HOUSE OF ASSEMBLY

Tuesday, February 14, 1978

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

PETITIONS: POLICE COMMISSIONER'S DISMISSAL

Mr. DEAN BROWN presented a petition signed by 81 residents of South Australia, praying that the House resolve that it lacked confidence in the Premier's handling of the dismissal of the former Commissioner of Police and that a full and proper inquiry of the matter be commissioned.

Mr. EVANS presented a similar petition signed by 1 670 residents of South Australia.

Mr. TONKIN presented a similar petition signed by 648 residents of South Australia.

Mr. BLACKER presented a similar petition signed by 419 residents of South Australia.

Petitions received.

PETITION: CHILD PORNOGRAPHY

Mr. BLACKER presented a petition signed by 168 residents of South Australia, praying that the House would urge the Government to introduce, without delay, stringent laws with appropriate penalties which would protect children from abuse by pornographers, and take action to prohibit the sale of all pornographic films, books and other material which include children.

Petition received.

QUESTIONS

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

MALTREATMENT

Mr. WOTTON (on notice): Since the proclamation of the Community Welfare Act Amendment Act, 1976—

(a) how many notifications of suspected maltreatment have been made pursuant to section 82 (*d*);

(b) how were such notifications dealt with by the department;

(c) how many notifications were reported to the appropriate regional panels and to which panels were they reported?

(d) what were the decisions of the regional panels?

(e) of the notifications made to an officer of the department pursuant to section 82 (*d*), how many such notifications were made by each of the following persons:

(i) any legally qualified medical practitioner;

(ii) any registered dentist;

(iii) any registered enrolled nurse;

(iv) any registered teacher;

(v) any member of the Police Force;

(vi) any employee of an agency established to promote child welfare or community welfare; or

(vii) any person of a class declared by regulation to be a class of persons to which this section applies?

The Hon. R. G. PAYNE: The replies are as follows:

(a) 92 notifications were made between April, 1977 (when the Community Welfare Act Amendment Act came into force), and December 31, 1977.

(b) All notifications were referred to the appropriate regional panel, which decided which organisation or organisations would deal with the case.

(c) Central metropolitan panel 37
Northern metropolitan panel 9
Southern metropolitan panel 20
Northern country panel 18
Southern country panel 8

(d) The decisions of the regional panels varied according to the circumstances of each case. In all cases panels arranged for follow-up and ordered regular reviews. Panels often recommended specific practical action such as arranging for the child to be enrolled in family day care or a play group, etc. In a few cases panels recommended formal legal intervention by way of a "neglect" charge or recommended that the hospital invoke the 96-hours holding provision. Where families moved interstate panels arranged for information to be sent to the interstate welfare department.

(e) (i) 23
(ii) Nil
(iii) 5
(iv) 17
(v) 7
(vi) 32
(vii) Nil (no additional classes of persons have been declared). The remaining eight cases were notified by members of the public.

COMMUNITY WELFARE ACT

Mr. WOTTON (on notice): What action has the Minister taken to—

(a) inform officers of his department of their obligations under section 82 (*d*) of the Community Welfare Act, and when was this action taken; and

(b) inform agencies established to promote child welfare and community welfare of their obligations under section 82 (*d*) of the Community Welfare Act and when was this action taken?

The Hon. R. G. PAYNE: The replies are as follows:

(a) Branch Heads circular No. 1012 was issued on March 29, 1977, and circulated throughout the department. Subsequently standard procedure No. 507 "Non-accidental physical injury to children" was circulated to each office and branch of the department. This was amended in November, 1977, and copies of the amendments were circulated in the same way. An article describing the amendments to the Community Welfare Act and the purpose and functions of the regional panels was prepared in June, 1977, and this was included in a staff information circular.

(b) An article outlining the amendments to the Community Welfare Act and the purpose and functions of the regional panels was submitted in June, 1977, to the professional journals and publications of child and community welfare organisations as follows:

(i) Australian Association of Social Workers (S.A. Branch) newsletter.

(ii) M.B.H.A.: distribution to all sisters.

(iii) S.A.C.O.S.S.: newsletter.
(iv) Kindergarten Union: bulletin.
(v) Association of Child Care Centres of S.A.: President's newsletter.
(vi) Play Group Association of S.A. Inc.: Playgasa Bimonthly.
(vii) Child care centres licensed by Community Welfare Department: distribution to all centres.
(viii) Family day care co-ordinators: distribution to all co-ordinators.

Mr. WOTTON (on notice):

1. What action has the Minister of Health taken to inform legally qualified medical practitioners, registered dentists and registered and enrolled nurses employed in or attached to departments or instrumentalities, for which the Minister is responsible, of their obligations under section 82 *(d)* of the Community Welfare Act?

2. What action has the Minister of Health taken to inform other legally qualified medical practitioners, registered dentists, and registered and enrolled nurses of their obligations under this section, and when was this action taken?

The Hon. R. G. PAYNE: The replies are as follows:

1. There are five panels involving appropriate medical practitioners established throughout the State, and these panels have provided appropriate information to medical practitioners and other professionals in each area. School nurses are provided with information on this subject through in-service training programmes. As nurses working in departmental hospitals, health centres and public health services report to medical practitioners on matters of diagnosis and treatment, the further inclusion of nurses on the enlarged list has not been of great significance departmentally.

2. As above. This matter has been widely circulated amongst medical practitioners in a medical bulletin published in the Australian Medical Association Bulletin in July, 1977. There has also been an editorial on this subject by Dr. B. Fotheringham, Medical Superintendent, Modbury Hospital, published in the *Medical Journal of Australia*.

BELAIR GOVERNMENT HOUSE

Mr. WOTTON (on notice):

1. How much money has the State Government spent on restoration work being carried out on the old Government House at Belair?

2. How much more expenditure is envisaged?

The Hon. J. D. CORCORAN: The replies are as follows:

1. $400.
2. $40 000 at this stage.

MARBLE HILL RESIDENCE

Mr. WOTTON (on notice):

1. How much money has the State Government spent on the restoration work being carried out on the Governor's old residence at Marble Hill?

2. How much more expenditure is envisaged?

The Hon. J. D. CORCORAN: The replies are as follows:

1. $875.
2. Approximately $10 000 of State unemployment relief funds is envisaged at this stage.

SHACKS

Mr. GUNN (on notice): What action does the Government intend to take if district councils refuse to administer its "shack site policy".

The Hon. J. D. CORCORAN: The Minister of Lands would resume control of the shack areas from the defaulting council. Miscellaneous leases would then be issued to the individual shackowners in accordance with the policy.

LAND COMMISSION

Mr. MILLHOUSE (on notice):

1. Has the Housing Trust bought land from the Land Commission and, if so:—
   (a) why;
   (b) in what areas, how much land has been bought in each area, when was it bought, and at what price; and
   (c) are any further purchases contemplated?
2. If no such purchases have been undertaken, are any being contemplated?

The Hon. HUGH HUDSON: The replies are as follows:

1. The trust has purchased land in serviced allotment form from the South Australian Land Commission.
   (a) These purchases were made to augment the trust's own supply of serviced allotments.
   (b) Details of these purchases are as follows:

Area	No. of Allotments	Date of Purchases
Salisbury North	32	16/1/76
Salisbury North	149	20/2/76
Hallett Cove	34	5/11/76
Reynella	30	17/12/76
Aberfoyle Park	121	24/3/77
Craigmore	270	1/7/77

The prices paid by the trust were within the same range as those listed by the Land Commission for sale to the public.
   (c) The trust anticipates further purchases of land as it exhausts its own land holdings.
2. See above.

BELAIR RECREATION PARK

Mr. EVANS (on notice): What provision is made for patrolling the conduct of campers in the Belair Recreation Park caravan park?

The Hon. J. D. CORCORAN: The caravan reserve within the Belair Recreation Park is under the supervision of a resident park-keeper in charge. A non-resident park-keeper relieves in his absence.

SOUTH AUSTRALIA DEVELOPMENT, 1977

Mr. EVANS (on notice):

1. What was the cost of producing *South Australia Development, 1977?*
2. What was the extent of its free circulation?
3. What is the anticipated sales figure?
4. How many copies were produced?
5. Was there a fee paid for photographic work and if so, to whom and how much?
6. In an endeavour to obtain a comparison in printing costs, was the printing of the publication put to tender and, if not, why not?

7. Who is the editor (or editors) of the publication?

8. Were any fees or charges paid for other than photography or Government printing charges for the production and, if so, to whom and what amounts?

9. Did any member of the Public Service receive any payment over and above normal wages or overtime for working on the publication?

The Hon. D. A. DUNSTAN: The replies are as follows:

1. $12 330·70.
2. 3 550.
3. 200.
4. 3 750.
5. Jan Dalman $46; Publicity and Design Services, Premier's Department $124·27.
6. No. It is Government policy that all possible Government printing requirements will be fulfilled by the Government Printing Division. For *Development 77*, the Government Printer subcontracted the typesetting to a private firm.
7. Senior Project Officer (Industry Structure) in the Department of Economic Development.
8. No.
9. No.

PRAWNS

Mr. BLACKER (on notice):

1. Upon what scientific and economical grounds was the decision made to open Spencer Gulf to prawn trawling south of a line from Point Lowly to Ward Spit to Port Germein?

2. Who was consulted before making such a decision?

3. Why was the decision made against all recommendations of industry?

4. Why was such a large gamble taken particularly when it is against all measures of conservation?

5. Were other fisheries (for example, Snapper and Whiting) considered when this decision was made?

The Hon. J. D. CORCORAN: The replies are as follows:

1. The original closure was made at the request of fishermen, supposedly to allow an increase in size of small prawns. Sampling by departmental research officers within the formerly closed area has shown that size classes are not as discrete as originally thought.

2. Six meetings were held with prawn fishermen and A.F.I.C. through 1977 to discuss management of the Spencer Gulf prawn fishery. Processors as members of A.F.I.C. were present at these meetings.

3. In the first three meetings industry very firmly recommended the removal of either or both of the Yarraville and Eastern Shoal lines.

4. These closures, and any future closures, are for economic reasons, and do not involve conservation in the sense of survival of the prawn stocks.

5. Yes. Stocks of snapper and whiting are no more endangered by allowing trawling, where it is possible, at the top of Spencer Gulf than in any other part of that gulf. Since the opening, sampling by departmental vessels has shown relatively few snapper or whiting in trawls.

LETTER BOX

Mr. VENNING (on notice): Will the Minister provide a letter box at Parliament House for people desirous of posting letters and papers to members of Parliament?

The Hon. J. D. CORCORAN: Yes.

TRUNK MAIN

Mr. BLACKER (on notice):

1. Will adjacent landholders be allowed a water service connection to the trunk main between Northside Hill and Summit Tanks?

2. Will indirect services be allowed a connection to this main?

3. Will landholders adjacent to the trunk main be rated?

4. What will be the average water pressure in this main?

5. In the event of services being granted will there be a guarantee of supply on a regular basis?

The Hon. J. D. CORCORAN: The replies are as follows:

1. Landholders whose properties directly abut the main will be granted water service connections on payment of the appropriate fees.
2. No.
3. No.
4. Water pressures in the main vary widely between locations along the main, and in addition are subject to the quantity of water being transferred, as such, calculation of an average water pressure figure is not considered practical.
5. No.

FIREARMS

Mr. MILLHOUSE (on notice):

1. Is it intended during the present session to introduce amendments to the Firearms Act and, if so, to what effect?

2. Is it intended during the present session to introduce any legislation concerning firearms, and, if so, to what effect?

The Hon. D. W. SIMMONS: The replies are as follows:

1. No.
2. Regulations are in the course of being prepared.

MONARTO DEVELOPMENT COMMISSION

Mr. MILLHOUSE (on notice):

1. Is it intended to introduce a Bill, during the present session, to bring to an end the Monarto Development Commission and, if so—

(a) why;
(b) when; and
(c) what will happen to the staff of the commission?

The Hon. HUGH HUDSON: No.

STORAGE DAMS

Mr. WOTTON (on notice): Does the Government have any definite plans to construct additional storage dams in the catchment areas of the Murray River in South Australia to enable better use of dilution flows to reduce salinity and, if so, what are the details of such plans?

The Hon. J. D. CORCORAN: No.

IRRIGATION LEASES

Mr. WOTTON (on notice):

1. When did the Lands Department change the accounting period on irrigation leases from a quarterly to

an annual basis?

2. Did the Minister give the holders of irrigation leases prior warning to enable them to budget for such a change and, if so, how was this warning given and, if not, why not?

The Hon. J. D. CORCORAN: The replies are as follows:

1. The rents on all leases issued by the Lands Department, including irrigation leases, are on an annual basis, except the small number of irrigation leases on the reclaimed swamp. These few leases were placed on a quarterly payment basis in 1925, when the dairy industry was under severe stress. The basis of payment was reverted to annual payment from January 1, 1978.

2. The lessees were given one month's notice of the intended change by way of letter enclosed with their account. As the average annual account has a total annual charge of approximately $38, it should not present a budgeting problem to the lessees. The department has received excellent co-operation from the lessees who, in many cases, have indicated their acceptance of the annual payment.

MURRAY RIVER SALINITY

Mr. WOTTON (on notice): Does the Government agree with the principle set down in the River Murray Salinity Control Programme Position Paper No. 5 which recommends the restriction of industrial and population growth in South Australia, where such growth would have to depend on the Murray as a source of water and, if so, does the Government believe that the growth centre of Monarto is properly sited?

The Hon. J. D. CORCORAN: The replies are as follows:

1. The River Murray Salinity Control Programme Position Paper No. 5 does not contain any statement of principle or recommendation for the restriction of industrial population growth in South Australia where such growth would have to depend on the Murray as a source of water.

2. See No. 1.

MINISTERIAL STATEMENT: EMISSION CONTROL

The Hon. G. T. VIRGO (Minister of Transport): I seek leave to make a statement.

Leave granted.

The Hon. G. T. VIRGO: The Australian Transport Advisory Council, at its meeting in Wellington, New Zealand, last Friday, re-examined the vexed and often controversial issue of vehicle emission control. Members will no doubt be aware that vehicle emission control is covered by Australian Design Rule 27A, which, without going into the technicalities associated with its development and introduction, is aimed at reducing the levels of carbon monoxide, hydrocarbons and oxides of nitrogen released in the atmosphere by motor vehicles. When it was introduced in 1976, A.D.R. 27A was to be phased in over a period of three years in three stages to allow vehicle manufacturers the necessary breathing space in which to effect the rule's requirements.

Just prior to the A.T.A.C. meeting in July, 1977, however, the Federal Chamber of Automotive Industries suggested suspending the third and final stage, arguing that an increase in fuel consumption of approximately 7 per cent was attributable to the first and second stages of the design rule's introduction, and that a further increase in fuel consumption of 5 per cent could be expected when the third and final stage was introduced. As a result, A.T.A.C. then agreed to defer the final stage so that an investigation of the chamber's claim could be carried out.

A study group comprising representatives of the Commonwealth and State Departments of Energy, Environment and Transport which undertook the investigation found that, while some increase in fuel consumption had occurred with the introduction of the first stages of A.D.R. 27A, experience elsewhere in the world had shown that inadequate engine design when coupled with emission control measures caused the increased fuel consumption. This view was later confirmed in a report from the Australian Environment Council.

My Cabinet colleagues, the Minister for the Environment and the Minister of Mines and Energy, and I discussed this whole matter in considerable detail prior to my departure for the A.T.A.C. meeting last Friday. As a result of that discussion, I placed before Ministers of Transport at that meeting that there was a need for action that would encourage manufacturers to adopt engine designs and emission control systems providing for the most durable emission performance without the need for frequent maintenance and accurate adjustment, while at the same time, providing maximum economy and driveability. A.T.A.C. agreed with this view, and accordingly resolved that the third and final stage of A.D.R. 27A would come into effect on January 1, 1981, and that that date was no longer negotiable.

FORMER COMMISSIONER OF POLICE

The SPEAKER: In recent years in the House of Commons the tendency has been for the House to realise that it has tied itself hand and foot with hard and fast rules which prevented discussion on matters *sub judice*, but the press and others outside Parliament are not so handicapped, and an effort is now being made to break the bonds with which Parliament has tied itself.

On September 23, 1970, Mr. Speaker Hurst allowed a motion to be debated which in effect would have added a further term of reference to a Royal Commission's terms of reference, although the previous day he had ruled that matters referring to a Royal Commission could not be debated. *Erskine May* says that more recently the House has resolved to allow reference to be made to matters awaiting or under jurisdiction, subject to the discretion of the Chair, and in this case I have decided to exercise this discretion, provided there is no real and substantial danger of prejudice to the proceedings of the Royal Commission. I am therefore ruling that the urgency motion intended to be moved by the Leader of the Opposition may be proceeded with.

I have received from the Leader of the Opposition the following letter:

> I desire to inform you that this day it is my intention to move that this House at its rising adjourn until 1 p.m. tomorrow for the purpose of discussing a matter of urgency, namely, that, because of the high level of community concern that the terms of reference for the Royal Commission into the dismissal of the former Commissioner of Police, Mr. H. H. Salisbury, are not sufficiently wide to allow investigation into all aspects of the affair, the terms of reference should be expanded to include—
>
> 1. the propriety of the Government's actions in summarily dismissing the Commissioner of Police on January 17, 1978;
>
> 2. the Government's failure to institute a formal inquiry into the alleged misconduct of the Commissioner of Police before so dismissing him;
>
> 3. the terms of appointment and employment of the

Commissioner of Police and any desirable changes thereto.

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

Several members having risen:

The SPEAKER: The honourable Leader of the Opposition.

Mr. TONKIN (Leader of the Opposition): I move:

That this House at its rising adjourn until 1 p.m. tomorrow, for the purpose of discussing a matter of urgency, namely, that, because of the high level of community concern that the terms of reference for the Royal Commission into the dismissal of the former Commissioner of Police, Mr. H. H. Salisbury, are not sufficiently wide to allow investigation into all aspects of the affair, the terms of reference should be expanded to include—

1. the propriety of the Government's actions in summarily dismissing the Commissioner of Police on January 17, 1978;
2. the Government's failure to institute a formal inquiry into the alleged misconduct of the Commissioner of Police before so dismissing him;
3. the terms of appointment and employment of the Commissioner of Police and any desirable changes thereto.

I very much respect the ruling that you, Mr. Speaker, have given today in respect of the *sub judice* rule. We have seen in the past few weeks an amazing situation, and that is why I have moved this motion. The terms of reference being proposed by the Opposition are in addition to the terms of reference which have been announced by the Premier, but not published in the *Gazette Extraordinary* setting up a Royal Commission, but are in addition to those terms of reference and in no way cut across them. They are additional terms of reference that we believe should be included in the deliberations of the Royal Commission so that it can adequately answer all the questions that are being asked in the community today. I remind honourable members of the terms of reference that have already been announced by the Premier. They are as follows:

Whether Harold Hubert Salisbury, the former Commissioner of Police, misled the Government by his communications to it as to the nature and extent of the activities of the Police Special Branch.

Whether the dismissal of Harold Hubert Salisbury from the office of Commissioner of Police was justifiable in the circumstances.

Whether there is reason to modify the prerogative rights of the Crown to dismiss the Commissioner of Police.

I do not intend in any way to deal with those terms of reference: I wish to deal with the additional terms of reference that I believe are necessary. We have seen an amazing situation develop in this State over the past four weeks. Indeed, it is nearly four weeks since the dismissal of the Commissioner of Police, and we have seen an adamant refusal by the Premier and the Government to appoint a Royal Commission. Despite the deepest expression of public feeling that I can recall in my time in politics in favour of appointing a Royal Commission, the Government steadfastly and adamantly refused to set up and announce a Royal Commission. That public concern and pressure manifested itself in many ways, ways in which most people in the community are now well aware. There were rallies, questions asked, letters written to the editor and petitions signed by thousands. When Parliament resumed last week we had a full debate on the matter, and this House carried a motion that this House expressed its confidence in the Government's handling of the affair. Stripped to its bare essentials, that motion expressed confidence in the Government's handling of the affair and quite clearly indicated that there was no need for a Royal Commission.

So strong was the Premier's conviction in this case that he stated that if the motion was in any way amended or rejected it was a matter of confidence and he would resign. Now, by the actions he took last Friday in Executive Council, by putting forward a proposal for a Royal Commission, where does he stand? It will be interesting to hear what he has to say, and to find out where he stands in relation to his position in this Parliament—

Mr. Venning: No-one knows.

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

Mr. TONKIN: —and in this Government, because he made clear that he would resign if in any way that motion put to this House and passed in spite of the opposition on this side were varied. He has now varied it himself.

The Hon. J. D. Wright: Tell us why you've moved the motion?

The SPEAKER: Order! I call the honourable Minister to order.

Mr. TONKIN: The motion was passed, as we all know. The Opposition moved an amendment calling for a Royal Commission, and the terms of reference proposed contained proposals similar to those that we have put forward today in this motion of urgency. The Premier and the Government strongly maintained their position until the end of last week, when there was a Caucus meeting which considered proposals which had been put forward by the Upper House for a Select Committee of that House in order to attempt to get to the true facts. The Premier has described this as a cynical, political exercise. However, it was a totally responsible action and the only action that could have been taken in view of the Government's steadfast refusal to have a Royal Commission into the matter.

Far from being a cynical, political exercise and causing public mischief, the other place in its proposal was doing what the people of South Australia wanted done, which they had shown clearly they demanded of their Government and which until that time their Government was not prepared to give them. It is surprising that in this entire affair (and this attitude of the Government can be extended further), everything the Premier and Government have done has apparently been strictly in accord with the best principles of the Westminster system of Parliamentary democracy! They have been honourable men! However, everything the Opposition has done and wanted, and by implication everything that the people of this State have wanted and have done, has been unreasonable, scandalous, scurrilous, and everything bad that the Premier can call it. The inescapable conclusion is that people daring to oppose or differ from the Government are scandalously in error and open to the most trenchant criticism by the Government and, indeed, in some cases liable to extreme pressure designed to remove them from any Government office they might hold.

The Upper House Select Committee proposed an inquiry that the people of South Australia wanted, and it would have covered all aspects of the Salisbury sacking. True to form the Premier branded this as a cynical, political exercise and, putting aside any thought of that confidence motion that he was so proud of on Tuesday, he proceeded to scurry around the talk-back programmes on Friday morning, attended an Executive Council meeting on Friday afternoon, and then announced to a totally unprepared rally, organised by people at factory meetings, by door knockings, and by every possible means of the Labor Party, that he would have a Royal Commission

after all.

Mr. Mathwin: Neil Blewett had the wrong speech in his pocket.

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

Mr. TONKIN: Indeed, the Premier's principal supporting speaker (as the member for Glenelg has said) was totally unprepared. The headline in the *Sunday Mail* read, "Blewett almost blew it", and he did. What a ridiculous and Gilbertian situation this is. It would be Gilbertian and amusing if it were not so serious. The general feeling in the community was one of widespread relief that democracy had triumphed; the Government was giving in to the widely expressed demands of the people. The terms of reference, which were then announced, were discussed widely in the community. That is one of the reasons why I believe that your ruling, Mr. Speaker, this afternoon has been such a good one and so adequate.

The SPEAKER: Order! I hope that the honourable Leader will get back to his motion.

Mr. TONKIN: Yes, indeed, Mr. Speaker. The Premier is on record as discussing the matter publicly and saying that the terms of reference, as set down, could be interpreted more widely than it might appear. If this is so, I believe that we must add to the terms to ensure that all of the questions that have been asked in the community will be answered. I, for one, in considering the Premier's record in this matter (and a sorry record it is, too), am not prepared to accept his statement that the terms as they presently exist are wide enough to cover every possible consideration of the matters surrounding the Salisbury sacking. For that reason, I believe that the Government has a clear duty to South Australians not only to have a Royal Commission but also to ensure that the Commission can work in the fullest possible way, and do what the people of South Australia want done. So many questions have been asked, and they have been summarised well by that journalist, who, apparently, the Premier hates, namely, Mr. Stewart Cockburn, in his column "Point of view" appearing in yesterday's *Advertiser*, in which he asks:

> Was the method of Mr. Salisbury's dismissal justified —were his civil rights ignored? Was the one-sided way in which the initial announcement of his dismissal was made fair? Despite the Premier's statements to the contrary did the Government already possess the power to suspend the Commissioner before sacking him? Why was Mr. Salisbury not given more time to consider his position after his resignation was requested by the Premier?
>
> Was it, or was it not, common gossip for many months before he was sacked that the Government wanted to get rid of Mr. Salisbury?
>
> Was the information in the files of the Special Branch of the Police Force ever misused? If it was not, to quote—

The SPEAKER: Order! The honourable Leader is out of order concerning some of those references.

Mr. TONKIN: Regarding the Special Branch files, Mr. Speaker, you are quite right. Mr. Cockburn's questions continue:

> Why was it necessary to appoint a new Police Commissioner within 36 hours of Mr. Salisbury's dismissal? Should the post not have been advertised and canvassed more widely?

So it goes on. The point is that, in acceding to the demands of the people, and in giving in as they finally have done to their demands, the Premier and the Government have set up an inquiry which will be worthless and which will not enable them to regain their credibility and keep faith with the people unless it is held without reservation at all. Accordingly, there must be no grounds for suggestions that the terms are not sufficiently wide to enable the ventilation of all the matters of concern. The Commission has been set up by the Government to satisfy an overwhelming public demand. It must be seen as an honest attempt by the Government to get at the facts, and not as an action it has been forced to take, albeit with great reluctance, as a cynical political exercise in order to save its own skin. If there is any doubt at all left in the minds of the public of South Australia, that is exactly how it will be seen.

Accordingly, taking the first opportunity to discuss this matter, I wholeheartedly recommend to the Government that it add the three terms of reference in my motion which, I repeat, are in addition to those already announced. They will enable the full facts to come forward, and the Government should be honest enough to face up to any adverse criticism or report that might come out of that inquiry because of those terms of reference, and agree to them in the interests of democracy in this State.

The Hon. D. A. DUNSTAN (Premier and Treasurer): I listened with interest and attention to the speech of the Leader, who appeared to have worked himself up into a considerable lather about this matter.

Mr. Tonkin: And why not?

The Hon. D. A. DUNSTAN: I just wondered, in view of the content of his speech, how genuine that lather was, because not one sentence of the speech was to the motion to add these terms of reference to those of the Royal Commission. The Leader proceeded to expatiate on his feelings in the matter of the Government's actions of the past week, and the fact that, following the decision of the majority in the Legislative Council to set up a Select Committee of inquiry with an Opposition majority on it in order, they said, to get at the facts of this matter, the Government believed that the only proper course then was to see to it that any inquiry was under proper judicial control and that the necessary protections to members of the community should be observed. That action on the part of the Government appears to have upset the Leader greatly.

Mr. Millhouse: You knew that it was always on the cards that the Council would do that?

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

The Hon. D. A. DUNSTAN: It is also public knowledge, because the voting has been published, that very many members of the Liberal Party in the Upper House thought that that was an improper course of conduct—and they were right.

Mr. Millhouse: It was always on the cards.

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

Mr. Millhouse: It was always—

The SPEAKER: Order! I call the honourable member for Mitcham to order.

The Hon. D. A. DUNSTAN: It is not always the case that Liberal members of the Legislative Council act with Parliamentary impropriety. Unlike the honourable member, it is not my habit automatically to ascribe ill motive and impropriety to anyone who is not a member of my own Party. Let me turn, however, to the motion before the House. The honourable member says that we must add certain terms of reference to the Royal Commission. The first is as follows:

> The propriety of the Government's actions in summarily dismissing the Commissioner of Police on January 17, 1978.

I am not quite certain what that means. What propriety is actually being talked about?

The Hon. Hugh Hudson: Whether the dismissal was

justified, I presume.

The Hon. D. A. DUNSTAN: I shall come to that in a moment. The second additional term of reference is as follows:

> The Government's failure to institute a formal inquiry into the alleged misconduct of the Commissioner of Police before so dismissing him.

The second item seems a bit strange, since there have been now public admissions by members of the Party opposite that in fact the automatic reply to the first term of reference to the Royal Commission must be "Yes".

However, let us deal with how far these suggested terms of reference are necessary to add to the present terms of reference. The first two suggested terms relate to the propriety of the Government's actions in summarily dismissing the Commissioner of Police and, secondly, to the Government's failure to institute a formal inquiry into the alleged misconduct of the Commissioner of Police before dismissing him. Any matters that could arise on that score are already dealt with in the present terms of reference. I will be giving evidence to the Royal Commission about those matters when I go before the Royal Commissioner.

The second term of reference "Whether the dismissal of Harold Hubert Salisbury from the office of Commissioner of Police was justifiable in the circumstances" is clear: the circumstances are a matter for the Royal Commissioner to examine, and whether the Government's action was justifiable is a matter for the Royal Commissioner to examine. The word "justifiable" covers a wide spectrum indeed: it is not confined to whether or not the Government had legal power to dismiss the Commissioner of Police, but covers whether it was justifiable for us to do so in the circumstances. The reasons for our taking the action that we took will be before the Royal Commissioner, and she will have the opportunity to investigate them and see whether this was a proper and justifiable exercise of Executive discretion. That is all before the Commissioner, and this motion adds nothing.

The other matter relates to the terms of appointment and employment of the Commissioner of Police and any desirable changes thereto. So far as I am aware, the only thing that is normally being suggested is that there should be some modification of the power to dismiss. In fact, that is a term or reference for the Royal Commissioner now. If the Leader is proposing that a Royal Commission go into the business of what sort of contract, within the terms of the Statute, should be made with a Commissioner of Police, I do not believe that that is a subject which the Royal Commissioner should or need go into.

Contracts were made with the Commissioner of Police within the terms that any legislation could provide. Those contracts related to his transport from England and back to England, and to his superannuation, about which the Government made generous provisions for him that were added to during the terms of his office. Those matters do not relate to anything other than the exercise of proper Executive discretion at the time of the appointment of a person to the post of Commissioner of Police. I do not believe that that is something about which legislation should be passed in this House. In fact, it is not a question that has been raised to any extent at all in the course of the public controversy on this matter.

Given those facts, what is this motion all about? It was clear from the moment that the announcement was made that a Royal Commission had been appointed that the Opposition was horrified because it had anticipated, since all the facts were patent, what the likely result of any Royal Commission would be. First, the Opposition set out immediately to attack the Royal Commissioner and her appointment. It was a disgrace to this Parliament and to the Opposition that it did so, and was a direct reflection on the Royal Commissioner and the whole of the Judiciary in South Australia. It was disgraceful. The fear that the results of the Royal Commission were inevitable, members opposite immediately stated that any Royal Commission would be a white-wash job.

From the outset they wanted to denigrate the Royal Commission and to denigrate anything that might go to the public from that Royal Commission, because they feared the results.

Members interjecting:

The Hon. D. A. DUNSTAN: I will give the members a little evidence out of the mouth of the Leader of the Opposition about this. What is it that is being added here to what the Leader of the Opposition asked for originally? A report in the *Advertiser* of January 26 states:

> Mr. Tonkin said several questions had been raised which pointed to the need for a Royal Commission. Should the Government have the sole power to dismiss the Commissioner?

That is entirely covered in the third term of reference. The report continues:

> Was the sacking of Mr. Salisbury justified, given all the circumstances?

That is almost the exact wording of the second term of reference.

Mr. Tonkin: That's going back to January 23.

The Hon. D. A. DUNSTAN: January 26.

Mr. Tonkin: Nothing has happened since then!

The Hon. D. A. DUNSTAN: This was the Royal Commission that the honourable member demanded. Having got it, the Leader of the Opposition makes it perfectly plain to the public that he does not want it; it is the last thing he wants. We have given him exactly what he asked for, and now it will be, according to him, a whitewash job. He says we should have appointed someone else. The last thing the Opposition wants is the report of a Royal Commission. The Opposition asked for a Royal Commission only so long as it thought we would not appoint one. Now its great discomfort, displeasure and dismay at the fact that one has been appointed is evidenced by what the Leader of the Opposition said today. Because, as I have said from the outset, he did not talk about his motion; all he did was complain about my actions during last week. He said this in the colourful language in which he proceeds to soap up matters of this kind.

Mr. Tonkin: How kind of you.

The Hon. D. A. DUNSTAN: Let me give the Leader some instances. The Leader went from station to station yesterday giving his views on this current matter. That apparently was a sober, legitimate and proper exercise of the Opposition Leader's activity but, in my case, there I was scurrying from station to station. I do not know whether the Leader thinks I move more quickly than he did.

Mr. Tonkin: You moved quickly enough to get in before the establishment of a Royal Commission, didn't you?

The Hon. D. A. DUNSTAN: The Leader apparently does not like it that at times I foot it, it may be said, fleetly in these matters. I do not think the Leader likes my footwork. However, I assure him that he has no need to worry. If he is genuinely worried about these matters he will be reassured when the Royal Commission meets because I shall certainly be giving evidence before the Royal Commissioner under the present terms of reference, as to the circumstances and the basis on which the Government took the action that it took.

I make clear that, if the Royal Commissioner found that her terms of reference were too restrictive and she made representations that it was proper to expand those terms of reference in some way, of course that matter would be considered immediately by the Government, as has happened in the case of previous Royal Commissions. The Government is quite certain, after examining this matter and discussing it with counsel, that all matters germane to this question have been raised by the terms of reference of the Royal Commission. Therefore, there is no basis on which the House could proceed to urge the Government to amend the terms of the Royal Commission. Indeed, there is certainly no basis at all for adding to the terms of reference of the Royal Commissioner these terms of reference now proposed by the Leader of the Opposition.

Mr. GOLDSWORTHY (Kavel): I thought it quite amusing that the Premier started his remarks today in a particularly low key and then chided the Leader of the Opposition for, in the Premier's words, "working himself into a lather". The Premier went through the whole gamut of the dramatic interpretation this afternoon. He certainly worked himself up into a lather when he started this farrago of nonsense that the Opposition did not welcome the Royal Commission when, in fact, the Opposition virtually forced the Government into calling one.

I point out to the Premier that, in fact, his point that the Opposition is reflecting on the judiciary is complete nonsense. The Opposition has said all along (it has been entirely consistent in this exercise), long before the Government decided to do its monumental back-flip (and other people outside this place echoed the view), that the Royal Commissioner should come from outside the scene.

The SPEAKER: Order! The honourable member cannot continue along that avenue.

Mr. GOLDSWORTHY: The Premier dealt with this very point, so it seems only reasonable and fair that I have the opportunity of rebutting that nonsense of the Premier's.

The SPEAKER: Order! The honourable member cannot comment on the calibre of the person.

Mr. GOLDSWORTHY: The Premier insisted that the Opposition was now imputing to the judges of this State an incompetence which it is not imputing. The Opposition has insisted all along, long before the Royal Commission was mooted by the Government, that the judge should come from outside the State. The Premier has been at great pains to give his interpretation of these narrow terms of reference that have been given to the Royal Commission, but it is a fact of life that it will be the Commissioner herself who puts an interpretation upon those terms of reference—it will not be the Premier (or it certainly should not be the Premier) who is laying down the interpretation that is put upon them.

The Premier makes great play of the fact that the terms of reference refer to whether the action of the Government was justifiable in the circumstances; in other words, that the Government's action is capable of being justified. Of course the Government's action is capable of being justified. All of the alternatives that the Leader canvassed in this House are capable of being justified. I do not doubt for a minute that they are capable of being justified legally, and surely it will be a legal interpretation that is put upon this inquiry by Her Honour. What the public wants to know is whether the summary sacking of the Commissioner of Police was, indeed, fair: "fair" is the operative word in this exercise. If the Premier does not know the meaning of the word "propriety", which is in the first term of reference that the Leader has moved be added, I think it is time that he got hold of the Oxford dictionary and looked it up, because the whole point of this exercise is to see that the operations of the Government in this summary dismissal of former Commissioner Salisbury was in fact fair and that justice was done to him.

That is what the motion is all about. The terms of reference laid down for the Commissioner do not cover this whole area. In fact, we have legal opinions. The Premier says the Government had the advice of counsel: we know that Cabinet had the advice of counsel on one of the other alternatives that should be open to the Government. We believe quite firmly that this Royal Commission should inquire into the proposition that it would have been fairer to suspend the Commissioner, conduct an independent inquiry, examine the results of that inquiry, and then make a decision. This whole thing was done with such haste that the Government did not even know that it had power to suspend the Commissioner. That is an alarming state of affairs.

There were several alternatives open to the Government, and we believe that the Commission should have the opportunity to canvass them. The Premier worked himself into a lather about the best traditions of the Westminster system. What has former Commissioner of Police Salisbury said about that? The home of the Westminster system is England, and what justice would have been meted out to him there? The Commissioner or Chief Constable would have been suspended in England, an independent inquiry would have been instigated, and the results of the inquiry would have been examined by the Home Secretary. Then, and only then, would a decision have been made as to the propriety or otherwise of sacking the Commissioner.

What have the rallies and tremendous upsurge of public reaction to the Government's action in this matter been about? The rally on Saturday must have been a fizzer, because the Premier went along to tell the people that they would not have a Royal Commission but finished up by telling them that they would have one. The poor old member for Bonython went along to justify the Government's actions, but he found he had to tear up his speech and make a new one.

Do not let the Premier boast in this place of how proud he is of his footwork. He said that the Leader of the Opposition was envious of his footwork. We are not envious; we are amazed at it. I have never seen such an acrobatic performance from the Premier. Not only is he good at dramatics but he is good at acrobatics, and this is the biggest back-flip of all time. The question uppermost in the minds of the public in South Australia is whether the sacking of Mr. Salisbury was fair. Why do they talk about a fair go for Salisbury? They do so because they do not believe that the sacking was fair and, unless the Royal Commission is able by its terms of reference to discuss all these matters, it will not serve the purpose that it should be serving in the interests of justice. It is not only to seek to justify the Government's decision, but certainly it will go no way to allay the public's fears.

Australian people generally believe in a fair go, as that is a reputed Australian characteristic. This Royal Commission will go no way to resolve the question whether Mr. Salisbury had a fair go. We know the history of events, and it seems to have all the aura of a coup. In fact, the regulations gazetted the day after Mr. Salisbury's sacking indicated the Government had previously decided its course of action. It had done all the work necessary to gazette the regulations and dismember and disband the Special Branch the day after Mr. Salisbury was sacked. The whole exercise indicates that it was a coup on the part of the Government. Unfortunately, in this exercise the Government has forgotten that Australians are basically

interested in fair play and seeing that justice has been done. The only forum that Mr. Salisbury had for putting his point of view was during a discussion with the Premier, and I understand the Chief Secretary, in a 1¼-hour interview on Friday before Cabinet decided to sack him. It does not matter what the Premier says about the sacking being justified: it will be a legalistic interpretation, and it will be the judges and not the Premier who decide how that will be interpreted.

The SPEAKER: Order! The honourable member is getting away from the question before the Chair.

Mr. GOLDSWORTHY: The Premier has sought to put his interpretation on the terms of reference, and he has waxed fairly eloquent publicly on what the terms of reference mean.

The SPEAKER: Not in the course of this debate. That was outside the House and not in my province.

Mr. GOLDSWORTHY: The Premier said it in here today, and there is plenty of legal opinion available. What has been expressed to us by several lawyers, other than the counsel available to the Premier, indicates that the terms seem to be quite restrictive.

The value of the amendment to these terms of reference that the Opposition seeks to move is plain. The amendment seeks to give a full discussion of all of the matters surrounding this apparently grossly unfair sacking of the former Commissioner of Police. The Premier can argue that black is white (and I do not doubt that he could do it eloquently) until the cows come home, but he will not convince the public (nor will the Royal Commission with its present terms of reference satisfy the public) that former Commissioner Salisbury had a fair go.

Other alternatives were available to the Government. As pointed out by one journalist alone (and whether or not the Premier likes to denigrate this journalist), he has a series of questions in his mind, and I am sure that those questions would appear to be reasonable in the mind of the public of South Australia. There has been an element in the whole of this exercise that the Premier has sought to attack, namely, the operations of Special Branch, and indeed, he has made Mr. Salisbury the scapegoat for activity that has taken place in the State for 25 years. In this whole exercise the Premier has also sought to denigrate ASIO.

The SPEAKER: Order! I hope that the honourable member will link his remarks with the motion.

Mr. GOLDSWORTHY: I certainly will, because if the sacking of Mr. Salisbury was justified in view of the fact that Special Branch had been operating—

The SPEAKER: Order! There is nothing about Special Branch or ASIO in the motion.

Mr. GOLDSWORTHY: It is my view that the Royal Commission, in terms of the amendment that the Opposition seeks to make, namely, "The Government's failure to institute a formal inquiry into the alleged misconduct of the Commissioner of Police before dismissing him", could not help but encompass an investigation of Special Branch activities. I cannot see how any consideration of that term of reference, which is the subject of the motion, would have to encompass those activities. It is also interesting to note that Mr. Wran has backed off from his Judicial inquiry. He has had cold feet. Mr. Wran has just said that he may allow a debate later. The Labor Premiers may believe that they have sniffed the political breeze too quickly in the whole deal. Putting that aside, I believe that the public wants to see and to have demonstrated clearly to it that Mr. Salisbury has had a fair go, but I do not believe that most South Australians believe that to be the case. The Ministers went out to talk at their factory gate meetings on Friday morning, and found that they got the raspberry. They came back, had a quick Cabinet meeting, and decided that it was time to have a Royal Commission. They could not even convince their own people that they had done justice and had acted fairly in relation to Mr. Salisbury. I believe that there are questions uppermost in the mind of the public which cannot possibly be resolved under the terms of reference the Premier has given to the Royal Commission.

As matters stand now, I believe that there is a danger that the Royal Commissioner may find it impossible to make a finding that will go anywhere near resolving the questions that have given rise to it or that the Premier's interpretation of the terms of the Commission will necessarily be those of the Commissioner. I believe it is insulting of the Premier to seek to impose his view on the Commissioner in this instance, as he is seeking to do.

The SPEAKER: Order! That is out of order.

Mr. GOLDSWORTHY: The Premier got up here this afternoon and said what would occur in relation to the hearings of the Royal Commission. He gave his interpretation of the terms of reference and said this would happen, as though it were a foregone conclusion. I believe it will be up to the Royal Commissioner herself to give her interpretation.

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

The Hon. PETER DUNCAN (Attorney-General): I should like to comment initially on the amazing allegation just made by the Deputy Leader regarding the factory gate meetings held last week and the Government's attitudes and actions in relation to the matter. I cannot speak for other Ministers who spoke at factory gate meetings on Thursday and Friday of last week, but the factory gate meeting at Elizabeth at which I spoke was well attended for a meeting at the G.M.H. plant. About 300 people attended, and at the end of the meeting a motion was passed unanimously endorsing the actions of the Dunstan Government in this matter.

That is hardly the sort of action that, as the honourable member put it, would have sent the Government scurrying to a Cabinet meeting on Friday afternoon to change direction. On the contrary, this matter had received considerable consideration before lunch time on Friday. One other thing came out of that factory gate meeting which I find interesting. The only question asked was by one man who said at the meeting, "Mr. Duncan, Mr. Tonkin has been running around huffing and puffing in this matter a great deal and making a great idiot of himself. Do you think that this will at last see the end of the clown prince in South Australia?" He was referring, of course, to Mr. Tonkin.

The SPEAKER: Order! I hope the honourable Attorney will not continue in this vein.

The Hon. PETER DUNCAN: I was simply expressing the sentiments of the meeting. I shall refer now to the more substantial matters raised. It is hardly surprising that the Opposition was stunned and shocked by the Government's decision to call a Royal Commission, in view of the threats being placed on the Government by members of the Upper House.

Mr. Mathwin: What—

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

The Hon. PETER DUNCAN: It is hardly surprising that members of the Opposition should seek to move this motion today. It is a completely empty motion and, as one of those involved in the preparation and drafting of the terms of reference for the Royal Commission, I can tell members opposite that when we were looking at the situation one of the things that we knew inevitably would

happen would be that the Opposition would be so put out by the fact that we were having a Royal Commission that its members would seek to attack it in any way they could. That view has been substantiated by their actions in recent days.

When we were drawing up the terms of reference, we looked very carefully at the sort of things that members of the Opposition might raise, what they might claim as a result of the Government's having set up the Royal Commission. One of the most obvious was the likelihood that they would seek to attack the terms of reference. So, in setting up the terms of reference we took careful note of what the Opposition had been saying and what we thought Opposition members would be likely to say as a result of the setting up of the Royal Commission. We drew the terms of reference sufficiently wide to enable the Royal Commissioner to deal with all the matters relevant in this affair. It is hardly surprising that Opposition members sat in stunned silence as the Premier read from the *Advertiser* of January of this year the claim by the Leader of the Opposition that certain terms of reference should be included; of course, two of the terms of reference he suggested are, almost word for word, the terms of reference proclaimed by Executive Council as the terms of reference for this Royal Commission. No wonder members opposite were stunned and silent as that piece of evidence was placed before the House. The first term of reference proposed by the motion is as follows:

> The propriety of the Government's action in summarily dismissing the Commissioner of Police on January 17, 1978.

That is quite adequately covered by the second term of reference of the Royal Commission, which is as follows:

> Whether the dismissal of Harold Hubert Salisbury from the office of Commissioner of Police was justifiable in the circumstances.

The term "justifiable" has no great significance in legal terminology. It is a word that covers the sorts of thing that are referred to in the first term of reference in this motion. It has no special legal significance, and is not a term of art known to the law as a specific word with great legal definition. It is a general term and, as such, covers the matters contained in the first term of reference in the motion.

The second term of reference, "The Government's failure to institute a formal inquiry into the alleged misconduct of the Commissioner of Police before so dismissing him", in the motion contains a lie, because it is not that the Commissioner of Police is alleged to have been involved in misconduct: the former Commissioner of Police has admitted that he misled the Government. Therefore, that term of reference is quite irrelevant.

Regarding the third term of reference in the motion, the Premier has already pointed out that until today no-one in this debate has raised any question about the appointment and employment of the former Commissioner of Police, except for the matter of dismissal, which is covered by the third term of reference of the Royal Commission and which is as follows:

> Whether or not there is a reason to modify the prerogative rights of the Crown to dismiss the Commissioner of Police.

This motion is simply a load of mumbo jumbo intended to enable the Leader to attempt to hang a few more headlines on this sorry matter, which it has certainly become because of the attitude of members opposite in trying to wring every ounce of political capital out of it. Members opposite have tried to get anything they can in political terms out of the files matter, the Salisbury affair. I suppose it is not unfair to say that the only thing the Liberal Party has got out of this sorry affair is a new director.

The SPEAKER: Order!

The Hon. PETER DUNCAN: I believe that this motion has been conceived simply to try to wring further political capital out of the matter. The Opposition has tried and tried to do that and has been particularly unsuccessful in its attempts to date. The Leader may laugh, but his attempt to wring political capital out of this matter has done nothing but discredit him in the eyes of the people of this State. He is seen not only as a political opportunist but also as a cynical political operator and a person who the people of South Australia are starting to say is not the sort of person they ever want as Premier of this State. Members of the Leader's own Party have been saying that sort of thing for some time; now the people of South Australia are taking that sort of attitude.

The SPEAKER: Order! I hope that the Attorney-General will get back to the motion before the Chair.

The Hon. PETER DUNCAN: I certainly will, Sir.

The SPEAKER: Order! When the Speaker stands the Attorney will resume his seat.

The Hon. PETER DUNCAN: I am sorry, Sir. My final point about the terms of reference relates to the point made by the Leader about the need for a Royal Commission. The Leader started his huffing and puffing by attacking the Premier's credibility, as he saw it, and saying that the Premier in this House last Tuesday said that he and the Government would resign if the motion that the Premier had moved was defeated in the House. The Leader said, "Well, now, this is an appalling example of someone's credibility being drawn into question, because we have now decided to have a Royal Commission." Had the Leader referred to the sixth point of the Premier's motion last Tuesday he would have seen that it stated:

> In these circumstances believes that there is no purpose to be served by appointing a Royal Commission of Inquiry into these matters.

Since last Tuesday, the circumstances have changed because of a decision by the members of the Liberal Opposition in another place to hold an inquiry into this matter through the medium of a Select Committee: in other words, to hold a politically biased inquiry that would have resolved nothing and would simply have been a measure of dredging up anything that Opposition members would have liked to throw in under the protection of privilege. That was a situation that the Government could and would not tolerate. It was quite a significant change in circumstances since last Tuesday and was principally the reason why the Government decided to establish the Royal Commission.

As the Premier has said, we still do not believe that there are any outstanding issues in doubt; nevertheless, it is important that, in the light of threats of an Opposition-dominated Select Committee in the Upper House, an independent judicial inquiry in the form of a Royal Commission should be held to determine the matters that have now been put before it.

The only other thing I wish to say relates to the quite appalling attacks that have been made by members opposite on the Judiciary of this State in connection not only with this Royal Commission but also in other circumstances. I can recall only too well the way members opposite heaped a most unfair attack on the Royal Commissioner investigating the affairs of the Juvenile Court. Members opposite said that he should not have been appointed, and they tried to attack him on various levels. That attack proved to be quite unfounded, because at that inquiry Judge Wilson said that he had been quite wrong in his allegations.

The SPEAKER: Order! The honourable Attorney-General is moving away from the motion before the Chair.

He should not continue on his point regarding the Judiciary.

The Hon. PETER DUNCAN: Very good, Sir. I believe that the point is fairly well made, Sir. It is important that the people of South Australia should see the cynicism that is behind the campaign by the Liberal Party on this matter. It is interesting that one of that Party's own number in Victoria, Mr. D. Jennings, who was, I think, the member for Westernport, late last year had the guts to tell the Liberal Party's Parliamentary Party meeting that he thought that the Australian public was beginning to believe that the Liberal Party was crook. I am sure that those sorts of sentiment are now starting to be felt in South Australia. That is about all that is involved in this matter.

It is quite unfair and unreasonable for the Opposition to attack the Judiciary in the manner in which it has. I believe the Liberal Party has been quite unreasonable and is trying simply to keep what it sees as a political issue alive. That is obvious from the way members opposite have been attacking the terms of reference of this Royal Commission. The Judiciary in this State has always been held in the highest regard.

The SPEAKER: Order! I had hoped that the Attorney-General would not raise the matter of the Judiciary.

The Hon. PETER DUNCAN: I am sure that the Royal Commissioner (and I have no doubt I speak on behalf of the vast majority of people in this State) will carry out her duties in an excellent and just manner. I am sure that the people of South Australia will in due course make their judgment on the motives of the Opposition in moving this sort of motion and in continuing in the fashion in which it has been continuing over the past few days.

The SPEAKER: Before the honourable member for Mitcham speaks, I inform him that the debate will end at 3·15 p.m.

Mr. MILLHOUSE (Mitcham): When the Premier was replying earlier in this debate to the Leader he said, "We have given him exactly what he wanted," when talking about the terms of reference. That may be so, and I say nothing about that, but the Premier has certainly not given me all I wanted when I asked that there be a Royal Commission into this matter.

I wrote to the Premier on January 22 and, in a fit of generosity which he never acknowledges in my case, I offered to draw up the terms of reference for the Royal Commission if he wanted me to do so. I did not do that, but I said that the terms of reference should fall into three groups, as follows:

> *(a)* The complaints and allegations made against you [the Premier] and Mr. Salisbury and your respective refutations of them.

I hope and believe, although it is open to argument, that in fact the terms of reference which have been announced in the press will cover that area. I continued:

> *(b)* What is to happen to the files which have been accumulated up to now?
>
> *(c)* The matters of principle—

and I had already referred to them. When the Premier replied to me in his letter of January 24, he spent some time dealing with my references to attacks which had been made on him by Mr. Peter Ward and allegations that the Premier in fact had known far more about this matter than he was prepared to admit. He said (and this is a strange sentence in view of what has happened since we debated this matter last Tuesday) in his reply to me:

> There is no question of my credibility in this matter left.

I cannot accept that in any sense and I refer particularly to the fact that since the debate last Tuesday Mr. Ward has reiterated what he had said in his earlier articles and what the Premier hoped, according to his reply to me, had been answered in the face-to-face interview. This is what Mr. Ward said in his article last Wednesday in the *Australian:*

> Well, I do not want to lift the scab off the sore any more than necessary. I simply suggest it is clear a great many people have gravely defective memories in this matter both in and outside the South Australian Public Service. In particular, there is Mr. Dunstan's gravely defective memory of the fact that in 1968 he said, "Files on people with certain political views have been shown to me in the past when in the hands of a Minister."

I hope that those things will come out and will be pronounced upon by Her Honour sitting as the Royal Commissioner.

I mentioned matters of principle in my original letter to the Premier and he never did give any intelligible answers to these. These are the sorts of thing that I think ought to be added to the terms of reference, and here I part company with the Liberal Party, which apparently does not set much store by what I regard as fundamental matters of personal rights and liberties. These are the things I set out in question form in my original letter to the Premier: What should happen to the existing files? What guidelines, if any, should be laid down for the future as to the kind of information on individuals that must be kept in the interests of security?

The SPEAKER: Order! There is nothing in the motion concerning the files. I hope the honourable member for Mitcham will not mention files.

Mr. MILLHOUSE: I am pointing out that these are things which in my view ought to be added to the terms of reference. I raised the following questions: whether the existing files should be destroyed; the relationship between Special Branch and ASIO; whether people should have the right, and if so, in what circumstances, to look at their own files and to make representation as to the accuracy of the information in them; the classes of person upon whom information should be collected; who should make the decision in the case of an individual to collect information; and who should supervise the collection and collation of that information.

This Royal Commission affords an opportunity to deal with these matters which in the long run will be of far greater significance, although not more important, to the people of this State and the Commonwealth than the matters which are covered in the terms of reference. In my view this is where the Government is making a grave mistake with regard to keeping the terms of reference narrow. The matters of principle that I have mentioned should certainly be added, and I hope that it is not too late even now for the Government to add them. We have seen some remarkable about-faces during the unhappy and uncomfortable time the Government has had over this matter, and I hope that what I am saying now will bear some fruit in the same way as what I said last Tuesday bore fruit on Friday afternoon in Executive Council.

Mr. GROOM (Morphett): I will not take the full 15 minutes, mainly because the time is not available. Also, I do not believe the motion is worth more than one minute in any event.

At 3.15 p.m., the bells having been rung, the motion was withdrawn.

The SPEAKER: Call on the business of the day.

MINING ACT AMENDMENT BILL

The Hon. HUGH HUDSON (Minister of Mines and Energy) obtained leave and introduced a Bill for an Act to

amend the Mining Act, 1971-1976. Read a first time.

The Hon. HUGH HUDSON: I move:

That this Bill be now read a second time.

It contains several amendments of considerable importance. For some time mining companies have been suggesting to the Government that there should be a form of mining tenement intermediary between those tenements that provide for exploration or prospecting, namely, exploration licences and mineral claims, and the tenement that provides for mining production, namely, the mining lease. There is frequently a considerable period required between the time at which a discovery is defined and the time actual mining production commences. This period is required to evaluate properly the discovery, to determine its economic feasibility and, if a decision is made to proceed, to prepare the area for production. A suitable form of tenement is accordingly required to allow for this eventuality, carrying with it the right to apply subsequently for a mining lease.

It has also become necessary to amend the Mining Act to make it consistent with the Government's present policy on uranium mining, which is to permit prospecting for uranium but to withhold approval of the mining of any discovery until the Government is fully satisfied that it is safe to provide uranium to a customer country.

Dr. Eastick: You've found a flaw in the original Act which you refused to accept in November.

The SPEAKER: Order! The honourable Minister.

The Hon. HUGH HUDSON: The honourable member was busy in November trying to misrepresent the Government's position on this matter.

Mr. Dean Brown: That's counter to what the Premier has already said.

The Hon. HUGH HUDSON: I suggest that members opposite listen, and if they are capable of giving any—

The SPEAKER: Honourable members will have an opportunity to speak to the Bill. I hope the honourable Minister will go on with the second reading.

The Hon. HUGH HUDSON: I do object to the continual misrepresentation that took place on this subject last year, and it seems that the Opposition is about to indulge in the same thing again.

The SPEAKER: Order! Honourable members will have an opportunity to speak to the Bill.

The Hon. HUGH HUDSON: The policy of the Government, which is in effect a moratorium on any uranium developments, has also highlighted the need for a suitable form of intermediate tenement. The amendments therefore make provision for a new tenement, to be referred to as a retention lease, which the Minister can issue under appropriate circumstances and with appropriate conditions. With regard to uranium, it is necessary to amend the Act in such a way as to recognise the situation where uranium may occur in association with other minerals and to provide for approval to be given by the Minister for the mining of such deposits under appropriate conditions.

There are circumstances, for example, where minimal quantities or uranium or other radio-active substances occur in association with other minerals and, if there is a blanket provision enabling the Minister to prevent the mining of uranium, the circumstances where trace quantities of uranium or other radio-active substances could be produced as a result of other production are not effectively covered and there could be an effective ban on all forms of mining operations as a consequence.

The Bill provides for control over not only uranium but also such other radio-active minerals as may be prescribed. At the same time the opportunity has been taken to amend certain other aspects which require change. These include a more appropriate definition of "extractive minerals", a definition of "fossicking" to ensure that the collection of minerals as a recreational hobby is excluded from the operations under the Mining Act, and provision for the depth of a particular precious stones field to be varied beyond 50 metres below the surface in the event that opal is discovered below that depth on that field. The opportunity has also been taken to extend the exempt land provisions to cover certain waterworks and forest reserves and to provide a procedure whereby the issue of a miscellaneous purposes licence goes through the same gazettal provisions as exploration licences and mining leases, to allow for public comment thereon.

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 amends the arrangement of the Act. Clause 3 redefines "extractive minerals" so that, where such minerals are mined for other than normal extractive purposes, a tenement may be granted. A definition of "fossicking" is inserted. Fossicking as a recreational, non-commercial hobby is excluded from the definition of "mining" for the purposes of the Act. A definition of "radio-active mineral" is inserted. The definition of "Director of Mines" is given greater flexibility so that any future change in title does not necessitate amending the Act.

Clause 4 provides that the Governor may proclaim the depth of a precious stones field. Such depth may vary, but must be at least 50 metres. It has been discovered that opal, for example, is sometimes found below that depth. Clause 5 exempts waterworks reserves, lands and easements, and forest reserves from the operation of the Act. Any mining on these areas will be controlled by the appropriate Minister. Clause 6 deals with radio-active minerals. The Minister is given complete control over the mining of such minerals. Exploration for radio-active minerals is not restricted. The Minister is given full control over the disposal of any radio-active minerals that may be recovered during the course of mining for other minerals. Clause 7 extends the period of a miner's right from one year to three years. This longer period will be advantageous both to the miner and the department, and will reduce administrative costs.

Clause 8 clarifies the position of a mineral claim where the Minister has refused to issue a lease. In such a situation the claim lapses. Clause 9 ensures that a miner may not hold the area of a mineral claim for longer than the prescribed period of one year, by the device of abandoning and then immediately re-pegging the area. Clause 10 provides the issue of retention leases. The Minister may grant such a lease where he is of the opinion that the holder of a registered claim is not ready to commence production, where the Minister wants more time to determine the conditions to be attached to a lease, or where the Minister thinks it desirable to postpone the granting of an authorisation for the mining of radio-active minerals. The provisions relating to the issue of a retention lease followed broadly the provision of the Act relating to the issue of a mineral lease, and include similar requirements for consideration of the protection of environmental and other features.

Clause 11 provides that the prospecting for and pegging out of a precious stones claim must be done in comformity

with the regulations. Clause 12 provides that a precious stones claim may be abandoned and re-pegged without reference to the Warden's Court, even though part of the area of the old claim is included in the area. Clause 13 provides that a miscellaneous purposes licence must be gazetted before its issue in the same manner as the Act provides in relation to exploration licences and mineral leases. Clause 14 extends the control over the use of declared equipment to all claims, whether registered or not, except a registered claim in a precious stones field. The Director of Mines can authorise the use of such equipment on any claim other than an unregistered claim in a precious stones field.

Clause 15 provides that, where a miner's right or a precious stones prospecting permit has already expired, the Warden's Court can then make an order prohibiting the person in question from obtaining a further right or permit. Clause 16 deletes the superfluous word "prospects" from this provision, as the word "mine" includes "prospect". Clause 17 provides that the holders of exploration licences or miscellaneous purposes licences need not furnish returns under this section. This section as it now stands is anomalous in that there can, of course, be no production of minerals on such tenements. Clause 18 similarly provides that the holder of a miscellaneous purposes licence need not keep the records of samples required by this section. Clause 19 enables the Minister to grant conditional exemptions from conditions of leases or licences. An exemption can be given for a fixed period of time. Clause 20 corrects an anomaly—the Governor is empowered to make regulations in respect of certificates of registration.

Mr. EVANS secured the adjournment of the debate.

MOTOR FUEL RATIONING BILL

The Hon. J. D. WRIGHT (Minister of Labour and Industry) obtained leave and introduced a Bill for an Act to provide for the distribution of motor fuel during any period of limitation of supplies of motor fuel and for other purposes. Read a first time.

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

That this Bill be now read a second time.

The ever increasing demands upon the world's energy resources and the uncertainty of future supplies of such resources, particularly crude oil, has led Governments to consider legislating to ensure the maintenance of essential services in the event of the supplies of such energy resources becoming unobtainable or in critically short supply for one reason or another. In recent years both the New South Wales and Western Australian Parliaments have enacted legislation to give their respective Governments control of energy resources of all types.

The Western Australian Fuel, Energy and Power Resources Act, 1972-1974, set up a Fuel and Power Commission for this purpose, while the New South Wales Energy Authority Act, 1976, provided for the creation of an Energy Authority of New South Wales. Both Acts contain separate parts to deal with emergency shortages of energy sources and give the Governor of the State concerned power to proclaim a state of emergency and make regulations in respect to the control of the form of energy in short supply.

In South Australia it is not considered necessary at the present time to set up an energy authority of the nature established in Western Australia and New South Wales. However, this State's reliance on petroleum products as a major source of energy makes it extremely vulnerable should the provision of such products cease or be severely restricted. South Australia is reliant on a single petroleum refinery for the provision of the bulk of the petroleum requirements of the State. Whenever production at the refinery ceases or is restricted for any reason for longer than a period of about two weeks, severe shortages of essential petroleum products are experienced.

In fact, in five out of the past six years this has been the case, necessitating the introduction of petrol rationing in 1972 and 1973, while in 1974, 1976 and again last year such action would have become necessary had the restrictions on production or movement of the product continued for a few more days. During the petrol crises in 1972 and 1973 the Parliament was asked to consider and pass, in a period of somewhat less than 24 hours, legislation to control and ration the remaining supplies of liquid fuel. Both of the resulting Liquid Fuel (Rationing) Acts contained a provision such that they expired shortly after their enactment.

Members will recall that in 1974 the Government introduced an Emergency Powers Bill, which sought to give the Governor power to declare a state of emergency if at any time he "is of the opinion that a situation has arisen, or is likely to arise, that is of such a nature as to be calculated to deprive the community or any substantial part of the community of the essentials of life". At that time Opposition members were swayed by events then occurring in Western Australia to be placed under the misapprehension that there was something sinister about the Bill. Amendments moved to the Bill at that time were unacceptable to the Government and, following further examination of the measure in some detail, it was decided to have the Bill laid aside.

In August last year Parliament considered and passed the Motor Fuel Rationing (Temporary Provisions) Act, a measure having a limited life but capable of dealing with any emergency that may have occurred in the ensuing three months. In the event it proved unnecessary to invoke the Act, and it subsequently expired on October 31, 1977. The present Bill is similar to the temporary legislation enacted last year and has been based upon experience gained during the administration of the 1972 and 1973 Liquid Fuel Rationing Acts. It is, however, different from those Acts in some respects to enable the implementation of a contingency rationing plan formulated by officers of my department and based upon the premise that the Government should be able to control the manner in which motor fuel in bulk storage stocks as well as service station supplies is used in times of protracted shortage.

The major factor that distinguishes this Bill from previous rationing legislation is that it is intended to remain indefinitely on the Statute Books. From the experience gained on previous occasions it has become obvious that, whenever a critical shortage of petroleum fuel exists, the Executive Government should be armed with sufficient power to ensure that appropriate action can be swift and effective. As I mentioned earlier, this is provided for in the legislation in force in both Western Australia and New South Wales. However, unlike those pieces of legislation, the essentials are contained within this Bill rather than left to specification in subsequent regulations. In fact, although the power to make regulations is contained in the Bill, it is not anticipated that it will be necessary to invoke this power. Nevertheless, it would seem appropriate to have such a clause included to cover any unforseen administrative difficulties.

The Government recognises that in cases of protracted shortage there will be a need for Parliament to be called together to consider further action to be taken. Clause 4 of the Bill allows for a rationing period of not more than 30

days to be declared and provides that no further rationing period may be declared within a month of the conclusion of that period. This means that the Bill is, in effect, limited to relatively short rationing periods.

Finally, I should mention that the Bill has not been introduced with any urgent need in mind. In fact, Cabinet approval was first given to the drafting of the Bill in February, 1977. However, the experience of the past six years has convinced the Government of the need to have a measure of this nature on the Statute Books to be invoked with minimum delay should the occasion arise.

I seek leave to have the remainder of the explanation inserted in *Hansard* without my reading it.

Leave granted.

Remainder of Explanation of Bill

This measure is in much the same form as a measure having a similar effect that has previously been enacted into law by this House. In fact, almost every clause of the measure has its counterpart in the previous Act. However, the substantial difference between this measure and the previous Act is that the previous Act was, in its express terms, given only a limited life. By the present Bill it is proposed that the measure will remain dormant on the Statute Book but will be capable of being brought into operation for a limited period as circumstances dictate.

Clauses 1 and 2 are formal. Clause 3 sets out the definitions necessary for the purposes of the measure, and honourable members' attention is particularly drawn to the definition of "rationed motor fuel" which differs from that contained in the previous measure. Substantially, under that measure it was necessary to control supplies of petrol before other fuels, such as diesoline or power kerosene, could be controlled. Under this new definition a rather more selective approach will be possible. Clause 4 is the most significant clause of this measure. In substance it permits the Governor, on being satisfied as to the matter contained in subclause (1) of that clause, to bring the measure into operation for a period (in the measure referred to as a "rationing period") not exceeding 30 days at a time. If the circumstances of the case require rationing to be imposed for a period of more than 30 days it will be necessary for that question to be reconsidered by Parliament.

Clause 5 provides for the issue of a permit to buy motor fuel by the Minister. Clause 6 provides for revocation of that permit. Clause 7 is intended to ensure that, in appropriate circumstances equitable distribution of fuel can be achieved without the need for the application of the more formal "permit" mechanism contained in the measure. Clause 8 prohibits the sale of fuel during a rationing period to persons other than permit holders and persons to whom clause 7 applies. Clause 9 is intended to ensure that fuel purchased under a permit or authorisation will not be improperly used. Clause 10 enjoins permit holders from parting with their permits.

Clause 11 prohibits the retail purchase of rationed motor fuel, during a rationing period, by persons other than permit holders or persons the subject of an authorisation under clause 7. Clause 12 requires the person in charge of a vehicle using motor fuel sold under a permit to carry that permit with him. Clause 13 empowers members of the Police Force during a rationing period to stop vehicles and question drivers and persons in charge of them. Clause 14 provides a substantial penalty for a person who makes a false statement in connection with an application for a permit. Clause 15 is a new provision and is proposed as being an essential element of any scheme of equitable distribution of motor fuel. It permits the control of bulk fuel supplies, and the need for such a provision, it is suggested, is apparent.

Clause 16 is also a new provision and is intended to ensure that the responsible Minister can obtain accurate information as to available supplies of bulk fuel. Clause 17 provides for an appropriate delegation by the Minister, a delegation that might be fairly said to be essential in a measure of this nature. Clause 18 protects those engaged in the administration of the measure form legal actions. Clause 19 is an evidentiary provision which is, in its terms, self-explanatory.

Clause 20 is intended to ensure that the proposed measure can be selective in its operation so that its application can be restricted to motor fuel of a specified kind or to such motor fuel only in specified parts of the State. It is not unknown for shortages of fuel to be restricted to certain kinds of fuel or to certain localities in the State. The application of this provision should ensure that the controls proposed should be no more burdensome than are absolutely necessary. Clause 21 is intended to strike at the most reprehensible practice of profiteering. Clause 22, as is usual in measures of this nature, provides for the consent of the Attorney-General to a prosecution under the measure. This is to ensure that all proposed prosecutions are properly considered. Clause 23 provides for the forfeiture to the Crown of motor fuel in relation to which an offence has been committed. Clause 24 is a formal provision. Clause 25 is a regulation-making provision in the usual form.

Mr. DEAN BROWN secured the adjournment of the debate.

MEMBERS OF PARLIAMENT (DISCLOSURE OF INTERESTS) BILL

Adjourned debate on second reading.

(Continued from December 8. Page 1341.)

Mr. KLUNDER (Newland): The Leader of the Opposition has often spoken on the need for more openness and honesty, and he again demonstrated this by saying in his speech on this Bill on December 6 last that he was not opposed to the principle of disclosure of the pecuniary interest of members of Parliament. I would agree with him that openness and honesty are good in themselves, but I would also caution him to look first to his own ranks in these matters.

There were Liberal Government members associated with a land scandal in Victoria. The Leader of the Opposition in New South Wales is by his own admission associated with ASIO. In Western Australia Mr. Noel Ashley Crichton-Brown, the President of the Western Australian Liberal Party, was arrested by the company fraud squad only a few days ago.

In South Australia, directors of the Liberal Party are sacked with monotonous regularity. Federally, the Prime Minister, after campaigning against jobs for the boys, hands out a $30 000 job to one of the boys. In fact, Sir, of all the Liberal and Country Party held States, only in Queensland is the entire situation open, plain, and above board. In Queensland, it is legal to place private gain above public interest. When the Leader speaks next of the odour of corruption in the pure clean air of this State, perhaps he will now know that it is drifting in from the Liberal and Country Party Governments of the States around us.

Other than that, I would have to give the Leader a mark of 62 per cent for his speech on December 6. That, after all, was the percentage of the speech which was a direct

quote from another source. Not that I mind his quoting because it is nice to hear him make sense occasionally. I illustrate this by quoting him (when he is not quoting someone else): "There is an appropriate mechanism for achieving this reassurance for members." At this stage I was sitting on the edge of my seat, waiting for him to produce a stone tablet to read the message from. He went on: "Those methods must be found and implemented." There is an interesting contradiction there: "There is an appropriate mechanism . . ." "Those methods must be found . . ."

It was my own fault, of course. For a moment I had almost suspended disbelief and forgotten that the Liberal Party is like a shiny car in a wreckers yard—high on promise and low on performance. But all we have had out of him is that he thinks the idea a good one, but does not like the way we have gone about it. This usual routine, boringly invoked at every piece of Government legislation, is nothing more than a statement of his limits. He can recognise a good idea when it is put to him, but he feels that he has to oppose it because it is put by the Government. The response is a purely Pavlovian one.

I do not propose to go through the Bill in detail. It basically asks each member and his immediate family to state their directorships, their interest in corporations and real estate, and the source of funds for their travel or holidays, and it also asks each member and immediate family to state their income sources. It also contains a penalty for non-compliance. It is relatively simple. It does not ask for avoidance, but merely enables the public to decide what would interest the member rather than leave it to the member's discretion. It enables the people, who after all foot the bill for decisions made in this place, to make sure that no-one here is enriching himself from the public purse.

I am sure that an unscrupulous member could hide his wealth and that he could use all sorts of devices to keep his true interests, power and influence hidden, but I doubt that the public would accept any such member in Parliament after he had been found out. The Bill therefore adds a penalty for deviousness by its existence. It would put a stop, though, to interviews like the following:

Q: Mr. Minister, do you have any interest in this land agent company?

A: No.

Q: Do you own it?

A: Yes.

Fortunately, Mr. Deputy Speaker, such a thing could never happen in South Australia. In concluding I do not think that I could do better than to quote from another Liberal front-bencher, the member for Mount Gambier. He spoke these lines in a different debate, but they are very apt and I am sure that he will cross the floor to join us if it comes to a division, for he has been at great pains recently to assure us of his reasonable nature and willingness to be fair to all sides. Personally, "Methinks he doth protest too much." None the less, here is his quote from February 7 this year:

> If you are concerned about what people know about you, you must have something to hide, so let us have it out.

Dr. EASTICK (Light): I recapitulate the attitude expressed in this place earlier. It was important that members on this side believe that there would be no bar to the passage of reasonable legislation which would give effect to the purpose for which this measure was introduced. However, it was clearly indicated that this Bill was not, on the evidence available to members, the best method of achieving the end result. Members on this side are not, I stress, upset about the introduction of such a measure, but if such a measure is to be introduced they want to see legislation which is reasonable, manageable, and fair to all concerned.

We find that this measure was introduced into the House when the Attorney-General and his colleagues believed that they could cause some mischief to the Liberal cause, more particularly to the Liberal and Country Party cause on a Federal basis, because we were coming up to a Federal election and there had been a revelation about the activities of the then Federal Treasurer, Mr. Lynch. Mr. Lynch's position has been totally vindicated in the minds of those who followed through and investigated the matter, and has been vindicated by the people he represented by his being returned to Parliament by the greatest majority that he has ever had in his election to Federal Parliament. I believe that we do not want to concentrate our attention on that point any further. It needed to have been said and it has been said, and the Government cannot laugh off the fact that it introduced this measure much earlier than it had been expected that such a measure would be introduced, purely and simply for political mischief purposes.

The member for Newland, who has just resumed his seat, saw fit to spray around against people of Liberal belief question as to their financial activities. He also mentioned people who are not engaged in politics. It would be simple for Opposition members to chronicle the problems that are associated with or have been motivated by the action of members of a Labor background. We could talk of the union secretaries who have virtually bankrupted their union organisations by the demands made on such organisations; we could talk about union secretaries and those who have been removed from office and who suddenly disappeared overnight because there had been a difficulty in balancing their accounts; and evidence has been given to a Select Committee of this House by a Mr. Thompson, who was a one-time President of a union, of the problems he had in his union.

The DEPUTY SPEAKER: Order! I do not believe that the finances of unions and union secretaries are a proper issue in this debate.

Dr. EASTICK: I appreciate that situation, but I cannot determine whether it was you, Sir, who occupied the Chair at the time that persons of a different political persuasion to that which you and Government members hold were being referred to in rather more particular comments by the member for Newland. The point having been made, I totally agree with you, Sir. So what! Be it a union secretary or a member of the Liberal Party in this or any other State, the situation has arisen, and the member for Newland does not need to suggest by his comments that any questionable activities relate only to those people who happen to have Liberal beliefs.

The situation as presented by the Minister in the Bill has been the subject of a worthwhile and extensive document by the Parliamentary research staff. The document is now a matter of record in *Hansard*, because it was read verbatim into *Hansard* by my Leader prior to the Christmas adjournment. We believe that it clearly identified several of the difficulties inherent in the Bill. As an Opposition, we have sought to obtain amendments to this measure that would give a more reasoned and better able-to-protect-the-public piece of legislation. We believe (and we have been so advised) that amending the present legislation would not be simple and that it is most likely that any attempt to amend the legislation would lead only to deeper confusion and grave areas of grey.

It was stated earlier (and I repeat it) that the Opposition believes that this measure should be withdrawn and the whole matter reconsidered in the light of other available

evidence, particularly that in the Commonwealth sphere, at some early opportunity, so that it could not be suggested that the Opposition was seeking unnecessarily to delay this measure and so that a more reasoned and thought-through piece of legislation could be presented to the House for its consideration.

The Opposition is commmitted to the principle of the beliefs expressed by the Attorney-General. We are vitally concerned at one aspect of the legislation that has been brought to our attention. Although the heading (indeed, the Minister's statement to the House when presenting the Bill) of the Bill states that it is intended to ensure that there will be available to the public as a matter of public record an accurate and up-to-date statement of the financial and material interests of members of both Houses of this Parliament, the Bill then proceeds to outline means whereby the spouse of the member and, indeed, some of the children of the member will also be caught in the net of the provisions. The independence of the member's wife should be respected by this Parliament.

Mrs. Adamson: Or husband.

Dr. EASTICK: Or husband. I refer to it in the broader sense of a "spouse" being protected, particularly by members of a political Party who believe that the individual's rights are paramount. Yet, notwithstanding the public view they take, or the furore of recent days, they would include the spouse and, indeed, some of the children of the member in the net they seek to introduce by means of the legislation. I grant that the Minister particularly drew the attention of members to those clauses when giving his second reading explanation. We are concerned about that aspect of the legislation, and we are also concerned at clause 5 (2) (e), wherein power is given to prescribe by regulation any additional matters in relation to which information shall be provided by members.

The Government will appreciate that the Opposition, for a long time (regrettably, too long a time), has constantly drawn to the attention of the Ministers its concern at the provisions in much of the legislation allowing prescription by regulation. We have expressed concern to the point of having amendments effected to legislation in recent years. This is an area in which, I believe, a prescription provision should not be provided. If there is a genuine need to know more about the individual activities of a member, provision should be made by way of amendment to the Bill, and the amendment should be discussed by Parliament, giving the reasons why the provision should be widened.

The arbitrary involvement of further information about a member's activities at the whim of a Government is not, we believe, in the best interests of any member. What I am saying does not retract from the position I previously stated, namely, that we are not opposed to the general principle as outlined. We believe that, if there is to be a further intrusion into the affairs of members, the matter should be debated on the floor of the House and have the widest public discussion before it becomes effective. It should not be introduced overnight as a result of a meeting of Executive Council and the prescription of regulations to allow for this increased activity. One could refer in some detail to the documentation that has already been incorporated in *Hansard* as a result of inquiries made by the Parliamentary Library staff, but I do not want to take the matter any further. I simply refer members to that document and to the information contained therein.

Mr. Millhouse: Didn't your Leader read out the whole of it during his speech?

Dr. EASTICK: Yes. I have already said that, and I do not want to amplify any point further. I am drawing to the attention of members, including the member for Mitcham, the fact that there is a wealth of information that should be considered unemotionally and rationally by all members before a measure to give effect to the principle is returned to the House by means of a Bill other than the one currently before us. I believe that this Bill should be withdrawn unconditionally and a new one introduced by the means I have suggested.

Mr. BANNON (Ross Smith): I will begin, as the member for Newland did, by referring to the contribution to the debate made by the Leader of the Opposition, because so far that has been the only lengthy (I will not say substantive) contribution to the debate from the Opposition. Nothing much that the member for Light has said has really thrown any more light on what the Opposition really thinks about this kind of legislation or what it is prepared to accept in terms of concrete proposals for doing something about this topical and grave problem of the disclosure of pecuniary interests of members.

Whilst we have had platitudinous statements and restatements of the belief in the principle of proper disclosure of interests, and whilst we are told by the member for Light that the Opposition will accept reasonable legislation, no attempt has been made to spell out precisely what is meant by reasonable legislation and by proper disclosures, and in fact what really the Opposition is prepared to accept in this matter. The Government has set before the House a Bill that is detailed and complete. It has called for a debate on those issues. It has thrown up those fundamental principles which the Opposition is so keen to say it endorses, yet Opposition members know they have skated over them; they have not grappled with them. When it comes down to tin-tacks, we have had nothing from them in the form of undertakings, agreements, or commitments, beyond an airy statement of principle. That is not good enough.

What have Opposition members got to hide? Why do they have to prevaricate and gloss over this measure? They should face it directly and squarely, as we on this side are prepared to do, and say that it is an important principle that pecuniary interests should be disclosed and this is how it should be done, that these are the interests that must be disclosed, and here they are laid out for the public to see. That is the essential point of the legislation and the important reason for it. The Opposition has failed to come to grips with it. Before Christmas, we had the invidious spectacle of the Leader of the Opposition setting up a filibuster in this House. In replying to the second reading explanation of the Minister, he took the debate to the adjournment on the first day and sought leave to continue his remarks. He then continued his remarks at greater length on a subsequent day until eventually the debate was "talked" into the final part of the session before Christmas.

If he had been making some substantive remarks about what he and his Party were prepared to do and how they would assist the Government in drafting legislation to provide an open look for the public at what interests members of Parliament have, perhaps we could have accepted that, but he did not do that; instead, he gave us a tortuous and long-winded reading of a document which we all had before us, anyway, supplied by the Parliamentary Library. It is a valuable document, and I am sure members interested in the topic have read it, as it explored thoroughly the various committees of inquiry overseas and in Australia. I agree with the member for Light that the basic information as set out is an important starting point for this debate, but it is not the whole debate. The debate is on the precise provisions of the Bill. To have to listen to

hour after hour of the reading of this document was making the whole thing laughable.

Mr. Millhouse: It was a bit agonising.

Mr. BANNON: It certainly was agonising. I should have thought that we would now come to grips with the substance of it, but the first contribution today again skated around the matter and prevaricated. This Bill deals with key issues, highlighted to the greatest possible extent immediately before Christmas in the case of the then Federal Treasurer, Mr. Phillip Lynch, and certain interests he had which he had not chosen to disclose to Parliament. Admittedly, he was under no statutory requirement to do so. It is a pity that he was not, because probably he would no longer be in Parliament; certainly, he would not be a Minister.

The odd thing about Mr. Lynch was that he was the man who had taken a leading part in the final months of the Whitlam Government, talking about probity in public affairs, coming to the people with clean hands, and taking swags of documents from some mysterious foreign Arab emissary, and so on. He was at the forefront of this activity. He was a knight in shining armour. All this time, he had been involved in these various shady land deals, which have been documented clearly in the press. Certainly, he was re-elected by a large majority. He rode in on the coat tails of the Government's victory in the 1977 election. To say that that was a vindication is, I think, a sorry comment on the Australian electorate. Members will recall the circumstances of this incident. Faced with the enormity of what he had done and his imminent sacking by the Prime Minister, Mr. Lynch took to his bed and stayed there for most of that campaign.

Members interjecting:

Mr. BANNON: No doubt the sympathy he evoked may have had something to do with his re-election.

Members interjecting:

The DEPUTY SPEAKER: Order! Opposition members are out of order in interjecting.

Mr. Dean Brown: That was—

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

Mr. Gunn: If he wants that sort—

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

Mr. BANNON: Let us examine the situation that arose—

Members interjecting:

The DEPUTY SPEAKER: Order! I should mention to honourable members opposite that they have been warned consistently in the past few minutes for interjecting. I do not want to take any further action. I ask them to be quiet while the honourable member for Ross Smith is making his speech.

Dr. EASTICK: On a point of order, Mr. Deputy Speaker, I must say that we are the members on your left, not "members opposite".

The DEPUTY SPEAKER: I accept the point of order. I should have referred to honourable members of the Opposition. The honourable member for Davenport.

Mr. DEAN BROWN: I ask the honourable member to withdraw the remark that he made about Mr. Phillip Lynch. I believe it to be completely unparliamentary that any such remark and implication be made about anyone in the community, whether or not that person is a member of this House. I ask that the remark be withdrawn.

The DEPUTY SPEAKER: Would the honourable member for Davenport refer to the specific remark?

Mr. DEAN BROWN: Yes, the remark that Mr. Lynch took to his sickbed, not because he was ill, but for other reasons.

The DEPUTY SPEAKER: There is no point of order.

Mr. BANNON: Mr. Lynch was in his sickbed, and that evoked considerable sympathy for him; I shall go no further, but I shall go further with Mr. Lynch himself. We know it hurts Opposition members to be reminded of this sorry tale, particularly as he was their leading campaigner on the subject of probity in public affairs. We know how this matter came to light. It came to light by way of the Victorian lands inquiry, another scandal of major proportions rocking the State of Victoria, involving key Government Ministers in a Conservative Administration and involving in fact many of the questions before us. One question relates to who financed Mr. Hunt, the Victorian Minister for Local Government, in his 1973 election campaign. The inquiry had been told that he was financed by land developers Mr. Leake and Mr. Cooke, both prominent members of the Liberal Party in his area, and that they had passed around the hat among other land developers to contribute $13 000 to his campaign fund. Mr. Hunt denies any knowledge of the source of those funds, but certainly it is interesting that those very people, Leake and Cooke, prominent members of Mr. Hunt's campaign committee, were also members—

Mr. EVANS: On a point of order, Mr. Deputy Speaker, I believe the honourable member is not referring to the matters before the House. The Bill relates to South Australian members of Parliament declaring their interests, and it has nothing to do with any other person in any other Parliament declaring his interests. I raise that as a point of order because I believe the honourable member has wandered far from the Bill.

Mr. DEAN BROWN: On a point of order, Sir—

The DEPUTY SPEAKER: Order! The Chair will deal with one point of order at a time. Regarding the point of order taken by the honourable member for Fisher, as Deputy Speaker I believe it is relevant for members to make comparisons with matters in other Parliaments, particularly within Australia. I do not believe they should base their complete argument on other Parliaments, but I think this is relevant to the issue before the Chair. I ask the honourable member for Ross Smith, if he is to continue in this vein, to come back to issues relating to the South Australian Parliament shortly. The honourable member for Davenport.

Mr. DEAN BROWN: My point of order relates to the fact that the subject matter about which the honourable member is now talking is a matter before a Royal Commission and is therefore *sub judice* and cannot be debated in this House.

The DEPUTY SPEAKER: Could the honourable member enlighten the Chair as to the Royal Commission to which he is referring?

Mr. DEAN BROWN: I am referring to the Royal Commission into land deals in Victoria.

The DEPUTY SPEAKER: I do not believe that the Royal Commission into land deals in Victoria is within the jurisdiction of the Houses of Parliament in South Australia. I cannot accept that point of order. The honourable member for Ross Smith.

Mr. BANNON: My remarks on this matter are aimed at indicating the urgency and importance of getting something concrete and positive on the Statute Book as soon as possible so that we can demonstrate as members of the South Australian public to the public at large that we have nothing to hide and that where we do have interests in such holdings as land, shares or whatever that they are open for all to see and are above board, and that therefore our public postures, public remarks and votes in this Parliament can be considered by the public and set against those disclosed interests.

There is nothing improper or wrong about that, but it must be dealt with quickly and concretely so that we do not get into the situation that I am describing in the case of the former Federal Treasurer, Mr. Lynch, a man charged with looking after the finances of this country at the national level at that time. It was shown that Mr. Lynch had profited so greatly from a deal relating to the sale of 60 blocks of land at Stumpy Gully near Balnarring, a deal that involved the two gentlemen to whom I referred earlier, Mr. Cooke and Mr. Leake, who were involved not only in Mr. Hunt's Liberal Party campaigns but in Mr. Lynch's electoral campaigns as well. They had made a transfer, at gross profit, from their firm, Nandina Investments, to a firm called Grosvenor Nominees, which is a Lynch family trust company.

That is why some of the provisions of this Bill are quite important. The disclosure of interests must go beyond the individual himself to his family and other similar types of holding. The Bill seeks to do that. Without that provision it becomes quite useless. We cannot simply have a member disclosing what he personally would see as a pecuniary interest; it must devolve on what his family and other connections are as well for it to be useful to the people in considering the public performance of members of Parliament compared to financial interests members may have in what they are talking about. We on this side have no fear about that. We have introduced a Bill containing certain proposals, and we do not want it to be talked out, filibustered or skated around as it has been so far.

Let us now consider the final part of the Lynch saga. Having made this huge amount of money in somewhat nefarious circumstances by these land deals, Mr. Lynch then proceeded to buy a unit on the Gold Coast, a purchase for investment and recreational purposes, not to be used as his own home. I will quote from an opinion of the conveyancing attorney who was requested by the Liberal Party to report on the probity of what Mr. Lynch had done.

On that question I would remind the House of the words of the Prime Minister (Mr. Fraser) in November, 1977, when this matter was first revealed to the Federal Parliament by a series of questions and by statements made in the Victorian Legislative Council. Mr. Fraser repeated that he had confidence in Mr. Lynch and that he intended to retain him as Treasurer if a Liberal Government was returned at the Federal election on December 10.

Those members such as the member for Light who talk about vindication should look at what happened to Mr. Lynch and at where he is now, and compare it to those statements.

Mr. Millhouse: Where is he now?

Mr. BANNON: He is in an obscure Ministry. I think it has some connection with business, perhaps in recognition of the skill with which he made some of these dealings.

The Hon. G. R. Broomhill: Where he will be next year is more important.

Mr. BANNON: He is in a staging post, one imagines, for an overseas ambassadorship, perhaps in a couple of years' time when Sir John retires from Paris. I will now quote from the document dealing with the Gold Coast unit. The lawyer commissioned by the Liberal Party concluded, first, that Lynch entered into a highly favourable mortgage, a type of mortgage that an ordinary person could not have hoped to enter into in the terms that Lynch did. There was a chance of his making a sizeable profit on the loan he got from Q.B.E., which is a leading financial house that is not given to charitable action in such matters. This loan was given on a unit that increased quite sharply in value from the time he got it.

The final question raised by the lawyer was what influence the Treasurer had to obtain a loan from an insurance company (from Q.B.E.) which does not in usual circumstances loan that much money on those favourable terms for what are obviously investment purposes as opposed to strict home loans.

Mr. EVANS: I rise on a point of order, Mr. Speaker. Is the Attorney-General allowed to give advice in the House to other members?

The SPEAKER: On many occasions I have seen members from both sides do the same.

Mr. BANNON: The Lynch Gold Coast unit deal involved a generous loan of $79 000 on the property, and represented a ratio of loan to security of 83 per cent, an unheard of high ratio for a business house of the type of Q.B.E., which arranged the finance. Normally, the best one can get on a totally secured loan is two-thirds of a valuer's valuation of a mortgage security. Further, Lynch had 3¼ years with non-principal repayments. In other words, not a bit of principal had to be paid off in that time—only interest. This was followed by 11¾ years of low quarterly instalment payments. This, the lawyer commented, was rather unusual especially when, at the end of 15 years, only $32 000 in principal would have been repaid out of the $79 000—that is, less than half. That was an extraordinarily generous loan.

What collateral did this insurance company have to give this sort of loan to the Treasurer? It was quite improper that it should be done, and it was unsatisfactory that the matter was discovered only by the digging of journalists and the asking of questions in Parliament. The facts should have been put before the people by Lynch himself at the time he was making the deal. Let us now leave that unsavoury situation, which I have raised only to illustrate the basic point that we must get some legislation on to the Statute Book as soon as possible.

Other features of this Bill go beyond pecuniary interests; for example, free trips. I do not know whether what I am saying is right. Perhaps the member for Fisher will speak later in the debate on that, but I understand that, as part of his research into a matter, he undertook a trip to investigate the situation overseas and that that trip was paid for by one of the lobbying groups concerned, a group opposed to legislation before the House. It is quite proper that an honourable member should inform himself as fully as possible on legislation before the House. It is proper, if it is necessary, for him to go overseas to do some research. However, it is questionable propriety that he should undertake that travel when it is paid for by one of the chief lobbying groups opposed to legislation. Whatever the propriety, it is most important that this House and the general public have the right to know that that is the situation. If that is not the situation, I will immediately retract what I have said about the member for Fisher.

The most important point about the Bill is that the public should have the right to know whether that was the situation in those circumstances. I am not questioning that that travel may have influenced the way in which the honourable member debated the legislation, the way he voted or whether he moved any amendments to the legislation in question. We should welcome study and research, but to do so at the expense of one of the lobbying groups is, at the very least, unwise and should be disclosed. This Bill would require it to be disclosed.

Mr. Evans: It was disclosed publicly, every bit of it.

Mr. BANNON: And so it should have been.

Mr. Evans: Then at least admit it was disclosed.

Mr. BANNON: That is splendid, and this Bill would

require it to be disclosed. I think it is important that there should be that requirement so that someone who does not feel the need to disclose it, as apparently the member for Fisher assures us he does, is forced to do so at risk of breaking the law.

We on this side of the House have nothing to hide. We want legislation which is tight and workable and which will give the public and members of Parliament the protection and rights they need. The trouble is that in this area we just cannot leave the matter to a member's concept of honour because, unfortunately, being human beings our concept of what is right and proper varies considerably. I believe that some members, particularly those who have been involved heavily in business deals and the world of commerce, have a different standard from that of those who have not been so involved. They might see something as being perfectly proper that in the eyes of the general public would not be proper. As that propriety must be judged by the public, these matters must be disclosed.

That is why we need a Bill such as this. We do not want vague statements in support of principles. We do not want it to be left to the concept of what is right or wrong of an individual person. We do not want the Bjelke-Petersen type of situation where, confronted with some of the holdings and special interests he has, such as shares in Ex-Oil and other things, he is quite proud of them. He has said that this shows to the people of his State that he is a successful businessman, and that a successful businessman is the best person they can have as Premier of their State. That may be so. Perhaps a good business might in fact give a person training to run a State, but surely when a person undertakes public office and the government of a State is the time he should divest himself of special interests and special holdings. That is the sort of thing this Bill is aimed at. It is an urgent measure, which is needed by the people and by the Parliament, and I hope the Opposition will allow its speedy passage at the first opportunity.

Mr. MILLHOUSE (Mitcham): I am rather amused to hear the member for Ross Smith say it is an urgent measure. Before December 10 it was an urgent measure because the Labor Government here was trying to capitalise on the Lynch affair. I must say that until the honourable member started to talk about these matters I had completely forgotten all about them, so much has happened since then. The Labor Party was trying to capitalise on that for the purpose of the Federal election. Whether it succeeded in getting any mileage out of it on election day is open to doubt. I would not have thought the matter was urgent now. Unfortunately, because the Bill was drafted in a hurry, I imagine, to meet that rather vital deadline, it does show in its drafting some indications of haste.

I support the principle and the Bill, and I have no hesitation in saying that. I must admit that on a couple of occasions during my time in Parliament I have wondered whether it could possibly be interpreted that I had some clash of interests. I remember when I was a young member I still had £80 worth of stock in the gas company left to me by my grandmother (it was about all I got out of her estate), and, when I was put on a Select Committee that had something to do with the gas legislation, I sold that stock. I believed that I ought to sell that stock before I served on the Select Committee. I still have (and, as I will have to disclose this in due course, I see no reason why I should not disclose it now) a small parcel of stock. I paid $200 for some shares in Santos about 15 years ago but I never had a bean out of it, although I am still hoping I will get something. Santos has been the subject of consideration in this House from time to time.

I think I can say quite genuinely that the fact that I have some shares in Santos has never influenced my vote one way or the other. I have a number of other small packets of shares in all sorts of things, so many I cannot remember what they are. I wish they added up in total to something which is significant but they really do not. They will all have to be disclosed in due course no doubt. I do not think there has ever been a clash of interests in my case but certainly it could be interpreted as such, and I am quite happy that these things should be disclosed.

This Bill is in line with the general outlook of the Australian Democrats that there should be a maximum disclosure of interests of members of Parliament, so that we can be seen to be, as I hope we are, like Caesar's wife, above reproach, or whatever she was above. I think, Mr. Speaker, with your classical background, you will understand what I mean when I say that. I wish that this Bill went much further. We all know that the interests of individual members of Parliament is only one aspect of this matter. Far more significant in present-day Parliamentary democracy is the interest and the support the Parliamentary Parties have because for most of us most of the time it is our Party's interests which come first and which are considered in great detail both by Caucus, I have no doubt, in the Labor Party and by members of the Liberal Party on their side. We in the Australian Democrats believe that not only should there be a disclosure of interests of members of Parliament but that the sources of income of political Parties should be open to scrutiny, and we have in our constitution already carried that into effect by providing that any contribution over $500 in a period of 12 months by any individual or organisation to our Party is liable to disclosure. It will not be disclosed automatically but, if anyone comes along to our Party and asks what we have had over $500 in the last 12 months, that will be disclosed.

The Hon. Peter Duncan: We'd look at amendments along those lines.

Mr. MILLHOUSE: If the Minister is prepared to give me time to draft amendments to put them into this Bill I will certainly do it. Do I take it from what he says that he will be prepared to accept amendments along that line?

The Hon. Peter Duncan: I did not say we would accept them; I said we would look at them.

Mr. MILLHOUSE: I thought it was too good to be true. Of course the Minister will not look at them at all, or he might look at them but only to reject them because it would be extremely embarrassing I think to his Party, and probably equally as embarrassing to the Liberal Party, if that were done. Certainly that is our view and we have tried to abide by it. I hope that sooner or later that will come in South Australia.

There is one other matter which may have been canvassed by Liberals (I am not sure) and which is, I think, in the long term of great significance and that is that the Liberals will suffer far more greatly from the effects of this Bill than will members of the Labor Party. I have no doubt, although this is unspoken in the case of Government members, that this point is well in the back of their minds, because the Liberal Party is a conservative Party and is supported on the whole by wealthier people in the community, and on the whole the recruits to its Parliamentary ranks come from the wealthier members of our community than do the recruits to the Labor Party or to my own Party. They are the people who will hesitate before coming into Parliament at all if the sources of their income have to be disclosed. I have no doubt that in the future many people who would otherwise offer for preselection to the Liberal Party, particularly, will think twice about it because of the obligation they know they

will have as soon as they are here to disclose their sources of income.

The Hon. G. R. Broomhill: Do you think we will get better Liberal Party members or worse?

Mr. MILLHOUSE: I am not casting on that at all but I have no doubt that that is one of the hidden reasons why the Labor Party is so enthusiastic about this Bill.

The Hon. Peter Duncan: Don't you think public duty ought to be put before private interest?

Mr. MILLHOUSE: It is all very well, while I am canvassing this point, for the Attorney-General to adopt a holier-than-thou attitude but we know from experience that on the whole Labor members of Parliament are less affluent than members of Parliament who represent the Liberal Party. As they have less to disclose, they will therefore hesitate less about disclosure than Liberals will hesitate, being from the conservative sector of the community. That is a very important consideration.

Mr. Blacker: Will that expose those who have done practically nothing with their lives?

Mr. MILLHOUSE: Maybe, but that is trying to make a virtue of a necessity. I have already heard in the general community objections to this Bill on that very point: that it will mean that wealthy people, if they want to come into Parliament, will be liable to have the sources of their income (not their income itself) exposed.

Mr. Evans: Also, some successful people.

Mr. MILLHOUSE: All right, if that is how the honourable member puts it. This will undoubtedly be a long-term effect of this Bill, and it is one that the Labor Party must view with some relish.

Mr. Bannon: It is an odd concept of public service: that a person will not come into Parliament if he has plenty of assets.

The DEPUTY SPEAKER: Order! The honourable member for Mitcham.

Mr. MILLHOUSE: I am not arguing one way or the other for members of the Liberal Party who may hesitate because of these provisions; I am merely saying that it is an undeniable fact, and I do not think any Government members will deny that that will happen and I doubt whether many, if they are honest, will deny that that was in the back of their minds when this Bill was introduced. In the long term, it is to the Labor Party's advantage, quite apart from any question of principle at all. I have said that I support the principle. The Bill shows some signs of haste in its preparation. As an example I point out that I intend to move to amend the definition in clause 3:

> "Member of the family" in relation to a member, means—
> *(a)* the spouse of that member;

In this day and age, whether we approve of it or not, many people live together without being lawfully married. As things stand now, this definition covers only those who are in lawful wedlock. That is neither realistic nor fair. People who are living together, whether they be, as they mainly are, of different sexes or of the same sex, if it is a permanent union, should be included in the same way as people who are lawfully married.

Mr. Evans: The percentage is growing all the time.

Mr. MILLHOUSE: Yes, as the honourable member sapiently says.

Mr. Nankivell: Do you mean *"homo sapiens"*?

Mr. MILLHOUSE: I am glad that the honourable member added the word "sapiens". I had to read clause 5 several times before I realised its true intent. I had forgotten about the matter until I saw it on the Notice Paper. Clause 5 will oblige not the disclosure of the amount of a person's income but merely the sources of a person's income. That is both good and bad. I have a number of penny packets of shares that will all have to be disclosed, but that may give people completely the wrong idea. They may assume that I have $10 000 worth in each company.

The Hon. Peter Duncan: The Bill doesn't say that you can't disclose the amount.

Mr. MILLHOUSE: That depends on the details of yet another form that we will have to fill in. I do not know whether the form will have a column to say how much one gets. This will not oblige one to disclose the amount of income or the amount from any individual source. Clause 5 (2) (*d*), which is loosely drawn, provides:

> Any travel or holiday outside the State that the member or a member of his family has undertaken or takes at any time after the commencement of this Act where all or part of the cost of or incidental to that travel or that holiday was not paid for by the member or a member of his family or out of public funds.

Literally, that means that, if I go to Melbourne on a holiday on my own or if I take my family and if someone takes me out to dinner, I will have to disclose it; or, if someone pays for a taxi while I am away, I will have to disclose it.

The Hon. G. R. Broomhill: How often do you have to pay more than $200 when you eat out?

Mr. MILLHOUSE: It will not be long before a good dinner costs that much, if I take my wife and children. There is undoubtedly a drafting weakness in clause 5. I oppose clause 8. Clause 7 provides for a maximum penalty of $5 000 against a member of Parliament. That is an enormously heavy fine for an individual. Even a wealthy Liberal might find it hard to pay that sum.

Mrs. Adamson: What about a poor Liberal?

Mr. MILLHOUSE: I do not know whether there are any poor Liberals in this place, in view of their opulent motor cars outside the building. The sum of $5 000 is a very heavy fine for an individual to bear, and I do not believe that that should be imposed by summary proceedings. Offences under this legislation should be triable in the criminal court by a judge and jury and I intend either to move to amend clause 8 to provide for that or to vote against clause 8 altogether; then, it would happen automatically. Magistrates who sit in the summary jurisdiction do not have in civil cases a jurisdiction when the amount in dispute between citizens is more than $2 500. For most offences they do not have the jurisdiction to impose a fine of this magnitude. It is therefore wrong that we should give them that jurisdiction in these cases. With very great respect to the special magistrates, I am not at all happy about their having the jurisdiction over us in matters such as this.

I suggest to the Attorney-General that this is one matter that could easily be amended in the Bill without affecting the principles of it at all. I cannot help, on seeing the member for Coles, remembering what I thought when I first saw this Bill. No doubt she will make the point with eloquence and deliberation when she speaks herself, but it is somewhat unfair, even though it might be interesting, that we may be able, in due course, to scrutinise her husband's sources of income, and the same applies to the Hon. Mrs. Jessie Cooper.

Mr. Evans: What is the difference between a husband's income and a wife's?

Mr. MILLHOUSE: I will leave the honourable member for Coles to answer that question. All I can say is that it was one of the first things that struck me when I looked at the Bill. It may be that, although I do not regard it as unfair, that is evidence of unfairness in the eyes of some people. I support the principle of the Bill. I support the Bill as it stands. I believe it could be improved, but I believe that it can be improved here in the Committee of

this House and that no other reference to the Bill is required.

Mr. GUNN (Eyre): I want to make clear from the outset that I am not in any way perturbed about disclosing my sources of income. I want to make the point that there appears to me to be rather a conflict within the Bill. On one hand members of Parliament are expected to disclose their interests, yet most people would be aware that the average back-bench member of Parliament has little or no effect upon the manner in which Government contracts are let and has little or no effect, in actual fact, upon who is going to get those contracts. We are all aware that it is the Government of the day and its senior advisers that determine that.

If it is good enough for all of the members of Parliament to disclose their interests, why have we not got legislation before this House making it mandatory for senior officers of the South Australian Government to declare their intentions, too, or journalists, who make comments about this place, or political journalists. Why do they not have to disclose their interests, too? If one reads the report prepared by Mr. Riordan, about which we heard in the recent election campaign from Mr. Whitlam, one sees that it contains a chapter dealing with the media. I think we ought to have a look at what that chapter says. I would be interested in the Attorney-General's comments about that chapter. I hope, when he replies to this debate, he will clearly indicate why the Government has not moved in this area and why it has not moved in the area of the Public Service, because in the same document there are recommendations relating to members of the Public Service, to Ministerial appointees and to officers of the Leader of the Opposition. It is interesting to examine why this Government has not moved in that area.

I agree with what the member for Light, I think, said when he indicated that this piece of legislation was brought into the House at a time when there was much controversy relating to the former Federal Treasurer and when the Labor Party in this State thought that it could make some cheap political capital for its Federal colleagues out of legislation of this nature. Of course, they were proved to be wrong, and Mr. Lynch was re-elected with a record majority.

The member for Newland, in a brief contribution to the House, engaged in personality assassination. He displayed an arrogance that I have not seen for some time in this House, but it was the arrogance normally displayed by him in any matter he discusses before the House or Committee. The member for Ross Smith was just following in the footsteps of his colleagues in Victoria when he gave us another of his academic exercises. It was obvious from the speech that he has never had any involvement in business, he is not likely to, and he probably would not have the ability to be successful if he tried. It is obvious, from his contribution, that his only experience is theoretical, or what he has read in books. He has not had experience in running a private practice or business. We will leave the member for Ross Smith in his academic cocoon and allow him to continue, because I am sure his colleagues think he is doing a marvellous job.

The Hon. Peter Duncan: You cannot attack me on that level, though.

Mr. GUNN: I have not turned to the Attorney-General in any way; I was referring to the contributions of the two A.L.P. members I mentioned. When considering this matter, one would think that members of Parliament in this State had no restrictions placed on them whatsoever. From the stories and opinions that have been expressed throughout the community one would think members of Parliament are quite entitled to engage in contracts with the Government, and other activities. I suggest to members opposite that they have a look at section 50 of the South Australian Constitution Act, which provides:

> If any person, being a member of the Parliament—
>
> *(a)* directly or indirectly, himself or by any other person whatsoever in trust for him, or for his use or benefit, or on his account, enters into, accepts, agrees for, undertakes or executes in the whole or in part, any such contract, agreement, or commission as aforesaid; or
>
> *(b)* having already entered into any agreement, or commission, or part or share of any such contract, agreement, or commission, by himself, or by any other person whatsoever in trust for him, or for his use or benefit, or upon his account, continues to hold, execute, or enjoy the same, or any part thereof,
>
> his seat in the Parliament shall be and is hereby declared to be void.

There are a number of other areas mentioned in that section and there are the exceptions which were put in by Mr. Justice King when he was Attorney-General. I believe these sections should be read by the public and those sections of the community who are interested, because severe limitations are placed on members. I had occasion, within the last month, to make inquiries relating to the rights of members of Parliament to attend a public auction where Government vehicles are sold. A member of this House, if he goes along and bids at a public auction for a surplus Government vehicle, runs a risk of having his seat declared vacant. That is the legal advice that I was given relating to that matter. I accept that advice. Therefore, a member is restricted greatly in his activities. In my opinion, this provision is too restrictive. I agree with the member for Light that the legislation ought to be withdrawn and resubmitted to the House in an improved form.

I have examined the recommendations brought down by the Joint Committee of the Legislative Council and Legislative Assembly upon Pecuniary Interests in New South Wales. I will read to the House some of the recommendations contained in that report. I understand that the Premier of New South Wales (Mr. Wran) has accepted the recommendations of the committee. On page 17 the report states:

> The Joint Standing Committee upon Pecuniary Interests be entrusted with the responsibility of drafting a suitable and meaningful Code of Conduct for submission to Parliament.

I believe that is a good idea. The report continues:

> Members should furnish the information in the form of a statutory declaration at the commencement of every Parliament or in the case of new members upon taking their seat in Parliament to the Registrar who will act on the instructions of the Committee as well as under the Resolutions of the House.
>
> Members to be notified in writing immediately by the Registrar when an access request has been received. The member shall be given seven days in which to reply to such notification by the Registrar.
>
> That the Register be kept in loose-leaf form and members be required to notify the Registrar of any changes when they are known by the member to have occurred.

The report stated that the committee had the final right about whether access was given to any person who desired it. I believe that is fair. If any person has a genuine need to know what the property holdings of a member are, he is not going to be denied that information. It is quite simple to find out. If any person wants to know what section I own, or my brother owns, it is simple for him to find out; he has only to go to the local council office and look at the

assessment book.

Mr. Keneally: You might have to go to 10 councils.

Mr. GUNN: The member for Stuart, as many A.L.P. members do, in these matters makes sneering and untruthful comments. He suggests that, because someone has been a little successful in this world, there is something wrong about it. The A.L.P. is against success. This attitude comes from the member for Newland and the member for Ross Smith. The A.L.P. says, "If any member of the community by hard work or initiative has been successful, we are opposed to it; it is wrong." That is one of the reasons for this legislation. They say, "Those dreadful Liberals have fleeced the people." Members on their side who have been successful will have a fairly short stay here.

The Hon. Peter Duncan: No-one on this side thinks you have been successful.

Mr. GUNN: There are members on this side of the House who could comment on how successful the Attorney-General has been during his relatively short time in this House. I am not concerned about whether or not members opposite think I have been successful; it does not worry me at all. Let me go on in relation to the report that the New South Wales committee brought up. I believe that legislation should be drawn on the lines recommended by that report. It is rather similar to the recommendations brought down by the Federal Parliamentary committee that reported in 1975. If the recommendations of both those committees were looked at by the Government, we would have reasonable legislation. When people enter the public arena, they must accept certain responsibilities, which should be paramount, and one should not in any way be involved in areas of business contracts where there would be or would appear to be a conflict of interest. I well recall, when I first came into this Chamber, that one of the first questions I was asked by one of the officers of this Parliament was whether I had any contracts with the Government. When I informed him that the family partnership, to which I belonged, had a contract, I had to take action to cancel that contract; but, if we had not signed the contract with that Government department, it would have moved in anyway and taken a particular piece of land and material it was looking for, although as a private citizen there was no action I could take to prevent it doing that. It was a harsh penalty for being a member of Parliament.

However, I think we have been relatively successful in this State, where the integrity of very few members of Parliament has been called into question. I should be interested to know whether the Government can indicate where people in Australia have held Parliamentary or Ministerial office and there has been any conflict of interest. I do not know of any instances in South Australia; the Government has not brought them to the attention of the House. I commenced my remarks by saying that it was not really the back-bench members of Parliament who had any say in who was awarded Government contracts or which areas of land were purchased or released by the Government for various purposes. It is the Public Service that would advise the Ministers.

Mr. Nankivell: They have to declare it under their Act.

Mr. GUNN: But it is not in the Bill. I believe that it should be in this legislation, that we should all be included in the same basket and that those members of the press who come here should be included, too. It is fairly easy for members of the media to be self-righteous when they are talking about members of Parliament. If some of them adopt that stance and judge us, the public should be in a position to pass judgment upon them when we are discussing financial measures in Parliament, where there could be a conflict of interest in relation to journalists. Members of the A.L.P. are not allowed to think for themselves. Before they come in here, they have to sign a pledge to say that they are bound by decisions of Caucus, so they are not allowed to make decisions themselves. A.L.P. members are at a great disadvantage; they are not allowed to be free thinkers.

At the commencement of this debate, the member for Newland cast aspersions on members on this side and members of Liberal and Country Party Governments throughout Australia about unethical dealings and cover-ups. I should like the honourable member to explain to this House and justify the activities of this Government in relation to the compulsory acquisition of land on Burbridge Road, and explain to members who occupied that land and how they were given the leases on that land, and give a full and clear explanation to the public because, if ever there was a crook deal and if ever pressure was put on unfortunate individuals, it was in relation to that deal, and the member for Stuart knows all about that, about all the underhand activities that went on there. I should like the member for Newland, in his spare time, to do a little research into that matter. Let him sort out what went on regarding that site on Burbridge Road. The activities of the Government there left much to be desired. I hope the Government reconsiders this matter. I do not oppose the principle of the legislation, but it is not in a satisfactory form.

Mr. EVANS (Fisher): I oppose the Bill in its present form. I do not object to a register, in which members disclose their financial interests, being set up and kept under the control of a joint committee of both Houses and being readily available to any person who can prove to that committee that he has a genuine interest in the financial interests of a member of Parliament. That is a protection for society and for the individual. I am amazed, however, when we start talking about including in this the wife's interests. I can speak clearly on this because my wife has given me permission to do so. Her interests are in a very small company; her holdings in that company are not substantial, so I am not worried about my own situation there. However, some women are successful in their way of life independently of their husbands, in business or investment. Money may have been left to them by their parents or by some other person who has died, and they are expected by this Bill to disclose details to any person in the community who goes to the Minister or to Parliament and says, "We would like to see what assets Mrs. So-and-so has", and the same applies to the female member of Parliament's spouse. So, a spouse who may have earned an income completely independently from a member of Parliament is bound to disclose all that detail. Those spouses are not paid by Parliament or by the people. I accept the point the member for Mitcham made that we are saying that those who may be living in a *de facto* relationship are not bound to disclose these details; yet, if a member of Parliament wants to be a little bent in his approach to life, he can make use of the *de facto* relationship to get around the point we are trying to cover. That could be a let-out. There are members of Parliament who have lived in *de facto* relationships in the history of Australia.

Mr. Keneally: Kathy Martin, for instance.

Mr. EVANS: If the member for Stuart wants to start naming people, it can be done, but for the sake of the individuals concerned and those associated with them, their children or the person who may be living with them and their friends, it would be better not to disclose names. Of course, if the Labor Party wants names to be disclosed,

I invite the member for Stuart to keep mentioning names. There is a balance, and neither side of politics has a clean sheet in that respect, right from the top to the bottom; we do not have to start in the middle. We can go right through politics. It is accepted in society today. I think it wrong that the spouse should have to disclose income. Worse than that is this provision in the Bill:

> "member of the family" in relation to a member, means:
> *(a)* the spouse of that member;
> *(b)* any child or adopted child of that member other than any such child who is of or over the age of 18 years;

Some people have married twice, three times, or even four times or more.

Mr. Becker: They want to be examined.

Mr. EVANS: By this Bill, they would be examined, but in addition the children of the first marriage, who may be living with the first wife of the member of Parliament in another marriage relationship anywhere in the world, are expected to disclose, on my reading of the Bill, their interests and income from the time they were 16 years of age until when they turned 18 years, if they have started work at 16 years. Such people are expected to disclose to the South Australian Parliament, even when they are living in another family, what their financial interests are.

Worse than that, we have a Community Welfare Department, and the Minister in charge of that department sits in this House. The department tells young people who leave home at from 16 years of age to 18 years of age that they do not have to go back to their parents. The department says, "We will not even disclose to your parents where you are living." A girl can leave home when she is nearly 16 years and become a prostitute. People do that, and they will do it. That is one example of how people can earn income, and they can earn more then $200 every six months. The parent, who has no control over that child (with the sanction of the department), is expected to seek that child from somewhere (because the Community Welfare Department will not disclose her address), and the income that the child earns is expected to be disclosed, when it is impossible for the parents to do so. If the income is more than $200, the source must be disclosed.

If the Community Welfare Department will not tell and the parents do not know, how can the member of Parliament know where the child is, where it is getting money, and how much that child is earning every six months? We have heard about a Bill which is before Parliament and which seeks to lower the age of consent for medical attention in some cases to 14 years. I will not discuss that legislation, but there is an attitude in society that the age of consent in some areas should be lowered to 14 years. That being so, people will tell their parents that they can leave school at 15 years. They will say, "Dad and Mum, I will not tell you what I am earning. Society says we are maturing much earlier, and at 15 years of age I will not tell you what I am earning or where I am earning it." Even the Community Welfare Department will back that child in not going home in some cases.

If we pass this Bill, we will be saying that that member of Parliament must have knowledge of where the child is and how much the child is earning. I believe it unreasonable that any child of mine between the ages of 16 years and 18 years who earns income by initiative and works in a legitimate job (which one is doing) must give information to Parliament because I am a member of Parliament. The child has to tell the whole of South Australia what he is earning. What right has Parliament to say to one who is earning income independent of Parliament and the Public Service, "We want to know where you are earning more than $200 every six months, and we want all the people of South Australia to know"?

The person's friends would know those things, but why should the person have to disclose the information to Parliament? Most members who have children know that the children are not keen about what happens in Parliament. They are sick of the whole process and they do not like the place. They do not like the term "politician" and they do not like being the sons or daughters of politicians, but we are trying to tie the matter back to a measure that affects the individual member of Parliament. It does not affect the remainder of society.

If Parliament thinks it can cover all the loopholes about how people will get a benefit or how Parliament will get this through, I will give an example, related to when a person is on the Ministerial benches and has an expense account. A person does not have to get a monetary hand-out. If a person dines at the same restaurant all the time and wants to take friends there, the person can say, "I will be bringing most of the official delegations that come to this State to your restaurant and we will patronise your restaurant through the expense account of the Ministerial portfolio. We do not mind if you add the price of a couple of bottles of wine or charge for every course on the menu. No-one will check on what we have eaten or what we have had to drink." When the person comes back on a private visit with personal friends, the restaurant will be able to say, "It is on the house." That does happen. It is going on in every State in Australia, and I vouch for the fact that people would find that to be true if they checked. I do not doubt that similar things apply in business, but in this Bill we are trying only to put a burden on the honest and make sure that they disclose everything to the community outside.

I repeat that I do not object to disclosing information to this House. If some member wants to demand or request it, I will give it without the information being kept in a register. However, I believe that the register in the control of Parliament is the best method. Why should any member of the public be able to look at what assets any member of Parliament has? Other things can occur. There would be opportunity for a ruthless person to blackmail a member of Parliament over a difficult situation if the member owned an interest in a certain area, although that interest would not conflict with the member's interest in decisions made by Parliament. I can also think about people doing it for business purposes. They can look at whether the son or daughter of a member of Parliament has several interests and can continually approach the child for the purpose of selling a particular commodity. In other words, we are making it too wide and too broad to all and sundry.

I believe that the member for Mitcham was correct in what he said about the legislation having a detrimental effect on the Liberal Party in the long term. I do not think that that can be denied, and I do not think that any politician here who has any sense has ever thought that that would not be the case. I have no doubt that Labor Party members have laughed about that and have said, "When this becomes law, that will be one of the benefits to our Party."

I do not object if the information is kept in a register. However, it would be fair to say that the biggest percentage of Labor Party members come from trade union secretaries or presidents or from academics. Most of the academics have never had any experience in the private sector, as they have been in the Public Service or similar types of employment. Their philosophy cannot be condemned; if they do not believe in private enterprise, naturally they will enter secondary and tertiary teaching and the Public Service areas to try to influence others with their philosophy, so that the public sector will grow and

the private sector will diminish. That is their goal.

It is logical to assume that they will not wish to acquire assets because, as a Party, they do not believe in owning property or assets, although sometimes when they learn of the benefits of such things they adopt a different attitude and tell their colleagues that it is not a bad idea. Some present members of Parliament have such interests, and some members who recently left Parliament had substantial interests, but that was accepted, and these people were not expelled from the Labor Party.

However, the biggest percentage of candidates on this side of Parliament come from private enterprise. We believe in that system and in an individual's using his initiative to achieve his goal. Some of us may believe in a more frugal type of living in order to establish something, while others may spend more in order to obtain something on which they can depend in future. For that reason it is expected that the more successful people in the private sector are those likely to be best at managing their own and other people's affairs. For the State to have the proper type of person from this side we need to have those who have been successful.

The member for Mitcham suggested (and I agree) that many successful people will not be prepared to come forward in the circumstances, and so the Liberal Party, Parliament, and politics will suffer. This is the end result of this sort of legislation, if information is to be made available to all and sundry. If a business man wishing to enter politics is told that everything he owns has to be disclosed (not in monetary terms but as assets), many who believe that this is their personal property, which should not be disclosed to everyone, would not be willing to try to enter Parliament. They would be willing to make this information available to Parliament if it were kept in a register and available to those who have a genuine interest in the assets of members. It would be wrong to rule out some of these men and women who have been successful in business in our society. However, that will happen and the member for Mitcham is correct.

If a person legally and honestly obtained his assets before coming into Parliament, to some degree it would be an infringement of his rights if he had to disclose them to all and sundry. Should no-hopers who enter politics disclose how they spend their money, whether on grog, racehorses, or fast women? Should it be disclosed that a person went into business but became bankrupt? Should it be disclosed that a person is not a good business manager? Should it be disclosed that a person who has gathered much money over the years now cannot afford to own his own house? Should we say to society that a person is not capable of putting two cents together and be able to own something? Should it be disclosed how capable or incapable members are?

I do not believe that we have defined what the family is, and I do not believe that the wife and children should have to disclose the information required. Also, there is no need to refer to Mr. Lynch or to the President of a Party in Western Australia who is not a member of Parliament and, in fact, is no different from a union secretary or president. Such comments are unnecessary. If we are to allow them, perhaps we should cite those organisations that have used taxation laws to their benefit, such as the Trades Hall. The *Workers Weekly Herald* and radio stations—

The DEPUTY SPEAKER: The honourable member has referred to allowing that form of discussion. A ruling has been made that we should not allow it.

Mr. EVANS: The member for Newland raised the matter of the President of a Party in Western Australia when the Speaker was in the Chair. There was no ruling on that aspect then.

The DEPUTY SPEAKER: Order! Subsequent to that and during the contribution of the member for Light, I gave a ruling that I conveyed to the Speaker when he resumed the Chair, and it was agreed that the debate should be confined to legitimate matters of concern; that is, the pecuniary interests of members of Parliament and not of those outside Parliament.

Mr. EVANS: Thank you, Mr. Deputy Speaker, and I will stick to that. In a future grievance debate I will explain how money got through the Trades Hall, and I will refer to the other organisation and the people involved in that matter. Clause 5 (2) *(e)* refers to "any prescribed matter". I am concerned that this would leave it wide open for the Government to prescribe any matter, with Parliament having no say in what is prescribed. We cannot argue about it or vote on it in either House. This is an area in which the Government needs no greater power than is available to it by regulation. The present Government will not be in power forever, and future colleagues of Government members may welcome the opportunity to debate a regulation seeking to tie up some of their areas of interests that may be detrimental to the Party's future, and to allow the Government to prescribe these things could be dangerous.

The motive for the original introduction of this Bill was an attempt to embarrass the Liberal and Country Party. There has been no urgency in this matter since the recent Federal election. No-one on this side knew of the programme for today until about 1.40 p.m., because the Government thought that other matters might come forward, but there were difficulties. In order to fill the gap the debate on this Bill was resumed, but there was no urgency about it.

I am sure that the Opposition would welcome a redrafting of this Bill to provide that members may disclose their interests. When a member and his wife have a joint interest in something, I can see some merit in its being disclosed. However, it would be fair to assume that if in some cases a marriage was not running completely in unity, and a present member's wife had many financial interests that she did not want disclosed, this sort of measure could destroy the marriage. That would not be an argument in future, however, because a future prospective member whose spouse understood the situation might not enter the field. However, it could have an effect on some sitting members. Although I do not know of any, that does not mean that it could not happen.

If the Bill was redrafted in order to provide merely that we had to disclose our interests, I do not think anyone in either House would vote against it. Under this Bill, however, everyone in the comunity will be able to see what members have and make use of that information in any way they like, which could be harmful. Democracy involves an attempt to represent people in a fair manner; it does not involve one's making use of one's position to one's own advantage whilst at the same time disadvantaging others. We must be fair and honest in our decisions and we can be so by disclosing all that we have got and how we will come by it in future. I do not think there is anything wrong with that. I hope that Government members examine this aspect closely.

If we want to move into the next field, as suggested by the member for Mitcham, where we disclose the money and sort of help that is given to Parties, we must look at many areas: for instance, those organisations that help a Party not with just financial donations but with, say, back-up staff, and facilities. In this respect, I refer to Party headquarters, Trades Hall, and so on. If one thinks of the effort involved, as well as clerical staff, telephones, and so

on, one sees that, in real terms, such help is as valuable as any financial contribution. If we try to track down assistance rendered in that manner, it will be as embarrassing to the Labor Party as it will to the Liberal Party.

An important aspect is that some people who now give equal sums of money to political Parties do not belong to either Party. In 1969, for instance, the Australian Labor Party and the Liberal Party each received a donation from a certain organisation. I happened to be the one who received the donation sent to the Liberal Party. However, each organisation received the wrong cheque, the two cheques involved being identical. Some organisations that do not like their names disclosed make contributions, and I do not believe it would help democracy in any way by having this sort of provision on the Statute Book. I cannot see any benefit to be derived from the suggestion by the member for Mitcham. Indeed, in the end result it would be as harmful to the A.L.P. and the Australian Democrats as it would to anyone else.

I oppose the Bill in its present form. Although I support strongly the principle that it is trying to achieve, I do not believe that the children of a member, whether or not they live in Australia, or the member's spouse, should be covered by the legislation, unless the assets that they possess have been passed on to them by a member of Parliament.

Mrs. ADAMSON (Coles): This Bill provides for the disclosure, at six-monthly intervals, of the pecuniary interests of members of Parliament, their spouses and their children under the age of 18 years, and the information, to be collated by a registrar, will be readily available to an inquirer without fee and will be forwarded to the Attorney-General, tabled in Parliament, and printed at least once each year.

As my colleagues have made clear, the Opposition does not oppose the principle of disclosure of interests, although we do oppose the Bill in its present form. We have been charged by the member for Ross Smith with supporting a principle but without itemising specifics regarding how that principle should be implemented. It is time the point was made that Opposition members are not here to propose legislation; that is the Government's function. The Opposition is here to scrutinise legislation that is introduced by the Government, and that is what it is doing.

But if the member for Ross Smith wants points to be raised in a debate, where positive ideas are being put forward, perhaps it would be worth his while considering the following: for example, that the registrar should be an officer of this Parliament, responsible to the Speaker of this place and the President of another place. That is not inherent in this Bill. Public disclosure should be made only to an inquirer who satisfies the registrar (Speaker of this place and the President of the Legislative Council) of the need to know. This at least would outlaw the inevitable frivolous and possibly malicious inquiries that are likely to occur under the Bill as it is at present drafted.

When talking about the scope of the Bill, and speaking of families, one asks whether it is not reasonable that the Bill should apply not only to members of Parliament but also to Ministerial appointments as well as to senior public servants. When the member for Mitcham and other members make the point that the Bill will have a more severe effect on the Opposition Parties than it will on the Labor Party, I wonder whether, if the Bill was broadened to include the Public Service, it might find itself in danger of losing some of its most valuable members, because they, like most members on this side of the House and like any reasonable citizen, greatly value their right to privacy.

Regarding information in relation to the disclosure, I ask whether it should include sums gained by the personal exertion of members of the family of the member of Parliament and shares that may be, as the member for Mitcham outlined, of minimal value. Regarding regulation, surely all necessary matters should be incorporated in the Act and not left to regulation. The penalty, as has been emphasised already, is gross.

Earlier in the debate, the member for Ross Smith made entirely unwarranted slurs on the character of Mr. Phillip Lynch and, in refuting his snide remarks, I hope that at no stage at a critical period of his Parliamentary career will he ever find himself in a state of unremitting agony with kidney stones. That is the most charitable remark that one can make in reply to his assertions. I should like now, when referring to the Lynch affair, to refer to a report in the December 17, 1977, issue of the *Advertiser* as follows:

> Mr. Fraser revealed in his statement that he had taken independent advice from Mr. Stephen Charles, Q.C., of Melbourne, on the financial dealings of Mr. Lynch and his family.
>
> Mr. Charles had advised him that on the facts available from Mr. Lynch's accountants—Irish, Young and Outhwaite—and his solicitors—Mallesons—nothing illegal or commercially improper had been done by Mr. Lynch or his family. Nor was there any conflict—

and this is important—

> between his or their private interests and Mr. Lynch's public duties as a Minister of the Crown.

We have been asked what we have to hide. In my case, there is nothing to hide. I am pleased to say voluntarily in this House that I do not own and have never owned any shares, that I own no property other than my share of the matrimonial home, and that I possess no goods of any great intrinsic value, except possibly my engagement ring, which is a matter of sentimental value.

A couple of years ago, I was left $200 by an aunt. If that were to happen next year, and if the Bill were to pass, I would have to declare that paltry sum and whence it came. That, I believe, is a gross intrusion into her and my rights, as private citizens. My only source of income is my Parliamentary salary and the family allowance that the Federal Liberal and National Country Party Government grants to mothers of children. That allowance will have to be declared by mothers in Parliament if they happen to have large families.

Regarding the spouse, the member for Mitcham raised the question of whether there was any difference between the wife of a member declaring her interests and the husband of a member declaring his interests. Speaking for my colleagues, I do not know whether the wife of any of them earns an income or has an independent income but, if she does, surely it is her business and not the business of this Parliament or of any passerby who wishes to ascertain what Mrs. X or Mr. Y earns and how, where and for how long it has been earned.

Is that anyone else's business? I think that it is not. It is a gross invasion of privacy, and it is extremely hypocritical of the Minister who introduced the Bill to talk, on the one hand, about the right to privacy and say that he will introduce legislation to ensure our right to privacy and, on the other hand, to introduce a Bill that positively destroys the right to privacy of members' families. Clause 3 defines "member of the family" in relation to a member, as follows:

> *(a)* the spouse of that member;
>
> *(b)* any child or adopted child of that member other than any such child who is of or over the age of eighteen years; or

(c) any child or adopted child of the spouse of that member other than any such child who is of or over the age of eighteen years:

My colleagues have canvassed the extraordinary and ludicrous possibilities that can result if the Bill is passed—chasing children of other marriages half-way around the world to ascertain whether they have an income. What about unmarried members and their relationships, possibly with brothers, sisters, or friends, with whom they might be living, and business associates with whom they might have a financial interest? It is no use casting a net hoping to catch offenders if it is done in such a careless and limited fashion that one has no hope whatsoever of doing what one intends to do.

If the Bill were to be effective (it would need Draconian provisions if it were to be), clause 3 would extend until it embraced grandmother, grandfather, and Uncle Tom Cobbley and everyone else, because only by doing so could the financial arrangements of anyone related to a member be comprehensively taken into account.

Mr. Mathwin: It's like a trade union's log of claims.

Mrs. ADAMSON: It is not, because it fails to cover all that would be necessary if the Government really wanted to pursue the matter and send bloodhounds into the home of every member. That is practically what the Bill would amount to if this provision were implemented. Let us examine the triviality and stupidity of the $200. It would mean that, if my 15-year-old daughter were to take a holiday job at Woolworths and earn $200 or over, I would be obliged on her behalf to enter that in the registry. If that is not nonsense, I do not know what is. It is too stupid, to waste the time of the Public Service and members in recording such trivia.

Mr. Allison: It would give Normie Foster something to talk about.

Mrs. ADAMSON: It would. Clause 6 provides:

> The Registrar shall ensure all information furnished to him pursuant to section 5 of this Act is maintained in such a manner as to make it readily available to an inquirer and shall permit any member of the public to inspect the information without fee and to take copies thereof.

If ever a Pandora's box were hidden in a clause, that surely is it. Have Government members given no thought to the kind of malicious inquiries that could be made about their wife or husband, as the case may be, their sons or daughters, and their sources of income, by any passerby who had a particular interest in that information? The member for Mitcham referred to my situation and wondered what I would have to say about the disclosure of my husband's interests. When my husband and I married, I had no thought of entering politics (possibly the same could be said by most members). He has pursued his career and has risen to an executive position of some responsibility. Let us take not his position but the position of a hypothetical person who might be earning bonuses. Are his competitors to have free access to a register from which they can easily discover whether a man has earned a bonus, the extent and the source of it? It would be unreasonable, and it opens up all kinds of possibilities that could have a destructive effect on some people's career (not members but members of their families). It strikes me as being an intolerable invasion of privacy.

What I have tried to demonstrate is not only the injustice of the Bill but its stupidity and, above all, the futility of it. Regarding its futility, if people come into Parliament disposed to be dishonest, no law on earth will stop them. If members are honest, no such law is needed.

Mr. WILSON (Torrens): Although supporting the principle of the Bill, I condemn this legislation as a completely cynical political exercise. We might call it the December 10 Bill, because that is what it is, and that has been proven by the member for Ross Smith, who, despite accusing the Opposition of straying from the subject of the Bill, spent most of his time discussing Mr. Phillip Lynch's affairs. He should be ashamed of his remarks, and I hope that he will not live to regret it. The member for Newland sprayed around a sarcastic fusillade of shots at various people in the community, both in this State and elsewhere, most of whom have no opportunity of defending themselves. We have become used to hearing Government members name people in the House during Question Time and at other times, those people having no chance of defending themselves. That is an indictment on the morality of their thinking. As I have already said, I support the Bill, and everyone agrees that members should declare their interests.

I recall speaking in the House last November on the subject of drugs. I was then a new member, but I realise now that I should have declared my interest, although most people knew that I was a pharmacist and, therefore, could conceivably have had a pecuniary interest in what I was saying. At that time, I spoke out against the supply of drugs from various hospital departments, and one could have assumed that I had a vested interest, because my wife and I own a pharmacy.

However, despite that fact, members of the public had the right to know that I was a pharmacist. I concur totally with that principle, despite having spent all my professional life in trying to reduce the supply of drugs to the community. This is a complex matter, and the member for Ross Smith has urged great haste on this Parliament to pass this legislation. The House of Commons first discussed this type of thing in 1969. It established a committee to examine the matter, but I shall not quote the report of that committee because the Leader has already done that, and I do not want to waste the time of the House. That 1969 committee could not come to grips with the complex problems.

It is not a matter that can be rushed, and the Commons did not come to grips with the problem again until 1974, when another committee was established to investigate the pecuniary interests of members. That committee found, once again, that the matter was extremely complex. What was done? A Select Committee comprising members from all Parties in the British Parliament brought down a unanimous report, and I suggest that we, too, could bring down a unanimous report if we had sufficient time to consider this legislation as it should be considered.

I do not wish to speak at great length on this Bill, but I wish to refer to three or four provisions in the Bill that I especially oppose. First, I believe that a joint committee comprised of members from both Houses should have been appointed under the Bill to act as a watchdog committee on the subject of pecuniary interests of members. I am certain that, if this Bill is passed by this Parliament, it will be amended within 12 months. Therefore, I believe that we need a joint committee as a watchdog, to keep a watch over the interests of members and to ensure that justice is done both to the public and also to members themselves.

Regarding the register referred to in the Bill, that is, a compulsory register of members' pecuniary interests, everyone will have access to that register. However, I believe that we should adopt the recommendations of the House of Representatives committee into this matter, whereby people do not have access to the register without the knowledge of the member concerned. That is a basic right, a basic freedom and a basic principle.

Mr. Klunder: Of all files held on people?

Mr. WILSON: The honourable member knows more about files than I do. I believe he is on file, but I believe that I, too, am on file.

Mr. Mathwin: You're not the member who was seen near a communist bookshop?

Mr. WILSON: It was not I, but I know who it was; I can tell the honourable member. I believe that a person should make application to the Speaker or the President in another place for the right to see that register. That application should be recorded because when we go on the hustings we can be opposed by members of the public who nominate for election. They will be able to see the register and see what is on our files. True, there would be no honourable member in this House who has anything to hide but, nevertheless, political candidates will be able to peruse our files, yet we cannot see their files. That is a negation of basic freedom.

That is another defect in the Bill that needs to be corrected. That is an important matter. The member for Coles referred at length to the rights of spouses in this issue. The member for Ross Smith has a professionally qualified wife, I have a professionally qualified wife and the member for Coles has a husband who is a prominent businessman. Why should these people, merely because they happen to be married to members of Parliament, have to suffer the indignity of declaring their own interests?

I agree with the member for Fisher that, where the husband and wife have a joint interest, that must be declared. Certainly, that would be the case in my position, but I do not see why the husband of the member for Coles should have to declare his interests. That is a negation of human rights, as is so much of the legislation that we are now seeing before this House. I would support any reintroduction of this Bill that upheld the principles generally of the report to the Commonwealth Parliament on this matter. In fact, that report goes wider in some cases than does this Bill. Nevertheless, I would still follow that report, which upholds the principle that senior public servants should declare their interests. They should not be declared for public scrutiny but declared so that they can be seen by their departmental heads or the officers immediately above them.

That information is not for public scrutiny, but I support that principle, because I do not see that they have any less responsibility, being in positions of influence and power, than do members of Parliament. That is an aspect that has been left out of this Bill. True, it may have been considered by the Attorney-General. However, I believe that the Bill was introduced so hastily that many things were not considered.

Members of the Government who are prominent in trade union circles would not have to declare their interests if they did not receive a fee of at least $200 for that interest, yet to be a prominent member of a trade union (and there is nothing wrong with that: it is a very honourable estate, I do not doubt), nevertheless, those honourable members are subject to intense lobbying pressure, and there is no reason why they should be exempted from such a disclosure, yet that is the case.

I do not wish to speak any longer on this Bill, save to say that the principle is important: it is extremely important and it is one that this Parliament should have come to grips with some time ago. I reiterate that there is no excuse for the haste in which this Bill was introduced in December, rather than having been given due consideration as should have been the case in the first place.

Mr. BECKER (Hanson): I oppose the Bill, for which I see no earthly reason whatever. It is just part of the system of introducing legislation to break down all the interests and rights of various people in the community. The Bill now makes mandatory the disclosure by a member of Parliament his income and pecuniary interests, and those of his wife and family. When a person puts himself forward to a Party and the people for election, the people elect that candidate: they do not elect his wife or his family. Therefore, it is an imposition, immediately, on any family that has to be forced to disclose its interests merely because the breadwinner, the husband or wife, chooses to accept the call by his or her political Party.

Considerable discussion is heard in the community at the moment about secret dossiers, and the system that might be established within the Special Branch of the C.I.B. would be chicken feed compared to the secret dossiers held in the Public Service and private enterprise on every employee. Now we are going to establish another secret dossier system, by which every member of Parliament will have to fill in forms and some person (who is to be called the Registrar) will collate the information, he will be judge and jury, and he will decide whether it is right or wrong. We are giving much power to one individual to start another dossier system.

My colleagues are warned what will happen if some of this information falls into the wrong hands. It will be public information, and it will be published. If members want to study a good book, I can refer them to a book entitled *The Sixty Families who own Australia.* I bought mine from the Communist Book Shop many years ago. I thought I had better get that in, because the Special Branch had better get the record straight. I would hate my card to be misplaced.

Mr. Keneally: Did you get a mention in that book?

Mr. BECKER: No, and I never will.

The SPEAKER: Order!

Mr. BECKER: The book proves the obsession that some people in the community have with the so-called distribution of wealth. The book refers to the major shareholders of certain companies within each capital—the B.H.P., the Collins group, and so on. It is a fact of life. These people risked their money when they invested it, and some have been successful. The majority of people today who would benefit from these families inherited the money—

Mr. Groom: Give us some names.

Mr. BECKER: I do not have to do that. I cannot see the name of any member of this Parliament. I want to make the point that the information that will be made available to the public could be distorted. I wish to read a letter sent on Friday last to ratepayers in the Hayhurst ward of the West Torrens council. When we realise how the person who wrote it can distort the truth, we can also realise what damage could be done to many members of Parliament, irrespective of which side of the House they are on. I do not think anyone would endorse these tactics. The letter states:

Dear Fellow Resident.

Ratepayers foot bill for Councillor's all-expense paid Interstate Trip

A most outrageous matter has been uncovered, and its importance to responsible citizens who pay rates is such that I have no option but to bring it to your immediate attention.

The West Torrens Council has voted to send a member—who is supposed to be responsible for the care and control of our money—on an all-expense paid junket to Sydney.

Guess who is going to pay for this pleasant little holiday?

You and me—the people who pay the rates.

Here is the extract from the Council minutes, indicating this thoroughly scandalous and appalling irresponsibility.

The Corporation of the City of West Torrens

Cr. Robertson moved and Cr. Morrell seconded that Cr. D. J. Wells (Deputy Mayor) attend the National Conference on Sanitary Landfill to be held at the Boulevard Hotel, Sydney, on March 30-31, 1978, and that all expenses associated with his attendance at this conference be borne by the Council.

(Two members absent from the meeting, and one arrived late.)

Carried.

The rate money which is ripped out of our pockets every year is being abused outrageously.

We pay rates in return for services.

We do not subsidise expense-paid interstate jaunts for elderly elected members.

That is part of the statement put out by the candidate in the Hayhurst ward of the West Torrens council, denigrating a person elected by the council to represent his council and the committee of which he is a member. The member for Morphett knows very well that Councillor Wells, the Deputy Mayor of West Torrens, has been involved in certain Government committees in relation to the waste disposal authority. I believe it was a recommendation of a Government committee that the West Torrens council should send Councillor Wells to this conference, and that the contribution to be made by the council would not be great.

The person who put out this letter is that well-known man who is supposed to be a doctor, Jennings, once the Mayor of West Torrens, who spent about $11 000 in promoting himself during his term as Mayor and who used the ratepayers' money for his own self-promotion and for political purposes. I understand the Labor Party no longer wishes to recognise him, but I shall never believe that sort of nonsense. This proves that a person with the type of mind that this character has, whether on the Government side or the Opposition side, would use any means to denigrate any member of Parliament whose interests were disclosed under this legislation.

As a Liberal, I could not support a document coming from this side of the House, rubbishing a member of another political Party in these terms. I do not subscribe to that type of politics, and I do not believe any member in this House would condone these tactics.

The legislation is discriminatory, because it sorts out certain people and certain issues. It involves the family. I oppose the legislation; I do not believe in it. What is yours, Sir, is yours, what is mine is mine, and I do not believe I have the right to know what you have. Let me assure you, Sir, that plenty of members on the Government side are better off financially than are some members on this side. I worked for 20 years in a bank, and I know the financial situations of quite a few people. I have contacts in banks, but I respect the deed of secrecy I signed when I was 16 years of age, and I would never disclose any details.

Members interjecting:

Mr. BECKER: I could tell honourable members some stories that would make their hair curl. Six months ago, the Attorney-General, the Minister who has introduced this legislation, sought legal advice about the setting up of his own family trust. He will deny it. He will want names, statutory declarations, and so on. He wanted to look at the situation. Some members on the Government side are extremely wealthy.

Members interjecting:

Mr. BECKER: I do not see that it is any of my business. If this legislation is passed, it will become a status symbol. Genuine, honest, and sincere people who support the old principles of the A.L.P. should realise that they are going to create a status symbol by which members of Parliament will say, "I have a house, a beach house, this and that, and shares in various companies", and make big fellows of themselves, going to the electorate proudly boasting of their accumulated wealth and investments. Here we have the hypocritical legislation, the double-standard legislation, of this present Government.

Some people will use it. Candidates in the Labor Party used it during the last Federal election to pretend that they were a little better than their opponents because they had certain shares and money in the bank. How can the Labor Party say it represents the worker and the backbone of the South Australian community when it introduces such double-standard legislation? It is not on. The discrimination of the legislation is utterly ridiculous.

The member for Mitcham mentioned political Parties and said that the real crux of the matter is that we want to get to the donations made to the various political Parties, and that if anyone makes a $500 donation to the Australian Democrats that will be made known publicly. I do not think they have much to lose, because Mr. Chipp said on radio that his party was $30 000 in the red after the Federal election and was going to set up a shop to run a business selling electrical goods. There is no doubt about Mr. Chipp and his imagination. I believe that he should go back to Surfers Paradise and have a jolly good rest.

Mr. Groom: Where did you get the money for your campaign?

Mr. BECKER: Donations of $2 and $1. As the member for Morphett would know, the Hanson Electorate Committee is one of the poorest committees. We must hold $2 functions and $5 wine and chicken functions to raise money and, in doing so, we have a terrific time. We cannot go out to the Chatterton Winery, hold a function for nothing and make plenty of money. After all, he wouldn't ask any of us to go to the Chatterton Winery to drink his wine unless we paid for it. We cannot run a barbecue like that run by my opponent at the recent State election where he issued hundreds of tickets for the function. He said he made $1 000 from that. However, someone gave him a $1 000 donation, which was the profit from the function.

What the member for Mitcham is getting at relates to contributions made to the various political Parties. I have seen letters from the Australian Labor Party during the two recent elections. I know that Mick Young would not be too happy about them, but both letters appealed to businessmen for donations. One of the letters appealed to service station proprietors, and stated that all donations to the Labor Party would be strictly confidential. The inference was, "We'll protect any donations that are made to us".

In Canberra Mick Young has been making a great plea ever since he has been there for all contributions to political Parties to be made known publicly, yet in the recent State and Federal elections the Labor Party has stated in a letter that all donations would be gratefully received and would be confidential. Again, that is a double standard.

We in the Liberal Party are accused of being in the pocket of big business because we receive massive donations from it. I will tell the House one story for which I will probably get into trouble, but I remember seeing a cheque from an oil company for the Liberal Party when I worked in the bank. The following day a cheque for exactly the same amount was paid to the Labor Party from the same company. That is not discrimination. People should not go running around telling stories that the

Liberal Party receives more money than the Labor Party does from companies. Many companies give the same donation to both political Parties.

Dr. Eastick: They call it hedging the bet.

Mr. BECKER: Many people do it. I shall never be convinced that this type of legislation is necessary. As I said, I am disappointed that the Government is advocating another system of keeping dossiers and putting them into the hands of a person who is to be judge and jury over the dossiers and to rule over the information in them.

Mr. Nankivell: And be paid for it.

Mr. BECKER: Yes. Members of Parliament will be forced to do all sorts of things and will have to fill in forms that are part of a census-taking exercise. I do not like this legislation. Clause 5 (2) *(e)* provides that members must furnish returns relating to income sources, interest, etc. The clause refers to the term "and any prescribed matter". I can think of several issues there because if a member of Parliament wished to accumulate money I can think of the means of how he could do it.

The Attorney-General did not outline what that term meant in his second reading explanation. Where there is a will there is always a way. No matter what legislation is introduced into the House, we cannot cover every possible avenue, and if a person wishes to be dishonest he can be. I was always taught that there is no such thing as a dishonest person and that only the criminal gets caught. This legislation does not cover all the issues and is therefore a waste of time.

A 16 to 18 year old child of a member of Parliament, under this legislation, would have to disclose his income. Let us be honest, because at 16 years of age today some children must seek employment. In the present situation, which I find regrettable, they may even be on the dole. What has that to do with the electors in any member's district if his child happens to be on the dole? What has it to do with the electors of this State if any member has a child that is unfortunate enough to go on an invalid pension at 16 years of age?

If the Government were fair dinkum it would reduce the age limit for that pension from 18 years to 16 years. However, a cynic could destroy people by using the rubbish that Jennings puts out for character assassination purposes. That is exactly what will happen. Cynics will be aided and abetted in the community. Those people could not even pass a genuine psychiatric test, and they will try to indulge in the character assassination of members of Parliament.

I ask all members to seriously consider this issue. There are several points to think about. They must consider the status symbol that will be created amongst members of Parliament. For those reasons I totally oppose the Bill and ask all members to do likewise.

Mr. RODDA (Victoria): I, like the member for Hanson, oppose the Bill. To borrow an Australian colloquialism, the architect of this legislation is a bloody big stickybeak.

The DEPUTY SPEAKER: Order! I think the phrase just used by the honourable member is unparliamentary.

Mr. RODDA: Perhaps I could withdraw that remark and call him a haemorrhaging nosey parker. This afternoon we heard the member for Ross Smith spend 50 per cent of his time criticising the former Federal Treasurer, Phillip Lynch. I make no apology for saying that the first time I voted in this House (and the Minister for Mines and Energy may well look surprised) I voted with the Labor Party the first time Frank Walsh was the Premier of this State, to give a breath of democracy to the Parliament to get dog racing off the map. I got a terrible lacing from my Leader, Sir Thomas Playford.

The Hon. Hugh Hudson: You've never done anything since.

Mr. RODDA: The Minister would hide behind the first rose bush he came to. That is what he has done since he came into the House. Members opposite have a great love for the almighty dollar. They love it more than they love themselves. Almighty God might rule heaven and earth but the almighty dollar has a fair bit of a say whilst one is on earth. Members opposite are as human as human, even more human than human, and seem to have an obsession in believing that everyone who comes from this side drips diamonds.

Mr. Groom: You haven't anything to hide!

Mr. RODDA: I have nothing to hide. I am as pure as the driven snow. When I want a good lawyer I go to someone who looks like a Liberal on the other side of the House. That person is not hard to find because he dresses like a Liberal, acts, talks and charges like one.

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

Mr. RODDA: Regarding the inspiration behind this Bill, I point out that we have heard some tirades of abuse delivered against a former Treasurer of Australia. It would seem from what some Government members have said that the way of life of Opposition members reveals great opulence. However, I point out that there is much wealth and influence on the other side of politics. Some members successfully practise the sport of kings. The member for Whyalla is a good judge of horse flesh. Anyone who has a share in Ballyred, one of the greatest gallopers in Australia at present, is making a worthwhile contribution to the affluence of the honourable member, who is successful in the world of opulence. In contrast, the Premier's judgment in the sport of kings is shocking. I think he ended up with a piece of horse flesh called Piping Shrike. If ever there was a failure on the racetrack it was Piping Shrike. However, there is hope for the Premier in the racing game, because we often see a brood mare who did not race very well turn out to be one of the greatest dams. I hope I will have the pleasure of reading about the results of racing ventures in one of the columns from the Registrar. This is the kind of thing that the member for Coles was talking about: nothing associated with a pecuniary interest should escape the all-seeing eye of the Registrar.

I notice a change in the fortunes of the Party opposite. The socialists seem to be getting on top of the trade unionists. Last week we saw the budding socialists, the young turks, in the role of wild goose chasers. I think one trade unionist got up, but it was left to the socialists, the new look, to come forward. All is not well on the Government side. The trade unionists, the backbone of the Government, are slowly being devoured by the socialists. The members for Price and Spence will be girding their loins and probably having a word with the member for Whyalla on perhaps entering the sport of kings. Another good judge of horse flesh is the Speaker, who has advised my wife on the sport of kings. Clause 3 provides:

"income source" means—

(a) in the case of any payment or financial benefit derived by a self-employed person in the ordinary practice of any trade, business or profession or other activity, means that trade, business, profession or activity; and

(b) in the case of any other payment or financial benefit, means the person or body of persons from whom or which that payment or financial benefit is derived:

I am in the impoverished profession whose members have stacks of assets with a nil yield. If it were not for the fact

that I happen to be the member for Victoria, the children referred to in the Bill would be collecting bottles to get money. So, there will be some information disappointing to members opposite, the practitioners of the sport of kings, when they see the disclosures that we will be bound to make.

According to clause 5, even if one takes a holiday and uses funds that come from a nefarious source, one could find oneself in trouble. The Registrar has been given a discretion. He is required to report not less than once every 12 months. He is exhorted, if there is a sudden rush of opulence in respect of a member, to issue a special report. I therefore wonder what good this Bill will do for South Australia. It must make people, who should be considering entering Parliament, re-examine the matter, in view of the requirement that they declare their assets.

If somebody is practising forgery or some kind of misdemeanour in the manipulation of finance there is plenty of opportunity to bring that sort of thing to the surface. I have to agree with the member for Hanson and the member for Coles that this sort of legislation is unnecessary. We do not need witch hunts. We do not need a person in the office of the Registrar of Disclosures to be required at least once in each 12 months to bring down a report and also to have a discretion to report on the member for Mallee, the member for Victoria or the member for Price. I wonder what inspired this Government to introduce this Bill.

It is fair to say that the Government has done some good things for South Australia, but it is time members opposite took stock of themselves and had a damn good look at what makes them go. Members opposite are certainly capable of doing better things than introduce this Bill, and when this sort of legislation is introduced I say, in the words of Stewart Cockburn, "There are times (and this is one of them) when I am scared." I oppose the Bill.

Mr. GOLDSWORTHY (Kavel): I oppose the Bill. The House will no doubt recall that the Attorney-General introduced it as a matter of urgency at a time that the heavies in the Government obviously thought would be most opportune to embarrass the Federal Government because of the Lynch affair. The Attorney introduced the Bill and then disappeared to China while it was still before the House—that is how genuine the Government was when it brought this Bill to the attention of Parliament last year. We all know, as a matter of history, that the Labor Party received a sound thrashing again at the Federal election, so the necessity for speed in the passage of this measure evaporated. The Attorney was off talking to people of interest to him in China on a private visit that started during the Parliamentary session. That is how important he thought this Bill was.

The Bill has languished during the Parliamentary recess and the Government has revived it now because it has nothing of any substance to go on with. It was interesting to note that the Government's promise to let us know on Mondays the business of the House has lapsed—we did not know until this afternoon what today's programme was to be. This Bill has come before us as a stop-gap instead of being the matter of grave urgency it was purported to be when introduced into the House during the Federal election campaign.

Wherever else around the world this matter has been considered it has been introduced only after much deliberation and investigation by the Parliament concerned. That certainly did not happen in South Australia. This reinforces the view (if it needs any reinforcement) that it was simply a cheap political move when this Bill was brought before Parliament last year to try (unsuccessfully, in the event) to embarrass the Federal Liberal Government in association with other smear and gutter tactics that the Federal Labor brains trust sought to initiate during that campaign. As I said before, they fell flat on their faces.

The Government would be well advised to withdraw this Bill and give it some of the sort of consideration that this sort of measure has had everywhere else around the world where it has been contemplated. It is obvious that the Bill was considered and introduced in haste and, because the Federal election has passed, the Government can see no urgency in relation to it. For that reason the Government would be advised to withdraw it and give it more consideration than it has been given.

Let me state the situation in Great Britain. I quote from the *Parliamentarian*, a publication that comes to all members who are members of the Commonwealth Parliamentary Association, which I think every member of the House is. An article written by Mr. William W. Hamilton, M.P., appeared in the October, 1975 publication.

Mrs. Adamson: A socialist M.P.

Mr. GOLDSWORTHY: Yes.

Mr. Groom: What is a socialist?

Mr. GOLDSWORTHY: A Labor member of Parliament. I am not entering into a debate on what constitutes a socialist. We know that the Labor Party is a socialist party. We know that the Premier is keen to host a socialist international group in South Australia. In a surprisingly well-written article under the heading "No insurance against corruption", Mr. Hamilton states:

> The combined existence of these things cannot ensure a complete lack of corruption, or eliminate suspicions that it exists. The cynical might say that "every man has his price", whether he is a President, a Prime Minister, a member of Parliament or a local councillor. There may be more than a grain of truth in the assertion. There may be a few rotten apples in the Parliamentary barrel at Westminister. A register of private financial interests alone will not wipe them out. It is beyond the wit of man to devise laws—and especially laws dealing with money matters—which cannot be got round, evaded or even ignored with the help of skilled lawyers and accountants. The mesh of the nets of tax collectors is never small enough to catch all the fish in the sea. And so it is with the brand new House of Commons Register of Members' Interests. Its purpose "is to provide information of any pecuniary interest or other material benefit which a member of Parliament may receive which might be thought to affect his conduct as a member of Parliament or influence his actions, speeches or vote in Parliament". It sounds grand. The aims are admirable. But I doubt whether it will begin any kind of revolution in Parliament. I feel certain it will not change anything in any noticeable way.

That is a quote from an article written by one of the comrades of members opposite in the United Kingdom Parliament, where legislation was introduced after considerable investigation or research by that Parliament. Here we have a half-baked measure dreamt up by the Labor Party in the heat of a Federal election to try to embarrass the Federal Liberal Party, and it is put before this House purporting to be a serious measure to come to grips with this business of Parliamentary disclosure.

Mr. Tonkin: Do you think they would be better off to have it read and discharged?

Mr. GOLDSWORTHY: That is what I, as have many speakers on this side, have suggested. The Labor Party took a hiding of monumental dimensions, as indeed it did in 1975, federally. The smear tactics did not work, so the urgency for this Bill has disappeared. The motivation has

disappeared, and the Bill has become a stop-gap because the Government does not have a suitable Parliamentary programme for us to consider now.

One of the Labor Party's comrades in the United Kingdom Parliament has said that in his opinion such a Bill would not change a thing, and that is in regard to a Bill that seems to have been far more carefully drawn and considered than has this measure. Why are we pursuing this matter? My colleagues have dealt with various objectionable aspects of it. Why does not the Government come to grips with reality, admit that the circumstances that led to the introduction of the Bill have now passed, and admit that it should be withdrawn and the whole issue be the subject of a searching inquiry so that a sensible report could be available to Parliament and the legislation be given mature consideration. We are sick to death of legislation promoted by the Labor Party in this House for political purposes and to try to score a cheap political point to the disadvantage of the Opposition.

I do not believe any Opposition member has anything to hide, but one must balance the need for privacy when we are considering the disclosures in relation to the families of members of Parliament, as outlined in the Bill. The Opposition had a hard look at this measure to ascertain whether it could be improved. Those investigations indicated that the time necessary to amend the Bill and make it anything like satisfactory was not warranted. In effect, the Bill would be so emasculated that little of what the Government is proposing would remain. For this reason, the Opposition believes there is no point in supporting the second reading of the Bill with a view to amending it.

That process would be far too involved, and it would be more beneficial if the Government did its homework and put before us a well-considered Bill to which we could possibly agree. No Opposition member has anything to hide and, in principle, we are not opposed to a reasonable Bill in relation to disclosure of interests but, as has been pointed out by speakers on this side, this is not a reasonable measure. If the Government can come up with something sensible, it is likely that it will gain support from the Opposition. For these reasons, I oppose the measure in its present form.

Mr. NANKIVELL (Mallee): I, too, oppose the present Bill, because I do not think it would achieve what the Government expects that it will achieve if someone sets out objectively to circumvent its clauses. I have nothing to hide, and I am prepared to make disclosures, but one thing that concerns me about doing so is that whatever I disclose is completely open to public scrutiny. Several reasons have been advanced by my colleagues as to why this should not be so. The principal thing we can say about this is that it could be used against members of Parliament by those people aspiring to be members of Parliament and, at the same time, it could be used by other people for mischievous purposes. If a register is to be kept and persons are to be allowed access to it, they should be prepared to sign a register to say that they have asked for access to the information. If they have an entitlement to the information, they should not be debarred from seeing it, but, as the Bill reads, the register is to be kept by a registrar. I do not know what he is to do, except make information available to anyone who asks for it, and he will be paid for doing that. That is an incredible situation.

The member for Morphett for some time has been asking for a definition of a socialist. I will now define what I consider to be a socialist, and I think this applies to the member for Ross Smith, the member for Newland, and the member for Morphett. A socialist is someone who wants somebody else to pay for all the things he would like to enjoy but cannot afford. He also appears to be an ambitious person without any ability or, alternatively, a person with ability who has not achieved any material success.

Mr. Keneally: Who wrote this?

Mr. NANKIVELL: I wrote it a few moments ago.

The SPEAKER: Order! I am not sure that a socialist is referred to in any part of this Bill.

Mr. NANKIVELL: There are also some people who enjoy all the good things of life but whose conscience obliges them to scourge themselves publicly by expressing concern for less fortunate people in the community. That is a reply to the question posed by Government members.

I now consider some aspects of the Bill and how they will apply. First, under the definition on page 1 of "Income source" we have two sources of income. One as income that is a payment or financial benefit derived by self-employed persons in the ordinary practice of any trade, business, profession or other activity. These are persons for whom I have respect in coming into Parliament. One thing that concerns me is the professionalism that has come into politics. I believe there is room for people from professions and other areas of commerce and industry to be members of Parliament, and they should not be excluded because they have outside interests and can contribute materially to the debates and the wisdom that is supposed to come from this House. The second source of income intrigues me, because in both instances the prescribed sum of $200 is the yardstick for declaration.

The Hon. G. R. Broomhill: You have your Leader looking right at your back.

Mr. NANKIVELL: The Leader is protecting my back. This provision does not achieve what I believe the Government is after. One has every difficulty in the world of concealing if one has a private income, because one has to make taxation returns. Let us consider what is implied in the other instance. I suggest that it will pick up only crumbs. If we want to know what a person earns, we will not do that by examining his investments, or by asking him to declare investments that return more than $200 every six months or $400 each year, particularly with falling interest rates? The people who will be exposed will be those who have debentures or those who invest money in Government bonds at 10½ per cent or better. I suggest that these people have no material interests in the company in which they have invested. They are not interested in its prospects, because they are guaranteed an income because of the debentures they hold. If we are worried about the interest in companies influencing a decision in this House, this Bill will not establish anything at all by asking people to declare their interest in this form.

Company directors are seldom obliged to hold a large number of shares in the company of which they are directors. Some companies have a minimum number of shares, and I suggest that a company director (and I have been a company director for about 10 years, as members know) has far more impact on decision-making than shareholders do, except that they are organised at shareholders' meetings to direct the directors and the policy to be taken. We do not gain anything by picking up the crumbs by which someone has a few hundred shares in this or that company. This provision will not achieve anything, and it is so much a waste of time to ask members to fill in forms to declare such amounts.

There are a number of other short points to which I wish to draw attention. I repeat that anyone who wanted to avoid this legislation could do so simply. Although I am not a lawyer, I know something about company law, trust

formations and the things about which people are concerned in relation to this legislation. I repeat what I said to my colleagues: I could ride a bullock waggon through this legislation if I wanted to avoid what was intended, because this is a net that will catch no-one other than those who are innocent and willing to be exposed. Be that as it may, there is one other problem that really concerns me. My colleague the member for Coles has already expressed concern about her husband's having to declare his sources of income.

Mrs. Adamson: Anyone's husband.

Mr. NANKIVELL: That is so. My wife told me tonight that she had no hesitation in telling me that she thought this Government believed in women's liberation and that this was a question of people having uniform rights. She does not believe that in our marriage partnership she is subservient to me. She said, "In no circumstances will I give you that information. What will you do if I withhold it?" I said, "I will lose my job and get fined $5 000." She said, "That is a great form of democracy. What a wonderful Government this is, if it is going to enforce that sort of liberalisation of women's rights." That, to me, is one of the most absurd things in the legislation: that we are asked to declare what our wive's interests, their personal and private details, are. That is an infringement of privacy and of the rights of an individual.

I do not mind this from my own point of view. However, if the Government is trying to expose people who are smart enough to put their money into trusts and to give minors an interest, it will not do so with this legislation. I do not say that I approve of this sort of thing, but I point out to Government members that the Government has done fairly well. It has hedged on the question of capital taxes and, if the Government survives, South Australia will be the only State that will be maintaining capital taxes on the realisation of assets and estates. These are being abolished elsewhere, whether or not the Government likes it or agrees with it. This is a fact of life.

Whether or not the Government invents some other legislation to impose a capital tax it will be placed in a situation in which this will be so much rubbish, because one can give one's money away. I can sell my farm to my sons tomorrow and make it their property, by giving them an interest-free loan and not have to declare anything. However, I still have a substantial asset and a mortgage on the property. The Government does not mention mortgages in the Bill. Although I am asked to declare my real estate, I am not asked to declare the most important thing in real estate—equity. It is not that I own a certain area of land that matters; it is my equity in it that matters.

People looking through a register and seeing what a person owns immediately think that he is a wealthy person. However, they do not know what debts one has on that land or what obligations and commitments one has that are secured by that investment. Consequently, a register of real property does not really signify true wealth at all.

Mr. Groom: What are you hiding, Bill?

Mr. NANKIVELL: I am hiding nothing. I am willing to fill in any form or to make a disclosure, because I have nothing to fear. However, the Government will not under this Bill achieve what it has set out to achieve. Even if it does, it will not achieve much in the long term, because the transfer of wealth will be much easier in future than it has been in the past. So, one will be able quickly to divest oneself of one's interests. I am saying to Government members that in future, if a person wants to come in here, he will, I hope, be able to divest himself of his wealth, if South Australia falls into line with the other States. Therefore, the significance of this legislation will be of no consequence at all.

We would be far better concerned to worry ourselves with the performance of members in this House and, if their performance indicates that they are prejudiced or influenced by outside groups, or that they are representing people other than those whom they are supposed to represent, something can be questioned. As my colleague has properly said, it is a question of letting the people decide.

My constituents know about me. I do not make any secret of things. If I do not drive my car around, they ask me where it is. Because I drive a Mercedes, and have done so for eight years, I make no apology. I know that a former colleague of Government members would dearly have loved to drive a Mercedes, but he was scared stiff of what his constituents would think. I am not worried about that. If my constituents do not like me driving that car, they do not have to vote for me. My constituents expect me to be one of them, that is, a farmer, which I mostly am. They expect me to be a successful one, though, not a failure, and if I cannot prove that I have been successful that will keep me out of Parliament more than will my success. If the Government is trying to affect my situation in this House by proving to my constituents that I have been a successful farmer and able to be successful in other areas as well as being a member of Parliament, I do not think that will discredit me in anyone's eyes, and certainly not in the eyes of the people who count: my constituents.

That is where this matter rests, and I oppose the Bill because of its infringement on the rights of individuals, and because of its intrusion into what I would call the personal liberties of people who are not, and who perhaps do not want to be, directly involved in politics. My wife did not stand for election to Parliament. She happens to be my wife and she must accept the responsibilities of a Parliamentarian's wife. But why should that mean that she must come under public scrutiny in relation to her private affairs? These things should be taken into account.

The same argument applies, as the member for Fisher said, to children who are minors and who come under the coverage of this Bill. If it becomes law, this legislation will be an absolute farce. If it is to be successful, the Bill will have to be substantially amended. I would support a Bill that required members to register their personal interests in a register which was kept and which was available only to those who were willing to sign it, indicating that they had an interest in looking at a member's file and if the member knew that they had done so. Then, if any circumstances were associated with the matter thereafter, with those people using that information against the member, he should have grounds to take action against them. This is something which protects our rights and which should be fundamental in a Bill of this type.

I know that there is great haste by the Government in relation to this Bill. It wants to push the Bill through. I suggest that it is a Bill of haste. I repeat that I could drive a waggon through it legally, as indeed could many smart lawyers. But that is not the point; I do not want to do that. I say this to point out how hastily the Bill has been drafted and how ineffective it would be if someone set out to circumvent it. I do not want to circumvent it. I am happy to have some sort of record of my personal involvment and investment so that, if anyone has any concern about me, they can check on me personally to see whether I am a fit and proper person to be a member of this House and whether my outside interests influence my decisions and actions in representing my constituents here.

Mr. Keneally: We'll give you a reference, Bill.

Mr. NANKIVELL: I have had the honourable member's references before, and they have got me into

trouble.

Mr. Slater: Who with, Bill?

Mr. NANKIVELL: I have not been able to join the honourable member's club yet. I hope I have made the points that I have wanted to make and that I have drawn attention to what I regard as significant weaknesses in the Bill. Although I have no objections to the principle of the Bill, I do not approve of the way in which the principle is being invoked. Also, I am deeply concerned about the haste in which the legislation is being dealt with. I see no necessity at this time for it. The legislation has been introduced as a political ploy. We have just had an election, and no-one will worry about us, as members, until some time before the next election. I can therefore see no reason for haste. Repeating what I said at the outset, I oppose the Bill in its present form.

Mr. ALLISON (Mount Gambier): Like most Opposition members, I do not hesitate to say that, while I agree in principle with the declaration of members' pecuniary interests, such as directorships or massive, substantial or controlling holdings that might influence a member's decision on little legislation that comes before us in any one session, I nevertheless oppose the legislation on several grounds, not the least of which is that it is extremely discriminatory, because it singles out members and their immediate families. The various follies behind that provision have already been pointed out by the Opposition. The Bill completely neglects a wide variety of people who may occupy high positions in the Public Service or in local government service who would be equally liable to make false decisions because of their financial and other interests. It is a discriminatory piece of legislation.

It is possible that, in any one Parliamentary session, perhaps even in the lifetime of any one member, he may never be influenced by his financial interests to the extent where he would make a decision against the public interest on a piece of legislation before him. However, there is no doubt that the public in some way is entitled to expect excellence in its members and, in an emergency, to have access to this special information of a member's pecuniary interest. As the member for Coles, among others, pointed out, this could well be included as sworn evidence on a register held by the Government or by some equally responsible body so that in an emergency, when the matter was certainly relevant to the public good, these items of financial interest could be available and could be disclosed.

The Hon. G. T. Virgo: What do you mean by "equally responsible body"?

Mr. ALLISON: Originally, I had written down "Government or some responsible body," but I gave the Minister the benefit of the doubt. I changed my mind in the Minister's favour, and that is unusual. The Minister should not get touchy when things are going in his favour. There is little doubt that this Bill, which came before us in extreme haste, was more politically motivated and had more political advisers than it had financial advisers. I cannot imagine that there were any really well-informed financial advisers behind the drafting of the legislation, because the member for Mallee has already indicated that there is a wide variety of loopholes of which anyone could take advantage if he wished to evade the legislation. He pointed out several instances, and there are others. It did not take long to find them—only about 10 or 15 minutes perusal of the legislation, and we came up with several instances.

If one wanted to find out how much a person had invested, for example, it would be possible for the Government to miss $50 000 or $100 000, provided that the investor had his investments in small parcels which did not yield interest of more than $200 in any half year, or $400 a year. The sum could be greatly in excess of that, depending on how widely and wisely the investor had his money in small parcels.

Another surprising feature of the legislation (and here again it shows a lack of financial advice) is that there is no provision for a member to declare a massive financial loss. One has only to look at the court registers to realise that people who have sustained heavy business or gambling losses are open to do all kinds of things. They are certainly open to approaches from other parties who might be willing to come to their aid in exchange for consideration in legislation—not that that is liable to happen in Opposition, but when one is in Government and influencing decisions and the making of legislation, it could happen. I do not know whether that was missed by accident or intention but, to me, that is a substantial point. There are two sides to the declaration of interests, and heavy losses are certainly one matter that might well have been considered.

A revision of the Bill could well improve on the privacy aspect, and I do not see why members should be among the few people in the community who lose total control of their privacy, both for themselves and their families, as regards their financial affairs. There is no provision in the Bill to protect a member's rights to privacy. In order to protect the public, I think it would be feasible for a member to lodge a financial statement, to be made on oath, and for it to be kept by the Government or by some equally responsible body. There is justification for disclosure by Parliamentarians, but there is equally (if we are fair minded about it) the same amount of justification to protect a member's rights to privacy.

The Bill is a serious one, on which the member for Newland has provided his usual comic relief (whether witty or half-witty I am still unable to decide). He attached a singular bias towards wealth. He seemed to equate wealth, in his arguments, with corruption, and that is one of the typical one-eyed assumptions we have come to expect from him. He is correct in assuming that my own declaration of pecuniary interests would not raise a ripple in this sea of Parliamentary iniquity he seems to have whipped up—a storm in a teacup, if you ask me. The member for Light treated the arguments of the member for Newland with the critical disdain it deserved (he made light weight of them, if one will pardon the pun).

The public needs relevant information on members, but rarely and only on a few members who might be able to influence legislation. However, to protect that public right, every member is to be subjected to constant open public scrutiny. It seems to be unfair. The public demands impartial treatment for itself, and I believe that a fairminded public would surely request that its own Parliamentarians got the same kind of impartial treatment, too. I do not see any clearly stated objective rules in the legislation on how it is going to work, although I can certainly see many subjective cases arising where a member might easily be pilloried. I think that the member for Hanson quoted one or two examples of the way in which this information might be used indiscriminately by someone who had been crossed or whose political motives had been frustrated for whatever reason. It is possible that information tabled in all good faith by a member might be taken down in evidence and used against him. That, again, would be an unfair situation for which few members of the public would stand if it were held against them.

A sworn declaration of interest held under conditions of privacy is, therefore, something which should be available

to the public, but which should be kept under terms of fairly close secrecy, ready for any emergency. The Leader pointed out during his speech (page 1231 of *Hansard*) that there could also be some stipulation in Standing Orders that members had to declare their interests, under penalty, and this would be an additional protection. We all know that the Bill was introduced hastily and as a possible pre-Federal Government election source of embarrassment to the Liberal Party.

The aims of the Bill were totally misplaced. With hindsight, we know they were quite ineffective, as the December, 1977, election results showed. The member for Ross Smith ignored the statement by the Leader which was prepared by the Parliamentary Library staff and which was reported in *Hansard* setting out some methods of countering this unfair intrusion upon members' privacy. The honourable member also spent time denigrating the former Federal Treasurer (Mr. Phillip Lynch), at a time when the former Treasurer was in hospital for a gallstone operation. Indeed, the member for Ross Smith seems to have more gall than stones, because he took it upon himself to attack, in a cowardly manner, a Federal Minister, who could not defend himself in this House, as honourable members opposite know. That was a cowardly attack.

The United States has provisions to determine members' financial interests, and it is worth putting on record that a former President of the U.S. (Mr. Nixon) had his income tax returns ready for public scrutiny and criticism when the moment of truth arrived for him. However, there is no indication that these records were available to the public prior to that time, although they were certainly available when they were needed.

The Leader was criticised for having perhaps filibustered before the Christmas recess, but he did keep the debate going to allow the Attorney-General to return from a private visit to Peking, thereby ensuring that the Attorney was on hand and able to take part in this debate. The Attorney would appreciate that.

Mr. Keneally: He would also appreciate the fact that the Leader said nothing.

Mr. ALLISON: Many of the points raised by the Leader are worth quoting, and I am sure that the honourable member will find them worth reading, although I make the basic assumption that the honourable member has had a sufficiently good education to be able to read. We agree with the principle of proper disclosure of personal interests, but we resent the total loss of privacy regarding members.

Even the Premier agrees that the ASIO and Special Branch files should not be made public, in order to protect members of the public who might be on file; yet this Bill throws members open to the wolves. That reveals a double standard, or is it merely a cynical approach? Parliamentarians are certainly being discriminated against by this Bill.

Members interjecting:

Mr. ALLISON: I have said previously that I am willing to trade file for file on anything, financial or personal. I doubt that I would be on the losing side so far as integrity is concerned. Many people do not have to declare any interests at all. These are people in high places, yet their decisions constantly affect the day-to-day running of the country, and for Parliamentarians to be discriminated against in this way is ridiculous.

Mr. Groom: What about Bjelke-Petersen?

Mr. ALLISON: We are discussing South Australian legislation. The member for Stuart has already paid me the compliment of saying that I was the only Parliamentarian in this House who was slightly to the right of Mr. Bjelke-Petersen. Nevertheless, if we are going to have such legislation introduced, and if it is going to be fair legislation, then there are many points that must be raised by Opposition members. These are commonsense points, coupled with an acceptance of the basic principle of the declaration of members' interests, which must surely make the Attorney-General think that something is wrong with the legislation and that it can be considerably improved.

Putative spouses and other more ephemeral connections in the marital status are neglected in the Bill, yet the Attorney has made much play of including these people in other legislation dealt with by this House in the past 12 months. We have dealt with trendy, pace-setter legislation, bringing in putative relationships all the time, yet in this Bill there is no mention of them, either intentionally or accidentally. That matter must be examined.

Mr. Keneally: What about Bjelke-Petersen's wife's shares in—

Mr. ALLISON: I do not know whether he has any putative relationships but—

The Hon. G. R. Broomhill: Are you ashamed about him?

Mr. ALLISON: I do not even know Mr. Bjelke-Petersen, but I have no objection to getting to know anyone: I would even speak to Neville Wran if I got the opportunity, and I would tell him a few things. I believe that the Attorney can do much better with this legislation than he has done. I am not sure whether or not he wants to and, in fact, there is a grave element of doubt that he does, bearing in mind that the Bill was introduced quickly and with a patently obvious political motive. I support my Leader in his suggestion that the Bill might be greatly improved if it were to go before a joint committee of both Houses. If it does not do that, I am sure that members in another place will give it the same weighty and commonsense consideration that the Opposition has given it in this House this evening. I oppose the Bill.

Mr. VENNING (Rocky River): I rise to oppose the Bill. I have listened with much interest not only to the speeches of my colleagues but also to the continued interjections by members opposite.

The Hon. G. R. Broomhill: What about Bjelke-Petersen?

Mr. VENNING: I take my hat off to him. He runs a mighty State and, if the honourable member ran a State half as well as he did, I would take my hat off to him, too. I see that the Premier is concerned about South Australia's finances, as reported in the *News* yesterday, but I do not see Mr. Bjelke-Petersen confronted with that same problem. He has been able to remove succession duties and gift duty, etc. This may be outside the scope of this debate, but the honourable member opposite referred to Mr. Bjelke-Petersen. In fact, as the honourable member has been talking about Mr. Bjelke-Petersen all night, I had to say that.

The Hon. Hugh Hudson: Bjelke-Petersen is a crook.

Mr. VENNING: Look at who is calling Mr. Bjelke-Petersen a crook. I will not say anything more about that, but I could. The Attorney-General introduced this Bill at a critical time for the Labor Party not only in South Australia but also on a Federal basis. It was at the time of the Federal election, and also at the time when Mr. Lynch was having his health problems. The Bill was then left, having made headlines at the time of the Federal election. The Government tried to reap some political capital from those headlines. Honourable members know the result of the election, and this matter has remained dead until now. It would have been better if the Government never had to introduce such legislation, irrespective of its motives.

The Hon. Hugh Hudson: Come on! Why do you protect your colleagues like this? What have you got to hide?

Mr. VENNING: I have nothing at all to hide, but I say the Minister should let the people in his district make the decision about whether they vote for him for what he is or what he should be. Do not establish a registry where members of Parliament almost weekly will have to make changes for one reason or another.

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr. VENNING: This is not the type of legislation one would want to see in a progressive State. Of course, it has been introduced into a State that is not progressive; it is just the type of legislation a socialist Government will introduce. This is one of the many aspects of socialist Governments: they introduce legislation to try to denigrate anyone who has been successful; they want to drag him down so that his life is set out in a register for Joe Blow to go through the file and say, "Here is the Hon. Hugh Hudson from Glenelg. He came here from New South Wales, and he had lots of assets when he came here."

The Hon. Hugh Hudson: I wish I had.

Mr. VENNING: I saw the Minister when he sat in the back row in 1965, and he was doing exactly what he is doing tonight—talking all the time. I was told that his own Party said to him, "For goodness sake, be quiet." I believe they had to take that control over him. Now he is on the front bench doing just what he was doing on the back bench between 1965 and 1968.

Most of the points in the legislation have been canvassed by my colleagues, and I shall not go over them again. Such legislation creates a most unfair situation. Although it has been introduced by this Government, I say again that the people should decide. The Government should not introduce legislation that will be a mark against the integrity of what should be a reasonable Government. I oppose the legislation.

Mr. MATHWIN (Glenelg): This ridiculous Bill, when unravelled, is something like a Hans Andersen fairytale. It is the brain child of the Attorney-General, who introduced this Bill last year to embarrass the Federal Liberal Government just before the 1977 election. Of course, it was a damp squib. Because the Attorney had introduced the Bill, he was sent to China, where he would be out of the way while the Federal election was taking place. He was out of the way and keeping out of trouble because of the problems he faced, embarrassing his Federal colleagues at the time of a Federal election. We all know the dicey story about the Attorney when he introduced this Bill.

Most of the things that have to be said about this measure have been said. Nevertheless, I believe that I should register my disapproval of part of it. I agree with the principle involved, but the Bill has been concocted like a French salad mixed by a German chef; it is hard to decipher. When one gets down to it, one realises how ridiculous it is. The member for Ross Smith, the member who is in a hurry, the whiz kid, spent most of his time getting into the former Federal Treasurer, Phillip Lynch. He accused Phillip Lynch of malingering in hospital, hiding, at the time of the Federal election. I have had the same ailment as Phillip Lynch had, a stone in the kidney, and I would not wish that complaint on anyone, even the member for Ross Smith. The pain is excruciating, and the illness is one of the most painful one could have. It is shameful for the member for Ross Smith to suggest that a person suffering in that way, a person who had an operation for that condition, was malingering. The member for Ross Smith has gone down in my estimation for his remarks on that matter. If he cannot do better, I will suggest that, the next time the Attorney goes to China, the member for Ross Smith should go, too. Perhaps that is where the Attorney is tonight.

Mr. Slater: You'd send him to Yugoslavia to get his hair cut.

The DEPUTY SPEAKER: Order!

Mr. MATHWIN: I would send him with Ted. However, Ted can speak the language, and I think the member for Ross Smith might get himself into a tight corner. Probably he would come back with all the information about workers on the board, worker co-operatives, how the workers will take control of the factories, how democratic are the factories in Yugoslavia, and how the workers and the trade unions in Yugoslavia—

The DEPUTY SPEAKER: Order! It appears that the honourable member for Glenelg has strayed somewhat from the Bill. I ask him to return to the measure before the House.

Mr. MATHWIN: I apologise most sincerely. I was waylaid. Much has been said about the Bill.

The Hon. Hugh Hudson: If you read the Bill it would be the first time you'd seen it.

Mr. MATHWIN: No, I took it away and lost it on the plane between here and Belgrade! Clause 3 contains the definition of "member of the family", as follows:

> "member of the family" in relation to a member, means—
>
> *(a)* the spouse of that member;
>
> *(b)* any child or adopted child of that member other than any such child who is of or over the age of eighteen years; or
>
> *(c)* any child or adopted child of the spouse of that member other than any such child who is of or over the age of eighteen years:

The spouse of a member is included, but what about the possibility of a member of Parliament having a *de facto* spouse? In the present situation in South Australia, which has deteriorated over the years that this Government has been in office, we find that *de facto* spouses have all the rights of legal spouses. The Government does all it can for those people, except when it puts them in the position of having to explain or put down with their *de facto* spouse just how they fit into this picture, what they have, and what they have to supply to the Registrar. If it is good in one area, it should apply to all areas, good or bad. If the Government wishes to proceed with the Bill, *de facto* spouses should be included.

I wonder how the youthful Attorney-General, with his wide experience of life, could say that all his children under 18 would rely on him. How on earth could he include them in the definition of "family"? The situation in South Australia, which has deteriorated since 1970, is that possibly many young children are married at a much earlier age now or many more live in *de facto* relationships at 16 years of age than happened before. What control do some parents have over their children, yet members would be obliged to include their children in any disclosure if this Bill were passed?

According to the Bill "prescribed amount" relates to the sum of $200 or such other amount as from time to time might be prescribed. Anyone who earns $200 must be included under this legislation. Some families (not necessarily rich families) are left small sums of money by grandparents. Making those sums available probably makes the grandparents happy, meagre though the amount involved may be. People who receive that money could be caught in the web that this Government is weaving around members of Parliament.

Clause 4 provides that the Governor may appoint a

person to be a registrar of members' interests. I wonder whether the Government might call him "the Grand Inquisidor". That title might be more fitting than "Registrar".

Mr. Becker: It will be interesting to know what the salary is going to be.

Mr. MATHWIN: Yes, and to know who the person might be. It might be a good situation for a past member of this place. Clause 5 (2) relates to travel and provides:

> *(d)* any travel or holiday outside the State that the member or a member of his family has undertaken or takes at any time after the commencement of this Act where all or part of the cost of or incidental to that travel or that holiday was not paid for by the member or a member of his family or out of the public funds; and
>
> *(e)* any prescribed matter.

If a member had a brief holiday or tour with his family and met a person he has known in the past or a business acquaintance and that person asked him to dinner or to some sort of entertainment or both, the member of Parliament would be obliged, under the provisions of this Bill, to disclose that. In itself, that sort of activity would cause many problems. I cannot accept that provision. It is entirely wrong and the Goverment would be well advised to reconsider clauses 3 and 5.

Clause 6 deals with the rights of a member and his family. I remind the House that that provision relates not only to the member but also to his family. It does not yet relate to a *de facto* relationship but, with this Government, it might.

The Hon. Hugh Hudson: Are you worried about that?

Mr. MATHWIN: Not at the moment. The rights of these people should be protected, but that is not the case in clause 6. In short, clause 6 (3) provides that the whole of this information is public. That provision is the worst one in the Bill.

This is a serious Bill; however, I believe that it is a ridiculous Bill that has been introduced by the Attorney in some haste. The Attorney has made many mistakes and this is another mistake made by this youthful whiz kid, the Attorney-General of South Australia.

Mr. BLACKER (Flinders): I oppose the second reading. I do not oppose the intent of the Bill, the documentation of members' interests, but I do object to the manner in which it is to be carried out. I do not believe that any legislation can make a dishonest member of Parliament honest. That, I believe, is the crux of this measure. Will this legislation improve the stature of our members? Will it assist in any way? I doubt it.

Members who have spoken before me have given a number of examples of how this can be avoided and of the number of anomalies that have cropped up. I do not know whether I should apologise for the member for Ross Smith but, having been through an amputation and two gall bladder operations, I do not believe that he appreciates the gravity of his comments when he suggests that a member of another Parliament should go back into hospital. His choice of words was extremely wrong. Knowing full well what is involved in the comments he made, I can certainly speak about the situation.

Clause 3 provides that the spouse and children up to the age of 18 of a member of Parliament must disclose their interests. That matter has been explained adequately, particularly in relation to pressures in the community to lower the age of consent to 14. This, in turn, throws this aspect of the legislation into confusion.

Clause 5 relates to sources of income, and it concerns me. If we are to disclose our sources of income, it should be right and proper that we disclose them fully or at least to the extent that the full implications of those disclosures are known. The provisions of this Bill enable anyone to examine the affairs of a member of Parliament, who is required only to disclose his source of income.

I will relate my personal situation. About 15 months ago I had an interest in one piece of land; it was a full-scale farming property about 96 kilometres from Port Lincoln. Because of the difficulties and isolation of the property, I decided to change. I scaled down my farming operations and bought a house in Port Lincoln. In addition, I bought a one-quarter share in another property, and I also purchased a grazing block on which there is no asset. In effect, this puts my name on an least three titles, one of which has three sections. So, in effect, whereas 15 months ago I was listed on one title with one section, I am now listed on three titles with five sections, yet my farming operations have been halved. In effect, my total interests, which would appear to an outsider to have grown out of all proportion, in reality are only a fraction of what they were originally. I made the change to which I have referred because I do not have the time to put into the interests I had prior to my entering Parliament. This is just another of the hundreds of anomalies that could arise out of this legislation.

The question of availability of information concerns every member. It is desirable that there be a registrar, but the availability of information to outsiders should be restricted. If any person has reason to inquire about the pecuniary interests of a member, it is only right that he should have access to the Registrar, who might be the Auditor-General. If the Registrar or Auditor-General could give a certificate stating that he had examined the member's affairs and could verify that that member had no pecuniary interest in whatever the issue might be, that should be sufficient to satisfy a member of the public. A person of the stature of our Auditor-General or someone else in that category should be able to make a declaration that would satisfy the requirements of a member of the public. Making this kind of information available to anyone could be detrimental during election campaigns. Non-sitting candidates could tell the community what members' interests were, whereas a sitting member could not use the same type of "ammunition" against a non-sitting member. I oppose the second reading because the Bill is not feasible. I support the registration of interests of members, but I believe that access to that information by the public should be limited.

The House divided on the second reading:

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

Noes (17)— Mrs. Adamson, Messrs. Allison, Arnold, Becker, Blacker, Dean Brown, Chapman, Eastick, Evans, Goldsworthy, Gunn, Mathwin, Rodda, Russack, Tonkin (teller), Venning, and Wilson.

Pairs—Ayes—Messrs. Duncan and McRae. Noes —Messrs. Nankivell and Wotton.

Majority of 5 for the Ayes.

Second reading thus carried.

In Committee.

Clause 1 passed.

Progress reported; Committee to sit again.

PARLIAMENTARY SUPERANNUATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from February 9. Page 1462.)

Mr. NANKIVELL (Mallee): I support this Bill. It seems to be one of three Bills we are dealing with tonight that deal with various aspects involving Parliamentarians. We have dealt with privilege, and now we are dealing with another form of privilege—that is, the benefits of superannuation. This Bill is a straight-forward measure that formalises a procedure that has been accepted by practice; that is, that where a person has been contributing by way of additional salary contributions to the superannuation fund as a result of a contribution having been deducted from the additional salary or allowance he received for being a member or Chairman of a committee, holding an office of Parliament, being a Minister of the Crown, or being the Chairman or a member of one of the Parliamentary committees, if that person holding a senior position retires from that position, or loses that position, he may continue to contribute as though he still held that position: for example, in the case where a Minister retires and takes up an office in Parliament at a lower salary than he received as a Minister being permitted to contribute to the scheme at the level of his Ministerial salary contribution. The same situation can apply where a member of one of the Parliamentary committees moves to a lesser committee. For example, if a member of one of the more highly paid committees moves down to the Land Settlement Committee, he is permitted by practice to continue to contribute to the superannuation fund at the level of payment he received on the allowance paid as a member of, say, the Public Accounts Committee, the Subordinate Legislation Committee, the Industries Development Committee, or one of the committees on the high level. This formalises that procedure so that there is no question about this matter. It also tidies up certain other aspects of the Bill.

I think one of the principal concerns has been that a person who is receiving benefits under the Parliamentary Superannuation Act on resigning from this Parliament and taking up a position in some other sphere of a public nature might be placed in a position whereby the taxpayers of the State, or the State and Commonwealth, would be contributing to two pension schemes for which the member in question qualified. A case in point would be if a legal member of this Parliament was appointed to the Family Court, and there was a possibility that this might have happened with a senior member of another place. That member would, as our superannuation stood, have taken up what is known as a "prescribed position".

The Hon. Hugh Hudson: May have.

Mr. NANKIVELL: Yes, he may have taken up a prescribed position. In those circumstances he would have been entitled not only to receive his pension on retirement from this House but would also be entitled to receive the full benefit of his other salary. If I do not say this, it will be said by somebody else (and I say it because I disagree with what happened), so I instance the case of the Governor-General, who has retired on a substantial superannuation and has been appointed to another office of profit. This is the sort of thing that this Bill is designed to prevent—the taxpayer being obliged to make two forms of contribution towards the total income of a person.

There are other aspects of this matter that ensure that, if a person takes up another position, he will not be disadvantaged and that, whilst he cannot receive both superannuation benefits if he elects not to take his money out of the State scheme, should he become eligible under another scheme, the total benefit he can receive from the combined superannuation schemes cannot exceed the superannuation he would have received under the State scheme. As there could be some problem with a specific appointment that has been made of research officer to the Leader of the Opposition, I have asked for an amendment to be prepared to deal with that situation. This amendment would make provision in the legislation for a person to take up another appointment so long as that other appointment did not carry any superannuation or retirement allowance. If it did not carry any retirement allowances or superannuation benefits it could not, under the proposed amendment, be prescribed. That would make provision for this case, which may prove to be an exception. Foreshadowing that amendment and, with the remarks I have made, I support the legislation.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Suspension of pension."

Mr. NANKIVELL moved:

Page 2, line 8—Leave out "prescribed office or place" and insert "office or place in relation to which superannuation or a retirement allowance is provided and which is for the time being prescribed for the purposes of this section"

Amendment carried; clause as amended passed.

Title passed.

Bill read a third time and passed.

STATUTES AMENDMENT (REMUNERATION OF PARLIAMENTARY COMMITTEES) BILL

Adjourned debate on second reading.

(Continued from February 9. Page 1462.)

Mr. NANKIVELL (Mallee): This is the third Bill we have dealt with today referring to Parliamentary members and various aspects of their remuneration. This is a straight-forward Bill, and one of the important things it does is establish that any moneys received by members as allowances paid to them in addition to salaries as being members of one or other of the Standing Committees, as well as being appointed either as Chairman or member of one of the Select Committees of the House, will not jeopardise their position, and their Parliamentary seat will not be forfeit. The Bill ensures that these additional salaries are not considered to be an office of profit under the Crown.

The Bill clarifies the position regarding these positions, and I approve in principle what is proposed, and that is that the additional salaries and allowances payable to members who hold the office of Minister or an office of Parliament or as a member of one of the Standing Committees, namely, Industries Development Committee, Joint Committee on Subordinate Legislation, Parliamentary Committee on Land Settlement, Parliamentary Standing Committee on Public Works, Public Accounts Committee, together with Select Committees of either or both Houses of Parliament, will be fixed by the Parliamentary Salaries Tribunal, as opposed to the present system, which is complex, in that many of them require statutory amendments and others require a Cabinet decision.

Because of the wide-ranging nature of present inquiries being undertaken by the Parliamentary Salaries Tribunal and the experience it has now gained of the responsibilities of members or Ministers of this House in addition to their Parliamentary duties it is able to fix fairly and adequately the additional remuneration that should be paid for these additional services provided to the House by the members concerned. I support the Bill.

Mr. KENEALLY (Stuart): I too, support the Bill. I listened with interest to what the member for Mallee has said, and Government members appreciate the honourable member's interest in all matters dealing with members of Parliament. It would be fair to say that we share this interest with him. The Bill provides that the question of salaries of committee members be referred to the Parliamentary Salaries Tribunal, which seems to be the appropriate forum by which these matters can be determined. There is no doubt that within the Parliamentary system committees are of the utmost importance, but they take up an enormous amount of members' time and effort, and there should be some recognition by Parliament of this time and effort. The best way of doing this is the way that is traditional in this House of Parliament, that is, that a remuneration is paid for that time and effort. I doubt whether a justifiable argument could be raised against that proposition.

Mr. Whitten: Do you think members of committees get sufficient?

Mr. KENEALLY: This is properly a decision that should be made by the Parliamentary Salaries Tribunal, which has the expertise and which has been set up to examine members' salaries. I think that a part of a member's total salary is remuneration for committee work. I believe that the Bill should be supported, and it has my support.

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

FORMER COMMISSIONER OF POLICE

The Legislative Council transmitted the following resolution in which it requested the concurrence of the House of Assembly:

> That, in the opinion of this House, the terms of reference to the Royal Commission into the facts surrounding the dismissal of Mr. Harold Salisbury, former Commissioner of Police, should be expanded to include the terms of reference intended by the Liberal Party to be referred to a Select Committee of the Legislative Council, namely:
>
> 1. The propriety of the Government's actions in summarily dismissing the Commissioner of Police on January 17, 1978;
> 2. The Government's failure to institute a formal inquiry into the alleged misconduct of the Commissioner of Police before so dismissing him;
> 3. The terms of appointment and employment of the Commissioner of Police and any desirable changes thereto.

ELECTION OF SENATORS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from February 9. Page 1463.)

Mr. TONKIN (Leader of the Opposition): This short Bill is designed entirely to remove a difficult situation that has arisen because of the conflict in the requirements of Commonwealth and State laws in relation to the election of Senators. In the case of Commonwealth law, a dissoulution of the Senate requires that writs must be issued within 10 days of the proclamation thereof. The arrangements for the election, however, are made under the South Australian law, the Election of Senators Act, which requires that a proclamation shall be published in the *Gazette* not less than nine days before the issue of the writs. They must fix the time and the polling places for the election, the time for nominations, and that of the declaration of the poll.

This raises the rather ludicrous and most unworkable situation whereby, on the announcement of a double dissolution, it is necessary for Executive Council to meet almost on the same day (I realise that that is a relatively easy thing to do), or certainly on the following day, to consider all these matters, to approve all the arrangements that have been made, and to arrange for the publication of a *Gazette Extraordinary* on that evening. This is clearly an unworkable situation. I note the following remarks made by the Minister in his second reading explanation:

> Recent experience suggests that dissolutions of the Senate may become more common.

That is a fatuous and political remark; I do not think it really applies. However, the fact remains that it would be more sensible to have a 5-day rather than a 9-day period in relation to the fixing of polling booths, times for the declaration of the poll, and so on. This would give four days for the necessary arrangements to be made, without the necessity for haste that is otherwise applicable at present. I support the Bill.

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

ADJOURNMENT

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

That the House do now adjourn.

Mr. WOTTON (Murray): I wish to bring to the notice of the House my concern regarding matters relating to the Environment Department, and particularly the National Parks and Wildlife Division. Most of us would be aware that last Sunday yet another reporter hit the headlines on matters dealing with this department. For months now, concern has been expressed through the media as the facts filter through from officers and staff who are completely disenchanted with their existence and treatment in this department. This information is not coming through the media only: it is filtering through in the comments of the people who are vitally concerned with the department.

Last October, in the *Advertiser,* under the heading "S.A. management of national parks hit", appeared the following report:

> S.A.'s national parks are deteriorating, according to a report in the latest issue of the *Public Service Review.* The report, "What ever happened to the lone rangers", attacks the State Government for a lack of resources and manpower in S.A.'s 189 parks. The article says S.A. parks are staffed by as few as 40 rangers who cover an area of about 4m. hectares. The article says at least one species of wallaby which existed on an island off the S.A. coast has become extinct in the past 15 years.
>
> "How much more of our delicate fauna and flora won't be around for our children to enjoy before someone realises that staff is needed for their protection and preservation?" it says.
>
> The article says rangers are continually frustrated with the political pressures of maintaining parks at acceptable levels and the lack of time and manpower to devote to other responsibilities. It says rangers in S.A. are responsible for about 138 off-shore islands but the National Parks and Wildlife Service does not own a boat.

The report refers to the problems associated with this department. It is no secret that half of the top echelon of senior officers have submitted their resignations recently. Further, I am told that none of these men has been replaced, and more have indicated that they will be

resigning soon. There are allegations of misappropriation to other sections of the Environment Department of both funds and staff intended for national parks. An estimate that has come from the department shows an alleged loss to the State Treasury of over $700 000 a year, just through the department's inability to police the hunting regulations that came into force at the beginning of 1975. Regulations under the Act demand that, apart from obtaining a firearm licence, anyone in South Australia who hunts anything that moves (except on his own property, and this applies to farmers and graziers) must pay a $5 fee to the department and be registered.

We are told that, because of a lack of staff, it is absolutely impossible for the department even to pretend to police the regulations properly. Apparently, about 20 000 licences have been applied for and granted, returning to the State about $100 000 a year, whereas estimates taken recently from the police, gun shop and sporting store proprietors, and others, indicate that, if correctly policed, it would be over $800 000 a year. Yet with that lack of staff, we learn of a newly-formed section in the Environment Department called "Policy and Planning", which is gazetting apparently 18 new positions at a time when national parks, which have not even received their manpower budget for this financial year, are expected to cover a 25 per cent increase in visitors and land for new parks with less than a 3 per cent increase in staff. It is impossible for senior national parks officers to carry out their work load.

Further allegations concern the failure by Cabinet to honour its own legislation, which more than a year ago brought into force the Pest Plants Act. It is claimed that national parks were promised a research officer to investigate the control of weeds in natural vegetation, as well as a vehicle for this work. It is now alleged that no research officer has ever been appointed, that this position has never been advertised and that the vehicle promised is to be delivered next week, but will be misappropriated into the new policy and planning section, when it is needed by the National Parks and Wildlife Division.

Because of this non-appointment, the sum of $100 000, allegedly authorised by Cabinet for the division in relation to the Pest Plants Act, has never been used or spent, and now the division is in danger of losing that sum to another section of the department.

The problems of senior rangers and the duties expected of such officers and the problems confronting them are epitomised by the example of one such ranger who is held directly responsible and accountable for the supervision of 340 000 square miles of the State, including six national parks and 155 conservation and recreation parks. Apart from his supervision of rangers, this officer has been called on to directly supervise and be responsible for all the field work, the operations and administration of such a vast area.

He is also responsible for the inspection of private aviaries, the control of State kangaroo management (the programme on all pastoral lands in the area), and the policing of the State's hunting regulations. On December 6, 1977, the member for Hanson asked the Minister for the Environment a question regarding fauna which included:

1. How many public auctions have now been conducted by the National Parks and Wildlife Division . . .
2. From what parks, and from whom, did the fauna come?
5. Why was the fauna disposed of?
6. Has any fauna been disposed of by private sale or tender and if so . . .

The honourable member and I do not believe that there is much detail involved in that question, yet the Minister replied:

> It is considered that the work required to obtain this information is beyond what would be reasonable, and it is therefore proposed not to supply an answer.

On too many occasions we are receiving from this department exactly this type of answer: we are not being told what is going on in the department in many different areas. Therefore, one can only assume that the department and the Minister have much to hide. The sooner the Minister and his department come out into the open and say what is going on, the better.

This is a matter of extreme seriousness. The conditions experienced by the officers referred to are deplorable, yet we have always been proud in South Australia of our National Parks and Wildlife Division. It is a crime that it has been allowed to deteriorate to such a low ebb. I ask that the Minister and Cabinet look into this matter immediately and give it the greatest possible consideration.

Mr. GROOM (Morphett): The matter I wish to raise concerns the military coup that has taken place within the Liberal Party. It is a matter of great public importance. I refer to the apointment of Brigadier Willett as Director of the Liberal Party. He is the independent Chairman of the Fair Go for Salisbury Campaign. He has replaced the former Director of the Liberal Party, Mr. Brian Taylor, who, as honourable members know, was sacked recently.

Mr. Whitten: He's not even a member of the Liberal Party.

Mr. GROOM: Brigadier Willett is evidently an unofficial member of the Liberal Party, and by his comments on television this evening it is clear that the Liberal Party will in future be run as a military operation. But first he has to put an end to the civil war that is engulfing the Party. This civil war has come to the forefront through the sacking of the former Director, Mr. Brian Taylor. The announcement of his sacking was in the *Advertiser* of January 24, 1978. Mr. Olsen, the President of the Party and one of the ringleaders in the civil war that is taking place within the Liberal Party, said that Mr. Taylor's contract of employment had been concluded by mutual agreement. We know from a report in the *Advertiser* of February 9, 1978, that that is not quite so.

Mr. Whitten: How much longer will Ocker be here?

Mr. GROOM: For quite a while, I think; he has not got much competition from members opposite. Mr. Taylor said that his conflict with Party elements had led to his being asked to resign or be dismissed—hardly a termination of employment by mutual agreement. Mr. Taylor said:

> It is the second time in 18 months that an executive director has been forced either to resign or be sacked by the same President.

He said that he understood the former Executive Director, John Vial, was told simply that it was time for a change. Mr. Taylor said that in his own case he managed to collect a few vague reasons which could have contributed to his dismissal. He also referred to the 1977 State election campaign, and made the following comment:

> I also felt the Liberal Party was ill prepared and very late getting any material to air.

We cannot quibble with that. He also said that the Labor Party material was first-class, and again we cannot quibble with that; he was being quite accurate. I turn now to the record of his interview on the Philip Satchell Show, which took place on 5AN on Friday, February 10. During that interview he compared himself to the President of the Party, Mr. John Olsen, and said:

> All I'm going to say about that is that I believe my track record would be a far more successful one, both in this

country and overseas, than of his selling used cars in Kadina.

That is the first time I realised that the President of the Liberal Party is a used car salesman—not that I want to reflect on used car salesmen. Mr. Taylor went on to say during the interview:

> Well, in order to do that I think the first stone, or in this case boulder, that's got be rolled aside is for Mr. Olsen and Dr. Tonkin to start talking to each other.

That is the first sign of the civil war now coming to the forefront. He said:

> In other words, they're going to have to forget their personality differences and work together as a unit. So far that hasn't happened. But of course, I guess that depends on whether Dr. Tonkin remains the Leader of the Opposition at the moment, because there's a gathering groundswell in the Parliament that's taken place against him.

He was asked who was behind this groundswell and he replied:

> There's a group in the shadow Cabinet and also another group in the Parliament itself that believe that Dr. Tonkin can't do two jobs well.

Mr. Taylor went on to say that Dr. Tonkin was up against the most skilled politician in the country today, and again we must agree that Mr. Taylor's comments are accurate. He said:

> It is very much a full-time job standing against a person with the skill of Don Dunstan.

He was then asked:

> Mr. Taylor, this conflict within the Liberal Party. To what extent did that affect the last election campaign from the Liberal Party's point of view?

Mr. Taylor said:

> Well, it affected it a great deal. There's an enormous problem at the top of the Liberal Party at the moment—

we all know that—

> they can't seem to get on together, there's the Liberal Movement element that's now well and truly back in the Party . . .

One could perhaps classify the member for Torrens in that group; he is obviously on one side of an army that is within the Liberal Party. Mr. Taylor continued:

> . . . there's still very much an element that is trying to take control of the Liberal Party today.

Later in the interview he made a quite remarkable utterance in relation to a letter. He said that the staff of the Liberal Party headquarters was well and truly behind him. He stated:

> Well, I've got a letter here from the staff that was written just after the State election. It says "Dear Boss, the undermentioned join together in expressing their appreciation to thank you for your support during the recent campaign . . . As the skipper you took over the helm, you did a first-class job. How the hell you kept your temper we don't know.

We do not know either. If he had to contend with what we know he had to contend with in the Liberal Party, we know it takes a mighty effort to keep one's temper. Mr. Taylor continued:

> Now every member of the staff of the Liberal Party organisation signed it and they just wrote it and sent it in to me as a gesture after a very difficult election campaign —which was my first, of course. So I don't really think John Olsen was on the right track if we're going to talk on—

and then there is a blank—

> terms. Also I have got a large number of letters here from members of Parliament saying how well they thought the organisation was running. They come from Ian Wilson—

a member of the Federal Parliament—

> Grant Chapman, Jenny Adamson—

I query whether that is the member for Coles—

> Graham Gunn—

again, I query whether that is the member for Eyre—

> and some Senators.

It is obvious that these people are lined up on one side in the Liberal Party split and that the opposing side is headed by the President of the Liberal Party. I am pleased to say that these members of Parliament are prepared publicly to show on which side of the war they are. Brigadier Willett comes into a difficult situation. He must control the civil war; he must march straight in, sort them out and somehow put an end to the civil war.

I query whether Brigadier Willett has as a term of his appointment that he must have a hearing before an impartial tribunal before he is ultimately dismissed by the Liberal Party. In that interview Mr. Taylor quite clearly set out, in relation to this civil war in the Liberal Party, that it is a struggle between the left of the Party, which could perhaps be termed the "Liberal Movement people" who are now back and very active. Who are these people on the left in the Liberal Party? Perhaps one is the member for Eyre. Perhaps he is on the left wing of the Liberal Party. It certainly cannot be the member for Coles, after her right wing speech in this Chamber last week.

Perhaps the left wing of the Liberal Party has just entered the Chamber in the person of the member for Kavel. Who are these left wingers? Are they socialists? Perhaps it is these people. No-one opposite has been able to give a firm definition of "socialist". Where does the member for Torrens stand? Whose side is he on—the right or the left wing? Is he on Brigadier Willett's side or the President's side? What is going on in the Liberal Party?

It is clear that the Party is split down the middle. Unfortunately, the member for Bragg is evidently going to need some resuscitation. It is apparent that he has not much time left as Leader. The member for Davenport was named by Mr. Taylor as the person most likely to succeed him. The Government would not have any worries about the member for Davenport just moving up two places and the Leader of the Opposition moving to the back benches to join the member for Light.

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

Mr. ARNOLD (Chaffey): Following that light diversion from the member for Morphett, it is high time the House got down to more important matters, such as the breakdown in the National Parks and Wildlife Service—a breakdown that concerns many South Australians. It is high time the Government closely examined its policies and philosophies in regard to national parks and wildlife. The Government's approach can only be described as archaic. When we consider the points made by the member for Murray, the vast area under the control of the Government through the National Parks and Wildlife Service, and the very few officers we have in South Australia to look after that vast area, we realise it is high time something was done to change the situation.

After examining the approach adopted in America and Great Britain, I believe it is high time we adopted a similar approach in South Australia. In America and Great Britain, Governments have done away with the concept of such departments being under a central government. Those countries have vested authority in conservation commissions and countryside commissions, thereby enabling greater participation by the people in the regions where the commissions are established. It would do the South Australian Government no harm to examine closely the methods adopted in those countries. America and Great Britain long ago realised that the old concept of

national parks being operated by a central authority was unwise. Acts of Parliament vest authority in conservation commissions, which are established in various regions. This involves the local people, who are appointed under the direction of Secretaries of State. Those people maintain and operate wildlife and national parks in the regions under their control.

I spent two days with a wildlife officer in Massachusetts. His role was not primarily a policing role. Although he had a policing role under the charter of the commission, his main purpose was that of an educator. Hunting is supported in Massachusetts, and all wildlife officers have a keen interest in conservation and hunting. Their method is not to try to find breaches of the law but to go with hunting parties and offer instruction and help to the participants. This is done on a regional basis and controlled at the local level.

The article to which the member for Murray referred dealt with misappropriations to other sections of the Environment Department. The department is trying to cover the whole area of South Australia. When we consider the size of South Australia in comparison with Great Britain and most of the States of America, we realise that the authorities here are trying to manage a far greater area. About 500 000 square kilometres is under the control of the National Parks and Wildlife Service. This is quite impossible for any department to operate effectively.

The reference I wanted to make is to this suggested misappropriation in the article in the latest *Sunday Mail*. I would draw the attention of the House to section 11 of the National Parks and Wildlife Act, which refers to the wildlife conservation fund. This is an area where I believe it would be easy for misappropriation to take place. That fund is under the control of the National Parks and Wildlife Advisory Council. It would be easy for the Director to endeavour to influence the council into appropriating funds or making funds available for projects that were not strictly within the keeping and terms of the Act. Section 11 (3) provides:

> (3) The Minister may apply any portion of the moneys constituting the fund towards—
>
> *(a)* the conservation of wildlife and land constituting the natural environment or habitat of wildlife in such manner as he may, upon the recommendation of the Advisory Council, determine;
>
> and
>
> *(b)* the promotion of research into problems relating to the conservation of wildlife.

I believe that is a fairly clearly defined region in which to work, and I warn that the Minister is ultimately responsible. If the moneys from that fund are not used strictly in accordance with the requirements of the Act, the Minister is leaving himself wide open to a vote of no confidence in this House.

The British Government has moved away from the concept of national parks to what it calls Countryside Commission. This divests the Government of its responsibility in this area and decentralises it throughout the whole of Great Britain. England and Wales have a Countryside Commission, and there is a separate Countryside Commission in Scotland under a separate Act. A Countryside Commission is a statutory body with a wide sphere of activity. Its job is to keep under review matters relating to the conservation and enhancement of the landscape beauty in England and Wales and to the provision and implementation of facilities of the countryside for enjoyment, including the need to secure access to open air recreation, and sometimes the duties are complementary and at other times they call for striking a balance between competing claims.

There is not time now for me to go into the advantages of the British Countryside Commission, but I say to the Government that it is high time that it looked closely at the concept of wildlife or conservation commission as they now exist in the United States and Great Britain. On another occasion I may have time and the opportunity to go into some detail about their operations. As the member for Murray has said, there is absolutely no way that a department can effectively cover some 500 000 square kilometres of country and maintain it.

The main object of the Countryside Commission is to allow public access to vast areas of countryside within Great Britain. The major difference is that this land in the main remains in private ownership and an arrangement is made with the landholder that gives access to the public. In this way the owners of the land are virtually voluntary rangers so that, instead of there being one or two rangers trying to cover vast areas of country, the landholders who have a vested interest in protecting and looking after that country, are acting as rangers. If this policy works in Great Britain, which is a small country with a large population, it would work better in Australia, which has vast areas and a small population.

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

Motion carried.

At 9.55 p.m. the House adjourned until Wednesday, February 15, at 2 p.m.