional arrangements given effect to by Part VA of the Planning and Development Act continue in operation until June 30, 1976, by which time the future basis of development of the city may, hopefully, be clear.

Dr. EASTICK secured the adjournment of the debate.

ART GALLERY ACT AMENDMENT BILL (BOARD)

The Hon. D. A. DUNSTAN (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the Art Gallery Act, 1939-1974. Read a first time.

The Hon. D. A. DUNSTAN: I move:

That this Bill be now read a second time.

I seek leave to have this short second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF BILL

This short Bill proposes two main changes to the principal Act, the Art Gallery Act, 1939, as amended. First, it is intended to resolve the somewhat confused situation that exists in relation to the description of the institution which is commonly known as the Art Gallery but which is in some instances in the principal Act referred to as the National Gallery. Secondly, it proposes that the functions of the Art Gallery Board will be extended to ensure that the expertise of its members will be available generally in the visual arts field throughout the State.

Clauses 1 and 2 and formal. Clause 3 amends the long title to the principal Act by striking out the reference to the "National Gallery at Adelaide" and inserting in its place a reference to the "Art Gallery of South Australia". Clause 4 makes a consequential amendment to the definition of "art gallery" in section 3 of the principal Act. Clause 5 repeals and re-enacts section 16 of the principal Act which sets out the general powers and functions of the board. The re-enactment is, it is suggested, quite self-explanatory and in general terms enlarges the powers of the board to take in the matters adverted to earlier.

Mr. RUSSACK secured the adjournment of the debate.

SUBORDINATE LEGISLATION COMMITTEE

The Hon. D. A. DUNSTAN (Premier and Treasurer) moved:

That Joint Standing Order No. 20 be so far suspended as to enable this House to appoint, for the remainder of this session, two additional members to the Joint Committee on Subordinate Legislation during the unavoidable absence of Messrs. McRae and Wells.

That Messrs. M. J. Brown and Duncan be the additional temporary representatives of the Assembly on the said committee.

That a message be sent informing the Legislative Council of the foregoing resolution and desiring its concurrence thereto.

Mr. MATHWIN (Glenelg): I support the motion for the temporary appointment of these two members from this House to the Joint Committee on Subordinate Legislation whilst Mr. McRae is on two months leave of absence because of ill health and Mr. Wells is absent on an oversea study tour.

Motion carried.

UNDERGROUND WATERS PRESERVATION ACT AMENDMENT BILL

The Hon. J. D. CORCORAN (Minister of Works) obtained leave and introduced a Bill for an Act to amend the Underground Waters Preservation Act, 1969, as amended. Read a first time.

The Hon. J. D. CORCORAN: I move:

That this Bill be now read a second time.

The need for this short Bill arises from a decision that the use of underground water should be restricted in the hundreds of Marcollat, Parsons and Glen Roy, often identified as the "Padthaway" area of the South-East. The form of restriction imposed is to limit the draw-off of underground water to an amount not greater than the amount required to irrigate the acreage of crops irrigated in the 1972-73 season. However, when an appropriate draft notice of restriction for issue under section 17 of the principal Act was submitted to the Government's legal advisers they indicated, quite properly, that to comply with the terms of section 17 (2) (*b*) of the Underground Waters Preservation Act it would be necessary also to direct the installation of meters to record the amount of water from wells.

In the Government's view the restrictions envisaged are quite effective of themselves and the imposition of the requirement on the landholders that they install meters is in the circumstances unnecessary. Accordingly, the amendment proposed by clause 2 of the Bill, which amends section 17 of the principal Act, makes clear that the requirement to install meters need not necessarily be made when a landholder is required to limit or restrict the draw-off of water from underground sources.

Mr. RODDA secured the adjournment of the debate.

COLEBROOK HOME

The Hon. L. J. KING (Attorney-General): I move:

That this House resolve that pursuant to section 16 (1) of the Aboriginal Lands Trust Act, 1966-1973, a recommendation be made to the Governor that those pieces of land being sections 553 and 565, hundred of Adelaide, be vested in the Aboriginal Lands Trust; and that a message be sent to the Legislative Council transmitting the foregoing resolution and requesting its concurrence thereto.

This motion is moved by reason of section 16 (1) of the Aboriginal Lands Trust Act, which provides:

Notwithstanding anything in the Aboriginal Affairs Act, 1962, or any other Act contained, the Governor may by proclamation transfer any Crown lands or any lands for the time being reserved for Aborigines to the Trust for an estate in fee simple or for such lesser estate or interest as is vested in the Crown: Provided that no such proclamation shall be made in respect of any lands reserved for Aborigines within the meaning of the said Aboriginal Affairs Act and in respect of which a Reserve Council pursuant to regulations under that Act has been constituted without the consent of such Council: Provided further that no such proclamation shall be made in respect of the North-West Reserve (referred to in subsection (6) of this section) until such a Reserve Council for that Reserve has been constituted and such Council has consented to the making of such a proclamation: Provided further that no such proclamation shall be made in respect of any Crown lands (not being lands at the time of the passing of this Act reserved for Aborigines) except upon the recommendation of the Minister of Lands or the Minister of Irrigation as the case may require and the recommendation of both Houses of Parliament by resolution passed during the same or different sessions of the same Parliament.

Sections 553 and 565, hundred of Adelaide, contain about 6.5 hectares and comprise the whole of the land remaining in the property previously known as Colebrook Home. The property was repurchased by the Government in 1909 as a site for an institution for inebriates. It contained at the

time 20.94 ha, being portion of part section 1042, hundred of Adelaide. The transfer to His Majesty King Edward VII was registered on certificate of title volume 492, folio 73 on February 8, 1910. During 1910 and 1911 the building known as Karinya was erected, and part section 1042 was subsequently reserved for the purposes of an institution for inebriates.

Although the inebriates retreat was closed in 1930, it was not until 1945 that the reserve was resumed. Prior to 1945 the building was occupied for short periods for housing unemployed women, Chinese refugees, and as a holiday home for Aboriginal people from Colebrook Home, which had been opened at Oodnadatta in 1924. Later, premises were obtained at Quorn and Colebrook Home was in operation there until 1944. An application was made by the United Aborigines Mission in 1944 for the use of Karinya as a home for Aboriginal children, to be used in conjunction with the Colebrook Home at Quorn. The mission also intimated that, because of an acute shortage of water at the Quorn home, it was anxious to secure the use of the Karinya property as a permanent home.

To enable the land to be leased under the Crown Lands Act, the reservation for the purposes of an institution for inebriates was resumed and certificate of title volume 492 folio 73 was cancelled as regards an area of 4.047 ha. This area was renumbered section 553 and allotted to the United Aborigines Mission (S.A.) Incorporated under miscellaneous lease 11026 for grazing and cultivation purposes for a term of 10 years from May 1, 1945. Miscellaneous lease 11026 was transferred to the United Aborigines Mission Incorporated in 1947. The same year an adjustment was made to the lease. The area of section 553 was reduced by 0.7082 ha. In 1948, new section 565 was added and the area of the lease then became 6.576 ha. The miscellaneous lease expired on April 30, 1955. The issue of a further lease was deferred pending the carrying out of certain necessary works and maintenance to the building. These were effected with the assistance of community organisations and section 553 and 565 were reallotted to the mission under miscellaneous lease 12809 for a term of 10 years from November 1, 1959. No fees were charged for occupation of the land for the period May 1, 1955, to October 31, 1959.

A small area, 0.0835 ha, was surrendered from miscellaneous lease 12809 for road purposes and the lease expired on October 31, 1969. A long standing problem regarding Colebrook was the age and condition of the building. Prior to expiry of miscellaneous lease 12809, the Minister of Aboriginal Affairs notified the mission that he would not recommend a renewal, but the mission could continue in occupation until a decision had been made on the future use of the property. The mission vacated Colebrook Home on June 27, 1973, and moved to a new home at Blackwood provided by the Community Welfare Department. A joint steering committee comprising representatives of the Aboriginal Affairs Board, the Department of Aboriginal Affairs, the Aboriginal Unity Committee, the Education Department and the Department of Labour and National Service was set up in November, 1969, to report on the future use of Colebrook Home. The committee recommended that sections 553 and 565 should be retained and used for Aboriginal purposes.

As the buildings were so old and in such a state of disrepair that the cost of renovations and alterations would have been uneconomic, tenders were invited for their demolition, and this has now been effected. Pending transfer of the property to the Aboriginal Lands Trust, licence 1442 has been issued by the Lands Department to the Director-General of Community Welfare for occupation and use of the sections for the purpose of advancing the interests of Aborigines in South Australia. This licence has now been cancelled in order that the land may be transferred to the Aboriginal Lands Trust. A plan of the sections is exhibited for the information of members.

The property has been used on behalf of Aboriginal people for a period of about 30 years. The vesting of sections 553 and 565 in the Aboriginal Lands Trust will ensure future development of the property in ways determined by the Aboriginal people of South Australia themselves and to their greatest benefit. In accordance with section 16 of the Aboriginal Lands Trust Act, the Minister of Lands has recommended that sections 553 and 565, hundred of Adelaide, be vested in the trust, and I ask members to support the motion.

Mr. ALLEN secured the adjournment of the debate.

WARDANG ISLAND

The Hon. L. J. KING (Attorney-General): I move:

That this House resolves that pursuant to section 16 (1) of the Aboriginal Lands Trust Act, 1966-1973, a recommendation be made to the Governor that sections 326, 691 and 692 north out of hundreds, county of Fergusson, known as Wardang Island, subject to rights of way acquired by the Commonwealth of Australia over the above land as appears in *Commonwealth Gazettes* dated November 12, 1959, at page 4002 and April 27, 1967, at page 2088, vide notification in Lands Titles Office dockets numbered 3041 of 1959 and 2528 of 1964, be vested in the Aboriginal Lands Trust; and that a message be sent to the Legislative Council transmitting the foregoing resolution and requesting its concurrence thereto.

This motion is moved by reason of section 16 (1) of the Aboriginal Lands Trust Act. The area to be vested in the Aboriginal Lands Trust comprises the whole of Wardang Island with the exception of a road and two small areas required by the Commonwealth of Australia for lighthouse and airstrip purposes. The Commonwealth holds sections 376 (about 0.202 hectares) and 675 (about 2.934 ha) under a certificate of title which also includes a full, free and unrestricted right of way by all reasonable routes over Wardang Island. Section 376 contains the lighthouse, and the airstrip is on section 675. A small piece of land containing 0.033 ha adjoining section 376 is to be added to the title, being required for a helicopter landing site. The area of sections 326, 691 and 692 is 1801.30 ha.

The special interest which Aboriginal people have in Wardang Island has been recognised since the earliest days of settlement in South Australia. I understand that it was once a burial ground of the Narangga tribe. The first recorded occupation was in 1861, when pastoral lease 965 was issued to Stephen Goldsworthy for a 14-year term commencing April 1, 1861. The lease contained a covenant giving Aboriginal inhabitants of the province and their descendants "full and free right of ingress, egress and regress, into, upon and over" the island and to "the springs and surface water thereon and to make and erect such wurlies and other dwellings as the said Aboriginal natives have been heretofore accustomed to make and erect and to take and use for food, birds and animals of a wild nature in such manner as they would have been entitled to do if this lease had not been made . . ."

The pastoral lease was surrendered under Act 17 of 1869-1870, and a fresh pastoral lease was issued to the same lessee for a term of 16½ years from July 1, 1870. This lease was transferred to the Yorkes Peninsula Aboriginal Mission Incorporated in 1884. Following expiry of the

lease, a proclamation notice was published in the *Government Gazette* dated March 10, 1887, reserving the whole of the island "for the use and benefit of the Aboriginal inhabitants of this province . . ." The Yorkes Peninsula Aboriginal Mission Incorporated was granted further occupation of the island under Aboriginal Lease No. 136 for 21 years from January 1, 1887. The lease was renewed for a further term of 21 years from January 1, 1908, and was resumed and cancelled on February 26, 1915.

The control of Wardang Island as an Aboriginal reserve was taken over by the Government on September 1, 1915, and by virtue of the Aborigines Act, 1911, the whole of the island, exclusive of the lighthouse reserve which was set aside in 1913, was declared to be a reserve for Aborigines in the *Government Gazette* of January 3, 1924. Mineral leases were first issued over portions of the island in 1900. Six were issued to private individuals for 42 years from June 30, 1900, and two more were issued for similar terms from December 31, 1902. Fifteen additional mineral leases were issued for 21-year terms from June 30, 1918, the lessee this time being Broken Hill Associated Smelters Proprietary Limited. By 1939 all the mineral leases on the island not held by B.H.A.S. had been transferred to that company. All of the mineral leases on the island were surrendered on January 14, 1969.

The declaration of Wardang Island as an Aboriginal reserve was abolished on December 23, 1948. Miscellaneous lease 11444 was issued to B.H.A.S. for grazing purposes for 21 years from February 15, 1949. The miscellaneous lease was transferred to Mr. H. G. Pryce, in 1968, and he commenced to develop the island for operation as a tourist venture. In the following year, the island was declared a fauna sanctuary and the lease was partially surrendered for perpetual lease 20057 for tourist resort purposes over the area containing the improvements, namely, sections 691 and 692. The balance miscellaneous lease was surrendered for perpetual lease 20072, in 1970, and the area was numbered section 326. The perpetual leases did not include the 150 links coast reserve. Annual licence 13177 was issued for occupation of the coast reserve. The present Government considered that Wardang Island should.be under the control of the Aboriginal Lands Trust. Accordingly, negotiations for the purchase by the Government of the lessee's interest were commenced in the latter half of 1971. At about the same time the lessee invited tenders for the leases in the press. The negotiations resulted in Cabinet approving, on May 22, 1972, of the lessee's interest being purchased.

Sections 326; 691 and 692 were declared a historic reserve under the Aboriginal and Historic Relics Preservation Act, 1965, in the *Government Gazette* dated May 3, 1973. After the perpetual leases were purchased by the Government and cancelled, annual licence 14291 was allotted to the Aboriginal Lands Trust for occupation of sections 326, 691 and 692 for tourist purposes; this licence has now been cancelled in order that the land may be vested in the trust. A plan of the island is exhibited for members' information. In accordance with section 16 of the Aboriginal Lands Trust Act, the Minister of Lands has recommended that this land be vested in the trust, and I ask members to support the motion.

Mr. GOLDSWORTHY secured the adjournment of the debate.

CORONERS BILL

The Hon. L. J. KING (Attorney-General) obtained leave and introduced a Bill for an Act to provide for the appointment of coroners and to confer on them powers to inquire and hold inquests into certain events; to repeal the Coroners Act, 1935-1969; and for other purposes. Read a first time.

The Hon. L. J. KING: I move:

That this Bill be now read a second time.

I ask leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF BILL

It is intended to re-enact and codify the law relating to coroners in this State. As honourable members are no doubt aware, early last year Mr. K. B. Ahern, a practitioner of the Supreme Court, was appointed City Coroner and much of this measure arises from Mr. Ahern's suggestions together with an examination by the Government's advisers of some modern trends in the law relating to coroners.

Clauses 1, 2 and 3 are formal. Clause 4 repeals the Acts specified in subclause (1) and subclause (2) provides for the present occupant of the office of City Coroner to become the first State Coroner under the legislation now proposed. Clause 5 makes clear that this measure is to be a code relating to coroners and any other rules of practice or procedure with respect to the conduct of inquests are by force of this clause excluded. Clause 6 sets out the definitions necessary for the purposes of this Act.

Clause 7 provides for the appointment and salary of the State Coroner and clause 8 makes similar provisions for the Deputy State Coroner. Clause 9 provides for the delegation of the functions, powers and duties of a State Coroner to a Deputy State Coroner. Clause 10 makes further provision for the exercise by the Deputy State Coroner of the powers and functions of the State Coroner. Clause 11 makes provision for the appointment of coroners, at large. Clause 12 sets out the circumstances in which an inquest may be held and I would commend it to honourable members' particular attention.

Clause 13 sets out the powers of a coroner in relation to inquests and again I would commend it to honourable members' attention. Clause 14 is a most important clause, in that it provides that the State Coroner may hold an inquest or direct another coroner to hold an inquest if he considers it necessary or desirable or if he is directed by the Attorney-General so to do. Subclause (2) of this clause limits the power of a coroner, other than the State Coroner, to hold an inquest to circumstances where he is directed to hold an inquest by the State Coroner or the Attorney-General.

Clause 15 re-enacts a traditional restriction on medical practitioners acting as coroners or in any other official capacity at an inquest into the death of a person in any case where they have previously attended that person in their professional capacity. Clause 16 sets out the formal powers of a coroner in relation to inquests. Clause 17 makes clear that an inquest may be held into the death of a person without a view being taken of the body of the person. Clause 18 provides that inquests shall be generally open to the public. Clause 19 continues in operation the previous law that in this State it shall not be necessary for the coroner to sit with a jury.

Clause 20 is formal and self-explanatory, as is Clause 21. Clause 22 provides that the coroner in his inquest will not be inhibited by the necessity of complying with legal forms and technicalities but may inform himself by reference to the best evidence available. Clause 23 provides for evidence to be given by affidavit, but subclause (2) of

this clause provides that a person who has given an affidavit may be required to appear to give oral evidence. Clause 24 is formal and self-explanatory, as is Clause 25. Clause 26 continues in operation, substantially, the present law in this State in that the coroner is not required or indeed permitted to make findings suggesting civil or criminal liability on the part of any person. Clause 27 is formal and self-explanatory, as is Clause 28.

Clause 29 enables warrants to be issued by the State Coroner for the removal of bodies from this State to another State or Territory. Clause 30 is formal. Clause 31 re-enacts a provision in existing legislation and is self-explanatory. Clause 32 protects the coroner and persons acting in pursuance of the proposed law from personal liability. Clauses 33 and 34 are formal and clause 35 enables the State Coroner to make rules in relation to the matter specified in subclause (2) of this clause.

Dr. TONKIN secured the adjournment of the debate.

JUSTICES ACT AMENDMENT BILL

The Hon. L. J. KING (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Justices Act, 1921-1974. Read a first time.

The Hon. L. J. KING: I move:

That this Bill be now read a second time.

I ask leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF BILL

This short Bill is intended to overcome a problem that is facing the Warrants Section of the South Australian Police Force and arises from the enormous number of unexecuted warrants that are held by that section and, at the same time, opportunity has been taken to provide a little more flexibility in the procedure for pleading guilty in writing. As to the first matter, in brief, the system adopted is to retain the warrants at the various police stations in the State for some three months and then to forward them to the Warrants Section, where a central registry is established. From this section inquiries as to the existence or otherwise of outstanding warrants in relation to a person can be readily answered.

However, as the years go by the number of warrants that, for one reason or another, cannot be executed continues to grow, and they cause problems in storage as well as physical problems in locating reasonably current warrants. Unexecuted warrants fall into two main classes, the majority of which, over 80 per cent on a random selection, are warrants issued to secure payment of fines. The remainder are warrants of arrest in the first instance, usually for relatively minor offences. It is intended that the Attorney-General will be given the power to apply to His Excellency the Governor for an order that a warrant that has not been executed within 15 years of its issue be cancelled and destroyed.

I emphasise that this does not imply that every warrant more than 15 years old will automatically be cancelled. The application of the Attorney-General will have regard to several matters including, in the case of a warrant for arrest in the first instance, the seriousness of the offence, the likelihood of securing a conviction after the lapse of time, and, importantly in the case of minor offences, the social effect of an arrest on a person for an offence committed more than 15 years previously where during that period that person has not, apparently, come to the adverse notice of the police. I indicate to members that systems having substantially the same effect are in force in both Victoria and New South Wales.

The second matter dealt with is an amendment to section 57a of the principal Act, which sets out a procedure for permitting defendants when charged with certain minor offences to plead guilty by letter. This procedure has, over the years since 1957, when it was first provided for, proved most convenient. However, it is only available where the complainant is a member of the police force or a "public officer" as defined in subsection (11) of that section. In that subsection a public officer is defined as a person acting in his official capacity as an officer or employee of certain named bodies. The amendment proposed is to allow this list of bodies to be added to by proclamation to ensure that the convenient and workable arrangement described above is open to as wide a class of defendant as possible.

It goes without saying that the right of a defendant to appear personally to answer a summons is in no way affected by this section either in its present form or as proposed to be amended. To consider the Bill in some detail: clause 1 is formal. Clause 2 provides for the amendment of section 57a adverted to above. Clause 3 deals with the destruction of unexecuted warrants.

Mr. EVANS secured the adjournment of the debate.

CROWN LANDS ACT AMENDMENT BILL

The Hon. L. J. KING (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Crown Lands Act, 1929-1974. Read a first time.

The Hon. L. J. KING: I move:

That this Bill be now read a second time.

I ask leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF BILL

This short Bill provides for the repeal of section 270 of the Crown Lands Act, 1929, as amended. This repeal is entirely consequential on the enactment of section 79 in the Real Property Act by a Bill which has been recently passed by this House.

Mr. CHAPMAN secured the adjournment of the debate.

REAL PROPERTY ACT AMENDMENT BILL

The Hon. L. J. KING (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Real Property Act, 1886-1972. Read a first time.

The Hon. L. J. KING: I move:

That this Bill be now read a second time.

I ask leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF BILL

It provides for a number of quite disparate amendments to the principal Act, the Real Property Act, 1886, as amended. Clauses 1 and 2 are formal. Clauses 3, 4 and 5 together provide for the delegation by the Registrar-General of some of his powers and functions to any officer or clerk below the position of Deputy Registrar-General and for the exercise and performance of these powers and functions. It is hoped that, by judicious use of this power, delays in the formal registering of instruments will be shortened without the necessity of appointing further deputies of the Registrar-General.

Clause 6 repeals section 23 of the principal Act and re-enacts the substance of that section, which was expressed in somewhat archaic language, in two new sections, 23 and 23a. No change in principle is effected but the procedure to be followed by the Treasurer in paying out moneys held

in trust has been greatly streamlined and simplified. Subclause 23a (2) merely validates a payment by the Treasurer which by an oversight was not made in accordance with existing procedure.

Clause 7 merely recognises the fact that under the proposed new system of storing certificates of title the certificates are not being bound in register books but are merely filed in special binders and secured by clips. It is thought that in this section, section 48 of the principal Act, which deals with this practice, the use of the term "bind up" is therefore inappropriate and it should be replaced with the word "file".

Clause 8, which amends section 51 of the principal Act, really flows from the amendment proposed to section 21 by clause 5, which authorised officers, having an appropriate delegation, to apply the seal of the Registrar-General to documents. In aid of that provision, the proposed amendment provides that memorials of instruments will be authenticated under the seal of the Registrar-General rather than under his signature. One result of the passage of this amendment will be that the mechanical processes connected with registration will be expedited.

Clause 9 is, again, intended to reduce delays in the registering of instruments under the principal Act by providing that instruments containing non-material and minor errors may be registered forthwith without the necessity for their being returned with a requisition for correction thus delaying their registration. In addition, a power is, by this clause, given to the Registrar-General to correct patent errors of his own motion, again without the delay attendant on returning the documents for correction.

Clause 10 sets out a new procedure for dealing with the situation of the loss of the duplicate certificate of title. At present section 79 of the principal Act provides for the issue of a provisional certificate of title. It is felt that the description "provisional" is something of a misnomer, as it suggests that some further certificate will issue in due course.

By this clause, a new procedure is set out and pursuant to it the certificate that will issue is described, more accurately, as a substituted certificate, This clause also applies the same procedure to the issue of a substituted tenant's copy of a crown lease and this will require a consequential amendment to section 270 of the Crown Lands Act. It also leaves open to the Registrar-General the power to issue a new certificate of title where he considers it appropriate in the circumstances.

Mr. NANKIVELL secured the adjournment of the debate.

FRIENDLY SOCIETIES ACT AMENDMENT BILL

The Hon. L. J. KING (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Friendly Societies Act, 1919-1973. Read a first time.

The Hon. L. J. KING: I move:

That this Bill be now read a second time.

I ask leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF BILL

This short Bill which amends the principal Act, the Friendly Societies Act, 1919, as amended, extends the powers of the societies as defined in that Act so as to enable them to conduct child care centres. Although this amendment arises from a request from the Hibernian Society, it will of course have the effect of enlarging the powers of all societies under the principal Act.

Mr. ARNOLD secured the adjournment of the debate.

INDUSTRIAL AND PROVIDENT SOCIETIES ACT AMENDMENT BILL

The Hon. L. J. KING (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Industrial and Provident Societies Act, 1923, as amended. Read a first time.

The Hon. L. J. KING: I move:

That this Bill be now read a second time.

I ask leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF BILL

This short Bill, which amends the principal Act, the Industrial and Provident Societies Act, 1923, as amended, deals with the question of shareholding in societies, within the meaning of the principal Act, from two different points of view. First, it provides that the limitation of shareholding by any member of a society other than a. member who is a registered society shall be increased from the present limit of $10 000 to such amount as is fixed by the rules of the particular society. A fixed limitation on the maximum amount of share capital that can be held in the society is necessary to ensure that the society remains a co-operative company within the meaning of the Income Assessment Act of the Commonwealth so as to attract certain taxation advantages.

Secondly, the Bill deals with the question of the voting power of individual members of a society. Before 1966 there was no provision in the principal Act that the voting power of each member should be equal, although, in fact, the vast majority of societies provided for such equality of voting power by limiting members to one vote. In 1966 an amendment was made to the principal Act to provide that, in future, all societies should provide in their rules for equality of voting rights but that societies existing before 1966 that did not have this equality of voting provision in their rules could maintain their position as at that time but not permit any member to increase his voting rights. At the same time power was given to the Minister to approve a variation from this principle where it appeared reasonable.

In 1974 the amendment referred to above was substantially re-enacted as a law revision measure. In the event, the 1966 amendment as re-enacted in 1974 appears to have given rise to some inequities as between members of the societies affected by it. Accordingly, clause 5 of the Bill attempts to deal with this matter. Clause 1 is formal. Clause 2 makes an amendment to section 2a of the principal Act which is consequential upon amendments proposed by subsequent clauses of the Bill. Clause 3 amends section 3 of the principal Act by providing a definition of "permissible amount" which can be recognised with the maximum shareholding that can be fixed by the rules of the society. Clause 4 amends section 5 of the principal Act which deals sufficiently with maximum shareholdings and substitutes the expression "permissible amount" for the figure "$10 000".

Clause 5, by inserting new section 12a in the principal Act, provides in effect that in the case of "prescribed societies", as defined, no member (other than a member that is a society itself) of a society shall be entitled to exercise voting rights in respect of any amount by which his shareholding exceeds $4 000. This will not prevent such members from increasing their rights in so far as their present shareholding is less than $4 000. Proposed subsection (3) of this new section makes clear that the power of the Minister is preserved to approve a departure

from this principle, should the particular circumstances of a society render this desirable. Clauses 6, 7 and 8 are consequential amendments.

Mr. COUMBE secured the adjournment of the debate.

AGED AND INFIRM PERSONS' PROPERTY ACT AMENDMENT BILL

The Hon. L. J. KING (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Aged and Infirm Persons' Property Act, 1940-1973. Read a first time.

The Hon. L. J. KING: I move:

That this Bill be now read a second time.

I ask leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF BILL

This short Bill is intended to remedy an apparent deficiency in the powers of a person appointed as manager of the estate of a "protected person" under the principal Act, the Aged and Infirm Persons' Property Act, 1940, as amended. Members will, no doubt, recall that that Act provides for the appointment by the Supreme Court of a person known as a "manager" to look after all or part of the estate of another person known as a "protected person" where, in the opinion of the court, that other person is for one reason or another unable to manage his affairs.

In a recent decision of the Full Court, the court came to the conclusion that the powers conferred by the principal Act on the manager did not entitle him, as it were, to stand in law completely in the place of the protected person and in particular did not permit the manager to exercise a power which would have resided in the protected person, to avoid a transaction entered into by the protected person on the ground that, at the time the transaction took place, the protected person was subjected to what is known as "undue influence."

Clause 1 is formal. Clause 2 amends section 25 of the principal Act which in its present form entitles the manager, subject to an order of the court, to exercise some of the powers that could have been exercised by a protected person, by providing that, subject to an order of the court, the manager may exercise all of the powers that could have been exercised by a protected person. It is suggested that an amendment in the form proposed will cure the apparent defect.

Mr. RUSSACK secured the adjournment of the debate.

STATUTE LAW REVISION BILL (VARIOUS)

The Hon. L. J. KING (Attorney-General) obtained leave and introduced a Bill for an Act to make certain consequential and minor amendments to, and to correct certain errors and remove certain anomalies in, the Statute law and to repeal certain obsolete enactments. Read a first time.

The Hon. L. J. KING: I move:

That this Bill he now read a second time.

This Bill, if accepted by Parliament, will bring the programme of Statute revision and consolidation closer to the stage when the proposed publication of a revised edition of the consolidated public general Acts of South Australia, in bound volumes, will become a reality. The Government has given a high priority to the programme for the revision and consolidation of the Acts of Parliament and already most of the Acts, which are in constant demand and have been extensively amended, have been consolidated and reprinted in pamphlet form.

However, work has at the same time been carried out on the other Acts and it is hoped that it would soon be possible to bring out (in volumes) a revised edition of the consolidated Acts from 1836 to 1975. The realisation of this hope depends on a number of factors, the most important of which is the fixing of the "cut off" date for the edition. This means that each existing Act must be, or must have been, examined with a view to preparing necessary corrective legislation which must be prepared, passed by Parliament, and in operation before that date. The cut-off date must be the last day of a calendar year and each postponement of that date, therefore, means a delay of another year.

Moreover, each such postponement involves the examination and revision of a considerably greater number of Acts than the number of Acts passed in that year, because the vast majority of Acts either refer to, or are referred to in, other Acts and each of those references has to be researched, examined and dealt with, as the case requires, by incorporation into other Acts, corrective legislation, or annotation. Every unamended Act also has to be examined for out-of-date and obsolete references and dealt with in the same way and with the same degree of care as every amended Act.

The work also involves a continual revision of all Acts that have been prepared for consolidation and republication, and a regular examination of, and research into, the *Gazettes* for information concerning the commencement and application of Acts and for proclamations, regulations and other subordinate legislation amending or affecting Acts. Information must be sought and obtained from appropriate sources as to whether regulations affecting Acts have taken effect and whether they are still subject to disallowance by Parliament and decisions must be made whether such regulations can and ought to be incorporated as amendments of those Acts or dealt with by corrective legislation or editorial annotation. Many amending Acts have "homeless" provisions (that is, substantive or transitional enactments which have no home as such in their principal Acts) which therefore are not incorporable in consolidations of those principal Acts. Those provisions must be carefully researched to ascertain whether they are exhausted and can be repealed or whether they are still fully or partially operative, in which case they are dealt with by corrective legislation or editorial annotation.

Although the need for the consolidation of the Acts is, and will continue to be, a continuing one, the Government's primary aim is to reach the stage when a revised edition of the consolidated public general Acts, in bound volumes, will be ready for publication. This in itself is a task of great magnitude and, when that stage is reached, it is estimated that well over 2 000 Acts amounting to over 20 000 pages of legislation (excluding subordinate legislation and related material in *Gazettes)* would have been examined and dealt with. Each page of legislation would have been read and checked at the different stages of its preparation for printing no less than four times. In addition, each Act would have been read and checked as often as it would have been revised or proof printed after the incorporation of corrections, amendments and annotations. It would be no exaggeration to state that the new edition, when it comes off the press, after taking into account the number of revisions, checks and rereadings, would have involved well over 90 000 pages of reading alone. Already several thousands of pages have been prepared for consolidation and, when the cut-off date is reached, those pages will have to be revised, updated, reprinted, rechecked and read again for inclusion in the new edition.

Because of the volume and diversity of the work involved in this programme, the Commissioner (within the meaning of the Acts Republication Act), who has never received any professional legal assistance in this work, has been obliged to depend entirely on such legal research and such administrative and clerical assistance as the staff of the Statute Revision Office is able to provide. The members of that staff (which at present consists of one base-grade clerk and two office assistants) have received their training and experience under his tuition and guidance or under the tuition and guidance of the clerk who is the most senior and experienced member of the staff. The Government had hoped that December 31, 1974, might have been the cut-off date for the new edition, but the programme has been delayed by frequent movement of staff from the Statute Revision Office, necessitating interruption of the programme for staff training and by other causes beyond the Commissioner's and the Government's control. If no further delays are experienced, it is hoped that the cut-off date will be December 31, 1975.

This Bill, which will facilitate the programme of consolidation of the public general Acts, makes consequential and other amendments to, corrects errors in, and removes inconsistencies and anomalies from a number of Acts without altering policies and principles that have already been endorsed by Parliament. It also repeals two Acts that are no longer relevant and will never be invoked for the purposes for which they were enacted. These Acts are listed in the first schedule to this Bill and, so as far as the Acts listed for amendment in the second schedule are concerned, every precaution has been taken to ensure that no amendment to any Act changes any policy or principle that has already been established by Parliament. I ask leave to have the explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF CLAUSES

Clause 1 is formal. Clause 2 (1) repeals the Acts set out in the first schedule. Clause 2 (2) deals with the case where an Act expressed to be repealed by this Bill is repealed by some other Act before this Bill becomes law. This is a possible eventuality, and this provision enacts that, in such a case, the enactment by this Bill that purports to repeal that Act has no effect. Clause 3 (1) provides that the Acts listed in the first column of the second schedule are amended in the manner indicated in the second column of that schedule and, as so amended, may be cited by their new citations as specified, in appropriate cases, in the third column of that schedule. Clause 3 (2) deals with the case where an Act expressed to be amended by this Bill is (before this Bill becomes law) repealed by some other Act or amended by some other Act in such a way that renders the amendment as expressed by this Bill ineffective. This is another eventuality that could well occur. Clause 3 (3) deals with the case where an Act amended by this Bill is repealed by some other Act after this Bill becomes law but the repeal does not include the amendment made by this Bill. I have already referred to the reasons for repealing the Acts listed in the first schedule. I shall now explain the amendments in the second schedule to the Bill.

Health Act, 1935-1973: The amendment to- section 112 (1) is a grammatical one. The amendments to sections 145a (3) and 146 (5) strike out obsolete references to section 165 of the Social Welfare Act which dealt with the licensing of lying-in homes. The amendments to section 149 correct a drafting error.

Holidays Act, 1910-1973, and Holidays Act Amendment Act, 1958: The amendments to these two Acts arise out of the provisions of section 2 of the Holidays Act Amendment Act, 1958 (Act No. 29 of 1958), as amended, which provides as follows:

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

(2) A proclamation bringing this Act into operation shall not be made until the Governor is satisfied that arrangements which will operate generally throughout the State have been made and will be carried out for keeping savings banks open until 5 o'clock p.m. on every Friday which is not a bank holiday.

(3) If, after this Act has been brought into operation, arrangements as mentioned in subsection (2) of this section cease to operate the Governor may, by proclamation, declare that the principal Act shall thereafter have effect as if this Act had not been passed.

The 1958 amending Act goes on to enact and insert in the principal Act (*a*) a new section 3b which provides that, after the passing of that amending Act, the several days mentioned in the third schedule shall be bank holidays; and (*b*) the third schedule, which specified only Saturday as the bank holiday to which section 3b refers. The only provision of the 1958 Act which cannot be incorporated in the principal Act but which is still a substantive provision of the statute law is section 2 (3), the remaining provisions of the 1958 Act having become exhausted or incorporated in the principal Act. That subsection (as I have quoted it) confers on the Governor (if the arrangements referred to in subsection (2) of that section cease to operate) power by proclamation to declare that the "principal Act", as it then was, shall have effect as if the 1958 Act had not been passed. The only amendments to the principal Act made by the 1958 Act were the enactment of section 3b and the third schedule which, together, have the effect of appointing Saturday as a bank holiday until action is taken under section 2 (3) of that Act, and the intention of that subsection was to provide some machinery whereby Saturday would cease to be a bank holiday as from a date subsequent to the proclamation.

However, as that subsection is still alive and in force, it would be necessary to republish as a separate Act the 1958 amending Act (of which the subsection is a provision) unless the subsection was repealed and a suitable provision, which would achieve the same intention, was inserted in the principal Act. The Holidays Act Amendment Act, 1958, is accordingly amended by striking out section 2 (3), and the Holidays Act, 1910-1973, is amended by adding to section 3b a new subsection (2) which provides that, if it appears to the Governor that the arrangements referred to in subsection (2) of section 2 of the 1958 amending Act have not been, or are not being, observed or complied with, the Governor may by proclamation, declare that, on a day specified in the proclamation, section 3b and the third schedule of the principal Act shall cease to have effect, and that section and schedule shall cease to have effect accordingly. Approval by Parliament of these amendments will preserve the intention of that provision of the 1958 Act without rendering it necessary to republish the whole of that Act for the sake of section 2 (3) only of the Act.

Justices Act, 1921-1974: The amendments to section 33 (1) alter the references to an institution within the meaning of the Social Welfare Act to references to a home within the meaning of the Community Welfare Act. The amendment to section 57a (10) continues the reference to a child within the meaning of the Juvenile Courts Act, 1941, to a child within the meaning of any corresponding subsequent enactment.

Motor Vehicles Act, 1959-1974: The amendment to section 4 is consequential on the enactment of section 71aa by Act No. 51 of 1974. The amendment to section 66 (3) strikes out a passage which became superfluous upon the amendment of that section by Act No. 143 of 1972. The amendment to section 70 (5) is consequential on an amendment made to that section by Act No. 143 of 1972. The amendment to section 83c corrects a grammatical error. The amendment to section 99 (1) updates the definition of "Minister". The amendment to section 119 (1) is consequential on the amendment to section 119 by Act No. 39 of 1971.

Pawnbrokers Act, 1888-1973: The first schedule of this Act consists of various forms for use under the Act. Form II (pawn ticket) was amended by section 4 of the Pawnbrokers Act Amendment Act, 1950, and by sections 6 (1) and 6 (2) of the Decimal Currency Act, 1965. Unfortunately, some of the amendments that are conversions to decimal currency are inappropriate or inaccurate, and need to be revised and updated to be meaningful.

The first amendment strikes out the first paragraph of the form of pawn ticket for a loan of $1 or under and inserts in its place a simplified and more up-to-date paragraph. The second amendment similarly replaces the first paragraph of the form of pawn ticket for a loan of above $1. The third amendment replaces the second paragraph of the form of pawn ticket for a loan of above $1, as one of the amendments to that paragraph made by the Decimal Currency Act did not fit, and a re-enactment of the paragraph has become necessary to cure that defect.

The fourth amendment is one that had been omitted from the Decimal Currency Act. The fifth amendment up-dates the first paragraph of the form of special contract (No. VII).

Pistol Licence Act, 1929-1971: The amendment substitutes for the reference in section 20 to the Fauna Conservation Act, 1964, a reference to the National Parks and Wildlife Act, 1972, which repealed the Fauna Conservation Act.

Police Regulation Act, 1952-1973: The amendment merely substitutes for the reference to the Public Service Act, 1936-1951, in section 12 (3) a reference to the Public Service Act, 1967, as amended.

Prevention of Pollution of Waters by Oil Act, 1961-1972: This amendment merely strikes out a superfluous "and" in section 13 (1).

Prices Act, 1948-1973: This amendment is consequential on an amendment to section 5 of the Prices Act by the schedule to the Urban Land (Price Control) Act, 1973.

Prohibition of Discrimination Act, 1966-1970: The amendment to section 2 substitutes for the definition of licensed premises, which became obsolete when the Licensing Act, 1932-1964 was repealed, a new definition which attracts the provisions of the Licensing Act, 1967, as amended. The amendment to section 5 (1) is also consequential on the enactment of the Licensing Act, 1967.

Public Parks Act, 1943-1969: Section 5 of the Act, as it stands, refers to the Compulsory Acquisition of Land Act as the Act which governs the acquisition of land for the purposes of the Public Parks Act. It is a suitable opportunity to substitute the procedures under the Land Acquisition Act to govern the taking of land, and the accompanying schedule repeals section 5 and enacts in its place a new section which applies the Land Acquisition Act to the acquisition of land under the principal Act.

Public Supply and Tender Act, 1914-1972: The amendment to section 5(1) strikes out the outdated references to the South Australian Harbors Board and the Irrigation and Reclamation Works Department and substitutes a reference to the Minister of Marine and more appropriate wording, while the second amendment is consequential on the first amendment. The amendment to section 5 (2) strikes out the reference to section 58 of the South Australian Railways Commissioner's Act, 1887, and substitutes for it a corresponding provision of the South Australian Railways Commissioner's Act, 1936, which repealed the 1887 Act.

Red Scale Control Act, 1962-1967: The amendments to section 6 substitute the expression "Electoral Commissioner" for the expressions "Returning Officer for the State" and "Returning Officer of the State". The amendment to section 14 makes a conversion to decimal currency.

Registration of Dogs Act, 1924-1971: The amendments to section 18 are consequential on amendments made to that section by Act No. 40 of 1957. The amendments to section 20 (3) are consequential on the amendments to the fourth schedule to the Act which were made by Act No. 40 of 1957, section 4. As presently enacted, the fourth schedule to the Act is inconsistent with paragraph II of the proviso to section 20 (3).

Roads (Opening and Closing) Act, 1932-1946: Subsections (1), (la) and (2) of section 11, as enacted by Parliament, prescribe various fees to be paid to the Surveyor-General. These fees have been varied from time to time by regulations made under the Fees Regulation Act, 1927. On previous occasions the attention of the Government and of Parliament has been drawn to the difficulties and confusion that result when the amount of a fee prescribed by an Act is varied from time to time by regulation and, in particular, by regulation under the Fees Regulation Act. Parliament has, in other legislation, accepted the principle that, where fees are to be prescribed for the purposes of an Act, they be prescribed and varied by regulations made under that particular Act rather than that fees prescribed by an Act should be variable by regulation. The Act already contains, in section 28, a general regulation-making power for "prescribing all matters and things which may be necessary or desirable for giving effect" to the Act, and the proposed amendments to subsections (1), (la) and (2) merely provide that the amounts of the fees payable thereunder to the Surveyor-General are to be prescribed by the regulations made under the Act itself. This would make regulations under the Fees Regulation Act unnecessary, and the only relevant regulations would be those made under the principal Act. However, as a transitional provision, a new subsection (2a) is proposed to be inserted in section 11 which will provide that, unless regulations providing otherwise have been made under the principal Act and have effect, the amounts of fees respectively payable under the provisions of subsections (1), (la) and (2) of section 11, as varied by regulations made under the Fees Regulation Act, 1927, and in force immediately before that new subsection comes into force, shall continue to be the fees respectively payable under those provisions. The proposed amendment to section 11 (4) substitutes a reference to the Director of Planning for the reference to the Town Planner. The proposed amendment to section 19 (4) makes a conversion to decimal currency.

Sale of Furniture Act, 1904-1961: The amendment to section 4 strikes out the reference to the Minister of Industry and substitutes in its place a reference to "the Minister". This change will attract the definition of "Minister" in the Acts Interpretation Act and avoid further amendment of the Act in case the administration of the

Act is committed to any other Minister in the future. The opportunity is also taken to include the necessary conversion to decimal currency in section 9.

Sandalwood Act, 1930-1949: Section 1 of this Act, provides, *inter alia,* that it is incorporated with the Crown Lands Act, 1929, which contained a definition of "Commissioner" as the Commissioner of Crown Lands who became the Minister of Lands, and in 1968 the definition of "Commissioner" was struck out from the Crown Lands Act and a definition of "the Minister" as the Minister of Lands was inserted in that Act. In the Sandalwood Act there are several references to "the Commissioner" in sections 5, 6, 8 and 9, and one reference to "the Minister" in section 7 (2). There seems to be no doubt that both expressions refer to the Minister of Lands, and the references to the Commissioner should be altered to "the Minister" in order to attract the definition of that expression in the Crown Lands Act with which the Sandalwood Act has always been incorporated. The amendments to the Act are designed to achieve this result, and the opportunity has also been taken to make the necessary conversions to decimal currency.

San Jose Scale Control Act, 1962-1967: The amendments to section 6 substitute the expression "Electoral Commissioner" for the expressions "Returning Officer for the State" and "Returning Officer of the State". The amendment to section 14 corrects a grammatical error and makes a conversion to decimal currency.

Sewerage Act, 1929-1974: The amendment to section 66 (1) is consequential on the repeal of the Education Act, 1915, and the enactment of the Education Act, 1972, and substitutes more appropriate wording for the reference to the repealed Act of 1915. The amendment to section 68 is consequential on the amendment to section 13 of the principal Act by section 5 (*a*) of Act No. 40 of 1974, by virtue of which the power to make regulations was transferred from the Minister to the Governor. The proposed amendment would make section 68 applicable to any regulations whether made by the Governor or previously made by the Minister.

Statute Law Revision Act, 1973: The amendment to the second schedule of this Act is consequential on the repeal of the Business Agents Act, 1938, and its amendments, by the Land and Business Agents Act, 1973.

Statutes Amendment (Public Salaries) Acts of 1955, 1957, 1959, 1960 (No. 2), 1963, 1964, 1965 and 1967: These Acts are amended by the repeal of sections which have amended other enactments that have since been repealed or which relate to past matters and events and are no longer relevant.

Supreme Court Act, 1935-1974: The amendment to section 50 substitutes for the reference to the Companies Act, 1934, a reference to the Companies Act, 1962, as amended, or any corresponding previous enactment, and the amendments to sections 82 (4) and 84 (2) substitute for references to the Public Service Commissioner references to the Public Service Board.

Mr. GUNN secured the adjournment of the debate.

WEST BEACH RECREATION RESERVE ACT AMENDMENT BILL

The Hon. G. T. VIRGO (Minister of Local Government) obtained leave and introduced a Bill for an Act to amend the West Beach Recreation Reserve Act, 1954-1973. Read a first time.

The Hon. G. T. VIRGO: I move:

That this Bill be now read a second time.

I ask leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF BILL

Last year, the West Beach Trust, constituted under the principal Act, the West Beach Recreation Reserve Act, 1954, as amended, found itself in possession of not inconsiderable funds, of about $250 000, partly arising from the sale of Marineland. Since this money was not required immediately for the purposes of the trust, it was put out on quite proper investments as, in the view of the trustees, this course was preferable to merely leaving the money on deposit in a bank. However, a doubt has arisen whether, in strict law, the trustees possess power to make such an investment. As a result, the matter was referred to the Government's legal adviser for an opinion, which, in effect, indicated that it would be prudent to put the matter beyond doubt by legislative enactment. Accordingly, clause 2 of this short Bill provides for two matters: first, it grants, in fairly standard form, a power of investment "in any manner approved of by the Treasurer"; and secondly, it validates (so as to put beyond doubt) the investment made by the trustees already referred to. As is usually the case, the validation is expressed in general terms.

Mr. BECKER secured the adjournment of the debate.

LOCAL GOVERNMENT ACT AMENDMENT BILL (AMALGAMATIONS)

The Hon. G. T. VIRGO (Minister of Local Government) obtained leave and introduced a Bill for an Act to amend the Local Government Act, 1934-1974. Read a first time.

The Hon. G. T. VIRGO: I move:

That this Bill be now read a second time.

It is closely associated with the report of the Select Committee on council boundaries presented to this House yesterday. The Select Committee and the Government considered it essential to simplify the provisions of the Local Government Act in respect of changes to council boundaries. I should like to draw to members' attention the current position that applies in relation to amalgamations, severances and annexations. If members read these clauses, they will find that they are, to say the least, extremely cumbersome. The simplified procedures are intended to apply to changes agreed by councils following discussions with the Royal Commission, which, if the Select Committee's recommendations are endorsed by Parliament, will undertake the task of promoting changes to council areas.

I have already explained to the House that the Select Committee considered that changes in boundaries were desirable and therefore recommended that the House support legislation under which the necessary changes can be effected. It is essential that the Royal Commission have backing of the nature proposed by this Bill if it is to achieve the desired success. It is equally essential that, when voluntary agreement by councils has been achieved, legislation to enable this voluntary change to be carried into effect be simplified. This is the purpose of this Bill. In brief, councils that agree on change will indicate that agreement to the Minister, who will give public notice of the proposal inviting objections from ratepayers. Ratepayers of any area affected can then demand a poll, which would be held over the whole of the affected areas. Once these procedures have been followed, the matter can proceed to proclamation. The procedures presently laid down in the Act concerning formal petitions, publishing of petitions, and so on, can thereby be avoided, thus saving

time in introducing voluntary changes. I ask leave to have the explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF CLAUSES

Clauses 1 to 3 are formal. Clause 4 corresponds with a provision in the previous Bill. Under this provision, where the principal Act vests rights and liabilities in some council that is identified by name and the powers conferred by Part II of the Act are exercised in relation to that council, resulting in a corresponding transfer of those rights or liabilities to some other council, the reference to the council named in the Act shall be read and construed as a reference to the council to which the rights or liabilities have been transferred. Clause 5 repeals and re-enacts section 6 of the principal Act. The present antiquated provisions of that section are removed, and a simple power to declare a council to be a metropolitan council is included in the principal Act. Clause 6 also removes material from the principal Act that is now out of date.

Clauses 7 and 8 are the operative provisions of the Bill. Under new section 45a, where two or more councils agree to a proposal for the exercise of powers conferred by section 7 of the principal Act, and the proposal has been approved by the Royal Commission, the councils may submit the proposal to the Minister. The Minister is then required to give notice by public advertisement of the proposal; 20 per cent of the ratepayers of any areas affected by the proposal may by instrument in writing addressed to the Minister demand a poll. In any poll held under the new section, the question shall be whether the ratepayers approve of the proposal, and the question shall be deemed to have been carried in the affirmative unless a majority of the ratepayers voting, and at least one-third of the total number of ratepayers on the voters' rolls for the affected areas, vote against the proposal. Where a proposal is submitted to the Minister under the new section and no poll is demanded, or a poll is demanded and the question resolved in the affirmative, the Minister is required to submit the proposal to the Governor. When the proposal has been so submitted, the Governor is empowered to exercise his powers under section 7 of the principal Act for the purpose of giving effect to that proposal.

Mr. WARDLE secured the adjournment of the debate.

STANDING ORDERS

The Hon. L. J. KING (Attorney-General) moved:

That the Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole for the consideration of the Standing Orders Committee report, 1974-75.

Motion carried.

In Committee.

The Hon. L. J. KING (Attorney-General): I move:

That the recommendations of the Standing Orders Committee be adopted.

The reasons for the recommendations of the committee are set out in the explanation that is incorporated in its report, and I do not intend to go into detail about each Standing Order. They will, in the usual way, be dealt with *seriatim* and that will provide the chance to discuss each proposal. However, in moving this motion I should explain something of the background that has led to these recommendations. Most of the recommendations relate to an attempt to organise the business of the House in a way that will enable the House to give more effective consideration to the business it is required to transact.

Mr. Evans: That's what you told us about Question Time, but what happened?

Mr. Goldsworthy: There was a proposal for an adjournment debate, and you have seen the opportunity to put up all this.

The CHAIRMAN: Order!

The Hon. L. J. KING: I think it fair to say that for a considerable time members on both sides have expressed publicly and privately their concern that the House sits late on occasions, and many complaints have been made that, because of this, adequate attention is not given to legislation and that debates take place under undesirable conditions—

Mr. Goldsworthy: You arrange your programme.

The Hon. L. J. KING: —when members are not giving as much attention as they should to the business of the House. This has been a common complaint, and it has led to a consideration of how the business of the House may be organised in a better way. Together with that was the proposal put forward by the member for Davenport that there should be, on the adjournment of the House, a grievance debate extending for half an hour. The absurdity of that occurring in the early hours of the morning has only to be considered to be recognised. Following consideration given to the matter by the Standing Orders Committee initially and by me following that consideration, discussions took place between me and the Leader of the Opposition. I am indebted to the Leader, and I acknowledge publicly that those discussions took place in a frank, cordial, and constructive fashion, and, as a result of his observations (made no doubt in some cases after consulting his Party), the original ideas and proposals were modified substantially to meet those views.

I had hoped at one stage that agreement might be reached between the Parties: however, agreement was not reached, so there the matter rested. Nevertheless, although the Leader and I and our respective Parties did not reach agreement, the discussions were well worth while, and several matters raised and put to me by the Leader were incorporated in the proposals, which ultimately were considered and adopted by the Standing Orders Committee. I think every member will agree that late sittings are to be avoided if possible. It is also apparent that the business the Government considers should be transacted in the interests of the State has to be considered and dealt with by Parliament. Also, there is a general desire for the extension of grievance debate facilities. When one considers these factors, one must conclude that there has to be some form of time table to enable the House to deal with its business effectively. The thinking underlying these proposals is that the Government should decide at the beginning of each week what business it considers necessary to be transacted in the ensuing week, having regard to the overall Government programme and the proposed length of the session and so on, and that then there should be discussions—

Mr. Goldsworthy: Why don't you put us all in a straitjacket and you'll be happy?

The Hon. L. J. KING: —with representatives of the Opposition who, I hope, will approach the matter in a rational way and not in the spirit displayed by the interjection of the member for Kavel. The Opposition will be invited weekly to participate in a conference to consider what times should be allocated to the business that has to be considered by the House during the ensuing week. The Government's view is that the question of what business is to be transacted by the House is a matter for the Government, which is responsible for the business of the House and for seeing that the business of the State is

conducted. The question of the allocation of time between various items of business is a matter on which the views of the Opposition should be primarily concerned. It is not the only factor, but it should be the primary factor, because the Opposition is able to judge better than others what aspects of intended Government legislation are likely to be controversial and what are likely to require extensive debate.

In that way it is hoped that at a weekly conference a time table can be prepared that will be satisfactory to both Parties, will enable business to be completed with adequate time allocated for proper debate, and will also enable the House to rise by 10 o'clock on Tuesday and Wednesday evenings and by 5.30 on Thursday afternoons, with the grievance debate consequently taking place. This is a situation in which the good sense and co-operation of both sides can enable the business of the House to be completed in the time available and the case for and against legislation to be presented in the best and most concise way. It certainly involves the assumption of a greater degree of responsibility on the part of the Government and Opposition in nominating speakers to represent the various Parties' points of view in relation to matters before the House, and that fact alone will give members the chance to consider what they propose to say and, hopefully, say it in a somewhat more concise and lucid way than we have experienced in the past.

Dr. Eastick: What about Question Time?

The Hon. L. J. KING: That is the thinking that underlies these proposals, and I believe that if they are adopted by the House we will see the business of the House organised much more satisfactorily and also see a much higher standard of debate than we have seen in the past. I believe that the extension of grievance opportunities will benefit individual members and Parliament itself. The Government's view is that we should be able to organise our business in this way so as to be able to move the adjournment of the House before 10 o'clock on Tuesday and Wednesday evenings and before 5 o'clock on Thursday afternoons. There is no reason, therefore, why the grievance debate should not take place each day. Of course, one cannot guarantee that business will always run to a time table or to plan, but it will certainly be the earnest endeavour of the Government to see that that occurs and that the grievance debate is available each day.

These proposals have been carefully considered over a long period, and I earnestly exhort members to look at them dispassionately and to consider the benefits to Parliament that will result from their adoption. Of course, the opportunity will exist to deal with the details of each recommendation individually.

Dr. EASTICK (Leader of the Opposition): As this is a matter of considerable importance, I ask that progress be reported and that the Committee have leave to sit again.

Progress reported; Committee to sit again.

INDUSTRIAL ORGANISATION (BUILDING GRANTS) BILL

The Hon. D. A. DUNSTAN (Premier and Treasurer) moved:

That the time for bringing up the report of the Select Committee be extended to February 25.

Motion carried.

KINDERGARTEN UNION BILL

The Hon. HUGH HUDSON (Minister of Education) brought up the report of the Select Committee, together with minutes of proceedings and evidence.

Report received.

The Hon. HUGH HUDSON: I move:

That the report be noted.

The main amendments proposed are fairly straightforward and will not, I think, cause any debate; they involve clarifying the role, function and composition of the proposed Kindergarten Union Council, clarifying the role that is to be played by the Kindergarten Union Board, and generally clarifying the situation with respect to branch kindergartens and affiliated kindergartens. The Select Committee, in the course of its deliberations, took evidence from the Chairman of the Childhood Services Council, ludge Olsson; from the Chairman of the committee that was concerned with the original drafting of the Kindergarten Union Bill, Mr. Lyall Braddock; and from representatives of the Kindergarten Union (Miss Watson, the President, and Mr Bennett, the Administrator). The committee also took evidence from the Auditor-General with respect to the method of auditing of the Kindergarten Union's accounts. Certain amendments are proposed to the Bill dealing with that question. The matter is one for the Committee stage, however. The amendments are not controversial, so at this stage it is not necessary for me to expand further on the proposals of the Select Committee.

Mr. GOLDSWORTHY (Kavel): I support the motion. As the Minister has said, the Select Committee has recommended a substantial number of amendments to the Bill as a result of evidence given by the people to whom the Minister has referred. When the amendments are considered in Committee I doubt that they will lead to any controversy, at least from the official Opposition. Paragraph 3 of the report probably sums up what this legislation is all about. It states:

> Your committee, after taking evidence in the matter, is of the opinion that this legislation is necessary to continue the existence of the Kindergarten Union as a statutory body with powers and functions conferred by the Statute. This is desirable so that the union may have access to public moneys for the establishment and administration of kindergartens.

Members and the public are well aware that there is a growing infusion of funds into pre-school education and, indeed, into child care services in general. Both the major political Parties acknowledge the desirability of this expansion, and the Bill is designed to facilitate that expansion. Therefore, I have pleasure in supporting the motion.

Motion carried.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Interpretation."

The Hon. HUGH HUDSON (Minister of Education): I move:

In the definition of "branch kindergarten" to strike out "(other than an affiliated kindergarten)".

The effect of the amendment, together with later amendments with respect to the redefinition of "registered kindergarten", will mean there are two types of kindergarten (a branch kindergarten and an affiliated kindergarten) associated with the Kindergarten Union, and both will have to be registered. The circumstances that apply to each classification will be set out in statutes to be made by the Kindergarten Union. Broadly speaking, the current position is that a branch kindergarten is a kindergarten which meets the standards laid down by the Kindergarten Union and which is subject to full subsidy in relation to meeting running costs.

The other category is affiliated kindergartens, which have joined the Kindergarten Union with the intention of developing standards laid down by the Kindergarten

Union. Affiliated kindergartens are given membership at that stage but, until the appropriate standards are achieved, they do not have the same rights as branch kindergartens have with respect to the Kindergarten Union Council nor do they receive the full subsidy in meeting their operating costs. As a matter of practice, it seems that this is an appropriate method for the Kindergarten Union to adopt to ensure that kindergarten committees can become established and start something going without having met all the standards required by the Kindergarten Union. The definitions and the amendments to them are designed to clarify the position in that respect.

Amendment carried.

The Hon. HUGH HUDSON; I move to insert the following new definition:

"the Childhood Services Council" means a body of that name established by an Act of the Parliament of this State or any other body that is, by direction of the Minister, to exercise the functions assigned to the body so designated by this Act:

The position arose that, when this legislation was first considered, there existed an interim pre-school education committee; we did not have a Childhood Services Council. Before Christmas, as a result of changes that occurred at Australian Government level with regard to the funding of pre-school and child care facilities throughout the State, the South Australian Government established a Childhood Services Council, which is the equivalent South Australian body to the Australian Government's Children's Commission. This council, which has not yet been incorporated in legislation, has three committees: a pre-school education committee, a child care committee, and an out-of-school recreation committee. These three committees of the council are the functioning bodies that make the appropriate recommendations to the council. In turn, the council is responsible for sorting out all the various projects, attaching priorities to them, and making, with the approval of the Minister of Education and the Minister of Community Welfare, appropriate recommendations to the Children's Commission, which is the statutory body set up by the Australian Government. It is necessary to have this definition in the Bill, as the Childhood Services Council is referred to in later amendments.

Mr. GOLDSWORTHY: I support those remarks. This council was a fairly vague organisation in the minds of some members of the Select Committee. I understood it was necessary to include this definition in order hopefully to attract Commonwealth funds for expansion. I understood that, as a result of a Commonwealth Government report, there was a change of emphasis (certainly of terminology) regarding the flow of funds. The result was that some fear was expressed that, unless this phraseology was used in the Bill, some funds would not go where the South Australian Government wished them to go. The Opposition is perfectly happy to support all these amendments.

Amendment carried.

The Hon. HUGH HUDSON: I move:

To strike out the definition of "registered kindergarten" and insert the following new definition:

"registered kindergarten" means a kindergarten that has been registered as a branch kindergarten or as an affiliated kindergarten in pursuance of this Act:

I have already explained this amendment.

Amendment carried; clause as amended passed.

Clause 5 passed.

Clause 6—"Objects of the Union."

The Hon. HUGH HUDSON: I move:

In paragraph (c) to strike out "training" and insert "care".

The word "care" is considered more appropriate.

Amendment carried.

The Hon. HUGH HUDSON: I move:

In paragraph (*d*), after "education", to insert "and in the provision of other childhood services".

In this amendment, we are dealing with the possibility that the activities of the Kindergarten Union may become somewhat broadened as a consequence of the approach being taken increasingly to integrate pre-school arrangements with child care arrangements and to recognise that, where one category exists, the other must exist as well. Certainly, the Children's Commission has made clear that integrated projects will be looked on more favourably. Consequently, it is necessary in developing new Kindergarten Union kindergartens to open up the possibility that the union will become actively involved in some cases in providing child care facilities, or will associate with someone else with regard to providing child care facilities.

Amendment carried.

The Hon. HUGH HUDSON: I move to insert the following new paragraphs:

(*ha*) to promote a high standard in the design, amenities, and equipment of premises used or intended to be used for the purpose of kindergartens and for the provision of other childhood services;

(*hb*) to promote the highest possible standards in the qualifications of staff employed to provide pre-school education and other childhood services;

(*he*) to support financially or in other ways branch kindergartens and affiliated kindergartens;

(*hd*) to support financially and in other ways organisations providing childhood services in co-operation with the union;

These additional paragraphs are intended to spell out in a little more detail and more clearly the objects of the union.

Amendment carried.

The Hon. HUGH HUDSON: I move:

In paragraph *(i)*, after "kindergartens", to insert ", organisations providing other childhood services,".

This is a consequential amendment.

Amendment carried; clause as amended passed.

Clause 7—"Powers of the Union."

The Hon. HUGH HUDSON: I move:

In subclause (1) to insert the following new paragraph:

(ca) represent all branch and affiliated kindergartens, and where appropriate organisations providing childhood services in co-operation with the union, in negotiations with the Government of the Commonwealth or the State in regard to the provision of moneys for capital works and recurrent expenditure incurred in the provision of pre-school education and other childhood services;

It makes clear that the Kindergarten Union will mainly be responsible for making the appropriate representations in relation to providing facilities through its branch and affiliated kindergartens.

Amendment carried.

The Hon. HUGH HUDSON: I move:

In subclause (1) *(d)*, after "education", to insert "and other childhood services".

This is a consequential amendment.

Amendment carried.

The Hon. HUGH HUDSON: I move:

In subclause (1) to insert the following new paragraph:

(*ga*) hold and administer property on trust;

(*gb*) receive gifts or bequests;

These paragraphs make clear in the legislation that these are part of the powers of the Kindergarten Union.

Amendment carried; clause as amended passed.

Clause 8 passed.

Clause 9—"Membership of the Board of Management."

The Hon. HUGH HUDSON: I move:

In subclause (1) to strike out paragraph (*a*) and insert the following new paragraph:

(*a*) the chief executive officer of the union (but during the period extending from the commencement of this Act to the appointment of the first chief executive officer of the union, the administrator of the union shall be a member of the board in his place);

This amendment clarifies the situation, because at present the Board of Management of the union does not have a chief executive officer: it has a person with the title of "Administrator". Until a chief executive officer is appointed, it is proposed properly that the Administrator of the union should be a member of the board.

Amendment carried.

The Hon. HUGH HUDSON: I move:

In subclause (1) to strike out paragraph (c) and insert the following new paragraph: .

(c) one member elected by the professional and senior administrative staff of the union (as defined in the statutes) in accordance with principles established by the statutes;

The original draft of this paragraph provided for this person to be appointed by the Governor, which would mean in effect on the recommendation of the State Cabinet. This was never intended. It was intended that this representative on the board should be elected by the senior professional administrative staff of the union.

Amendment carried.

The Hon. HUGH HUDSON: I move:

In subclause (1) to strike out paragraph *(e)* and insert the following new paragraph:

(*e*) four members, not being employees of the union, appointed by the Governor on the nomination of the council (who in the case of the first nominees shall be chosen by the council from amongst the members of the board of management of the union as it existed immediately before the commencement of this Act);

This is to clarify the provision of this section of the membership of the board in accordance with the agreement that had previously been reached with the Kindergarten Union Board and the Kindergarten Union Council.

Amendment carried.

The Hon. HUGH HUDSON: I move:

In subclause (2), after "board" second occurring, to insert "(not being employees of the union)".

It is considered that the powers of the board to co-opt additional persons to membership are important, and this subclause limits this power of co-operation to two additional persons. This practice has been followed by a number of councils established to govern under Statute of the South Australian Parliament. The purpose of the amendment is to provide that these co-opted members should be outsiders, and the power to co-opt should not be used by any board or council as a means of increasing the representation on that board or council of those who are actually employed by the board or council. It should be a means of obtaining the expertise that is available to the board or council in order to run its own affairs more effectively. That is the purpose of this amendment.

Mr. GOLDSWORTHY: I think this is an important amendment. One of the major functions of this legislation is to widen considerably the representation on the board of the Kindergarten Union and to stop the self-perpetuating nature of the membership of the board. I understand this has occurred elsewhere when there has been no exclusion. I think it is desirable that co-opted members be co-opted from outside the union.

Amendment carried.

The Hon. HUGH HUDSON: I move to insert the following new subclause:

(4) If, before the commencement of this Act, the Minister caused an election to be held in which those persons who were, in his opinion, likely to become members of the professional and senior administrative staff of the union, elect one of their number to membership of the board the person so elected shall be deemed to have been elected to membership of the board under paragraph (*c*) of subsection (1) of this section upon the commencement of this Act.

If certain members of the board are to be elected rather than appointed, until the board is constituted and statutes passed no election could take place, and there could be no elected member on the board. Consequently, the device is used of adding a further subclause providing that in the first instance the Minister has power before the commencement of the Act to cause an election to be held for the election of members of the board, and to define for that purpose who shall be the electorate for the purpose of that election. If such an election is held, the member so elected shall be a member of the board from the commencement of the Act. This device is to get over the hiatus that would otherwise occur.

Amendment carried; clause as amended passed.

Clause 10—"Conditions of membership."

The Hon. HUGH HUDSON: I move:

In subclause (2) (*b*) to strike out "(who shall be chosen by lot)".

This paragraph refers to the members of the board who are appointed by the Governor on the nomination of the Minister. It was never intended that those who got a two-year term and those who got a one-year term should be chosen by lot.

Mr. Goldsworthy: You are against gambling?

The Hon. HUGH HUDSON: Yes. The purpose of this amendment is that the recommendation by the Governor will be for two nominees who will have a one-year term and two who will have a two-year term. This will stagger the way in which members of the board are replaced so that every member of the board will not have to be replaced at the same time.

Amendment carried.

The Hon. HUGH HUDSON: I have an idea that we have not spelt out the term of office of an elected member to the board. However, if necessary I will move for the reconsideration of this clause.

Clause as amended passed.

Clause 11—"Conditions of office."

The Hon. HUGH HUDSON: I move:

In subclause (1), after "Act", to insert "and the statutes". This is a drafting amendment.

Amendment carried; clause as amended passed.

Clause 12—"Procedure of the Board."

The Hon. HUGH HUDSON: I move:

In subclause (3), after "board", to insert "(except any who have been granted leave of absence by the board or the Minister under this section)".

The purpose of this amendment is to ensure that members who are granted leave are not counted for the purpose of constituting a quorum. We have had experience of this in relation to other institutions, and it seemed to the committee that the work of the board of the Kindergarten Union would be facilitated by this amendment.

Mr. GOLDSWORTHY: I support the Minister's remarks. Difficulties do arise with members on boards of this type. Most of the people included on this board will be busy, and in many instances they will occupy positions of some eminence in the Public Service. It would be a pity, however, if the normal quorum were reduced greatly as a result of the Minister giving indefinite leave to more than one or two people. It would make a farce of the

idea of having a quorum. It is to be hoped there will not be many seasoned and habitual travellers among the nominees, otherwise the clause will be self-defeating.

Amendment carried.

The Hon. HUGH HUDSON: I move to insert the following new subclause:

(3*a*) The board may grant leave of absence to a member of the board for up to three months and the Minister may grant leave of absence to a member of the board for any period he thinks fit.

We have had experience with members of other councils of tertiary institutions. It seems that people in this category get oversea leave of one sort or another or move away for short periods of time. Rather than provide for replacement members to be appointed to the board in those circumstances, it seems more appropriate that the board itself should have the power to grant leave for up to three months and that the Minister should use his judgment as to whether leave for longer than that period should be allowed. Quite clearly, if the situation arose where three or four members of the board wished to go overseas all at one time for a period of six months or a year, certain resignations would have to take place and the leave would not be granted.

Amendment carried; clause as amended passed.

Clause 13—"Validating provision."

The Hon. HUGH HUDSON: I move:

After "board" second occurring to insert "or".

This is purely a drafting amendment.

Amendment carried; clause as amended passed.

Clause 14 passed.

Clause 15—"The executive director."

The Hon. HUGH HUDSON: I move:

In subclause (1) to strike out "executive director" and insert "chief executive officer".

That is a consequential amendment.

Amendment carried.

The Hon. HUGH HUDSON: I move to insert the following new subclause:

(la) The board may assign such title to the chief executive officer as it thinks appropriate and may vary a title so assigned from time to time.

We have used the term "chief executive officer" in this Bill as being the most appropriate title we can think of at this point, but we do not want to tie the board to using that title for ever and a day. If the board in its wisdom on some future occasion wishes to change the title, it should have the power to do so.

Amendment carried.

The Hon. HUGH HUDSON moved:

In subclause (2) to strike out "executive director" and insert "chief executive officer".

Amendment carried; clause as amended passed.

Clause 16 passed.

Clause 17—"Annual report."

Mr. GOLDSWORTHY: This clause gives effect to a principle members on this side consider most important. We are disturbed when from time to time reports on departmental operations do not see the light of day if they are not to the liking of the Minister. I recall one occasion when the report of the Juvenile Court was not tabled by the Minister, breaking a precedent established over many years, and causing a great deal of controversy at the time because of the activities in the court and the change of emphasis in policy. I consider this clause important; the Opposition is always happy to see such provisions in legislation.

Clause passed.

Clause 18—"The Council of the Union."

The Hon. HUGH HUDSON: I move:

In subclause (2) to strike out paragraph (*a*) and insert the following new paragraph:

(*a*) one representative of each branch kindergarten (not being an employee of the kindergarten or of the union) appointed by the governing body of that kindergarten;

This amendment is partly consequential on the amendments made changing the original definitions of the Bill. It was never intended that affiliated kindergartens would be able to have membership of the Kindergarten Union Council. In addition, it was thought necessary to spell out that the representative of the branch kindergarten could not be an employee of the kindergarten or of the union.

Amendment carried.

The Hon. HUGH HUDSON: I move:

In subclause (2) (*b*), after "kindergartens", to insert "(not exceeding in number ten per centum of the total number of that teaching staff)".

The original drafting of this subclause dealt with teaching staff representatives on the Kindergarten Union Council and it is provided in the Bill (and this has not altered) that these representatives shall be elected in accordance with the Statutes or, in the absence of Statutes governing the matter, in accordance with principles determined by the Minister. The Select Committee thought that, in view of the opinion expressed before it that there should be some limitation on the number of teacher representatives on the Kindergarten Union Council at any one time, an upper limit should be expressly provided in the Bill. The amendment provides that the number of teacher representatives must not exceed 10 per cent of the total number of teachers employed by the Kindergarten Union.

Mr. GOLDSWORTHY: Committee members believe this is a reasonable representation of teachers employed by the union. The loading to be accorded to various people on boards and committees is a vexed question; it is a matter of judgment, and 10 per cent is reasonable.

Amendment carried.

The Hon. HUGH HUDSON: I move:

In subclause (2) to strike out paragraph (*g*) and insert the following new paragraph:

(*g*) one member elected by a single electorate comprising members of the non-teaching staff of the union in accordance with the statutes (or in the absence of statutes governing the matter, elected in accordance with principles determined by the Minister);

This is a clarifying amendment to ensure that that member can still be part of the Kindergarten Union Council, even though the statutes governing the matter have not as yet been agreed on.

Amendment carried.

The Hon. HUGH HUDSON: I move:

In subclause (2) to strike out paragraph *(h).*

This amendment arises from the fact that the person occupying the position of pre-school adviser has now been appointed to a position with the Childhood Services Council.

Amendment carried.

The Hon. HUGH HUDSON: I move:

In subclause (2) (*i*) to strike out "other"; and to strike out "union" and insert "board".

The word "other" was consequential on paragraph *(h),* which has been struck out.

Amendments carried; clause as amended passed.

Clauses 19 and 20 passed.

Clause 21—"Conduct of business of the Council."

The Hon. HUGH HUDSON: I move:

In subclause (3) to strike out "board" and insert "council".

This is a drafting amendment.

Amendment carried; clause as amended passed.

New clause 21a—"Functions of the Council."

The Hon. HUGH HUDSON: I move to insert the following new clause:

21a. (1) The functions of the council are as follows:

(*a*) to act to further the objects of the union in co-operation with the board;

(b) to arrange conferences, seminars, lectures for purposes associated with the objects of the union;

(*c*) to transact any business referred by the board to the council;

(*d*) to consider any matters referred to the council by the board or by a registered kindergarten and to report upon those matters to the board.

(2) For the purpose of performing its functions under this Act, the council may establish committees consisting of such persons as it thinks fit, define the functions of the committees and determine any other matter relating thereto.

The Select Committee thought, after hearing the witnesses, that the Bill should endeavour to set out in broad terms the functions of the council, and this new clause does that.

New clause inserted.

Clause 22—"Meetings of the Council."

The Hon. HUGH HUDSON: I move:

In subclause (2) (a), after "of" second occurring, to insert "the board and".

This amendment will enable the council to cause comments to be transmitted not just for consideration of the Minister but also for consideration of the board.

Amendment carried.

The Hon. HUGH HUDSON: I move to insert the following new subclause:

(4) The council may from time to time meet in various centres of population in country areas throughout the State.

It was pointed out in evidence that representatives of country kindergartens often have difficulty in attending meetings. The Select Committee did not think that the legislation should contain a mandatory provision that would require the council of necessity to meet in country areas, but this new subclause carries with it a persuasive suggestion that there should be occasional meetings of the council in country areas.

Amendment carried; clause as amended passed.

Clause 23—"Registration of branch kindergartens."

The Hon. HUGH HUDSON: I move:

In subclause (7) to strike out "board" first occurring and insert "union".

This is a drafting amendment.

Amendment carried.

The Hon. HUGH HUDSON: I move to insert the following new subclause:

(8) It shall not be lawful for a branch kindergarten to dispose of its assets without the consent in writing of the board.

This amendment is self-explanatory; it is a necessary protection.

Amendment carried; clause as amended passed.

Clause 24 passed.

New clause 24a—"Provisions generally applicable to registered kindergartens."

The Hon. HUGH HUDSON: I move to insert the following new clause:

24a. (1) If at any time there is no duly constituted management committee of a registered kindergarten, or if for any reason it is not practicable for a registered kindergarten to carry out its functions and duties, then the board may exercise all or any of the powers of the kindergarten on its behalf.

(2) Two or more registered kindergartens may, with the approval of the board, amalgamate to form one kindergarten.

The purpose of this new clause is to lay down some general conditions that apply to registered kindergartens. It was thought that it would be appropriate to spell out properly these powers in the legislation.

New clause inserted.

Clause 25—"Power of Board to make statutes."

The Hon. HUGH HUDSON: I move:

In subclause (1) (*c*), after "executive", to insert "officer".

This is a drafting amendment.

Amendment carried.

The Hon. HUGH HUDSON: I move to insert the following new subclause:

(l*a*) Nothing in this section shall be construed as detracting from the jurisdiction of the Industrial Commission to make awards applying to the staff of the union.

The amendment is self-explanatory.

Amendment carried.

The Hon. HUGH HUDSON: I move:

In subclause (2) to strike out paragraph (*b*) and insert the following new paragraph:

(b) it has been submitted to the Childhood Services Council.

This is a consequential amendment.

Amendment carried; clause as amended passed.

Clause 26—"Financial provision."

The Hon. HUGH HUDSON: I move:

In subclause (2) to strike out "South Australian Pre-School Education Committee" and insert "Childhood Services Council"; and to strike out "committee" second and third occurring and insert "council".

These amendments are consequential on what I have already explained.

Amendments carried; clause as amended passed.

Clause 27—"Accounts and Audit."

The Hon. HUGH HUDSON: I move:

In subclause (2), after "Auditor-General", to insert "or an auditor approved by the Minister".

It was reported to us by the board's representatives that, for many years, its accounts had been audited by a private auditor, who carried out the work for low payment (almost in an honorary capacity), and it was accepted by the committee that it should be possible for the union still to have its accounts audited by a private auditor, provided that the Minister was willing to agree to such an audit. In addition, however, the committee believed that it should be open to the Minister to require an audit by the Auditor-General at any time should that be considered necessary by the Minister and that the use of a private auditor, if approved by the Minister, should not preclude on some occasions the use of the Auditor-General's services.

Mr. GOLDSWORTHY: The committee agreed with the amendment and also with the next amendment to be moved. Opinions ranged from the view that the Auditor-General should do the job, to the other extreme that the auditor who has done the job for years should be allowed to continue to do it. As the member for Peake well knows, there was a suggestion that the Auditor-General should do the audit at the University of Adelaide, the only argument being that the Auditor-General is more stringent in his requirements than are private auditors. As the union will be receiving and administering large sums of public money, it should be competent for the Minister to nominate an auditor, including the Auditor-General, if the Minister is dissatisfied with another auditor. . A stringent examination of the accounts of a body using large sums of public money is warranted. I cite the situation involving the Totalizator Agency Board last year where, because of some doubtful decisions of the board, the State was penalised to the extent of about a couple of million dollars as a result of its excursion into the Databet

system. As a result of seeing the way in which some of these boards operate, I believe that the Auditor-General should be given oversight of the board's operations. As this amendment and the next are in the nature of a compromise, I have pleasure in supporting them.

Amendment carried.

The Hon. HUGH HUDSON moved to insert the following new subclause:

(2a) The Minister may at any time direct the Auditor-General to audit the accounts of the union and. the Auditor-General shall perform an audit in accordance with that direction.

Amendment carried.

The Hon. HUGH HUDSON: I move:

In subclause (3) to strike out "the" second occurring and insert "an".

This is a drafting amendment.

Amendment carried; clause as amended passed.

Clause 28—"Borrowing powers."

The Hon. HUGH HUDSON: I move:

In subclause (1) to strike out "South Australian Pre-School Education Committee" and insert "Childhood Services Council".

This is a drafting amendment.

Amendment carried; clause as amended passed.

Clauses 29 and 30 passed.

Clause 31—"Rights of employees of the Union."

The Hon. HUGH HUDSON: I move:

To strike out subclause (1) and insert the following new subclauses:

(1) The coming into force of this Act does not, of itself, affect the employment or salary of any person who was, immediately before the commencement of this Act, an employee of the union or of a branch kindergarten.

(la) The existing and accruing rights of any such employee in respect of recreation leave, sick leave or long service leave shall continue in effect.

The new subclauses will give legislative effect to agreements which have been reached, and which I am sure would have been undertaken anyway without legislative provision, to protect the rights generally of existing employees of the Kindergarten Union.

Mr. GOLDSWORTHY: This clause also led to much discussion by the committee. It is a protective clause; however, it is not to be construed that employees of the union have any more permanency of employment than have other public servants. The important words are "The coming into force of this Act does not, of itself, affect the employment or salary . . .". The provision is not to be read as giving employment indefinitely under any other terms than those which apply normally.

Amendment carried; clause as amended passed.

New clause 32—"Application of certain Acts."

The Hon. HUGH HUDSON: I move to insert the following new clause:

32. (1) The Community Welfare Act, 1972-1974, shall not apply in relation to registered kindergartens.

(2) The Public Service Act, 1967-1974, shall not apply in relation to officers and employees of the union in their capacity as such.

This self-explanatory clause expresses agreements that have previously been reached.

New clause inserted.

New clause 33—"Regulations."

The Hon. HUGH HUDSON: I move to insert the following new clause:

33. The Governor may make such regulations as he considers necessary or expedient for the purposes of this Act.

We are not sure what might be necessary or expedient regarding regulations to be approved by the Governor, but I think it wise to include a regulation-making power in the Bill.

New clause inserted.

Clause 10—"Conditions of membership"—reconsidered.

The Hon. HUGH HUDSON: I move:

In subclause (1), after "appointed" twice occurring, to insert "or elected".

This is purely a drafting amendment, consequential on changes made to clause 9.

Amendment carried; clause as amended passed.

Clause 11—"Conditions of office"—reconsidered.

The Hon. HUGH HUDSON: I move:

In subclause (1), after "appointed", to insert "or elected" and after "re-appointment" to insert "or re-election"; in subclause (3), after "appointed", to insert "or elected"; and in subclause (4), after "appointment", to insert "or election".

These are purely consequential and drafting amendments.

Amendments carried; clause as amended passed.

Title passed.

The Hon. HUGH HUDSON (Minister of Education) moved:

That this Bill be now read a third time.

Mr. MATHWIN (Glenelg): I should like to say that I support the Bill in its present form, but I am amazed that the original Bill was introduced at the end of last session, which gave members little time to canvass the position then. As the Bill was introduced in the usual haste, the Minister now has moved eight pages of amendments and a further two amendments that were not given to us with the original eight pages. I again stress that this Bill was introduced in the usual haste at the end of the session. Nevertheless, I support the third reading.

The Hon. HUGH HUDSON (Minister of Education): I should not like the remarks made by the member for Glenelg to go unanswered. The choice prior to the Christmas adjournment of the session was either to leave this Bill over to be introduced now and then refer it to a Select Committee or to introduce it then in a form that we knew would require further amendment so that the Select Committee could meet during the adjournment for the Christmas arid New Year period. It was explained when the Bill was introduced that it would require substantial amendment but that it was being introduced in that form at that time so that the Select Committee could meet and carry out its functions during the adjournment. I should like now to do something that I have not done earlier, namely, thank members of the Select Committee for their co-operation in meeting on five occasions during that time.

Bill read a third time and passed.

SOUTH AUSTRALIAN COUNCIL FOR EDUCATIONAL PLANNING AND RESEARCH BILL

Adjourned debate on second reading.

(Continued from November 27. Page 2323.)

Mr. GOLDSWORTHY (Kavel): I support the Bill. I think that it has seen the light of day as a result of the Karmel committee recommendations, and I do not think I need remind the House that that committee was appointed by the then Liberal and Country League Government. As is my habit, I pay a tribute to Mrs. Joyce Steele, who was Minister of Education at that time, and to the Government for their foresight in establishing that committee. Mrs. Steele was subjected to much pressure, and members of the present Government, then in Opposition, did not play a particularly responsible role in the campaign that was waged against her at that time.

The Bill comes to us as a result of the Government's pronouncement before the 1973 State election, when it saw fit to combine two recommendations of the Karmel committee. Doubtless, that decision was taken as a result of much discussion by people involved in the tertiary education field and the other areas of education in this State. However, there is still in my mind a query about the wisdom of joining together the two committees concerned.

Because few members, I dare say, are familiar with the precise recommendations of the committee in this regard, I trust that the House will bear with me while I quote the recommendations that have led to the introduction of this Bill. In the section dealing with tertiary education, the committee's recommendations state:

(*a*) A Tertiary Education Committee should be established as an advisory committee, with the following functions:

(i) To advise the South Australian Government on developments in the field of tertiary education, the needs of the State in this field, and how best these needs can be met.

(ii) To advise the tertiary institutions of South Australia with a view to promoting co-ordination and mutual assistance and diversity, where appropriate, in the field of tertiary education.

(*b*) The Tertiary Education Committee should be constituted along the following lines:

In short, 12 people were to be recommended for appointment to that Tertiary Education Committee and, of course, the membership is heavily weighted in favour of people involved in tertiary education. The other recommendation of the Karmel committee that is incorporated in this measure is in the section headed "Organisation of the Education Department." The committee recommended that an Advisory Council of Education should be established, with the following powers and duties:

(1) To advise the Minister about desirable developments in education.

(2) To advise the Minister upon any matters relating to education which may be referred to it by him, or upon which it may deem it expedient to advise him.

(3) To report to the Minister each year on the operations of the council during the preceding year, and generally on questions relating to the development and due co-ordination of education in the State; this report to be annexed to the annual report of the Minister and tabled in Parliament.

(4) To conduct inquiries itself or through expert committees, to commission studies and to publish reports.

The report then lists the people whom the Karmel committee considered would be most suitable for appointment to the council, 22 persons being referred to. As I have already said (indeed, as the Minister said in his second reading explanation), the Government has seen fit to incorporate these two recommendations, set up the advisory council, and include these tertiary representatives on it. However, the role they will play is not clear to me.

The second reading explanation given by the Minister states that the legislation is concerned with long-term planning. Stressing that point, he said that the advisory council would have two roles: it would be concerned with long-term plans for education in this State, as well as having other functions. However, as I read it, the emphasis is placed on the aspect of long-term planning. It seems to me that the Australian Universities Commission is concerned with the long-term planning of all Australian universities. From my experience as a member of the Council of the University of Adelaide, I know that the submission made to the Universities Commission forms a large part of the work of one section of the university. The efforts of the officers in that section are directed towards this end. I am therefore unclear about the role of Vice-Chancellor of the university on this council, the work of which will be associated with the work of the other arms of education in South Australia. What was the rationale that led the Minister to combine these two recommendations of the Karmel committee and to establish a council of this nature? I hope that, when he replies in this debate, the Minister will throw some light on that matter.

The Minister's explanation of the reasons for establishing this organisation is too brief; to my mind, it leaves many questions unanswered. Is this council to be given a charter on which to work out what it will do? The phrase "long-term planning" is indeed wide and vague. If, as I understand, short-term planning is to be undertaken by the Education Department, this council will have to be cognisant of the plans being made by the department so that it may make long-term plans that will benefit not only the area of education but the community generally. It is unclear what relationship this council will have with those persons in the department who are charged with the responsibility for planning.

By now the Minister will be getting the impression that to me much of the detail concerning the work of the new council is unclear. For instance, it is unclear to me what the role of the council will be in relation to the research activities which are already being undertaken within the Education Department and which I understand are to be undertaken to an increasing extent in the Further Education Department. At some stage of the debate on this Bill many questions must be answered as to how this council will fit into the existing structure and what functions of the various arms of education in this State it will assume. The council is to have one member more than the council recommended by the Karmel committee: it will comprise 23 members. I have no argument with the personnel referred to in the Bill, although the role of the Director of the Environment and Conservation Department is a little vague. However, the other members will be directly involved in education, and it is readily acknowledged that for bodies of this nature nominees should be recommended by the South Australian Institute of Teachers. This practice is invariably followed when similar boards or committees, are set up. My main query as to the membership of the proposed council concerns the role of the Director of the department to whom I have already referred. Undoubtedly, the council will fulfil a co-ordinating function. The way it will be involved with universities and other tertiary institutions may be minimal. However, if the council is to be involved in a minimal way, the amalgamation of these two recommendations seems hardly to be warranted.

Although the Minister said in his second reading explanation that the council would be involved in long-term planning, many of the matters referred to seem to involve short-term questions, only. He said that the council would maintain a careful balance between economy and efficiency on the one hand, and, on the other hand, the need to ensure equity for all affected by the provision of educational resources and facilities. Large sums are at present flowing to this State as a result of Australian Government policies on education, and the need referred to by the Minister seems to be urgent. I take it from that extract from the Minister's second reading explanation that the council is to concern itself with the immediate needs of these organisations with the object of ensuring that there is an equitable distribution of funds in response to the various competing claims made by the various educational organisations in South Australia. That part of the Minister's second reading explanation certainly does not smack of long-term planning.

The Minister also said that the council would serve as a major means of communication. That is happening at present, and such an activity will not be involved with long-term planning. The Minister also said:

> The council proposed in this Bill will represent all levels of education and a wide cross-section of educational opinion in this State, and will collaborate with other instrumentalities in carrying out common purposes. It will therefore serve as a major means of communication between these bodies and will provide an opportunity to reach agreement on mutually acceptable lines of development in an overall plan.

As a result of reading that passage, I assume that the development of an overall plan will not be a long-term function of the council. Once certain statistical information has been collated and the council has decided where it thinks education is going in this State in the long term, I would not regard this aspect of the work of the council as a continuing function that would occupy the consideration of The council on a full-time basis. Since the Second World War, the Education Department has certainly been interested in forecasts of the future and in planning many years ahead. I have often heard stated what is planned for the future development of schools, particularly secondary schools, throughout the State.

Although the tenor of the explanation of the Bill seems to refer to a long-term planning aspect, perhaps that aspect will occupy less of the council's time than will other functions that seem to be of somewhat less permanence. Moreover, it is unclear how large this arm of the council will be: that is, who will be employed permanently by the council to fulfil its functions? It would be true to say that committees and councils that have been appointed in the past in this State have got nowhere because they have not been provided with secretarial assistance or with people who have been permanently employed to ensure that the decisions made are implemented. For that reason it is essential that people be engaged permanently on this work. The officer who has been appointed as the Director of this council is to be considered amongst the top public servants in South Australia. One of the recommendations of the Karmel committee states:

> We suggest the Secretary-General should be a statutory officer appointed for seven years, and with the status and salary about equivalent to those of the Director-General of Education.

From my knowledge of the appointment and conditions that have been attached to it, the selected officer has been engaged on a status about equivalent to that of the Director-General of Education. If I am wrong in saying that, the Minister may correct me, but it implies that the responsibility of this officer will be of considerable magnitude.

Some aspects of the Bill concern members of the Opposition. The Karmel report has been regarded as a blueprint for educational progress. The committee said that it believed the percentage of the gross national product spent on education was inadequate and that this nation could well afford a greater percentage. However, despite some beliefs to the contrary, much money is at present flowing into educational coffers, but the effect of inflation is such that the Minister will have to acknowledge that many of our plans and projects may have to be curtailed or their progress slowed down. I query whether it is the appropriate time to engage in the development of what could be called a very large educational arm in this State.

From the status accorded to the Executive Director one would assume that he would be in charge of a large unit, if one equated his status to that of the Director-General of Education. I believe it is essential that the Minister (and people involved in the council) do not embark on empire building. During my oversea study tour 18 months ago one thing was made clear to me in Sweden, with its much vaunted educational system: there seemed to be an army of administrators to look after a school population about equivalent to our own. One officer whom I interviewed (he could speak only a little English and I knew even less Swedish) was in charge of physics testing in secondary schools. That was his sole job and he was a psychologist. If one considered the number of children served by the education system in Stockholm, it would obviously be about equivalent to ours in South Australia, yet I believe they require twice the number of people to look after their youngsters. Indeed, after visiting the schools I concluded that we had been well served for many years by our education administrators in South Australia.

On principle I would hesitate to embark on setting up a branch in education that could lead to the building up of an empire in which the tangible results might be questionable. I am not casting any slur on the officer who has been appointed (indeed, I think he is a most competent officer), but I hope that the thinking will be that we should get value for money from this legislation. Apparently, it has been popular to spend much money on education in the past few years but it seems to me that the spending has been piece-meal. I should say this happened in the time of a Liberal Government that had many projects in progress, and I believe that this situation has continued during the life of the present Australian Labor Government. Libraries seem to be popular, and at one country school with which I am familiar $700 was allocated to purchase library books, although that was not the greatest priority in the school.

I have had great difficulty in obtaining money to spend on urgent works in some schools in my district. When spending large sums we should get our priorities straight, because the public is seeking more and more value for money spent. Many people will ask what they will obtain from this council by way of educational planning and research. I think that much good will come from the setting up of the council, but we will have to satisfy the public that that is so. No doubt the council will undertake specific research projects and hope to attract research grants, but I think it would be unrealistic to think that the council would be financed in the main other than by money made available from State revenue. The Minister did not indicate in his explanation what we could expect annual expenditure to be, but if a figure of, say, $500 000 a year was estimated for recurring expenses to enable the council to function, I think members of the public would expect tangible achievements to be effected by the council. In other words, they would expect to see tangible value if this was to be the cost of the continuing operations of the council. It may be more or less; I do not know. It does not seem reasonable to appoint a high-ranking officer in charge of the council if he is not to be given the resources to do what he wants to do. As I see it, it is a question of balance.

My comments have been fairly general, and I have indicated that the Opposition supports the Bill. The legislation has been introduced as a result of the Karmel committee's recommendations, but I query the combining of the recommendations; no doubt the Minister will explain that aspect later. I have laid considerable emphasis on the point that the public may query the spending of this money if they cannot see tangible results from that spending.

We are confronted with this legislation by a sort of *fait accompli,* which happens from time to time when a Minister goes ahead and sets up an interim council. In those circumstances the role of Parliament tends to become that of a rubber stamp. The chief executive officer of the council has been appointed. Although I do not know what other staff has been appointed, I am sure that some staff must have been appointed to the interim council, and no doubt members of that staff are making decisions and have started doing some sort of work.

This Bill has been put before the House to ratify, in effect, what the Minister has already done. It might well be that the Minister has some rational reason he can give to the House for his *modus operandi,* but it seems to me that he might find himself one of these days in a situation where someone might object and say, "This is not good enough." Members do not like to be taken too much for granted. For the Minister to charge on as though he were the final and only arbiter on what should happen in education in South Australia is not really an acceptable state of affairs. There may be one or two other points of detail I have noted in relation to the Bill, but they will keep until the Committee stages. With those remarks I support the Bill and trust that the operations of the council will be successful and benefit the education system in South Australia, especially the people for whom that system exists—the children and young people of the State.

Mr. DEAN BROWN (Davenport): I support the Bill and, in so doing, I pay a tribute to the efforts of the people who brought about the detailed planning and investigation that resulted in the establishment of this council. In other words, I pay a tribute to the Karmel committee, the report of which, I believe, was possibly a turning point in education in South Australia. Although that expert committee came forward with the recommendation that two councils should be established, the present Government has seen fit to amalgamate the functions of the two councils into the proposed council we have before us today. I pay a tribute also to Mrs. Joyce Steele, Minister of Education at the time the Karmel committee was set up. She was the member for Davenport before I was elected. I pay tribute to what she did for education in this State. I know that she was Minister at a time when there was much criticism of her administration; however, I believe that criticism was unfounded.

Mr. Becker: She was assassinated for trying to help education in this State.

Mr. DEAN BROWN: Yes. This council is a reflection of the true ability and merit of her services to education in South Australia; after all, she did set up the Karmel committee. I turn now to the purpose for establishing the South Australian Council for Educational Planning and Research. I support the setting up of the council, because I see a great need in this area of education. In the last 10 years there has been a trend to increase expenditure on education. I know that the present Commonwealth Government will boast about how great has been its increase on expenditure for education. However, this increase has been brought about simply because the Commonwealth Government has changed the accounting system. The Minister said that the Commonwealth Government had increased its expenditure, on education 41-fold over the expenditure by the previous McMahon Liberal Government. However, such a statement is ludicrous: the present Commonwealth Government has simply changed accounting procedures.

I understand that the sum given to education by Commonwealth Governments for the establishment of schools was effectively as great under the McMahon, Government as it is under the present Labor Government, because the cost of building schools has increased sharply over recent years. The Minister's own admission was that costs had increased by 50 per cent in the last 12 months. Even the increased expenditure is not equivalent in real terms to the expenditure by the previous Commonwealth Libera] Government. Perhaps the present Commonwealth Government does not have as much to boast about as it sometimes claims; perhaps it should look at what it has achieved rather than at the sums expended.

Increased expenditure on education has been needed throughout Australia. In the past too low a priority has been given to education. I am pleased to see, however, that recent Governments have given education a much higher priority. I believe that education is one of the most important considerations for the voters. Obviously, the management of the economy has become more important now that we have a Commonwealth Government that cannot run it properly. I hope that this council will be effective, because it has an important role to play in making sure that a rational and economic use of resources is made in South Australia. I see this as being the most important function of the council. Education has become so complex, and we are spending so much money so rapidly, that we are starting to move into the area where there is an irrational and uneconomic expenditure on education. I believe that we are spending too much money on certain kinds of equipment for schools and that we have got to the stage where there is wasteful expenditure in certain areas. In other areas insufficient money is spent. I hope that a council such as this one will be able to stand back, be impartial, and say to the Government that it is committed to a given programme and that too much money is being spent in a certain area when greater expenditure is needed in another area. Some teachers have told me that they realise that wasteful expenditure exists within Australian education at present. I am advocating not that less money should be spent on education, but that a more economic use should be made of that money and that Governments should be more rational in its use.

I support the Bill for that main purpose; however, I support it for other reasons, too. One purpose of almost equal importance relates to the content of our education system. Recently, the Governor of South Australia in celebrating the 50th anniversary of St. Mark's College made a statement in relation to education. He is reported in the *Advertiser* of February 17, under the headline of "Education 'mixed up'. Young rudderless, says Oliphant", as saying:

> We take the uncommitted minds of the young, educate them for from 10 to 20 years, and leave them at the end rudderless, without purpose or discipline, unable to speak or write their own language.

Although I do not quite agree with the way in which the Governor put it, I believe there is a trend in our education system towards those ends. We tend to educate people for the sake of educating them, without realising why we are really educating them. We have lost our purpose in education. We seem to be intent on educating children in the pre-school years, but do we analyse the education we give them during that period? Too little thought is given to the content of education and too much to simply building more schools and providing the physical conditions in which to educate children, keeping as many as possible at schools, universities, and colleges of advanced education.

In this area the council will carry out important research; it should direct its research into what should be the content of the educational programme. I hope that, as a country,

we can lead the world in this regard. We are far behind the rest of the world at present, but with sufficient research I hope that position can be changed. When I look at the young people going out into the community (and probably I am one of those young people to a certain extent, in age) I am concerned to see their lack of knowledge of important community affairs, even in such matters as being able to buy a house and to understand the financing of its purchase and the complex society within which they will live. This is the reason today for the catch-cry of young people who say, "I want to get out. I am fed up with the community rat race. It is beyond me."

Mrs. Byrne: Consumer education is teaching them about house buying and loans.

Mr. DEAN BROWN: I understand the young are getting some education in that aspect.

Mrs. Byrne: Such education teaches the young about investing and about borrowing money to buy a house.

Mr. DEAN BROWN: Partly, and I am pleased that certain schools in South Australia (Norwood High School, in my area, is one) are establishing courses in these matters. However, courses are needed to cover many other aspects. I do not blame the schools, because they do not have the resources available, but I hope the council can carry out research to see where education should be heading and to make sure that facilities are available to educate our teachers in teaching these subjects. I see the role of this body as being to co-ordinate the various levels of education and institutions of education within South Australia. Our increased expenditure, as underlined in the Bill recently before the House, has shown the necessity for this. That previous Bill related to the establishment of a kindergarten union under the control of a board of management; it was necessary because of increased expenditure in that area, and rightly so. The Government should be concerned about bow its money is used to provide kindergartens and about the type of pre-school education being given.

We have primary and secondary schools and an increasing number of tertiary institutions, further education institutions, and so on. It is time an overall body tried to assess how these should be co-ordinated. In the past we have seen a lack of co-ordination in this area. As a member of the Adelaide University Council, I am aware of the lack of communication from the Education Department and other areas to that council, even though it is most important. Take, for example, the future of public examinations in this State, a subject that will become increasingly important during this year. These bodies are interested in the type of assessment that should be carried out by the schools. As I understand the situation, the Education Department seems to have fixed ideas on the subject, and I am certain that those ideas do not agree with those of many other educational institutions in South Australia. As a result, the other institutions are not sure in which direction they are heading.

A council such as this could supply overall direction to all educational bodies. I suspect that, in this case, the Education Department is the body that needs to reassess some of its ideas: for instance, on school assessment. I do not say the present system is suitable; I believe it needs changing. However, I suspect the Education Department has gone too far in one direction. I read the Minister's statements, and I am not sure at times that he is certain in which direction the department is heading, or what progress is being made towards the complete abolition of public examinations.

Mr. Goldsworthy: He is squeezing the P.E.B. so that it cannot do its job.

Mr. DEAN BROWN: The Minister's answer to me in 1973 was almost totally different from the one he gave me in 1974. This is an area where such an innovation as the Bill provides for could give a great lead to education in the co-ordination of the various facilities and institutions. For those reasons, I support the Bill. I am inclined to agree that initially these will be the functions of the body. The amount of research to be done initially is vast but, as that research is slowly carried out and education is co-ordinated and brought up to the standard we hope to achieve, the need for such a body will not disappear, although the need for the vast amount of work to be carried out will lessen. Possibly in the future the staff of the council will be reduced.

I agree with the concept that people should be brought into this council, particularly in the research field, on a short-term basis so that they do not become bogged down with a departmental or bureaucratic line of thinking. Possibly that is one of the grave failings with any large organisation, Government or otherwise. Again, I support the proposal to bring in officers on a short-term basis, to use the knowledge and innovations in this area, and then to allow them to go back into the education system whence they came. It is an exciting concept of flexibility that many other education bodies do not have; I hope it can be used to maximum advantage. I suspect that the Minister appreciates the need for such flexibility and will use it to the best advantage; indeed, I hope so.

I fully endorse the passage of the Bill and the early establishment of the council. It will be interesting and exciting to watch its development. I hope that we will be sufficiently frank in reassessing its work in the years ahead to make sure it has co-ordinated the functions it is designed to co-ordinate. I wish the council luck, also the personnel involved and the full-time staff of the council.

Mr. EVANS (Fisher): I support the general concept of the legislation, and I believe there is a need today, more than ever before, to expand research in education. In recent times many changes have been made, and we were told that those changes would be of benefit to the young people going through the schools and that society would see that benefit. We were told that there would be a big change in the types of student coming into the work force with an appropriate knowledge of the society in which they live. However, I am not sure that that has been the case. From my personal experience I doubt it, and I think His Excellency the Governor (Sir Mark Oliphant) had similar thoughts when he made his recent comments. I think he was trying to say that freedoms and responsibilities are like Siamese twins: if you part them, they both die. This is one of the problems in our country today.

[Sitting suspended from 6 *to* 7.30 *p.m.]*

Mr. EVANS: Many young people today find it difficult to. assess their position in society when they leave their educational institution. Part of this is the fault of parents, and part is the fault of the education system. In the field of research and planning, I trust that those responsible will look at the type of curriculum we have and the type of education we are giving young people, particularly in the secondary field. One's child may come home and talk about the opium war in China or some upheaval in the world many years ago but, at the age of 17 years or 18 years, if they set out to buy a block of land for some future security they do not fully understand what a guarantee is or what a title to a piece of land is.

They do not understand why they cannot buy a title in their own name but must have an adult to take the responsibility until they are 18 years of age. In many areas of finance, particularly when purchasing a motor vehicle, the average young person faces difficulty. This is an area into which many young people tend to drift, if not before leaving secondary school, immediately afterwards. They wonder why transfer fees and stamp duties must be paid, what service they will receive for them, and the reason for paying them.

I could go through the whole spectrum of practical life and say that most young people at the age of 18 years, the age at which they are expected by law to vote, do not understand all the ramifications of their potential vote or of living within society, because they have lived within a protected field. I believe many teachers would not understand, either, and they are there to tutor our children. Many children come from migrant homes, and there is no way in the world, under present conditions, in which migrant families themselves could understand prevailing circumstances, but at least they expect that within the school system their children will be told of the pitfalls and benefits that exist for them to accept or reject.

One field that has always amazed me, particularly from Commonwealth and State Labor Governments, is that only recently, when I went to the Australian Constitution Convention, I realised that, as a young person, I had never ever sighted the Australian Constitution. Since then, I have spoken to Matriculation classes and have found that only five teachers out of about 280 have ever sighted the Constitution, a document which, in the main, is not difficult to understand in its initial application or the effects it was meant to have. Admittedly, the legal interpretation of some of its provisions is difficult, and perhaps the average person is not expected to understand them.

The Hon. Hugh Hudson: What has that to do with the Bill?

Mr. EVANS: If we are setting up a planning and research body to study the curriculum, in particular, I should like that body to ascertain whether it is possible to ensure that, within the school system, our students get some understanding of the origin of the Australian Constitution and the formation of the Federation of States. Certainly, every school library should have a copy of the Constitution so that members of Parliament would not have to buy a copy from the Government Printing Department and make it available. The Government should make copies available to the schools. As we speak of making Australians part of our nation, it should be part of the education system for students to understand at least something about the Constitution.

I take it that the planning and research field involves not only the curriculum but also the building and creation of schools, the types of building, and the facilities available within them. As much as I support the move we have taken in supplying ancillary staff and teacher aides, I offer a word of caution to those who will be working in the group that they should study the sometimes adverse effects aides can have in teacher-student relationships. I believe that a real opportunity has been lost for teachers to understand students in a different field. When there was a need to use a projector or any other piece of equipment in the past, students used to help the teachers prepare the lesson and the equipment to be used. However, the teacher and the students now walk into the room and everything is ready. Agreed, time has been saved in preparing the lesson, but the relationship between student and teacher has to a degree been lost, and that can pass right through the spectrum.

One school in my area, since the completion of the last school year, was told that it would receive extra hours a week for ancillary staff, particularly clerical staff and teacher aides, and the staff understood this. However, the school has suddenly been told that it is not on. All the plans were made, but they were varied at the last minute. The people in the area had relied on the students getting a benefit, on receiving a benefit for the school, and of helping relieve the teachers. At the same school, the Headmaster was asked to appoint a groundsman for 10 hours a week. A week later the Headmaster was asked whether the appointment had been made, and he said, "Yes." The reply was, "It is not on. We do not need him. We cannot afford to pay him." I hope the committee will overcome the problem that arises when a person has been committed to do something, and perhaps changes his life style, but suddenly he is told, "It is not on," within seven days of the notice going out.

Mr. Goldsworthy: The planning won't be able to overcome a shortage of funds.

Mr. EVANS: I take this opportunity to raise one other matter, and I think the Minister can clarify the situation and do justice to a public servant whose credibility may have slipped a little through no fault of his own. In fairness, I should like the Minister to say during the debate that this public servant acted in good faith when he made certain statements. Just before Christmas, in the Mawson District, at Flagstaff Hill, and also at Bellevue Heights, a member of the staff of the Building Section of the Education Department assured people at two public meetings that a new primary school would be created at Coromandel Valley South for this year, and that it would be completed if not by the beginning of the first term at least by the end of the first term.

The Hon. HUGH HUDSON: On a point of order, Mr. Speaker, I point out that we are dealing with a Bill to establish a council that has a long-term planning and research function, whereas the honourable member is wanting to raise matters of a short-term nature that have nothing to do with the Bill. They are completely outside the realm of the Bill and, if the honourable member wishes to raise them, they should be raised by question or letter, or in some other way.

The SPEAKER: I uphold the point of order on this occasion, because the honourable member for Fisher is dealing with individual cases, whereas the Bill deals with a policy-making advisory authority, and it is a matter not of confining one's speech solely to individual cases but of dealing collectively with the Bill. The honourable member for Fisher.

Mr. EVANS: If your ruling is that, in supporting a Bill that will create a body for planning and research so as to get better planning in future, I cannot speak about the lack of planning in the department, I am disappointed, because I consider that I am pointing out the inadequacies that exist now in the planning section, and I am doing that in support of the Bill. I am not attacking the Bill. I am pointing to where the present system does not operate effectively but operates inefficiently, and adversely to a person's credibility. I am saying that I have given to the Minister the opportunity to clarify the position regarding one person in the planning section of the Education Department at present. I hope that the committee that is appointed will ensure that the people in the planning section of that department in future are not placed in the same situation

as the personnel in that section are in today. That is the point I have been trying to make, and I hope that I have made it. I think, from what the Minister has said, that I have made it.

There are many doubts in the community in that area about the planning ability of the department at present, whereas if there had been one clear-cut statement by the Minister that funds were inadequate and the department apologised because it could not go on with previous planning, the whole matter would not have reached the stage that it has reached at present and I would not be dealing with the position.

Dr. Eastick: You wouldn't expect them to admit defeat, would you?

Mr. EVANS: I have tried in the initial stages not to use this matter as an attack, because I was concerned about comments in the community about the individual. I thought this was unfair to him, and that is why I wanted recorded that I thought everything he did was done in good faith. I hope other people will realise that that is the case.

I support the comments that the member for Kavel has made several times about some of the old systems of teaching in the schools not being bad. It was not bad to learn to read or to write correctly. I left school at an early age and I have always considered my knowledge of the English language to be one of the areas of concern to me in this place. I do not deny it or walk away from it, because my schooling was limited.

However, today we give children every opportunity to go to school until they are 18 years of age and, when those persons come to interview me for a job, and spell "water" as "worter", they say that that does not matter, as long as people know what they mean. When that happens, one always must have a doubt. I support a move back into the field where the three R's were taught more intensely than they have been taught in the more recent past.

It would be fair to say that most of our teachers are dedicated, but even the Minister must be embarrassed at times at some teachers that we have, a minority though they may be, who do not worry about those aspects of teaching. It would be remiss of me not to emphasise now, when we are considering the establishment of a planning and research group, my concern in this field, and I ask that that be considered when this project is being worked on.

This proposal will be expensive. We are employing personnel with incomes of $25 000 or more a year in many fields of the Public Service and, important as the jobs may be and although they may be in areas that are important to the community, it is difficult to assess where the value starts and stops for the benefit received.

It is difficult to assess the areas of responsibility when we compare the Director-General of Education with a person in charge of a group dealing with research and planning, the salaries being about the same. It is difficult to assess why the Minister had set up the unit before the Bill was introduced and had started to implement the arrangement and put it into practice. It is difficult to regard that as a responsible approach. As much as there may be a need, one should rely on the Legislature to make a decision before something was put into practice, although I admit that possibly legislation is not needed to have planning and research in the department. A separate unit could be set up in the department, under the Director-General of Education.

I do not oppose the move being made: I support it, but if it does not work out beneficially to the overall education system and if it ends up a dead duck that is of no real benefit to the whole community or to education, I shall be pleased to express my views then. However, I wish the proposal the best of luck. I hope that it considers practical living in relation to planning and research and that in future it will be of benefit to all, not only to young people but also to those involved in adult education in this State. I support the proposal strongly at this stage, because I can see in it a real benefit if it is used in the right way.

The Hon. HUGH HUDSON (Minister of Education): At this stage I wish to touch on only a few points that may help shorten the Committee stage of the Bill. First, the basic concept of the Bill arises from two main points. The first is that the people who are engaged in the day-to-day problems and the short-term problems of administration rarely can control effectively the long-term planning function, and often that function is not carried out effectively, because the people involved in directing it in normal circumstances are involved too heavily in day-to-day matters.

That is one basic point of view that is fundamental in the establishment of this organisation. In other words, if we wished to plan the educational facilities at Monarto, for example, and if we had to use people who were also involved heavily in all the day-to-day difficulties of the department, such as not being able to live up to a promise to provide a school at Coromandel Valley South on a certain day or at a certain time, the long-term planning function would not be carried out as effectively as it should be. Certainly, every long-term function must be carried out with an eye to economy and efficiency. We do not want people planning long-term projects that are pie in the sky and have no hope of being implemented.

The second point to be made in reply to the member for Kavel is that the basic problem of co-ordination between different levels of education is a much more extensive thing and a more far-reaching thing than was imagined by those who produced the Karmel committee recommendation about the Tertiary Education Committee. For example, it is an odd commentary on South Australia that, after French and German, which are the languages traditionally taught in schools, the greatest capacity in South Australia for teaching another language exists in relation to Spanish. That applies because, when Flinders University was established, some people decided that it would be a good idea to teach the Spanish language. There was no overall consideration of what the consequences of that decision would be. I illustrate the same point again by referring to the development of the teaching of Asian languages. If we are to develop them, what happens in the universities and colleges of advanced education not only affects those organisations but also reacts back on the schools. For the same reason as the teaching of Spanish at Flinders University produces an ultimate capacity within the schools to teach Spanish, so will the teaching of Asian languages at universities and colleges of advanced education affect our ability to teach those languages in schools.

The situation that exists in the universities at present is that the decision-making process is so diffuse that, for a little while over the past 18 months or so, what we had was in the University of Adelaide a commitment that arose because of the interest of certain people in the Arts faculty to teach Chinese, but they had not considered what was to be done about Japanese, or Malay-Indonesian, what institutions were going to be involved, how they were to be co-ordinated, how students who learnt Malay-Indonesian at Flinders could also study Japanese or Chinese

if they wished, and how, if they wished to study that language at another institution, they would be given credit for that study.

To take the matter further, we must consider the rigidity of lines that are drawn between the different levels of education. We have the rather pathetic situation that, if one has an advanced diploma at one of our colleges of advanced education, one can be matriculated by the University of Adelaide although one will not get credit for the subjects that one has studied. I know of an instance in which a student who had not matriculated went to Adelaide Teachers College, as it was then called, did the four-year advanced diploma, with English as the main subject, scored distinctions, and was one of the best students the college ever had. Finally, the university agreed to matriculate her, although it refused to give her credit for the work she had done in the previous four years. Despite this, she was later treated by the Education Department, for salary purposes, as having a qualification equivalent to a university degree. We need to get more effective co-ordination of the kinds of development that take place at different levels because what happens at one level (for instance, in relation to Spanish) affects what goes on at another level. If we wish, for instance, to teach the ethnic languages, such as Greek or Italian, the teaching of those subjects in situations involved in teacher training is fundamental to that sort of decision.

Therefore, when one really gets into the area of co-ordination of the long-term planning and development that will take place within all our institutions, it becomes a much more complicated operation and extends beyond the boundaries that would have been imposed by the suggested Tertiary Advisory Committee. It seemed to me, therefore, that it was important to develop the concept a little further. May I now answer a question that has been raised by many members about why this organisation was first established on an interim basis. I believe that was necessary because I was unable to give more than the bare bones of an idea about the way we should go, and I wanted people to set to work, develop the idea and give it a little bit of flesh as well. It seemed to me that the most effective way of doing that was to establish an interim committee initially. Members should note that in the year before last they voted the money for that interim committee, and this year they have voted $250 000 for its effective establishment. I am indeed pleased that they did so.

That proved to be a valuable exercise, as one of the great worries in establishing this organisation was building up a council with a large membership and having those members run an organisation that really needs to be run in a tight and functional manner. Out of the interim committee came the idea that we should have a council that was broadly representative of all interests, and that we should use it to develop an executive that would effectively run the council on a day-to-day and short-term basis. It would make the basic decisions, while the council would meet only, say, three or four times a year. In this way, we could get the advantage of a smaller executive and, at the same time, give a fairly broad representation to all the various interests involved at the various levels of education. May I add that the Director of Environment and Conservation is a member of the council because all developments of a capital nature that take place in an educational area under policies that are now developing must be associated with environmental impact statements if they involve a substantial change in the environment. The idea was that we should have someone from that department (either the Director or his nominee) who would be aware of these general problems and who could bring them to the attention of other people associated with the council.

Dr. Eastick: Nominations can be made?

The Hon. HUGH HUDSON: That is so. Provision is made in the Bill for any of those people to have a nominee.

Dr. Eastick: I hope that, because that person is on the council, we will not have to wait any longer than we do now for that department to reply to questions that we ask.

The Hon. HUGH HUDSON: That matter can be taken up on another occasion. Regarding research, there are two basic aspects: those who are involved in the day-to-day and short-term administrative problems need people who provide statistical information and can carry out research projects in line with those problems. However, long-term research (pure research, if one likes to call it that) does not sit well with people who are involved with day-to-day and short-term administration. It is- not an effective marriage and, when it comes to extracting funds from an organisation such as the Partridge committee, the Education Department, as an authority for extracting funds for research purposes, is likely to be much less effective than the council will be.

It is my view that it is much better, if we are to do that sort of educational research in this State and, if it is of a pure research orientation, or of a long-term nature, it should be done outside the Education Department, because the day-to-day involvement of people in the department tends to mean that they are not well placed to be involved in the direction of the longer-term research problems. I now refer in a general way to one or two points made by the member for Davenport and the member for Fisher. It is a great danger in this day and age to try to generalise on what the young products of our schools are like today compared to their counterparts of 20 or 30 years ago. I believe on average that they are very much better. However, it is easy to be misled by the few who get publicity and who make the public think that is what all students are like. All students are certainly not like that, as members know, just as we know that most of our young people are fine people, whose reputation is often taken down in the dirt because of the actions of a few. Whereas 20 or 30 years ago those people got very little publicity, today they get much publicity. Secondly, we live very much in a pluralist society, particularly because of post-war developments and because people have come from other countries. Therefore, we no longer have a world in which we can expect students to come out of a school or tertiary institution with some basic standards. I know some people are upset that this is no longer the case. There are in our community people with different standards. This is not to say that any one of those standards or points of view is bad: what it does mean is that the product of our school and university system is less readily identifiable than was the product of days gone by. That, to many people, is disconcerting and even worrying, but, if one thinks about it, as long as the students have basic fundamental values, we should not be disturbed as much as we seem to be. Also, it is probably not very good to judge the standard of spelling of persons who are the present products of the school system, say 18 years of age, and say that that indicates what is going on in schools today. Those students are the products of the past 12 years at school, extending from 1962 to 1974. With smaller class sizes, particularly in primary schools, teachers

have been able to cope with some of the basic linguistic problems that have become apparent in the past seven or eight years.

In the early 1960's a typical class contained more than 40 children, and teachers were battling to keep up with anything. They could not tackle the fundamental difficulties that some students had. It is a mistake to generalise about what seem to be problems of the products of our school system today and say that is what our school system is like. They are the products of the system extending back 12 years or more. Changes are taking place in the schools, and a greater emphasis is being placed on basic skills. Because of smaller class sizes, teachers are better able to do something about these matters. I add, as a word of warning to the member for Fisher, that he should realise that we are under constant pressure in the department to broaden the curriculum in order to ensure that the student knows about the Constitution, consumer protection, and health, sex, and religious education, etc., and at the same time we must have more of the three R's. Those sentiments are often expressed in the same speech. One of the most difficult pressures existing in the education system is the constant demand for the curriculum to be broadened. If these demands are acceded to all the time, the basic skill work must suffer to the extent that less time will tend to be devoted to it (I am not saying that it is necessarily bad) than used to be the case. How the curriculum can be broadened to introduce more and more of the things related to practical living, without, at the same time, detracting from the basic development of skills, is difficult to say.

Bill read a second time.

In Committee.

Clauses 1 to 5 passed.

Clause 6—"Membership of the Council."

The Hon. HUGH HUDSON (Minister of Education) I move:

In subclause (1) (*h*) to strike out "South Australia Pre-School Committee" and insert "Childhood Services Council".

This amendment is consequential on changes in nomenclature in the pre-school area.

Amendment carried.

The Hon. HUGH HUDSON: I move:

In subclause (1) (*l*) to strike out "one member" and insert "two members".

This amendment arises from representations made to me by the Directors of colleges of advanced education other than the Institute of Technology. The original Tertiary Education Committee involved, I think, two Vice-Chancellors and the Director of the Institute of Technology, and when we came to draw the provision regarding members of the council we included one other Director from other colleges. From memory I think there are seven other colleges apart from the institute, and it was put to me that, because of the diversity of these colleges, there should be two representatives of the Directors of those other colleges. This would be a fair balance of representation, and I accepted this reasonable point of view.

Amendment carried.

Mr. GOLDSWORTHY: From what the Minister has said, members of the Tertiary Education Committee could be concerned with the integration of subjects into tertiary education that may be of value to teachers in the schools.

The Hon. Hugh Hudson: I used that as an illustration of how much broader the problem of co-ordination was. I could have used many other illustrations.

Mr. GOLDSWORTHY: Initially, I questioned the rationale of combining the two committees, because major planning for universities is done by the Australian Universities Commission. I thought that this council would be heavily involved in planning the physical resources required in future to accommodate education institutions, which seems to be a minimal role in relation to universities. The Minister seems to have shifted the emphasis to curriculum planning. At present we are far from clear about the role of the council. The Minister set up an interim council before we had seen legislation, and now he has said that he wants to put some flesh on the bones. What will that flesh be? I thought this council would be heavily involved in the planning of physical facilities. Research activities seem to be on a sort of *ad hoc* basis. If someone wanted research of educational importance carried out the council would be given that task. Perhaps a fee could be charged if it were an outside body seeking information. I am still not clear about the role of the tertiary members on the council, however.

The Hon. HUGH HUDSON: I thought it was quite fundamental. If we have a view in South Australia about the kind of tertiary developments that should take place, whether they be of a physical kind or of a subject development kind, we would want some way of influencing the submission to the Australian Universities Commission or the Australian Commission on Advanced Education. We do that through the Board of Advanced Education, which deals with the colleges in a narrow way. The University of Adelaide got approval some years ago from the Australian Universities Commission for the development of a post-graduate diploma course in library studies, and for materials engineering, developments that were probably going to be in conflict with the library studies courses at the Institute of Technology and some of the engineering work at the institute. As that has gone too far to stop, it may adversely affect enrolments at the Institute of Technology and leave expensive facilities under-utilised as a consequence. These are the decisions that have been made in isolation by the University of Adelaide and the Universities Commission without considering what else has been going on.

Furthermore, when it comes to the point in question, the powers of the Universities Commission, in order to influence developments that go on in universities, relate only to the provision of buildings. Once funds are approved for a university for a new triennium, theoretically the university is free to use those recurrent funds in any development it likes, except that they are not very great and that some of these new developments require new buildings. The Universities Commission could affect course developments by refusing approval for a building. The Commission on Advanced Education has greater powers in relation to colleges within the Universities Commission. We as a community in South Australia have a basic interest in deciding what are our priorities and in trying to influence the allocation of Australian Government funds so that the priorities that are implemented are ours as a community and not Canberra's or people outside our community.

From that point of view, the better we have done our planning and co-ordinated various plans the more likely it is that we will get our priorities implemented when it comes to getting the Commonwealth funds we want. I suggest that, when it comes to the point, the course development that should take place in our tertiary institutions and the provision of facilities, or of additional institutions always turn out to be related. Furthermore, as between levels of institution, there are all sorts of other problems. For example, one can ask, "What does one have to do to

qualify to get into a college of advanced education? Why can't one study at a college of advanced education and gain admission to a university if one has completed a year of study and passed it successfully at a college of advanced education? Don't the subject requirements for admission to colleges of advanced education and universities influence the curriculum within schools and prevent them to some extent from broadening that curriculum?" The number of ways these problems are inter-related is almost without limit. The amount of funds that the Australian community as a whole is pouring into these levels of education is so great that we really need to sort out effectively our priorities. We really need to say to universities and colleges, "All right, theoretically you are autonomous, but you must bear in mind what the result of this would be to the community generally and to other institutions."

We can no longer say, "To introduce a course of Slavonic studies sounds wonderful", because suddenly we find we have Slavonic studies but no studies in Asian languages, which may be more necessary from the community point of view, a view which is not effectively expressed at present. I do not want to see it pressed on tertiary institutions in a mandatory way, but I do want it expressed and taken into account. I hope that, in all those ways, the council and staff employed by it, as a council and through committee work, will gradually build up an expertise and reputation as a place where ideas come together and as a place where what goes on at one level at an institution is tied in to some extent with what goes on in other institutions.

Mr. GOLDSWORTHY: I thank the Minister for his explanation, which was satisfactory, particularly the latter part, where he indicated that the council could well influence, although not in an autocratic way, what goes on now in universities. The point is readily taken, and I do not doubt that the member for Peake and I could have taken it when considering a submission to the Australian Universities Commission as members of the University Council, where it referred to instituting a course in Asian studies. I thank the Minister, because now I am getting a better idea of the major functions of the council.

Clause as amended passed.

Clauses 7 and 8 passed.

Clause 9—"Convening of meetings."

Mr. GOLDSWORTHY: Can the Minister say how frequently the council will meet? As the council is a fairly large body, the smaller executive body will do the hard work, and the chief executive officer will lead that team. The University Council meets monthly, as do most of the councils of the colleges of advanced education but, if the work load gets too heavy, the University Council meets more frequently.

The Hon. HUGH HUDSON: I would expect that, unless extraordinary developments were going to take place or were being considered, or if new projects had to be approved by the full council and authority for such approval had not been delegated to the executive board, the full council would meet about four times a year. The frequency of meetings will have to be determined by the council itself. Many people will be involved, and, if they are brought together each month, a tremendous amount of high-powered time is lost. One of the first tasks of the council will be to decide the extent of delegation to the executive board and the circumstances in which the council will have to meet. In view of that sort of situation, and no doubt, a fairly extensive delegation of authority, it is necessary to have this provision so that a meeting of the full council can be called by seven members asking for it or by the Chairman saying that there are certain matters of principle that can be decided only by the council. Apart from those extraordinary meetings, I would think about four times a year would be what has been thought of by Mr. Justice Bright and Mr. Anders at present. That may alter as a consequence of experience.

Clause passed.

Clauses 10 to 13 passed.

Clause 14—"Powers and functions of the Council."

Mr. GOLDSWORTHY: I understand the council will be able to undertake studies or research projects for bodies outside the State or Government education system, and that it will charge a fee for such services. The Minister signifies that that is correct. On what basis would the fee be charged? Would the council expect to recover its costs?

The Hon. HUGH HUDSON: Unless it was tied in with a body such as the Universities Commission, which would probably pay full costs, in all normal circumstances the council would expect to cover the full cost.

Mr. Goldsworthy: Including salaries?

The Hon. HUGH HUDSON: Yes. If it had to employ additional people to carry out the work (research work could be on a contract basis) the people for whom the research was being done would have to meet the full cost. It may develop in some areas in the kind of way Techsearch has developed at the Institute of Technology. A fee would be charged, and perhaps a little bit made out of the work.

Mr. Goldsworthy: Who will make the decision?

The Hon. HUGH HUDSON: The council, which must approve overall policy on that.

Mr. Goldsworthy: And that would be the policy you would expect, to recover costs?

The Hon. HUGH HUDSON: Yes, unless it is a matter of work of such great significance to the State that part of the council's normal budgetary resources would be devoted to it. There would always be that sort of work.

Mr. NANKIVELL: I missed the earlier part of the Minister's explanation of the functions of the council. Where does it stand in relation to the Board of Advanced Education which deals with the colleges of advanced education? Where does it stand with the Universities Commission in the determination of priorities of work, the allocation of funds, and the recommendations involving the institutions in these respective groups? It must fit in somewhere if it is to function effectively and not be just a nice committee with good intentions but no teeth.

The Hon. HUGH HUDSON: I am not at liberty to divulge details at the moment, but the honourable member would be interested to know that both the Australian Commission and the Universities Commission have already consulted the interim council on certain matters. The board's functions relate to colleges and matters as between colleges. It is the board's role to co-ordinate what goes on in long-term development within those colleges, as well as accredited courses. In so far as it is a matter internal to colleges of advanced education, the council, unless the board asked it to, would not have a role. It could have a role on matters arising between universities, because there is no State co-ordinating authority.

Certainly, as soon as matters arise as between universities and colleges, or universities and technical colleges, or colleges of advanced education and technical colleges, I would

expect the council to come in immediately. If the council develops a general expertise in this area and has well researched views on the kinds of development to take place within South Australia in years to come, automatically the Universities Commission and the Commission on Advanced Education, when coming to South Australia, would consult. They are interested; they always consult with the Minister. If I am involved in furnishing material, the council would either provide the Universities Commission with information through me, or I would ask that contact be made directly.

Mr. NANKIVELL: Any rationalisation would come by request from the groups, which would then look at the problem?

The Hon. HUGH HUDSON: Yes, or at the request of the Minister or a decision of the council as a whole. One would hope the consequences of this development and a fully researched study would influence the institutions concerned, even though the institutions were not required by law to accept the council's advice.

Clause passed.

Clause 15 passed.

Clause 16—"Officers and employees."

Mr. GOLDSWORTHY: The clause provides for the appointment of two types of officer, the first being appointed subject to the provisions of the Public Service Act and appointed by the Governor, and the second being appointed by the council under conditions of its choosing, such people not being subject to the provisions of the Public Service Act; in fact, in subclause (6) they are specifically excluded from the application of the Act. What is the rationale of this provision?

The Hon. HUGH HUDSON: The council will want to employ certain people and, either because the employment is to be on a short-term basis or because of the nature of the work they will undertake, situations will be involved where the employment should not take place under the Public Service Act. That is not the most appropriate Act under which to employ people engaged in any pure research project, and it is not the most appropriate form of legislation where one is wanting to employ people on a contract basis to do a specific type of work. The public servant carries with him conditions of tenure and security that one might not always want to have associated with employees of the council because of the nature of the work being undertaken. The purpose of the clause is to give the council full flexibility in relation to the nature of the employment undertaken.

Clause passed.

Clause 17—"Incidental rights."

The Hon. HUGH HUDSON: I move:

In subclause (1) to strike out "commission" and insert "council".

This is really a drafting matter.

Amendment carried; clause as amended passed.

Clause 18—"Financial provision."

Mr. GOLDSWORTHY: Has the Minister any idea what the council will cost the State when it is fully operative? A figure of $25 000 was mentioned initially to pay the salary of the chief executive officer, while earlier tonight in the debate $250 000 was mentioned, and the Minister congratulated us on voting that amount of money in the Budget. How much will we have to provide this year and, more particularly, what will be the continuing expense of the council?

The Hon. HUGH HUDSON; I would hope that the continuing expense of the council certainly would not rise to a large figure. It will not be able to, anyway. I am not able to put an exact figure on it, but the total sum spent by the council in one year will depend significantly on what sort of reputation it establishes as a research institution and, therefore, on the funds it can attract from outside sources, such as the Partridge committee. The ultimate budget of the council could be large if its reputation develops appropriately. I hope that the commitment of State funds to it, while the amount may double the existing figure as an upper limit, will never become a huge amount. I am not willing to be held down exactly to what I have said this evening. That is my best guess.

Mr. GOLDSWORTHY: Can the Minister foresee the operations of this council conceivably saving the State money? The sum of $250 000 is involved this year, and $500 000 may be involved within two years. The salary of the chief executive officer is equivalent to the salary of the Director-General, who has immense responsibility. Therefore, to justify such a salary, I visualise a considerable empire. During the second reading debate, I pointed out that empire building is the sort of exercise on which we do not want to embark, because we are committing the State to continuing expense. The Premier made the point yesterday that in spending additional funds we must guard against committing the State to continuing expense. This executive officer will not be heading a grandiose department if it involves an expenditure of only $500 000 annually. As the State will be committed to a continuing expense, taxpayers will want tangible benefits from this council. True, co-ordination will be important, but so is $500 000 on a continuing basis, and I am certain that the council will not pay its own way, as I cannot see it raising much revenue through research projects undertaken on behalf of private organisations. Does the Minister expect the council to save the State money?

The Hon. HUGH HUDSON: First, the salary of the chief executive officer is not as high as that of the Director-General.

Mr. Goldsworthy: What does the Director-General get?

The Hon. HUGH HUDSON: I think it is about $27 500. Secondly, as Mr. Dennis made clear when he was on the interim committee, the salary that the chief executive officer is to be paid is not an indication of the size of the empire he is expected to build. If one looks at the composition of the council, it is clear that the executive officer will deal with university vice-chancellors, directors of colleges of advanced education—

Mr. Goldsworthy: So he has to have status.

The Hon. HUGH HUDSON: —and other directors, many of whom would be earning more than the Director-General of Education. The original salary was partly determined by determining that the salary level should not prohibit a university professor or a similar person from applying for the post.

Concerning the saving of money, there are many tangible results that can be produced by such a body. If we can get more rational development, we can get better use from our Commonwealth money, and we may be able to save money in many other ways. There will be many tangible results, although one can never go into any research anywhere with the expectation that one will make money out of it. If it is so organised, the research will not be worth having.

Mr. NANKIVELL: Under the present system of allocating funds to universities and colleges of advanced education, how can any money be saved and redirected elsewhere unless this council is in a position to influence decisions, change decisions, and redirect money that is allocated? From my limited experience with universities and colleges of advanced education, I know that each institution deals separately with the Commonwealth financing authority, and then there are arrangements through the Minister and the Board of Advanced Education for the allocation of other funds. But, in principle, the policies laid down by these organisations are determined by their own councils. They are financed after plans are put to the appropriate Commonwealth authority for approval. It is no good the Minister shaking his head.

The Minister has some discretionary powers, but most of the decisions on spending and allocating money involve direct negotiation or direct approaches by the commission to the university. The universities make their submissions, and the colleges of advanced education make theirs through their boards to the appropriate Commonwealth authority. Where does this council fit in? If the executive officer is paid $25 000 a year, and comes from the category suggested by the Minister, having professorial or similar status, he will not be satisfied with a stenographer: I have seen empire-building before. First, one research officer will be required, then another. We should not be fooled about the size of the council. This executive officer will be powerful.

The CHAIRMAN: Order! We are dealing with an appropriation of money by Parliament; it is a financial provision.

Mr. NANKIVELL: With all due respect, unless Parliament can justify this expenditure by showing effective savings, rationalisation of the use of the money or the better distribution of it within the whole concept of education in this area, I do not think that it is any more than a lot of humbug.

The Hon. HUGH HUDSON: The honourable member will have to be corrected on one point. Regarding any college development, nothing is approved without the support of the board or the Minister.

Mr. Nankivell: They're not autonomous.

The Hon. HUGH HUDSON: They have never been, and neither have the universities. In the past, when States contributed towards the cost of universities, it was done by the back door through the State Treasury. However, nowadays the Universities Commission would visit a State and confer with the relevant people, including the Minister, on a regular basis. It is always possible to influence also the kind of development that goes on within the university. It may be that some years hence some kind of mandatory provision will be necessary but, if we can avoid that, so much the better. For example, when the Adelaide University started talking about just doing Chinese, I was somewhat rude with many people about it and said, "We are unable to take decisions of this kind. What will happen about Japanese, Malay and Indonesian? I need to get answers on how they will fit in at university level." People will listen, and there are more ways than one of killing a cat.

Mr. DEAN BROWN: Will the Minister assure me that, at the end of the first 12 months of the council's operations, a thorough cost benefit analysis will be carried out by this organisation or by some other organisation on the council?

Clause passed.

Remaining clauses (19 to 21) and title passed.

Bill read a third time and passed.

LOCAL GOVERNMENT ACT AMENDMENT BILL (BOUNDARIES)

Adjourned debate on motion of Hon. G. T. Virgo:

That the report of the Select Committee be noted and adopted and the Bill be discharged.

(Continued from February 18. Page 2435.)

Mr. COUMBE (Torrens): Continuing from the remarks I made yesterday, I remind members that, whilst they are suffering in the heat (and so am I), I will not add to their discomfort by making any heated remarks but will confine myself to the philosophy contained in the recommendations on page 4 of the Select Committee's report. The first recommendation is that the Bill be not proceeded with. I think we should examine this recommendation, because I completely agree with it. The Minister has also put forward his proposition. One of the reasons why I believe that the House should hot proceed with the Bill stems from the considerable amount of evidence that was presented to the committee in response to advertisements. It was noticeable that many people, apart from officers and elected members of councils, came forward voluntarily to give their evidence before the committee. The fact that 249 witnesses were examined, together with numerous documents, gives some indication of the amount of work involved and the amount of interest engendered in local government and the areas it covers.

If nothing else has happened, this measure has engendered more interest in local government in South Australia in various areas than has any other measure for many years past, and that is a good thing. Much of the evidence presented came from ratepayers, who came forward as individuals, apart from the official witnesses. It was evident early in the hearings that many of the witnesses did not wish to have their areas altered; this was fundamental, and it came through clearly. On the other hand, it is fair to say that some valuable contributions about adjustments were also made. The quality of evidence varied from forthright statements by some people to statements that were less than forthright (if I can be as polite as that), in addition to the many interested groups working on behalf of certain communities and areas in the State. All these people were listened to, and their evidence was invaluable.

Throughout, we evidenced that not only councillors and clerks but also ratepayers themselves did not wish a great deal of change unless, in some cases, they got what they believed would be the best parts of some other area; that is only human nature, and that was one of the problems the committee had to face. If the committee was to recommend to the House that certain changes should take place (and we considered certain alternatives), undoubtedly these would have been changes that had been mandatorily imposed on certain areas of the State. This could be done by Parliament, but I believe that in many of these areas there would be considerable resentment among the local people about their areas being changed or absorbed by other areas, whereas other areas were not touched. This would have caused inequities and local jealousies, and that is why paragraph 15 of the committee's report states:

> For these reasons we believe that change by voluntary process if attainable, rather than by compulsion, would promote successful operation.

I repeat that extremely valuable evidence was received, but it was clear that people took much pride in their own bailiwick and they did not want change at all or wanted it only in certain circumstances that perhaps would be

beneficial to them but not to other people. Fears were expressed, genuinely in some cases, about whether the centre of administration would be too far from a certain locality. It may have been unfortunate that the Royal Commission did not state likely centres of administration. In certain areas of the State there were problems. Regarding the metropolitan area, no substantial evidence was given about why the Henley and Grange council should be removed from the map. The evidence fostered the opposite view, and some people suggested changes in that municipality. That was the only city council in the State that was to disappear.

The problem regarding the hills face zone was difficult, and the Meadows council area was one of contention. There were problems regarding the Barossa Valley area and the old mining towns on Upper Yorke Peninsula. There were also problems in the Far North, the South-East, and, of course, on Kangaroo Island, that dependency of South Australia without which we could never exist. If compulsion had been recommended by the committee and if it was carried out, possibly some areas would have gained, but many people would have been upset and many jealousies would have resulted.

The first recommendation by the Select Committee (the recommendation that the Bill be not proceeded with) fundamentally comes down to the fact that the individual ratepayer has had his voice heard and heeded in this South Australian Parliament. I have looked up what I said in a statement published in the Local Government Association journal *Local Government in South Australia* for July-September, 1974, which was before this Bill was introduced or debated and after the first report of the Royal Commission had been made. I stated:

> The Liberal Party believes there is a need for some rationalisation of local government areas in South Australia.

I think we all concur in that comment. I also stated:

> However, we reject completely any move which would reduce local influence and involvement by forcibly introducing large and unwieldy council areas . . . Our fundamental philosophy is that the voice of local ratepayers and residents should prevail . . . We all want to see local government as a strong, viable and effective third tier of Government in this State but we firmly believe that if amalgamations of council areas are to occur to achieve this aim, the views of the local community at grass roots level should first be considered.

That is a fundamental policy of our Party and I have been delighted to see it promoted and supported by so many people who came forward voluntarily to the Select Committee. We consider that there are areas in South Australia where a change of council boundaries is desirable, and in some areas change is long overdue. I consider that, as a result of the action we have taken and the publicity that has been given, some councils will take action to amalgamate their areas. I consider that all the West Coast councils, except the Port Lincoln corporation and the District Council of Port Lincoln, are in agreement, so that huge area of South Australia readily could come to the party and, through its own efforts and perhaps on the advice of the Royal Commission, as recommended, form new council areas.

In the District of Alexandra, I firmly believe that the Victor Harbor council and the Encounter Bay council will join readily. They have expressed a desire to do so. Another area where I consider that a change will occur is the Millicent and Tantanoola area, where the councils are on-side in this proposition. I also consider that other areas will amalgamate but, against that, I do not think some other councils will readily agree to merge at this stage. Groups of two or three councils may need help, advice and guidance, and that is why, in paragraph 17 of its report, the committee states:

> We conclude that the boundary changes so urgently needed are not likely to be achieved by voluntary processes and for this reason we assert that the changes must be promoted in some other way.

The committee goes on to elaborate on that point. I believe those councils that are in agreement will proceed with boundary changes and that the other processes will then follow. It was apparent from the evidence given to the committee that minor changes had occurred in certain council areas without persons suffering real hardship. In some suburban areas it might have involved only a few streets, and in some country areas only a few hundreds. In the Tea Tree Gully council area, for instance, it involved only a Hills ward, about which I do not think there would have been much fuss and bother.

The first recommendation is that the Bill be not proceeded with. The second recommendation is that the House give its wholehearted support for the desirability of implementing the principles embodied in the first and second reports of the Royal Commission into Local Government Areas and in the Bill on a voluntary basis, Once again, the voluntary basis aspect, which is a fundamental belief and philosophy of our Party, enters into the matter. It was recommended that the House express its support for certain principles embodied in the Royal Commission's reports, and I believe it is important that we do this to give the Royal Commissioners some guidance.

We should look at what the Royal Commission had to say when referring to principles. I make clear that the word "principle" means the philosophy as set out by the Royal Commission. It did this admirably in its first and second reports: it laid down certain ground rules and, although I do not agree with all its contentions, the Commission made some fundamental points. Let me examine what the Commission considered to be some major points. It is important that this House, in giving a direction to the Commission, realises what it is doing. Under the heading "General observations" on page 8 of its second report, the Commission, when discussing at length the whole future of local government, says:

a. It is important that we make our position quite clear. We believe in local government. We do not wish to see the transfer of powers to central government either by default of local government or design by central government. We do not wish to see the transfer of powers from local government to any *ad hoc* bodies specifically set up for a particular purpose. We believe that if it is strong and effective, and properly staffed, local government is the appropriate tier of government to carry out the tasks currently committed to it, and no doubt many others.

b. We believe that any further transfer of powers from local government will tend to make it a hollow shell. In our view, it is pointless to have a tier of government set up with all the outward indicia of government, and little power. And we believe, following the submissions from councils, our hearing of evidence, our visits to councils, and our reading of submissions following our first report, that there is a real and ever present danger of this happening.

These are fundamental matters of which this House should take note. On page 9 of the same report the Commission canvasses the question that local government will not retain its rightful place in the community, or that there will be some form of regionalisation. That matter has not attracted much comment in this House. In relation to regionalisation, the Commission says:

In our first report we recommended against the formation of compulsory regional councils as a second tier of local government. We believed, and still believe, that it is inevitable, on the formation of compulsory regional councils, that the "local" council will lose powers to the "regional" council, and local government as we know it will cease to exist. We simply do not regard regional government as a form of local government, and we believe that in this we have the support of the vast majority of local governing bodies within this State. Indeed some of the forms of regional authorities will be unlikely to have any "local government" representation.

Those are fairly solid, and indeed fundamental, words that the Commission has used. The Commission said that neither of those alternatives was acceptable to it. The matters of compulsory amalgamations, or adjustments of boundaries, and of local government being strengthened so that it will be a force in the community, fulfilling a real function, are indeed fundamental to this motion. On page 21 of the second report, the Commission states:

c. We believe that a relationship between State and local government, and between the Australian Government and local government, already exists. Speaking generally, it would be unrealistic to suggest that councils should not receive grants from central government—they will always be justifiable and necessary. The range of grants has grown considerably in recent years. The present equalisation grants from the Australian Government to local government extends the relationship that previously existed.

d. We see the need for central government to help local government with specialised advice and other assistance from time to time as well as finance. We see the need for local government to ensure that its problems are understood by central government.

In that connection, I believe (and I humbly believe it would be the committee's opinion, too) that the Local Government Office in this State should be strengthened to enable it to achieve these ends and principles that have been so clearly enunciated by the Commissioners in their second report. Incidentally, some of those matters were contained in the Commission's first report, too.

The Select Committee's third recommendation was that the matter contained in the Bill be referred to the Royal Commission into Local Government Areas in order to assist councils. Obviously, the Commission is the only competent body, outside another specialised commission, that can do this job. Already, it has spent much time seeing councils, taking submissions and studying the whole matter. There is, therefore, no doubt in my mind that it is the appropriate authority to do this. I do not think it is wise to place a time limit on this exercise, believing as I do that this may inhibit the voluntary work done by councils, as well as the work done by the Royal Commission. I am sure many councils now realise that in certain areas changes must occur, that in some areas it is desirable for change to occur, and that in other areas no changes at all may be necessary.

I believe the seed has been sown in many council areas where previously there was doubt about the virtues of adjustments being made or amalgamations occurring. I am not so naive, however, as to expect that every council within the State will, within the next few months, automatically and voluntarily adjust its boundaries. I believe that, if the Minister had insisted on proceeding with the Bill, all hell would have broken loose in local government in South Australia, and that local government as well as the Government would have suffered. The suggested procedures will be the best way to achieve a result. A Bill has been introduced to give effect to certain procedures, and the idea is that it will be a matter related only to this process by the Royal Commission as a body extant. It will only apply in this way, and the rest of the Act, in which provisions refer to negotiations, amalgamations and adjustments, will be implemented in future only when the Commission disappears. The measures recommended on page 4 of the report deserve the commendation and support of every member because, in a democracy such as we have in Australia, local government is an absolutely integral part of the three-tier system of government.

It is the part of that system that is closest to the people, and it involves most people in situations where ratepayers consult the elected councillor much more than they consult their elected member of the State or Commonwealth Parliament. I say this from my personal experience, having served in two tiers of that system, and I know how readily ratepayers came to see me when I was a local councillor. I see other members here who have served on councils. I emphasise that the whole of this exercise depends on the fundamental premise that local government exists in South Australia as we would want it to exist: that is, as a truly workable and viable system of government. If anything is done to take away some powers of councils, the State and the people as ratepayers will suffer. Therefore, in the interests of local government, I support the recommendation, and I am pleased to support particularly the whole concept and the philosophy of a voluntary approach to the matter rather than one of compulsion.

Mr. RUSSACK (Gouger): In supporting the motion, I am grateful for having been a member of the Select Committee that considered this Bill, because I have a far greater appreciation now of local government in South Australia than I had previously. Local government has been a most successful level of government in this State and, in the past, it has been used to assist a central Government in executing its difficult task in many ways. The member for Torrens reminded members of references in the second report of the Royal Commission in which the Commission pointed out so definitely that it believed local government was the form of government that was necessary to execute the functions assigned to it, and this it had done in a commendable way for many years. Local government has been responsible for providing facilities and amenities for local people in the community, and their welfare and health has also been provided for. In addition, much money, which has been supplied by central Government, has been spent to construct roads.

In most cases this work has been done in a satisfactory way and, at present, councils are being used by central Government not only in South Australia but also by the Government in Canberra for many projects. Local government is also used as a trustee for property owned by central Government. As I have said before, local government still provides a worthwhile facet of government in this State. The report of the Commission expressed fears that local government was being deprived of many of the powers and authorities it once enjoyed, and this situation has been brought about generally by change, which is inevitable, because change is constant. Therefore, there is a need for change. As other members have suggested, I believe that there is a need to change council boundaries in many areas of this State. No-one denies that it is necessary for some boundaries to be changed, but it is the method to be used to change boundaries satisfactorily that is all important.

From evidence given to the Select Committee, there seem to be distinct differences in the needs of ratepayers and in the responsibility of councillors in discharging their duties in various interests. In a municipality there is a need for sporting and entertainment facilities, and for

garbage collection, etc., but in rural council areas the main interest seems to be in road construction, with up-to-date roadmaking of an acceptable standard so that people can travel from their properties to the community centre or to a nearby town. We found that there is a need for boundary changes in South Australia in many instances. Some country towns are expanding over their existing boundaries into district council areas. It is certain that changes must be made in those towns but, at the same time, it is understandable that a district council that has been responsible for building up certain residential areas near town boundaries is concerned lest its work over the years be lost. In some way this can be overcome. Many councils are concerned and are apprehensive about the situation. The Royal Commission was given terms of reference, which are outlined in its first report where 11 matters are set out. Perhaps only two or three of those terms of reference were dealt with by the Commission.

The first matter dealt with relates to whether it is desirable to alter the number of councils in South Australia at present constituted under the Local Government Act, 1934-1972. Another relates to the appropriate number of such councils and boundaries of each council area, whether and, if so, the manner in which any existing boundaries should be altered and the situation of the council office within each area. I should say that the Commission suggested only where an office should be sited: it was not definite about it. The only other term of reference that I believe the Commission concentrated on relates to regional areas. The other terms of reference have been left in abeyance until a determination has been made on boundaries.

After the Commission presented its first report it was met with some reaction. From this point, and until the Select Committee was appointed and its work completed, I believe that the handling of the situation by the Government caused confusion. At that stage people could appeal to the Royal Commission and present further evidence. This resulted in the Commission's handing down a second report. At present in South Australia there are 137 councils. The Royal Commission in its first report recommends that there be only 72 councils; however, after hearing further submissions, the Commission brought down its second report recommending that there be 74 councils in South Australia. To the amazement of many people this Bill, when presented to the House, provided for 88 councils in South Australia.

People who gave evidence before the Select Committee asked, "Why was this change made?" To my knowledge that question has never been answered. However, we can all guess why the changes were made and why the Bill provides for 88 councils. Under the provisions of the Bill some councils would be made autonomous or would stay within their existing boundaries.

Mr. McAnaney: Irrespective of whether they were viable or not; that was left to the council.

Mr. RUSSACK: Irrespective of the criteria which, in the Commission's first report are that a metropolitan council should receive a rate revenue of $500 000 a year and that a district council should receive a rate revenue of at least $50 000 a year. However, it was recommended by the Highways Commissioner that the rate revenue received by a district council should be at least $80 000. Unfortunately, no reason was given for the change to 88 councils. That is why confusion resulted; there was reaction, objections were made, and the Government saw fit to submit the Bill to a Select Committee.

When I voted on the second reading of the Bill, I said that my final vote would depend on the report of the Select Committee. I now accept the report in its entirety: it is as good as could have been produced from the evidence presented. I believe the tasks performed by the Royal Commission were totally different from those of the Select Committee. The Commission had the opportunity of visiting every council in South Australia; it could call for evidence from ratepayers or any people interested in the matter; and it could collate evidence from sources throughout the State. Only after sifting through all this evidence did the Commission, which I believe was sincere, recommend changes that it believed to be the best for local government in South Australia. I am speaking at this stage about the first report, which the Commissioners believed allocated the best boundaries for local government in South Australia.

The Select Committee advertised, as the committee's report indicates, in newspapers, over the radio and on television, calling for witnesses from all sources who cared to give evidence. Unfortunately, most of the witnesses who came forward were opposed to the boundary changes recommended by the Commission. I must be fair; many of them opposed the changes for parochial reasons. I have no doubt about that. They did not consider a State-wide plan or the possible benefits to local government from such a plan. However, these people had the right to look at the situation as they saw it. People were frightened by what they saw in the Commission's reports and in the Bill as presented to Parliament.

The second phase of responsibility of the Royal Commission was to consider the disbursement of assets and to consider liabilities, ward allocations, and other matters concerning the new areas. Most of the apprehension about these matters came from people in country areas. The Bill was not focused as much on the metropolitan areas as it was on the country areas. Only one council in the true metropolitan planning area was to be affected, and that was Henley and Grange council. Other councils in the metropolitan planning area were affected, such as East Torrens, where the concern was based more on the hills face zone and the need for an effective emergency fire service in that area. In the smaller towns there was one reason why the people, the ratepayers and the councils did not want change: they did not want to lose identity. This may not be a real reason why there should not be a change in any area, but in the smaller towns people were worried that they would lose a work force, and in some small centres it was considered that the balance would be tipped and that, if several council employees moved from that area, it would make a difference and the town could go out of existence, losing the store and other amenities in the area.

Some people who came before the Select Committee were adamant that they wished for only a restricted service from local government; they wanted nothing apart from the necessities that local government could give them. Another point that was a real problem to some local people was the siting of the council office. I am sure some council areas could agree to unite one with, the other only after a decision had been reached on where the council office would be established. For some reason, ratepayers have an idea that, if a council office is situated in one area, that area will dictate to the other that has been annexed to it. The point that is lost is that representation would be afforded the whole area, and I am sure this problem could be solved by proper explanation.

In some areas there is a need for change, but the method of change is the main point of contention, together with the correct application of the recommendations. I believe and accept the report when it states that this should be done in a voluntary way with the people involved (councillors and ratepayers) being taken into the confidence of those who are determining the boundaries. In South Australia, it is 40 years since the previous Royal Commission was set up to consider the allocation of local government boundaries, and during that period only about seven voluntary council amalgamations have taken place. In those cases of voluntary amalgamation, success has been achieved; the councils have remained united; they have progressed; and in the main they have developed and become consolidated effective local government bodies. I believe this is because, understanding one another, they came together voluntarily.

The Select Committee's report recommends that the Bill be not proceeded with, and I think that is a correct recommendation. Secondly, it recommends that the House wholeheartedly support the desirability of the implementation of the principles embodied in the first and second reports of the Royal Commission into Local Government Areas, and in the Bill, on a voluntary basis. The third recommendation is that the matter contained in the Bill be referred to the Royal Commission into Local Government Areas for implementation by the Royal Commission with the agreement of the councils concerned, but that the Royal Commission need not be constrained by the local government boundaries provided for by the Bill.

I believe that the whole task of the Royal Commission as set out in the first report will be carried out at the one time, and I see the Royal Commission going to areas where there is a possibility of and a potential for boundary changes, talking together with those councils and people interested in local government in the area, and discussing the situation, explaining why the boundaries should be changed and how it should be done, while at the same time explaining, if a certain area was to be set up, what the wards would be, what the representation would be, where the council office would be, how the assets would be disbursed, how the liabilities would be overcome, and other similar matters.

This would be a far more desirable method than forcing people to accept local government boundaries. Councils will make their own determinations. I am sure people would have had a different attitude if they had known more. The Minister has said that, in the meetings held and in the petitions signed and presented to Parliament, only one side of the argument was put forward. I am confident that, when the Royal Commission goes to the local councils and the matter is discussed, from the boundary proposals for the area to all the other matters involved, a different attitude will emerge. I am sure local government in South Australia can be and will be successful. The powers it is losing now will be re-established, and local government will be a level of government that will be satisfactory, making a great contribution to the life of the local community. To do this it must be local. The result of the determination of the boundaries, according to the committee's report and according to my understanding and the understanding of committee members, might not necessarily be the same as the Royal Commission's reports have suggested, nor need it be what the Bill provides. These boundaries will be decided after consideration and with the concurrence of the Royal Commission and the councils concerned.

Paragraph *(d)* of the recommendations of the Select Committee refers to a Bill to be introduced. I am aware, as was the member for Torrens when he was speaking, that a member cannot mention the detail that will be in that Bill, but I commend this section of the report. Once councils have agreed, and once the Royal Commission has discussed the matter and some agreement has been reached on unity in an area, there must be a streamlined method by which the area can be set up, because one word that has been kept in mind in the reports of the Royal Commission and in the report of the committee is "urgency". There is an urgency and, where necessary, where the people: are in agreement, where councils accept the change, and where the ratepayers also concur, changes must be made urgently. I understand provision will be made for the people to express their will, and if necessary they can express it at a poll.

In summary, I believe that the Select Committee approached its task in a methodical and earnest manner. There was not even one instance during the meetings of the Select Committee when there was not a convivial atmosphere or when witnesses were not given every opportunity to express their view. I considered this state of affairs to be most desirable. What must be done must be done voluntarily. I am convinced that, as a result of the Commission's explaining its plans about council boundaries to all those people involved, showing how councils would be privileged and advantaged through boundary alterations and amalgamation, and providing for possible further development as outlined in this report, this is the best method of tackling this problem. Councils and ratepayers must be allowed to develop their own destiny.

Is that not the correct way in any form of government, especially in a democratic society whereby people can determine their own destiny, but in this case with the guidance of those who have the information and knowledge? The information collected by the Commission, when explained to local government, will be of immense value, and we will see results. If those people who gave evidence to the Commission and to the Select Committee are sincere in saying, as many said, "Yes, a change is necessary," or "We will make change if we are urged, or if we are convinced", then through the method suggested in the report they will be convinced of the need to implement the suggested changes, and in this way we will ensure the success of local government in South Australia.

Mr. CHAPMAN (Alexandra): I hasten to support the report of the Select Committee inquiring into local government boundaries. At no stage since 1972, when officers of the Local Government Department visited councils throughout South Australia, have I had any doubts that a report would come before this House similar to the report that has now come before us. I do not say that now using hindsight and the information we now have at our fingertips, or as a result of the information gathered by the Select Committee: I base my. remarks on comments' made at various stages throughout this exercise. In 1972 officers from the Local Government Department visited the council of which I was a member. My views have resulted from my interpretation of their comments, which have again been spelt out in the report.

On January 21, 1975, I gave evidence to the Select Committee and reported on the interpretation my council colleagues and I placed on the remarks and requests of local government officers at that time. In evidence I said:

> My clear understanding, and I'm confident that of my council colleagues, was that the Government if requested would organise and finance the inquiry and ultimately provide their findings and/or recommendations for the respective councils' guidance, for councils' own implementation if desired, within the framework and existing provisions of the Local Government Act.

That was our clear interpretation of the original request made by the Minister's departmental officers in 1972. I believe that it was because of similar interpretations being

placed on those visits that 58 per cent of South Australian local government councils favoured the Royal Commission inquiry originally.

I will not go over the history of events leading to this report, but it is desirable, when referring to, and supporting generally, the recommendations laid down on page 4 of the report, that these remarks be brought to the notice of all members and that they continue to be borne in mind while we are considering local government boundaries. On October 15, 1974, I also referred to that interpretation, and at page 1480 of *Hansard* it is clearly reported that I would not agree to Parliament's taking advantage of the Royal Commission's findings and dictating to councils what they could or could not do.

After the Commission had published its first and second reports, it became obvious that it wanted its reports to be used as a guide to local government authorities. I believe it was at that point of time that Party-political pressure was applied in respect of this matter. It was then that the Minister of Local Government started to bandy the report around and to try to threaten this House with the implementation of the report in its entirety by means of a Bill to be introduced without giving the people of South Australia an opportunity to consider the matter properly, or even to submit evidence again after seeing the contents of the reports.

However, I am pleased that this House, using its common sense in October of last year, appointed a Select Committee to inquire into this subject. We have heard several members of the committee speak on this subject. The Select Committee included members of integrity with a knowledge of local government, such as the member for Torrens and the member for Gouger, who I am satisfied have a sound appreciation of the subject. They were able to take into account that vital element, the view of local ratepayers, without being influenced by emotional councillors and other persons who were necessarily parochial about their district. The fact that the Bill is not to be proceeded with is clearly and distinctly in line with my original feelings on this matter.

Mr. Venning: What about the recommendations of the report?

Mr. CHAPMAN: I have no doubt that the recommendations will be adopted, because there is no alternative. The Bill will be thrown aside and the matter generally will be put back where it belongs.

I now refer to the comments of previous speakers. Although I support wholeheartedly the principle expressed in the speech made by the member for Torrens, I refer to his statement that interest in local government had been stimulated by this exercise and that it had proved something within the State, that the interest had been cultivated, whereas I claim that that interest has always been in local government, the only difference being that recently the subject has been allowed to be ventilated publicly. However, without being unnecessarily or unreasonably critical, I believe that the Minister was kidding himself when he tried to bulldoze through the House a Bill to implement the major contents of the original report. He failed to convince me or the ratepayers throughout the State that that kind of bulldozing would be acceptable, and I am pleased that the report has come down as it has.

It has also been said that some councils should amalgamate. I agree at least that those councils which had amalgamation in mind prior to the Commission's report, as well as those that have been reminded as a result of the investigation, would be well advised to proceed to take advantage of the procedure to be initiated by the Minister: that is, the streamlining of the machinery within the Local Government Act as it applies now. Victor Harbor and Encounter Bay are a classic example of two councils that would be better able to serve the people and to operate better if they were amalgamated into one unit. It was their intention, incidentally, to proceed on this line before the local government investigation into boundaries was commenced. However, the report now provides them with the guidelines, and this is the key to the whole issue. The important exercise, in my view, was that the Royal Commission was not to. revise the boundaries or to review the situation, but to investigate the boundaries of local government, report on them, and make certain recommendations as a guideline to the local government authorities and the ratepayers of South Australia.

In no way could it possibly be interpreted that the original intention was to dictate through legislation or otherwise regarding what should or should not be done in that direction. The Royal Commission was set up as a guiding party, and I believe that it did an incredibly sound job within and without the metropolitan area. However, I believe that many parts of the original report have brought to the notice of people within the districts a view that could not previously be seen from within. In fact, the unbiased and undirected members of the Select Committee have been able to stand off, without a local and parochial attitude, and place on paper recommendations that will prove fruitful to local government generally, particularly if implemented by the councils concerned.

Before concluding, I raise a point that has been brought to my notice and to the notice of other members by the Minister of Local Government, who reminded us recently that many witnesses referred to the Commission's report rather than to the Bill. I believe that it is irrelevant at this stage or at any other stage to reflect on the witnesses who chose to direct their remarks to the Commission's report, because the Bill itself is a major part of the Commission's report. The Bill is clearly and distinctly in line with those parts of the report that were not interfered with, deducted from, or manipulated by the Minister himself. The only part of the report that was not in the Bill before the House prior to Christmas was that part the Minister himself took away, so that we are now and have been all along dealing virtually with one and the same document.

The second item recommended by the Select Committee is, I believe, extremely important, wherein the committee recommends that the House wholeheartedly support the desirability of the implementation of the principles embodied in the first and second reports of the Royal Commission and that action be taken voluntarily. Here again, I am pleased to say that the committee has brought to our notice that vital element of the whole exercise: irrespective of the recommendations and those points raised by the Commission, the ultimate decisions will be made locally, in conjunction with those responsible for the report and, more particularly, on a voluntary basis. I am not at all surprised that the committee has come down with the recommendations we now see before us. As I said earlier, I did not believe from the outset that there was any alternative but to come forward with a recommendation of this nature. I am pleased to be able to stand alongside my Opposition colleagues hopefully and unanimously in support of the progress and acceptance of the recommendations of the Select Committee.

Mr. DUNCAN secured the adjournment of the debate.

ADJOURNMENT

At 9.57 p.m. the House adjourned until Thursday, February 20, at 2 p.m.