HOUSE OF ASSEMBLY

Wednesday, December 7, 1977

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

PRICES ACT AMENDMENT BILL

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

That Standing Orders be so far suspended as to enable the sittings of the House to be continued during the conference with the Legislative Council on the Bill.

Motion carried.

At 3.15 p.m. the following recommendations of the conference were reported to the House:

As to Amendment No. 1:

That the Legislative Council insists upon its amendment and the House of Assembly does not further disagree thereto.

As to Amendment No. 2:

That the Legislative Council does not insist upon its amendment but makes the following amendment in lieu thereof:

Page 1, lines 23 to 25 (clause 2)—Leave out all words in these lines and insert—

(d) a borrower, or a prospective borrower of money under a credit contract within the meaning of the Consumer Credit Act, 1972-1973, not being any such credit contract—

(i) under which money is borrowed on the security of land for the purpose of the purchase of land; or

(ii) to which Part IV of that Act does not apply.

And that the House of Assembly agrees thereto.

As to Amendment No. 3:

That the Legislative Council does not insist upon its amendment but makes the following amendment in lieu thereof:

Page 2, lines 18 to 21 (clause 5)—Leave out all words in these lines and insert—

(a) by striking out from paragraph *(d)* of subsection (1) the passage "the receipt and" and inserting in lieu thereof the passage "subject to subsection (1a) of this section, the".

And that the House of Assembly agrees thereto.

As to Amendment No. 4:

That the Legislative Council does not insist on its amendment but makes the following alternative amendment in lieu thereof:

Page 2, after line 26 (clause 5)—Insert the following paragraph:

(c1) by inserting after subsection (1) the following subsections:

(1a) The Commissioner shall not conduct an investigation under paragraph *(d)* of subsection (1) of this section except—

(a) upon the complaint of a consumer;

(b) at the request of any person appointed or constituted unde a law of the Commonwealth or a State or Territory of the Commonwealth having some functions similar to the functions of the Commissioner under the laws of this State; or

(c) where the Commissioner suspects on reasonable grounds that excessive charges for goods or services have been made or that an unlawful or unfair trade or commercial practice has been or is being carried on or that an infringement of a consumer's rights arising out of any transaction entered into by him as a consumer has occurred.

(1b) Where the Commissioner conducts an investigation pursuant to paragraph *(c)* of subsection (1a) of this section, he shall as soon as practicable after he commences to conduct the investigation notify the Minister of the substance of the investigation.

And that the House of Assembly agrees thereto.

As to Amendments No. 5 to No. 7:

That the Legislative Council does not further insist on its amendments.

As to Amendment No. 8:

That the Legislative Council insists upon its amendment and that the House of Assembly does not further disagree thereto.

Later:

The Legislative Council intimated that it had agreed to the recommendations of the conference.

Consideration in Committee of the recommendations of the conference.

The Hon. R. G. PAYNE (Minister of Community Welfare): I move:

That the recommendations of the conference be agreed to.

Members will have in front of them typewritten notes relating to the recommendations of the conference. The managers met for a considerable time and a degree of compromise was achieved between the two Houses. Although it does not achieve completely what the Government intended in the Bill, the compromise meets to some extent the Government's wishes in relation to the improvements in consumer protection legislation.

The Legislative Council insisted on the first amendment, and the House of Assembly managers reluctantly accepted that viewpoint. This amendment related to an extension of the protection to be afforded by the Commissioner for Consumer Affairs in relation to land transactions. Despite considerable argument for and against the amendment, the Council managers proved to be intransigent on this matter and no compromise on it was possible.

A degree of compromise was however achieved in relation to the Legislative Council's second amendment, as a result of which some improvement in this area of consumer protection has been achieved. Regarding amendments Nos. 3 to 7, I welcomed the degree of co-operation achieved between the managers from both Houses. The provisions now before the Committee are certainly well in line with what was intended in the Bill.

Regarding amendment No. 8, a degree of intransigence was again met with. Considerable discussion took place on this matter, which related to the requirement for an annual review of the powers of the Commissioner for Consumer Affairs as contained in the Bill. I hope I will be excused for saying that the arguments advanced by the House of Assembly managers were cogent and had substance whereas those advanced by the managers from another place, although they had some substance, did not have the full weight that ought to prevail in this matter.

However, as often happens when the managers from both places meet at a conference, a compromise overall is achieved. Regarding the annual review, the best that could be achieved was an undertaking given by the Council managers. It was agreed that this undertaking would be made known to members in this place, and I will leave it to

members to make their own decision on it. I accept the undertaking that was given because, in the spirit in which it was given, it seemed to involve a genuine change of heart on the part of the Legislative Council managers. The undertaking is as follows:

> The Liberal Party managers for the Legislative Council gave the undertaking that the Liberal Party would, during the next 12 months, reconsider its attitude of insisting on an annual review by Parliament of the price-fixing provisions in the Prices Act. In view of the administrative difficulties attendant on these provisions being reviewed from year to year as at present, the Party will consider agreeing to the price-fixing provisions being on a triennial basis in lieu of an annual basis.

I will not comment on that. I accept the undertaking in the spirit in which it was given. I expect that the other managers of this place would also accept that undertaking, which offers nothing more than a reconsideration of attitude.

Mr. Millhouse: I doubt whether it is worth the paper on which it is written.

The Hon. R. G. PAYNE: I do not wish to enter into that. I am stressing that the undertaking was given in a way that led me and, I believe, the other managers of this place to accept it in the same spirit. It was put forward in good faith as a recognition by "the Liberal Party managers for the Legislative Council". This has been an area of some contest over many years and, despite arguments put forward by the managers for this place, a Party view on the matter in the other place until now has prevailed. Regarding the important provision relating to consumer protection as a whole it is fair to say that the managers on behalf of this place were satisfied with it. I would not say that they were happy with it, but they were satisfied to settle for that undertaking. I am looking forward in the next 12 months to what I can describe only as a welcome change of heart in this direction by the "Liberal Party managers for the Legislative Council". I therefore ask the Committee to endorse the recommendations.

Mr. GOLDSWORTHY: I was not a manager at the conference, but I did speak on the Bill for the Opposition in this place. I am pleased with the results of the conference because what it has achieved goes a fair way towards remedying the significant complaints we made in relation to the Bill. The Bill sought to make five amendments to the Prices Act, and we objected to four of them. The Government has had to modify its attitude considerably in relation to this Bill, and I congratulate it for accepting the results of the conference. Originally the Bill empowered the Commissioner for Consumer Affairs to undertake any investigation without the complaint of the consumer. That seemed to be far too wide a role for the Commissioner, as his basic responsibility is simply to investigate complaints from consumers. I note with much interest and satisfaction that amendment No. 4 puts a considerable constraint on the Commissioner's activities in relation to investigations.

Mr. Millhouse: Have you read it?

Mr. GOLDSWORTHY: Yes.

Mr. Millhouse: You're being pretty optimistic.

The CHAIRMAN: Order!

Mr. GOLDSWORTHY: Maybe lawyers can read into it what laymen cannot but, in my judgment, that amendment puts considerable constraint on the powers of inquiry that the Commissioner may undertake. It is also pleasing that the Bill does not make this prices legislation permanent, as it sought to do; it must still come before Parliament for an annual review. That will not prejudice any discussions that will occur in the Liberal Party during the next 12 months in relation to extending it—

Mr. Harrison: A real Father Christmas ending.

Mr. GOLDSWORTHY: The member for Albert Park is being charitable, as he knows I always am. I welcome the impending discussions because no doubt the Liberal Party will come up with a reasonable solution, as it always does. Nevertheless, I am pleased that the conference has been successful and has modified the Bill considerably in a beneficial fashion.

Mr. MILLHOUSE: I seldom can and I cannot again on this occasion indulge in the mutual congratulations we have heard, particularly from the member for Kavel, on the compromise that has been reached. I do not oppose the recommendations. I was particularly interested in the fate of the amendment which I moved in this place and which the other place took up as amendment No. 3. That matter was obviously the subject of some debate at the conference. The amendment related to the power being given to the Commissioner off his own bat to start investigations. I want to tell the member for Kavel, who admitted that he had read the amendment, if he really did not understand it, that the new amendment No. 4 is so vague and broad that it gives very little protection to people. The way in which the Bill will finish up is hardly better than it was originally when introduced into this place.

Amendment No. 4 relates to a new subsection (1a), paragraph (b) of which relates to the Commissioner's embarking on an investigation at the request of any person appointed or constituted, which we can pass, I suppose, because there are different ways of doing that. It continues as follows:

> . . . under a law of the Commonwealth or a State or Territory of the Commonwealth having some functions—

who will ever get a precise meaning out of that—

> similar to the functions of the Commissioner under the laws of this State—

Goodness knows what that means. I invite other members of the profession in this place to help me with its construction. Does it mean that the Commissioner draws a salary or administers a department? Every public servant has some functions in common with other public servants. That is a wide and loose piece of drafting which is typical of the conference. However, I do not believe that it matters too much; it is so wide as to mean nothing. The amendment continues, and this is really the nub because it allows the Commissioner to make his own choice:

> *(c)* where the Commissioner suspects on reasonable grounds—

I wish that "proof of which rests on him" had been inserted after that, but it has been conveniently left out. Does the Commissioner merely have to assert that he had reasonable grounds for suspicion without ever having to justify that suspicion? That is how the amendment is drawn, anyway. Paragraph *(c)* also provides:

> . . . excessive charges for goods or services have been made or that an unlawful or unfair trade or commercial practice—

try to get some precise meaning out of the words "unfair trade or commercial practice"—

> has been—

in the past; it does not say when; it could be any time—

> or is being carried on or that an infringement of a consumer's rights arising out of any transaction entered into by him as a consumer has occurred.

That, too, is as wide as the world. It could be a trivial infringement, so the sum total of that new subsection is that it gives back to the Commissioner the powers that were in the Bill when it was before us. I suppose it is a face saver for the Liberals in the Upper House. There is now a large amount of gobbledegook in new subsection (1a), but

it does not change much what the Government wanted when it introduced the Bill.

New subsection (1b), dealing with notification of the Minister, means nothing at all. There is no safeguard for anyone in that. I would wager that in not one case in 1 000 will the Minister take any action to see that an investigation does not go on, so, again, they are just words. As Sir Thomas Playford used to say, "Good British justice: put it in, and everyone will be happy." It is a pity it does not mean more than it does. I am disappointed that we have not got more on that and that the Legislative Council did not stand up to the view which I put here and which the other place accepted.

The next point I mention is extraordinary, the so-called undertaking that does not appear on the papers that I have. That is even more of a face saver, I suppose for both sides. It is not worth the paper that it is written on.

The Hon. Hugh Hudson: Wouldn't you accept an undertaking from any member of the Liberal Party?

Mr. MILLHOUSE: I would not go as far as that. I would accept the undertaking but, if you look at it, you see that it is worth nothing. It is a novel concept that three managers (I suppose there were three Legislative Council managers from the Liberal Party) can bind their whole Party to consider what are fundamental provisions and safeguards in the Act. On the other hand, the Government can say that the Liberal Party undertook to consider this matter, and I bet that the next Bill will have in it a clause providing for a triennial review.

I hope that the Council will not give way on this. I think it is a safeguard in the legislation which can be sweeping and oppressive, that it has to come before Parliament every 12 months. For that reason, I am pleased that the undertaking given is not worth anything, and I hope that the other place will be strong enough to stand up for the point of view that it has always espoused. I point out, amidst congratulations from other members about the conference, that the amendment in which I was particularly interested, for all the words that we are putting in, makes the provision much the same as in the original Bill.

Motion carried.

PETITION: SUCCESSION DUTIES

Mr. HARRISON presented a petition signed by 23 residents of South Australia, praying that the House would urge the Government to amend the Succession Duties Act so that the position of blood relations sharing a family property enjoy at least the same benefits as those available to other recognised relationships.

Petition received.

QUESTIONS

The SPEAKER: I direct that the following written answers to questions be distributed and printed in *Hansard.*

EVENING BUS SERVICES

In reply to **Mr. SLATER** (October 27).

The Hon. G. T. VIRGO: Prior to the week commencing Sunday, September 18, 1977, new public time tables were distributed to passengers on the Felixstow-Dernancourt routes advising of the new services to operate on week-day evenings, Saturday afternoons and evenings and Sundays as from September 18. Following the honourable member's comments, arrangements were made in conjunction with the Walkerville council for details of the new services to be publicised in the local *Messenger* newspaper.

BANKSIA PARK HIGH SCHOOL

In reply to **Mrs. BYRNE** (November 30).

The Hon. D. J. HOPGOOD: It is not possible to give an exact date of completion of the complex at Banksia Park High School. However, transportable buildings on site will be transferred during December, and the new complex will be ready for occupation by the beginning of the 1978 school year.

DROUGHT ASSISTANCE

In reply to **Mr. BLACKER** (October 19).

The Hon. J. D. CORCORAN: At no stage during the visits in question did any officer of the Agriculture and Fisheries Department say that all primary producers are eligible for 4 per cent (low interest) loans. One of the prime purposes of each meeting was to inform the audience about the present criteria for eligibility and, having stated these, it would be fool-hardy to then suggest that every farmer met all such criteria. Assistance under the Primary Producers Emergency Assistance Act is provided as a supplement to "normal" sources of lending, when these have been exhausted. To establish whether additional loans are needed and how much is needed, it is necessary to first establish limits from normal sources. This is what was stated at the meetings. Farmers were not being given advice about what they should do since every farmer's situation is different. They were, however, provided with information about the Primary Producers Emergency Assistance Act and the enlightened manner with which it is now being administered.

STOCK FEED

In reply to **Mr. RODDA** (October 26).

The Hon. J. D. CORCORAN: The Minister of Agriculture informs me that the tonnages of fodder being held on farms quoted in *Hansard* were the same as those appearing in a recent issue of *State of Agriculture.* The figures of 1 100 tonnes of feed wheat, 8 000 tonnes of feed barley, and 110 000 tonnes of hay held on farms were estimates of reserves at mid-September, 1977, made by departmental district officers. If the *Primary Industries News Bulletin* stated that this compared with 100 000 tonnes of feed wheat, 140 000 tonnes of feed barley, and about 700 000 tonnes of hay usually held at this time of the year, then this would have been an incorrect statement, as these latter tonnages are State average stocks held on farms in January, whether for seed or feed.

The quoted figures represent the two extremes—stocks held in January are peak storages, while those held in mid-September are minimum levels just prior the hay cutting and cereal harvest. Admittedly, the low level of stocks held on farms in the spring of 1977 is a matter for concern, but their depletion cannot be largely attributable to the feeding of stock. Quantities held on farms for all purposes at March 31, 1977, were recorded by census as:

	tonnes
Wheat	100 000
Barley	141 000
Oats	86 000
Total grain	327 000
Hay	553 000

The fact that seed requirements approximate 72 000 tonnes of wheat, 56 000 tonnes of barley and 20 000 tonnes of oats indicates that the amount fed to stock between January 31, 1977, and mid-September, 1977, has been small; sheer economics would have been a major contributing factor to the reduced usage of grain for feed. The consultative committee on drought has raised the issue of feed grain stocks with the two grain boards and Co-operative Bulk Handling Limited. Adequate quantities will be held. The normal mark-off for barley is 45 000 tonnes, and the Barley Board is budgeting to hold back 50 000 tonnes this season. Strategic reserves will also be held. For example, quantities of clipper barley will be stored at Port Lincoln until August, 1978. Likewise, wheat stocks should be more than adequate. Only 22 000 tonnes has been sold for feed purposes for the 1977 calendar year to date, and the maximum quantity of wheat sold for feed in any year over the last 10 years has been approximately 80 000 tonnes. The Wheat Board would always hold well in excess of this quantity at terminal storages and for much of the year at other strategic silos.

Despite the drought situation, the demand for grain from the silo system is likely to be lower than is generally estimated. Reduced sheep and cattle populations and doubtful economics of feeding grain for any prolonged period would be expected to contribute to this situation. In any case, the bulk of grain fed to livestock, including pigs and poultry, results from across-the-border trading, and with higher barley and home consumption wheat prices expected to be announced shortly, this practice is likely to be intensified.

BOAT REGISTRATION

In reply to **Mr. ARNOLD** (November 1).

The Hon. J. D. CORCORAN: As in other States, there is no provision for late renewals of registration to be granted for a full term from the date of applying for renewal. If the concession were granted, a considerable number of motor boats would remain unregistered for varying periods, with a consequent reduction in the fees received. This, of course, could lead in turn to the prescribed registration fee being increased to recover the deficit incurred in administering the Boating Act. Further the greater uncertaintly as to the estimated total of fees to be received would complicate the budgetary balancing of such fees against the estimated administrative costs as required by the Act.

LAND ZONING

In reply to **Mr. CHAPMAN** (November 3).

The Hon. J. D. CORCORAN: Under the provisions of regulation 37 of the Waterworks Act, 1932-1975, watershed areas are divided into zones 1 and 2. Zone 1 is nearer the proposed or existing reservoir, and its controls are more restrictive than zone 2. The zones, which are permanent unless changed by legislation, protect the reservoirs from contamination. In the case of proposed reservoirs, the regulations have the effect of preventing undue development of catchment areas which constitute a valuable future water resource. In cases where landowners are suffering genuine hardship as a result of the present policy, consideration will be given to acquiring land which may form part of future reservoir reserves, subject to availability of funds.

KESAB

In reply to **Mr. EVANS** (Appropriation Bill, October 20).

The Hon. D. W. SIMMONS: Testing of litter levels and litter composition has been undertaken during 1975 and 1976 as part of the litter action research model project which Kesab implemented on behalf of the National Keep Australia Beautiful Council. The Litter Control Council is continuing with the work this year to maintain consistency in the collection of data. Litter levels and composition accounts in each of 12 test sites, began in September, 1977, and will continue until the end of January, 1978.

MINISTERIAL STATEMENT: SENATE VACANCY

The Hon. D. A. DUNSTAN (Premier and Treasurer): I seek leave to make a statement.

Leave granted.

The Hon. D. A. DUNSTAN: I believe it is proper that at this stage the Government should inform the House of the results of its investigations of the question of filling the Senate vacancy which occurred when Senator Steele Hall resigned from the Senate. Prior to receipt of notification of that vacancy, an opinion was obtained from the Solicitor-General, and I propose to table that opinion. The Solicitor-General canvasses the facts as known to him and makes the following comments:

> . . . there would appear to be three possible arguments: (1) that the Liberal Movement merged with the Liberal Party so that it is appropriate that the Liberal Party should nominate Senator Hall's successor.

He then canvasses the question of whether there was a merger of the organic union of the Liberal Movement with the Liberal Party and comes to the conclusion that the Liberal Party could not be accurately described as the political Party that endorsed Senator Hall in 1975. The Solicitor-General continues:

> A change of name or of policy is one thing, amalgamation is another. (I doubt, for instance, whether the old Liberal and Country League could be identified with one or other of its amalgamating predecessors of the 1930's for the purpose of section 15.) As at present advised, I think any such claim by the Liberal Party would be hard to sustain.

I have since that time been provided, by courtesy of the Leader of the Opposition, with the heads of agreement between negotiators for the Liberal Party of Australia (South Australian Division) and the Liberal Movement Incorporated. Having perused those heads of agreement and the amended constitution of the Liberal Party, I have come to the conclusion (a conclusion endorsed by the Government) that the view of the Solicitor-General is correct, and that in law there was not in fact a merger, but that the nature of the arrangement was that certain members of the Liberal Movement rejoined the Liberal Party and that others were invited to and that certain rights of joining executive organisations of the Liberal Party were given to certain former members of the Liberal Movement. That does not appear to be an amalgamation.

I notice that the heads of agreement do provide that the Liberal Movement will be dissolved and disbanded, but it

appears that the Liberal Movement Incorporated is still on the record of the Registrar, and no documents, as required by the Associations Incorporations Act for its disbandment or amalgamation with another organisation, have in fact been filed. It also appears that the Liberal Movement, as it was then, no longer exists for any practical purposes as a political Party. Then the Solicitor-General deals with the question whether the new Liberal Movement or the Australian Democrats should fill the vacancy. He points out that the new Liberal Movement was a new organisation, that it was not the old Liberal Movement, and if it continues at all (public statements have been made that it has been formally disbanded) it cannot be claimed that the Australian Democrats is the old Liberal Movement. The Solicitor-General says:

> . . . I should not regard a claim by either the New LM (if it still exists) or the Australian Democrats to be the Liberal Movement for the purpose of section 15 as at all strong.

He raises the question of whether the old Liberal Movement still exists with a member available to be chosen under section 15, but concludes that the old Liberal Movement is nothing more, really, than a legal shell. In these circumstances he doubts that the second paragraph of section 15 of the Constitution therefore applies to the decision to appoint the successor for Senator Steele Hall.

The Government, which has necessarily given considerable attention to this matter, believes it is vital that it should in this Parliament give effect to the amendment to the Federal Constitution and to the principles which have been previously announced by this Party as to giving effect to the voice of the electors in appointing a successor in any vacancy that occurs in the Federal Senate.

The position which was taken by the Labor Party in the case of supplying a successor to the vacancy created on the death of Senator Hannaford was that, although Senator Hannaford had resigned from the Liberal Party over the specific issue of his opposition to Liberal Party policy on the Vietnam war, it would not be proper to nominate to that vacancy somebody who could be called an Independent Liberal but who was opposed to the Vietnam war. As Senator Hannaford had been elected as a member of the Liberal Party, the nomination should go to somebody who represented that body of opinion, supported by those electors at that time.

The position then remains as to how we are to give effect to the voice of the electors expressed at the election when Senator Hall was elected to the Senate. The member for Mitcham has written to the Government and put forward the view that the nomination should come from a member of the grouping in the Senate team in which Senator Hall ran. The other members of that group were the present member for Torrens in this House and the nominee at present, as I understand it, of the Australian Democrats, although I understand she is not a member of their Senate team. Am I correct in that?

Mr. Millhouse: Yes.

The Hon. D. A. DUNSTAN: The Government, after giving much consideration to this matter in an endeavour to do what is right and supported by the electorate, has come to the conclusion that it has no alternative but to support the nomination of the third member of that team. The Government concludes from what it has before it that that matter may be contested legally.

Mr. Millhouse: They'll see me in court, if they want to.

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: In that matter, of course, the Government will not be directly involved: it will be between private litigants. But, as at present advised (and we have looked at this hard and long), the Government can come to no other conclusion than that in principle, in giving effect to the voice of the electors expressed at the election that elected Senator Hall to the Senate, the only course to take is the one that I have announced.

Mr. Millhouse: You're quite right.

The SPEAKER: Order!

QUESTIONS RESUMED

URANIUM

The SPEAKER: The honourable Leader of the Opposition.

Mr. TONKIN: Mr. Speaker, you have taken me by surprise, because there are so few Ministers in the House. When will the Premier make public the third interim report of the Uranium Enrichment Committee, dated August, 1977, which has been presented to State Cabinet? The Uranium Enrichment Committee, under the Chairmanship of Mr. W. L. C. Davies, the Director-General for Trade and Development, recommended the Redcliff site for a uranium enrichment plant in its last interim report. This report was discussed by the Minister of Mines and Energy with at least one uranium enrichment company during his visit overseas at that time, and representatives of Urenco had secret discussions with Government officials in South Australia only a few weeks ago.

The third interim report of the committee has now been presented to Cabinet. It is a continuation of the earlier reports, and comprises 220 pages and 10 chapters, including plans and flow charts for the uranium enrichment project. Particularly it deals with the economics of the project, recommending solutions to the environmental problems involved in setting up a uranium enrichment plant in South Australia. There is every indication in the report that the South Australian Government firmly intends to press ahead with the establishment of a uranium enrichment plant as soon as it can divest itself of its present and embarrassing attitude of supporting a ban on uranium.

The Hon. D. A. DUNSTAN: If the Leader is embarrassed by the Government's policy in respect of uranium, the Government is not embarrassed. I appreciate the depth of his embarrassment, because he is presently pursuing an equivocal policy. No-one knows at present what the policy of the Liberal Party in South Australia is on uranium.

Mr. Tonkin: We're not hypocrites.

The Hon. D. A. DUNSTAN: The Leader protests too much. He is on record as being opposed to uranium mining and development in South Australia, as is every other Opposition member.

In addition, since then the Leader has signed statements supporting the bases of South Australia's refusal to mine or develop uranium because of the lack of safety in providing uranium to a customer country. The Leader is on record as signing that subsequently to the Fox report, so I appreciate his embarrassment. In relation to the uranium enrichment study, members have been repeatedly informed that the Government intended to keep up with its investigations into uranium technology, including uranium enrichment. No secret talks have been held with anyone, and the Leader's constant importation of the word "secret" is an indication of the depth to which the Opposition will constantly seek to descend in this matter.

The third uranium enrichment study report has not been to State Cabinet; in saying that it has, the Leader is incorrect. It has been presented to the Minister of Mines and Energy and to me. Various aspects of the report have

not been accepted by the Government as actually the position which the Government can take on this matter, particularly in view of the Government's policy on uranium. Consequently, the report has been sent back to the committee for revision on that score.

Mr. Tonkin: True to form.

The Hon. D. A. DUNSTAN: The Government will not publish a report that is contrary to the policy it holds and expresses.

The Hon. D. J. Hopgood: You'd be criticised if you did.

The Hon. D. A. DUNSTAN: Of course. The Leader wants to have it every way.

Mr. Goldsworthy: You're telling them what to write.

The Hon. D. A. DUNSTAN: Of course we are telling them what to write, because we have a policy to which we adhere. It is not the slightest use the honourable member's saying, "Some officer of the Government has sent up a report to you—therefore that is Government policy," because it is not.

Mr. Goldsworthy: It might be factual.

Mr. Venning: When do you bury it?

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

The Hon. D. A. DUNSTAN: The answer to the honourable member is that the study will be published when the Government is satisfied that the contents of it, first, reflect the factual information which is concerned with uranium enrichment, and, secondly, on policy matters contain the policy of the Government.

WHALES

The Hon. G. R. BROOMHILL: Will the Premier call on the Federal Government to reverse its attitude towards an extension of the whale-kill quota? The question arises from a newspaper report which I read this morning with a great deal of concern and which showed that the whale-kill quota had jumped by 800 per cent following a decision taken by the International Whale Commission, increasing the whale-kill quota from 763 to 6 444. The community was pleased to see that the quota for last year of 7 000 was reduced during June of this year to 763, and no doubt will view with great concern the decision that has been taken. Australia voted for that decision; regrettably, France was the only nation voting against the extension. I believe there is a great deal of community concern on the question at the moment and that the Fraser Government should be pressed to changed its attitude.

The Hon. D. A. DUNSTAN: The Government will be happy to take up with the Federal Government the desirability of its altering its attitude to the killing of whales. This serious conservation matter has aroused the interests of conservationists all over the world, and quite properly so. The Australian Labor Party has adopted a policy against the continuation of whale killing. I believe that the adoption of that policy was correct and that it is vital that we conserve whales and see to it that the present slaughter should not continue, as it is quite unjustifiable ecologically on any ground of any consideration for some of the most intelligent creatures on this earth. Moreover, it is unjustified on economic grounds, anyway. I shall be very happy to take up with the Federal Government the matter the honourable member has raised.

URANIUM

Mr. GOLDSWORTHY: Will the Premier table immediately the reports prepared by his advisers that led him to change his mind on uranium?

The Hon. D. A. DUNSTAN: I certainly have not got them here, Sir. I shall examine the matter and see whether I can provide assistance to the honourable member.

POLICE PATROLS

Mr. SLATER: Can the Chief Secretary say whether divisional police road patrols will be rostered for the forthcoming holiday period, as has occurred in previous years, in the interests of road safety? Will the campaign against persons driving vehicles whilst under the influence of alcohol be accentuated over this period?

The Hon. D. W. SIMMONS: I am pleased that the honourable member has asked this question because this is almost the last opportunity I have in the House before the Christmas period to draw the attention of everyone to the serious problem that exists during the holiday period regarding driving under the influence of alcohol. It is a period during which many motor vehicles are on the road in circumstances other than those in which the drivers usually drive, and is a period during which there is a fair amount of drinking because of the nature of the season, and these two factors make it a dangerous period in relation to traffic accidents. The police will make every possible attempt to have the roads patrolled as fully as possible during this time, and I am sure that there will be no easing in the campaign against driving under the influence of alcohol.

URANIUM

Dr. EASTICK: How does the Minister of Mines and Energy justify his claim that uranium mining is not now being undertaken in South Australia when reference is made to the definition of mining, mining operations, and mining operator in the Mining Act, 1971? Yesterday, in reply to my question, the Minister said:

> For some reason unknown to me, it seems that Opposition members want to say that exploration is the same as mining. That is simply not the case.

On page 812 of the 1971 Statutes the definitions of "mining or mining operations" are shown as follows:

> "mining" or "mining operations" means all operations carried on in the course of prospecting or mining for minerals or quarrying and includes operations by means of which minerals are recovered from the sea or a natural water supply; "to mine" has a corresponding meaning:
>
> "mining operator" means a person by, or on whose behalf, mining operations are carried out under this Act:

Further to this, it is clear from the Federal Opposition spokesman on mining, Mr. Uren, that he concurs with my view and that expressed in the South Australian Statutes, and he has said:

> The denials by the uranium companies that they are violating the recommendations of the Fox report do not ring true. The Ranger company's claim that its drilling was 'defining the ore body' is not correct. Ranger's drilling is testing the overburden, which is the initial stage of mining.

The reports that are coming back from the present exploration indicate action precisely as Mr. Uren has suggested. Given the endorsement by Mr. Uren and the definitions of the Mining Act, how can the Minister hold the opinion which he expressed in the House yesterday and which is completely contrary to the Act? It is apparent that the Minister's opinion is held because he has been boxed in by the extreme left wing of the Labor Party.

The SPEAKER: Order!

The Hon. HUGH HUDSON: One morning on *A.M.*, I heard recently the Leader of the Opposition in the Federal Parliament, Mr. Whitlam deal with a definitional question, namely, the meaning to be given to the Liberal Party's slogan "Doing the job". Apart from some rather rude conclusions he drew about various members of the Federal Liberal Government "doing a job", he also quoted from the Oxford Dictionary, which implied that the word "job" was defined as an activity that involved gaining some particular advantage probably pecuniary but certainly an activity that was not especially attractive or something that could be held up in public as a suitable activity for a political Party to be engaged in, unless of course one believes in the use of private interests in the way that certain representatives of the Liberal Party believe. One can play around with definitions to one's heart's content. I thought that on that occasion Mr. Whitlam was most amusing.

Mr. Mathwin: He always is.

The Hon. HUGH HUDSON: He is a witty man; I am glad I have the support of the member for Glenelg on that point. The question that arises in this case, however, is not something that can be got around by definitional juggling, such as the member for Light has attempted to indulge in. Exploration is quite clearly—

Dr. Eastick: Did you—

The Hon. HUGH HUDSON: I do not mind what the Act provides on this score because it also distinguishes quite clearly—

Mr. Dean Brown: You don't care what the Act says.

The SPEAKER: Order!

The Hon. HUGH HUDSON: I do not want to be subjected to the normal distortions of the member for Davenport. He has falsified so many things in this House that it is incredible.

The SPEAKER: Order!

The Hon. HUGH HUDSON: I do not mind how the Act defines "mining", because it makes quite clear that there are three forms of licence or lease: an exploration licence, a mineral claim, and a mineral lease.

Dr. Eastick: All are part of mining.

The SPEAKER: Order! The honourable member for Light has asked his question.

The Hon. HUGH HUDSON: He does not want the reply. That is typical of members of the Opposition.

The SPEAKER: Order!

Mr. Wotton: You give the answer and we'll listen.

The Hon. HUGH HUDSON: Speak for your colleagues, please.

The SPEAKER: Order! I hope the honourable Minister will get back to answering the question.

The Hon. HUGH HUDSON: It will depend on the number of interjections I get.

The SPEAKER: Order! Interjections are out or order.

The Hon. HUGH HUDSON: I know, but that does not stop them. The Act makes quite clear that there are three forms of licence: an exploration licence, a mineral claim, and a mineral lease. If the member for Light would care to read the Act he would ascertain that one cannot mine until one has a mineral lease. Anyone who has an exploration licence is not in a position to mine anything or sell anything.

Dr. Eastick: Exploration is mining.

The Hon. HUGH HUDSON: I know that the member for Light has a most peculiar use of the English language; we all understand that. We all understand his convoluted method of explaining things and of ratiocination generally. I am not responsible for the member for Light; I really am not. I do not have to take responsibility for his interpretations. The plain fact is that there is a clear distinction in the Act between what is exploration, what is a claim, and what is a lease for mining purposes. Only a lease permits mining. If anyone who has an exploration licence or a mineral claim attempts to mine the product and sell it he would contravene the Act and would be subject to the penalties thereunder. That is clear.

The second point that should be clear to members opposite, because it has been mentioned several times in this House, is that an exploration licence is not issued for a particular mineral. I am glad that the member for Light is gradually becoming expert on the provisions of the Act. I know it will take him a long time, but he is gradually getting there; no doubt with help from the member for Coles, he may even get better as the years go by. I hope that the honourable member will appreciate now that an exploration licence, if it is issued for minerals such as copper, uranium or any other of the general categories of mineral, is issued for minerals in general and not for a particular mineral. That is the law regarding the issue of an exploration licence.

Because of the way in which mineralisation occurs, many minerals are found together. Uranium is a common mineral, traces of uranium, thorium and things like that occurring in almost any mineral deposit, so there will be a trace of some radioactive substance in almost any mineral deposit that is ever discovered by anyone. If an exploration licence were issued for copper and people were allowed to explore for copper on that basis, there would be no guarantee that they would not discover other things. There is, however, a guarantee that they will not be able to mine anything, in the sense that they will not be able to exploit the resource, produce it from the ground in quantities, and sell it.

Mr. Arnold: Not until after the Federal election.

Mr. Mathwin: Not until after the election.

The SPEAKER: Order! I hope honourable members will cease interjecting.

The Hon. HUGH HUDSON: I have to object to what the members for Chaffey and Glenelg have said by way of interjection. I know that they judge statements made at election time by the standards set by members of their own Party and by the standards set by Mr. Fraser, namely, that they do not mean anything; they say anything in order to get into power. That is what Mr. Fraser did in 1975 and I know members of the Liberal Party accept that as the general approach to be taken in these matters. Members of this Government—

Mr. Mathwin: What about the Premier?

The SPEAKER: Order! The honourable member for Glenelg has interjected seven or eight times. I will not stand it any longer.

The Hon. HUGH HUDSON: So far as statements made at election time are concerned, members of this Government—

The SPEAKER: Order! I hope the honourable Minister will come back to the question.

The Hon. HUGH HUDSON: Mr. Speaker—

Members interjecting:

The SPEAKER: The Chair will decide that matter.

The Hon. HUGH HUDSON: I am happy to be placed in the gentle hands of the Chair. Members of this Government and of my Party are concerned about the statements made at times of elections. I can assure members and the public generally that, whatever divergent views there may be, the policies enunciated by the Labor Party on the question of uranium are strongly felt and held by the Government, and any suggestion that the approach taken is some kind of facade (which is the implication of the member for Light's question) is completely and utterly false.

I request members opposite to cease and desist from this type of misleading statement about and misinterpretation of the position taken. It is not true—it is a falsehood. The position of the Government on the matter of the mining of uranium will not change until the Government is satisfied that it is safe to export uranium to a customer country. I know the member for Light voted for that policy, and I know he has already shifted his position but, because he and his colleagues do not stick to a particular position for longer than a week or two, that does not mean he should judge everyone else by his own standards. I forgive the member for Coles because she did not vote for that resolution; she is a cleanskin, as is the member for Torrens. I hope that as cleanskins they might be able to persuade their colleagues to apply higher standards in future to the way in which they treat their votes (broadly speaking, the member for Light does not do this sort of thing), and not allow their Party to be traduced and subverted by the kind of immoral approach that is the bread and butter of the member for Davenport, for example.

Members interjecting:

The SPEAKER: Order! I hope that in future Ministers will curtail the length of their replies to questions.

ABORIGINAL TEACHING

Mr. GROOM: Can the Minister of Education say what advances there have been in the teaching of Aboriginal language and culture in South Australian schools? The report of the Aboriginal consultative group to the Schools Commission in June, 1975, expressed deep concern at the general lack of understanding and appreciation of Aboriginal and island culture in the wider Australian society. It went on to recommend the teaching of Aboriginal culture and language in South Australian schools. That was endorsed by the South Australian Council for Educational Planning and Research in January, 1977. The teaching of Aboriginal language and culture in South Australian schools would go a long way towards a better understanding of the problems facing the Aboriginal community.

The Hon. D. J. HOPGOOD: The honourable member, in effect, raises two problems. One, of course, is the instruction of young Aboriginal people in their language and culture. The other is the instruction of Europeans or people of European descent in that language culture. First, the Torrens College of Advanced Education has a course in Pitjantjatjara, and already at schools in the Far North of the State (Amata, Fregon and Indulkana, and places like that) young Aboriginal people are normally introduced to literacy skills via their own language. Only later, or course, do they come to literacy in the English language.

It is hoped that gradually the experience that the Education Department has had in this area, with the prime object of ensuring proper standards of literacy among young Aborigines, can be extended to classrooms where predominantly Australians of European descent exist. Much interest has been expressed in this matter. Aboriginal culture is an integral part these days of social study courses in our schools. At this stage, it has not occurred so far as language is concerned. One of the problems is still that there is in South Australia generally a considerable lack of knowledge amongst the community of European descent about Aboriginal culture and language. Unfortunately, that lack of knowledge occurs also among teachers.

Mr. Coker, who is the Superintendent in the field, has recently been overseas and collected much information about the way in which particularly Canadians have approached this problem in relation to their own Aboriginal population, the North American Indian. It is hoped that some of the teaching techniques and some of the curricula materials that have been applied to that problem can also be applied to the more or less parallel problem that occurs here with our Aboriginal population. Mr. Coker will be conducting some in-service courses next year and in subsequent years so that teachers who have been out teaching far longer than the Torrens College course has been available will be able to obtain some knowledge of and expertise in this area. In this way it is hoped that the sorts of aims that the honourable member obviously has in view can be realised.

MINING ROYALTIES

Mr. DEAN BROWN: Can the Premier say whether, if Esso is allowed to mine any minerals on Plumbago Station, the State Government will pay the royalties to the Aborigines in view of the fact that the mining will occur on a declared Aboriginal historic site or reserve?

The Hon. D. A. DUNSTAN: So far as I am aware, there is no prospect presently of Esso's mining any minerals on Plumbago Station. I am not aware of any proposition for mining currently. Of course, they are under notice that they will not be able to mine uranium, so we do not anticipate mining of that kind. At this stage, there is no proposition for mining—

Mr. Dean Brown: Just answer the question!

The SPEAKER: Order! The honourable member for Davenport has asked his question.

The Hon. D. A. DUNSTAN: The honourable member asked whether, in the event of there being—

Mr. Dean Brown: Will you—

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

The Hon. D. A. DUNSTAN: If the honourable member does not understand that, if he puts out a hypothesis, I have to deal with that, it is plain that he does not understand most of the things that happen in the House.

The Hon. Hugh Hudson: He's dead from the neck up.

The SPEAKER: Order! The honourable Minister is out of order.

The Hon. D. A. DUNSTAN: Let me make clear that there is no prospect of mining on Plumbago Station at present. The Government does not foresee the granting of a mineral lease on the station. The second part of the question is basically wrong, too. This is not Aboriginal land.

Mr. Dean Brown: It's a reserve.

The Hon. D. A. DUNSTAN: It is not an Aboriginal reserve.

Mr. Dean Brown: The Federal Minister would disagree with you.

The Hon. Hugh Hudson: He's wrong.

The SPEAKER: Order! I have already spoken to the honourable member for Davenport and, if he does not cease interjecting, I will warn him.

The Hon. D. A. DUNSTAN: The honourable member has had his Federal colleagues make a whole series of utterly false statements. I have in my possession the front page of the *Bendigo Advertiser* that displays big black headlines from the Prime Minister saying "Stockpiling of uranium in South Australia". This is not a claim but a statement of fact: that the stockpiling of uranium is taking place in South Australia at the moment. That is absolutely false and completely baseless.

The Hon. Hugh Hudson: A little Liberal liar.

The SPEAKER: Order! The honourable Minister is out of order.

Mr. DEAN BROWN: Mr. Speaker, I ask the Minister to withdraw the statement and to apologise, as Standing Orders require.

The SPEAKER: I ask the honourable Minister to withdraw.

The Hon. Hugh Hudson: I withdraw the word "liar".

The Hon. D. A. DUNSTAN: Plumbago Station is not an Aboriginal reserve. It has been declared a historic reserve. In relation to mineral royalties for Aborigines in South Australia, the honourable member should be aware that the Government's policy is that royalties will be paid, in respect of specific Aboriginal lands, to the Aboriginal Lands Trust or to the lessees from the trust of Aboriginal lands. That policy was adopted by the Labor Party but opposed by the Liberal Party, and I tried to incorporate that policy in the original Aboriginal Lands Trust Act, but that was refused by the Liberal Party in the Legislative Council at that time.

The Hon. Hugh Hudson: And voted against by the Liberals in the Lower House.

The Hon. D. A. DUNSTAN: Yes, and I, as the Minister concerned, subsequently made an indenture with the trust to provide, by indentured contract between the Government and the trust, that royalties in respect of Aboriginal land would be paid to the trust in full. That was bitterly condemned by the Liberal Party at the time. Certainly, the honourable member was not around in politics in South Australia at that time. I think that he was having something to do with some student representation at a college in another State. I will not go on with that now, but he knows to what I am referring. The fact is that the Labor Government will see to it that, in respect of Aboriginal land, royalties are paid for minerals to Aborigines. That is our policy, but Plumbago Station is not Aboriginal land, an Aboriginal reserve, or an Aboriginal historic reserve: it is simply a historic reserve, as the Minister explained to the House yesterday.

EDUCATION APPOINTMENT

Mr. DRURY: Is the Minister of Education aware that Mr. Kearns, who has been the councillor to UNESCO and the O.E.C.D. within the Australian Embassy in Paris, is not to be replaced? In view of the great benefits that Australian education has reaped from Mr. Kearns's position as the only official representative of Australian education in Europe, will the State Government make representations to the Commonwealth to have this decision reversed?

The Hon. D. J. HOPGOOD: The honourable member indicated his interest in this matter to me, and I searched the files, because I was aware that I had made representations to the Premier about it. In fact, the Premier wrote to the Prime Minister on October 20 requesting that the matter be reviewed. The position of Mr. Kearns in Europe has been quite critical to our general contacts with opinion on educational matters in Europe and also in North America. I have the testimony of quite a few of our people who have gone overseas in recent years and who have been assisted considerably by Mr. Kearns in his position. Recently, the Chariman of the Childhood Services Council (Justice Olsson) was in Europe and had contact with Mr. Kearns. Mr. Doug Anders, the Executive Officer of the South Australian Council for Educational Planning and Research, is also high in his praise mainly of the way in which Mr. Kearns has filled this position, but indeed of the importance of the position itself. I understand that all States, irrespective of the political colouration of the State Administration, are concerned about losing this most valuable position. So far as I am aware, the Premier has received no reply from the Commonwealth to the submission placed before the Prime Minister on October 20.

APPRENTICES

Mr. NANKIVELL: Will the Minister of Transport obtain from the Minister of Labour and Industry information on matters concerning pre-apprenticeship training, as follows: first, did officers of the Labour and Industry Department recently act as an interviewing panel to interview applicants for training under the second Commonwealth Government pre-apprenticeship training scheme; secondly, is it correct that of some 400 non-school-going applicants interviewed only a few (I believe 12) were recommended, and that the available places in the course had to be filled by schoolgoing persons; if this is so, will the Minister obtain a report from the officers concerned as to why so few students or non-schoolgoing applicants were accepted? This is a most serious matter and must be a reflection on the educational standards of the students concerned.

The Hon. G. T. VIRGO: I shall refer the matter to my colleague.

CAVAN BRIDGE

Mr. GROTH: Will the Minister of Transport say when the bottleneck at the Cavan bridge will be overcome? For some time now, constituents living in the northern districts (not only in my district but in others) have complained bitterly about the traffic build-up existing at peak periods at the Cavan bridge. Representations have been made to the Minister many times. I realise that the Minister has done his best and, with that in mind, I now ask whether he is able to give any information on the matter.

The Hon. G. T. VIRGO: Yes, I am able to provide some information, and it is good news, although it does not constitute immediate relief, nor can any solution. On-site activity is now commencing, and on Sunday next the pile-driver will be on the existing bridge, called for simplicity the Cavan bridge (although it is a mile away from Cavan), driving sheet piling ready for the concrete structures. The other good news is that we have saved a few months through negotiations with the Minister of Marine. The building of the bridges at that location will be undertaken by the Marine and Harbors Department, which has just successfully completed bridges over the railway line at Grand Junction Road, and those resources will be transferred to Cavan, so that the department will undertake that work. This will mean a reduction in time taken, will also provide a fillip for the resources of the Marine and Harbors Department, and will ensure that the people of South Australia will get a very good job.

At this stage, the contract that has been let to the department will be to build bridges over the existing railway lines. We still have not received from the Federal Minister any assurance in relation to the standard gauge track. The Federal Minister has been informed of the position and told that we must have a decision from him by March or April, otherwise there will be further undue delays in completing this necessary work. I hope that we will be able to get from Peter Morris the answers that we cannot get from Peter Nixon.

BUNDALEER FOREST

Mr. VENNING: Will the Minister of Mines and Energy ask the Minister of Agriculture whether he places any real importance on the fire hazard associated with the Bundaleer forest at Jamestown and, if he does, whether he will take the necessary action to control the hazards in Bundaleer forest? I have a copy of a letter from the Clerk of the District Council of Jamestown which states:

> At a recent meeting it was brought to councils attention that both the forester and the foreman at the Bundaleer forest were transferred out of the area just before the commencement of the prohibited burning season.
>
> These two officers of the Woods and Forests Department were the only two fire control officers at the forest, and at this time there is no resident fire control officer at Bundaleer.
>
> I have been instructed by council to advise that it considers the transferring of fire control officers who know an area at the commencement of a fire season to be completely irresponsible, and certainly shows a lack of foresight by the department.

The Hon. G. T. Virgo: What's the date of the letter?

Mr. VENNING: December 2.

The Hon. HUGH HUDSON: I will refer the matter to my colleague, but I am confident that the imputations brought against him by the honourable member are completely without foundation.

WHYALLA HOSPITAL

Mr. MAX BROWN: Will the Minister of Community Welfare discuss with the Minister of Health the question of the present bed occupancy of the Whyalla Hospital and the obvious problem at present of keeping beds vacant in case of emergency? I am aware that the Whyalla Hospital has developed into a base hospital, even more so now because of some referral of patients to the hospital by the Flying Doctor Service. I am also aware that the Government intends to proceed with extensions to the hospital as soon as possible, but I raise this matter on the basis that, if some examination was made of the position, temporary adjustments could be made to ease the overcrowding of bed occupancy now being experienced at the hospital.

The Hon. R. G. PAYNE: I shall be delighted to raise the matter with my colleague. I have some recollection of this matter being put forward when I was a member of the Public Works Standing Committee at a time when it was considering those extensions. I assure the honourable member that I will take up the matter with my colleague.

FARM BUILD-UP SCHEME

Mr. BLACKER: Will the Minister of Mines and Energy ask the Minister of Agriculture whether the Government will review the procedures now being adopted in the processing of claims under the Rural Industries Authority Farm Build-up Scheme. It has twice been brought to my notice in the past few days that applications for farm build-up have been shelved until all drought relief applications have been dealt with. On making further inquiries, I have been told that the staff of the Rural Industries Assistance Authority have been instructed to give preference to drought assistance applications, which has meant that no members of the Rural Industries Assistance Authority staff are working on farm build-up applications. I have been told that it may be mid-March or April before these applications can be processed.

The Government would be aware that these applications for farm build-up are being lodged as a result of an option that the vendor has granted. Because it is normal for land transactions to occur at this time of the year and that possession normally occurs at the end of the agricultural year, namely, March 1, the farm build-up scheme has been rendered virtually inoperative for the 1977-78 year.

The Hon. HUGH HUDSON: I shall refer the matter to my colleague and see that the honourable member gets a reply as soon as possible.

MANSFIELD PARK SCHOOL

Mr. BANNON: Is the Minister of Education aware of the urgent need to resolve the problem of inadequate accommodation at Mansfield Park Junior Primary School, and, if he is, what action is being taken to solve it? The buildings occupied by that school are old and extremely dilapidated. I believe that there is a general consensus that there is a need to do something about the situation. I understand from information I have received that a number of different options are being discussed in relation to this matter, one of the most interesting being a proposition that year 6 and year 7 of the primary school be moved from their modern recently constructed building to new buildings being erected in The Parks High School and that the Junior Primary School then be moved into the accommodation so released, thus allowing the dilapidated prefabs to be demolished. At the Parks High School this procedure would create what is known as a middle school, a new concept in education which, as I understand it, has not been tried in South Australia. This is one of the propositions that has come to my attention, and that is the reason for my asking the question.

The Hon. D. J. HOPGOOD: I cannot give the honourable member a definite time table at this stage, but I can make one or two comments about the specific suggestion he has brought forward. Personally, I do not favour the middle school concept as something that we should introduce on a State-wide basis—something that would involve a radical restructuring of our present primary school and high school concept. In some ways it could even run counter to the year 1 to year 12 type of feeling which tends to be looked on with much favour by educationists at present and which is exemplified in our area schools. Increasingly, those schools are conducting matriculation classes. It also is exemplified by our desire, wherever possible, to build primary schools and high schools in new areas on a common campus.

However, I would not rule out the middle school concept as a possibility for resolving a particular problem in a particular area. The matter has been considered at various levels of education in South Australia. Mr. Anders, of the South Australian Council for Educational Planning and Research, investigated this matter when he was overseas and came back with good reports about it. The Catholic Education Office has also closely considered the matter with a view to resolving some of the troubles it has in the south-western suburbs. As I understand it, it is an option that the Catholic Education Office will be adopting in its system, not as a general resolution to a problem but as a specific answer to a specific problem in a specific area. Getting back to the nub of the honourable member's question, the Mansfield Park problem is being closely investigated. It presents a good opportunity for us

to do something along the lines he suggests without creating a dangerous precedent for the rest of the system. Once I am in a position to give more specific information to the honourable member I will do so.

PREMIER'S PREDICTIONS

Mr. EVANS: Does the Premier now admit that his and other A.L.P. spokespersons' wild predictions of what would happen if a Liberal and National Country Party Government was elected in 1975 were gross exaggerations and nothing more than scare tactics?

The Hon. Hugh Hudson: Are you putting your neck on the chopping block?

The SPEAKER: Order!

Mr. EVANS: The Minister of Mines and Energy should be the last member interjecting, after his statement during Question Time today about wild predictions. I seek your leave, Sir, and that of the House to explain the question.

The SPEAKER: Order! I should like the honourable member to ask his question. I could not hear what he was saying because there were so many interjections.

Mr. EVANS: My question was whether the Premier will now admit that his and other A.L.P. spokespersons' wild predictions of what would happen if a Liberal and National Country Party Government was elected in 1975 were gross exaggerations and nothing more than scare tactics.

The Hon. D. A. DUNSTAN: I do not know to what the honourable member is referring.

Mr. EVANS: With your permission, Sir, I should like to explain. You asked me to repeat my question and I thought that you were going to make a decision. On December 5, 1975, Mr. Hayden, at page 9 of the *Advertiser,* under the headline "Hayden tips big inflation", stated that the Liberal-National Country Party's economic proposals would bring an inflation rate of at least 20 per cent. That was the former Treasurer of the time, Mr. Hayden, who made that comment. On Friday, November 21, 1975, Mr. Whitlam claimed that Fraser's policies could lead to 1 000 000 unemployed in the new year.

The Hon. G. T. Virgo: We haven't got to that yet.

Mr. EVANS: That was two years ago. On December 6, 1975, in the *Australian,* Hawke predicted that there would be 1 000 000 jobless under Fraser.

The SPEAKER: Order! I do not believe that that has anything to do with the Premier. I believe that the matter is not the responsibility of the Premier in any way.

Mr. EVANS: I will refer to the Premier's responsibility in this field. In the *News* of December 9, 1975, under the headline "One million jobless under Libs—Dunstan" (a report written by Rex Jory) is the prediction by the Premier, Mr. Dunstan, that unemployed would reach 1 000 000 and that inflation would approach 30 per cent under a Liberal and National Country Party Government.

The SPEAKER: Order! At times I have ruled regarding the asking of political questions. I believe that the honourable member has risen many times about that matter. This time I believe that he is stepping in that direction, and I hope that he will not continue in that vein.

Mr. EVANS: Are you ruling, Sir, that I cannot ask the Premier of this State about predictions he has made in the press? This has nothing to do with politics. The Premier made a prediction in the press that this country would face 1 000 000 unemployed under a Liberal and National Country Party Government and that inflation would approach 30 per cent in the year immediately following the 1975 election. Are you ruling, Sir, that I cannot ask the Premier to admit that he was wrong in that prediction?

Mr. Goldsworthy: That makes him a liar, doesn't it?

The SPEAKER: Order! I want the honourable Deputy Leader of the Opposition to withdraw that remark.

Mr. GOLDSWORTHY: I withdraw the word.

The SPEAKER: Unconditionally?

Mr. GOLDSWORTHY: However you like, Mr Speaker.

The Hon. D. A. DUNSTAN: I agree that the prediction I made at that time was a too-high level of inflation and unemployment. However, I point out that the prediction of the Liberal Party was for a reduction in inflation and a reduction in unemployment, neither of which occurred, either.

Mr. Evans: Inflation has.

The SPEAKER: Order! The honourable member has asked his question.

The Hon. D. A. DUNSTAN: On the contrary, inflation did not decrease during that next year at all, and, in addition, unemployment markedly increased so that within a year there were over 66 000 more unemployed than when the Federal Government took office. At the moment, the position is that the Federal Government's own figures demonstrate that there will be more than 430 000 unemployed at the beginning of next year.

Mr. Mathwin: Not a million.

The SPEAKER: Order! I warn the honourable member for Glenelg for the final time.

The Hon. D. A. DUNSTAN: Quite clearly members opposite seem to contemplate this fact with great equanimity and regard the promises made by the Federal Government, that it would reduce inflation and unemployment, as matters of no moment, since it has not managed to do this.

CRAIGMORE PRIMARY SCHOOL

Mr. HEMMINGS: Can the Minister of Education say when work will commence on the proposed primary school at the Craigmore subdivision? The South Australian Land Commission Annual Report for 1976-77, when dealing with the development at Craigmore (page 11), states:

> Planning is under way for the integrated development of retail and community facilities in close proximity to the proposed primary school.

The same report states that development projects or allotments completed during 1976-77 at Craigmore totalled 1 180, and 190 projects would be completed in 1977-78. The South Australian Housing Trust is currently building houses on many of these allotments. Many young families in the area are faced with the problem of having to travel up to 5 kilometres to take their children to the Elizabeth Downs Primary School. This situation is also causing some difficulty in the size of classes at the Elizabeth Downs school.

The Hon. D. J. HOPGOOD: I appreciate the honourable member's concern about this matter. The Craigmore subdivision is proceeding extremely well and shows the benefit of good planning on the part of the Land Commission and the Minister for Planning. It is important that my department should play its part to ensure proper standards of educational provision for the children of the pioneers of that subdivision.

I cannot tell, without checking with my department, exactly when operations will commence. The last time I checked with my departmental officers the planning and necessary preparation work were up to schedule. The target was for occupation at the beginning of the 1979 school year, and that it was possible that the school would be ready for occupation some time in late 1978, before the

beginning of the 1979 school year. I will check further with my department to ensure that that is the case and I will do all I possibly can to ensure that that schedule is adhered to.

At 3.15 p.m., the bells having been rung:

The SPEAKER: Call on the business of the day.

CRIMINAL LAW CONSOLIDATION ACT AMENDMENT BILL (No. 2)

Mr. GOLDSWORTHY (Kavel) obtained leave and introduced a Bill for an Act to amend the Criminal Law Consolidation Act, 1935-1976. Read a first time.

Mr. GOLDSWORTHY: I move:

That this Bill be now read a second time.

This Bill is introduced to seek a remedy to a situation in relation to abortion reporting that is clearly unsatisfactory. It is not intended to canvass in this second reading explanation the wider debate which obviously still continues in the community in relation to South Australia's abortion law, but the Bill is designed to ensure that the public debate will be better informed. The committee chaired by Sir Leonard Mallen, which was established to report annually on abortion in South Australia, has consistently recommended changes as envisaged in this Bill.

Even a cursory scanning of those reports indicates the committee's concern. For the information of members, I will quote briefly from the last three reports of the Mallen committee in relation to the matters encompassed in the Bill. The report for the year 1974 states:

> [Under "Recommendations"]
>
> The committee reiterates its previous recommendation that it be mandatory for all hospitals to notify the Director-General of Medical Services of all abortions carried out.
>
> [Under "Complication Rates"]
>
> The committee is not satisfied that complications following abortion procedures are being reported accurately or in full. The fact that in 5·89 per cent of reports complications or their absence are not stated indicates a degree of lack of information which could have a statistically significant effect on this problem. The committee recognises that this percentage probably includes a number of patients who, for various reasons, have not presented for follow-up. One aspect to be considered is that when long-term "sequelae" of abortion come under review this information will be of considerable importance.

The 1975 report, under the heading "The Act and the Regulations", states:

> The committee is of the opinion that better administration and more reliable statistics would result from reporting by all hospitals to the Director-General of Medical Services of abortions performed.

In relation to "Complication Rates", the report states:

> The committee is still not satisfied as to the accuracy of reporting complications and is aware that complications have occurred later than the fourteenth post-operative day and have not been reported. There are multiple factors which work against the accuracy in this reporting; these include:
>
> Delayed or late complications after the fourteenth day.
>
> Failure of the patient to return to the Surgeon when complications occur.
>
> Failure to recover the Schedule and note the complication especially when the patient may be seen by another doctor.
>
> Finally, the incidence of long-term complications.
>
> The committee also feels that a reported incidence of 4·8 per cent of complications, even if accurate, is surgically unacceptable in a procedure which is popularly regarded as minor. Figures for the six years previously stated in this report emphasise these opinions in that the "not stated" percentage remains in the region of 5 per cent and the incidence of reported complications shows remarkably little variation. Inaccuracies and omission of details of complications are adverse to the accuracy of the committee's researches.

The most recent report (1976) states:

> It was noted, with interest, that the report of the committee appointed to report on the development of obstetrics and gynaecology and related resources in South Australia (the Nicholson committee) supports the recommendations previously made by this committee that hospitals should be obliged to report to the Director-General of Medical Services abortions carried out in each hospital and that notification of complications should be compared, and that these should be implemented by regulation.

The recommendations were as follows:

> 1. *(a)* This committee is not convinced that statistics as compiled are accurate, and has reason to believe that not all abortions are reported and that the reporting of complications is quite inaccurate. For example, in the report of the social worker attached to Queen Victoria Hospital (Mrs. Squires) it is stated that, out of 247 patients aborted over a six months period "there were only 32 readmissions, the majority of them due to retained products", which is a complication rate of 13 per cent and which cannot be reconciled with the 3·3 per cent complication rate appearing in these official statistics. Furthermore, all these were readmissions to the original hospital, whereas it is at least possible that other similar complications may have occurred among women from country areas who would then be treated locally in their own district hospital.
>
> Furthermore, it appears that these readmissions were due principally to retained products and therefore urgent haemorrhage. The committee would be interested to have information about less urgent, if equally serious, complications such as pelvic infection, which may not require readmission and may even be treated as outpatients. The committee cannot accept the view that, where such a discrepancy is manifest in the case of one teaching hospital, other similar institutions are beyond reproach. It is believed that mandatory reporting of abortions carried out by the hospital at which the operation is performed would correct, to a larger extent, the first anomaly by ensuring that abortions were all reported as such.

The Nicholson committee report, referred to above, states:

> Not all terminations of pregnancy or complications arising therefrom are reported accurately or in full.

The report recommended as follows:

> The recommendations of the Mallen Committee with regard to reporting of abortions by hospitals, and notification of complications, should be implemented.

The repeated request by the Mallen committee, reinforced by the report of the Nicholson committee, for action to ensure accurate reporting of abortions and complications is a matter requiring the attention of this House. It is a farcical situation where reports are commissioned by a Minister, laid on the table in the House as Parliamentary Papers, and reasonable action is advocated, but no action results. The Bill will not result in any difficulty for hospital administrators, and the current regulation requiring doctors to report should be rescinded. The benefits of the Bill to the community at large should be obvious.

Clauses 1 and 2 are formal. Clause 3 makes it mandatory for the Superintendent or Manager of a hospital to notify abortions and complications.

Mr. BANNON secured the adjournment of the debate.

EDUCATION

Mr. ABBOTT (Spence): I move:

> That this House notes that the Commonwealth Education Commissions have a charter to examine the needs of education in Australia and make appropriate recommendations to the Federal Government for the funding of Government and non-government schools and other educational institutions in the States and Territories.
>
> Accordingly, the House deplore the recent decision of the Commonwealth Government whereby specific and very restrictive guidelines have been given to the commissions. A clear undertaking that payments for recurrent costs to schools and universities would, in this financial year, be escalated by 2 per cent in real terms has been repudiated, and there is to be no indexation of capital costs for any of the education sectors.
>
> This House therefore calls upon the Commonwealth Government to restore growth to education funding and to withdraw the guidelines recently given to the commissions.

This motion should have no opposition. If members opposite oppose it, they should be condemned in exactly the same manner that we, the State Government, the education administrators, parents and teachers throughout the State are condemning the Fraser Government.

The most recent announment by the Fraser Administration about cutting financial commitments to education is typical of the attitude of a long line of conservative Governments in Australia—the Menzies, Holt, Gorton and McMahon Governments, all of which believed that education was the complete responsibility of the States and that the Federal Government ought not to be concerned with it.

Concerned parents and teachers have held many meetings and rallies on the question of funds for education. They have produced thousands of leaflets telling people about the serious matters concerning schools and education. They recognise that money, schools and education are sensitive issues. Everyone pays taxes to provide money for schools, and people are rightly asking how this money is spent. The fact is that Australian schools are going backwards because the Federal Government is spending less money in real terms on public schools, but private schools actually get more money, yet their financial needs are less than those of public schools. The last Federal Budget spelt that out quite clearly. At the same time, many trainee teachers will not obtain employment when they finish their courses at the end of this year; they will join the hundreds of teachers who are already unemployed as a result of a lack of education funding.

The broken promises on education funding by the Federal Minister for Education, Senator Carrick, are a blow below the belt to all those concerned with real educational justice for children and parents. Senator Carrick repeatedly stated that he and the Federal Government stood firmly by their published policies and pledged election promises. Teachers expected that the statements would give effect to the Liberal and National Country Party education policy as announced in October, 1975, which in part stated:

> We will encourage the right of parents to choose schooling for their children. We support the concept of a basic grant for all pupils, irrespective of whether they attend Government or non-government schools. Our funding will give effect to the principle that Government has a responsibility to provide a basic guaranteed subsidy to benefit pupils at every school. We reaffirm our belief that basic recurrent grants should be provided on a pupil per capita basis, calculated on a proportion of the cost of education at a Government school. Where pupils are subject to educational disadvantage, we will ensure they receive extra financial support.

Given that policy and the many earlier statements on educational justice made by both Prime Minister Fraser and Senator Carrick, one would expect any responsible Government at least to honour the pledges it had made, pledges that included the provision of basic, recurrent grants on a per pupil basis plus additional assistance to pupils subject to particular educational disadvantages.

The Fraser Government can no longer be trusted on any issue. What it has done in relation to education is turn the clock backwards. It is interesting to note that the shadow Minister of Education (the member for Mount Gambier) will be moving that the House commend the Commonwealth Government for maintaining a high level of expenditure on education. I will quote a letter written to him by a teacher from the Hampstead Primary School (Josephine Diorio), as follows:

> The Schools Commission and technical and further education funding guidelines announced by the Federal Government on June 3 will cause extreme deterioration in education capital and recurrent programmes throughout Australia if not amended. We implore you to consider the following:
>
> We reject the guidelines as unwarranted interference with the commission's task of making independent funding recommendations according to needs.
>
> I request the Federal Government to require the Schools Commission to report upon the needs of Australian schools and make recommendations about funds required to meet those needs.
>
> Given that the Government proposes an allocation of $571 000 000 in December, 1976, cost levels, we ask the Government to allow the commission to recommend allocations of funds according to need within that budget. We specifically reject as unwarranted interference attempts by the Government to direct the commission to cut funds in certain areas and apply these funds elsewhere.
>
> We call upon the Federal Government to honour its promise to sustain at least 2 per cent growth rate in real terms for educational funding in 1978.
>
> We call upon the Federal Government to provide for full cost supplementation for education funds, and reaffirm the principle of funding according to need as detailed in the June, 1975, report of the Schools Commission.

That teacher has permitted me to use the reply that was forwarded to her by the shadow Minister, as she was so angry at and depressed by it. He replied as follows:

> Dear Ms. Diorio,
>
> Thank you for your letter regarding the freezing of Government funds for education. While I, too, share your disappointment, it is interesting to note that considerably more action is being incited by the South Australian Institute of Teachers than was the case in 1975 when the Federal Government pruned $105 000 000 from the education budget. Perhaps I am being cynical, but the present situation has been brought upon by the total irresponsibility of the previous Federal Administration and perhaps we are lucky that we are not bankrupt, let alone simply maintaining the spending of 1976.
>
> However, I hope that the present restraint is only a temporary move and that in fact by curbing inflation the Federal Government will have increased the money available

for education by more than 2 per cent by the end of this current year. You will recall that inflation was running at the rate of 18 per cent early in 1976 and is now down to 10 per cent and falling. Thank you for your expression of concern.

That letter was signed by Mr. Allison, the shadow Minister of Education, who has on the Notice Paper a notice of motion indicating that he intends to move that the House commend the Commonwealth Government for maintaining a high level of expenditure in respect of education.

In 1973, after 20 years or more of continual struggle by parent and teacher organisations, we saw the establishment of the Schools Commission as an educational body. That was the first public recognition by a Federal Government that it had a major responsibility to fund schools and school systems according to the need rather than for political expediency. On December 13, 1972, when giving his first press conference, the then Prime Minister (Mr. Whitlam) announced details of the Karmel education inquiry: that is how important the Labor Party considered education—it gave education No. 1 priority. When making a Ministerial statement in the Federal Parliament on May 30, 1973, the then Minister for Education (Mr. Beazley) tabled the Australian Schools Commission Report of Interim Committee, and stated:

This report, which represents the unanimous views of the Interim Committee for the Australian Schools Commission, is a document of major significance for Australian education. Its recommendations for 1974 and 1975 are based on the long-term aim that by the end of the present decade Australian schools should all have reached acceptable standards. They regard the educational lag in Australia as most formidable. The quality of this report is outstanding. The Government owes its gratitude to this committee which in less than five months has surveyed primary and secondary education in Australia and has proposed solutions to the deficiencies found. This report outlines the most serious of these deficiencies. Most schools lack sufficient resources, both human and material.

Among schools there are gross inequalities, not only in resources but also in the opportunities they offer to boys and girls from varied backgrounds. In particular there are many city schools which draw their pupils from populations that suffer grave socio-economic disadvantages. There are handicapped children for whom quite inadequate opportunities for schooling exist. The quality of education leaves much to be desired. Many teachers have been inadequately trained.

Curricula and teaching methods tend to be unresponsive to differences between pupils and are narrow in relation to the possibilities of life in a complex technological society. The committee made valuable recommendations concerning functions and structure for the future Schools Commissions.

The Minister, continuing, drew special attention to the values which had informed the committee's deliberations, as follows:

The pursuit of equality in the sense of making, through schooling, the overall circumstances of children's education as nearly equal as possible; the attainment of minimum standards of competence for life in the modern democratic industrial society; the concept of schooling as a way of life as well as a preparation for life; the notion of education as a life-long experience of which attendance at primary and secondary schools is one phase; diversity among schools in their structures, curricula and teaching methods; the devolution, as far as practicable, of the making of decisions to those working in or with the schools—teachers, pupils, parents and the local community; and the involvement of the community in school affairs.

He also said:

The work of the interim committee is outstanding. I wish to express to Professor Karmel and every member the deep gratitude of the Australian Government. This will be expressed personally in letters, but the nation is deeply indebted to them and that indebtedness should be recorded in this House.

Ironically, the speech which followed the tabling of that report was made by Mr. Fraser, the then shadow Minister for Education, and if members care to read that speech they will discover what a hypocrite the Prime Minister really is. He accused both the former Prime Minister and the Minister for Education of issuing directions to the committee. That is the very thing that the Fraser Government is now doing: interfering with the commission's task of making independent funding recommendations.

The Schools Commission Act, 1973, established commissions of expert advisers rather than a vast centralised administrative machine. Diversity and innovation in education at the school level are desirable. The legislation, therefore, set up an efficient, impartial body to examine, identify and determine needs of students in Government and non-government schools at the primary and secondary levels in Australia.

It is clear that the commission's duty is to advise the Government on the best means of meeting those needs and on the resources which will be available to achieve the desired ends. Needs include the need to provide scope and opportunities for the gifted, as well as effective education for those who are in any way disadvantaged. In particular, the commission was required to advise on a vital range of educational problems. Child migrant education, children disadvantaged for cultural and linguistic reasons, were to be considered for special help. Aboriginal children were covered by the reference to ethnic disadvantage, isolated children were covered by the reference to geographic disadvantage, and poor children by the reference to social and economic disadvantage. All in all, it was a tremendous piece of legislation.

At the 1969 and 1972 Federal elections, a new element of debate was introduced into the discussion of education, because the Labor Party had promised to take a greater interest in and far more responsibility for the education of Australian children, and it believed that the only way in which it could get some sort of equality of education was for the Federal Government to use its resources to supplement what was being done in the various States. It was obvious immediately following the election in 1972, and even before the Parliament met Mr. Whitlam held a press conference and gave top priority to the establishment of the Karmel inquiry into education.

The Karmel report was tabled in the Parliament on May 30, 1973. It made certain recommendations regarding expenditure. It said that, if the Government was serious about achieving equality of education in Australia, it had to make certain financial commitments. Those commitments were met in full in the first Whitlam Budget, in 1973. All the recommendations of the Karmel committee were met in full by the Government in that Budget.

It set up a pattern whereby, by the end of the 1970's, there would be a certain standard of education for every child in Australia, because the whole concept of the Karmel report was that money should be spent in areas of need. It was found by the Karmel inquiry that hundreds of thousands of children were attending schools which it classified as disadvantaged, and the concept of the Australian Schools Commission was to see that those schools were brought up to a certain level of education so that there was no discrimination in the job opportunities of the children once they left school.

The old concept of conservative Governments was to look at education at the top end: to look after the universities. The attitude of Menzies was always that pouring money into the universities would produce the best educated people. The whole philosophy of the Liberals had been discredited by the fact that primary, secondary, and technical schools had been ignored by a succession of Federal Governments, so that, by world standards, we had few children matriculating as compared with some of the other developed Western nations with which Australia would compare itself.

The Australian Schools Commission changed all that. It was a commitment which people around Australia applauded; not only in the western region of Adelaide, part of which I represent, but right throughout Australia, one has been able to witness the material benefits to schools and the psychological benefit to schoolchildren of the massive financial input and the ideas of the Australian Schools Commission.

To interfere with this train of events, as has been announced by Carrick and Fraser over past months, is to condemn thousands of children to an inferior form of education. That does not worry this Federal Government, because it considers education, social welfare, or any other form of Government intervention in areas which may be described as working class areas as being expendable, because it knows the people would vote for Labor people and it considers that these areas can be ignored in order to spend more and more of its finances in the middle class areas. Thus, we have this extraordinary statement by Carrick that the Government will spend less in the Government schools, or less in the needy schools, whether Government or private (in this case the Catholic primary schools), and will spend more in the wealthy privileged schools.

As Professor Karmel said, in the Government school system throughout Australia we have reached only 28 matriculations per 100 students, whereas the wealthy privileged elite private colleges have a percentage of 91 matriculations per 100 students. One can see the sort of commitment Governments will have to make continually to education so that we can lift those in need to an acceptable standard of education to meet the requirements of society. In this way, the children are not disillusioned with what may be available to them when they leave school, the parents are not disillusioned about the training their children are being given at school, and industry and commerce are not frustrated by having a less than well educated work force available to them.

Let us look briefly at the record of the Labor Government on education. Since December, 1972, the Australian Labor Government had accepted a major commitment in the provision of funds for education. Most of the programmes came into operation from the beginning of the 1974 calendar year. In six months the amount spent on education doubled, and in the first 12 months the amount quadrupled, rising from $443 000 000 in 1972-73 to $1 672 000 000 in 1974-75. The programme for libraries, disadvantaged schools, special education, and teacher development in areas of special need forged ahead under Labor; 1 023 schools were receiving supplementary grants under the disadvantaged schools programme.

On January 1, 1974, the Australian Labor Government, in accordance with its stated policy, abolished fees in technical colleges, universities, and colleges of advanced education. The secondary allowances scheme was introduced in 1974 to assist families with limited financial resources to maintain their children during their last two years of secondary education. Country children living in isolated areas were able to complete their schooling on a footing equal to that of city children, after having been neglected for 23 years by the Country Party. The scheme to assist isolated children provided allowances as a contribution to the additional costs those families must meet where it was necessary for them to board their children so that they could attend school.

At the beginning of 1975, the Australian Labor Government introduced the adult secondary education assistance scheme, providing benefits to enable adults to complete secondary schooling in a way similar to the assistance provided for those people attending tertiary education institutions. Special assistance had been provided to enable Aboriginal people to complete schooling, and higher education courses were introduced.

Expenditure on migrant education during the 1975-76 financial year would have reached $24 000 000, but of course that programme is now in jeopardy. In the adult area special attention was being directed to the part-time accelerated and full-time courses of instruction. The number of children receiving instruction under the child migrant education programme would have reached more than 92 000 if the Labor Government programme had been continued. It is no wonder that the Governor-General designate, Sir Zelman Cowen, attacked the education cutbacks. I should like to quote from an article appearing in the *Australian* on August 9, as follows:

> In his annual report as Vice-Chancellor of the University of Queensland, he said the university would continue to press the case for adequate resources to perform its tasks appropriately and to develop proper standards. Sir Zelman said hope of expansion and increased resources to provide higher quality work were dashed by the Budget decisions of 1975 and 1976.
>
> "We are disappointed that the expectations of the 6th report of the university commission were not fulfilled," he said. "The fulfilment would have allowed us to improve our academic role and would have given us relief in areas where we are inadequately, in some cases very inadequately, housed."
>
> "It is a hard thing to have hopes raised high then to have them dashed. The enthusiasm for open tertiary education reflected in the recommendations . . . has been largely dissipated in the cold climate of economy."

The present situation would be even more disastrous if it were not for the parents of thousands of Australia's school children, who save the Government and taxpayers millions of dollars through fund-raising and part-time voluntary teaching. In a 1975 report by a Past-President of the Australia Council of State School Organisations, it was stated that parents donated about $2 500 000 a year, indicating the extent of national enthusiasm for parent participation in education. This parent involvement was officially sanctioned by the Australian Schools Commission, which wanted school councils to be given 5 per cent of all recurrent spending. These parents want to see their children receive the best possible education and are entitled to be hostile and outspoken against the Federal Government cutbacks.

All of the progress thus far and all of the fruitful advice of the Schools Commission, and its independence, are now in jeopardy. The Labor Party attaches very high priority to education and particularly to the quality of education and the equality of opportunity in education. Education is essential to total fulfilment of a human being's potential, and there is more to education than one can learn in grade school, high school or college. Complete education requires knowledge and real understanding of ourselves, our neighbours, and the whole community. I hope that all members support the motion.

Mr. KLUNDER (Newland): I start with a statement released by Senator Carrick for the information of his fellow Senators attached to copies of a letter written by him to Dr. McKinner, the Chairman of the Schools Commission, on February 8, 1977.

Mr. Mathwin: The *Teachers Journal?*

Mr. KLUNDER: I think I heard the member for Glenelg: it is interesting that he should interrupt. His district is named Glenelg, which can be read the same backwards and forwards, and that is appropriate for someone who does not know whether he is coming or going. In the letter Senator Carrick informed the Senators that the Government had decided to make no changes to the Schools Commission Act and that the essential functions of the commission would remain unchanged. And he was not shy about saying it, as the member for Glenelg is not shy about making silly noises. The letter was distributed to all State Ministers of Education, to non-government school authorities at the national level, to national parent and teacher organisations, as well as being released publicly. Since this followed the July, 1976, report of the Schools Commission where the Government in its guidelines confidently forecast a rather miserly 2 per cent real growth rate (a figure well below that expected, let alone hoped for by most education authorities), one could be forgiven for thinking that the Government meant it.

However, the Government did not mean it. There was no real growth. In fact, since there will be an estimated 10 000 extra students in schools in 1978, there has been an effective decline in real terms. Let us look at what the commission itself thought of the governmental guidelines. On page 3 of the 1977 report, it states:

> The commission believes it can only interpret guidelines *(c)* to *(f)* as directions . . . The commission views very seriously the implications of such prescriptive guidelines. In its July, 1976, report the commission noted a distinction between reporting on needs without financial restrictions and the task of advising the Government on the pattern and priorities for expenditure within given levels of funding. Either of those circumstances would allow the commission to give useful advice on the priorities which ought to be given to various needs. The 1977 situation is different in principle because most of the internal priorities have already been established by direction making it difficult for the commission fully to exercise its responsibilities under the Act.

That is evidence of the most condemnatory kind. The commission in fact warns the Government that the Government is making it difficult for the commission to comply with the Act .

Further down that page and on page 4, the commission indicates both that its success in drawing together diverse interests is being interfered with by the guidelines and that not only the commission is still involved in annual budgeting rather than triennial but that planning for more than a year ahead is unreliable under the Government's instability.

But to get to the real truth about the sly manipulation of the Schools Commission, one needs to look at the 1976 and 1977 reports together and to follow through from one to the other the various threads which are there. The real crunch comes when one looks at the financial situation. We will start by looking at chapter 4, section 5, of the 1977-78 triennial report, as follows:

> The weight of ongoing commitments has proved a major obstacle to any significant redevelopment of existing funds; the 2 per cent real improvement in funds annually is alone clearly insufficient to change existing directions of funding greatly. The proportion of funds going to each sector has remained similar in 1977 to the proportion allotted in 1976, there being a shift of approximately ·15 per cent in favour of the non-government sector.

I do not stretch that point of ·15 per cent change towards the Government sector. The commission made a rather sober, considered judgment: it is difficult to change direction with only a 2 per cent growth in real terms. In the event, there was no growth at all, and one can imagine how difficult that made a change in emphasis.

To put it differently: with a 2 per cent real growth, there was a ·15 per cent shift in emphasis. In a no-growth situation one would expect there to be no shift in emphasis whatever. But before we look at the actual change, I note the distaste with which the commission reacts (page 4 of the 1977 report, section 1.4):

> The commission acknowledges that under its Act it is obliged to carry out tasks referred to it by the Minister. It must therefore report in a way which is consistent with the guidelines.

That is hardly the phraseology of a body which cannot wait to get on with the job. And no wonder! Out of a static figure of $571 000 000 (in December, 1976, prices), $13 800 000 is moved from the Government schools sector to the non-government schools, a staggering shift of 2·4 per cent in a no-growth situation. I refer members to the situation in which the commission considered it exceedingly difficult to shift ·15 per cent in a 2 per cent growth situation.

That $13 800 000 is made up of three separate amounts: first, $3 000 000 in 1978 to non-government schools to establish new schools and places; secondly, $2 000 000 to levels 1 and 2 non-government schools; and, thirdly, an estimated $8 800 000 to maintain a subsidy scheme for non-government schools. With regard to the first item, it is difficult to establish why non-government schools should be so singled out. After all, the money will go, at least presumably, to growth areas, and in those growth areas Government as well as non-government schools need to be built and places made available. It is, however, the latter two provisions that are truly poisonous.

That $2 000 000 is to be given to level 1 and 2 non-government schools is simply disgusting for an *ex gratia* payment. The richest schools in Australia are to be singled out. I am aware that Senator Carrick has indicated that this is merely a way of increasing the subsidy level to a minimum of 20 per cent. All that does is provide the rich with a satisfying formula for suffering the misfortunes of the poor. If the money is to be divided equally (and given the antecedents of this grubby little exercise in glad handing it may not be done that way), South Australia will get nearly $200 000, which will average out at about $12 000 each for the 17 schools in levels 1 and 2 in South Australia. I will list those 17 schools; I do not believe that it is a secret in any way. The taxpayer has a right to know which of the rich he happens to be subsidising. The level 1 schools are: Collegiate School of St. Peter, St. Peters; Marbury School, Aldgate; Seventh Day Adventist Primary School, Millicent; Pulteney Grammar School, Adelaide; St. Andrew's School, Walkerville.

The level 2 schools are: Methodist Ladies' College, Wayville; Pembroke School, Kensington Park; Presbyterian Girls College, Glen Osmond; Prince Alfred College, Kent Town; St. Peter's Church of England Grammar School, Glenelg; St. Peter's Collegiate Girls School, Stonyfell; Scotch College, Mitcham; Seventh Day Adventist Primary School, Mount Gambier; Walford Church of England Girls Grammar School, Hyde Park; Westminster School, Marion; Wilderness School, Medindie; Woodlands Church of England Girls Grammar School, Glenelg.

I have not been told as yet to what use level 1 and level 2 schools throughout Australia will put the money. I do not know whether they will use it to change the colour of the tiles in the swimming pool, whether they will use it to buy gold taps for the staff washroom, or whether they will use it to improve the putting surfaces of their golf courses, but I do know that the money will not be used where it is needed—in the poor Catholic primary schools either for staff or for buildings.

Mr. Becker: It wouldn't—

Mr. KLUNDER: If the honourable member wants to argue the point, let him use his own time to do it.

Mr. Becker: I'll give it to you.

The SPEAKER: Order! The honourable member for Hanson will have the opportunity to speak.

Mr. Mathwin: You're a—

The SPEAKER: Order! The honourable member for Glenelg is out of order, too.

Mr. KLUNDER: The member for Hanson may be interested in the following figures. The student-teacher ratio in Australia in 1975 was as follows: Catholic primary schools, 27·4:1; and non-government primary schools, 19·8:1. I do not have the figures for the level 1 and level 2 schools that have been blessed by extra money, but it will be less than 19·8:1. It is probably somewhere around half the value that is given for Catholic primary schools. If the member for Hanson thinks that that is great stuff and he wants to support it, that is his business and I will look to the electors to make the necessary correction at the next election.

Mr. Becker: Good.

The SPEAKER: Order! The honourable member for Hanson will have a chance to speak.

Mr. KLUNDER: The student-teacher ratio in Catholic secondary schools, Government secondary schools, and non-government secondary schools are much the same. The Australian Government had the gall to move money from the Government schools to the richest schools in the country, and the outgoing Prime Minister had the effrontery to prate about equality of education in his recent election speech. Equality of education, my foot!

More insidious is the third provision of $8 800 000 for the maintenance of subsidies to non-government schools, because the subsidy is tied for each of the six levels of non-government schools to the level of expenditure in Government schools. When the level of expenditure in Government schools rises because of efforts by the State Government, the share of the non-government schools of the total Schools Commission budget rises and, by the same token, the share of the Government schools drops. This $8 800 000 will rise in 1979 and 1980 and will by itself be enough to nearly negate most of the forecast one per cent real rise in Schools Commission funding.

The new guidlines regarding supplementations indicate that only wages and salaries will be supplemented in 1978. Again, let us consider the commission's 1977 report (page 6, item 2.4) as follows:

> In addition within a particular year, the new arrangements result in a slight decrease in purchasing power in the recurrent programme and a decrease in purchasing power in the capital programme equivalent to the rate of inflation occurring during that year. These arrangements, in conjunction with the absence of increases in grants to Government schools to compensate for increases in enrolments, mean that 1978 will be a year when there is a reduction in the real value of Commonwealth funds to these schools in comparison with 1977.

When one adds to that that for Government schools the recurrent expenditure area covers approximately 69 per cent of funds, and that cost supplementation will only take place in the wages and salaries component of that, while for non-government schools the figure is 85 per cent, one can see again that the non-government schools are favoured and again the richest of the non-government schools are the ones that can take most advantage.

Added to this is the reduction in Loan fund allocation to the State. In South Australia, the Minister of Education estimates the reduction for primary and secondary State schools to amount to $1 400 000 in overall reduction in Loan funds. South Australia's financial position regarding Government schools then reads: $1 400 000 reduction in the Loan funds area, $1 400 000 in loss of supplementation for capital funds from the schools commission funds and a $1 300 000 transfer from the State to non-government schools, a total of $4 100 000 that will not be spent on education in this State because the Federal Government cannot keep even its most miserly promises. A total of $4 100 000 will not find its way into the pockets of wage and salary earners; a total of $4 100 000 could have, but will not, take hundreds of people away from the dole queues; a total of $4 100 000 will not be invested in what in reality is the only sure investment in a country—an investment in the next generation.

I take no pleasure in supporting this motion. There should never have been the necessity for such a motion as this to arise. No Government worthy of the name can afford to neglect the education of the young; no Government worthy of the name can dictate such narrow terms to a commission charged with examining the needs of education in Australia; and no Government worthy of the name can afford to so cynically manipulate the purse strings to assist its wealthy friends at the expense of the needy. What I have shown during this debate is that there is no such thing on this occasion as a no-growth situation. The $13 800 000 movement away from the Government sector and the 10 000 extra students and the non-supplementation of capital costs all indicate that the Federal Government effectively reduced its commitment to primary and secondary education in all areas, except that of the very rich who were already far better provided for than the average.

I fail to see how anyone could oppose the motion to restore a modest, even miserly growth rate of 2 per cent, since it will only maintain the *status quo*. I fail to see how anyone could oppose a motion to withdraw the restrictive and prescriptive guidelines, which are hobbling the commission, and I strongly support the motion.

Mr. ALLISON (Mount Gambier): I oppose the motion. I do so on the grounds that much of this heavily dramatic criticism that has been levelled at the Federal Government is grossly out of context. The whole point is that any Minister whose Government is faced with a deficit of between $4 000 000 and $5 000 000 should be praised to the extent that he has managed to maintain his budgetary spending, as he has, whilst most other Ministerial budgets were cut substantially.

I think that Senator Carrick certainly defended his portfolio in the face of those cuts, and it well behoves other Education Ministers at State level to do the same thing. There were far fewer cuts in education than may originally have been expected from the size of the Federal deficit but, apart from that, Senator Carrick seems to have heralded these cuts with some courage. He did not wait until the Federal Budget before announcing that restrictions would be made; he announced them several months ahead of the Budget. This gave the State Governments some time to consider a few things they might do. Having the courage to declare his cuts well ahead, he gave Governments time to analyse how they

might spend the money that would be allocated to different departments.

One of the criticisms I would make of the points made by Government members is that, in singling out the recommendations of the Schools Commission regarding non-government schools, they totally ignore the fact that two vastly different funding methods are involved. One is that the State schools are funded essentially from State finances, and of course one cannot ignore the extra $75 000 000 that was made available to the States through the renegotiated income tax funding. Non-government schools are substantially funded, about 18 per cent or 19 per cent, from State funds in South Australia (and I would remind the Government of the Liberal policy to increase that to 50 per cent over the next few years), plus the 20 per cent funding which was recommended through the Schools Commission. This would have meant Liberal policy was still giving non-government schools a substantial funding, but still well below the money available to State schools, and that point, quite conveniently, was at no time mentioned by the two leading speakers for the Government. Were I in better voice I would take the time to present the case for the independent schools a little more effectively, because it is something that rarely seems to be done in this House, and the State schools point of view, the Institute of Teachers point of view, excellent though it may be, cannot be seen in just a one-eyed light.

Senator Carrick also gave people right across Australia the chance to complain bitterly and of course this Government, with the Institute of Teachers and education action week, went to great pains to try to get people to do that. I noticed the latest poll showed education with an 8 per cent interest, which surprised me. I am quite sure that it is not that interest in education is running at only 8 per cent: it is the means of trying to incite people to open rebellion against the Federal Government that has really fallen flat. Of course, people are concerned about education but they do not necessarily see vastly increased expenditure as the answer. People have told me that they are as interested in quality of education as they are in the quantity of funding.

Mr. Evans: Better use of the dollar spent.

Mr. ALLISON: Yes. Senator Carrick's action gave people time to hold large public meetings and 5 000 circulars were sent out for the much vaunted Campbelltown meeting to which about 40 people turned up (30 of whom were Liberals who attended out of curiosity) to hear the Deputy Premier, the Minister and a couple of Federal representatives. I suggest that the aim to incite the people has fallen flat simply because the aim behind the meetings was wrong. Education is still vastly important.

The Senator's action gave people time to organise those meetings, to examine the need for quality in education, to examine the use of surplus teachers, and to ensure excellence of education and excellence of staffing. It gave State Governments time to phase out the importation of overseas teachers and generally to show some responsibility towards the State and national economies. About June 7 or 8 a well-known South Australian political commentator on a talk-back programme referred to education. He did not talk about cuts, but saw the Federal Government's action as a mark-time procedure, because I think he had the common sense to realise that any Government that has reduced inflation from 18 per cent to about 9 per cent has already saved 9 per cent that would otherwise have been lost under the Whitlam Government; that is another point which is infrequently mentioned, for obvious reasons. This political commentator did say that there was every opportunity now for education institutions, from universities to colleges of advanced education, to re-examine the need for courses, and the aims and effectiveness of staffing. He said that much fat could be pruned off the chop, and a substantial meal would still be left.

A more interesting comment was made by one of Australia's most eminent figures (by his own admission) on education and political debates during the *Monday Conference* programme on September 19, 1977. Mr. Walsh, editor of the *Financial Review*, questioning the Federal Opposition Leader, Mr. Whitlam, asked:

> In terms of budgetary priorities, would you increase spending on education the way you did in 1973?

Mr. Whitlam replied:

> No, it does not need to be increased but it does need to be maintained.

He went on to say that he would not say where the money would be spent on education. He said:

> I am not going to, you know, say precisely what proportions go to universities or technical or further education or secondary or primary or pre-school.

How critical was the Schools Commission when it was expressing its discontent with Senator Carrick's guidelines? The member for Newland's speech was fraught with drama, but when one examines the plain, hard cash statistics, out of the total funding of $571 000 000, the commission had no critical comment on items involving $566 000 000. It indicated that, without guidelines, it would have implemented that percentage linking with the non-government schools of which the honourable member was so critical.

Apart from recommending financial allocations, the commission itself elected to comment on the merits and priorities of the Government's policies as it saw them. It recommended in a period of no growth in funds it was undesirable to proceed with Nos. 3 and 4 of the guidelines. Guideline No. 3 states:

> The first step involving $2 000 000 be taken towards implementing the Government's policy of a basic 20 per cent per pupil grant to all non-government schools.

Guideline No. 4 states:

> That $3 000 000 be earmarked to assist non-government school building programmes in newly expanding areas of population.

This was a high priority recommendation of various non-government school groups, the sum to be allocated on a needs basis. The other point which was not mentioned by the two speakers on the Government side was the fact that a fundamental error of the Schools Commission's argument was its total failure to consider all the funds available to the Government schools in relation to the funds available to non-government schools. We are just as sympathetic towards the Catholic schools particularly those in great need. One of the schools, mentioned in the highest category was a Mount Gambier school and, if the member for Newland thinks that is a school which does not deserve high priority, he should go and have a look at it, because the funding which is available for non-government schools certainly does not put it into the high-wealth category.

The Schools Commission based all of its conclusions on a no-growth concept of direct funding through the Schools Commission, without taking note of that very substantial increase in moneys through federalist funding of various sorts available to State Government schools. I am quite sure any thinking member would try to make himself aware of that.

Mr. Mathwin: He took out—

The SPEAKER: Order! I hope the honourable member for Glenelg—

Mr. Mathwin: What's—

The SPEAKER: Order! The Chair will decide that.

Mr. ALLISON: It is significant, too, that of those so-called wealthy class 1 and class 2 schools, of which the member for Newland was so critical (and I am sure he must have been tongue-in-cheek, or else he has had his speech written for him, in referring to tiling swimming pools, new putting greens and so on), 10 have closed during the past 2 years because of insufficient funding. What does that mean when one considers the additional burden which those closures throw on the State Government, not the Federal Government?

In 1974, 78·5 per cent of students were enrolled in Government schools, and 21·5 per cent in non-government schools. In 1978, the estimate is a declining one for non-government schools. There will be 79·2 per cent in Government schools, and 20·8 per cent in non-government schools. If one has a careful look at the cost to the State Government of those closures, compared with the minimal amount of money, $2 000 000, which is being made available on Government recommendation through the Schools Commission, one finds on looking at the statistics that if the non-government percentage of enrolments in 1974 had persisted, as demand would indicate they should have persisted, enrolments for 1978 in those schools would be 629 300 instead of 610 000, the actual figure. That would be an increase of 19 300 on present estimates. This would mean a correspondingly smaller number of students in State Government schools.

That did not happen. Those class 1 and 2, and other schools, were forced to close because of lack of funding. This year it cost the taxpayer an average of $765 to maintain a student in a Government primary school and $1 255 in a Government secondary school. Therefore, the cost of maintaining the 19 300 students in Government schools, at an average of $1 000 a student, is $19 000 000. The member for Newland is quibbling over a $2 000 000 additional allocation, when there is a difference of $17 000 000, which is a straight saving.

If all of the 19 300 students had been enrolled in non-government schools, and if they were all only in category 6, the level of greatest need and the highest Government per capita grant, they would only extract amounts from the Government equal to about 33 per cent of the cost of keeping children in Government schools. I think the whole point that the member for Newland was at great pains to make is a very petty one and was based rather on emotion than a needs basis.

Mr. Evans: Based on hate.

Mr. ALLISON: I did not like to say hatred, but I felt that coming through, which rates the member for Newland second in line for membership of Actors Equity on the Government side. I thought it was a stirling performance. From the factual point of view it was only half there.

Mr. Groom: You don't support the needs.

Mr. ALLISON: I support schools being looked after on a needs basis. That closure of 60 non-government schools between 1974 and 1976 included 10 schools that were in the top category, the so-called wealthy schools that the honourable member was at great pains to denigrate. In addition, a number of schools in the higher categories are experiencing severe financial difficulty, a point that was not mentioned. Of those, it has been necessary for the Schools Commission (not the Federal Government) to reclassify 12 into categories of greater need. This is obviously the line that is being taken and the fact that the Schools Commission figures have been quoted at great pains, when in fact they only represented $6 000 000 out of $571 000 000, highlights the lengths to which the honourable member is prepared to go simply to denigrate the Commonwealth Government. Of course, this is a political motion brought on before the Federal election.

Mr. Klunder: Unlike yours.

Mr. ALLISON: My motion was simply the converse of this motion, when all is said and done. Nonetheless, it was well intended. I had intended to carry on through the whole gambit of education from university to primary school but I realise this is private members' time and that certain time limits must be self-imposed. For that reason I seek leave to continue my remarks later.

Leave granted; debate adjourned.

LAND VALUATIONS

Adjourned debate on motion of Dr. Eastick:

> That this House is of the opinion that land valuations used for rating or taxing purposes should reflect a value which relates more directly to actual land usage.

(Continued from November 30. Page 1127.)

Mr. DRURY (Mawson): I make my comments about this motion from the point of view that a valuer has to make a valuation of a property on the basis of its highest and best permitted use. This is stipulated by case law going back to 1905. I will approach the question of use by considering the time span briefly from when the first settlers moved to Australia until the time when town planning regulations defined land use.

Every capital city of Australia is what is called "a port city", and at some stage the site of every capital city found itself with a group of migrants from the United Kingdom and their material possessions, surrounded by virgin land. If we begin with the concept of prairie value we find that the land is in its virgin state, the situation in which the early settlers found themselves, such as those who landed at Glenelg and later moved to what is now Adelaide. At that time no regulations governing the use of land had resulted from social pressures. In those days, the balance of the nineteenth century, land use was determined solely by economic return. In Port Adelaide, for instance, warehouses were placed directly next to the wharves, solely for convenience, and, over a period of time, that land became, unofficially, commercial land.

However, as South Australia expanded and people began to move away from the close proximity of that port and into the city Adelaide expanded from the core of the square mile to the surrounding suburbs. In the intervening years, Adelaide had a mixture of commerical and residential usage with the inner suburbs becoming more and more industrialised while the middle suburbs gradually became residential. In this way the square mile of Adelaide came to consist initially of commercial and mainly residential areas, with a few industrial properites.

With the effluxion of time, the suburbs expanded outwards and grew to what we know as the concentric nature of the growth of Adelaide. The central business core is what we now call Rundle Mall, Grenfell Street and North Terrace. The inner city suburbs were originally residential areas containing row houses, small by nature and certainly not of the standard desired today. Gradually development extended to the outer suburbs, helped of course by the growth of transport routes. For instance, the Port Road, when it was extended to Port Adelaide, saw residential growth along that route in a ribbon-type development. Likewise, the train line to Brighton, which was built about 1914, saw similar development.

The central business district up to the late 1960's contained a dwindling residential population as commercial use overtook residential use. The inner suburbs of Hindmarsh, Unley and Norwood lost their residential

characteristics and succumbed to commercial character, and this was evident even before zoning regulations came into effect. I suppose Hindmarsh and other inner city suburbs were destined to become either commercial or industrial suburbs purely because of economic expansion. The middle suburbs, such as Glen Osmond, parts of Unley and the western suburbs around Glenelg, have retained their residential characteristics while the residential urban sprawl has spread to areas which were formerly agricultural lands, for example, in the local government areas of Noarlunga and Tea Tree Gully.

However, economic growth was not the only development to occur in South Australia since it was founded. Social aspirations began to rise and people demanded better housing, and this of course required more clearly defined areas of land usage.

In early years, various attempts were made in South Australia to provide the protection the community needed by way of local government regulations. For instance, the St. Peters Council, in 1937, instituted a by-law requiring that a minimum area of land must be provided on which flats could be built. The Building Act for many years was the only recourse to be had as far as zoning control and land use control were concerned. It stipulated the minimum size of allotments, whether sewered or otherwise. It also stipulated such things as distance from the front boundary of the land, frontage of the land, and other relevant factors.

It was the post-war years that brought the question of controlled land use into focus. During the early 1950's in New South Wales a number of planning schemes were introduced by local government, such as the County of Cumberland Planning Scheme. *The Royal Sydney Golf Club* case was pertinent to the valuation of land, because here we find a new guideline for valuers. The brief facts are as follows. As at June 30, 1951, the whole of the land owned by the club was assessed for land tax without regard to the provisions of the planning scheme and the actual or potential effect of the scheme or the value of the land. Let me quote part of the judgment, as follows:

> But it is one thing to say that a hypothetical fee simple unencumbered and subject to no condition restricting enjoyment or use must be taken and another to say that laws of the State which affect the value of land are not to be taken into consideration.

It goes on to say that the planning process which became part of the general law of the land must be taken into account. This case and another *(the Council of the City of Sydney v. the Valuer-General)* have brought into focus more clearly the guidelines required of a valuer when valuing a property. No longer could he refer to local government by-laws to establish highest and best use. The valuer must now establish the highest and best permitted use of the land he is valuing, and his sales evidence must be of a comparable nature.

The 1962 Report on the Metropolitan Area of Adelaide for the first time in South Australia laid down the guidelines for the future growth of Adelaide, and I quote from chapter 1, as follows:

> If there is no overall guidance, the increasing complexities of the modern city can lead to social and economic decline. The industrialist plans his factory so that it functions efficiently, but he is also concerned with the transport of goods to and from the factory, the provision of adequate water and power, and the proximity of good housing for his workers. The home builder requires an adequate sized block for his house near shops, schools and reserves and not too far away from his work. In addition, he requires some statutory protection for his investment against adjoining land being used for some obnoxious purpose. The provision of reserves and open spaces becomes increasingly important as a city grows, and as open spaces generally do not produce revenue they must be acquired well in advance of requirements while acquisition costs are reasonably low. The cost of providing public services such as water and sewerage is borne by the community, and new development must be guided into those areas where services can be provided economically. As a city spreads, the distance, the cost and the time of travel become greater. Within a period of 30-40 years the motor car has brought about a complete transformation of city living, and the ramifications of this comparatively new method of transport have extended throughout the whole framework of a city—the need for parking areas, the decline of public transport, the road toll, the traffic congestion and the dispersal of central shopping by the creation of suburban drive-in shopping centres.
>
> All these examples illustrate the changing pattern of our cities and some of the basic problems which have to be faced in building a city. These problems can be overcome by looking ahead and working to a broad framework or plan of development. Colonel Light provided the first plan for Adelaide and its surrounding areas, but his plan was primarily a framework of roads and section boundaries. The complex metropolitan area of today is extending beyond the influence of Light's vision, and requires a plan not only for future roads but also to indicate the purpose for which land should be used in order to ensure that the inhabitants enjoy a healthy and convenient way of life in beautiful surroundings.

Since the establishment of the colony of South Australia, the port area has grown along with the city of Adelaide. Transport routes have encouraged growth. In fact, the land use pattern of Adelaide since its inception has enabled residential and other uses to expand. Again, I quote from the 1962 report (because it became law in the 1967 Planning and Development Act), as follows:

> Adelaide has gained for itself an honoured place in the evolution of town planning because of its surrounding belt of parklands, and more recently by the building of the first planned new town in Australia at Elizabeth. Colonel Light's work meant that Adelaide began well. This is particularly noteworthy when compared with the type of development proceeding in the growing industrial cities of Europe at the same time. The need for further town planning measures in Adelaide was not apparent before the First World War, with a sound road plan, extensive park lands, few industries and public health legislation already in existence.
>
> Interest in guiding the future development of Australian cities was awakened by the world-wide attention focussed on the initial planning of Canberra in 1911. Immediately before the first world war Mr. Charles C. Reade arrived in Australia from England as a representative of the Garden Cities and Town Planning Association, and lectured throughout the country on town planning.

I point out that the Garden Cities Movement, as it was then known, had accelerated considerably in the United Kingdom. That was one of the reforms of the United Kingdom Government about the turn of the century. When one considers the cities in the industrial north of Britain (the coal mining cities particularly), one realises that there was much to be desired in the way of amenities.

The quotation continues:

> Reade was subsequently appointed by the South Australian Government to advise on the drafting of the Town Planning and Housing Bill, which was introduced into Parliament in 1916. The Bill did not become law, but four years later South Australia became the first Australian State to pass comprehensive town planning legislation with the Town Planning and Development Act of 1920. Reade was appointed the first Government Town Planner, but eventually left South Australia to take up an appointment in Malaya.

> After Reade's departure, no real effort was made towards the preparation of an overall plan for the metropolitan area and the Act of 1920 was repealed in 1929 and replaced by a Town Planning Act which dealt only with the control of subdivision of land in an elementary way.
>
> Following the Second World War building development gathered momentum, and in 1951 a committee was formed to advise the Government on what steps should be taken to provide a co-ordinated plan of development for the metropolitan area. The Town Planning Act was subsequently amended in 1955, making provision for a town planning committee charged with the duty of preparing such a plan and a report.

That report became known as the 1962 report, and it constituted the basis of the 1967 Planning and Development Act. Under that Act, local government was empowered to draw up regulations for the zoning of land. This enabled residential areas to be defined and also enabled industrial and other uses to be defined. Zoning regulations fixed the land use, but not in an inflexible way. There were three categories of use: permitted use, not permitted use, and consent use. The first two are self-explanatory, but the third category allowed for flexibility of land use. In this way, for instance, a larger than normal piece of land zoned residential could, if the schedule allowed, be changed to, say, commercial use or to a higher residential use, and approval for flats to be put up.

Indeed, the situation has occurred in my district where approval for about eight acres of land, mostly zoned residential, was, by the consent of council, approved for use as a site for a large discount store. The 1967 Act allowed for an authorised development plan and a metropolitan development plan. The metropolitan development plan included the municipalities of Adelaide, Brighton, Burnside, Campbelltown, Elizabeth, Enfield, Glenelg, Henley and Grange, Hindmarsh, Kensington and Norwood, Marion, Mitcham, Payneham, Port Adelaide, Prospect, St. Peters, Salisbury, Thebarton, Unley, Walkerville, West Torrens, and Woodville, as well as the district councils of Munno Para, Tea Tree Gully, East Torrens, Stirling, and Noarlunga. I might add that Noarlunga is now a city. It also included the area called the Garden Suburb and the areas known as Happy Valley, Coromandel, Clarendon and Kangarilla wards of the district council district of Meadows, and portion of the hundred of Willunga which lies within the District Council of Willunga. In fact, Willunga now has interim development control and is proceeding in a very good way to preparing a plan for land use. Recently, an authorised development plan has been prepared for Yorke Peninsula, one of the first country areas to be so developed.

I think I have shown a reasonably accurate progression in the establishment of controlled land use or, should I say, defined land use. First, the attempts by local government to apply some standards which reflected people's living aspirations were needed. Later, the introduction of the Planning and Development Act enabled local government, in conjunction with the State Planning Authority, to zone land for various uses. This enabled, in principle, householders to be free from the effects of industrial and commercial activity.

In the art of land valuation it is sometimes difficult to come to an opinion because of the lack of evidence, but I draw the attention of honourable members to land zoned residential 1, where only single dwellings are permitted. That land use is an actual land use but, to my knowledge, it is the only zone where this situation exists. In residential 2 there is an ability to get consent use for flats although, because our society is dynamic and not static, in the past year or so we have seen a demand by ratepayers for approvals for flats to be reduced, and so some councils have removed the residential 3 zoning from their regulations. In very few councils, to my knowledge, are flats of more than a single storey approved, and fewer flats are being built in the metropolitan area. The valuer has a problem in that, if the land use is not clearly defined or if it is a consent use, he has to find his market value evidence and support his opinion with it.

The basis for measuring market value has been laid down in the judgment in the case of *Spencer v. the Commonwealth of Australia* in 1905. I shall quote from the judgment of Mr. Justice Isaacs, as he then was, as follows:

> . . . to arrive at the value of land at that date, we have, as I conceive, to suppose it sold then, not by means of a forced sale but by voluntary bargaining between the plaintiff and a purchaser, willing to trade, but neither of them so anxious to do so that he would overlook any ordinary business consideration.

His Honour goes on to say:

> We must further suppose both to be perfectly acquainted with the land and cognisant of all circumstances which might affect its value, either advantageously or prejudicially, including its situation, character, quality, proximity to conveniences or inconveniences, its surrounding features, the then present demand for land, and the likelihood, as then appearing to persons best capable of forming an opinion, of a rise or fall for what reason soever in the amount which one would otherwise be willing to fix as the value of the property.

As a valuer of some years experience, I think that definition presupposes that there are two perfect people in the world: a perfect purchaser and a perfect vendor. That condition of the definition is very difficult to fulfil.

I turn now to the question of valuations for statutory purposes. The definition of market value as held in the judgment in *Spencer v. the Commonwealth of Australia* is the basis of value. In another part of his judgment Mr. Justice Isaacs was quoted as saying that the property must be used for the most advantageous purpose for which the land was adapted. Even back in 1905, the valuer had to find out, by his inquiries, the most advantageous use to which the land could be put and base his opinion on that. I do not believe that these words mean actual use. If we consider land in a commercial zone, with an old dilapidated house on it, surely that will be valued as a commercial property. A developer would purchase that property, demolish it, and erect an income-producing property on it. This, indeed, has happened in the inner suburbs, particularly in Hindmarsh. A developer would look upon the property with an eye to its potential, and the vendor, if faced with a choice between an offer made on the actual use and an offer made on the basis of potential use, obviously would sell it to the latter purchaser.

I will now enlarge on the valuation side. The valuer is guided in arriving at his opinion by judgments from the courts, and he is required to take notice of those judgments. I shall list some of them. The first is the case of *Reading v. the Valuer-General of New South Wales* where it was held that the valuer has to investigate all sales evidence, even though he may discard some of that evidence. He may have to take note of mortgagee sales among some of his evidence. This judgment was handed down in the case of *Waterhouse v. the Valuer-General.* Such sales are not to be dismissed entirely. Sales to adjoining owners are not to be ignored completely.

It was decided in *McDonald v. Deputy Commissioner of Land Tax New South Wales,* in 1915, that offers to buy and sell were not admissible as evidence, although it was held in the judgment that the valuer must still take note of them. Again, the question of sales not on reasonable terms

and conditions was referred to in the judgment in *Duncan and others v. Commissioner of Land Tax* in 1915. "Reasonable terms and conditions" implies at a particular time sales terms and conditions that require, for instance, no deposit or an extremely low deposit, as I have experienced in my district recently with package-deal housing, and in my opinion that is most certainly not evidence of value.

I recall some years ago during the term of the Hall Government that the MATS plan was released on which proposed freeway routes were shown, and people who lived on those proposed routes found that they could not sell their houses. The then Government purchased them if the owners found that they could not sell their properties, and they were classed as hardship cases. The basis for this was also a judicial one in the case of *E. A. Woollams and another v. The Minister,* in which it was held that values of properties which surrounded intended public works and which had been allowed to run down still had to be based on their condition as if the public works project had not been announced. Again, in *Daandine Pastoral Company Limited v. Commissioner of Land Tax,* in 1943, it was held that sales subsequent to the date of valuation should be considered. Whilst it is a necessary rule in valuation that a date of valuation be specified, nevertheless, sales occurring after that date should at least be examined. This happens in the case of statutory valuations: for instance, in land tax matters where the land is assessed at June 30 every five years. If sales occur after that date they should be considered. The Spencer case, to which I have referred, also laid down the rule that the highest and best use of a property should be considered by a valuer in forming his opinion, but I think I have shown that the development of town planning in Australia has now altered that requirement to the highest and best permitted use and, therefore, the valuer is bound by case law to take into account potential use.

Dr. Eastick: Is that our law?

Mr. DRURY: It is a Commonwealth case, but judgments given in any State or the Commonwealth are binding on a valuer's opinion, as are Privy Council cases. In the case of *Tetzner v. Colonial Sugar Refining Company,* it was held that the unimproved value of the factory land in Lautoka, Fiji, had to be considered without the improvements, but keeping in mind that the city of Lautoka still existed around it.

Referring to Mr. Taueber's article, which was quoted by the member for Light, I do not think that I would disagree with it, but reading the two articles together I think he was giving the history of taxation in Australia and pointing out that the concept of unimproved value had arisen because of the visits to Australia at that time of a man called Henry George, who had certain ideas about how Governments should raise money. Also, Governments were finding it difficult to raise revenue, and resorted to land taxation. Other States still define the unimproved value, although in South Australia the Valuation of Land Act now allows for a site value. Even so, section 12(c) of the Land Tax Act in this State provides for a concession for people who have land that is put to rural use. In my experience that is land which is close to the city and which has a recognised rural use for it.

What happens is that the land is valued as it should be (that is, in relation to its potential use), but superimposed on that valuation is a figure reflecting agricultural use. The owner is taxed for the term of his occupancy of that land on agricultural use, but if the land is sold (and in the classic situation the land is on the periphery of Adelaide and suitable for change from agricultural to accommodation use and is sold as such), the difference between the back taxes based on potential use and actual use for a number of years before the sale of the land had to be paid.

I now comment on the difficulties in which a valuer finds himself in making valuations. It is not an exact science: it is more of an art, I suppose, and there is no doubt that at various times every valuer has been in the situation in which he would like to vary from the guidelines laid down by the courts, and show some compassion to a property owner. He may be tempted to do that but, if he thinks about it, he will find it better if he does not do that. He is bound by his ethics and case law to value a property on its highest and best permitted use, and that must take into account the potential of that land. Unfortunately, there are Acts of Parliament whose provisions raise revenue: for instance, succession duties, commonly referred to as death duties.

On the death of a person and the property succeeding to his dependents a duty is paid by those who inherit the property, and that is based on the market valuation of that property at the date of death. The term "death duties" is rather odious but it is used today, and I am sure that the present agitation for the removal of death duties (or succession duties, as I call them) is probably accelerated in part by the name given to them. Also, gift duties require a valuation of properties, but I do not think that that term carries as much dislike as does the term "death duties".

During my employment in the Commonwealth valuation office in valuing for succession and gift duties and when I had to value properties for pension applications, I found that many people, because of the increase in inflation, found themselves in a bracket of property value that they had never thought they would be in. From memory, I think an average house would have been valued at about $15 000 in 1969, but the same house in 1974 would have been valued at about $30 000, which is rather a phenomenal jump. That is what people paid for properties and, given that they satisfied the conditions of the Spencer and subsequent judgments, that is how the valuer had to value them and those are the figures at which he had to arrive. He had no latitute either way.

To sum up, the acceptance of the motion would create one value for taxing and another value for selling. Unfortunately, one cannot have it both ways; there is only one value for a property at any time. It is unfortunate that sentiment is not for sale in the market place. I therefore oppose the motion.

Mr. EVANS secured the adjournment of the debate.

CADET CORPS

Adjourned debate on motion of Mr. Mathwin:

> That this House congratulate the Federal Fraser Government for re-establishing the Army Cadet Corps and in particular for the formation of the first open unit in Australia, namely, the Warradale 27th Cadet Unit, giving great benefits to those young people who feel inclined to take this advantage.

(Continued from November 30. Page 1132.)

Mr. KENEALLY (Stuart): Last week I sought leave to continue my remarks on the motion of the member for Glenelg, who wishes this House to congratulate the Fraser Government for re-establishing the Army Cadet Corps. I am not sure just how long ago the Federal Government made that decision; it has been suggested that it was about 18 months ago. It seems strange that it has taken that long for the message to filter through to the member for Glenelg. Either that, or there might have been another reason why the honourable member thought that this

motion would be appropriate so close to a Federal election. If that is the case I disabuse his mind on that score because I do not believe that anyone is very interested in the motion or the comments on it.

I told the House that I would give deep and considered attention to the remarks made by the honourable member when he moved his motion. I have discussed this with my colleagues, who have exhorted me to give due regard to each of the points made by the honourable member. However, I have been unable to find any point that would justify the motion at all. I can only reiterate the comments I made last Wednesday, and make the final point that, if the member for Glenelg in moving his motion could justify the cadet corps, he might gain more support.

Everyone would agree that young people are not only entitled to lead but also I suppose should have the lead in discipline, health, bushcraft, etc. However, I doubt very much whether anyone could substantiate an argument that the only area in which these advantages are available is the cadet corps. As I said last week, there is no need to put a uniform on a 13 or 14 year-old or to put a rifle in his hand to teach him admirable qualities. He can learn those qualities in various other activities. In my view the least of the activities in which he or she should be involved is Army training. No-one can dispute that cadet training involves the Army, Navy or Air Force. The Army cadets, Navy cadets or Air Force cadets would not exist if those cadets were not being trained in the war skills involved in each of those forces.

The concept of training for young people is a concept with which we all agree. The difficulty in relation to that concept is the form of training involved. In my view cadet training is the most unfortunate training that could be available to young people. I do not wish to take up the time of the House in repeating what I said last week. If the member for Glenelg wishes the House to congratulate the Fraser Government for reintroducing the cadet corps, it will do so without the support of the member for Stuart.

Mr. ARNOLD (Chaffey): I have pleasure in supporting the motion. I have listened with amazement to the member for Stuart expressing his grave concern about youngsters who wished to join a cadet corps.

Mr. Keneally: Well—

The SPEAKER: Order! The honourable member for Stuart has already spoken.

Mr. ARNOLD: The member for Stuart seems to have an enormous hang-up about this subject. Why, I do not know. Obviously something happened to him during his national service training that has resulted in his severe hang-up about any form of discipline. I would be interested to know what sort of discipline was carried out on the honourable member that caused him this serious hang-up and psychological problem.

The Federal Government's move to re-establish the Army Cadet Corps is an excellent move. Cadet corps throughout Australia should never have been disbanded. The opportunity should be available to youngsters to participate in an Army Cadet Corps; after all, they are not forced to enter the corps and it is a good opportunity for them to gain a sense of responsibility. Absolutely no harm has ever been created by a bit of discipline. If one thing is lacking in this country generally it is a lack of discipline.

If we are to live as a nation in this world, we can do so only with a certain amount of self-discipline by everyone. We talk about freedom, rights and so forth but the only way we can have them is with self-discipline. Unfortunately, there is little self-discipline in this country today. Everyone is too preoccupied with himself rather than with an overall concern for the rights of other people. We cannot achieve the rights of individuals and the freedom we expect in this country unless we have a certain amount of discipline. I had the opportunity of being a member of the Boy Scouts movement.

Mr. Keneally: Is there a distinction between the two?

The SPEAKER: Order! The honourable member for Stuart is out of order. He has already spoken.

Mr. ARNOLD: I have had the opportunity and the privilege of being a member of the Boy Scouts movement. When I was old enough I then moved on to the school cadets, in which I spent two years that I thoroughly enjoyed. The added discipline that I received in the school cadet corps did not do me any harm. I do not believe that it harmed any other youngster who participated in that activity either.

At a slightly later stage I had the opportunity of doing my national service, as did many other youngsters of a similar age. As far as the cadet corps and national service was concerned, the greatest value in the training was not by any stretch of the imagination in the defence of Australia but in the value that the individual person received from that training. The disciplines that were received during the national service training were of immense value to those involved in it. In many cases the youngsters entering national service were, to say the least, as wet as dishwater. Many had not been away from home in their lives and six months later you would not believe the difference. They had a greater sense of responsibility towards themselves and their country and much more pride in their country than they had before. I think this is where the value lies in this sort of training. The Millar committee of inquiry that was commissioned by the Whitlam Government reported in June, 1974. It recommended as follows:

> *(a)* That the present Army cadet system be retained with modifications and on a totally voluntary basis during peace time.

The Federal Government of the time set up this committee of inquiry into the Citizen Military Forces and these are the recommendations it brought down. Recommendation *(b)* stated:

> That, with the consent of the Education Department in each State and the principals of the schools concerned, all secondary schools throughout Australia be invited to consider whether they wish to have or retain a cadet unit.

The Government did not allow the schools to do that; it just wiped out school cadet training throughout Australia and the option was not given. That Government might just as well not have held that inquiry because it had no intention of taking any notice of the findings of the committee; it was a complete farce. The Government was undoubtedly hoping the report would favour the stand taken by the Government; when it did not do so, the Government totally ignored the report. It was an utter waste of taxpayers' money because the report was ignored by the Government of the day.

The fact that the present Federal Government has acted to reinstate the school cadet corps on a voluntary basis and has also initiated in South Australia the formation of the unit referred to in the motion will give the opportunity for most youngsters in the metropolitan area of Adelaide, if their school decides to proceed with a school cadet corps, to be involved with the Warradale 27th Cadet Unit. I believe this is probably more important than the individual schools proceeding on their own; it can be done on a larger scale. The recommendations of the report virtually said that it would lead to greater efficiency if the school cadet activities were combined where possible. The motion is certainly in the best interests of the young people of Australia. It will not only give them a greater sense of

responsibility in themselves but will also promote a certain sense of responsibility towards the country. I believe that it will foster in these young people much more pride in Australia. Whilst I was overseas recently on a Parliamentary study tour which was provided for me by this Parliament I was interested to note the immense pride in their country of many of the people, particularly in the small European countries, no matter now small the country. Some of the countries were very small with few natural resources and not much going for them apart from being pretty. The people had an immense pride in their little country, and I think this is something which is sadly lacking in Australia today. I believe the cadet training corps gives an opportunity for youngsters to identify themselves with Australia.

There is much more to cadet or Army training than just learning to carry a gun, as was suggested by the member for Stuart. Many trades can be learned in the Armed Forces. The member for Stuart has expressed a narrow view in suggesting that the only involvement young people would have by entering the cadet corps would be training in how to carry a gun and how to kill other people. I cannot agree with that philosophy. I wholeheartedly support the motion, and hope it receives the support of this House.

Mr. MAX BROWN secured the adjournment of the debate.

LICENSING ACT AMENDMENT BILL

Second reading.

Mr. BECKER (Hanson): I move:

That this Bill be now read a second time.

For many years Adelaide's restaurants and hotels have rightly enjoyed a high reputation. From the beginning of the liberalisation of our licensing laws in 1965 we quickly adopted the very enjoyable practice of wining and dining in pleasant surroundings. While South Australia has very liberal licensing laws (restaurants, for example, have unrestricted hours), there is one thing which needs to be added to give us what I consider would be a near-perfect system: that is, to provide for restaurants where patrons can take their own liquor. It is an anomolous situation that South Australia, the premier wine-producing State in the Commonwealth, both as regards quantity and quality, is the only State where this service is not available.

The cost of eating out has steadily escalated over recent years, and one of the major causes has been the prices charged for wine. There are two main reasons for these charges. The first is the cost to restaurants of licensing fees. These are assessed on the basis of 8 per cent of liquor turnover, and for most restaurants the fee is such as to add significantly to the overhead costs. The second is the ever-present high and increasing cost of wages. As members will appreciate, wine waiters and waitresses work mainly in hours which involve penalty payments, and consequently this is another expensive overhead for licensed restaurants. A third reason for high wine prices, which fortunately applies to a minority, is simply blatant overcharging.

In addition to these charges, licensed restaurants must carry a stock of liquor, which entails a substantial outlay of capital. It is possible, under present licensing laws, for a licensed restaurant to allow patrons to bring their own liquor, and at least one well-known restaurant does do this. I understand that the particular restaurant started the practice on a Monday-to-Thursday basis, but it proved so popular that it now operates seven days a week, and it is necessary to make reservations some weeks in advance.

However, the overheads and capital outlay which I mentioned still apply, so it is not the ideal solution. In fact, in the terms of the licence under which it operates, the restaurant must record what liquor is taken in, and pay 8 per cent of its value in licence fees. In addition, any liquor not consumed must be left, as it is illegal, under a restaurant licence, to take liquor off the premises.

The obvious solution to these anomalies is to create a new kind of licence, and that is what this Bill seeks to do. It adds a "limited restaurant licence" to the Licensing Act. In this way, the range of choice for patrons of restaurants will be widened. Service by fully licensed restaurants will be better because wine will be served by restaurant staff and the patron will not have the inconvenience of having to take it. In general, a greater style of service will still apply in fully licensed restaurants. However, for those people who do not wish to have that greater style of service, there would be this additional category of licence, making it possible for patrons to take their own liquor. The two types of restaurant licence will appeal to different classes of customer and provide for differing tastes and styles in respect to the way in which people wish to enjoy their meal.

B.Y.O., as it is usually called, is common in all other States and so it is possible to see some of the pitfalls and avoid them in South Australia. In New South Wales, for example, no licence is required at all. Any cafe or pizza bar, if the proprietor so desires, can allow patrons to bring their own liquor. It is very easy to see that this could lead to a most undesirable situation. The Licensing Court has no power over such premises, the only control being the normal Health Act, so that, provided the place is clean, there is no control whatever over the consumption of liquor. This is a most undesirable situation and one which could be remedied with a proper licensing provision. This is not to say that there are not very many B.Y.O. restaurants of a very high standard in Sydney, but also, because of no effective control, there are very many which are far from a high standard.

In the introduction of this Bill, I am determined that any restaurant which obtains such a licence maintains a standard which is in keeping with the generally accepted standard for the service of good food and wine. By placing the matter in the hands of the Licensing Court, this will be ensured. In Victoria, a licensing system prevails, and, on the whole, the system works well. However, one or two anomalies have crept in, which I have tried to provide for in this Bill. One is that there are some unscrupulous proprietors who are breaking the law by selling liquor. Usually, when patrons go to the B.Y.O. restaurants they take red or white wine but nothing else. Certain restaurants are then offering port or liqueur and charging for it. The Liquor Control Commission in Victoria is aware of this problem and is attempting to police the Act as thoroughly as it can. This Bill attempts to overcome this problem in a way which I will explain when dealing with the clauses of the Bill.

Another small point which is causing concern is the fact that restaurants with the B.Y.O. licence are calling themselves "licensed B.Y.O. restaurants". While this may be technically correct, it has brought complaints from normal restaurant owners, particularly where the word "licensed" is much larger than the "B.Y.O." initials. Under regulations now being brought in in Victoria the word "licensed" will not be allowed to be used by holders of B.Y.O. licences. I hope that when the Licensing Court is administering this section of the Act it will take note of this and order accordingly so that this problem will never arise in South Australia. Apart from these comparatively

minor points, the system is working very well in Victoria, and has wide public acceptance. Victoria can serve as a model for South Australia in this matter.

Some concern has been expressed that there are already sufficient licensed restaurants and that the provision of B.Y.O. restaurants will lead to a glut in an already hard-pressed industry. As has already been pointed out, the two types of restaurant will appeal to different classes of people. Also, there is quite strong evidence that, in Victoria, the provision for B.Y.O. restaurants has led to an increase in business for the fully licensed restaurants. This is brought about, it is believed, by the fact that B.Y.O. restaurants encourage people, who had not previously been in the habit of dining out, so to do. They then are likely to go also to fully licensed restaurants.

Clause 1 of the Bill is formal. Clause 2 amends section 14 of the Principal Act by adding a seventeenth class of licence, a "limited restaurant licence". Clause 3 provides for a new section 31a which sets out the details of the licence. It provides that the hours of B.Y.O. restaurants shall be unrestricted as are licensed restaurants. Subsection (2) of section 31a provides for the fixing of maximum corkage or other charges by the Commissioner for Consumer Affairs. In Victoria, there appears to be a variation in the corkage charged, some restaurants charging as high as $1, but I believe that the majority either make no charge or at most a nominal charge, such as 20c.

Subsection (3) is designed to overcome the problem I mentioned earlier concerning restaurants selling liquor. If the Superintendent of Licensed Premises has reasonable cause to believe that liquor has, or is being sold, in contravention of the licence, the onus can be placed on the licensee to prove otherwise. Clause 4 amends section 37 of the principal Act which deals with fees, and fixes a fee of not less than $50 and not more than $200. This is in line with reception houses and certain types of club.

Clause 5 amends section 82 of the Principal Act which deals with the power of a company to hold a licence and adds "limited restaurant licence" to the prescribed licences. Clause 5a amends section 86b of the principal Act and is not specific to "limited restaurant licences". It corrects an anomaly in the principal Act whereby the licensee or the court, of its own motion, could apply for the suspension of a licence but not the Superintendent of Licensed Premises.

Clause 6 amends section 168 of the Principal Act by exempting limited licensed restaurants from being forced to supply food and lodging in common with ordinary licensed restaurants. Clause 7 amends section 171 of the Principal Act by allowing a person who takes liquor to either a fully or limited licensed restaurant, for the purpose of consumption, to remove any unconsumed liquor from the premises. I commend the Bill to the House.

Mr. KENEALLY secured the adjournment of the debate.

UNEMPLOYMENT

Adjourned debate on motion of Mr. Slater:

> That this House condemns the economic policies of the Federal Government in creating widespread unemployment within the Australian community, particularly affecting the young seeking to enter the Australian work force.

(Continued from November 30. Page 1132.)

Mr. SLATER (Gilles): Last week, when moving this motion, I spoke of the economic policies of the Fraser Government, their effects on the work force of Australia, and the record unemployment they have created within the Australian community, particularly among the young. When seeking leave to continue my remarks, I was dealing with the experiences with which one has to cope when being unemployed, the hardship and personal demoralisation, and the psychological effects both to the individual and to the community generally.

I continue my remarks by emphasising that the anxiety and the depression experienced have a profound effect on the individual. If one examines closely and fairly the effects of long-term unemployment, particularly on the young, it will show that there is a loss of faith in society, a damage to self-esteem, and a development of anti-work attitudes. Also, family tensions rise as young people fail to find employment. Trouble with the law (for example, vandalism and larceny) is a potential development.

The costs of prolonged unemployment are both personal and social. Its effect has greater impact on the young and the unskilled, and sometimes immigrants in some areas are also affected. Gradually, these effects are transmitted to society as a whole.

I refer, in part, to a report dated June 22, 1977, headed "Warning: Unemployment is a Health Hazard. Ask 320 000 Australians: they know". The latest figures however, show that 360 000 are unemployed, and probably the number will increase in the new year, depending on the result of Saturday's election. The report substantiates even further my contention on the profound personal and social effects of unemployment. Regarding suicide, the report states:

> A survey completed in February this year by the Victorian Mental Health Authority showed attempted suicide amongst the unemployed had reached epidemic proportions in two Victorian centres, Ballarat and Dandenong. In Ballarat, the attempt rate for the unemployed over the two-year study period (1975-76) was 278·8 per 10 000 population (one in 36), more than 12 times the average area rate of 22·1 per 10 000. The incidence in Dandenong was 117·3 per 10 000 (or one in 85), more than seven times the average area incidence of 16·7. The highest incidence of suicide attempts was in the 15-30 years age group. Suicide is the most dramatic indicator of the connection between job insecurity and stress.
>
> There is other evidence that confirms the connection. For instance, in Sydney in 1975 the suicide telephone service, Lifeline, set up a special counsellor for the unemployed because of the number of calls of this nature they received. Mental illness: In 1975, a clinical studies group at the University of New South Wales interviewed a number of unemployed people. The reaction of their mainly middle class subjects included "general depression, lack of confidence, feelings of insecurity and of uselessness and lethargy. Often as a result of the multiplicity of these 'negative' feelings the unemployed subjects felt unnecessary guilt and also became isolated from friends, introverted and separated from the family." Of one young unemployed journalist the group wrote: "He considers the psychological effect of not being able to find work as devastating. He began to lose all confidence . . . he thought he was no longer capable of writing."
>
> Heart Disease: The school of economics, Macquarie University, has recently demonstrated that unemployment has played a major role in death from heart disease in Australia. The rate of heart disease mortality has risen after increases in unemployment and has fallen with improvements in the job market. The physiological connections between the stress of job insecurity and heart disease have been well established in the United States. Several articles were published between 1968 and 1974 on the physiology of men faced with plant shut-downs. They measured significant increases in a number of factors associated with heart

> disease. Blood pressure levels were high in the period of job insecurity.

The article also deals with other aspects of individual difficulties. It has been shown that child abuse (the battered baby syndrome) has a variety of causes, some lying with the personality of the participants, but unemployment also activates the abuse of children. One of the main aspects in the article deals with drug addiction, and states:

> Anyone who has talked recently to parents of adolescents will know that there is a current panic about hard drugs. Some parents now connect the spread of hard drugs to the need for escapism and self-obliteration engendered by the shrinking career prospects their children are facing.

Finally, the report deals with deaths occurring through people being depressed and unemployed, and states:

> If the picture offered here of deteriorating health accompanying economic depression is correct, we would expect the end result of poor health—death—to be similarly affected. There is good evidence to show that it has been.

I know from personal experience of a person close to me who, I believe, suffered that kind of consequence as a result of psychological depression that eventuated in his death. The article continues:

> Of all Australian males, about 30 per cent fail to survive the work span from 15 years old to 65. In central Melbourne, no less than 50 per cent of males fail to survive the work span. Upper middle-class suburbs have death rates 25 per cent below average. On these results, men inhabiting a stable moral and occupational universe are protected, while those who hold weak positions in the labour market and live in unstable social environments bear the greatest disadvantage. The prospects of chronically high unemployment and decreasing stability of the family and other basic institutions have ominous implications for the health of those born into Australian working class families since the Second World War.

So, the article confirms that the pattern that has emerged over the past two years during the term of office of the Fraser Government is that more poeple are unemployed, more young people are unemployed, and the length of time of being unemployed has been extended. Of course, this has a profound effect on the individual and on society generally.

Let us forget the statistics and look at the matter in terms of the individual who is unemployed and the effect on him personally. The Fraser Government has not shown any consideration or compassion for the unemployed; on the contrary, it has shown complete disregard for the plight of such people. For this reason alone, it must be condemned for the economic policies it has pursued or, perhaps more correctly, the lack of economic policies pursued, thus creating record Australian unemployment since the great depression.

The electorate of Australia on Saturday next will pass judgment on the performance of the Fraser Government. The judgment will prove, I believe, that the majority of Australian people will support this motion. For that reason, of course, the judgment as given by the Australian people will initiate, I believe, a more intelligent, more considerate, and more compassionate attitude to the unemployed.

Mr. BANNON (Ross Smith): In seconding the motion, I fully and wholeheartedly endorse all the remarks of my colleague. Of all the promises broken by the Fraser Government in its two infamous years of office (and there are many, and they are well documented, because, fortunately, they are recorded), that to reduce unemployment in Australia is probably the cruellest and the most devastating. The high level of unemployment in our economy today, as the motion points out, clearly is the key to the economic problems we are facing.

High unemployment creates in its turn insecurity and economic problems. It means that those in employment conserve the funds and finances they have, so that there is no hope of the much vaunted consumer-led recovery that Fraser has tried to talk about at different periods of his two years in office. On those unemployed it lays a heavy burden (a psychological and social burden, as was outlined by the member for Gilles), and also a burden of direct economic cost to the community to sustain those persons in unemployment and to try to patch up and correct the social and psychological harm that has resulted. On these counts, the Fraser Government stands indicted for failing in what should have been its key effort in Government.

Quite clearly, its promises on unemployment were as cynically made as were its promises on everything else. We have reaped the reward. The Australian people have seen the record, and we have a chance to correct it at the end of this week. Unemployment was soaring as recently as October of this year. Let us make a comparison of the figures, and perhaps the best and most accurate comparison one can make is by comparing the figures 12 months to 12 months. That discounts any seasonal factors, and it gets rid of the arguments about whether or not the month chosen is appropriate.

If there had been an improvement in the employment situation over that time, if Fraser had been providing more jobs, as he suggested he was going to do, by stimulating the private sector of the economy, one would see a reduction in the numbers of unemployed from one 12 months to the next 12 months. In fact, the opposite has occurred. From May, 1976, to May, 1977, from June, 1976, to June, 1977, from July, 1976, to July, 1977, right through to October, 1976, to October, 1977, we have seen an increase in the numbers. Sometimes it is 60 000; sometimes 66 000; in October it was 71 000. In percentage terms, for instance, taking the month of October, the increase in the number of unemployed from October, 1976, to October, 1977, was 27·3 per cent, or over a quarter more. That record is scandalous. The record has been consistent for all of this year, and it is at the seat of the economic ills the country is facing today.

The Commonwealth Employment Service registered unemployment figures of job seekers ignore an extremely important sector of the work force, those one can call discouraged job seekers. It is a nice-sounding term that the Australian Bureau of Statistics has used to describe people who want a job but are not actually actively looking for work, and therefore they are not recorded in the unemployment figures. There are all sorts of reasons why a person should be a discouraged job seeker. A person who has applied for job after job and who has received knock-backs, in many cases not even getting to the interview stage, eventually gives up hope of succeeding in getting a job, and stops applying.

The sort of psychological depression described by the member for Gilles sets in, resulting in that person's dropping out of the labour market. If someone goes to his front door, as the Bureau of Statistics does in analysing this category, and says, "If there were work available, would you take it?", the answer is always, "Yes, of course I would, but I am not registered with the Commonwealth Employment Service because there is no point in it. Why go through that charade, knowing that at the end of it there will be no job waiting for me?" What are the numbers identified as people wanting jobs but discouraged from seeking them? In May, 1977, on the latest statistics available, there were 66 500 of them. That is an

extraordinary figure: 66 500 individuals would take work but are so discouraged and so disconsolate in the current economic climate that they have given it away.

The same survey identified another 17 000 people who were not looking for work because they believed there were no jobs available with suitable hours. These people probably would only have been available for part-time work, for work within certain hours or on certain days of the week, because they may have other responsibilities. These include especially women with family responsibilities. So, we have another 17 000 people who, because of the depressed state of the job market and because of the economic policies of two years of Fraserism, are discouraged from looking further. These people must be added not only to the figures of the jobless but also to the cost of the social problems that arise out of someone seeking employment in a society which is still dominated by the work ethic, and, whatever is said about dole bludgers and the work shy, where people still basically relate their self-esteem to the job they are doing and their value in society to whether or not they have an opportunity to work productively. In such a society, we are dealing not only with 360 000, or whatever is the latest figure of registered unemployed, but with these further discouraged persons. But, most disturbingly, the real incidence and hardship of unemployemt is increasingly falling upon young workers.

These are not just school-leavers, but those who have been out of school for some time many of whom have not found a job yet or may have been employed for a short time but have not been able, since leaving school or being dismissed, to obtain another job. This is a major underlying structural problem, and the "benefits" (and I put that word in inverted commas, because it is not a benefit: I use it ironically) of these young people's discouragement will be reaped by our community in future. Something has to be done urgently about this situation or the already high cost to the community and society that it is causing will become astronomical.

Mr. Slater: What do you think unemployment figures will reach?

Mr. BANNON: The predictions of the Department of Employment and Industrial Relations kept under wraps by the Minister, who did not want them leaked, demonstrates that more than 400 000 and perhaps nearly 450 000 will be unemployed in the coming year. Every economic indicator and every commentator on employment matters predicts higher unemployment figures, except the Prime Minister and his Cabinet. The interesting thing is that the Prime Minister sees unemployment being solved by the market forces, which he has tried to unleash with such disastrous results over the past two years, in the next two years. He promises a further two years of the same situation. The Labor Party has put up a recipe involving positive action on jobs.

I referred to the question of costs, and I will now deal with that matter in greater detail. I have referred to the fact that school-leavers are not the major problem in youth unemployment, although they are a large one. Traditionally, year by year the proportion of school-leavers amongst the young unemployed rises in December and January (that makes sense, as new school-leavers join the labour market for the first time), and then moves steadily down until, by April, they are the smallest category. In 1977, the second year of the Fraser economic policies, it took until June for this to occur. In other words, school-leavers remained the largest category of unemployed young people until June.

Many youths who left school had been unemployed from that day in December when they left the school room until some time in June, when they may have been lucky to get a job. That category of school-leavers does not include those who have been lucky enough to find a temporary short-term job that they lose, and then find that they are unable to get back into the labour market again. The economic and social costs of that situation are great.

Let us highlight the figures even more, and point the finger at those who talk about the work-shy, the dole bludgers, and the fact that if a person wants a job he can get one. A publication called *The Unemployment Forum,* which is part of the Port Adelaide unemployment project, one of the schemes that has been instituted to help to sustain the morale of the young unemployed and of the unemployed people generally in the present economic climate, starkly points out the problem facing a job seeker. It is not only that there are thousands of unemployed but also the fact that there are a few, and a diminishing number of, job vacancies for them.

For instance (and this point illustrates it graphically), if at each Commonwealth Employment Service office in Adelaide there was one job vacancy, one could ask how many unemployed people were registered to fill it: that is, what is the proportion of job vacancies to unemployed people? At Port Adelaide, for every one job vacancy 58 unemployed people are registered; at Elizabeth there are 32; at Salisbury, 44; at Enfield, 41; at Campbelltown, 31; at Norwood, 20; at Adelaide, 21; and at Edwardstown, the best of them, there are still 19 unemployed people seeking every one job vacancy. The figures are scandalous and unprecedented in our history, and that is the position after two years of Fraserism.

In terms of the cost of unemployment, I elaborate on some points made by the member for Gilles. The social costs are perhaps the first things we should identify. The first of those is the cost of unemployment benefits to those now paying taxes: persons in the work force are being taxed in order to provide unemployment benefits for those who are not doing anything because they cannot find work. Then there is the cost of extra demands placed on facilities such as schools: school-leavers think twice before leaving school, if there are no job prospects, and there has been a higher retention rate at schools as a result. That means that extra demands are placed on school facilities.

In addition, there is the opportunity cost of unused skills produced by previous public investment in individuals: people have gone through training courses even up to graduate or post-graduate level, and then find that their skills are not wanted and are not being used by the community, although the community has paid considerable sums to ensure the acquisition of these skills. If the potential of these persons is not being used, that is a major cost to the community.

The cost incurred by the community as a result of and in containing of social deviance generated by unemployment was referred to by the member for Gilles. I remind the House of figures presented earlier by the Attorney-General regarding crime statistics and vandalism for 1975-76. Vandalism is defined as arson, malicious damage to property, wilful damage, and other similar destructive acts. The number of juveniles under 18 years who were appearing before juvenile courts and aid panels on what we may call vandalism charges was 351 for 1975-76; 178 of them were over 15 years, and of this number 92, or 52 per cent, were unemployed or not attending school.

If there were some proportionality, one would expect the numbers unemployed and not attending school would roughly equate to the numbers unemployed in the youth work force, and that is about 13 per cent to 15 per cent. In fact, it is not: it is 52 per cent, showing a clear correlation between unemployment and the social and psychological

effects on young people, and malicious damage and vandalism. That is a cost to the community.

These are not costs to the community only but also costs to the individual, and this matter was referred to by the member for Gilles. Before dealing with the consequences to the community, I seek leave to continue my remarks later.

Leave granted; debate adjourned.

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

SOUTH AUSTRALIAN HEALTH COMMISSION ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

EIGHT MILE CREEK SETTLEMENT (DRAINAGE MAINTENANCE) ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

BARLEY MARKETING ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

INDUSTRIAL COMMISSION JURISDICTION (TEMPORARY PROVISIONS) ACT AMENDMENT BILL

The Legislative Council intimated that it did not insist on its amendment to which the House of Assembly had disagreed.

LEGAL PRACTITIONERS ACT AMENDMENT BILL

Returned from the Legislative Council with the following amendment:

> Line 13 (clause 2)—After "the State" insert "being:
>
> (a1) the Crown Solicitor or a legal practitioner who is employed by the Crown and acting on the instructions of the Crown Solicitor; or
>
> (a2) a legal practitioner who is employed in the Department for Corporate Affairs;

Consideration in Committee.

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

> That the Legislative Council's amendment be agreed to.

I do this with the greatest reluctance. I do not agree with the amendment and I believe that it quite unduly inhibits the area of the work of the Commissioner for Consumer Affairs. However, it is important that we make an amendment to allow the work of the Corporate Affairs Department to proceed.

Mr. MILLHOUSE: I do not share the Premier's reluctance. The amendment seems as though it meets the main argument that I put yesterday, namely, that a legal practitioner employed in any department should be responsible to a senior member of the profession, desirably the Crown Solicitor. I am pleased about that. New subsection (a2)—the numbering is extraordinary —does what the amendment that I moved yesterday was intended to do, namely, extend the employment or allow people in the Corporate Affairs Department to act. I was prepared to go as far as that in my amendment. It seems now, despite the grizzle from the Premier, to be a fairly good compromise. I hope that there is not any hidden trap in what the Legislative Council has done.

Mr. TONKIN (Leader of the Opposition): I am grateful that the Government has seen sense at last, even though the Premier says that it has done so reluctantly. I support the amendment. I must admit that, uncommonly, I agree with the Premier on this occasion.

Motion carried.

SOUTH AUSTRALIAN OIL & GAS CORPORATION PTY. LTD. (GUARANTEE) BILL

Returned from the Legislative Council without amendment.

SAVINGS BANK OF SOUTH AUSTRALIA ACT AMENDMENT BILL

Returned from the Legislative Council with the following amendment:

Page 2, line 1 (clause 3)—Leave out the words "or extend".

Consideration in Committee.

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

> That the Legislative Council's amendment be disagreed to.

The Legislative Council has seen fit to strike out from the authority of the bank to deal with the business of its customers the words "or extend". The effect of this is to prevent the bank from acting in other than a purely protective way about existing business. The effect is, and is intended to be, to prevent the bank from acting as an effective competition in relation to its business as compared to other banks.

I do not believe that there is any basis upon which this Committee should impose that kind of restriction upon the work of the Savings Bank, which has to operate as a business, and competitively. I do not see the slightest reason for supporting an amendment of this kind, which I imagine emanates from those members of the Legislative Council who do not want to see the Savings Bank acting competitively. The amendments which have been proposed were recommended by a series of boards of the bank.

This is not the first time that these amendments have been proposed. I did not put the amendments forward when they were originally proposed by the bank board at the time when Mr. Jeffery was Chairman of the board. After a thorough examination, I put them forward. They are the responsible view of the board of trustees of the Savings Bank of South Australia and have been repeated over a period. I do not believe they should be interfered with by the Legislative Council.

Mr. BECKER: Can the Premier clarify the words "or extend"? The Bill as drafted contained the words "to protect or extend the business of the bank". Is it intended that the bank will be able to extend its operations into any normal banking field?

The Hon. D. A. DUNSTAN: This amendment means that, if any extension of the business of the bank is involved in giving the facility to the body referred to in new subsection (2), it may not do it. I do not believe that that is a proper limitation upon the proposals of customers of the bank. If it is to be limited to protecting the existing business of the bank and not allowing any extension of

banking facilities to the body, it is a hopeless position for the bank.

Mr. BECKER: Is it the intention of the Government to enable the Savings Bank of South Australia openly to enter normal trading bank operations? That is what we want to clarify, and we want an assurance from the Government about.

The Hon. D. A. DUNSTAN: It is not the intention of the Savings Bank to enter normal trading bank business at all. The reasons for this proposal have been specifically given, and they are confined to that area. To say that it is to be limited to protection and that facilities are not to be extended to people who want the extension of savings bank facilities is an unreasonable limitation. In a changeover of operations from an individual basis to a company basis in order to extend facilities to those people is not simply protecting the existing business of the bank: it may involve some extension of business. However, the aim of the section is certainly not to allow the Savings Bank to enter into general trading bank business in any significant way.

Mr. TONKIN (Leader of the Opposition): I think that the Premier has determined the problem, which is in the definition of the word "extend". "Extend services" could be interpreted as extending the services normally given by the bank to a client. The other definition is that, where services are already provided to a client, further services will be given. That is where the difficulty arises. I think it is a matter that could be looked at and clarified so that it is beyond all doubt.

Mr. BECKER: There seems to be some doubt about the interpretation of the words "or extend". Whilst a statement can be made here that it is not intended to extend the operations of the bank, Governments and leaderships can change, and the bank could extend its operations. I see this as a means of chipping away at the original principle of the Savings Bank of South Australia, which was to be a mutual organisation. It has gradually got into the control of the Government, which was done through Sir Thomas Playford back in 1948. It was then found necessary to have personal cheque accounts and it has gone into the personal loan business, so the operations of the bank are gradually being extended. There is no doubt that this Bill could lead to further extensions into what are normally trading bank operations.

It has often been stated regarding other legislation that the Savings Bank cannot open cheque accounts, especially commercial accounts, until it has first consulted with the State Bank. There can be no doubt that the Savings Bank is trying to move away from the State Bank and go it alone as regards operating commercial accounts. Although there is at present a limit on borrowing, that will be the next matter to be considered, as not many commercial organisations banking with the Savings Bank would be operating in credit. I see this as a means of further chipping away at the original intention of the Savings Bank operation. The time has come when we must decide whether the Savings Bank is to continue, as originally designed, as a people's savings bank, or whether we go all the way and allow open slather, with a bank run by the State Government involved in direct competition. I support the amendments moved in another place.

The Committee divided on the motion:

Ayes (22)—Messrs. Abbott, Bannon, Broomhill, and Max Brown, Mrs. Byrne, Messrs. Drury, Dunstan (teller), Groom, Groth, Harrison, Hemmings, Hopgood, Hudson, Klunder, Langley, McRae, Olson, Payne, Simmons, Slater, Virgo, and Wells.

Noes (14)—Mrs. Adamson, Messrs. Allison, Becker (teller), Blacker, Eastick, Evans, Goldsworthy, Mathwin, Rodda, Russack, Tonkin, Venning, Wilson, and Wotton.

Pairs—Ayes—Messrs. Corcoran and Whitten. Noes —Messrs. Chapman and Gunn.

Majority of 8 for the Ayes.

Motion thus carried.

The following reason for disagreement was adopted:

Because the amendment is contrary to the principles of the Bill.

Later:

The Legislative Council intimated that it insisted on its amendment to which the House of Assembly had disagreed.

Consideration in Committee.

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

That the House of Assembly insist on its disagreement to the Legislative Council's amendment.

Motion carried.

A message was sent to the Legislative Council requesting a conference at which the House of Assembly would be represented by Messrs. Becker, Drury, Dunstan, Hemmings, and Wilson.

Later:

A message was received from the Legislative Council agreeing to a conference to be held in the Legislative Council conference room on Thursday, December 8, at 9 a.m.

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

That Standing Orders be so far suspended as to enable the conference to be held during the adjournment of the House and that the managers report the result thereof forthwith at the next sitting of the House.

Motion carried.

INDUSTRIES DEVELOPMENT ACT AMENDMENT BILL (No. 2)

Returned from the Legislative Council without amendment.

VERTEBRATE PESTS ACT AMENDMENT BILL (No. 2)

Received from the Legislative Council and read a first time.

FILM CLASSIFICATION ACT AMENDMENT BILL

Returned from the Legislative Council with the following amendment:

After line 11, insert new clause 2a as follows:

2a. Section 11a of the principal Act is amended by inserting after subsection (3) the following subsection:

(4) The nominee of the Minister referred to in subsection (3) of this section must be a person who resides in this State.

Consideration in Committee.

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

That the Legislative Council's amendment be disagreed to.

I cannot imagine anything more absurd than this amendment. The schedule of amendment was circulated some time ago.

Mr. TONKIN: On a point of order, Mr. Chairman, I do not think that the amendment has been circulated, and it is only fair that it should be.

The CHAIRMAN: Order! There is no point of order.

The Hon. D. A. DUNSTAN: Section 11a provides:

> . . .where—
> (a) a classification has been assigned to a film by the Minister; or
> (b) a classification has been assigned to a film in pursuance of a corresponding law and a certificate has been issued under subsection (3) of this section . . .
> it shall not be an offence to distribute or exhibit the film in this State . . .
> (3) The Minister may issue a certificate stating that he or his nominee has personally viewed the exhibition of a film to which a classification has been assigned in pursuance of a corresponding law and that the classification so assigned is, in his opinion, the appropriate classification for that film to bear.

The normal course of events has been (and this is by agreement with all the States and the Commonwealth) that the nominee of the Minister in issuing certificates of this kind is one of the Commonwealth film censors. They have staff employed for this purpose. Where it is necessary for me to issue a certificate of this kind, I arrange for an agreed Commonwealth film censor to do the work. They have the facilities and the staff, and it is an arrangement which occurs from all States. What is now being demanded by the Legislative Council is that, if I issue such a certificate, I must have it viewed by someone in this State and not use the Commonwealth staff to do it. That is a completely unreasonable proposal.

Mr. Millhouse: What's unreasonable about it?

The Hon. D. A. DUNSTAN: It would mean setting up our own staff in this viewing area. Why should we duplicate the activity?

Mr. Millhouse: So we've got it under our own control, I suppose.

The Hon. D. A. DUNSTAN: On this matter, we have periodic meetings of Ministers to review the policy being pursued and administered by the Commonwealth film censors who advise us of what they consider to be appropriate cases. If I get a complaint and we then view the matter, I take that up with the Federal Minister, and appropriate arrangements are made.

Mr. Millhouse: What are they?

The Hon. D. A. DUNSTAN: I have it reviewed by a Commonwealth censor, and in one case I had it reviewed by a State officer. It is impossible for me reasonably to provide that I am going to have all those classifications reviewed by a State officer after they have been given by a Federal officer.

Mr. McRae: It's a thorough waste of time.

The Hon. D. A. DUNSTAN: Yes, and expense. Why in the world are we to duplicate every one of the Commonwealth film classification decisions in this State! That would be unreasonable, and it is not a sensible amendment in any way.

Motion carried.

The following reason for disagreement was adopted:

> Because the amendment makes an expensive and unnecessary administrative change and prevents the State from making use of relevant Commonwealth employees.

Later:

The Legislative Council intimated that it did not insist on its amendment to which the House of Assembly had disagreed.

SUBORDINATE LEGISLATION BILL

The Hon. D. A. DUNSTAN (Premier and Treasurer) obtained leave and introduced a Bill for an Act relating to the making, printing, publishing and consolidation of certain subordinate legislation; to repeal the Consolidation of Regulations Act, 1937-1974; to amend the Statute Law Revision Act, 1974, and the Acts Interpretation Act, 1915-1975; and for other purposes. Read a first time.

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

That this Bill be now read a second time.

It is designed to facilitate the making and consolidation of subordinate legislation, that is, regulations, rules and by-laws. The need for the Bill has arisen mainly from problems associated with the expansion in the volume of the subordinate legislation of the State. In this regard the requirement under section 38 of the Acts Interpretation Act, 1915-1975, which regulates the making of regulations and is to be replaced by Part II of the Bill, that all regulations be published in the *Gazette*, has caused the Government Printer considerable difficulties for some time. Accordingly, the Bill proposes that regulations may, as an alternative, be printed in pamphlet form only and that notice of the date on which they were made and the place at which they are available to the public be given in the *Gazette*.

The same problem has arisen in relation to the publication of consolidated reprints of regulations in that the Consolidation of Regulations Act, 1937-1974, to be repealed by the measure, requires that they be published in the *Gazette* and treats consolidations as if they are in fact new regulations, although not subject to disallowance. It is proposed that a consolidation under this measure will be printed not in the *Gazette* but in pamphlet form only and will be treated not as new regulations but merely as a consolidated text of existing regulations. I seek leave to have the explanation of the clauses of the Bill inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clause 1 is formal. Clause 2 provides that the measure is to come into operation on a day to be fixed by proclamation. Clause 3 sets out the arrangement of the measure. Clause 4 provides for definitions of "authorised legal practitioner" and "regulation". "Authorised legal practitioner" is defined as a legal practitioner appointed by the Attorney-General, and it will be the responsibility of this officer to prepare consolidated texts of regulations. "Regulation" is defined to include rules and by-laws.

Clause 5 provides for the repeal of the Consolidation of Regulations Act, 1937. Clause 6 provides for the repeal of so much of the Statute Law Revision Act, 1974, as relates to the Consolidation of Regulations Act. Clause 7 provides for the repeal of section 38 of the Acts Interpretation Act. Clause 8 provides for the appointment by the Attorney-General of a legal practitioner to be the authorised legal practitioner. Clause 9 empowers extension by proclamation of the application of the measure to any species of subordinate legislation in addtion to regulations, rules and by-laws.

Clause 10 in substance reproduces section 38 of the Acts Interpretation Act, but with the following changes. At subclause (2) it is provided that every regulation will come into force when it is made or on such later date as is specified in the proclamation and not, as at present, on publication in the *Gazette,* since one of the main points of the measure is removal of the requirement of publication in the *Gazette*. Subclause (5) is new and is designed to clarify the legal effect of disallowance of a regulation in relation to acts, omissions or events occurring before the disallowance and the operation of pre-existing regulations amended by the disallowed regulations.

Clause 11 at subclause (1) requires that every regulation shall forthwith after it is made be published in the *Gazette* or in the prescribed manner and form. Under this provision it is proposed that regulations will be made prescribing pamphlet form and the places at which those pamphlets will be available to the public. Subclause (2) provides that, where regulations are not published in the *Gazette,* notice will be forthwith published in the *Gazette* of the day on which they were made and the places at which they are available to the public. Clause 12 provides that the Government Printer may and shall when directed by the Attorney-General reprint regulations. Clause 13 provides that regulations may from a certain day fixed by proclamation be numbered consecutively in each year in order to assist in identifying particular regulations.

Clause 14 provides for the preparation by the authorised legal practitioner of a consolidated text of regulations. At subclause (3) the authorised legal practitioner is empowered to update cross-references, convert references from old currency to new currency, correct printing, spelling or numbering errors, correct marginal notes, and renumber. The nature of these powers is such that any changes made in the exercise of the powers should not become an issue in any legal proceedings. Subclause (4) provides that a consolidated text of regulations may be given a short title. Subclause (5) provides that appropriate references shall be made to the regulations embodied in the consolidated text and to the amendments made to particular regulations. Clause 15 provides that the Attorney-General may if he is satisfied that a consolidated text so prepared is accurate order that it may be printed in the prescribed form and manner. It should be noted that questions of sufficiency of publication do arise in relation to consolidated texts since consolidated texts as such do not contain any new legislative material. Clause 16 is an evidentiary provision relating to consolidated texts. Clause 17 empowers the making of regulations for the purposes of the measure.

Mr. GOLDSWORTHY secured the adjournment of the debate.

STATUTES AMENDMENT (RATES AND TAXES REMISSION) BILL

Adjourned debate on second reading.

(Continued from December 1. Page 1157.)

Mr. GOLDSWORTHY (Kavel): I support the Bill, which gives effect to a series of extensions to the amounts of remission to be made available to pensioners in respect of water rates, sewerage rates, council rates, and land tax. The figures are, in the case of water and sewerage rates, from $50 to $75, and in the case of council rates and remission of land tax from $100 to $150. The Opposition, of course, supports the measure.

The only matter to which I refer is one I have raised in the House with the Minister previously, namely, the position of pensioners who live in separate units but whose council rates are levied as an aggregate on the total property. When I raised this matter by question in the House, the Minister undertook to investigate for me a certain case in my district. I raise the matter now to remind him that I have not received a reply and that I gave the name of the organisation concerned.

The Hon. G. T. Virgo: If you write to me again I will give you the details of it.

Mr. GOLDSWORTHY: That is simply a matter of definition. Under the terms of the present legislation, it appears that, unless the owner's name appears on a separate title, the remission is not available.

The Hon. G. T. Virgo: They get the rent allowance from the Commonwealth in their pension.

Mr. GOLDSWORTHY: I ask the Minister to investigate this case, as he said he would, because the people who administer that home have been asking me for the result. I will write to the Minister. With those few remarks, I support the Bill.

Bill read a second time.

In Committee.

Clauses 1 to 4 passed.

Clause 5—"Remission of rates."

Mr. GOLDSWORTHY: Will the Minister say whether the remissions are still retrospective to the date on which the pensioner became entitled to the remission? I think the Minister decreed that, if the pensioner, by some oversight, failed to apply when the remission was first available, the remission would be retrospective to the date on which the pensioner became eligible for the concession. In my district recently, when a pensioner complained of rising rates and taxes, it was found that he was eligible for the concession. I understand that the department allowed retrospectivity to the date when the pensioner obtained his medical card and fringe benefits. The department checks more closely in these circumstances, and requires more than the normal form to be filled in.

The Hon. G. T. VIRGO (Minister of Local Government): These amendments will come into operation on July 1, 1978, as set out in clause 2. The date of operation in relation to a general entitlement is a separate question. I am not sure that retrospective action is applied outside the then current financial year. If a person has failed to apply and if, after three or four years, his attention is drawn to it, I am not sure that the concession would be retrospective to the commencing date. Certainly, cases occur from time to time (through my office as well as the office of the Minister of Works) where application for the concession has not been made in time for it to apply in the then current financial year. Subsequently, application is made and the concession is made retrospective. I will have the position clarified in a statement, and perhaps I could inform the honourable member by correspondence, setting out precisely the practice followed by the department.

Mr. GOLDSWORTHY: Whilst I thank the Minister for the undertaking, I point out that the concession is being applied retrospectively.

The Hon. G. T. Virgo: If that is so, what I said was wrong, but I shall get the information.

Mr. GOLDSWORTHY: My inquiries indicated that this was being done on the insistence of the Minister, and I understood that it was the Minister of Local Government. A case occurred recently of someone who did not apply in 1974, when he became eligible. Last Friday, we completed some correspondence giving the department the information it required. I am not sure of the source of the information, but I understood that the Minister had insisted on this practice and that, in the case of council rates, a cheque was not made available, but credit was given on the council books for future years, so that remissions were made available for rates in future years to use up any back remissions not claimed by the pensioner. I hope that position still obtains, and I shall be grateful if the Minister will confirm it.

Clause passed.

Remaining clauses (6 to 14) and title passed.

Bill read a third time and passed.

Later:

Returned from the Legislative Council without amendment.

CLASSIFICATION OF PUBLICATIONS ACT AMENDMENT BILL

Returned from the Legislative Council with the following amendments:

No. 1. Page 1—After clause 1 insert new clauses 1a and 1b as follow:

1a. Section 5 of the principal Act is amended—

(a) by striking out from subsection (2) the word "The" and inserting in lieu thereof the passage "Until the commencement of the Classification of Publications Act Amendment Act, 1977, the";

(b) by inserting after the word "Board" being the last word in subsection (2) the passage "and on and from that commencement the Board shall consist of eight persons appointed by the Governor of whom—

(e) one shall be a legal practitioner;

(f) one shall be a person skilled in the field of child psychology;

(g) one shall be a person with wide experience in education;

(h) two shall be persons appointed by the Governor from a panel of three nominated by The National Council of Women of South Australia, Incorporated, each of whom is a parent and in the opinion of that body a suitable person to represent the interests of children; and

(i) the three remaining members shall be persons who, in the opinion of the Governor, possess other proper qualifications to participate in the deliberations and functions of the Board".

and

(c) by inserting after subsection (1) the following subsection:

(2a) Whenever nomination is required to be made by The National Council of Women of South Australia, Incorporated, for the appointment of a member of the Board, the Minister may, by notice in writing addressed to that body and served personally or by post upon it, require it to make the nomination within twenty-one days of the date of the notice or such longer period as is specified in the notice, and if no nomination is made in accordance with that request, the Governor may appoint a person nominated by the Minister to be a member of the Board in lieu of a nominee of that body and a person so appointed shall, for all purposes, be deemed to have been duly appointed upon the nomination of that body.

1b. Section 7 of the principal act is amended by striking out from subsection (1) the word "Three" and inserting in lieu thereof the word "Five".

No. 2. Page 2—After clause 4, insert new clause 4a as follows:

4a. The following section is enacted and inserted in the principal Act after section 20 thereof:

20a. (1) The Board shall, as soon as practicable after the thirtieth day of June in each year, report to the Minister on its activities under this Act in respect of the period of twelve months immediately preceding that thirtieth day of June.

(2) Each report under subsection (1) of this section shall, without limiting the generality of the matter to be included therein, include an assessment by the Board of the extent to which in its opinion it has applied and given effect to the criteria set out in subsection (1) of section 12 of this Act.

(3) The Minister shall cause a copy of every report made under subsection (1) of this section to be laid before each House of Parliament within fourteen days of his receipt thereof if Parliament is then in session or if Parliament is not then in session within fourteen days of the commencement of the next session of Parliament.

Consideration in Committee.

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

That the Legislative Council's amendments be disagreed to.

The effect of the amendments is that there shall be added to the Classification of Publications Board two persons who shall be appointed by the Governor from a panel of three nominated by the National Council of Women of South Australia, Incorporated, each of whom is a parent and in the opinion of that body a suitable person to represent the interests of children. Those two persons shall be in addition to the other members of the board. In addition, there are procedural amendments for the purpose of allowing those nominations to be made, and there is also provision for an annual report to be made by the board.

The Government does not believe that these amendments will assist the operations of the Act; in fact, they will operate directly to prevent the operation of the principles of the Act. The officers of the National Council of Women have made clear in public statements that they do not agree with those principles. By the addition of officers put forward by the National Council of Women—

Mr. Tonkin: Two officers.

The Hon. D. A. DUNSTAN: Yes. If we are putting on the board two people whose principles are opposed to the principles of the Act, how in the world will the Act operate?

Mr. Mathwin: Do you want all "yes" men?

The Hon. D. A. DUNSTAN: No. The member for Coles in debating this measure made quite clear that she was opposed to the principles of the Bill. I accept that that is the case on her part and appreciate her view. Legislation cannot be operated if people are appointed to operate legislation when they are opposed to the principles on which that legislation must operate. In these circumstances the Government does not intend to accede to this means of adding to the board people whose purpose on the board will be to see that the Act does not operate according to its principles. The Government therefore does not believe that these amendments are proper and cannot therefore accede to them.

The provision for an annual report is quite unnecessary; there is no reason to add to the provisions of the Act the provision of an annual report from this board to Parliament. The Government does not agree to that amendment either.

Mrs. ADAMSON: I disagree with great conviction to the view that the Premier has just expressed. With respect, I believe that he has misinterpreted and misrepresented the views expressed by me and any view that may have been expressed by the National Council of Women, which has made clear that it disagrees with the dissemination of pornography in the community. To my knowledge, it has not made clear that it disagrees with the Act. The council believes, as do most South Australians, in my opinion,

that the Act is capable of great improvement. That is precisely what these amendments are trying to achieve. The board now comprises six members. In a matter of such vital concern to the whole State, it seems reasonable that the board should be expanded slightly to encompass a more broadly based view that is truly representative of community attitudes.

If we are looking for people to represent community attitudes we could hardly do better than a national organisation which is affiliated with an international organisation, which represents in this State 200 000 women, and which has as its aim the interests of children. The constitution of the National Council of Women provides as one of its aims:

> . . . to educate and uplift the outlook of the community on the status of women—

I would have thought that the Premier was much concerned about that aim—

> and the importance of the family and the nurture and upbringing of children.

Some of the 85 bodies affiliated with the National Council of Women include Junior Primary School Parents' Clubs; Australian Church Women, South Australian Unit; the Australian Federation of University Women; the Catholic Women's League, Incorporated; the Children's Foundation of South Australia Incorporated; the Girl Guides Association; the Junior Primary Teachers Association; the Mothers and Babies Health Association; the Mothers Union of the Anglican Church; the Professional Association of Junior Primary Principals; the Royal Association of Justices, Women's Group; the Save the Children Fund; the South Australian Institute of Teachers; and the Supporting Mothers Association.

I have selected but a few of the 85 affiliated bodies to demonstrate that the National Council of Women is an extremely broadly based body that is capable of truly and accurately representing the views of the community at large.

Mr. Tonkin: Doesn't it have a pornography committee?

Mrs. ADAMSON: Yes, and on it are representatives from the Women's Electoral Lobby and from women's lib. If one includes all the organisations that I have mentioned one will find, I think, that there could not be discovered in the whole of this State, indeed the whole of the nation, a group that is more broadly based and better equipped to form judgments and make assessments on publications that come before the Classification of Publications Board.

It seems to me that the amendment proposed is reasonable and would in fact strengthen the board. In addition, the quorum, which at present stands at three members (which, in effect, means that two people can make decisions on publications—the Chairman and one other) would be increased from three to five. When we are talking about decisions on publications that will be classified, it is absolutely outrageous that these decisions should be made by only two people, as is a probability, and quite possibly a frequent occurrence.

The Hon. D. A. Dunstan: It isn't a frequent occurrence.

Mrs. ADAMSON: Nevertheless, under this Act it can and has happened, and it will continue to happen unless the Committee agrees to this amendment. I think the amendment that deals with enlarging the size of the board and increasing the size of the quorum is critical to the proper functioning of the board so that the board can have the confidence of the people of this State. The Premier described amendment No. 2 as quite unnecessary; far from being quite unnecessary, it would seem to me to be mandatory for a board, which is to make decisions that have such a profound effect on the people of this State, to make a report.

I am sure that the Premier is familiar with Tennyson's poem *Ulysses*, in which the poet presents thoughts of the hero looking back on his life. He says:

> I am part of all that I have met.

That seems to me very much to reflect the comments of Mrs. Worrall, a member of the board, when she, in speaking on pornography and the fact that the board has had to study it, said:

> Visual images do stay.

The visual images that are being put in front of children in this State form part of what children have seen and have done, and the board at the moment is permitting publications to be classified and then to be sent out into the community; that is what happens.

We have already canvassed the effects of what happens and there is no point in going over it again, except to reiterate that, even though these publications are classified, they do find their way out into the community and the board needs to be made more sensitive to community feelings, and Parliament needs to have a report at least annually. If the Premier is so proud of this board, why should he refuse to have it report to Parliament? I would have thought that he would be anxious for it to report to Parliament and so show how it has acted in accordance with the Act.

Many people in this State want to know the Government's attitude on pornography; they want to know when it is going to cry "Halt" to the spread of it. They know that the machinery that would be set up if these amendments were passed would be effective in limiting the flow of pornography. They are reasonable, not sweeping, amendments that effect great improvements to the Act. I believe that they should be agreed to. I defy members opposite to completely ignore the wishes of their constituents and refuse to allow the board to be enlarged, the quorum to be enlarged, and the board to report to Parliament each year.

Mr. TONKIN (Leader of the Opposition): I congratulate the member for Coles for once again putting a case so succinctly and with such sincerity. She speaks, I am certain, for a large body of women in this State. I admire her for what she is doing and strongly support what she says. I am amazed that the Premier should state in this House that, because a certain body of women might be expected to be opposed to the principles of the legislation, he refused to consider an amendment which enlarges the board by two, because he says it would not be proper. The obvious question one must ask is: proper in whose estimation? Obviously, it is not proper in the Premier's estimation.

I believe that this amendment would be totally and entirely proper in the minds of hundreds of thousands of women in this State, as the member for Coles has said. I find it incomprehensible that the Premier should say that no-one who does not support the principles of particular legislation should be on a board set up to administer that legislation. I think it would be a good thing to have a few people (and in this case very much a minority) on the board to put an opinion, if necessary a minority point of view.

All we are asking in this amendment is that the board be extended by two to make it a board of eight members instead of six, of which five will be a quorum. And, if five should be a quorum, two representatives from the National Council of Women will not bulldoze anything through; there will be rational discussion, I would hope. What right has the Premier to say that that voice should not be heard? What right has he to say that it should not be heard where it most matters, where the matter is being considered—at the board level? What absolute hypocrisy,

what absolute arrogance! It is typical of what is happening to this Government.

The question of the annual report again demonstrates a total and supreme arrogance on the part of this Government. "It is not necessary", and that is the end of the argument. We have already heard today, in relation to another matter, that if the Premier does not like a report he sends it back to be rewritten. I suppose that if he does not like it then it does not see the light of day, as a number of reports have not seen the light of day, or have appeared in a revised version. On an issue that concerns so many people in the community, I think that the Premier would be well advised to reconsider his Government's attitude to these amendments. I repeat that they are very much worth while; they will do no harm and will only strengthen the operation of the legislation. I believe he is doing women a great disservice by persisting in not accepting these amendments.

Mr. BLACKER: I support the amendments, which I understand are almost identical to those that we discussed here previously. The Premier's statement that two representatives from the National Council of Women should not be on the board because at this stage they disagreed with the policy on the pornography issue is a fallacy. If that was the attitude, one could wonder why we were in Parliament. We do not agree with the Government's philosophies, so should that bar us from coming to Parliament?

These women have made their concern widely known and they have every right to carry that concern to the board, where it counts. On the board, they can express the views of the organisation that they represent. The member for Coles has given a list of organisations that have been involved with the National Council of Women and, from representations I have had in my district, I am sure that all those organisations would be pleased to be represented on this board by two persons from the National Council of Women. Regarding the annual report, it is common sense that a report should be made on an annual basis, and I cannot agree with the Premier's statement that such a report is unnecessary. I oppose the motion.

Mr. MATHWIN: I support the amendments and the remarks made by the member for Coles. What an admission it is for the Premier to say that he cannot have on a board anyone who is not a "yes" person! Because people in this organisation disapprove of the Government's attitude to pornography, he will have no bar of them on the board, and that is a farce. When managers are appointed from this place and the Legislative Council to go to a conference, they argue for what is desired by the place from which they come. It is an insult for the Premier to say that the people would not do the job as they saw it. What is he afraid of? The organisation concerned represents 200 000 women in this State and the amendment asks that two representatives of them be on the board. The Government should be ashamed of the Premier's remarks.

Regarding the report, I agree that it should be given to the Government and tabled annually. There is nothing wrong with a report's coming here, unless the Premier has something from the board to hide. He is afraid that, if people on the board have responsibility about their institution, their families, their children, and the State generally, they will argue about his attitude to pornography.

Mr. RUSSACK: I support the amendments and I congratulate the member for Coles on the way in which she has presented points in support of the amendments. I am surprised that the Premier has given the impression that certain people who, it is proposed, would be appointed to the board would not uphold the principle of the legislation. I feel that, in that, he has pre-judged people. Recently, regarding censorship, he stated that adults should have the right to choose what they want to see or read, and I feel that he is applying a personal censorship in selecting the people that he would have on the board.

If this is his policy and that of his Government, it applies to all boards so far as Government appointment is concerned. The selection of two members from a panel of three chosen by the National Council of Women would give a cross-section of women. I should have thought that the Government would want all points of view considered on any board. The members on the board should present the view about what the community thinks. I support the amendment dealing with the annual report, so that not only Parliament but also people outside will know what has taken place in the previous year.

The Committee divided on the motion:

Ayes (22)—Messrs. Abbott, Bannon, Broomhill, and Max Brown, Mrs. Byrne, Messrs. Drury, Dunstan (teller), Groom, Groth, Harrison, Hemmings, Hopgood, Hudson, Klunder, Langley, McRae, Olson, Payne, Simmons, Slater, Virgo, and Wells.

Noes (16)—Mrs. Adamson (teller), Messrs. Allison, Arnold, Becker, Blacker, Eastick, Evans, Goldsworthy, Mathwin, Nankivell, Rodda, Russack, Tonkin, Venning, Wilson, and Wotton.

Pairs—Ayes—Messrs. Corcoran and Whitten. Noes —Messrs. Chapman and Gunn.

Majority of 6 for the Ayes.

Motion thus carried.

The following reason for disagreement was adopted:

> Because the amendments seriously prejudice the effective operation of the board and the legislation.

COMMERCIAL AND PRIVATE AGENTS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 2. Page 633.)

Mr. MATHWIN (Glenelg): The purpose of the Bill is to license retail store security officers and to institute provisional licences for people employed by a licensed agent. It also covers people who supply guard dogs. Although I support the Bill in general, I have yet to be convinced in certain areas. To me, it provides greater protection to people who make a profession out of stealing; it appears that the Government is protecting the law breakers. Before he went to China, the Attorney-General, in the second reading explanation, stated:

> This Bill seeks to overcome sundry minor difficulties that have arisen in the administration of the Act since its inception in 1972. Clarification of several definitions is sought by the Commercial and Private Agents Board, and it is also proposed that retail store security officers should be required to hold a licence under this Act.

I should like to know from the Acting Attorney-General who has asked for these security officers to be licensed. The Bill provides for provisional licences, and in his second reading explanation the Attorney-General states:

> The Bill also seeks to provide that the board may grant a provisional (that is, interim) licence to an applicant who is employed, or about to be employed by a licensed agent. As the Act now stands, a security agent, for example, cannot employ a person as a security guard until that person's

application has been considered by the board and processed.

What the Attorney-General has done is to take the responsibility from the board and place it on the employer. Also, I would prefer to see the word "shall" instead of "may" in relation to the granting of a provisional licence. I understand that it takes three months or more to train a security officer, but I wonder whether the Attorney realises this. I should like an interpretation of the words "qualified to hold a licence". However, it seems that the main questions regarding this legislation are: where is the need for it, and who asked for it? When the Attorney-General returns from China—

The ACTING SPEAKER (Mr. McRae): Order! I hope the honourable member for Glenelg will not refer to the Attorney-General's trip to China, because that is not part of the Bill.

Mr. MATHWIN: Thank you, Mr. Acting Deputy Speaker. I should like to know how many complaints have been received by the department and, if any have been received, whence they came, public, the police, or where. What has made the Attorney-General determined to introduce this legislation? It was introduced in August, stayed on the Notice Paper for some time, was moved about on it, and now it is to be debated. I understand that the industry and the Retail Traders Association have not had any contact with the Attorney-General or his department in regard to this legislation.

The Hon. D. A. Dunstan: That is nonsense.

Mr. MATHWIN: I am sorry, but I have written evidence from the Retail Traders Association and the Security Institute that they have had no contact with the Attorney or his department.

The Hon. D. A. Dunstan: They wrote to him on August 10, 1977, and got a reply from him, including the proposed amendments to this Act, dated August 18.

Mr. MATHWIN: They wrote to him.

The Hon. D. A. Dunstan: You said they didn't have contact.

Mr. MATHWIN: I understand that, if legislation is to be introduced, contact is made with the organisation and industry concerned: that is not a rare happening. There is no doubt that the Attorney skipped around very quickly when he wanted to discuss legislation for shopping hours; that was in order, but this seems to be a different matter. One letter was sent to the Attorney (I have a copy of it) and that is all. I should like the Attorney-General or the Premier to provide details of any complaints, if any, that have been received. Can any Government member say what the complaints were and whether they warrant a reference to retail store security officers in this legislation? If there is no reply to my request, it is obvious that this is just another money raiser for the Government.

The main thrust of this legislation is to licence people known as retail store security officers and bring them under section 41(3)(b) of the Act in regard to unfair and improper harassment. Does the Premier realise how easy it is to appeal under the provisions of the harassment provision, and how easy it is for a professional stealer from shops to appeal? No doubt these professional stealers will make a laughing-stock of security officers. This legislation will make it harder to prevent thefts, but it will also make it harder to detect them. The cost to the public of stealing from shops is astronomical, and is a multi-million dollar rip-off. I understand that the cost to this State alone this year was about $5 000 000.

Mr. Venning: Who pays for that?

Mr. MATHWIN: The consumer: the customer must pay.

I seek leave to continue my remarks later.

Leave granted: debate adjourned.

Later:

Mr. MATHWIN: In dealing with the cost to the public and to the State of the multi-million dollar rip-off caused by stealing from shops and the like, I said that the Retail Traders Association was to spend $6 000 on an anti-shop-stealing campaign, which commenced last Sunday, to combat the colossal loss caused by stealing from shops each year throughout the State. I understand that at least 1 per cent of the turnover in Australia is lost as a result of stealing by the public and staff members. If one thinks about this matter carefully, one will know that it is the consumer who pays for these losses. Therefore, there must be a mark-up by the retailers to protect themselves from stealing. The *Advertiser* of December 2 contains a report, under the heading "Shop-lifting campaign starts", which states:

> Stores have begun a campaign to combat shoplifting during the summer holidays. The campaign would involve radio commercials generally aimed at young people, said the Executive Director of the Retail Traders Association of South Australia (Mr. M. G. G. McCutcheon). It would be similar to a successful campaign during the holidays last Christmas. Shopstealing offences in various stores fell then by between 10 per cent and 52 per cent.
>
> However, the President of the association (Mr. W. A. Dawson) said he believed late shopping could mean an increase in shoplifting figures next year. "Obviously the longer we are open, the more we are exposed to the crime," he said. "Further, with late shopping we will necessarily have less staff on duty and this could add to the problem." Mr. McCutcheon said statistics had shown that 70 per cent of detected shoplifting offences had involved juveniles aged between 10 and 18.
>
> Shoplifters stole a record $4 000 000 to $5 000 000 from retail traders in South Australia in the past year. At the same time, a record number of nearly 6 000 offenders had been caught, he said. Mr. Dawson said he believed that, of the total amount stolen, more than half would have been taken from Rundle Mall stores.

The *Australian* of December 2 contains an article, as follows:

> The retail industry is mounting a campaign to cut shoplifting among young schoolchildren. Figures released yesterday by the Retail Traders Association indicate retailers are losing a record $40 000 000 a year in New South Wales alone through shoplifting. And almost a quarter of this is lost in one month, December, through thefts by children between 10 and 17 years of age. And in South Australia it was disclosed yesterday that $4 000 000 to $5 000 000 had been lost by retailers as a result of shoplifting in the past year.

The report continues:

> In South Australia the association will launch a major radio campaign today to combat shoplifting with 560 commercials aimed generally at younger people. The Executive Director of the South Australian association, Mr. M. McCutcheon, said a similar campaign was conducted last year and shoplifting for December/January fell in various stores by between 10 per cent and 52 per cent.

The industry is trying to combat the problem as well as it can. A report headed "Xmas shame for 1 000 families", in the *Sunday Mail* on December 5, states:

> A thousand thieves will be caught in Adelaide's Rundle Mall over Christmas and new year, mostly children. And that will be only a fraction of the shopstealers in the city and State. That is 1 000 homes in which the merry festive season will be marred, families will know shock and shame.
>
> That is the sad truth South Australian Retail Traders Association security men face. They see it all . . . the crying culprit, shocked parents, remorse and misery that follow a shopstealing arrest. It brings them no joy at Christmas or at

> any other time in a year in which a record shopstealing surge cost South Australian traders nearly $5 000 000 and saw 6 000 offenders caught.
>
> With shopstealing running at close to 5 per cent of turnover in large stores, the cost to the community is enormous. A survey I did in 1954 in another State showed shoplifting as it was then called running at 2½ per cent. Then, as now, there was a percentage mark-up to cover the retailer's loss. So today everybody pays [and this is the punch line] 5 c in the dollar to cover thieving in shops.

The report goes on to say that Rundle Mall shoplifters range between the age of 10 years and 99 years. Letters have been written to the association, in some cases thanking if for being so lenient with younger offenders caught stealing from shops. I refer to these matters because I wish to show how the Retail Traders Association is doing its best to combat this problem. It is trying to be as reasonable as possible, especially with young offenders. Of course, the association seeks to stop young people from taking that first bad step, which leaves them ashamed of themselves and worrying about the shame they have brought on their family and, in some cases, their school.

The main reason for the Attorney's introducing this Bill was to cover store detectives in the harassment provision. Store detectives are placed in a difficult position when professional shopstealers hide behind the harassment provision and it is a troublesome area to police. The store detectives know the professional shopstealers. When retailers know that a professional thief is about, they have them followed around the store and keep them under surveillance, which is the natural thing to do. Doubtless, professional shopstealers would object as soon as possible to any harassment, and this is a difficult matter for store detectives. That shopstealer would then object before the board and, under the Act, the board would direct that that harassment cease. The only way that that would not occur, and I should like to know from the Attorney-General (who cannot tell me, because he is in China)—

Mr. Wotton: What do you think he's doing in China?

The ACTING SPEAKER (Mr. McRae): Order! There has already been a direction from the Chair that there will be no reference to the Attorney-General's presence in China. The honourable member for Glenelg.

Mr. MATHWIN: When the Premier replies to this debate on behalf of the Attorney-General, who is not here, and we do not know where he is and, if we do know, we are not allowed to say—

The ACTING SPEAKER: Order! I hope the honourable member will proceed to deal with matters that are in the Bill.

Mr. MATHWIN: I apologise, Mr. Acting Speaker. I was carried away. Will the board know of the records of these people? Will the requests be subject to those records? If one of these professionals approaches the board, it is important for the board to know what the records of these people are. Would the decision be subject to those records? If the thief has a long record, will the board be aware of it? That is the crux of the matter: the board should be aware of the record of the person appealing for protection under the harassment clause.

The provision could give an advantage to those who steal and to those who live by stealing. No Government and no legislation should protect such people. It is the job of any Government to protect those who abide by the law, rather than those who break the law. The professionals will claim to be harassed. What is the situation in relation to the staff of a store? Members will know that there is much pilfering by the staff in these shops.

Mr. Olson: Goods have also been knocked off by security officers.

Mr. MATHWIN: I do not know of any instances, but the honourable member may know of them. If such people are caught and they are known to be thieves, they should not have the protection of the harassment clause. I am sure we would all agree that there is much pilfering by the staffs of stores. The duties of store detectives cover a wide field. First, store detectives have duties in connection with any fraudulent payments by cheque that are made by customers. They also check on staff security.

Mr. Max Brown: They are a police force within a police force, and the Police Force does not like it.

Mr. MATHWIN: Maybe, but they are a necessary evil. I am glad that the honourable member agrees with me.

Mr. Max Brown: I am not agreeing with you.

Mr. MATHWIN: Then, the honourable member has spoiled his record, because I thought he was agreeing with me.

The Hon. Hugh Hudson: Get on with it.

Mr. MATHWIN: The Minister is the greatest procrastinator in this House, because he sometimes takes 35 minutes to reply to a question.

The ACTING SPEAKER: Order! There is nothing in this Bill about the Minister of Mines and Energy. I hope that the honourable member will proceed with his speech and that other members will refrain from interjecting.

Mr. MATHWIN: Store detectives also investigate embezzlement, indecency in change rooms, and fire protection. I was surprised to learn from the Security Officers Institute that store detectives are also called upon to assist in fights involving customers. On one occasion I was mixed up with a large crowd of customers during a sale, but I did not get into a fight. Store detectives are called upon to separate the fighters and to assist in crowd control during sales.

I point out that security officers in industry have to perform some of the duties to which I have referred, but there is nothing in the Bill about security officers in industry. Government members would be more aware than I am that security officers in industry are stationed at factory gates, but they are not covered by this Bill. If store detectives are covered, why are security officers in industry not covered, particularly since they have similar problems to deal with? I wonder whether the Attorney-General, were he here (he is not here and I will not say where he is), would be familiar with the code of ethics of the Security Institute of South Australia.

The ACTING SPEAKER: I hope the honourable member will be addressing himself to the Bill.

Mr. MATHWIN: I should like to know whether the Premier is familiar with the code of ethics of the Security Institute of South Australia, and whether time has been provided for a transitional period to enable people within the industry to comply with the provisions of the Act. If that is to be done, I should like to know what period will be involved.

The Hon. Hugh Hudson: Many of these things can be raised in Committee.

Mr. MATHWIN: That is right. Clause 3 contains the definition of a store security officer. Does the definition cover a shop assistant? Security officers sometimes need assistance from a shop assistant. Does the shop assistant have to be covered under the legislation, and is it necessary for the shop assistant to be licensed? Clause 5 deals with licences and the obligation to be licensed. Does that cover a watchman in a department store or a factory? Must he be covered by licence? I shall ask other questions in Committee, and I intend at the appropriate time to move an amendment. I support the second reading, in the hope that the Government will agree to the amendment I intend to put forward later.

Dr. EASTICK (Light): The point to which I want to address myself is contained in clause 3 regarding the rearranged definition of a security agent, and more particularly to the person who hires out or otherwise supplies dogs or other animals to guard property. The Attorney-General has accepted this measure following representations I made to him on behalf of constituents who were concerned about the activities of people who were unable to fulfil the requirements of a security agent, but who were undertaking security work by hiring out dogs for the guarding of properties. Some unfortunate activities were going on, and some people were undertaking the training of dogs for guard dog duties. Some of the dogs, when trained, were more docile than before the training commenced. Certainly, they were useless as a security measure. One could simply conjecture that the situation was that a proprietor would accept these dogs as a guard for his property, which was virtually unguarded because, in the knowledge of those who had supplied the dogs, it was possible to enter that property without being challenged by the dogs.

The Hon. G. R. Broomhill: Once bitten twice shy.

Dr. EASTICK: I shall accept that comment. This area in the legislation was not in the best interests of the profession. I accept the action taken by the Government, through the Attorney-General, to clear up that issue, and I support the Bill.

The Hon. HUGH HUDSON secured the adjournment of the debate.

ADJOURNMENT

The Hon. HUGH HUDSON (Minister of Mines and Energy) moved:

That the House do now adjourn.

Dr. EASTICK (Light): This afternoon in this Chamber we saw a strange two-part act by the Premier and by the Minister of Mines and Energy. In the first instance, we found that the Premier was able to admit that he had been wrong. The situation which caused that admission had been forced upon him by the activities of the Minister of Mines and Energy, who, rather sanctimoniously, as is his wont, suggested to the House in answering questions that members of his political persuasion would never misrepresent the truth, particularly around election time. My colleague, the member for Fisher, was able to indicate that, in the *News* of December 9, 1975, an article headed "One Million Jobless under Libs—Dunstan", states:

> A prediction that unemployment would reach a million and inflation approach 30 per cent under a Liberal-National Country Party Government was given by South Australian Premier Mr. Dunstan today. He said the Liberal economic policies would brink "absolute disaster."

There is a person who, from the lips of the Minister of Mines and Planning—

The Hon. Hugh Hudson: Get my title right.

Dr. EASTICK:—would not dare tell a lie or misrepresent the truth. He would not try to weigh upon the emotions of the public for political gain. Ha, ha! At about the same time, an article appeared in the *Australian* on Friday, November 21, 1975, under the heading "Fraser says he will slash Government spending—Jobless will jump, claims Whitlam." The article states:

> The Prime Minister, Mr. Fraser, warned last night that if elected he will implement the most rigid control over Government spending that has ever been envisaged in an effort to stimulate the private sector . . . Mr. Whitlam predicted that Mr. Fraser's policy could lead to one million unemployed in the new year.

It was not only the Premier of this State who, for political gain would misrepresent the truth. Mr. Whitlam, the former Prime Minister, now Leader of the Opposition, was playing the self-same game.

On December 6, 1975, again in the *Australian,* "Hawke predicts a million jobless under Fraser": Dunstan, Whitlam, now Hawke! The article states:

> Voters faced a choice of 1 000 000 unemployed under a Fraser Government or 200 000 by June next year under a returned Labor Government, the President of the A.C.T.U. and the A.L.P., Mr. R. J. Hawke, said yesterday. The latest unemployment figures, he said, indicated the Hayden Budget was starting to bite.

It was biting all right. Many aspects of the whole philosophy of the Australian Labor Party during its period of office were having a disastrous effect, and it is an effect that is still evident today. It was brought out last evening in the debate on the State Clothing Corporation Bill. The problems that exist in the whole clothing industry today can be traced back to the drastic 25 per cent cut in tariffs. Unemployment in that area, in the shoe manufacturing area, and in so many areas can be taken back to those same disastrous activities. In the *Advertiser* of December 5, 1975, at page 9, we see:

> The Liberal-NCP's economic proposals would bring an inflation rate of at least 20 per cent, the former Treasurer, Mr. Hayden, said yesterday.

Mr. Groom: You are adopting the Hayden Budget strategy.

Dr. EASTICK: The member for Morphett will appreciate the fact that the Hayden Budget had been accepted before the election, and the effects of it, therefore, were going to follow through, and they did.

Mr. Groom: You were going to change them.

Dr. EASTICK: The next Budget to come in had, along with the one which followed it, provided a marked measure of improvement in the overall standing of the Australian community in the eyes of the world and, whilst it may not have achieved the total result that was expected, it has certainly made a marked improvement and it has put Australia in a position where it can hold up its head in world company; where there has been a marked reduction in the inflation rate; where there has been, regrettably, an increase in the number of unemployed people but the rate of unemployment increase has never been as great as the percentage of unemployment increase that occurred under the Whitlam Government.

Coming back to the *Advertiser* statement of December 5, 1975, by Mr. Hayden, it was emotionalism, trying to win the people to cast a vote against their better judgment, on a purely emotional basis. The article states:

> The Prime Minister (Mr. Fraser) had committed himself to the conflicting objectives of substantial tax cuts and significantly increased spending, as well as promising to reduce appreciably the deficit and maintain existing programmes.

This is a statement from Mr. Hayden, and what has happened is that those aims offered by Mr. Fraser then have been achieved. I want to follow through because earlier today, by some political skulduggery, members opposite prevented a member on this side from entering a debate originated by the member for Gilles, and it was not possible to refute some of the tear-jerking commentary from the member for Newland and the member for Ross Smith.

I say clearly, and let it not be misunderstood, that I do not approve of the fact that large numbers of young people, and indeed old people, in the South Australian

and Australian communities are without jobs, but I make the point that the reason why many of them are in that unfortunate position goes back to the drastic tariff cuts of the Whitlam regime and the irresponsible demands for wage increases during the period of the Whitlam Government that saw us pricing ourselves out of markets and progressively exporting our jobs overseas.

At page 58 of the document I have are statistical details relating to the unemployment position under Labor, as provided by the Australian Bureau of Statistics, and the unemployment figures under Labor, as provided by the Commonwealth Employment Service. As this matter is statistical, I seek leave to have it inserted in *Hansard* without my reading it.

The DEPUTY SPEAKER: Is it statistical matter?

Dr. EASTICK: Yes.

Leave granted.

Unemployment under Labor
(Australian Bureau of Statistics)

(a) In three year term:	
November, 1972	135 700
November, 1975	274 500
Increase	138 800
	or 102 per cent
(b) In one year:	
November, 1973	105 400
November, 1974	201 000
Increase	95 600
	or 91 per cent

Unemployment under Labor
(C.E.S. Registrants)

(a) In three year term:	
December, 1972	136 769
December, 1975	328 705
Increase	191 936
	or 140 per cent
(b) In one year:	
January, 1974	121 082
January, 1975	311 596
Increase	190 514
	or 157 per cent

Dr. EASTICK: This brief table will speak volumes and put into perspective the rapid increase up to 157 per cent of unemployment in Australia between January, 1974, and January, 1975. It shows the 140 per cent increase that took place between December, 1972, and December, 1975. It reveals that the real issue of unemployment harks back to the period of the Whitlam regime.

Mr. McRAE (Playford): I have been consulted by a group of constituents concerned at various aspects of the trade in pornography. Originally, they say, they were in the group of people who in reaction to censorship, which used to prevail in Australia, heartily agreed with the sale of pornography under safeguards to prevent those who wanted nothing to do with this material from being affronted. However, the issue of child pornography then jarred them badly. How, they asked, could we in this State permit the sale of books that included pictures of children being corrupted and degraded, very often in a way which, in this State and this country, would constitue a criminal offence but, in any event, treated in a way abhorrent to any reasonable citizen.

That issue was largely resolved by the decision of the Classification Board not to classify such material, hence prohibiting its sale. I say it largely resolved the issue, because it is still alleged that illicit sales continue but, as I see it, that is a matter for police action. My constituents were then confronted with a larger problem.

They came to believe that pornography is a violation of the rights of women. They found that the majority of all this material is based on treating women not as persons but as things, and on degrading and humiliating women. In a nutshell, they found that what they had once supported or tolerated was, in fact, the brutal sexual exploitation of women, an exploitation being conducted in the cause of giant profits. They found that 90 per cent of purchasers of this material were men. They concluded that the very existence of this traffic in the degradation of women in our city was a giant step backwards in what had been the gradual emancipation and liberation of women over the past century. Therefore, they have asked me to state clearly and publicly where I stand on this matter.

I think my constituents are entitled to a declaration of my beliefs placed on public record. First, I believe in liberty as an essential to any fair and decent society and, therefore, I am opposed to censorship. I oppose it because it is the first, sometimes imperceptible, step to the abhorrent totalitarian societies emblemated by fascism and communism. On the other hand, there can be no true liberty if one person achieves his wishes only by others being injured. The vile trade in child pornography in South Australia has now been suppressed, and not too soon.

I do not for a moment fear the loss of my liberty because traders in the degradation of the innocent cannot peddle their filthy wares at scandalous prices to sick and unbalanced customers any more. Whilst rejecting censorship there are, of course, bounds of reason and common sense.

Secondly, I accept the Australian Labor Party's policy, which by the way is similar to the policy of the Liberal Party and the Australian Democrats and was first enunciated by Mr. Chipp when he was a member of the Liberal Party, that adults should be able to read what they will, provided others are not affronted. That policy is again a statement of right similar to that of the United States' first amendment to the Constitution, and, if anything, somewhat narrower. Regarding the printed word, it presents no tremendous problems. Regarding photographs of various sorts and cinemas, it tends to provide very great problems.

So that there will be no doubt, I state my attitude on the pornography trade itself. I will be to the point. For the producers, printers, publishers, and sellers of pornography it is a multi-million dollar industry. In the United States it is a two billion dollar bonanza; it is riddled with criminal manipulation and has links with prostitution, drug pushing and other evils. It relies for its actors and models on those who are blackmailed, frightened, tricked or simply have a choice of desperation; that is, no choice. It produces at rock-bottom cost from this new breed of slave and sells at fantastic profit margins to the curious but mostly to the morbidly addicted, often mentally disturbed or horribly mentally ill customers. It has no beauty, no dignity and no virtue that I can discern. It is the trade of the gangster and the standover man, peddled to keep the sick and unhappy customers just that way.

I now comment on my position about the alleged link between pornography and attitudes, and pornography and crime. I stress that I in no way claim to be qualified in this regard; however, as a criminal laywer I have seen cases in which crimes of violence were, to my mind, linked, if not causally related, to addiction to pornography where that pornography was explicitly violent. I have acted for clients of that type, have seen this material myself, and have seen the sad results myself. That is rather what I would expect.

So far as attitudes are concerned, I would have thought

that it was rather obvious that if material of this sort, which is basically set out to degrade women is peddled and read by large numbers of people that their attitudes would be influenced. Comics books, after all, can influence our attitudes. As all material between comic books and classical literature can influence our attitudes, I am not in the least surprised that pornography will, too.

I now endeavour to answer my constituents' demands that the sale of all pornography cease. First, I applaud the suppression of child pornography. Secondly, I call for price control, as I have before, on these books. I am told that items that could be made for $1 sell for $7 to $10. If that was the usual case in the market place there would be uproar. I say remove the giant profit and some of the evil that must be tolerated perhaps will at least not be urged on.

I now move to the question of pornography and of violence, to which I have briefly adverted; that is, to the matters of sadism and masochism in explicit terms. I call on the board to classify and hence suppress the sale of material of this sort, as it has done in the case of child pornography. Next, on the case of the general issue of the dignity and liberation of women against liberty to purchase these pornographic books, I call on everyone in society to re-examine his attitude. I do not have an immediate answer to the conflict of these concepts. From my viewpoint I believe that dignity of mankind should be a particular issue on which all politicians, housewives, trade unionists and other groups ought to reach a consensus.

By analogy, only a century ago community standards and attitudes tolerated children working in mines and pregnant women pulling waggons in the same institutions. That is not so today. The task really is to achieve a change of thought regarding the dignity of men and women. Of course, it is a hard task. A client of mine tried only about a year ago to do something in relation to women employed in bars as topless waitresses.

This was an overwhelmingly male union. To the great surprise of the people who were ready to fight that case, they got very little or no support from women's organisations. So, sometimes these tasks can be hard and long ones. I have had talks with people in the trade unions, particularly the printing unions, and with people who work in the factories that are associated with some of this junk, and I think that this day is not far off.

So, in that sense, I support my constituents' ideas that it is only a vast community pressure that will ensure changes and, at the same time, make them sure and safe changes that will remove the right of people to reap benefits and also maintain the dignity of all men and women.

Mr. WOTTON (Murray): Recently, in this House, the member for Semaphore found that he was particularly interested in what was happening at Hahndorf, a town in my district. In reply to a question that was asked, the Minister made a number of points. I take this opportunity tonight to refer to this matter because it may be the last chance for me to do so, with the House going into recess. I agree that the question asked by the honourable member was a sensible one that would concern most people in South Australia. It was as follows:

> Can the Minister for Planning say what action the Government can take to protect the historic buildings at Hahndorf? Recently, publicity has been given to the restoration of several buildings at Hahndorf. This particularly applies to structures incorporating early German architecture, which is of significant historic value in this State.

The Minister then went on to say that he was particularly pleased that at least one member of this House was interested in what was happening at Hahndorf. I should like to put the record straight by saying (and I think the Minister, if he was honest, would agree with this) that this subject has been raised many times. In fact, since I have been in this place I have raised the need for the Government to do something more than give lip service to the necessity to preserve certain buildings and, indeed, the whole town of Hahndorf as a historic town. I have raised the matter at least 14 times in the House: I have discussed it, raised it in questions, and referred to it twice in grievance debates. However, until now, the Government has refused to take any positive steps in this regard. The Minister continued:

> I think it is necessary to point out that it will be vital for this House to consider amendments to legislation or even new legislation that no doubt will be introduced by the Minister for the Environment.

I find that rather interesting, because one week later, at a public meeting held at Hahndorf, when the townspeople gathered to discuss the future of the town, a telegram from the Premier was received in which it was stated that legislation that would indeed result in the restoration and preservation of buildings and historic towns in South Australia was in the pipeline.

If the Government acts that quickly, I will commend it for doing so. However, I am afraid that I must be rather cynical and say that I doubt very much whether this will happen. We hope we can believe what the telegram stated, that is, that something will soon be done. I will go into that matter a little later. The Minister continued:

> We have endeavoured to get discussions to take place between the developer, the department, and the local council to see whether or not some sort of compromise could be reached.

Then, because I interjected and asked the Minister why he had not been at that meeting, he suddenly realised the meeting had been held and went on to say that he knew the meeting took place but could not give the precise date. He then went on with more detail. I want to take this opportunity to bring before the House some correspondence that has been written recently regarding the preservation of Hahndorf. The first letter is from Mr. Gordon Young, the Senior Lecturer in Architecture at the South Australian Institute of Technology. The letter, which was addressed to the Hon. Hugh Hudson, Minister for Planning, and which was dated November 21, states:

> I am presently awaiting confirmation of a proposal I have made to the Federal Heritage Commission to undertake an extensive research programme in and around Hahndorf. This will be conducted on similar lines to the "Barossa Survey" which is now nearing completion. A preliminary copy of this has been made available to Mr. Peter Cornish, the Acting Director of the Department of the Environment; Mr. John Mant has also an abridged copy of the report.
>
> During 1977 I commenced some preliminary field research in and around Hahndorf. This has provided me with material which I have incorporated into a projected chapter of the forthcoming National Trust publication entitled *Historic Places of Australia* and I am enclosing a draft copy of that chapter for your perusal. The work I have undertaken highlights the unique significance of these early German settlements in relation to both South Australia and Australia as a whole. I can summarise this as follows:

He goes on to summarise those points as follows:

> (1) In South Australia we are looking at complete examples of German settlements placed in an English colonial setting (i.e. German subcolonies within an alien colony).
>
> (2) The village settlements both in the Barossa and around Hahndorf (e.g. Paechtown) were east German villages. The

land settlement patterns are entirely different from the surrounding English ones and the "street village" form used is an Australian version of what are known as *Hufendorfen.* This was a very common colonial village form throughout the Prussian Kingdom of Frederick the Great and his successors.

He then goes on to explain in detail the significance and the importance of the preservation of the historic buildings and the town of Hahndorf itself. He concludes by saying:

> Hahndorf is therefore a very significant town. It is probably the most complete example of a German colonial town in Australia. There are significant numbers of the original settlers houses and workshops left in the town. Unfortunately these are rapidly disappearing either through demolition or by incorporation into totally different and insensitive modern buildings. Because of the town's great historical importance I should like to propose that it is declared as an historic township. Until a complete survey of the town's structure and buildings has been completed interim Planning Controls should be applied to "freeze" further development whilst satisfactory design standards are prepared. These should include controls of the main streetscapes of Hahndorf and should prohibit the construction of unsympathetic and pseudo German buildings which try and make a false reference to the original settler's houses and shops. Unless these kinds of controls are put into effect the original Hahndorf will rapidly disappear.

I would like, also, to quote from a letter written in reply to the Chairman of the Hahndorf branch by the Chairman of the Australian Heritage Commission. I am sure that all members are aware that the Australian Heritage Commission, through the Federal Government, has made $24 000 available for a survey to be carried out in Hahndorf. That is much more than has been done by this Government. The letter states:

> In support of these views I attach for you the Unesco "Recommendation Concerning the Safeguarding and Contemporary Role of Historic Areas". Australia supported that recommendation.

He goes on to say that he has sent copies of that letter to the Premier's Department, the Housing and Urban Affairs Department, and the Mount Barker District Council. The correspondence that I have quoted this evening states clearly the significance of Hahndorf and the fact that it must be protected immediately. That is why I gave the following notice of motion in this House today:

> In the opinion of this House a Bill to preserve buildings of historical and architectural merit whilst adequately recognising the needs of owners of properties should be introduced to Parliament without delay.

We are not prepared to accept the fact that proposed legislation is in the pipeline. I call on the Government to introduce this legislation without delay.

The DEPUTY SPEAKER: Order! The honourable member's time has expired.

Motion carried.

At 10.26 p.m. the House adjourned until Thursday, December 8, at 2 p.m.