HOUSE OF ASSEMBLY

Wednesday 27 February 1980

The SPEAKER (Hon. B. C. Eastick) took the Chair at 2 p.m. and read prayers.

ADDRESS IN REPLY

The SPEAKER: I have to inform the House that His Excellency the Governor will be prepared to receive honourable members for the purpose of presenting the Address in Reply at 2.10 p.m. today. I ask the mover and seconder of the Address, and such other members as care to accompany me, to proceed to Government House for the purpose of presenting the Address.

At 2.02 p.m. the Speaker and members proceeded to Government House. They returned at 2.16 p.m.

The SPEAKER: I have to inform the House that, accompanied by the mover and seconder of the motion for the adoption of the Address in Reply to the Governor's Opening Speech and other honourable members, I proceeded to Government House and there presented to His Excellency the Address adopted by this House on 26 February, to which His Excellency was pleased to make the following reply:

> I thank you for your Address in Reply to the Speech with which I opened the first session of the Forty-fourth Parliament. I am confident that you will give your best attention to all matters placed before you. I pray for God's blessings upon your deliberations.

PETITIONS: PORNOGRAPHY

Petitions signed by 157 residents of South Australia praying that the House would legislate to tighten restrictions on pornography and establish clear classification standards under the Classification of Publications Act were presented by Messrs. Gunn, Mathwin, and Peterson.

Petitions received.

QUESTION TIME

The Hon. E. R. GOLDSWORTHY (Deputy Premier): I move:

> That Standing Orders be so far suspended as to enable the period for asking questions to be extended to 3.20 p.m.

Motion carried.

INTEREST RATES

Mr. BANNON: Can the Premier inform the House as to the proportion of the loan programme of South Australian semi-government authorities which remains to be filled? Can he tell the House whether he will be proposing to the Commonwealth, or agreeing to, a rise in interest rates on loans by semi-government authorities? Can he give an assurance to the House that any increase in interest rates on semi-government loans will not flow on to housing loans?

There is strong pressure to increase interest rates on borrowings by semi-government authorities because the current rates on such loans are below the current long-term Commonwealth bond rate of 11·2 per cent. According to today's *Australian Financial Review*, telexes in which the Commonwealth discussed current interest developments were sent to the States yesterday. If a rise in long-term interest rates occurs, it seems doubtful that building societies and savings banks will be able to resist the pressure thereby created for higher interest rates on home loans.

The cost of home loans is a matter of great importance in this State, as about 160 000 dwellings are currently mortgaged or financed by other outstanding loans. An increase in interest rates of just half a per cent on a loan of $25 000 repayable over 25 years will increase repayments by $2 a week. Accordingly, there is considerable concern about the question of interest rates.

The Hon. D. O. TONKIN: The question of interest rates has concerned the Government for a considerable time. I understand that messages were sent from the Federal Treasury to the State Governments, as the Leader said, yesterday. They have not yet been examined in detail.

Although the pressure is great to increase interest rates and although, I understand, another major trading bank has taken that step on overdraft rates today (that makes the second major bank to do so), there is no thought at this stage that that increase in interest rates will apply in any way to housing loans. Whether or not that position can be sustained will be a matter for close monitoring over the next few weeks. In discussions with the Chairman of the State Bank which I held this morning on this subject, the Chairman expressed no intention that the bank would increase interest rates on loans for housing in any way. However, the position will be monitored very carefully indeed. I agree with the Leader that anything at all which will increase housing costs and rental charges is to be avoided as far as possible.

FLAGSTAFF HILL TRANSPORT

Mr. GLAZBROOK: With the increasing overall costs of motoring, can the Minister say what is the likely date on which the residents of Flagstaff Hill and surrounding areas can expect a reliable and regular public transport system? Each week I receive representations from electors in Flagstaff Hill drawing my attention to the fact that present public transport facilities are inadequate. The problem is an ever-growing question because the cost of running vehicles continues to rise. People's thoughts are now turning to the theme that the days of using a car for everything are over—that is, until they look for the alternative, which at present is very limited. I am told that, if more services were available, residents would readily use them, and many housebound wives and mothers of young children would be the first to avail themselves of such services. In such a newly developing area of over 3 000 people that has limited shopping areas and few community facilities, the people are looking and asking for action. The need is there for an efficient and reliable public transport system.

The Hon. M. M. WILSON: The honourable member was kind enough to apprise me in advance of his question, and I have a considered reply for him. At the outset I would like to say that I appreciate the member's interest in transport matters. Obviously, he is particularly interested in his own electorate, but he has also shown a great interest in problems that occur in the provision of public transport generally, and that is something, of course, to which all members of this House should address themselves.

I am well aware of the importance of the satisfactory provision of public transport services to developing areas such as Flagstaff Hill. Currently, there is a regular service from Flagstaff Hill to and from the city and a daily service to and from Marion, and the State Transport Authority progressively adds buses to the service as patronage

increases. Thus, in 1978, there was only one bus service to town each morning, whereas now there are three. When patronage increases adequately, another bus will be added. A similar pattern occurs in the peak hour in the evening. The authority is currently considering the operation of an off-peak feeder service from Blackwood station to Aberfoyle Park, possibly commencing later this year. Services generally to Aberfoyle Park depend on satisfactory roads becoming available and on the authority's assessment of whether a viable level of patronage can be achieved.

The honourable member mentioned other services, one of which is the provision of bus shelters, which is concerning the authority at present. The problem of inadequate bus shelters arises at both the Flagstaff Hill and city ends. The funding for shelters is provided jointly by the local council of an area and the authority. I understand that at present the authority is still waiting on word from Meadows council as to its attitude on this matter for 1979-80. In 1978-79, the council had no funds to spare for this purpose. In the city, the authority is now taking up this matter with the Adelaide City Council.

True, problems have been experienced with the breakdown of buses in the Flagstaff Hill area, and that also concerns me greatly. The vehicles used are buses acquired from former private operators, and by now they are aging. They will be replaced during 1980 by the new Hills buses currently on order. The authority's modern standard buses cannot be used on this service, as they are not designed for Hills operation, and that is a question which the member for Fisher has referred to me on several occasions.

Finally, as the population and demand for public transport grows at Flagstaff Hill, it will be my aim and that of the authority to see that the provision of services keeps pace with that demand.

TEACHER APPOINTMENTS

The Hon. D. J. HOPGOOD: Can the Minister of Education explain his press statement of 21 February 1980 headed, "Teacher employment situation considerably improved", when there have been over 100 fewer appointments this year compared to 1979? The Minister claims in a press release, which appears not to have got much of a run from the media but which was released on that date, that 573 new full-time staff appointments had been made in 1980, when in December 1979 only 500 were expected.

It has been put to me that the facts are that, in February 1979, there were 697 new full-time staff appointments and that the Minister's 1980 figures are, in any event, misleading. His 1980 figure claims to represent full-time appointments, but this is apparently not so. It includes fractional time appointments. It has also been put to me that the teacher employment position has worsened considerably and that the number of new appointments to the teaching service this year represents possibly an all-time low. In view of talk of a 3 per cent cut in expenditure, the future looks bleak, and one recalls that the Minister has been quoted twice as having said, "Any cuts in education spending would include some reduction in staff."

The Hon. H. ALLISON: Undoubtedly, the general situation regarding the employment of teachers not only this year but also during the preceding four years has steadily declined. I believe that the newspaper heading in question was comparative because, at December 1979, the Education Department's officers had predicated that we would expect to take on only 500 new staff for 1980. In fact, we took on 503 permanent staff. So, I believe there may have been a mistake in the press release which referred to full-time positions.

However, in addition, there were some 480 contract staff which, according to my officers, is equivalent to about 430 full-time officers. So, when one compares what we thought might be happening in 1980 to what has happened, the position has much improved. It was that reassurance, rather than a reassurance that we had an overall improvement over the previous year, that was intended. If the former Minister of Education is suggesting that the present Minister of Education should consider himself personally responsible for a reduction of 5 000 students in the intake into primary and secondary schools, I certainly would not be in that.

If he is suggesting that we have some 2 700 teachers surplus to requirements for whom the present Government is responsible, then I suggest he is way out of line with that, too. I draw that inference from the nature of the question asked. The decline has been a quite consistent one and, for the next 10 to 15 years, several thousand fewer students will be entering primary and secondary schools in South Australia year by year. I point out, too, that in spite of that 5 000 decline in the student population this year we have, in fact, appointed only 20 fewer staff members than were appointed last year. There has been a slight increase in primary school staffing and a slight decrease in secondary school staffing. I suggest that the financial arrangements negotiated by the former Government before it lost office, which arrangements were very near finalisation with the Education Department, and which, in spite of avowals by the former Minister that he had $2 000 000 extra in mind for the Education Department (and we have not been able to find any documentation to support that claim, which was another one in the cerebral stage, a verbal statement before the election), the—

The Hon. D. J. Hopgood: Have you spoken to Treasury?

The Hon. H. ALLISON: We have spoken to officers, none of whom has corroborated what was said. The Treasury was the first to come along with the lower figure. Despite all that, I suggest that the Education Department is probably better off than it would have been had the previous Government had its way, both from the staffing and financial points of view, in relation to general education.

AUDIO VISUAL MATERIAL

Mr. GUNN: Will the Minister of Agriculture say whether he has been able to resolve the claim by the wife of the former Minister of Agriculture that material prepared for audio visual presentation that she and her husband wished to take overseas was her property and subject to copyright? Further, has the Minister any comments on various allegations by his predecessor that Chinese language versions of certain books on South Australian agricultural technology deliberately have been put to one side by the Minister? The House would be aware that this question was the subject of considerable discussion through the press a few weeks ago. Many people were interested in the publications but, when they sought to read them, they found that, unfortunately, they were printed in Chinese and were of very little, if any, benefit. Many people were concerned about comments, particularly those made by Mrs. Chatterton, who was the actual Minister of Agriculture during the term of the previous Government.

The SPEAKER: Order! Comments are out of order.

The Hon. W. E. CHAPMAN: In replying to the first part of the honourable member's question, I hope that this is the last time this rather sick issue has to be raised in this place.

The Hon. J. D. Wright: Why did you get him to raise it? You got him to raise it.

The SPEAKER: Order!

The Hon. W. E. CHAPMAN: The material that I propose to put to the House in my reply will, hopefully, resolve the issue for all time.

Members would be aware of the copyright claims made by the former Minister and/or his wife following their efforts to obtain material from the Department of Agriculture prior to a proposed visit overseas. To ensure that the Government's position was known and understood, I sought an opinion on this matter from the Crown Solicitor, who replied:

> With regard to the slides which form part of the kit, it may be said that Mrs. Chatterton at no stage had any claim to the slides. It is apparent that since most of her contribution to the script for the sound track was made while she was an employee of the State, Mrs. Chatterton has little or no claim to that portion of the work.

Regarding the Crown Law document—

Mr. McRae: Will you table it?

The Hon. W. E. CHAPMAN: Yes, I will table the lot. The document continued:

> The department produced what is termed an audio-visual display on the South Australian dryland farming system, which consisted of a series of slides and a taped sound track. Mrs. Chatterton, a Ministerial officer engaged by the Premier's Department, rewrote the script in respect of the display. Plainly, without embarking upon an essay on authorship, it may be said that she had at no stage any claim to the slides.
>
> Upon the change of Government, Mrs. Chatterton lost her position and continued, on my information, to do some little work on the audio-visual display on a voluntary basis. I am informed, however, that the script was prepared in the course of her employment by the State.
>
> It was after her loss of position that she sought copies of the display to take with her overseas. The new Government refused to release copies of the display to her or anyone else, whereupon I am informed that the claim to copyright on the display was made.

Honourable members will recall the public statements reported in the South Australian media about this matter. The Crown Solicitor further stated:

> As I indicated earlier, such claim of copyright has nought to do with the request for copies of the display. There is absolutely no basis for a claim to copies of the display. No part of the display is the personal property of Mrs. Chatterton.
>
> The State is the owner of the copyright in the script made by or under the direction or control of the State. Plainly, the work was carried out by Mrs. Chatterton in the course of her contract of employment and, whether that or the more general provisions of section 176 of the Copyright Act are looked at, I would have no hesitation in concluding that the copyright of the script is vested, by operation of law, in the State.

As I indicated to the member for Playford, I am quite prepared to table the total document in the House, but, for the purposes of concluding my reply to the question from the member for Eyre, I refer to another matter, which is the other side of the coin.

Having relayed the position regarding the opinion in respect to ownership of this information, the Crown Law officers went a little further and drew to my attention another part of the Copyright Act. Bear in mind that, during the period when this material was sought by Mrs. Chatterton from my departmental officers, I received a telephone call from the former Minister, who not only laid claim on his wife's behalf to that material but indeed also threatened action if I was to use the material or to allow my officers to distribute or use it. The following is what the Crown Law opinion reveals as a result of that telephoned threat:

> I do however draw to your attention the provisions of section 202 of the Copyright Act which provides *(inter alia)* that:
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> > Where a person by means of circulars, advertisements or otherwise threatens a person with an action or proceeding in respect of an infringement of copyright, then, whether the person making the threats is or is not the owner of the copyright or an exclusive licensee, a person aggrieved may bring an action against the first-mentioned person and may obtain a declaration to the effect that the threats are unjustifiable and an injunction against the continuance of the threats, and may recover such damages (if any) as he has sustained, unless the first-mentioned person satisfies the Court that the acts in respect of which the action or proceeding was threatened constituted, or, if done, would constitute, an infringement of copyright.

The Crown Solicitor is merely drawing my attention to my position in this situation. I do not propose to take up what might be an available avenue through the Copyright Act to take such action against the former Minister. However, it does place on record the delicate situation that the former Minister was in when he telephoned, demanding and threatening action if his demands were not upheld. This places in jeopardy the position of his wife to pursue that matter any further.

Regarding the other part of the question raised by the member for Eyre, I am aware from press reports and a recent question asked in another place (where it appears to be an on-going thing for some reason) that I am supposed to have pigeon-holed these books that were prepared in Chinese and that I did so, according to the allegations, for personal reasons. I make it quite clear that that is not so and that the Government has every intention of continuing to distribute those books as widely as possible. The fact is that I did not even know that the books existed, until the emotional outburst by the former Minister and his wife appeared in the media, let alone their contents. However, as the member for Eyre has already pointed out to the House, the books in question were written in Chinese and were of no use whatsoever to our South Australian-based primary producers. But, in order to try to recover at least some of the extreme costs that were incurred in producing those books in Chinese, officers of my department have made every effort to distribute them.

Admittedly, less than 300 of these books have been sold or distributed free of charge to date, but this again illustrates the point that I made some time ago, namely, that my department and I needed to consolidate matters relating to overseas projects and that books of that form or material of an inter-country nature would be dealt with in a respectable way. Of those Chinese versions on farming systems in, and pasture seeds of, South Australia the majority have reached China through Commonwealth departments. Reports indicate that they have been received with great interest, readers having been impressed by the quality and the contents of the books. I say that because I think that, if credit is due, it ought to be given, and the reports reflect that the contents of and writings in those books have been well received in China.

Regarding the question that arose in another place, I note that my predecessor mentioned arrangements that he

had made with the Chinese Embassy in Canberra. Preliminary inquiries by my department to date cast very little light on these arrangements, and it seems that for various reasons they may not have eventuated. I reiterate that I have not deliberately shelved the books in question and certainly not, as has been alleged, for the reason that my predecessor's photograph appears in them, or at least in one of them. The publications are far too valuable in terms of both cost and the trade opportunities they offer to be left in my department or anywhere else to rot.

Mr. Gunn: How many were printed?

The Hon. W. E. CHAPMAN: Too many. Distribution will be undertaken through a variety of outlets, including delegates of all previous Chinese missions to Australia, contacts made by officers who have visited China, key officials in the Ministries relating to agriculture in Peking, in all provincial centres, Commonwealth departments, and, of course, the Chinese Embassy. There is a stack of them. We are embarrassed about the extreme cost and are trying to find some way to recover this. I hope that the continued distribution of these books in Peking, China, and so on (at least in Chinese-speaking countries), will at some time create the interest that those people deserve, and return some business to South Australia as a result.

The SPEAKER: During the course of his answer, the honourable Minister indicated that he was prepared to table documents. He then said "all of them". I ask the Minister briefly to identify to the House all the documents he intends to table.

The Hon. W. E. CHAPMAN: I was asked whether I would table the document. I have referred to part of the Crown Law opinion supplied to me. I am prepared to table the whole lot.

The SPEAKER: I inform all members that a very important Standing Order and precedent applies in relation to documents that may be tabled. On that basis I sought from the Minister the precise nature of the document that he was going to table. As it is a Crown Law Office report, I can accept it in its entirety. I remind honourable members, without going into great detail, that notes or documents of a personal nature are not normally accepted as tabled documents.

CURRICULUM DEVELOPMENT DIVISION

Mr. LYNN ARNOLD: I can see now why the Government agreed to extend Question Time. Otherwise, the Minister of Agriculture would not have fitted in his reply to the previous question. Will the Minister of Education say what action has the Government taken to implement its much-vaunted election policy of re-emphasising "the three R's" in the school curricula? What additional resources have been made available, and how will the Government go about influencing school curricula? During the last election campaign, the Government promised to put more effort into the three R's and said that it would achieve this by the provision of additional staff resources and by changes in curricula. I could see partly the misunderstanding of arithmetic in the Budget. The Government's misunderstanding of research indicates that its members need some training in reading and arithmetic. However, I am sure the Minister is aware of section 82 of the Education Act, which clearly specifies that the Director-General should be responsible for the curriculum in accordance with which instruction is provided in Government schools. Anticipating the likely public debate not only in my own electorate, but in the State as a whole on any political interference in the course of instruction in schools, will the Minister clarify his Government's policy, and how will it be implemented?

The Hon. H. ALLISON: The whole question of revising State primary and secondary schools curricula is difficult. For example, the present Director-General inherited a situation whereby the previous Director-General, shortly before leaving office, had revised the whole Curriculum Development Division of the Education Department, imposing his ideas of what should happen upon the succeeding office holder.

I found on investigation, when I inquired of the Director-General how many people were actively involved within the Curriculum Development Division, that the total was about 600, which included supporting staff in regional offices. But, I think members opposite would realise that this is a very impressive number of people involved in that type of work. Indeed, it surprised me. To suggest, therefore, that massive sums of money might be needed to start doing what I would like to be done is quite erroneous.

What I have asked the present Director-General to do is have a look at the whole Curriculum Development Division along with the administrative section of the Education Department, not with the intention of destroying it, but with the intention of helping him to put his stamp upon the department rather than one which he inherited. I do not believe that he was encouraged to do that by the previous Government. He was encouraged to carry on with the *status quo*.

The question of how far an elected Government should intrude upon curriculum development, when in fact as the honourable member rightly says, it is really within the realm of the Director-General's work to develop curricula, is a very good question. If by virtue of that question he is implying that the Minister of the day should have nothing at all to do with curriculum development, I would suggest that he has another thought coming. I think that a Minister who refuses to have anything to do with curriculum development is actually giving over his authority completely.

What are we really asking for when we are talking about getting back to basics and developing reading, writing and arithmetic for youngsters in our schools? We are not asking for very much, but one thing that has been patently obvious to anyone who has taught in South Australian schools (and I am sure there are quite a few here) is that, if a youngster moves from one class to another within a school, there is a possibility that he will not be coping with the work in the other class because it is not doing precisely the same work. If a youngster moves from one school to another within the State, how much more difficult is the problem? What do we do about that? Do we just say that there is no problem? When one looks at the electoral roll, which I am sure that many people have been doing recently for political purposes, one will find that there is a perfectly legitimate movement across every electorate in South Australia of around 30 per cent. As part of our normal daily work, all members regularly send out letters of introduction offering help to people who come into an electorate from another area. How many youngsters are involved who change not from class to class but from school to school and who would hope that they would be able to cope with the arithmetic and the English of the day? Unless they are coping with those things, they will not cope with anything. Communication skills in all other subjects depend upon a youngster's ability to relate in the communication subjects, namely, English and arithmetic.

All I am asking for is that the Director-General has a look at the Curriculum Development Division and find out to what extent the reception to year 12 mathematics curriculum is already meeting our requirements in setting

a pattern for youngsters in schools.

The Hon. D. J. Hopgood: You concede that it could be already?

The Hon. H. ALLISON: It could be, but I am not perfectly satisfied; I was well aware of this. The Minister seems to be slightly jaunty about the wave of the hand.

Mr. Mathwin: He is the former Minister.

The Hon. H. ALLISON: That is simply a compliment demonstrating that I have always held him in high esteem, and I am not going to change that opinion simply because we are on different sides of the House. The former Minister had a committee under the mathematics curriculum development group which wrote to me some two years ago and stated, "We are simply not getting enough staff. We are not developing the curriculum anywhere near enough." I have had correspondence from the Primary School Principals Association which states that, if there is one thing that it would like, it is to have solid core curricula introduced into the schools, because the young people who are coming out of college are not trained to develop curricula—they have teaching to do, and this is something additional to what they were trained to do.

I am making no apologies: I am simply saying that I have been asked for this sort of help both before we came into office and since. It is not a massive sweeping change that is involved in the Curriculum Development Division: it is simply a request that the very basic requirements of all children who may move from school to school in South Australia should be met. Unless these children are hooked on English communication and on numbers communication, by the time they are 10 or 11 years old they will be lost. That is nothing new: educational scientists admit that they have known it for decades. It is a question of curriculum, and also a question of methodology. The former Minister asked what I was going to do about direct instruction methods.

I have firm opinions on that matter, too. That is all part of curriculum, and members will be hearing more of that later when the Director-General and I have had a few words about it. There is no apology. It is a well-meant intention to intrude into curriculum development in those basic areas, an intention supported, I hope, by parents everywhere in the knowledge that we are trying not to hammer the kids but to help them.

AUTOMOTIVE INDUSTRY

Mr. ASHENDEN: Has the Minister of Industrial Affairs seen the pamphlet which is being distributed around Adelaide and which is headed "A statement to the South Australian public"? The pamphlet, which is signed by seven officials of unions whose members are employed in the South Australian motor vehicle industry, expresses fears for the future of the industry and the security of jobs. In view of my previous association with the industry, I have been approached by a number of people on the matter of the future of the industry. The document clearly indicates that the unions are worried about the future of that industry in two, five and 10 years time, particularly as regards how their jobs will be affected. They are worried whether they will have jobs at all. They are demanding answers to these questions. They have called for a meeting with the Premier and the Federal Minister for Industry and Commerce (Mr. Lynch). They also point out in the pamphlet that the industry is vitally important to our State, and that the unionists who have signed the document represent more than 20 000 people who are directly or indirectly employed in the South Australian motor vehicle industry.

The Hon. D. C. BROWN: Yes, I have seen the pamphlet that has been distributed by the seven trade unions involved. I understand that it was being handed out to people as they stepped off public transport in the City of Adelaide last Monday morning. I share the concern expressed about the future of the automotive industry in South Australia. Members have already been invited to a briefing, at which the South Australian Government gave some background information on what it saw as the problems in this area, as well as stating what action was being taken by the new Government. That action was to enlarge on the programme originally undertaken by the member for Hartley when Premier.

The South Australian Government sees problems with the introduction of the world car concept and import-export complimentation after 1982, if the component industry in South Australia is not prepared to restructure itself. The challenge is there, and I believe there are many opportunities for the automotive manufacturers, particularly the component manufacturers in South Australia, to take significant advantages out of the world car concept. My assessment, and that of the Department of Trade and Industry, is that the automotive industry in Australia is doomed unless it tries to participate in the world car concept.

There are some classic examples, particularly the United Kingdom at present, that show how our automotive industry could end up if we try to become insular and put up trade barriers to prevent our participation in the broader market. It is estimated that the United States of America will invest about $60 billion-worth in new technology and tooling for cars over the next decade. Obviously, if Australia is to keep up to date with that world automobile technology, it cannot possibly invest that type of money. The only way in which we can keep up with technological change is to introduce it along with other developments elsewhere in the world.

The pamphlet distributed by the trade unions called on the Premier to meet them. I can assure members that a meeting has been arranged. At that meeting we will be discussing the various aspects of the world car concept, and giving certain assurances to the trade union movement. The meeting is to take place this evening. The South Australian Government and I, as Minister, have already met with the trade unions involved. We spent about an hour and 20 minutes in discussing some of the mutual problems we have and where we should be heading, and I appreciated the response I got from the trade unions. However, in their pamphlet, they have called on the Premier to give real answers and solutions regarding the future of the industry in South Australia. It is much more involved than just the Premier or the South Australian Government giving those real answers and solutions, because the trade unions and the employees in the automotive industry are an essential and important part of that industry.

The future of the industry is also up to them: it is up to the automotive assemblers, and the component industry in South Australia; it is up to the manufacturers to make sure that the best technology is adopted; and it is up to the trade unions and employees involved. The South Australian Government will play its part but, equally, we ask (and I have already issued this challenge to them) the trade unions for their co-operation and assistance in making sure we do have a viable automotive industry in this State.

My plea to the trade unions is not just to come to the Government asking for solutions but also to throw in their fair share of solutions. I ask that they do everything

possible, in co-operation with management, to improve quality control in the automotive industry. Obviously, we cannot participate in the world car concept unless the quality of our manufacture is equal to the best anywhere in the world. Another important request I make of the trade unions is that they sit down with management and work out new productivity agreements because, unless we can match other countries of the world on an economic basis, along with productivity and quality control, there will be major problems for the automotive industry in this State. I thank the honourable member for his question. After reading the pamphlet, I ask the trade unions to play their part, as well.

EDUCATION BUDGET

The Hon. J. D. CORCORAN: Will the Minister of Education contact Mr. Sheridan, the Under Treasurer, and ask him whether or not I had a telephone conversation with him directing him to add a further $1 900 000 to the amount that had been allocated in the Budget being prepared by me, as Treasurer for presentation to this Parliament? My question arises from a reply given by the Minister of Education in which he said that no officer could confirm a statement made by my colleague, the member for Baudin. I ask that he make that inquiry and report the result of that inquiry back to this House.

The Hon. H. ALLISON: The question is that I take to task officers of the Treasury.

The Hon. J. D. CORCORAN: No, whether I rang.

The Hon. H. ALLISON: The inference is that I take to task officers of the Treasury who have already been questioned during the formative stage of our Budget, which was essentially based on the Budget almost ready for presentation to the House by the former Government (that is, at least, I am told so far as education is concerned). The information will be requested of the Under Treasurer, Mr. Sheridan, who was one of my close advisers during the formative stages of the present Government's budget. I reserve the right of deciding how I use that information.

REGIONAL SALVAGE YARDS

Mr. BLACKER: Will the Deputy Premier, in his capacity as Minister in charge of the Department of Services and Supply, have his department investigate the feasibility of establishing regional salvage yards throughout the State? Every year each of the major Government service departments has considerable quantities of salvage equipment and supplies to dispose of. Some of those materials are disposed of at give-away prices. It has been suggested to me that, if a public auction was held every two months (or, if necessary, every month), a more realistic return could be expected. It has also been suggested that regional salvage yards would be more effective than one metropolitan-based salvage yard because rural-based people could more effectively use salvage timber and steel.

The Hon. E. R. GOLDSWORTHY: I thank the honourable member for his question. I welcome any suggestion which will increase returns to the Government and Treasury as a result of the sale of surplus Government equipment. I shall be happy to investigate the matter and report back in due course to the honourable member. From my conversations with the department I gained the impression that the best price was usually sought for motor vehicles and other surplus materials. Obviously, the honourable member has some information of which I am not aware, and I shall be pleased to follow up the matter.

EDUCATION EXPENDITURE

Mr. TRAINER: My question is directed to the Minister of Education and I trust that he will thank me for the question after I have delivered it, in the same way—

The DEPUTY SPEAKER: Order! The honourable member will ask his question; he may not comment.

Mr. TRAINER: I am sorry, Sir; I have noticed that Ministers always thank members on the other side.

The DEPUTY SPEAKER: Order! the honourable member will ask his question.

Mr. TRAINER: Did the Minister of Education promise on 6 February to release reports detailing the areas of his department's activities which would be cut by the 3 per cent reduction in expenditure? When will these reports be released? Will they, in the interests of open government, be tabled in the House and, if not, why not? On page 5 of the *News* of 6 February, an article appeared headed "Teacher Strike Force", by Julie Batchelor. In it, the President of the Institute of Teachers, Mr. John Gregory, said that the teachers' group was increasingly favouring industrial action. Mr. Gregory is reported as follows:

> The State Government pledged itself to make extra resources available to education during the last election, but has not fulfilled this. Instead it has apparently committed itself to a 3 per cent cut representing $11 900 000 in education funding.

In reply, the Minister was quoted as confirming that the cuts would involve some reduction in staff, and then went on to say that the department would release a report within the next week. Earlier, we had some Ministerial comments about literacy and numeracy. My estimate is that more than a week has elapsed since 6 February, so when can the House expect to see this report?

The Hon. H. ALLISON: There have been several accidental or deliberate misinterpretations of what has happened. First, the statement regarding the 3 per cent cut was not a definite one applying to every department; it was a request by the Premier to all departments to investigate the possibility—

Mr. Bannon: The Deputy said it was across the board.

The DEPUTY SPEAKER: Order!

The Hon. H. ALLISON: If you have a budget of $1 100 000 000 and across the board you can save 3 per cent, you save $30 000 000 or $40 000 000. It was just possible, considering the way in which some Government departments were being handled, that we could save more than 3 per cent in one department. Perhaps that is more hope than anticipation, but it is possible.

Regarding education, I did not undertake to release the report of either the Director-General of Education or the Director-General of Further Education. I said to a member of the press that these reports would soon be forwarded in draft form to the Treasury so that they could begin to examine the impact—the educational desirability, or otherwise—of inflicting a 3 per cent cut. With reference to the statement that a 3 per cent cut would involve a cut in staff, yes, but the proviso was if a 3 per cent cut were put on to the Education Department (and the operative word there is "if"). That was quite clear at the time.

We are still faced with the position that the Premier is looking far enough ahead to ask Government departments to continue to exercise restraint and to look into the next financial year to ascertain whether a 3 per cent cut overall can be achieved. This is directly in line with the Government's commitments given before the last election, commitments which brought us into government and

which thus surely must be in line with the thinking of the majority of the public. What happens is certainly not that those documents be made available for public release now. They are confidential to the Treasury, and part and parcel of deliberations that will be included in the next Budget, which will be released in August or September (show week is generally the week) this year. There are guidelines to be considered by the Treasurer, Under Treasurer and members of Cabinet. There is certainly (and I repeat "certainly") no reason why the South Australian Institute of Teachers should assume that a 3 per cent cut is definitely on, particularly in view of the fact that I issued a press release some five to 10 days ago stating precisely that, a press release that has been ignored by the member asking this question.

The 3 per cent cut is definitely not a *fait accompli*, and we have assured the Institute of Teachers of this. It will be some months before the Budget is formulated and before we know what cuts are either necessary or desirable. I share the concern of anyone regarding any cuts that would massively reduce the amount of employment. Everyone who has heard this Government's pledges will be well aware that we have said time and again that we are not in the retrenchment game.

CYCLEWAYS

Mr. RANDALL: Will the Minister of Transport state the Government's policy with regard to the provision of cycleways? About this time in the afternoon, many young people travel home from school along a particular road in my district that is considered to be quite dangerous. The problem is that the road is narrow, not kerbed, and needs upgrading. When I wrote to the Minister of Transport, he replied that this matter comes under the jurisdiction of the local council. I believe that money should be provided by the Government towards the building of a cycleway to solve this problem.

The Hon. M. M. WILSON: The honourable member's feelings are shared by the member for Mitcham, I understand. The Government is very keen to encourage cycling and the provision of cycle tracks. I believe it is important that all Governments, of whatever political pursuasion, realise that they will have to face up to this in the future, because in the past little more than lip service has been paid to the concept. Mention was made in the House yesterday about rising fuel costs and the need to conserve energy. Fitness programmes have been initiated by the Minister of Health, and local councils must be assisted by the Government of the day, as a matter of high priority, in the provision of cycleways.

Regarding the honourable member's specific question, if he would discuss this matter with his council and let me know the result, I will refer the matter to the Government's bicycle track committee. The honourable member may be interested to know that the Government pays two-thirds of the cost of bicycle tracks, and local government meets the remainder of the cost. Adelaide has only one bicycle track on a main road at present, namely, the track recently opened on Shepherds Hill Road.

EDUCATION CONCESSIONS

The Hon. PETER DUNCAN: I address a question to the Minister of Education, if he can overcome his novice nervousness long enough to answer it. Why did the Government issue a circular to all Department of Further Education colleges directing them to henceforth make full fee concessions available only to former members of the armed forces who had left the armed forces within eight years of that date and to legatees, and to provide only half concessions to previously fully concessioned Aborigines, pensioners and unemployed persons? Why was this circular countermanded on the eve of the Norwood by-election, and what are the Government's present intentions in relation to fee concessions? For the Minister's benefit, I mention that the D.F.E. bulletin to which I refer is No. 77 of 18 January 1980.

The Hon. H. ALLISON: My colleagues may believe that I am not fully *au fait* with this matter because it arose while I was away, but it was brought to my attention by the Director-General of Further Education in so far as some, if not all, colleges had taken it upon themselves to release information to people who were claiming concessions. This matter certainly had not, to my knowledge, gone before Cabinet.

Members interjecting:

The Hon. H. ALLISON: It was a genuine error. The matter had certainly not received full Cabinet approval. There is no question that the intention of the Government was not to exclude pensioners, for example.

The Hon. Peter Duncan: When was the mistake made—before the decision of the Court of Disputed Returns?

The SPEAKER: Order!

The Hon. H. ALLISON: There was never any intention on the part of the Government to exclude the large majority of people who were previously entitled to concessions. Whatever the background, it certainly was not a political decision influenced by the Norwood by-election. The matter was brought to my attention and rectified in a very short space of time. I suggest that, had this matter had political overtones, the error and the correction occurred within such a short space of time as to indicate that the error was genuine. The error slipped through and was corrected within a week or so.

ATTENDANCE CENTRES

Mr. SCHMIDT: In a television programme on Monday night, the Premier referred to a community work programme involving offenders that would provide assistance to pensioners. Could the Chief Secretary inform the House how this scheme would operate and when it is likely to be introduced? On a recent trip to Melbourne I was able to visit an attendance centre at Spotswood, and I was impressed to see the programme and the impact of this attendance centre. Two factors highlighted this centre to be a worthy programme. First, there was a distinct cost differentiation between this programme that operated and that which is used to look after an offender in a full-time prison. The cost is substantially lower. More importantly, there was the social impact that this centre had, particularly in respect of pensioners. Offenders were able to go out and give assistance of a physical nature to pensioners, and indirectly give moral support to pensioners, thus giving them a better standing within their immediate community.

The SPEAKER: In calling the Chief Secretary, I draw his attention to the proximity of the closure of Question Time.

The Hon. W. A. RODDA: The Premier referred to what is a community work order scheme, which operates in various other States. I have been to Victoria and have looked at the workings of attendance centres. In Tasmania, a community work order service is used. Under the scheme, an offender, in appropriate cases, can be

directed by a court to work on approved projects outside the prison environment. This has many benefits for the individuals concerned and also for the State. The cost to keep one person in prison is about $12 500. This scheme affords an opportunity for these offenders to do something for the community.

With the establishment of an attendance centre, there is a possibility that the offender will be required to attend evening classes, as well as carrying out work on a Saturday as a rehabilitative measure. It has been found mutually beneficial under this scheme to require these people to assist pensioners in the maintenance of the pensioner's home, garden work and work of a similar nature, bearing in mind that this work does not impede the usual job opportunities for people in the community. The people concerned will simply be in a position to employ offenders for work that they could not otherwise have done. This is a recent proposal which has been put forward by the Mitchell committee and which is being examined by the working party. I hope that a suitable scheme will operate in South Australia early next year.

At 3.20 p.m., the bells having been rung:

The SPEAKER: Call on the business of the day.

PROSTITUTION BILL

Mr. MILLHOUSE (Mitcham) obtained leave and introduced a Bill for an Act to give effect to the recommendations of the Select Committee of Inquiry into Prostitution; to make related amendments to the Criminal Law Consolidation Act, 1935-1938, and to the Police Offences Act, 1953-1979, and for other purposes. Read a first time.

Mr. MILLHOUSE: I move:

That this Bill be now read a second time.

It has been drawn exactly in accordance with the recommendations of the Select Committee contained in the report which was presented to this House yesterday week ago. I suggest that the report itself does not need elaboration. We made sure that printed copies of the report were available before or at the time it was tabled here. I suggest that those members who want to do so should read that report in its entirety; it is not particularly long. I do not propose now to go over all the material in it.

I want to state my personal position on this matter so that there will be no misinterpretation of it. It is my view that prostitution is morally wrong but, on the other hand, it has been extant in every community, or almost every community (I make that qualification just in case there has been some community during recorded history in which there has been no prostitution), throughout recorded history, and it is impossible to avoid its being present. It certainly is present in our community now. I do not believe that, although I might regard it as morally wrong, when obviously a large number of people in the community now do not so regard it, I should endeavour to put my stamp of moral disapproval on it. I think that would be entirely wrong.

The position in this State now (and I have said this many times) is absolutely hypocritical. I know that the member for Whyalla told me last night that I was a hypocrite in another respect, and maybe I am, but the fact is that on this matter we are all being hypocritical at present. A number of laws hedge around the act of prostitution which, of itself, is not illegal in South Australia. Because of the hedges around it, it is all but impossible to carry on legally this trade of prostitution. That is the present position in South Australia at law, and yet we all know that those laws are ineffective, that very little effective effort, even, is being made to enforce them, and that prostitution in our community is widespread.

That is the position that we have, and to me that is sheer hypocrisy. At one and the same time many of us are pretending that it does not exist while we know that it does exist, and we are not doing anything to try to stamp it out because we know that we cannot do so in any case. It is widely condoned in the community. I think in many ways this is a balancing of evils. I regard prostitution itself as an evil; I regard hypocrisy as a greater evil. Therefore, I believe we should not allow the present position to stand.

I have already had (as I think all members have had by now), over the years, and indeed in the last weeks since the Select Committee report was brought down, a number of protests from people complaining about the matter, and invariably there is a religious base to the complaints.

The Hon. Peter Duncan: Some are just plain bigots, though.

Mr. MILLHOUSE: Perhaps that is so. I do not want to reflect on anyone who might hold a sincere belief. However, most of them are religiously based. Several letters are collected in today's *Advertiser* with a rather hairy photograph of me which was taken some time ago. I have had a number of personal letters, and I propose to read out one in a moment because it typifies others I have received. I have had personal calls, telephone calls, etc.

One of the typical public protests is on page 21 of the *Advertiser* this morning. It is an advertisement inserted by the Bible Presbyterian Church of Adelaide. One paragraph of the advertisement states:

> We have seen, in the last decade, the moral decline of our State—legalising of murder (abortion), legalising of sodomy (homosexuality), and open debauchery and licentiousness. This has been aggravated by a laxness in the judgment of criminal offences in the guise of "helping the sick". One wonders who will "help the well"?

That is typical of a good deal of the opposition there has been. I would like to quote just one letter, which I have had from a lady at Parafield Gardens who describes herself as a retired social worker. The letter which is dated 25 February, states:

> As a Christian I am deeply concerned that you intend to put forward the above Bill. I consider the public are not fully aware of the implications should such a Bill become law. For example, if prostitution were decriminalised, South Australia would be swamped with prostitutes from all over Australia, as has happened similarly regarding homosexuals, with the passing of the Homosexual Act, to which you also gave assent.
>
> In addition, prostitution is recognised as "big business" and those who perpetrate this vile trade will thus be encouraged to entice young persons into it, particularly among the unemployed. Once the Bill becomes law, escort agencies and the like could regard their businesses as places of employment and thus be available to recruit labour.
>
> The Bible clearly states—"God is not mocked; whatsoever a man sows, so shall he reap"—and that applies to nations as well as individuals. We have already seen a deterioration in the standard of life, since South Australia went "soft" on moral issues, which is having a deleterious effect on the State's economy: the high incidence of unemployment in South Australia is one example.

That is typical of the letters I have had from people opposing this measure. I want to make one point, and I make it with as much charity as I can. I hark back to the interjection of the member for Elizabeth, to which I

replied a moment ago. I do not know what any of those who have protested have ever done to try to rid this community of prostitution. They complain now because I have introduced this Bill, which is in accord with a report of a Select Committee of this House. They protest now but, so far as I know, none of those who have protested have ever tried to do anything effective to fight this evil. That, I suggest, is a very important and significant point. The reason they have not done so is that it is impossible to do so, because of the tempo of our times and the fact that we have always had prostitution with us.

I have also had a number of Biblical references given to me. The following references have been quoted: Ephesians 5.5, Hebrews 13.4, 1 Timothy 1.10. Revelation 21.8 and 22.15. On the other side, if one remembers how Our Lord regarded hypocrisy, I would remind those who have given me those references of Matthew 23, 27 and 28, Luke 12.1 and James 3.17. All of us can make up our own minds about the side on which we happen to be on the moral argument.

Having made my own position clear and canvassed those matters, I also want to make clear that I have introduced this Bill as a private member and that my having done so does not imply that I am acting as a spokesman for my Party in this case. The policy of the Party on this matter is almost in line with the recommendations of the report. The policy was formulated some years ago. Item 53 of the national policy of the Australian Democrats on law reform states:

> *(a)* Sexual behaviour between consenting adults in private will be subject to the criminal law only as in *(b)* and *(c)* as follows;

Item 53 *(b)*, which is the relevant placitum, states:

> Legal controls on prostitution will cover health standards, town planning, public solicitation, exploitation of prostitutes, procuration for the trade, and working conditions.

Although I speak here as in individual and I do not seek to bind any other member of my Party, this Bill is, in fact, pretty well in line with the Party's policy. More important, I suggest to all members of Parliament, particularly the newer members, while this may be a difficult issue and one from which most of us, I suppose, would rather run away, one of our duties here is to stand up and be counted, and to make decisions on what we regard as right, irrespective of the effects that those decisions may have upon us personally.

If we as members are not prepared to stand up and be counted on these things, we are not worth a place in this House. But, if I may perhaps give some comfort to those who may be fearful of having to make a decision on this matter, I remind them of the most recent public opinion polls which I have been able to find, or which the library has been able to find for me, on this subject. One published in the *Advertiser* on 9 February last year, just over 12 months ago, showed that 67 per cent of people in Australia approved of legal prostitution. The proportion opposed to it was merely 29 per cent. The report states that support for these changes in traditional legal attitudes comes from most major sections of the population, although, as the poll finds, there are some important exceptions. One of them is that, by and large, the proportion of people in favour is higher in the metropolitan areas than it is in country areas. Overall, 70 per cent of people in the capital cities but only 61 per cent in country districts agreed with the legalisation of prostitution.

Regarding age groups, on both questions (one was homosexuality, to which I have not referred) younger people, in the 16 years to 39 years group, were more in favour than older people of the legalisation of the practices.

That was a Gallup poll which showed, for those who may be inclined to put their faith in these things (to me they are irrelevant, because if what one is doing is right, one does it whether it is popular or unpopular), a pretty hefty majority in favour of legalisation.

Here in our own State in December, only a few months ago, that crowd, Peter Gardner and Associates, made a survey. Admittedly, the survey had what I do not regard as a very satisfactory question, which was published in the press in following way:

> A majority of people living in the Adelaide metropolitan area favours legalising prostitution if it is under Government control.

The report continues:

> The Peter Gardner and Associates survey found that 57·9 per cent approved of legalisation, 34·2 per cent disapproved, and 7·9 per cent were unsure. Support for legalisation was strongest amongst 18 to 24 year old males, 77·3 per cent. The group which opposed the idea most was females 55 and older: 50·4 per cent disapproved, 37·6 per cent approved.

That poll was subsequently criticised by someone in the Premier's Department (I think the Women's Advisory Unit) as involving a slanted question. So, members can make what they like of those figures.

I acted as soon as I knew of the invitation by the Minister of Transport, the Chairman of the Select Committee, to introduce this Bill, because I could see no point whatever in delay. The Select Committee, going back to the last Parliament, has been meeting for a very long time. The matter had been canvassed before the Select Committee was formed. We took well over 1 000 pages (I am not sure exactly how many) of evidence, and in any case there has been a good deal of discussion about it in the community.

So, as soon as I found out, when I was being interviewed on A.B.C. television that the Government was not proposing to do anything, and that an invitation had been given to a private member to introduce the Bill, I said that I would do it. As members will see from the prints in front of them, I have had the Bill drawn by the Parliamentary Draftsman exactly in accordance with the Select Committee report. I hope indeed that, whatever the fate of this Bill may be (of course I hope that it will pass through both Houses of Parliament this session), it will not be defeated because of delay.

I realise fully that any group of members in this place (and certainly the Government members) can, if they want to, defeat the Bill simply by delaying tactics so that it never comes on and goes to a vote. Whatever happens, I hope that that is not done.

The Select Committee took a lot of evidence and spent a long time over it before presenting its report. However, I am confident that, had the report been presented by the seven original members of the committee, it would be almost word for word with the report as it has been presented by the rump of us (I suppose that is the right term to use) who were reappointed a few months go. I cannot really see that it would be other than very difficult for anyone who had heard the evidence and seen what we saw to come to other than the conclusion to which we came.

For me, the evidence mostly confirmed what I already knew or what I already assumed. Very little new came out of it, but there were two aspects of the evidence that caused me to think again. The first one was what should be done about this. I went into that Select Committee thinking that it would be best to alter the law by a system of licensing and registration. I knew that that was not popular amongst those who are engaged in this trade. I felt

that it would be the best way to tackle the problem. However, on hearing the evidence I changed my mind, and decided quite independently of any of the other committee members that the only proper way to proceed was the way in which the Select Committee recommended, namely, to use a word that I do not like, decriminalisation.

I came to that conclusion independently of the other committee members, starting from the opposite standpoint. So far as I know, all of us came independently to the same conclusion, and all of us were able with no difficulty to concur in every point and recommendation made in that report. So, that was a change of mind that I had as a result of the evidence I heard.

I want to take a little time over something that came out of the evidence regarding the police and the difficulties (I use that as a fairly neutral word) that they now have in trying to enforce the law. Indeed, I will quote some figures to show that it is impossible to enforce the law. Two points can be made. The Select Committee's report does not bring this out; perhaps it could have done so.

First, we had evidence from a number of witnesses (and I assure you, sir, that I do not propose to transgress the Evidence Act by identifying any witnesses or hinting at any name or identity) about the police hassling those engaged in these activities. They came from various sources. Although those allegations could not be tested as I would normally like to see them tested, by cross-examination in a court, because we were not in an adversary position, there were so many of them and from such a varied group of people, that I cannot but think that there is always fire where there is smoke, and that there must on some occasions be some abuse by police officers. I do not say that it is widespread. So far as I can remember, there was never any suggestion of corruption in our Police Force. The situation is different in other States, but that does not apply here—and I want to make that quite clear. Even if all these allegations that we have had are inaccurate (even at the lowest), it is quite obvious that there are occasions when there could be abuses under our present system, and that of itself is bad enough.

After some bit of a struggle with the police (and I do not propose to identify any police officer either; a number of them gave evidence, so what I will say cannot be sheeted home to any individual), we were able to obtain from the records of the vice squad details showing the visits made to massage parlours—which, after all, we all know is only a euphemism for brothels. We found, when we obtained statistical evidence from the police, that there was a wild variation amongst visits to those places. As I say I do not propose to mention any names. I have mentioned half a dozen of them, but there are many more: there are scores in the tables that we were given. I have half a dozen here, and I shall use letters of the alphabet to give the details to the House.

The following statistics refer to visits to those places in 1978, and they are all located in and around Adelaide. A had 98 visits, B had 56, C had 67, D had 23, E had 85, and F had 11. When I saw that I wondered at the wild variation in figures, because we were told that the police visited these places on a regular basis, so we asked them what the reason might be. To sum it up (and, of course, I will not quote from the evidence), some of these places are so well provided that it is just too hard, and the police have become discouraged and leave them alone, but with others, where it is easy to go in, they go in too often. To me, that is just not as it should be; it is human nature to be discouraged by a hard task, but it is completely wrong that the visits to these places should be on such a haphazard basis.

I have looked at the figures for the six places I have mentioned to see how the visits ran for each month at these various places. For the premises A there were 98 visits during the year; there were 10 in January, which resulted in one arrest. Hardly ever is any action taken as a result of these visits. There was one arrest from 10 visits. There were two visits in February, with one arrest; 12 visits in March, with one arrest; six visits in April, with one prosecution; 10 visits in May, with three arrests and one prosecution; 16 visits in June, with four arrests; 10 visits in July, with no action taken; four visits in August, with no action taken; six visits in September, with no action taken; two visits in October, with no action taken; 10 visits in November, with five arrests; and 10 visits in December, with two arrests.

For premises B, there were 56 visits altogether. There were no visits between October 1977 and March 1978. There were five visits in March, with no result—no arrests or prosecutions. There were two visits in April, with one prosecution; three visits in May, with no action taken; 15 visits in June, with two arrests; seven in July, with no arrests; two in August, with no arrests; six in September, with none; five in October, with none; five in November, with one arrest; and six in December, with none.

For premises C there were no visits between 29 October 1977 and 4 January 1978. There were three visits in January, with one arrest; two in February, with none; no visits in February or March; two in April, with no arrests or prosecutions; one in May, with one arrest; 10 in June, with two arrests and one prosecution; seven in July, with no action taken; three in August, with one arrest; nine in September, with one arrest; nine in October, with three arrests; 12 in November, with four arrests; and 11 in December, with one arrest.

For premises D there were 23 visits altogether, which is a very substantial drop. There were two visits in January, with no arrests. In fact, of the 23 visits to this place, there were no arrests and no prosecutions throughout the whole year. There were two visits in January one in February, four in March, four in April, two in May, two in June, one in July, two in August, none in September, four in October, none in November, and one in December.

Next we come to premises which had 85 visits all told. There were two visits in January, with no action taken; two in February, with two arrests; five in March, with one arrest; four in April, with two arrests; three in May, with no action taken; 15 in June, with one arrest; eight in July, with two arrests; 13 in August, with one arrest; 11 in September, with one arrest; 10 in October, with no action taken; five in November, with no action taken; and six in December, with one arrest.

The last premises had only 11 visits throughout the year. We were told quite frankly that it was a difficult place to get into. There were no visits between 4 November 1977 and 9 February 1978. There was one visit in February 1978, and then none until June. There was one visit in June. There were two in July, resulting in two arrests, three in August, one in September, one in October, none in November and two in December.

Those figures show how completely haphazard these things are. We were told that the way in which the visits are organised is haphazard. I regard that as entirely unsatisfactory. I have said that the police admitted quite frankly that, where the place was hard to get to, they did not bother very much if at all. It was ironic that one of the members of the Select Committee said, "Hey, there is one of these places next to me and it does not appear on the list at all." Apparently, it had never been visited, yet it was next to the office of a member of Parliament. I am not going to identify him, Mr. Speaker, except to say that it is not next to my office.

I know of several members who, through no fault of their own, have them next door. So, I am not identifying any particular member, either. That does not appear on the list at all. So one wonders about all this. It shows the futility of what is happening now. The police told us that the present situation is the worst of all worlds. If the community wants the laws to be enforced more rigorously, they will have to be altered. The police suggested that the onus of proof would have to be reversed substantially to give them greater powers; otherwise some other course must be taken. The police felt that the present situation was the worst of all worlds, and I agree with them. Those, I think, are probably all the points that I need to make in explaining my position and the conclusions which I reached as a member of the Select Committee and the way in which I came to them.

Clause 1 is formal. Clause 2 provides that the new Act shall operate to the exclusion of other laws under which offences relating to prostitution are established. This provision is necessary in order to exclude common law offences, such as the offence of keeping a common bawdy house or a common ill-governed and disorderly house and any other offences that may exist under Statutes of the Imperial Parliament that were inherited by the State upon its foundation.

Clause 3 sets out a number of definitions required for the purposes of a new Act. A definition of "prostitute" is included in order to make clear that both male and female prostitutes are included within the ambit of this term. A definition of "public place" is included; this definition follows the existing definition in the Police Offences Act. A "residential zone" is defined as being a zone established as a residential zone under planning regulations; in any area in which zoning regulations have not been made, any part of a city, town or township in which residential development is concentrated constitutes a residential zone.

Clause 4 deals with child prostitution and offences related to children. Subclause (1) makes it an offence for a child to commit an act of prostitution. A penalty of $500 or detention for not more than three months is prescribed. A person who causes or induces a child to commit an act of prostitution, or to have sexual relations with a prostitute, is guilty of an indictable offence and liable to imprisonment for a term not exceeding seven years. A person who receives money from a child knowing it to have been derived from acts of prostitution committed by the child, or who enters into an agreement or arrangement with a child under which he may take or share in any proceeds of child prostitution, also commits an indictable offence and is liable to imprisonment for a term not exceeding seven years.

Clause 5 deals with offences containing elements of intimidation or deception. A person who, by intimidation or deception, causes or induces another person to commit an act of prostitution is guilty of an indictable offence and liable to imprisonment for a term not exceeding seven years. A similar penalty is prescribed for a person who exercises intimidation or deception to obtain from a prostitute any proceeds of prostitution or causes or induces a prostitute to enter into an agreement or arrangement under which he may take or share any proceeds of prostitution.

Subclause (3) provides that, where it is established that the defendant has received proceeds of prostitution or has entered into an agreement or arrangement under which he may take or share any proceeds of prostitution, the onus shifts to the defendant to prove that he did not obtain those proceeds, or cause or induce the prostitute to enter into that arrangement or agreement by intimidation or deception.

This is the first time in my Parliamentary life that I have introduced a provision which provides for a reversal of the onus of proof. Although I do not like it, on the other hand I think that a pimp who lives off the earnings of a prostitute by, as we use the words, intimidation or deception is such a dreadful person that we must do everything we can to ensure that this does not occur. The great safeguard is that it is an indictable offence, which means that it is triable by judge and jury. Although the onus shifts, the people who make the final decision on guilt or otherwise are 12 jurors (men and women) who are not lawyers but who will, undoubtedly, as jurors always do, or should do, exercise common sense and judgment in these matters. That, I believe, is a great safeguard in a case such as this where I propose that the onus of proof should be reversed.

Clause 6 deals with soliciting. Subclause (1) follows closely the existing offence in the Police Offences Act. Subclause (2) is a new provision providing that, where a person accosts another in a public place and addresses any remarks or questions to that other person suggesting directly or by implication that the other person is or may be a prostitute, he shall be guilty of an offence. This new offence will overcome the criticism that the present law operates only against the prostitute and not against offensive would-be clients of prostitutes. The penalty prescribed by the section for an offence is a fine not exceeding $500 or imprisonment for up to two months. Clause 7 prevents the establishment of brothels within residential zones. This is one of the headaches at present, as members know. It provides that, where premises within a residential zone are used for the purposes of prostitution, the owner and occupier of the premises and the prostitute or prostitutes who have used the premises for the purpose of prostitution shall each be guilty of an offence and each liable to a penalty not exceeding $2 000. A defence is provided for an owner or occupier of premises if he did not know and could not reasonably be expected to have known that his premises were being used for purposes of prostitution.

Clause 8 deals with advertisements. Subclause (1) prevents the publication of advertisements relating to prostitution in a manner or form that is likely to cause offence. A penalty of $2 000 is prescribed. Subclause (2) prohibits publication of advertisements relating to prostitution and containing the word "massage", "masseur" or "masseuse", containing the word "health", or containing any other word or expression prohibited by regulation. Subclause (3) empowers the Governor to make regulations prohibiting the use of specified words or expressions in advertisements relating to prostitution.

Last Saturday morning, several masseurs came to see me. They are very disappointed that we did not recommend, as a Select Committee, the registration of masseurs so that they could exclude those whom they felt might be running massage establishments. I explained to them for myself and probably others that we were taking on a fairly hard task, anyway, and we did not want to double our problems by getting into the question of whether or not masseurs ought to be registered. I remember the struggle that has been going on ever since I have been here with regard to chiropractors, and it will be just the same. I said that we had done what we could, and hoped that it would be effective to prevent legitimate massage and health establishments being confused with brothels, as they now are.

Clause 9 provides that proceedings for an offence against the Act shall be disposed of summarily. This provision does not of course relate to indictable offences,

which will be heard before a jury. Clause 10 provides that the Attorney-General shall, before the expiration of three years from the commencement of the new Act, prepare a report upon the operation of the Act. The report is to include reference to any reforms that should in the opinion of the Attorney-General be made to the law of prostitution. Clause 11 repeals from the Criminal Law Consolidation Act and the Police Offences Act all the present provisions in those Acts relating to prostitution.

Mr. SCHMIDT secured the adjournment of the debate.

STIRLING PLANNING

Mr. EVANS (Fisher): I move:

That the regulations under the Planning and Development Act, 1966-1978, relating to the metropolitan development plan—District Council of Stirling planning regulations made on 22 February 1979 and laid on the table of this House on 27 February 1979 be disallowed.

I had intended to speak for a considerable time to my motion, not that I had much complaint about the regulations that the Stirling council seeks to have approved by Parliament, but because I believe that there were some omissions and a necessity to consider matters relating to the control of bushland, the types of occupations that can take place in the Hills, and the size of properties. However, because of what happened last Wednesday, it would be improper for me to continue now in the vein in which I wished to speak. For that reason, I should like to take the opportunity to speak at a future date. I therefore seek leave to continue my remarks later.

Leave granted; debate adjourned.

PITJANTJATJARA LAND RIGHTS BILL

The Hon. R. G. PAYNE (Mitchell): I move:

That the report of the Select Committee on the Pitjantjatjara Land Rights Bill, 1979, be adopted.

In moving this motion, I should like to make clear in members' minds, particularly the minds of new members, what it entails. Paragraph 11 of the committee's report states:

Your committee recommends that the Bill [the Pitjantjatjara Land Rights Bill, 1979] be passed with the amendments contained in Appendix C.

Probably the best way to refresh members' memories about this matter in some detail (and I am sure all members know about it to some degree) would be for me to refer briefly to the second reading explanation of the Bill, which was introduced into this House on 22 November 1978 by the then Premier of this State (Hon. D. A. Dunstan). At that time, when outlining the importance of the matter, Mr. Dunstan said:

Of the many considerations leading to the drafting of this Bill the most important lies in the representations made by the Pitjantjatjara.

I draw the attention of members to this very important point. He continued:

In May 1977, members of the Pitjantjatjara Council requested freehold title to the lands described in this Bill.

I was present at the meeting at which that request was made, so I have personal knowledge of that request. The then Premier continued as follows:

They specifically requested the formation of a Pitjantjatjara land holding entity. In response to these representations the Bill seeks to establish such a land holding entity, to be designated Anangu Pitjantjatjaraku—meaning simply "the Pitjantjatjara peoples". The Bill gives full legislative support to the clear aspirations of the Pitjantjatjara, not only to own, but to control, their own lands.

In the second place the Pitjantjatjara people specifically sought an alternative to the existing Aboriginal Lands Trust Act. The provisions of this Act were explored at my request by the Working Party—

set up by the then Government—

as to their applicability to the Pitjantjatjara case. The Pitjantjatjara have made it clear "however" that ownership of the North West Land should rest solely in the hands of the traditional people actually living on North West Lands—

and I stress that point—

or who have traditional attachments to them. The present Bill recognises the principle advocated by Mr. Justice Woodward in his Aboriginal Land Rights Commission's Second Report, which asserts that such links with the land should be preserved and strengthened. . .

In the third place, the Bill seeks to perform what Justice Woodward has called, in the Northern Territory context, an act of simple justice. I am sure that all reasonable South Australians would agree that, after land alienation on the massive scale seen since first settlement, the restitution of the comparatively little land remaining to its original owners would seem the only principled course to adopt. Moreover, the present Bill may be seen as a means of rationalising the diverse forms of tenure attaching themselves to the lands scheduled in this Bill, and at the same time providing a form of tenure consistent with that being now proposed in the Northern Territory as a result of Commonwealth initiatives.

Later (and this is the final point I will make from this stage of the evolution of this matter), the then Premier continued his second reading explanation, as follows:

The Bill seeks to give to the Pitjantjatjara the right to refuse consent to any miner to enter the land or to carry on any mining activities, except upon conditions imposed jointly by the State Government and the Pitjantjatjara. Any such mining activity would come under the control of the Mining Act, the Petroleum Act, and the Mines and Works Inspection Act. The Bill removes the necessity for the Pitjantjatjara to establish to the satisfaction of the Wardens Court what other private owners are obliged to do, namely, to show that "the conduct of mining operations upon the land would be likely to result in substantial hardship". The Bill however confers no greater rights of veto upon the Pitjantjatjara than that.

That point is very poorly understood by some Government members who were in Opposition when this second reading explanation was given. I can only assume that is a point also misunderstood by the present Premier because of the actions he has taken recently. The second reading explanation continues as follows:

The Bill, while not removing the ownership of minerals from the Crown, provides for the payment of all royalties upon minerals extracted from the lands to the Pitjantjatjara. The Bill makes what the Government—

and, of course, the quotation at that time was correct—

believes to be adequate and reasonable provisions regulating relationships between the Pitjantjatjara and mining interests, in the event of major mineral or associated activities.

I have outlined those points as some of the most important ones which new members, in particular, would need to study, and about which members who were present at that time might be glad to have their memories refreshed. The Bill was subsequently referred to a Select Committee of this House. Membership of that committee comprised myself as Chairman, the member for Mount Gambier (now Minister of Education), the member for Eyre, the member for Gilles, and the then member for Mawson (Mr. Drury), who is no longer a member of this House.

The committee spent much time looking at the report. I

am reminded that we had 14 meetings and took evidence from the persons and organisations listed in Appendix A, and written submissions from those persons listed in Appendix B. A study of the appendices mentioned shows a considerable list of persons and organisations. They ranged from representatives of the Australian Mining Industry Council to owners or proprietors (which may be a better term in some cases) of station properties in the immediate vicinity of some of the lands proposed to be transferred in the Bill. Those who appeared also included interested bodies generally and persons who appeared in conjunction with proprietors who, with the committee's express permission, came with legal counsel.

The committee also had a visit from members of the Pitjantjatjara Council. The Select Committee canvassed, over a period of time, and through many vicissitudes (including the end of Parliamentary sessions and changes from the original concept wherein the then Premier, Mr. Dunstan, would have been the Chairman of the Select Committee), all hardships and obstacles, which were negotiated by the committee and the Parliament in what I would call the best of spirits. This measure was then returned to the House in the form of a report to Parliament from a committee comprising members from both sides of the House, which committee had had recourse to seeking and obtaining evidence and submissions from all sorts of bodies throughout the South Australian community. If I recall correctly, at least one or two submissions came in writing from other States. There were further problems because of the ending of a Parliamentary session.

Also, the former Government's view in the early part of the session last year was to ensure that every interested person had an opportunity to express an opinion; therefore, the report of the Select Committee and the Bill were not proceeded with. Members will know that subsequent Parliamentary events occurred, resulting in a change of Government. Now, the Opposition, of which I am a member, is still trying to give simple justice to the Pitjantjatjara peoples, who were referred to by Mr. Justice Woodward. I have tried to give a brief outline, involving a fairly long period of time, of how the measure reached the stage at which it is now being considered.

It would be fair to canvass what the two members of the Select Committee who are now members of the Government said during the second debate and during the Select Committee's deliberations on the question as a whole and on points of detail. In the second reading debate, the member for Mount Gambier (now the Minister of Education) referred to, and quoted from, a document entitled *"A Statement of Concern. Social Justice Sunday, 1978"*, which was published by the Catholic Bishops of Australia on the topic of land rights. The Minister's speech is recorded on page 2507 of *Hansard*, 1978-79.

The honourable member showed at that time a considerable insight into the matter, and certainly exhibited the same insight into the question of land rights for Aborigines during the deliberations of the Select Committee. In his second reading explanation, which was given before the Select Committee was appointed, he showed that his interest in the matter was quite genuine, and that he had gone to some trouble to study the subject. From my reading of his second reading explanation, I thought he was open-minded on the projected transfer of the land, both nucleus and non-nucleus. He commented on the special affinity that Aborigines such as the Pitjantjatjara people have in respect of the land that they regard as their own. The quotation he used at that time to illustrate his view point was apt.

To illustrate this point, I quote from the *Land Rights of Australian Aborigines*, a paper prepared for the Australian Council of Churches (the whole church body), with resolutions, for the council's general meeting as far back as 1965. The question of justice and land rights for Aborigines is not a new one. Although this article was written about the Australian scene as a whole, it contains many relevant points about the South Australian scene, which we are now considering. It stated, in part (talking about Aborigines):

> It cannot be said too strongly that they are a people who have been entirely dispossessed of all their lands. In general, they are unique if we consider other races. They were dispossessed by private action (that is, settlers advancing) and by Crown action, by proclamation of all lands to the Crown.

The document further states:

> There were no treaties, no agreements that lasted any time.

Apparently in Victoria, (and this is the first I heard of it), there was a private treaty, but this was repudiated very swiftly by the then Governor Burke in about 1850. The document continued:

> Therefore, there rests a double responsibility on all Australians—

and therefore on South Australians—

> for the private and commercial actions of citizens and for the public acts of Governments.

What actually happened is incredible. As I learned from this publication, in 1768 the instruction given to Lieutenant James Cook by the Admiralty contained the words "You are also, with the consent of the natives, to take possession of convenient situations in the country in the name of the King of Great Britain." We know that other actions actually took place.

In respect of the South Australian scene, we learn from page 6 of the publication that the South Australian Company, which was organised in England in the 1830s, actually provided for a small contribution for settlers towards a fund to benefit the Aborigines who, I presume, were to be dispossessed. Money was rarely collected. I was interested to note in that publication that that fact only came to light because a concerned settler, who happened to be a Quaker, religiously put money aside (no pun intended) because he considered it was moral and just for some compensatory action to take place. I wish to explore attitudes regarding nucleus and non-nucleus lands. The same publication, under the heading "Title", states:

> Land is a basic factor of all human life. It is basic, not in the sense of private ownership of a parcel of it, but in the sense that each individual belongs to a people who belong to a defined area of land which legally and permanently belongs to them. It is in this general sense which applies to all human beings as human beings that it is, first of all, important to the Aborigines that there is land which is theirs, by right, as a people. Secondly, land which has been occupied for generations has important psychological, social and cultural associations for individuals and the race.

Because it is private members' time and I am anxious not to occupy the benches too long so that other honourable members can speak, I will not quote the whole document, but members can obtain this document from the library. The document continues:

> This natural relationship of all men to the land is intensified for the Aborigines by the closely-woven inter-relation between the land and their religious beliefs and practices.

I am not suggesting that the Minister of Education does not have that understanding. I have been trying to outline the affinity of Aborigines for their land; whether they are

living on it or in actual possession of it, or away, they have an association with it. I believe that he has that understanding, and that has been exhibited by what he said in his second reading speech and by his conduct at the Select Committee meetings.

The other member of the Select Committee from the opposite side of the House was the member for Eyre, and it was fitting that he should be on that Select Committee because the area associated with this Bill is located entirely within his district. In his second reading speech, the member for Eyre said:

> The Liberal Party does not in any way want to deny the rights of Aboriginal people but we have to be careful that, in giving those people their just rights, we do not create anomalies and take courses of action which will make it difficult for the rest of the South Australian community.

He also said:

> However, in my limited experience in this House, every piece of legislation that has been referred to a Select Committee has been greatly improved.

He was there expressing the fact that he was pleased that the matter was being referred to a Select Committee. I think it would be a logical inference for me to say that that procedure was in accordance with his understanding of the improvement which would be made to the Bill. It was referred to a Select Committee. He served on that Select Committee and had full opportunity to participate in it. He was absent for a few meetings. I mention that in no derogatory way, because he was on an overseas trip in relation to the Parliament, as he was perfectly entitled to be on that trip, but that caused him to miss two or three meetings. In every other way he applied himself attentively and not at any stage do I recall his demurring from the general tenor of the report we intended to bring down.

Members who have served on these committees know that one does not make up one's mind during the early stages of a committee, but as a committee continues one is able, from a group discussion, to discern the line that is likely to be taken by the Select Committee in reporting back to the House. I have dwelt on this point because, as I have explained, the member for Eyre was not able to be present during the final few meetings but was present on all the other occasions on which we had some discussion as to what the report of the committee would be.

The Minister of Aboriginal Affairs, the then member for Mount Gambier, was present when the report was finally prepared and, to the best of my knowledge he was in support, as an Opposition member at that time, of a measure being put forward by the Government. I believe, too, that the honourable member was also supporting it with his heart and with his feelings. I stress that that is just an opinion I have. The only person who can disabuse me of that view would be the Minister himself, and he will have that opportunity on another occasion.

I can only say that I was horrified when, on 10 December last year, the Minister of Aboriginal Affairs announced his intention to modify the Land Rights Bill. If the announcement had been made by the Minister of Mines and Energy I could have understood it, but I was certainly surprised to hear the announcement being made by the Minister responsible for Aboriginal affairs at that time, bearing in mind what I believed to be his feelings and thoughts on this matter.

It would be possible for me to occupy a considerably longer time in accordance with Standing Orders in continuing my remarks in support of the justice of this matter. I could attempt to make political point scoring my aim, but I have not to the present time taken that line. However, I want to state that there has been an absolute record of constancy by the Labor Party in South Australia on this matter.

Mr. Randall: All members of the Labor Party?

The Hon. R. G. PAYNE: The honourable member has not been here very long. He represents the District of Henley Beach. He has the right to have an opinion on these matters. He certainly does not have the right to interject but he is attempting to do that.

The ACTING SPEAKER (Mr. MATHWIN): Order! I ask the honourable member not to answer interjections. Interjections are out of order.

The Hon. R. G. PAYNE: I thank you, Mr. Acting Speaker, for your protection. There has been a constancy on this matter. One has only to look at the chronology of events to see that. In March 1977 a working party was set up, chaired by Mr. Chris Cocks, S.M. Its task was to consult, to discuss and to look at all angles of affairs in relation to the Pitjantjatjara people to enable legislation to be drafted to give these people land rights relating to their land. The Bill was introduced into the House, and there was some debate on it. The Bill then went to the Select Committee.

All this time it was going through the Parliamentary process at what must have seemed to the Aboriginal people a snail's pace. However, it was an important measure proposing certain changes in relation to land holding in this State in respect of the Aboriginal people, so I think it was a fair and reasonable pace. At no stage was there any lack of consultation whatsoever with anyone who had an interest in the matter. All interested were able to make submissions either to the Select Committee, to the then Government or to the Opposition. To my way of thinking there was no real indication that, having been elected in September last year, the Liberal Government would re-do this matter. There had been general agreement. I would go so far as to say that it was expected that maybe something might happen in another place, and I think we could conjecture that, but there was general agreement on this matter until the Liberal Party gained Government in this State in 1979.

I think I can point to a scheme of providing something for the Pitjantjatjara people on the basis of justice and right that was basically supported by the House of which I am a member. There might have been an odd quibble over some details. Amendments brought back to this Chamber were mainly a matter of detail. No major change was recommended to be made to the Bill. We said there ought to be more public notification when a claim was made.

We had a submission about the tribunal's constitution as proposed under the legislation for non-nucleus lands. As a Select Committee we deliberated. It was our feeling that a tribunal with even 25 members would still not satisfy all the claims for representation. After discussion we came to the consensus view that the tribunal, as proposed in the Bill, had a reasonable representation, so that, when matters came before it, it could make the recommendations called for. There has been a lot of misunderstanding and deliberate distortion about this Bill. The tribunal does not give land to anybody, nor does the Bill say it can. The tribunal makes a recommendation in the light of conditions and after certain happenings have taken place, as specified in the Bill. It only makes a recommendation to the Minister. The Bill sets out other steps which may follow, but it does not say "must follow."

There appears to be an about-face by the Liberal Party, now the Government in South Australia, on this matter. There must be a reason for that. An attempt has been made to nail the flag of the Liberal Party to the idea that mining in South Australia will solve everything, all the unemployment and financial problems. A fairly large area

of land involved in the legislation could be considered mineable. I believe that the reason there has been this rethinking by our opponents opposite is to take land away from the Pitjantjatjara people. However, a simple act of justice is to give them the ownership and right of control of their land.

I can see no other explanation for this sudden change of attitude by the people opposite. How was it done? A decision was made without any prior consultation with the same people who had been in contact with the working party, and in visits to and from the area for about 14 or 15 months. Many problems were ironed out. An agreement was reached about what should occur in relation to legislation.

Subsequently, the Select Committee looked at the matter, and once again came to an agreement with the Pitjantjatjara people as to recommended changes. There was no misunderstanding whatever. Probably no party was 100 per cent satisfied, but at least the Pitjantjatjara people said they were satisied with what they had achieved. They looked forward to the enactment of the legislation, when they would finally be owners of the land. As far as they are concerned, they own it anyway. At least that would be confirmed by title, inalienable though their right may be.

I do not believe that it is really the will of all members opposite that this act of bad faith with the Pitjantjatjara people is to be perpetrated by the present Government. I do not believe that they would be happy about it. I suppose that there is a powerful sub-group in Cabinet determined to push this through. I make this judgment because of some of the funny things said about this matter by members opposite.

It is interesting that there has been an attempt to say, "All right, we are going to do a shonky thing, but the former Minister of Mines and Energy, Mr. Hudson, was doing a shonky thing, too." I think that some of the people saying that do not realise what they are really saying. They are saying, "What we are going to do is okay because Mr. Hudson was doing it." They are really saying, "What we are going to do is crook but that is okay because Mr. Hudson was doing it." There is nothing further from the truth. The former Minister of Mines and Energy certainly entered into negotiations in respect of mining in that area, but strictly in accordance with the terms of the proposed legislation. That is the important point. Any mining activity which takes place on that land would then be with the consent of the Pitjantjatjara people and the Government. It was always a partnership arrangement, anyway.

Mr. Randall: He was negotiating with the people.

The Hon. R. G. PAYNE: You, Mr. Acting Speaker, asked me not to respond to interjections, so I will exercise great restraint and, in accordance with your wishes, ignore them.

Mr. Randall: You haven't got an answer.

The Hon. R. G. PAYNE: I have an answer. Before the honourable member opens his mouth in this place he wants to go away and learn something about the topic; then other members may place some weight on his pronouncements. At present they do not give them credence. If the honourable member is looking for an answer, which I did my best not to give him, he has now got it. Most of us who have been here a while have learned that it is easy to open your mouth but you want to be able to back it up with information and research on the matter. The honourable member should read tomorrow what I am now saying.

I am not looking for political fights. I am saying that there was virtually an agreement by this House with a group of citizens of this State to do certain things in respect of granting land rights. That has now been reneged by the present Government. If the member for Henley Beach would like me to explain my reasoning, I ask him to show me where there is any reference to this matter in the Liberal Party policy on which his Party was elected last September. I cannot find any such reference. Nowhere did the Party say, "We will renegotiate." That is a polite term for what is being proposed for the Pitjantjatjara people. I think the honourable member is thinking twice about making interjections now. I trust that he will accept what I said earlier in a friendly way about conduct in the House.

This is private members' time that we are using, and other members have matters to raise. That is another matter that the member for Henley Beach might consider. In private members' time it is probably better not to open one's mouth unless one is given the privilege, because this day belongs to all of us. He may be taking up time he might want himself later. There are, after all, few private members' days in a session.

The fact is that the land rights should be given. The Government is trying to put forward something different from what is listed in the report relating to nucleus and non-nucleus lands, and these differences do not really exist, particularly in the minds of Aboriginal people.

I could have brought into this House dozens of quotes that acknowledge that Aborigines do not believe that, in order to own land, one must be on it 24 hours a day, seven days a week, like white people do, or that it has to be fenced off. I am sure the Chief Secretary knows from his experience the sort of thing to which I refer. That is probably why I did not get any interjections from him, although I got one or two from the member for Henley Beach.

I suggest that the present Government has reached the crossroads. There is even electoral gain for them if they will reconsider this matter, I believe— I cannot be more altruistic than that. I would rather the Government gain votes on this matter to my own detriment as a member of the Opposition, for granting the rights contained in this measure as introduced into the House, and not have interference in this matter any longer. I do not know how to put it to members in any other way. How can one say in a new way that what the people of this State propose to do through this Parliament is decent, fair, honest, and just? What the present Government is proposing to do is crook, disgusting, and degrading of Government. If I repeated that 10 times in 10 different ways, it would not make it any stronger.

The DEPUTY SPEAKER: I hope the member will not do that.

The Hon. R. G. PAYNE: I will do my very best not to be repetitive, Sir. That is the actual position. The Government needs to rethink this matter. What is the actual position now? People came down from the North and put forward in discussions that they had understood that all of the talk had resulted in something with which they were satisfied and to which they were entitled and were going to get. Because the Government changed, a new scheme is proposed. I can tell the Government, if it does not already know this, that the people in the Pitjantjatjara area do not want to talk about it any more. All they want is the simple act of justice that is contained in the Bill. They know the Bill and have had legal advice; they have been able to talk about it in their councils and in their communities. I have talked to them about it, and the matter has been canvassed in every possible way. All they are asking for now is a fair go. I suggest that the only decent and honourable thing for the Government to do is to respect their request to be given a fair go and for the Government to support the motion.

Mr. ABBOTT (Spence): I second the motion, and support the member for Mitchell, who has put in many long hours of hard work on this very important matter of Pitjantjatjara land rights, and I certainly commend him for that. The suggestions of further negotiations and independent inquiries, etc., are certainly not warranted in any way. It would be a tremendous waste of time and, anyway, I believe that the Aboriginal communities concerned have been patient long enough.

All members will know that there have been lengthy discussions on this matter. As the member for Mitchell pointed out, we have had a working party report, a Select Committee has inquired into the matter, a report was made by that Select Committee, and there have been further negotiations. Agreement has been reached, and the Pitjantjatjara council has made perfectly clear that all it wants is for the legislation to be introduced and made law. The basis of any land rights legislation is the recognition of the unique relationship between the Aboriginal people and their land. In his report on the land rights issue, Mr. Justice Woodward stated that Aboriginal people had close spiritual associations with particular tracts of land. He said that their religion or mythology teaches them that particular areas were given to them or claimed on their behalf by their spiritual ancestors in the dreamtime. Justice Woodward went on to explain that the spiritual connection between man and his land involves both rights and duties. The rights are to the unrestricted use of its natural products, and the duties are to tend the land by the performance of ritual dances, songs, and ceremonies at the proper time and place.

From this it should be clear that Aborigines have an attachment to the totality of their land, and not just to areas regarded as sacred sites. It should also be clear that Aborigines regard their right to their tribal lands as unconditional—that is, if there is to be any intrusion upon their lands, it would have to be carried out only with the full agreement of the Aborigines themselves. That is what the Bill introduced by the previous Government sought to do—to give right of entry to the land, with exceptions for police officers carrying out official duties, and members of and candidates for Parliament, but they were to be granted entry only with the permission of the Anangu Pitjantjatjaraku.

The decision to grant this power to the Pitjantjatjara closely followed the recommendations contained in the report of the working party. That document stated that to give the Pitjantjatjara a title to their land but to take from them the power to control entry upon that land, and the conduct of what may eventually become extensive mining operations, would destroy those rights. To deny the Pitjantjatjara the right to prevent mining on their land is to deny the reality of their land rights, as Don Dunstan commented when the original Bill was under discussion. In the *Advertiser* of 25 July 1978 appeared the following:

> The Pitjantjatjara believe that, if they are given title to their land but are not given a final say in what could be extensive mining development, then the legislation would not be worth introducing.

To modify this section of the Bill would be to ignore the express wishes of the Pitjantjatjara people, the accumulated expertise of the working party, and the deliberations of the Select Committee, and even the Liberal members who found nothing to which to object. It may be worth noting at this point what the Liberal Party members of the Select Committee thought of the Bill when it was introduced. On 8 February 1979 the member for Mount Gambier said (page 2 507, *Hansard*):

> I support the Bill. The principle of land rights for Aborigines, and in particular, in this legislation, the Anangu Pitjantjatjaraku, is a principle which the Liberal Party has supported.

The member for Eyre was more circumspect. In this House he stated:

> I believe that the committee will have to look closely at the mining situation on adjacent land in the area known as the North-West Reserve and the adjacent pastoral areas which will be included in the nucleus lands. There is no doubt in my mind that this land belongs to the Aboriginal people. However, I believe that great consideration should be given before any group from anywhere in Australia is given the total right to reject completely any mining operation.

Nevertheless, the report of the Select Committee, of which the member for Eyre was a member, did not see fit to amend this section of the original Bill in any way.

A further consideration in relation to giving the native people the right to control access to their land is that of cultural intrusion. Tribal Aborigines have made remarkable efforts in recent years to adopt some facets of western civilisation. However, it is generally recognised that unrestricted access to tribal land could rapidly result in the destruction of remaining Aboriginal culture. What the original Land Rights Bill did was give the Aborigines a breathing space in which to decide in a calm and reasoned manner exactly who they wished to have access to their land. The Bill prevented them from being overrun from new developments or being subjected to pressures from outside interests.

I have spoken to a number of Aborigines, and they do not oppose mining. They simply want a right to be informed and the right to say who shall be allowed to go into their territory. That is spelt out clearly in the working party's report. It may be said that Aborigines in other areas of Australia have demonstrated little reluctance to negotiate mining rights, for example, in the Ranger agreement. However, if the facts are examined, it will be found that the Aborigines in that area were initially opposed to all mining activities and were willing to forgo all royalty payments to prevent them. The problem was that the Aboriginal Land Rights Act, 1976, did not give the Aborigines the power to prevent mining. If they withheld consent, an arbitration process could impose terms and conditions on them. On this basis, they could hardly do anything but negotiate, and it will be remembered that the negotiations were particularly protracted and bitter.

The present Bill, by removing the need for the native peoples to negotiate under some duress, would prevent that situation from developing in South Australia. A further point worth considering is the effect of land rights legislation on the reputation of South Australia and Australia abroad. A country is often judged overseas by the way in which it treats its minorities. Generous treatment can often enhance the standing of a State or a country, while mean-minded and unimaginative actions can do the opposite.

Finally, we must consider who will be the major beneficiaries of any change in the mining access provision of the Bill. Obviously, it will be the mining companies. It may be interesting to note how some of these companies have been faring in recent times. Recent mining companies' profits as shown in various issues of the *Financial Review* for January and February 1980 are as follows: B.H.P., $178 700 000; M.I.M., $102 400 000, up 262 per cent; Western Mining, $25 020 000, up 211 per cent; C.R.A., $135 520 000, up 76 per cent; Utah, $139 130 000; North Broken Hill, $20 300 000, up 150 per cent; Alcoa, $94 900 000, up 56 per cent; and Comalco, $51 200 000, up 200 per cent.

I think it is time that the Government stopped fooling about with this issue and started treating the Aborigines as human beings. To allow mining and exploration, without the agreement of the Pitjantjatjara people, is a betrayal of the principle of the land rights concept. I take much pleasure in seconding the motion so ably moved by the member for Mitchell.

Mr. GUNN (Eyre): I am absolutely amazed that the Labor Party could be so hypocritical as to have two ex-Ministers who where closely involved with the legislation shedding crocodile tears on behalf of the Pitjantjatjara people. It is an absolutely amazing situation. The member for Mitchell and the member for Spence have chastised the Government for failing to take positive decisions and proceed with a piece of legislation which they never had the courage nor the unity in their ranks to proceed with.

I will refresh the memory of the member for Mitchell a little. He tried to chastise this Government for not tidying up the matter. Why did he, during those nine full sitting days last year when the Parliament was doing practically nothing (we were filling in time), not put his present motion to the test? Why did he not put the Bill to the test and give the House the opportunity to make the decision?

Mr. Abbott: It was introduced.

Mr. GUNN: The honourable member can make all the interjections he likes. I want a clear and simple explanation of why the Labor Government did not have the courage of its convictions and put this matter to the vote in this Chamber and test it. The Labor Party was divided on the issue.

Mr. Slater: You're incredible.

Mr. GUNN: Why did the Labor Party not put it to the test? I have had considerable experience in Opposition, about 10 years, and I am fully aware of the fact that one can be somewhat irresponsible when in Opposition. The Labor Party is using its position in Opposition to create in the minds of the community, particularly in the minds of the Pitjantjatjara, that it is their saviour, saying, in effect, "We are here to look after your every need and whim." When in Government, the Labor Party made much noise and took the first step. However, when it came to the ultimate test, it did not have the courage of its convictions.

I was told in August 1979, during one of my regular visits to the North-West, that the Labor Party was divided. I was told by a prominent member of the Pitjantjatjara people that they had been advised by Mr. Toyne that they should not proceed at that stage but should wait until the oil and gas had been found. They would then be in a better bargaining position. I have in my possession copies of letters that were written to Mr. Goldsworthy. One is dated 17 September 1979, and it is interesting to quote from it as follows:

> Re: Officer Basin oil negotiations:
>
> On 17 September 1979, I wrote to Mr. Hudson, the former Minister of Mines, asking for clarification in relation to an undertaking by the Labor Government to negotiate an agreement for the exploration and development of oil and gas in the Officer Basin area.

It was not just exploration, but development. The letter continues:

> The previous Government had embarked upon these negotiations with the council, and they were reaching an advanced stage with an agreement in draft being prepared.

We have had the spectacle this afternoon of the member for Spence chastising this Government for trying to reach an agreement with the Aboriginal community purely in relation to exploration. He went further and attacked the mining companies, talking about profits.

The member for Mitchell, who seconded the motion, was critical of this Government's desire to see the mining industry developed in South Australia, as if there was something wrong. He was critical of the stance taken by the Minister and the Government. Let us make quite clear that the Liberal Party has no intention whatsoever of trampling on the rights of the Pitjantjatjara people. We have made that clear time and time again. Let us be honest and practical about this situation: we have a responsibility not only to the Pitjantjatjara people but also to the total South Australian community. That was the responsibility that the Labor Party rejected in Government because it was not prepared to proceed with the legislation.

I asked yesterday when speaking in another debate why did they not proceed. I will again ask that question today. It is my considered opinion that the Director of Mines in South Australia, a most responsible public servant, would not have been prepared to come before that Select Committee and give the type of evidence he gave without the authority and full support of his Minister, because in the answers he gave, particularly to the honourable member for Mitchell (who was chairman of that Select Committee), he made quite clear his concern and opposition to certain provisions of the Bill.

The Hon. R. G. Payne: What did we recommend as a committee? Tell us that.

Mr. GUNN: The honourable member knows as well as I do what the committee recommended. However, the test (which the Labor Party failed) was to proceed with the legislation.

The Hon. R. G. Payne: How could we? The Premier resigned because he was ill; then the session ended and there was a need to leave it open.

The SPEAKER: Order! The honourable member for Eyre has the floor.

Mr. GUNN: Thank you, Sir. I will refresh the honourable member's memory. The Government had nine full sitting days before the House was dissolved when we did virtually nothing. The House was dissolved on the tenth day that the House sat after 24 May. It would have taken an afternoon only to complete the debate. However, the Labor Party failed when it was put to the test.

The Hon. R. G. Payne: How do you know how long it would have taken to complete?

Mr. GUNN: We gave no indication that we would adopt delaying tactics. Let me proceed further with this matter. True, some sections of the Pitjantjatjara people have expressed strong concern about the provisions of this legislation.

The Hon. R. G. Payne: Who are they?

Mr. GUNN: The people at Yalata. I suggest to the honourable member that he ought to check some of the correspondence on this particular matter, because only recently my discussions with those people have indicated clearly to me their concern about the provisions of this legislation. I also quoted yesterday from a letter from the Aboriginal Lands Trust, expressing concern in relation to the approaches that the previous Government had taken on this particular matter.

The Hon. R. G. Payne: What was the date of that letter? I didn't hear your speech yesterday.

Mr. GUNN: It is in *Hansard*. The Government has acted quite properly in this matter. The Ministers concerned have had lengthy discussions with representatives.

The Hon. R. G. Payne: That is not true. You want to be careful what you say.

Mr. GUNN: I have had the pleasure of being involved in the majority of discussions that have taken place.

The Hon. R. G. Payne: The first one took place last year, the second this year, and that is all.

Mr. GUNN: Further discussions will take place over the next few weeks and I am confident that a decision will be made, I hope in the not too distant future, because it is my view that not only have the expectations of the Aboriginal community been unduly raised by the previous Government—

The Hon. R. G. Payne: So you are going to give them less.

Mr. GUNN: As I pointed out earlier, the Government has a responsibility not only to the Pitjantjatjara but also to the total South Australian community. This legislation is far wider than the land rights legislation that applies in the Northern Territory. I believe that every aspect of the Bill should be considered. I have a number of other things I want to say in reply to the honourable member. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

STATE EDUCATION COSTS

The Hon. D. J. HOPGOOD (Baudin): I move:

> That a Select Committee be set up to inquire into and report upon the direct costs falling upon parents as a result of their children undergoing pre-school, junior primary, primary and secondary education at State Schools.

The education systems in the various States of Australia were described in very early years as being "free, compulsory and secular". Indeed, that was a sort of slogan that attached itself to the aspirations of people who set up these systems. Cynics have been known to suggest that all three of those aspirations are honoured in the breach. For the most part, however, the systems are compulsory. There are procedures whereby it is possible for a child below the compulsory age to leave school. In fact, I obtained some information from the Minister earlier in this session about the number of such exceptions last year.

For the most part, indeed, the systems are secular. There are religious observances that occur in schools. There is a course known as "religious education", but in all these cases there is machinery for a child to be opted out of that part of the system if his or her parents so desire. The question resolves itself into the extent to which education is free. I want to make absolutely clear to the House what I mean by "free education". It is, of course, true that there is no such thing as free education, in one sense in which that term might be described, any more than there is a free lunch. However, by "free education" I mean education that has been prepaid through the taxation system and, therefore, no further costs are required to be met by or fall on the users of the system.

I am sure that that is what was meant by those who first put together the slogan, "Free, compulsory and secular." They would not have been so naive as to suggest that in some miraculous way an education system could be free in that broader sense. I believe that, by and large, this sense of free education, in the sense of having been pre-paid through the taxation system, is one to which we should aim. Indeed, I suggest that, in most cases where one is dealing with basic public services, the prepaid system of delivering the service is the one to which we should adhere. It has the advantage that, of course, payments then fall more heavily on those who are better able to meet those costs. "From each, according to his ability . . .", is half of a very famous slogan. Indeed, a compassionate Government will complete that slogan and ensure that the services are provided to each according to his needs.

One of the things that concerned me particularly in the last 12 months or so in my period as Minister of Education was this whole concept of how free our State education system was. The Government of which I was a part could be forgiven if it did not get to grips completely with this question, especially when one considers the enormous amount of additional effort that has gone into the salaries and employment sides of the Education Department and, indeed, the Department of Further Education.

A Government that is able, in the face of a 1 per cent reduction in enrolments, to increase by 35 per cent the size of the teaching force from 1972 to 1978 can surely be forgiven if in some areas it has not quite caught up with all the problems that arise, because there is no doubt that problems did arise in what we all call the contingency side of the Budget, as it worked through to the cost on the parents. Something very close to 90 per cent of the education Budget is spent on salaries, and that is met centrally. Teachers and teacher aides are paid by the Education Department at the centre; they are not hired or employed by individual schools as is the case in the private school system.

The remaining 10 per cent of the education Budget can be called the contingency line and encompasses a rag-bag of items, some of which are met centrally and some of which are met at the school level. It is this latter part of the process about which I am particularly interested, but it cannot be altogether divorced from the former because the whole process is dynamic. It is in a period of transition. More and more items are being transferred from the centre to what is generally called school-based funding. That does not necessarily mean, nor should it mean, that the school must provide these things from the money it raises. Grants are made available to schools in order that they can, at their discretion, make various purchases. The question arises whether the grants are sufficient to meet these needs.

For the benefit of members, I will cite some interesting statistics, which show what happened to the contingencies Budget over a period. First, I should like to say that, in the jargon of the Education Department, this expenditure tends to be divided not only "north-south" (expenses which are met centrally and at the school) but also "east-west" (those things that are regarded as controllable items and non-controllable items). Controllable item grants to the schools can be cut and, although this will have unfortunate repercussions, both political and educational, the schools will nonetheless get by. Items that cannot be cut, such as utility costs, power, water, and things like that, which simply have to be met, are non-controllable items. By and large, although I have described this as a north-south and east-west split, there is a good deal of overlap between the categories, because, for the most part, the uncontrollable items continue to be met by the Education Department, and the controllable items tend to be met at the school level from grants and whatever other money is available.

One can see the rough logic in that because, where it all began as a central payment with the schools perhaps rather reluctantly agreeing to take on these matters, they have tended to say, "We can see that utility costs are really uncontrollable items and we do not want to have too much to do with that." Therefore, the schools have embraced certain areas more readily than other areas, such as utility costs. Given that we have the distinction in our minds between controllable and uncontrollable items, and that together they make up the total contingency Budget, let us examine the figures.

In the financial year 1975-76, the contingency Budget totalled $23 270 000, made up of uncontrollable items amounting to $9 384 000 and controllable times amounting to $13 886 000. If we take that as our base year, we will see what happened to those items as time passed. Without

detailing too many figures, let us examine the figures for the year 1977-78, when the contingency Budget totalled $29 240 000, made up of $13 022 000 on uncontrollable items and $16 398 000 on controllable items. One can see what happened: the controllable items were being squeezed. In 1978-79, with a total contingency Budget of $31 047 000, made up of $16 114 000 on controllable items and $14 933 000 on uncontrollables, one can see more dramatically that the controllable items were being squeezed.

One can also see how this might happen. In a period of inflation where not only wages but also material costs were inflated and the size in real terms of the education Budget was increasing dramatically, as I detailed previously when I talked about the extra number of teachers we employed, there would be a tendency for Treasuries always to give an offset against wage inflation (because they must; it is a matter of industrial law and the award under which teachers operate), and perhaps to be a little less on the ball in relation to these controllable items and to say, "Surely the schools can save money here and there in the interests of the overall configurations of the Budget."

Of course, one outgrowth of that thinking was the halving of the equipment grant, which occurred in the last financial year. This led us to look very hard at the whole question of contingency expenditure. So, the Labor Government agreed in relation to this year's Budget that it would not only restore that grant but also index it to inflation. The new Government has not done that. Rather, it has restored the equipment grant to 90 per cent of its 1978 level, so the schools are still well behind.

It would be interesting to see the figures for the current Budget in this respect. I cannot cite those figures; I do not know what they are. I have tried to obtain them. When the Budget was before the Committee, I asked a series of questions on this matter. One of the questions I put to the Minister (page 599 of *Hansard*) was as follows:

> Under the line "Curriculum Directorate", I seek the expenditure that is being sought for books to free scholars, data processing charges, equipment, fuel (electricity), fuel (oil), equipment grant (now called the school purposes grant, I believe), ground maintenance grant, supplies grant, foundation grant, library books and materials, maintenance of equipment, maintenance of facilities, materials, motor vehicle expenses, postal charges, purchase of motor vehicles, purchase and rental of office machines, water usage, rates, swimming, transport of handicapped children, and travelling expenses. I would appreciate the Minister's getting that detailed information for me at his leisure.

At that stage a quorum was called and, when the Committee had been made up again, I asked the Minister about ancillary staff. To give the Minister his due, he never actually committed himself to obtaining that information for me. However, I would have thought that his staff, whom I know personally as very efficient people, would have gone through *Hansard* (as no doubt they did) with a fine toothcomb, to find out what extra information they needed to obtain for the boss so that he would have all the answers in Parliament on a future occasion. One wonders why that information has not yet been made available. This highlights the fact that a committee of this House should look thoroughly at the whole question of contingency expenditure.

Not all of the items referred to are school-based items which finally work their way into being an amount that is placed on the child's book list, but many of them do. It may well be that some economies are possible. It may well be that there could be more pooling of material resources in schools. Does every school in fact need to own its own motor mower for the school oval, or is that the sort of equipment that could be pooled? I do not know that this House has ever been given a definite opinion on this matter. I think it is one matter into which we could well inquire to see what economies are possible.

However, while I am prepared to accept that economies are possible and that we should also be looking at them, I am also very open to the suggestion that the needs continue to be great and that the burden on parents will continue to increase. We heard in this House this afternoon the Minister of Education ducking and weaving a bit over future expenditure constraints that he might have. Who knows what effect that might have on this matter? So far as we are concerned, as members of Parliament, we look at a total budget picture but, so far as the parent is concerned, he or she looks at simply what is on the child's book list.

I have much information here, a little of which I will share with the House; I will not go into too much detail because I do not want it to take up an inordinate length of time. As some of the material is repetitious, all I need do is illustrate the point I am seeking to make. I have information from schools as to costs to parents. Let us look at a school which on a schedule I have in front of me I call school C. Incidentally, some index of the capacity of the parents of children of the school to raise money in additional ways (that is, the amount of disposable income they have) is the free books list. The percentage of children receiving free books in that school is a good indication of the income profile of that particular community. In this school, in 1979, 7·5 per cent of the total enrolment received free books, and in 1980 the figure is 10 per cent. The book list total in that school was $27, including a voluntary levy of $3. In 1980, it will be $30, including the voluntary levy of $5. The school raised $2 000 last year in order to get the additional finance that it could not get either from the department or through the voluntary levy, and this year it believes it will need to raise $5 000.

Let us look at another school which I will call school G. The book list total in 1979 was $27, and in 1980 it is $31. The voluntary levy was $10 in 1979, and it is $12 in 1980, a considerable difference from the school that I quoted earlier. As for the percentage of children on free books, that is exactly the same—7·5 per cent last year and 10 per cent this year. The school raised $3 000 this year. Perhaps not surprisingly, in view of the higher voluntary levy, it expects that it will have to raise $3 000 as opposed to the $5 000 from school C.

School D is interesting in that in 1979 it had 43 per cent of its total enrolment on free books. The book list was $38·80, and there was a voluntary levy of $10. One begins to see something of an inequity in the system for which I do not blame the schools in any way. As I have just indicated, in 1979 a school with 7·5 per cent of its scholars on free books had a voluntary levy of $3, and another school with 43 per cent of its pupils on free books had a levy of $10. Thus, the school in the poorer area has the higher voluntary levy.

To continue with school D, its book list will go to $40·80 this year. It will keep the voluntary levy of $10, and its target for fund-raising is again $3 000. Interestingly enough, it anticipates a reduction in the number on free books to 26 per cent. I wonder whether indeed that is the final figure for this year, as I wonder whether any of the 1980 figures on the percentage of children on free books is as yet a final figure. Obviously, 1979 must be, or else the particular school has got its accounts in somewhat of a disarray.

One can see the sort of pattern coming through. During this two-year period anything between about $24 and a

little over $40 for school books, a component of which is a voluntary levy, indicates how much there must be moral compulsion surely in the minds of these people to try to meet that voluntary levy of between $3 and $12 for one of these schools.

There is inequity in this system. Worst of all, we do not know where it is going. There is every indication that, unless the matter is taken into hand (and I believe my proposal, which was accepted by the former Government, of an automatic indexing of the contingency line would have been a way around this), we will see this matter escalating even further, and there being more and more cynicism on the parents, part.

One of the real problems that arises from time to time is in relation to educational excursions. Here we come into a professional curriculum area where I am quite happy to leave the educational judgments to the teachers. If the teachers of the school believe, after mature consideration, that a certain excursion is to be of educational benefit to that child, I believe that, if it is humanly possible, that child should go on the excursion. There are real problems in relation to people on lower incomes and the costs of these excursions. A school run by people who are compassionate (and for the most part that is an accurate description of all of our schools), will endeavour to subsidise those costs to those parents. It will do that out of funds available. This is where schools run into trouble with their free scholars' money. This is where it runs out and where they have to look to other sources of funds and fund-raising in order to be able to do that.

Again, a moral question arises out of that. It is one thing to be redistributing income through the taxation system (and that is, in effect, what I am advocating when I say that schools ought to be given adequate grants to be able to do these things and meet the needs of children of particular parents); but it is another thing for it to be so visible that it is obvious at the school level that they are running a school fete so that this child and that child are able to attend all the school excursions. This is a real problem of which members of this Chamber should be aware and with which we should be grappling seriously indeed.

I believe that the proposal before the House is a realistic way in which we can educate ourselves in this matter, and whereby we may be able to assist the Minister and the Government. I bear the Minister no ill will in relation to this matter. I hope that he is able to come up with a solution to the problem, because for so long as the problem persists it is the children in the schools who are obviously suffering.

Grounds maintenance tends to be one of the real problem areas in relation to schools—with the perennial problem involved of trying to make a buck to make up for the lack of money available from the centre. Grounds maintenance has all sorts of problems associated with it.

One of the problems is that traditionally the funding of schools tends to be related to their enrolment. That is not unreasonable; quite obviously, for the most part, the school that has an enrolment of 1 500 children should get far more money than a school which has half that enrolment. When one is looking at ground maintenance, one may be looking at a different sort of problem altogether, because the area may bear very little relationship to the enrolment of that school. It may bear a good deal of relationship to the history, age and geographic location of the school.

I was confronted with a situation in which what became a small four-teacher school was redeveloped on the site of what had once been an area school, and that small group of parents (obviously they would be a small group for a four-teacher school) had the enormous burden of having to look after the grounds of what had been an area school with quite a healthy enrolment. The member for Goyder would know this school well, as he treated me very well when I went there on that occasion. It was the Brinkworth Primary School, and it had been the Snowtown Area School.

There may be a school in an inner suburb of Adelaide which really ought to have a much larger area, but that is not possible short of massive compulsory acquisition of properties around the school. Virtually the whole of some of these schools is under asphalt. There may be a school in a new area which has 10 acres. That type of school may have been set up well initially if it was one of the newer schools, with the grounds properly prepared, but it does not necessarily follow that, because the lawn or the oval is established, funds will continue to flow in to meet all of the maintenance requirements of that school. So the problem persists.

I can remember sitting on a school council and the members said to me, "We are glad to have these magnificent facilities, but in a sense the Education Department has handed us quite a headache in having to keep these facilities going." In the normal course of events, as happened years ago, they might eventually have obtained these horticultural facilities after a period of 10 or perhaps even 15 years, as the people would gladly have built up their funds to meet the maintenance but in this case people had the grounds dumped in their laps, they had to find the money to meet the maintenance costs, and now they were not sure how they would do it.

I do not see voluntary fund raising at a school as being a bad thing *per se*. I believe that much can happen at the school that can bind a community together. From 1970 to the present time I have lived in a community, which, when I moved there, was just becoming established on the fringe of the Adelaide metropolitan area. It could hardly be called a new community any more. One of the things that bound parts of that dormitory suburb together were the voluntary efforts of parents working for the schools, but there has to be some sort of limit on this; there has to be some sort of threshold. There is a point at which people become cynical and disgusted in relation to this whole concept of free education. I believe that, if the present Minister was in a position to be able to hold the line on salaries and if he could hold the staffing establishment which was bequeathed to him (and I am afraid that is not happening), the erosion of enrolments he was talking about this afternoon would to a great extent have taken care of the demands from parents and teachers in relation to reduction of class sizes.

Let him not forget as he grapples with that problem that there is another problem of the direct cost to parents of what is supposed to be free education. Let us have unanimous support for this motion from this House; let members get on with the job of making this inquiry, and let us come up with some hard solid recommendations which will be of assistance to the Minister and the Government but, most importantly, to the schools of South Australia.

Mr. TRAINER (Ascot Park): I second the motion. I have had a lot of interest in the past in this aspect of the direct costs that fall upon parents, because over the last few years I have been on both sides of the billing structure: I have been involved in the classroom as a teacher who has had to send so many of these bills home to parents, and I have also been involved as a parent on the receiving end who has had to find a few dollars for this and that at short notice in order to meet these costs, such as fees for library,

art, science laboratory, home economics, woodwork, craft and so on, and the one that the member for Baudin mentioned, the voluntary levy, which is a misnomer if ever there was one. The implication of the word "voluntary" seems to be a little different from what one finds in a dictionary. The implication seems to be that, if one does not pay it, one is a non-conformist. A great deal of social pressure is exerted on parents to meet this voluntary levy; it is similar to the social pressure exerted in some schools in relation to the wearing of uniforms, which in theory is not compulsory, but in actual fact is compulsory. I am aware that that compulsion is not the practice in all schools as one has only to go outside some of the schools to see that the wearing of school uniforms can be very, very voluntary.

These charges, which come home to parents for so many aspects of the education of their children attending pre-school, junior primary school, primary school and secondary school, are likely to increase in the future because of the restrictions on funding that are likely to occur.

Earlier this afternoon the Minister, in answer to a question that I asked him, said that he anticipated that there might be a 3 per cent cut right across the board in the next Budget. He stressed that this 3 per cent cut was not inevitable and that it would not necessarily apply equally to every department. He seemed to imply that, if there was a cut in education, it might well be less than 3 per cent, whereas the cuts in other departments would be 3 per cent, or obviously it would be greater than the figure of 3 per cent if the cut in education was less than 3 per cent. Obviously, he has the same attitude that I suspect many Ministers have to an across-the-board 3 per cent cut, namely, that it will not be their department that is affected but it will be every other Minister's department except their own. We cannot be sure, of course, that the Minister will be strong enough to hold out against the competition, as to whose department is going to be cut the most, that he is likely to receive from the other members of Cabinet, particularly as we have been reading lately in the press that he has a somewhat tenuous hold on his department, and that he may just disappear down a mine shaft, or something, or be transferred to another portfolio. We cannot be sure that he will be able to resist the pressure that is likely to be exerted for his Ministry to have a larger cut than others, or for it to be the average 3 per cent. Every Minister says, "Yes, this 3 per cent cut is very good; we have to get away from waste and mismanagement, but it does not occur in my department."

We must consider the possibility (indeed, the probability) of about a 3 per cent cut, or perhaps even more, in the funds available for education. As the member for Baudin pointed out, 90 per cent of the education budget goes towards salaries, and it is very difficult to reduce that section of the allocation for education. The Minister certainly assured us earlier that there would be no retrenchments.

The situation with respect to the ancillary staff in the schools can be different, because they are not permanent full-time employees of the department. As they do not seem to have the same security of employment that the teaching or administrative staff have, the positions of people such as library aides, audio-visual aides and part-time workers may be somewhat more shaky. If the salaries provision of the Budget line cannot be cut, the cuts will have to take place in the non-salaries provision. Yet the services provided have to be delivered to the children as part of the educational process.

The cost must be met somewhere. One of the problems that this Government faces is that it has fallen for its own propaganda. It went on for so long about the waste and mismanagement that occurred in Government departments, exaggerating everything it found, that it ended up believing its own propaganda. It refused to accept that the previous Government made every effort to apply principles of sound economic management to the State and that genuine cut-backs were applied by the previous Government. In the process of those cut-backs, it cut away from the corporate body a certain amount of what is euphemistically termed fat. What is happening now is that, if we are going to continue this process of making financial cuts, instead of cutting away fat we will be cutting into muscle and bone. As these Budget cuts bite deeper, they will be cutting away essential parts of the service that the people of this State feel should be provided. There is a strong possibility with these cuts that an ever-increasing proportion of the costs of education in the schools will need to be met by direct payments from parents, payments of the kind I have outlined, such as voluntary levies, fees, and so forth.

One of the problems connected with these payments is that they are not based on the capacity to pay of the parent, or on the principle which the member for Baudin mentioned and which we have had for so long in this country—a free, compulsory, secular education, a system funded by taxation on an ability to pay basis rather than on a user pays basis, the latter giving unfair advantages to those who have the financial resources to pay for their children's education, compared to those who have not got those advantages. A Select Committee such as that proposed by the member for Baudin could advise the House and the Minister on what alternatives could be found to meet the needs of non-salaried expenditure within the department, thus saving parents increases in these direct charges.

One of the things we have seen is that, in its general philosophy, this Government seems to adopt an approach that, wherever possible, it replaces with charges anything that could be categorised as taxation. We saw a good example in bus fares—they are on, they are off. Now that the Norwood by-election is over, perhaps they are on again. The Government does not count charges as taxes, and, by diverting as much taxation as possible into direct charges that will not turn up in the figures, it can make statements later that taxation levels are such and such compared to those in other States.

There is nothing necessarily wrong with the user pays principle. It is fair, for example, that the owners of vehicles that cause a disproportionate amount of damage on the roads, particularly those using them to make a profit, should pay for the upkeep of the roads.

That principle is certainly not applicable in an area such as education, where a universal service must be provided and where the community over the years has grown to realise that every child has a universal right to an education, and that right should not be determined by the parents' capacity to pay for it. Possibly the Select Committee could seek alternative methods of providing funds to the schools so that we do not reach that situation.

I would not like to see anything similar to what applies in the U.S.A., where there is locally based funding and where the quality of the education provided to schools, the quality of the buildings and equipment, and the care that goes into courses provided, together with the extra facilities (even the quality of the staff hired), depend on ability to pay. Each school has its own rights to what quality of staff it hires. The schools advertise. Perhaps it is a free market system, and that is why I do not like it much. The richer the area, the better the school provided.

Oddly enough, the children attending such schools

probably need less assistance at school, because the parents provide the kind of background at home which is rich in educational resources in the first place. The children who have already got that advantage have a double advantage at school, because they live in an area where a better school can be provided through locally based funding.

Conversely, in a poor area (for example, Harlem, in New York) one finds crumbling, decaying school buildings, and the situation is the reverse: the area cannot support a good school, the children are disadvantaged because of the homes from which they come; there is a high proportion of parental separation, dietary deficiency, and lack of stimulation in the way of reading matter at home—all of these things give the children an unfortunate start in life. The situation is aggravated, as the school is an inferior one, because the area does not have the finances to be able to support a better one.

To a certain extent, this factor applies in South Australia through the additional funding provided by parent committees, and so on. In middle-class areas, where there is a large proportion of professional people who are the parents of children at the school, the parents have the time and skills to be able, through parent committees and the like, together with community contacts, to organise things and get them done. The area has a strong financial base so that people have something in their pockets to give when the committee runs a fund-raising drive to help the school. So we do get a certain amount of this factor of disproportionate quality of schooling throughout the State, depending on the relative wealth of the area. However, this is only minor compared to the situation that applies if the whole school funding process is locally based.

The Select Committee could suggest some way of consolidating the grants that the department provides to schools and ensuring that the grants to schools are provided on a needs basis. The committee would, I think, be of value and could seek alternatives such as those I have mentioned.

From what I have read, I realise that the Minister has considered the formation of committees with fairly wide-ranging frames of reference. I refer to the morals committee, which was referred to in the press and which was inspired by the work of a Government back-bencher. I should be interested if, later, the Minister could provide details of this committee, reference to which was made in a report in the *Australian* of 22 December 1979. That report indicated that the Minister would be setting up such a committee early this year.

An unnamed Government back-bencher was reported by Peter Ward, in that article, as having harangued two senior journalists at the Liberal Party's Parliamentary Christmas party. This unnamed back-bencher claimed that "his main new task was to help enforce strict moral and family values absolutely everywhere". This unnamed back-bencher, if the report is correct, must be influential in Government ranks, because the report quotes him as saying that he had spoken to the Minister of Education, who had suggested setting up a special committee of like-minded zealots in the new year.

Like the proverbial cat which was later resurrected by information, I am overcome by curiosity as to the parameters within which the new committee will operate, whom the Minister intends to appoint as members, whether the like-minded zealots referred to in the report will be from groups such as Festival of Light and Moral Rearmament, and when the committee will commence operations. I would also be interested to hear an explanation from the Minister in relation to the reported answer given by this influential back-bencher to the question whether he would describe himself as a puritan. The back-bencher allegedly replied, "Yes, I'm very interested in sports and tourism." I am curious whether this answer to the question, concerning whether he was a puritan, was an unintentional *non sequitur*, or whether it was an indication that the committee would deal with the levels of morality that apply in the areas of sports and tourism. Perhaps the Minister can inform the House later about this new committee and the role of this influential back-bencher.

I return to more serious matters. If the Minister would consider such a morals committee (and he is reported by the press as having given it consideration) purely on the say-so of a Government back-bencher, then, if he is fair dinkum about his portfolio, the Minister will give serious consideration to a Select Committee that has been proposed by a former Minister of Education who conducted his portfolio, when he was a Minister, in an excellent manner, and who was widely respected in his department. The new Minister himself conceded that his predecessor was widely respected and that he, himself, held a great deal of respect for him. I say, again, that if this report that I uncovered in the *Australian* is correct and the Minister is giving serious consideration to that sort of argument, I think he should give serious consideration to the proposition that has been put forward by a respected member of this House, the member for Baudin. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

RAILWAYS (TRANSFER AGREEMENT) ACT

Mr. HAMILTON (Albert Park): I move:

That this House condemns the actions of the Government for its failure to properly enforce the provisions of the Railways (Transfer Agreement) Act, 1975.

In moving this motion, I am fully aware why certain provisions, namely, clause 9 (Part II) and clause 23 (Part V) of the Act, were insisted upon by the previous Government during negotiations prior to the signing of the Act, I think in August 1975. Those clauses were clearly designed to protect the interests of all South Australians who rely on the railways in this State for many reasons, whether for freight, passenger services or employment. Clause 9 provides:

(1) The Australian Minister will obtain the prior agreement of the State Minister to—

(a) any proposal for the closure of a railway line of the non-metropolitan railways; or

(b) the reduction in the level of effectively demanded services on the non-metropolitan railways,

and failing agreement on any of these matters the dispute shall be determined by arbitration.

(2) The arbitrator shall, in addition to the factors referred to in sub-clause (2) of clause 23, take into account the level of public demand and the need for the railway line and services referred to in sub-clause (1) of this clause.

Subclauses (1), (2) and (3) of clause 23 provide:

(1) Where a reference to arbitration is provided for in this agreement the matter under reference shall be determined, as soon as practicable, by an independent arbitrator acceptable to Australia and the State.

(2) The arbitrator shall in his deliberations take into account, amongst other things, economic, social and community factors.

(3) The arbitrator shall not perform his functions as an arbitrator under any law relating to arbitration but shall act as an independent expert or adjudicator.

Clearly the Minister, by his own admission made in the House on Thursday last, has failed to enforce those sections of the Act to which I have referred. In particular, I refer now to part of the Minister's reply to a question on Thursday last, reported in *Hansard* as follows:

> The honourable member mentioned the clauses in that agreement, but he should realise that, where the Commonwealth is not going to close a line, there is provision to go to arbitration if the Commonwealth and the State can agree on an arbitrator. That is the first point.

The Hon. M. M. Wilson: That is the critical point, too. It is a matter of getting an agreement. Mr. Virgo had the same trouble.

Mr. HAMILTON: I am just stating what the Minister said. He continued:

> If the Commonwealth is going to close a line, there is no problem, but if it is going to reduce services a written objection must be lodged, which happened in this case, and then we have to agree on an arbitrator. Then we have to find someone to define the phrase "effectively demanded", because the agreement provides that, unless the State can prove that the services are effectively demanded, the State has no case.
>
> That is extremely difficult to prove because, as the honourable member has said, the social effects are important, and the community effects of any rail services are important. The State accepts that, and that is the line that this Government takes. However, the Commonwealth takes the line that "effectively demanded" means only in relation to economic circumstances, and the only way in which we can resolve the matter is to take out a writ against the Commonwealth. I do not intend to take out such a writ against the Commonwealth on the Murray Mallee services, because we are able to reach an agreement which I think will be to the benefit of this State and the Commonwealth. Whether or not we take a writ against the Commonwealth on any future closure is another matter.

The Minister then referred to the actions of the previous Government in respect of railway reduction. I would like to analyse the following section of the Minister's reply:

> If the Commonwealth is going to close a line, there is no problem, but if it is going to reduce services a written objection must be lodged, which happened in this case, and we have to agree to an arbitrator.

I believe that the Minister acted properly up to the point where he lodged an objection to the reduction in services. However, I point out that he should have insisted that these services be retained until such time as Federal and State Ministers agreed on an arbitrator and waited on the outcome of the hearing of that objection. Until then, no services should have been curtailed. That is my first point. Secondly, the Minister stated that we have to find someone to define the phrase "effectively demanded service". My understanding, from advice I have received, is that this phrase could be interpreted as meaning that if only one person demanded this service it could be termed an "effectively demanded service".

However, whilst not advocating that a service be run for one person, I believe that the State Minister should have sought and obtained legal advice on this matter and, if he needed an interpretation, he should have sought it from the highest court in this country, if only to ensure that everything has been seen to have been done in an effort to protect the interests of the rural community, small townships and railway employees. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

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

CHURCH OF ENGLAND IN AUSTRALIA CONSTITUTION ACT AMENDMENT BILL

The Hon. D. O. TONKIN (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the Church of England in Australia Constitution Act, 1961, to change the name of the Church of England in Australia, and for other purposes. Read a first time.

The Hon. D. O. TONKIN: I move:

That this Bill be now read a second time.

Its main purpose is to provide the South Australian legislative component of a nation-wide scheme to change the name of the Church of England in Australia to the Anglican Church of Australia. In order that this change of name may take place, it is necessary that legislative amendments of the kind proposed in this Bill be passed in each State, for although the church is not, in any sense, an "established" church in this country, as is its counterpart in the United Kingdom, it has, nonetheless, been the subject of various enactments, including, in this State, the Church of England in Australia Constitution Act of 1961.

Where appropriate, then, this amending Bill will substitute reference to the Anglican Church of Australia for the existing terminology in the principal Act and all other Acts presently in force. The Bill also provides for this substitution in any current proclamation, order-in-council, rule, regulation, by-law or notice, and in any declaration, canon, regulation or resolution of synod or licence issued by a Bishop, and, finally, in certain specified documents. There will be some cases where it is not appropriate that the old usage be changed, for example, where the reference relates to the church as it existed in the past. The Bill anticipates this, and provides, in effect, for the retention of existing terminology in those instances. The Bill also contains a provision to ensure that the body presently known as the Church of England in Australia Trust Corporation has corporate status under the law of this State.

Clauses 1 and 2 are formal. Clause 3 amends the name of the church in the long title to the principal Act. Clause 4 recasts a portion of the preamble to the principal Act in order to accommodate changes of name. Clause 5 recasts section 1 of the principal Act, which sets out its short title, so that future citations may be made in accordance with the new name of the church. Clause 6 substitutes the new name of the church for the old in section 3 of the principal Act, which deals with the legal force and effect of the church's constitution.

Clause 7 repeals section 5 of the principal Act, which was concerned with various forms of the church's name at the time when the principal Act was passed, and substitutes a new section 5 which changes the name of the church, and provides for substitution of the new name for the old in other Acts, proclamations, orders-in-council, rules, regulations, by-laws, notices, declarations, canons, regulations or resolutions of synod, licences issued by Bishops, and any writing or document, whether made under an Act or by the synod of any diocese of the church or otherwise, that creates, varies, affects, evidences or extinguishes any right, title, interest, power, authority, liability, duty or obligation. The new provisions are not intended to affect the name of any association whether incorporated or unincorporated, and they take into account that old usage should remain in certain cases, for example, where reference is made to the church as it existed at a point of time, prior to the proposed change of name.

Clause 8 substitutes reference to the Anglican Church of Australia for the existing reference to the Church of

England in Australia in section 6 of the principal Act, which is concerned with the administration of customary oaths. Clause 9 amends reference to the name of the church in section 8 of the principal Act, which deals with the power of the Diocese of Adelaide to withdraw from the constitution.

Clause 10 enacts a new section to the principal Act, designated section 9. This section is designed to remedy a possible flaw in the existing legislation, whereby the body corporate now to be known as the Anglican Church of Australia Trust Corporation (formerly the Church of England in Australia Trust Corporation) may not have enjoyed proper corporate status under the law of this State. The new section ensures that this be put beyond doubt, and is to be deemed to have come into operation upon the commencement of the principal Act. Clause 11 substitutes reference to the Anglican Church of Australia for the existing reference to the Church of England in Australia in appropriate instances in the constitution of the church, which appears in the schedule to the principal Act.

I understand it is likely that this Bill, being a hybrid Bill, will require a Select Committee, and steps will be taken to refer it to such a committee at an appropriate time. However, I point out that the Church of England in Australia has been waiting for a considerable time for this Bill. The legislation has been contemplated for a considerable time and was interrupted by the early election. I commend the Bill to members for a speedy passage.

Mr. BANNON secured the adjournment of the debate.

EDUCATION ACT AMENDMENT BILL

The Hon. H. ALLISON (Minister of Education) obtained leave and introduced a Bill for an Act to amend the Education Act, 1972-1979. Read a first time.

The Hon. H. ALLISON: I move:

That this Bill be now read a second time.

It amends the Education Act on two separate subjects. The principal amendment relates to the retiring age of teachers. Under the present provisions it is possible for a teacher to retire at the end of the school year in which he attains the age of 55 years, or at the end of any subsequent school year up to the school year in which he attains the age of 65 years. At the time of the enactment of the present provisions in 1972, it was appropriate to limit teacher turnover as far as possible, first, because of the difficulty in finding replacements for teachers owing to the short supply that then existed and, secondly, because short-term teaching contracts had not yet been established. Moreover, school courses at that time tended to revolve at all levels around an annual study programme.

Circumstances have now materially altered since that time: the abundant supply of teachers allows rapid filling of vacancies that may occur due to retirements during the year; and the encouragement of earlier retirement particularly in relation to teachers occupying promotion positions allows for the employment of more teachers, easier transfer of existing teachers, and the promotion, or at least temporary promotion, of more teachers. Accordingly, the Bill provides that the obligation to retire at the age of 65 years, and the right to retire earlier, are not limited to the end of a particular school year. However, in relation to the present school year, any teacher who reaches the age of 65 during that school year may continue until the end of that school year.

The other amendment proposed by the Bill relates to the employment of probationary teachers. At present, there is no appeal to the Teachers Appeal Board against the dismissal of an officer while that officer is on probation. However, an appeal may well exist under section 15 (1) (e) of the Industrial Conciliation and Arbitration Act. In view of that, there seems little point in excluding a probationary teacher from exercising a right of appeal to the Teachers Appeal Board. The existence of a statutory right of appeal will, of course, have the effect of excluding an appeal under section 15 (1) (e) of the Industrial Conciliation and Arbitration Act. The fact that all appeals against dismissal will henceforth be heard by the Teachers Appeal Board will lead to greater uniformity in the principles applicable to cases of this kind, and will provide a more expeditious avenue of appeal to appellants.

Clause 1 is formal. Clause 2 amends section 15 of the principal Act. This section deals with the manner in which teachers are appointed and provides, in particular, for probationary appointment. The effect of the amendment is to allow a probationary teacher who is dismissed from his appointment to appeal to the Teachers Appeal Board.

Clause 3 amends section 25 of the principal Act, which deals with the retirement of teachers. The effect of the amendment is to allow a teacher to retire at any time after reaching the age of 55 years and to provide that, if he has not retired beforehand, he must retire upon reaching the age of 65 years. However, this latter requirement will not apply in relation to a teacher who reaches the age of 65 years during the current school year. Such a teacher is permitted, under the proposed new subsection (1a), to retire after reaching the age of 65 years but on or before the last day of the current school year.

The Hon. D. J. HOPGOOD secured the adjournment of the debate.

FURTHER EDUCATION ACT AMENDMENT BILL

The Hon. H. ALLISON (Minister of Education) obtained leave and introduced a Bill for an Act to amend the Further Education Act, 1975-1979. Read a first time.

The Hon. H. ALLISON: I move:

That this Bill be now read a second time.

It amends the Further Education Act on three separate subjects. First, it provides for an appeal against the dismissal of a teacher while on probationary appointment. No such right of appeal exists under the principal Act at the moment, and a probationary teacher who is dismissed must, if he believes he has been unfairly treated, take his case to the Industrial Court. The Government accepts the position that, if such an appeal is to take place it is more appropriate that the appellate tribunal should be the Teachers Appeal Board. The Teachers Appeal Board has a special expertise and experience in disciplinary matters affecting teachers and would provide a more expeditious and less expensive avenue of appeal in such cases. This amendment corresponds to a similar amendment that is proposed to the Education Act.

The second subject of amendment also corresponds to an amendment proposed to the Education Act. Under this proposal an officer of the teaching service will be permitted to retire at any time after reaching the age of 55 years and will be required to retire, if he has not retired beforehand, on reaching the age of 65 years. Thus the effect of the amendment is to remove the requirement under which retirement must be related to the end of a particular school year. The increasing availability of teachers renders the rather restrictive retirement pro-

visions of the present Act quite unnecessary.

The third amendment relates to the provision of a general right of appeal against administrative acts. Section 43 of the principal Act allows regulations to be made providing a right of appeal. The present provision, however, does not allow for the exclusion of any such act from this general right of appeal. A general right of appeal, however, is not invariably appropriate. For example, appointments in promotion positions are made by selection panels representing the Institute of Teachers as well as the department, and there seems no justification for providing a right of appeal in a case of that kind. There are other areas where arrangements made with bodies representatives of teachers for a participative approach in making decisions affecting teaching staff may render such appeals inappropriate. One example presently subject to discussion is the use of joint panels in deciding transfers for staff in certain classifications. The Bill therefore provides that certain subjects can be excluded from the general right of appeal.

Clause 1 is formal. Clause 2 provides a right of appeal to the Teachers Appeal Board for officers dismissed while holding probationary appointments. Clause 3 deals with the retirements of teachers and gives a teacher the right to retire at any time after reaching the age of 55 years but requiring him to retire, if he has not retired beforehand, upon reaching the age of 65 years. Clause 4 provides that certain subject matters can be excluded from the general right of administrative appeal.

The Hon. D. J. HOPGOOD secured the adjournment of the debate.

POLICE OFFENCES ACT AMENDMENT BILL

Second reading.

The Hon. H. ALLISON (Minister of Education): I move:

That this Bill be now read a second time.

The object of this amendment is to introduce provisions to the Police Offences Act, 1953-1979, which will make it an offence to tattoo minors. There has been considerable public concern in South Australia for some time in relation to this activity, the incidence of which appears to be growing. Many people, in later years, have come to regret being tattooed, and the Government is of the view, therefore, that the tattooing of minors ought to be prohibited by law, as it is at present in the United Kingdom. The provisions of this Bill make it an offence to tattoo any person under the age of 18 years for other than medical reasons. The proposed amendments also provide that it shall be a defence to a charge instituted under the central provision to show that the defendant had reasonable grounds for believing that the person tattooed was over the age of 18 years, and did, in fact, so believe.

Clause 1 is formal and clause 2 inserts definitions of "minor" and the expression "to tattoo" into section 4 of the principal Act. "To tattoo" will mean to insert into or through the skin any colouring material designed to leave a permanent mark. Clause 3 provides for a new section in the principal Act, numbered 21a. This provides that it shall be an offence to tattoo a minor for other than medical reasons. A first offence carries a penalty of up to $500, while a second or subsequent offence attracts a penalty of up to $1 000. The proposed section also sets out the terms of the defence outlined earlier.

Mr. BANNON secured the adjournment of the debate.

PRICES ACT AMENDMENT BILL

Second reading.

The Hon. J. L. ADAMSON (Minister of Health): I move:

That this Bill be now read a second time.

This short Bill proposes amendments to the principal Act, the Prices Act, 1948-1978, that are designed to prevent winemakers from circumventing the provisions of that Act providing for minimum prices for wine grapes. Section 22a of the principal Act provides that the Minister may by order fix and declare the minimum price at which grapes may be sold or supplied to a winemaker or distiller of brandy. Last year one winemaker devised a scheme under which he obtained supplies of grapes for processing into wine but so framed the transaction that it did not constitute a contract for the sale or supply of grapes for a price, the winemaker merely providing the service of processing the grapes into wine and selling the product on behalf of the growers supplying the grapes. This Bill proposes that a provision be inserted in the principal Act providing that such an arrangement shall be deemed to be a contract for the sale of the grapes. The Bill also proposes that a provision be inserted that is designed to prevent winemakers circumventing the mimimum price provisions by interposing a separate buyer, who may not be said to be a winemaker, between the grower and the actual winemaker. Finally, the Bill provides for a definition of grapes designed to make clear that grape crushings are included within the meaning of that term.

Clause 1 is formal. Clause 2 provides for a new section 22aa providing that an arrangement under which grapes are supplied to a winemaker or distiller of brandy for processing on behalf of the supplier shall be deemed to be a contract for the sale of the grapes to the winemaker or distiller for a price equal to the net value of the consideration received or to be received by the supplier under the arrangement. New section 22aa defines grapes to include grape crushings. The new section also provides that a reference to a winemaker or distiller of brandy shall be deemed to include a reference to an agent of a winemaker or distiller, a person who purchases grapes for the purposes of supplying or selling the grapes directly or indirectly to a winemaker or distiller, or a person who purchases the grapes for processing by a winemaker or distiller.

Mr. BANNON secured the adjournment of the debate.

DISTRICT COUNCIL OF BURRA BURRA (VESTING OF LAND) BILL

Second reading.

The Hon. D. C. WOTTON (Minister of Environment): I move:

That this Bill be now read a second time.

Its object is to vest in the District Council of Burra Burra certain land in the township of Burra presently held by the Lewis Trust Incorporated, and to wind up the trust. This trust was established by the Hon. John Lewis in 1922, with the object that the land and premises in Paxton Square would be "forever used for the purposes of affording places of residence for such deserving persons as may from time to time be selected . . . by the . . . board of management of the said trust". The 33 cottages erected on the land are now of considerable historical interest, and were some time ago declared to be historic relics under the Aboriginal and Historic Relics Preservation Act. Unfortu-

nately, they are also in a state of considerable disrepair, and it is esential that renovations are carried out at the earliest opportunity. The only other asset of the trust is a bank account, and it is proposed that the money in this account be put towards those renovations.

The board of management of the Lewis Trust believes that the objects of the trust are no longer applicable and has accordingly requested the District Council of Burra Burra to take over the property. The council is willing to do so, provided that the land is freed from the trusts, and it is the council's intention to restore the cottages and rent them out as accommodation for tourists to the district.

In view of the fact that an application to the Supreme Court would be protracted, expensive and perhaps uncertain of outcome, the parties have sought legislation as a solution to the problem, on the basis of the precedents set by such Acts as the District Council of Lacepede (Vesting of Land) Act, 1976, the Old Angaston Cemetery (Vesting) Act, 1978, and the amendment to the Local Government Act in 1972 vesting Beaumont Common in the Burnside Council.

Clause 1 is formal. Clause 2 provides the necessary definitions. Clause 3 vests the land in the Burra council for an estate in fee simple, freed from all existing trusts, mortgages or encumbrances. Clause 4 requires the Registrar-General to note in the Register Book the vesting effected by this Act. No registration fees or stamp duty are payable in relation to such notation.

Clause 5 empowers the Burra council to deal with the land as it thinks fit. Clause 5a vests all other assets of the trust in the council, free of all existing trusts. The council is directed to use the proceeds from those assets for the purpose of renovating and furnishing the existing cottages. Clause 6 provides that the Burra council must discharge any liability that the Lewis Trust may have incurred prior to the commencement of this Act. Clause 7 dissolves the trust.

Mr. BANNON secured the adjournment of the debate.

ART GALLERY ACT AMENDMENT BILL (No. 2)

Received from the Legislative Council and read a first time.

WHEAT MARKETING BILL

Adjourned debate on second reading.
(Continued from 20 February. Page 1113.)

Mr. LYNN ARNOLD (Salisbury): I indicate that the Opposition will support the Bill. The Bill (as partly shown in the second reading explanation of the Minister) is complementary to Federal and other State legislation which has been passed in other spheres of Government designed to bring about orderly marketing in the Australian wheat industry. This Bill replaces an earlier Act passed last October which was merely interim legislation designed to carry over until this Parliament was able to look at the full details of the Bill. It allows the Australian Wheat Board to remain as a monopoly, and I will come to that shortly. I notice that the Minister of Agriculture is quite pleased about this aspect of the Bill; apparently it is useful to have Government monopolies in certain circumstances. It also allows for a new scheme for wheat income stabilisation to be introduced. This has two characteristics. There is the provision of a guaranteed minimum delivery price for export earnings, and a home consumption price, the calculation of which has been changed from an earlier agreement in 1974.

With regard to the monopoly role of the Australian Wheat Board, this legislation follows Federal legislation which was designed to cover the whole aspect and which was made necessary by certain challenges that took place in New South Wales courts and other courts. There is a challenge from a farmer, I presume Mr. Uebergang and others who are party to it, against the Australian Wheat Board. They challenge the basis of the Australian Wheat Board regarding section 92 of the Constitution and New South Wales legislation of the same type. A similar case (the Clark King case) in 1978 also attempted to undermine the monopoly functions of the Australian Wheat Board.

It therefore became necessary for the Federal and State Governments to look at the question of how they could protect the role of the Australian Wheat Board if, indeed, they planned to do so. Discussions were held with various people involved in the growing of wheat and the user industries of wheat to decide whether the Australian Wheat Board monopoly was the best for the industry. Since there is no relevant quote in the Minister's second reading explanation, I had to refer to the speech given by the Minister for Primary Industry in the Federal Parliament concerning similar legislation. The Minister said:

> The proposition has not been accepted that there are significant savings to be made in the receival and storage of wheat by introducing commercial trading between producers and users in the domestic marketing of wheat.

He went on to say that, although some growers may benefit from a relatively *laissez faire* situation in the wheat industry, the bulk of growers and the Australian wheat industry as a whole would not, and our role in the international market place would suffer accordingly. Therefore, the suggestion here and in the Federal Parliament is that we should continue the specific role of the Australian Wheat Board as dominating the marketing of wheat in this country. The Minister of Agriculture looks somewhat puzzled by that.

Given the comments made by the member for Glenelg yesterday in the Address in Reply debate concerning socialism and the role of Government involvement and so on, I am worried whether in fact the Parliament will be able to rely on his support in this matter. If not, there could be trouble with the passage of this Bill. I hope that matter has been taken care of.

The implication of the Bill for wheatgrowers is that it is a compulsory obligation. I am interested in this aspect. I notice that no member from either side of the House has suggested that preference should be given to wheatgrowers who use the Australian Wheat Board. The word is "compulsory", and I hope that has been thought through carefully by the Government, because it is something we have tackled long and hard with regard to other areas of involvement with people who seek to sell the product of their labour, and our decision related to preference to unionists. I turn now from the question of monopolies to the guaranteed minimum delivery price, which is perhaps one of the more interesting and important features of the Bill. This provision is very innovative.

Previously, the arrangements made for paying farmers for their wheat crop were complex indeed. If one reads the annual reports of the Australian Wheat Board for the past four years, one can see a plethora of figures that are difficult to understand and interpret. A Senate Standing Committee recently criticised the board for publishing figures that were obscure almost to the point of absurdity. To give some indication of the complexity of the wheat funding arrangements and wheat payment arrangements,

a comment made in the Bureau of Agricultural Economics Outlook, Situation and Wheat, 1980, in which an attempt was made to enlighten the people on the situation that exists with regard to returns to growers and funding of the wheat stabilisation plan, states:

> Payments to growers by the Australian Wheat Board during 1978-79 totalled $1 490 000 000, with first advance payments from the 1978-79 crop accounting for nearly $1 310 000 000. Growers' equity remaining in outstanding pools or in the stabilisation fund are $2 per tonne stabilisation fund repayment from 1975-76; $3 per tonne pool payment and $3 per tonne stabilisation fund repayment for the 1976-77 pool; $10 per tonne pool payment and $3·52 (plus interest) per tonne stabilisation fund repayment for the 1977-78 pool; and approximately $45 per tonne pool payment and $1·70 (plus interest) per tonne stabilisation fund repayment for the 1978-79 crop.

That is not exactly the simplest or most explicit explanation of the payments. There seems to be a clear need for some rationalisation and simplification of the "payment" procedures to the wheatgrowers of this country.

The Hon. W. E. Chapman: You aren't disagreeing with the formula?

Mr. LYNN ARNOLD: No, but I am saying it is complex. The innovations that have been introduced with regard to payments to growers in the legislation are more to the point, because they give more certainty in a far more simple manner in relation to the returns the growers can expect. Previously there was no guarantee of what level the first payment a grower would receive would be. In the past 20 years it has varied from between 50 per cent and 90 per cent of the gross final payments received by the growers. Under this legislation, the calculation is made that the guaranteed minimum delivery price will be 95 per cent of a three-year average, which is calculated on last year's price, this year's price, and the estimated price for next year.

It will result in the first payment to growers being the substantial part of the total amount they will receive for any year's crop rather than between 50 per cent and 90 per cent, which applied in previous years. The effect of averaging over three years is a good feature, as it minimises the effect of major fluctuations in the market. If the Government had decided to impose a ban on all wheat exports to the Soviet Union, and that had resulted in a catastrophic fall in the price of wheat available in Australia, the effect would have been modified in the guaranteed minimum delivery price. It would futher have been modified by another provision allowed for, namely, even if, given the three-year weighting, one of those years drops so drastically that the drop in the calculation for the g.n.d.p. is more than 15 per cent, that drop will be sustained at only 15 per cent and not allowed to go in excess of that. The fluctuations will not vary wildly, all other things being equal. I will later deal with some of the other factors that certainly involve the level of income wheatgrowers receive.

To the extent that this new guaranteed minimum price dampens the effect of variations in price helps spread the effect of marked variations in the world meat market, that is a very good thing, and it will have very good benefits for the growers of this country. That has necessitated some change in the funding arrangements. I understand that the Commonwealth Government will be establishing a new wheat finance fund that is different from the present organisation. That fund will be supplied with the following sources of money. It will receive $80 000 000 from the previous wheat income stabilisation fund and a contribution from growers of $20 000 000, totalling $100 000 000, and any further funds will be supplied by the Federal Government if they are needed.

It was said in the Federal Parliament last year that there would not be a great need for Government funding in the years ahead. The following comment was made:

> It is unlikely that the system will cost the Government anything in the five years ahead, given that inflation is not likely to be suddenly cured—

an interesting comment on the Federal Government's policy on inflation—

> and that grain shortages in the northern hemisphere are almost inevitable.

I will examine that later, because I do not know that we can work on the definite guarantee that grain shortages in the northern hemisphere are inevitable or that inflation is not likely to be cured in the coming five years, albeit we are told by the Prime Minister that that will be the case. If these factors do not turn out as suggested by that statement, and if the fund has to draw on Government support, I am concerned about what are likely to be the cash flows that the Federal Government could be expected to put into the wheat finance fund in the years ahead. It is a pity that that information has not been provided. I hope that, in due course, it will be provided, because we need to know to what extent the Australian community at large may be required to help subsidise the industry as a result of this new scheme. That is not to say that it should not do so, but we should have that information available, and especially we should be given information as to the subsidy effect that applies to another aspect of the legislation.

One of the clear things that will come from the legislation is that there should be much better administration of the details of the board, of its finances, and of its calculations of input and output of tonnages of wheat. It was concerning to all members, and probably to the Minister, to hear the Senate Standing Committee's comment on Government finance and operations a couple of weeks ago. It was critical of the way in which the board reported and covered details of its operations. In a sense, I believe that that was obviously the case, because of the complexities of the previous Act. This new legislation should remove the complexities and make it easier for the board to comply with the need to convey information to the Parliaments of this country and to the general public.

In the framing of previous provisions, apparently the board was not directly consulted. Consultation between the Government took place with the Australian Wheatgrowers Federation, and the board was left largely in the dark. I hope that in this case the board has been consulted by the Federal Government in the framing of this new legislation.

Mr. Lewis: What evidence is there of that?

Mr. LYNN ARNOLD: The reading of the Senate report would be the best way for the honourable member to see that. The other aspect of the Bill deals with changes to coverage and the inclusion of aspects in the home consumption price, and the method of calculation. Again, this is designed to take account of practical realities that became obvious in the calculation of the home consumption price over the past two years. Again, we support it.

One thing that would be of some concern is the relativity of the home consumption price to the guaranteed minimum delivery price. There seems to be some evidence that, while the home consumption price in this year will be perhaps about 20 per cent below the guaranteed minimum delivery price, in years ahead that will not be the case.

I could make a reference to a comment that appeared in the Bureau of Agricultural Economics Situation and Outlook Paper, which said that the home consumption

price was to be calculated so that over a period of time it should average somewhere around 20 per cent higher than the average export price. So the Bureau of Agricultural Economics is saying that, over time, consumers can expect to pay, as an ongoing thing, 20 per cent more on the home market than the export price that applies. Indeed, the *National Farmer* of 7 February contained the following comment:

> The human consumption price is likely to come in at around $185 a tonne—

truly an astounding figure—

> probably substantially higher than the average overseas price for wheat, and this will undoubtedly prompt a fairly serious consumer outcry against the industry.

It would be regrettable if that were the case. I think we need an explanation of how relativities will go in years ahead and how that sort of subsidy (which is what it is, if the home consumption price is higher than the export price) can be justified as necessary for the wheat industry. I am not saying it cannot be justified, but it needs to be explained in this House, and I look forward to hearing that explanation. We know that for many years there was consumer reaction from a large number of people in this country to the double pricing standards that existed in relation to certain agricultural commodities. The butter situation was for years a victim of that double pricing policy, whereby the overseas export price was substantially lower than the domestic market price. That caused consumer resistance and some consumer antagonism. I would hate to see the same situation develop in this field regarding wheat marketing, especially if the differential were to grow to more than 20 per cent.

The Bill covers the monopoly role, the guaranteed minimum delivery price and the home consumption price. In looking at those aspects, which are the principal aspects (one or two others are of less significance), we need to take a bit of a view of what are the future market prospects for Australian wheat. It is certainly true that, with the advances made in the Australian wheat industry over many years, it is a cost efficient enterprise compared with that in certain other countries and, on the face of it, it would appear there is a very rosy future for it. At this particular point in time, Australian export production represents 7 per cent of world export availability of wheat. That is not very large, perhaps, but it is certainly a significant figure.

Where are we going in the years ahead? It has been suggested that there will be shortages in the northern hemisphere. It has also been suggested that there may be effects on the market from grain embargoes. In 1978 the Bureau of Agricultural Economics spokesman made the following point:

> The general long-term trend in the ratio of prices received to prices paid in the wheat industry is still expected to be downwards. Consequently, the industry will continue to experience economic pressures which will need to be offset by productivity growth if profitability and incomes are to be maintained.

There are two interpretations of that statement. One is that, in fact, wheat prices earned on the export market will fall and will, therefore, cause a cost squeeze on the farmer. The alternative is that, even if wheat prices rise, the costs to the wheat farmer of production will rise even faster, so that again his net return will fall.

If the first interpretation is the one that is correct (and there is no real indication from the paper one way or the other about this), it is in quite marked contrast to later views expressed by the same bureau. It would, therefore, heighten or indicate the fact that wheat in many ways is a field that changes (I suppose it is a field that changes once a year). It is an area that changes quite markedly in international market trends. It did introduce another aspect. If Australian wheatgrowers are going to increase their production in the years ahead, they will have to do so at the expense of substantially increased costs in years ahead which they have not had to face up to this point. Indeed, it has been suggested (or at least we know) that the cost of fuel in this country will have its own impact on the costs to wheatgrowers. There will be the cost of increased mechanisation that will be necessary, which will have its effect on the wheatgrowers, and those costs will have to be met. It is not simply a matter of saying that we can increase wheat production at the same basic costs as we have until now.

One of the implications of these changes to the Act is that there will be an increase in production. I hope that agricultural economists have been looking carefully at this matter to see what the implications are for the primary sector as a whole. The other thing to which we have to pay attention is that the international market plays an important part in the total wheatgrowing market in this country. We cannot pretend that it does not exist.

This Bill, the Federal Bill which it follows, and the other State Bills which it is in concert with are merely an attempt by this country to control wheatgrowing and to control returns to growers within the country. But they, by and large, of course, still depend on overseas factors, or other variations, quite beyond the control of any legislative action we may take here tonight. In fact, one of the disturbing black clouds, I suppose, over the state of the international wheat industry at the moment is the lack of agreement that seems to exist amongst international wheat producers and the failure of the international wheat producers to create an international wheat agreement, the aim of which would be to establish adequate reserve stocks in both importing and exporting countries to assist in modifying large price fluctuations. Negotiations to that extent broke down in February 1979, and at this stage we are no further toward advancing that. There may be some possibility that some of the international growers will get together to organise a private arrangement or agreement of their own, but that is purely relying on chance.

One factor which we have had thrown in front of us in this particular year and which upsets the long-term plans made by the Bureau of Agricultural Economics regarding the future sales prospects of wheat is the embargoes that have been posted on new sales of grain to the U.S.S.R. In itself, that may not sound very significant, because it does not undermine existing contracts, but merely postpones and delays future contracts. Yet in fact it has been suggested that there will be a serious cost to the Australian grower, for two reasons: first, it has been suggested that if grain growers persist with this they will permanently isolate themselves and cut themselves out of the Soviet market. The following comment was made in the 7 February issue of the newspaper *The Land:*

> The graingrowers and marketing authorities are disturbed that Australia's quick support of the U.S. embargo will cost the growers heavily this year. Australia may have shut itself out of the Russian market for a long time, possibly forever.

It is also suggested in that same issue by a grower in New South Wales that the effect of the embargo will be a reduction in the price of wheat of some $30 per tonne, and that is a fairly significant price reduction. If that price reduction goes ahead, what effect will that have on the guaranteed minimum delivery price? How much will that bring it down and, by implication, how much will that necessitate Government funding of the Wheat Finance Fund to help prevent that fund running dry?

Again, those are questions that I hope will be answered

in other speeches tonight. The other thing is that there is no certainty of northern hemisphere shortages in the year ahead. Certainly, many of the countries over there do experience shortages from time to time, and the Soviet Union itself experiences serious shortages, but increased productivity in those countries in the years ahead suggests that there may well be increases in production that were not anticipated two years ago. They are just some comments on the future market prospect for Australia.

I wish the Australian wheat market well, obviously, because it is an important part of the balance of payments of this country. But we have to make sure, in wishing it well and in trying to plan ahead for the economic receipts of this country, that we understand the other factors that are involved: that despite the passage of this Bill it will still be important for our Government to press ahead urgently, and as fast as possible, with the signing of an international wheat agreement. It will also be important that the Federal Government cease to play certain cat and mouse games with an election flavour in a year like this.

I also wish to comment on the effects on farm incomes that the provisions of this Bill will have. Its intent, of course, is to stabilise incomes, to provide some certainty of incomes in the years ahead, and I think the Bill will certainly do that. A grower will know more accurately in advance what will be his first payment. He no longer has to rely on the whim or discretion of the Federal Minister. He now has a formula that he knows will provide him with a set income figure, provided he can produce the tonnage to earn that income. As I mentioned before, there will be reduced fluctuations in that price over time so there will be less serious effects. One of the important things that has happened in the decades prior to this is that wheat prices have sometimes fluctuated markedly and have had disparate effects on the income returns to farmers over and above the effects of weather and other international factors like that.

The interesting thing about the income aspect is that it has been speculated by agricultural authorities what the income will be. It was stated in the *National Farmer* of 7 February that incomes on "wheat" farms this year were expected to at least equal or exceed the $40 000 earned by the average grower from last season's bumper crop, mainly due to the increased first payment level. We have already had an estimate made of what will be the effect of this Bill; it will either maintain incomes at last year's level or increase them above the level of an average of about $40 000. Compare that with the figures that have been earned over previous years. The Bureau of Agricultural Economics states that in 1976-77 the average net income per property for crop specialists has changed from $34 000 to $10 500 in 1977-78, and again to $33 000 in 1978-79. In other words, the effect of the Bill this year will be to maintain incomes at the relatively high level that applied last year, and higher than in years prior to that.

If there was any sudden variation in the year after this, there would not be a catastrophic drop commensurate with the fall in prices that may be suggested. One thing that may be difficult to explain is that, if high incomes continue to be maintained and the home consumption price rises to the inordinate level suggested by the earlier reference in the *National Farmer*, there would naturally be some sort of antagonism from people in the community.

What are the costs to the Federal Government? It has been said that there will not be any substantial cost in the years ahead. If, in fact, this grain embargo on new contracts proceeds or maintains, we will see that there will be some effect. Prices will be lower than in the ordinary course of events would have been anticipated. That must have some effect on the wheat income fund over and above what was anticipated. In setting the figures of $80 000 000 contribution from the previous wheat income stabilisation fund and $20 000 000 from the growers, it was anticipated that that would meet the wheat market in the ordinary course of events. This embargo, however, is not the ordinary course of events; it is a new addition to the whole question and beyond the initial calculations. The Government will have to take that into account.

I also believe that consideration should perhaps be given to inflation rates in this country, and the northern hemisphere shortages leave something to be desired, given that the various reports from the bureau do not, over time, necessarily piece together. But, for all that, the Bill receives the support of the Opposition. We are pleased that it has come before this House, and it will present some improvement in the situation applying to wheat-growers. We feel that there is a need for the Australian Wheat Board to be the dominant wheat organisation at the domestic level and at the export level. Only in that way will the wheat industry in this country advance to the benefit not only of wheatgrowers but of all people in Australia. The Bill will benefit the whole country and the the balance of payments, which naturally affects the welfare of us all.

Mr. RUSSACK (Goyder): I support the Bill. I am certain it will be of great advantage to the growers for the new five-year scheme to be introduced, because the previous five-year plan for wheat stabilisation expired in 1979. I am also glad that the Opposition has indicated that it will support the Bill.

The member for Salisbury referred to the Wheat Board's not being fully consulted on this matter. However, I point out that certain members of the Wheat Board are also members of the Wheatgrowers Federation. One name that comes to mind is that of Mr. Michael Shanahan of South Australia, who has exercised a lot of ability in this field. Mr. Shanahan has made a great contribution to this aspect of the industry. He is a member of the Wheat Board as well as of the Wheatgrowers Federation.

This measure will mean that there will be a stabilisation of income to the grower, and, of course, the grower accepts this form of orderly marketing. There is no doubt that the provisions of this Bill, when it becomes law, will give a greater stabilisation and a better system regarding home consumption. I feel that the Bill will be readily accepted by growers.

Over the past couple of years, there have been bumper harvests in South Australia. I am happy that in the district I represent a large volume of wheat and barley has been produced in the past two years. We are talking particularly about wheat tonight, of course. In the consideration of orderly marketing, I know that the grower would not wish to return to the method of wheat merchants. We have come a long way since those days, and I know that the present system will be acceptable to growers.

Further to that, an excellent bulk handling system has been established in South Australia. I know that you, Sir, in recent times have had the opportunity to go overseas, and I have heard you speak about the South Australian system compared to the system of other countries, where many of the growers have grain stored on their properties for a considerable time before they have the opportunity to export it. Even though South Australia has had two bumper seasons, South Australian Co-operative Bulk Handling Ltd. is to be complimented on the way that grain has been received from the grower. In fact, I would say that the time at which grain is harvested almost coincides with the grain's being stored in the receivals at delivery points.

The wheat marketing system allows for confidence in the industry, and I am sure that the introduction of the new initiatives provided in the Bill will give greater confidence to the growers and others involved in the industry. In his second reading explanation, the Minister spelt out the advantages and details of the system to be introduced. I do not wish to go over that again, except to say that, on behalf of the people I represent, I support the Bill, and I commend it to other members.

Mr. KENEALLY (Stuart): I find myself in circumstances similar to those of the member for Goyder; representing wheat farmers as I do in my electorate, I feel compelled to speak to this Bill and to indicate my support for it. However, I must disagree with the final comment of the member for Goyder. He complimented the Minister on giving this House a full report in the second reading explanation, explaining the purpose and the value of the Bill. It was not until the member for Salisbury explained to the House the full import of this measure that I was able to understand it more clearly. I congratulate the member for Salisbury for telling us these matters in relation to the Bill that the Miniser forgot to tell us. I hope it was not a touch of arrogance on the part of the Minister in trying to push the Bill through this House without providing—

Mr. Max Brown: Do you suspect him?

The DEPUTY SPEAKER: Order! The member for Stuart does not need the assistance of the honourable member for Whyalla.

Mr. KENEALLY: I do not. The member for Whyalla comes from a notable farming family in the Mid North, and I am sure that his assistance would be most worthy, but on this occasion I agree that I do not need it, because I, too, come from a farming family; in fact, my family, both on the paternal and maternal side, were the original settlers in the hundreds of Boolcunda and Wyacca. That is a proud tradition, and I wonder how many other members in this place can say that their forebears were the original farmers on the land they now occupy in South Australia. I suspect that members cannot do that. That is one of the reasons why I have such a vital interest in the Bill, and why I feel compelled to make a contribution.

I had not finished complimenting the member for Salisbury and supporting the comments that he had to make. I was saying that, hopefully, the Minister would not try to hoodwink the House by trying to get a measure through without a full and proper explanation. If that were so, I am sure he will never try that again, because he is now aware that there are members on this side who are able to explain to him the import of his own measures. I was interested to see the Minister bemused and worried initially, when the member for Salisbury was explaining to him the Bill the Minister had introduced to the House. As the member for Salisbury progressed, a light of awakening came over the Minister's face, and I think he now understands his Bill a little better.

During the last Parliament, when the then member for Florey, Mr. Charles Wells, spoke in the debate on the Swine Compensation Bill, members opposite wanted to know his background in rural matters. He said that he was not a farmer, but that he liked pork, and he thought that gave him some reason to speak on the Bill.

The DEPUTY SPEAKER: Order! I hope the honourable member will link up his remarks.

Mr. KENEALLY: I will. The member for Florey said at the time that he was also interested in compensation, an industrial matter on which he was competent to speak, so swine compensation, to him, was a proper subject on which to speak. I do not suggest that my relationship with the wheat stabilisation legislation is merely because I eat bread. My interest is because I support the Australian Wheat Board, a good socialist organisation set up to help the farmers of Australia. Everyone knows that the farmers of Australia, and the Australian Country Party, are enthusiastic supporters of socialism; in fact, they like it so much that they try to ensure they have a total monopoly on socialistic legislation in this country, and to a great extent they have been successful. I very much regret to say that, although the farmers in South Australia do not appreciate that fact.

As you would know, Mr. Deputy Speaker, being a wheat farmer yourself, traditionally wheat farmers in South Australia and Australia were enthusiastic supporters of the Labor Party. If one goes back through history, one will find that most farming electorates in Australia were represented by A.L.P. members. As the years went by, farm holdings became bigger and the rich and avaricious moved in— the Rundle Street farmers—and the family farmer was pushed out, and the political nature of our country districts changed. The family farmer, the good supporter of the A.L.P., was forced out and had to find work as a fettler on the railways. In some cases, he was starved off the farm, as I can explain. The big farmer moved in—the Rundle Street farmer—and now those areas are represented by a Party of the right or extreme right, except that there are occasions when the Country Party gives the impression that it is on the extreme left.

Mr. Slater: When?

Mr. KENEALLY: When it comes to socialising the rural industry for the benefit of the farmer.

The DEPUTY SPEAKER: I hope the honourable member is going to link up his remarks to the Bill.

Mr. KENEALLY: I will, Sir; I am pleased that you have drawn my attention to that. It worries me that representatives of the farmers in this House have been reduced dramatically in numbers. I recall other years when you, Sir, the member for Mallee, the member for Flinders, and the member for Rocky River were in this House and all could represent the farmers on matters such as the Wheat Stabilisation Bill. Now, they have all gone. Who on the Government side can speak now on behalf of the farmers? There is hardly a farmer in sight on the Government benches.

Mr. Slater: What about the member for Mallee?

Mr. KENEALLY: He is not in sight at the moment.

The DEPUTY SPEAKER: Order! I must draw to the attention of the honourable member for Stuart that he is not relating his remarks to the matter under discussion. I ask him to come back to the Bill.

Mr. KENEALLY: I accept your ruling, Sir, and I take it that your ruling will protect me from senseless interjections.

The DEPUTY SPEAKER: Order! All interjections are out of order.

Mr. KENEALLY: Absolutely; I appreciate that. Being a person who rarely interjects, I appreciate the protection you are now giving me.

Mr. Lewis: You need a hearing aid.

The DEPUTY SPEAKER: Order! The honourable member for Mallee will not interject.

Mr. KENEALLY: I recall a similar measure debated in this House some years ago, when the rural industry in South Australia was in a depressed state, and I made a notable contribution from the Government benches. I was given an hour at that time to address myself to the subject before the Chair. Because I was doing so well, and worrying people like you, Sir, and the then member for Mallee and the then member for—

The Hon. W. E. Chapman: Heysen.

Mr. KENEALLY: The Minister is brighter than we

sometimes give him credit for. The member for Heysen took up 17 minutes of my hour in interjections and points of order, and since that time the farming community in South Australia has never looked back.

Farmers took to heart the words that I spoke at that time and it has been a great advantage to them, to such an extent that in a recent copy of the *Farmer and Stockowner*, of which I am an avid reader, Mr. Don Blesing said:

> Remember our farms are currently returning a handsome profit on what we paid for them—and the difference between our purchase or inheritance price, and current market values is a bonus—a tax free capital gain of about 5 per cent per annum.
>
> Should we rather see higher annual profits coming from a small land value, instead of a non-productive rise in land values, then farmers would need to push for policies that put downward pressure on land prices. The answer, then, lies in our own hands—a wealth tax or a capital gains tax to slow the rise in land values, an acceptance of free market operations—or perhaps we could voluntarily limit the price we ourselves pay for farm land!

Before anything is said, Mr. Deputy Speaker, I point out that that does not have a great deal to do with the Bill. However, I thought the opportunity was too good to let it pass. I thought it would be quite relevant to bring those factors to the attention of the House. This indicates that wheat farmers in Australia over the past two or three years have found their industry much more profitable for them. We are delighted that that is the case. A successful and buoyant rural industry reflects a successful community at large. As I said earlier, we give great support to the Australian Wheat Board, an instrumentality that derives much of its basic philosophy from our political stand.

The Hon. W. E. Chapman: Come on!

Mr. KENEALLY: Privately the Minister agrees with what I am saying, but he is tied into a political philosophy that is not prepared to admit that there is any good at all in socialist organisations, such as the Australian Wheat Board.

The member for Salisbury touched on a matter of great concern to us all, and particularly to wheat farmers, and I refer to the effect of the embargo on grain, especially to Russia. In *The Land* of 7 February 1980, a rather informative article appeared in which comments were made by notable people such as Sir Leslie Price and others. The article states:

> They [farmers] are disturbed that Australia's quick support of the U.S. embargo will cost growers heavily this year. There is a widespread belief that Australia may have shut itself out of the Russian market for a long time, and possibly forever.

These are the sorts of long-term effects that could occur to South Australia through the very hawkish attitude taken for short-term political advantage by our Prime Minister currently. The article continues:

> Mr. Fuhrmann told the Outlook Conference that the embargo this year would cost Australian primary producers $400 to $500 million.

This is not an insignificant figure to be wiped off. This is the sort of money that wheat farmers in Australia are likely to lose as a result of the policies of our Prime Minister and his Country Party colleagues. I suspect the loss will not be felt so heavily in some of those more affluent farming areas, for example, around Nareen and central New South Wales, but the average farmer does run some risk. Mr. Fuhrmann went on to say:

> This cost was calculated by decreases in grain prices and by having to sell some grain on markets which would pay less than Russia.

You, Mr. Deputy Speaker, have a farm on Eyre Peninsula. You know that wheat from your area, even from your farm, has been sold to countries such as Russia and China. You will thus appreciate the point that I make. It is interesting to reflect on the changes that have taken place in the 10 years that I have been in this House in the attitude of farmers in South Australia to the Australian Wheat Board selling their produce to countries such as China and Russia.

In those times we were busy kicking the commo can, but now they are valued customers. It is also interesting to note the change in the rhetoric of this Chamber. We very rarely hear anybody criticise the markets of Russia, which are very valuable, much more valuable, it would seem, than sending athletes to the Olympic Games. They are quite dispensable at any time we see fit, but not so our grain markets. I am not prepared to argue that the Australian Wheat Board should not continue to seek markets in the countries of the Eastern bloc—the Communist countries of this world. If we do not sell grain to them, the effect on us will surely be much more severe than it would be on them. I do not know that we ought to run that risk.

Of course, if Mr. Fraser and our own Government in South Australia sincerely believe the things that they say they may find it hypocritical to do what they are doing. We know they are certainly not sincere—they will not do anything to prejudice sales. We on this side of the House sincerely hope that that is the case, that the real certainty of the situation is that our markets are protected and the 7 per cent of the world market that we have can be expanded to give greater returns to our farmers. Markets are more likely to be expanded in countries such as Russia and China.

One real possibility of the embargo is that we might force the U.S.S.R. into putting greater effort into expanding its own wheat farming activities. Possibly it will cut down on some of the other crops it grows and expand into wheat. That will have a dramatic effect on the Australian farmer.

Mr. Lewis interjecting:

Mr. KENEALLY: I am pleased that the member for Mallee, who was initially treating my comments with, I would say, almost contempt, is now right on the ball and is understanding the points that I am making.

I have farmers in my electorate and I understand the difficulties that they have. As the member for Goyder said, there is no point in getting into the technicalities of this Bill. They were remarkably well handled by the member for Salisbury—less well handled by the Minister, although he has the opportunity to reply in the debate. I look forward to his answering some of the vary valid questions raised by the member for Salisbury.

I support the Bill. I acknowledge the support of the Opposition for the Australian Wheat Board, and we hope that the present Government does nothing at all to destroy the very good relationship that the Government and primary industry has developed over the past few years in South Australia. Sometimes I am worried that that might be the case.

Mr. BLACKER (Flinders): I support the Bill and I do so with some considerable amazement at the lack of knowledge of the grain industry demonstrated by the Opposition. However, I will give a word of praise to the member who has just resumed his seat with regard to one short remark that he made. He said that a successful and buoyant grain industry reflects a successful and buoyant community in this State. I think that we would all agree with him, but I would hope that he would put far greater emphasis on that statement, instead of carrying on with

the mockery he indulged in during the first part of his speech.

I believe that this debate has got out of proportion and has taken on an air of mockery. That concerns me greatly. I have been involved with the land all my life. Many of the members in this Chamber have been involved with the land all their lives. I should take members back a few years just to remind them of what the early part of the industry was all about. In the depression years the total grain industry was subject to the whims of grain merchants. One merchant would wait down the corner as the farmers brought their bag grain in on waggons.

He would say, "I will give you 9d a bushel for your grain." Just around the corner behind the next mallee bush would be another grain merchant who would say, "How much did the other guy offer you?" When told, he would say, "I will give you 9½d," and so the story went on. Once the seller was commited to a sale, the grain was wheeled and dealed on a sailing ship between there and the consumer country. Those merchants seldom sent their grain by steamship, because it reached its destination too quickly, and there was insufficient time in which to do the wheeling and dealing. If it went by sailing ship, it took several months. This meant that money would change hands a few more times, and the grain would absorb more moisture, and weigh more at its final destination.

The member for Stuart mentioned the National Country Party, but I will not get too involved in that aspect. The Country Party started long before the orderly marketing of grain began. The orderly marketing of grain was introduced because the producers were so consistently ripped off by grain merchants. They decided to put their heads together in their own interests in an endeavour to get a fair price for their commodity. They were not asking for an excessive price. They were able to ascertain what the fair market price was for their commodity, and they believed that they were entitled to a fair proportion of the return, less the cost of shipping and dealing in the grain.

The whole system developed from that point. The South Australian Co-operative Bulk Handling Ltd. has been referred to in this debate. An implication was made about State Government finances. It is only fair to point out that our co-operative bulk handling system is financed by the farmers, not by State taxation or by other members of the community. The farmers financed the silos. They signed an agreement and allowed 6d a bushel to be deducted from their grain in the first instance. That 6d went into the co-operative's funds and was loaned to the co-operative for 12 years, after which that 6d was returned. With the advent of decimal currency the normal conversion took place. Ultimately the State had a silo capacity that was double the capacity of the State's average production.

We are in the fortunate position this year whereby, having had a record harvest, we are able to accommodate the entire harvest under cover. This position has been brought about because of the farmers themselves putting their heads together, joining the co-operative, and building the silo complex with their own funds, interest free, on a 12-year loan. If that kind of initiative and enterprise were shown by other sections of the community, perhaps society would be much better off. There is a lesson to be learnt by other sections of the community, particularly when Opposition members ridicule the grain industry in the way in which they have. They deserve some rebuke for that.

Another aspect that should be brought to members' attention is that primary producers are the only people who provide long-term finance for their customers, and pay the interest. The Bill is designed to shorten the period of repayment of the grain returns. Over a long period up until the present, the farmer was paid by a system of first advance, and then subsequent dividends. The Australian Wheat Board would go to the Reserve Bank, under a Government-guaranteed loan, and borrow sufficient funds with which to pay the producers (and the last figure was $1·80 a bushel) the first advance. That money would be available to the producer between 14 and 21 days after he had signed his claim for payment on the completion of delivery. From then on he had to wait sometimes many years before he received the remainder of the payment for that grain. It meant that the Wheat Board had to sell sufficient grain to first, repay that loan to the Reserve Bank, accrue sufficient funds to pay any handling costs and all the other costs involved in distribution and so on, and sell additional grain over and above that to build up a surplus in the funds for that year.

When sufficient funds had been built up so that a dividend of 10c, 15c or 20c a bushel could be paid, a second advance was paid. This system went on until the grain harvest for that year was wound up. Ultimately, the grower would get a final payment on the last dividend. Ten or 12 years ago that procedure took up to six years. I had to wait six years for the final payment of grain I had delivered. All of that time I had to pay interest on the money, while the customer country which received that grain used my interest on its finance. No other industry in the country does that. Yet the Opposition has become so complacent about this system that it is ridiculing the industry for doing something about it. It has financed this system over a long time.

The Bill ensures that the producers will receive 95 per cent of their estimated return in the first year. To me, it is a highly commendable and reasonable approach. No money from the taxpayers' pocket is involved. The system deserves the highest praise. The member for Salisbury referred to the home consumption price. Again, this is another sore point, because for many years the primary producer has been subsidising the home consumption price. Bread being bought in delicatessens today has been made out of wheat whose price the producers have subsidised. If they had sold that grain overseas they would have got considerably more—perhaps 30 or 40 per cent more—yet what thanks do we get from the consumer? We get no thanks at all. When there is talk of the home consumption price going up, there is a great outcry.

Why should the producers subsidise the local market when they know full well that they can get a higher price on the export market? I note with interest the absolute silence of the Opposition now, because it knows that it has been getting something on the cheap; it should be ashamed for trying to gain some capital on this issue. The future of the wheat industry was raised, and the question was asked about what would happen if there was a good reason in the North. Although it was never said, what the question was leading up to was whether we should impose wheat quotas again.

It is possible that we could get wheat quotas again. We have had two good years in South Australia, and our silos are almost full at present. It is fair to say that the wheat quota situation arose out of a series of circumstances that were unique. We had absolute bumper years in both the northern and southern hemispheres at the time. We had a series of other situations which brought about this massive over-production of grain. We had a lowering of the price of stock and a high price for grain, which meant excessive acreages being sown. We had large machinery going into tracts of new ground, and many hundreds of thousands of acres of new land being brought into production.

The situation is now quite different; there are not many acres left that could be developed for new wheat areas.

Furthermore, the world demand for grain is growing at about 17 per cent per year. That demand, I believe, will probably never be met. There could be a unique set of circumstances which might bring that about, but it will be very rare and certainly will not be on a continuing basis. Furthermore, the question of fuel prices was raised. This will be a limiting factor to excessive acreages. Again, the comment is raised, "Why not grain alcohol?" The very reason the Federal Government has not been pushing strongly for grain alcohol is that if we push for grain alcohol we are reducing our available acreage for food production. This is the point that is necessary to be taken into consideration when we are debating this issue. We can stand up here and ask, "Why do not all farmers grow their own grain?" Yes, they could grow their own grain with grain alcohol, given the right technology (and I believe the technology is available). That could be done, but we would immediately reduce our grain exports by nearly 40 per cent and we would immediately reduce our available acreage for food production by 30 per cent.

That sort of situation is alarming. It means a major restructuring of our export attitudes, because it would reflect upon the whole nation. It would mean a major restructuring of the fuel system. It is a different ball game. To suggest that is looking at something far beyond where honourable members have looked. The point I found rather intriguing, and the member for Stuart raised this point to a lesser degree, was raised by the member for Salisbury when he quoted figures on growers' incomes, as follows: in 1976-77, $34 000; in 1977-78, $11 000; and in 1978-79, $33 000. What he forgot to mention was climatic conditions.

To endeavour to draw from the figures he quoted the inference that there was a massive income for farmers was to overlook the most elementary thing associated with the land; that is, climatic conditions. Anyone who makes that type of assessment is either naive or making a deliberate attempt to mislead the House. A $40 000 grower income is a very meagre gross income. I say that quite sincerely. I do not believe that there are many farmers who could subsist on that sort of income, bearing in mind the excessive costs that production and maintenance of that land involve to return that sort of gross income.

Mr. Keneally: Net income.

Mr. BLACKER: It was not a net income; it was a gross income that he mentioned. This is the problem the honourable member overlooked when he presented his case to the House. This Bill is a commendable measure, one designed to ensure that the producer will get as nearly as practicable the return that he could expect from the sale of his grain at the time of the grain passing from his hands to a merchant. It is exactly the same as any other business man who sells a commodity and gets cash in hand.

A worker, when he finishes on Thursday or Friday night, gets his fortnight's pay. He can go away and forget the issues. That is the very thing this Bill is trying to do, get what is rightfully the grower's (his money) into his hands as quickly as possible. That is the very impact of the measure and, hopefully, that is what it will bring about. The whole emphasis is on stability and, hopefully, confidence. It is confidence we need in the grain industry, and it is confidence we want. If this Bill will bring stability and confidence into the grain industry, it will certainly serve its purpose.

Mr. LEWIS (Mallee): I support the Bill, largely for the reasons given by the previous speaker, who pointed out that 95 per cent of the value of wheat sold by the Wheat Board through the pool will be made available to the grower in his first payment. That is an essential improvement on any previous circumstance that prevailed in the industry organised by the Wheat Marketing Board. The previous speaker, quite properly, pointed out the historical reason for the existence of the board. It is not the socialist measure that members opposite and a good many economists might prefer to think it is. It seeks to provide circumstances in which, as far as possible, free market competition prevails.

In this case the buyers these days are not individual merchants overseas or grain traders; they are huge corporations or governments. Accordingly, there needs to be strength in the market on the sellers' side to match the strength there is on the buyers' side. One large buyer or a few large buyers can exercise disproportionately greater strength than one larger seller or a few large sellers. We are not much better off and certainly do not hold all the aces being organised nationally in the way we are. It is in their interests and the interests of the people they purport to represent that we are able to pay the farmers of this country at the rate we do on the first payment.

If a person has borrowed money to begin preparation of his land, as I am sure you would know, Mr. Deputy Speaker, at this time of the year he continues to spend money knowing that he has no income for his pocket until after Christmas and that additional liquidity has to be found from somewhere. Whilst it is being used to prepare for the crop and to plant the crop, he must pay interest on that money. This was quite properly pointed out by the previous speaker.

When the time comes, it is only just and proper that the farmer should get as nearly as possible that sum which will be realised on the open market. I would like to lay to rest some of the idiocies in the factual inexactitudes of members opposite, particularly the member for Stuart. I support the remark that it would be a good thing if Australia's embargo on supplying wheat to Russia had the Russians becoming more self-sufficient. They would then have fewer and fewer of their young men in uniform shooting at Afghans and more and more of them back home doing what they should. That is the intention of the embargo announced by the Federal Government, in case honourable members did not realise that.

Further aspects of the effects of the Bill as an Act of this Parliament, in consequence with other State Parliaments and subsequent to the Federal legislation that will enable it to have effect, are all desirable, except that I consider that there needs to be an ongoing analysis of the sole trader rights, which are presently held by the board to the exclusion of the interests of the internal market. I believe that any huge bureaucratic or corporate function that has such a monopoly needs to be carefully scrutinised to determine whether or not some of the power that that body can exercise in the market is being exercised in the best interests of us all as citizens. I do not think that that is so in every instance. In general, I support the Bill.

The Hon. W. E. CHAPMAN (Minister of Agriculture): I do not propose to address the House at length, but I would like to place on record my appreciation of the support given the Government on 7 November 1979, when the member for Playford spoke on behalf of the Opposition in support of the interim measure introduced at that time. Members will recall that there was a matter of urgency prior to the House's rising before Christmas, and that sufficient regulatory authority was given to the Government in this State in order to allow the free flow of payments during the harvest period, at least between that time and the resumption of Parliament this month.

I repeat that it is important for us to recognise it when the Opposition acts responsibly and supports the

Government in measures of a State and national nature. On that occasion, the honourable member paid a tribute to the Government for taking the action that it did. This action has avoided our introducing this Bill now to cover the period retrospectively. I am sure that the member for Stuart will remember our attitude when in Opposition regarding any measures which were proposed by the then Government to give retrospective powers to the Government. We were able, in those circumstances, to avoid such a measure, and, after enjoying this regulatory period, I am now able to proceed with a Bill to cover the intentions of the industry representatives.

Briefly (because this matter has already been referred to in several ways), the intent of stabilising growers' incomes in this instance is to be commended, and by far the greatest benefit to be derived from this measure will be the assurance that growers enjoy a maximum payment in their first release of funds. In fact, payment will be to the extent of about 95 per cent of the average of the full return for the three years that I used to fix that payment formula.

I believe that the address given to this House at the time of introduction of the Bill sufficiently explained its intent and detailed the formulas proposed for fixing the wheat price and the amounts that would be payable to the growers. Concern has been expressed tonight by the member for Mallee that the fixing of local wheat prices may be in the hands of an authority which from time to time could over-exercise its powers and demand unreasonable prices. I think the honourable member was probably referring particularly to the stock feed wheat consumers and the stock feed wheat processors. It was an issue about which I also felt some concern, particularly last year, when representatives of that group attended my office after hearing that a Bill of this kind was to be introduced.

At that time, I undertook to have discussions with the then Acting Minister for Primary Industry, Mr. Nixon, and he subsequently undertook that in the new Commonwealth Act, to which our Act is complementary, sufficient protection would be preserved. I note with interest (and I am sure that members on the other side will have noted) that in clause 9 protection detail has been included. This means that, if the Australian Wheat Board, directly or in this instance via its State agency, applies a price on the stock-feed wheat industry that it considers to be out of step with the intent and detail of the Act, or if it feels that it is damaging to the industry for the time being, upon its lodging a complaint, I am prepared to take the matter to the Minister for Primary Industry, who has said that he will welcome information that incorporates any evidence following allegations of the Wheat Board authority's overstepping the mark.

It is indeed significant to note the Minister's ready agreement in that direction and, if his action to that extent can be demonstrated through the rest of the application of the marketing Bill by the Australian Wheat Board, I believe that it will result in the establishment of the confidence in the grain growing industry of this country that our graingrowers deserve, that it will provide a regular income for those dependent on that practice, and that, with the other benefits incorporated in the Bill, industry at large will welcome the measure.

I expect that members from both sides will require further information about the many clauses of the Bill. I recognise that a number of rural industry Bills are to be dealt with by this House this evening, and in view of those factors I look forward to assisting honourable members with the detail required. If I cannot, for any reason, provide that detail, I will seek information from officers in the usual way.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Repeal and saving."

Mr. KENEALLY: I refer to the subject of regulation and retrospectivity. The Minister made the point that the Opposition would be well aware of the attitude of his Government, when in Opposition, to both these factors. I recall that you, Sir, waxed enthusiastic about the difficulties of such provisions. Have we had since last year a situation in which the Wheat Stabilisation Act in South Australia has been extended by the use of regulation? Can the Minister adequately explain to the Committee his comments that this is not a retrospective Bill? I put it to him that this Bill formalises an activity that the Government has been practising for some months, and I suggest that it is retrospective. If my suggestion is correct, are we to expect more of this activity, this governing by regulation and being required to debate retrospective Bills?

The Hon. W. E. CHAPMAN: I would hope not. The action taken by introducing a Bill into this House on 7 November, while having the effect of extending the existing regulation during the period in which the Bill was introduced and went through the ordinary processes, also had the effect of carrying on over the Christmas and harvest period in 1979-80 to the time when we introduced the Bill now before the Committee. It was on the undertaking that a permanent and detailed Bill would be introduced early in 1980 that we presented the Bill in November 1979 and received the support of the Opposition in both Chambers.

I do not regard the Bill as seeking or containing any element of retrospectivity. I think the member for Stuart knows only too well the Government's attitude towards retrospectivity. Undoubtedly, there will be occasions from time to time where, in the interest of the State, the Government will be required to consider retrospective action. Hopefully, those occasions will be minimal.

Clause passed.

Clauses 5 to 28 passed.

Clause 29—"Use of funds by Board."

Mr. LYNN ARNOLD: Has the Minister any information on anticipated details of cash flows from the Australian Government to the financing authority for the new provisions? Have any studies been done on that, and are any figures available on what might be likely in the course of events in certain circumstances? There is a suggestion of five years when there would need to be no cost. Has anyone in the bureau done any study on alternative futures rather than the one speculated to be the most likely?

The Hon. W. E. CHAPMAN: I am not aware of any studies or of any anticipated need for them. With the security of futures markets for grain, the pool funding that is available to the Australian Wheat Board, the flow of grain, in the form of deliveries to already secured annual and forward markets, I should have thought it unlikely that the occasion would arise when the board might be embarrassed. I have not done any study on that aspect, I am not aware of any occasion in the past when the board has been so embarrassed, and there have been no indications drawn to my attention of a need to make provision for it.

I note the comments of the member for Salisbury and his reference to that point. I noted also in his earlier remarks that he was hoping that I might give some indication of future markets overseas. I think he was exercising a little wishful thinking, to say the least.

The Wheat Board authorities in Australia are to be commended on their efforts in securing markets for our

grain, as are the co-operative bulk handling facilities, particularly as they apply in South Australia, which have set out, in conjunction with the Australian Wheat Board and other grain boards within this State, to store the grain at and subsequent to harvest time in such a way that the product can be properly protected at the sites and in circumstances where it can be moved quickly when export markets are secured.

I am not aware of the background funding or of the underwriting funding that might be available to the board in the event of financial problems occurring at that level. Within the next few hours, and before the Bill goes to the other place, I shall provide whatever information is available so that the member for Salisbury can pass it on to his colleague who will be in charge of the Bill there for the Opposition, so that the benefit of that information may be made available at that level.

Clause passed.

Remaining clauses (30 to 32), schedule and title passed.

Bill read a third time and passed.

SUPREME COURT ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

BARLEY MARKETING ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 20 February. Page 1113.)

Mr. LYNN ARNOLD (Salisbury): This Bill is not highly contentious, as with the previous Bill, I indicate that the Opposition will be supporting it. It is merely an attempt to rationalise a situation that has niggled for some time. The Barley Marketing Board has, over the years, taken an interpretation that certain types of sales of oats which come under the Barley Marketing Board need not be controlled by regulations in the Act. It has therefore been suggested that, for its decision to be fully supported and in a sense made legal, this amending Bill should be passed. Consequently, this amendment allows certain types of sales of oats to take place where the sales are small. It can be seen from the wording of the Bill that those sales would not account for a very large proportion of the oat production.

I also make the point that this is an indication of how wrong those people are who suggest that red tape is totally insurmountable and impenetrable, and that once a board or bureaucracy is set up there is no possibility ever to change it—that it is there like an Egyptian pyramid until the sands slowly wear it away. In fact this has been a logical response to a logical condition in the community to make the board more efficient and more responsive to the needs of the growers in the community. It has been quickly attended to and I am quite sure it will proceed through this House apace and through another place with the same speed and achieve its full benefit within a short time. In many cases those who choose to make a big deal about red tape and bureaucracy are more enjoying the sport than in fact actually trying to do anything constructive to improve the role of the semi-autonomous Government authorities in this community. I have no hesitation in supporting this Bill.

Mr. BLACKER (Flinders): This is just a machinery measure to clarify a point which has been mistaken in the original legislation. I do not think it needs any more explanation. It should pass this House with all expediency.

Mr. KENEALLY (Stuart): I am rather flattered that you have given me the call, Mr. Deputy Speaker. I imagine that is because of my very close and detailed knowledge of the grain industry. I have had a look at the principal Act. I agree with the previous speakers; it is a machinery Bill that warrants support of the House. The Bill rectifies an anomaly in the principal Act.

The DEPUTY SPEAKER: I hope the honourable member will link up his remarks.

Mr. KENEALLY: I thought I was speaking to the Bill. I am worried that I do not make myself clear. I will try to improve. I support the member for Salisbury in indicating that we have no opposition to this Bill.

The Hon. W. E. CHAPMAN (Minister of Agriculture): Again, I appreciate the attitude of the Opposition with respect to this quite formal measure. The long and short of it is that a practice that has been going for a very long time within the oat industry is seen by some to be subject to interpretation in a way other than that held by the oat-growing community and the authority marketing oats on their behalf. In order to clarify that position and ensure that the situation of a grower seeking to sell oats to another grower for his or her consumption, and indeed, not for further resale, is permissible within the industry. The brief formal Bill that we have before us covers these aspects. I am pleased to commend it to this House, and I again acknowledge the support that we are enjoying from the Opposition.

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

CANNED FRUITS MARKETING BILL

Adjourned debate on second reading.

(Continued from 20 February. Page 1114.)

Mr. LYNN ARNOLD (Salisbury): I have done a quick check on Bills that have gone through the House of Assembly in this forty-fourth Parliament so far. We have passed 17 Acts of Parliament since the Government was elected. Of those, some have been Budget matters: three Acts related to State finances. A further five specifically related to the issues of which the present Government made so much as election promises and rushed through post haste to show its gratitude to certain sections of the community. Therefore, one can, I suppose, regard those eight as being necessary. Of the remaining nine, six are agricultural Bills. It is interesting to see the high level of activity of the Minister of Agriculture. I wonder whether that rate of two-thirds of the Bills passed will be kept up in this session. When the Minister's term is finished, we might see some hundreds of Bills, and it might exhaust the Parliament going through those. It is a pity that the other Ministers have been only able to employ *in toto* half the rate of presentation of Bills of their colleague the Minister of Agriculture.

Mr. Keneally: He stands over Cabinet.

Mr. LYNN ARNOLD: Yes, stopping any others getting through. Nevertheless, it is good to see these measures coming through. This Bill is supported by the Opposition. We are pleased to support it as being an enhancement to the industry. We have long believed that it is right for industry at various levels in this country to be properly organised, and for consideration to be given not only to the production end but also to the consumer end of the scale. Thus, there should be some oversight and control.

The proposed Canned Fruits Corporation will do that, and the provisions of the Bill will enable it to do that very well indeed.

For some years now, there has been an important need for legislation regarding canning within Australia. The markets available to the Australian canned goods industry have been declining since about 1960. Various causes can be speculated on, but perhaps some of the more serious ones have been the entry of the United Kingdom into the European Common Market, the advancement of trading arrangements between the European Economic Community countries themselves, with the loss of some of those markets, and the growth of competition from other countries seeking to provide canned fruits to the world market itself. So serious is that situation that the total tonnage of fruits exported in 1978 was below the figure for 1960. Thus, even that figure of 1978, which we regarded as a good figure and which was better than the trough of, I think, 1974, was much below the good figures of 1960-61.

The industry itself became convinced that there was only one way out, namely, a co-ordinated, planned approach for the whole industry. Producers realised that, if they continued as they were going, cutting each other's throats in the overseas and domestic markets, nothing much could be achieved, except the bankruptcy of some of them and perhaps the diminution of the remainder to small-scale producers, largely supplying the domestic market only, with the consequent loss of export revenues.

The Hon. W. E. Chapman: I suppose the member for Stuart would reckon that this was yet another socialist plot.

Mr. LYNN ARNOLD: Undoubtedly.

The DEPUTY SPEAKER: Order! The honourable Minister should not interject.

Mr. LYNN ARNOLD: The basic provisions of the legislation are to establish a corporation to handle the aspects I have been mentioning. It will be called the Australian Canned Fruits Corporation, and it will have various powers, including the right to own and manage the entire production of canned peaches, pears and apricots within all except two States, Tasmania and Western Australia, which are not provided for in the legislation because their contributions to those spheres of production are insignificant or non-existent. Therefore, it was not thought necessary for those States to participate in the scheme.

The corporation will have the task of setting floor prices for canned goods sold to wholesalers and chain stores in this country and to major customer countries overseas. It will not set prices for all countries overseas; rather it will set them for a certain range of countries selected as being of prime importance to primary producers. The remaining countries not included will be the subject of free competition between Australian producers to try to achieve the largest share of those markets they can under ordinary free trade principles. In addition, the corporation may also set the conditions of trade that will be necessary in the sale of goods.

Furthermore, in an attempt to recapture the loss of markets over the past 17 years, the corporation will be charged with the responsibility of promoting canned products overseas. It should be pointed out that the corporation will not of itself undertake the marketing of those goods, but will operate through the agents designated in the legislation.

Regarding promotion, markets are to be found. Despite the decline between 1960 and 1978, it is a hopeful sign that, between 1971 and 1978, the sale of those three fruits to Japan doubled to 723 000 cartons. We were able to increase our penetration of that market, and it should be possible to do that in other markets. The assets that will be available to the corporation include the residue of assets available from the old canned fruit board which has existed for 52 years and which has obviously been unable to solve the problems facing the industry. The assets amount to about $500 000.

In addition, the corportion will have access to Reserve Bank funds to help in the purchase and processing of the fruit. The corporation will also be able to control markets, and that becomes an asset in itself, the predominant markets involved being Japan, Canada, the Middle East, the United Kingdom, and Europe. Last year, 3 966 000 cartons of canned products of those three fruits were exported overseas, and the prognosis for 1980 is that it will be as good, but our aim should be to improve on that. One of the things the corporation hopes to achieve is to pay within one month of delivery of those three fruits 50 per cent of the value of the crop to the growers who have delivered the crop. The corporation anticipates paying the remainder within a year.

We heard a few minutes ago the earlier payment arrangements for wheat marketing in this State. This is certainly a simple and quick arrangement, and will doubtless please growers within this State and throughout Australia. To finance the arrangements of the corporation a levy of 15c per carton will be arranged. Reserve Bank funding, plus residual assets from the previous corporation, will be available for other purposes.

I must, however, raise some problems. It is our intention to move amendments, but I should appreciate any comments from the Minister in relation to the points I will raise. The previous Minister, when he looked at this question, was proposing to the other State Governments participating and the Federal Government that some means of licensing should be available to control those participating as producers of canned fruit products. It seems important that that provision exist. If a licence were to have existed, anyone who was in breach of the legislation could quickly be penalised by removal of the licence, the effect of which would be removal from the industry as a whole. However, that provision is no longer in the legislation. What we now have is a provision that anyone in default of the requirements will pay a penalty of $1 000 in the case of a canner not being a body corporate. That $1 000 might sound a handsome sum, but a producer wanting to produce 1 000 tonnes of canned fruit would amortise that sum at the rate of $1 a tonne, an insignificant sum. Therefore, he might decide that that tolerable impost would still allow him to compete economically, and that would help undo the provisions of the legislation. A licensing system would have solved that problem.

I understand that the reason why the licensing provision was not included in the legislation was the result of objection from the Government of Victoria, and I should be interested in any comments of the Minister about why Victoria believed that the licensing system would not be appropriate. In this State, only one cannery will be participating in this scheme.

That, in itself, becomes a major point of attention because of the way in which that has developed. That aspect will be considered in later debates. The other matter that needs to be looked at is a monitoring of the relative prices (and we come, here again, to this two-pricing policy) of canned fruits on the domestic market as opposed to overseas markets. Members will recall that I mentioned some moments ago that the corporation has the right to determine prices to wholesalers, chain stores, and a select group of overseas countries. Theoretically, it would be in a position to establish a three-tier system of marketing over and above the residual free marketing

arrangement that the canneries produce among themselves in those uncontrolled markets. That could provide some anomalies. We could well have a situation again where local consumers were expected to help subsidise and finance these overseas sales at their own expense. I would appreciate any comments about this matter, because I think, in years to come, we will need to look at that and ascertain what is the case and what actual prices have been charged to these producers. I hope that the annual reports of the corporation will give some indication of unit prices that it has charged to these various avenues of sale.

The other area that I am concerned about is perhaps a somewhat obscure one, but I believe it could have some financial benefit to this State. I refer to the exotic bottled or canned products range. If anyone goes into any of the major or gourmet stores in Adelaide, he will see a wide range of bottled and canned fruits from overseas which are canned in various liqueurs and syrups and which are well beyond the price range of the ordinary can of pears that we see at our local Tom the Cheap. They are many times the price, but present themselves as quite exotic delicacies. They obviously achieve their aim because they are able to be sold at high prices. In some cases, the same quantity found in a can of pears for 50 cents will be found in a bottle of fruits in liqueur for some $5, perhaps.

At the moment, if a cannery in this country wished to participate in that sort of trade (and I think it would be advantageous to do so), it has to take that into account in its ordinary quota of production, because the corporation will have the capacity—in fact, this is its aim—to establish quotas of production for the local market and for the overseas markets. What incentive will there be to a local cannery to decide to go into this exotic, high income and yet rather finicky market if it, in fact, has to take that away from its ordinary quota? If it has, for example, 5 000 tonnes—a purely speculative figure—as a quota, it may not feel that it is worth while sacrificing part of that quota, which is one used for mass produced goods, to produce these exotic fruits. Yet, what penalty would it be to the whole orderly marketing arrangement of all the canneries if it was allowed free rein to produce those goods over and above its ordinary quota? I do not believe that the market is so large that it would cause any complication, or carry on the problems that the canning industry has had over the years.

We are obviously importing those products. If one goes into stores around Adelaide and looks at these high-priced bottled fruits, one will find that, almost without exception, they are produced overseas. That is not because the industry here has not the capacity to produce these fruits; it is merely because serious thought has not been given to allowing this industry to produce them. I do not think that this Bill will improve the possibility of the industry in this country doing that. I hope the Minister, in his next consultations with other Ministers of participating States and the Federal Government, will raise this matter. Perhaps we can look at some further changes to the regulations (which is perhaps the best way that this could be done) at some later stage.

I have one final comment, which does not specifically relate to the products mentioned in this legislation, but which I would like to mention because I believe it has importance, certainly for farmers in my area and also other areas of the Riverland. I refer to the selection of fruits or vegetables that can be canned. I believe that some attention should be given (and I know the Minister has had deputations to this effect from market gardeners) to the development of canned tomato goods. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

ADJOURNMENT

The Hon. W. E. CHAPMAN (Minister of Agriculture): I move:

That the House do now adjourn.

Mr. McRAE (Playford): I am pleased to have this opportunity to deal with the current controversy on retail development control, and also retail trading hours, since it is a matter which vitally affects my electorate, and has done in the past on many occasions. In the brief time I am allotted tonight I cannot give full justice to the subject. I want to make several broad comments.

Some members will recall that not all that long ago (and long before the current controversy over zoning of large retail outlets) I drew attention to a grave injustice that was being perpetrated on a constituent of mine. He was a small businessman, the proprietor of a delicatessen in the same block of shops in the area in which I have my electorate office. He was caught by one of the most onerous leases that I have ever seen. It was a professionally designed lease that locked him into a hopeless dilemma. He was caught with a heavy rental, a heavy turnover tax, and a number of other provisions which simply made his whole business life a dilemma. Not only that (and I do not intend to mention names; I do not operate in that way), but the person who had manufactured this lease and who, in fact, was the landlord, then led this constituent of mine into a situation in which he did not give certain notices that he should have given under the lease. As a result of that, but for the intervention of the Supreme Court, it may well have been that this small businessman lost his entire livelihood. That is to say, he stood, on the one hand, to be expelled from the premises, losing all he had to sell—the stock and goodwill—or, on the other hand, to have the opportunity of selling that goodwill. It was only because of the intervention of the law in certain circumstances that he was able to do that.

I mentioned all of this long before the current controversy was raised, but it highlights a number of things, and I want to lead into those things. First, it appears to me that we still have, in this area of the law, the concept of the jungle. Two centuries ago, even in the days of horse-drawn cabs, the law had accommodated itself to the fact that one does have responsibilities towards one's neighbour, even if one is driving a team of horses through the streets of London. Apparently, as between commercial landlord and commercial tenant, there is no law of decency or equity at all, unless you are very fortunate indeed.

This also highlights the need for the small businessman in the 1980's to demand the right that consumers demanded in the 1970's. Members in this House will recall that it was only because of the action taken by the then Attorney-General (Hon. Mr. King) in relation to consumers that justice was obtained by providing an equitable bargaining position between the consumer and the seller. In the same way, there is a desperate need at the moment for an equitable base to be reached between the small businessman and the large corporate conglomerate with which he is increasingly dealing. My evidence to demonstrate this is quickly at hand.

First, blazed in tonight's *News* is the headline "Open all day Saturday". Mr. Greg Reid, that wellknown journalist, advises that Myer Stores, Target Stores, G. J. Coles and Woolworths Limited will take advantage of the opportunity presented by the present Government to open all day

Saturday. What effect will that have on the small business man and his trade in metropolitan Adelaide? I can assure honourable members that this will have the most devastating effect. You, Mr. Speaker, as the able representative of the District of Light, and the members representing the Districts of Playford, Newland, Todd and Elizabeth will know that this move will have a devastating effect on the small business man and the consumer. The electorate is now paying the price for the election of this Government. The people who backed this Government are not the small business men (the small business men backed the Government to some degree, but they have learnt their lesson very quickly) but the large conglomerates. The Managing Director and Chief Executive of the Coles store chain, Mr. Bradbury, who was in Adelaide not so long ago, stated that good retailers, no matter what their size, thrive; poor ones suffer. But, of course, he admitted that the smaller shopping centres would find business increasingly hard. He said that, when this happened, larger one-stop shopping centres, well served by public transport, would survive best, and of course they will.

I can see a rational plan behind the actions of the large retail stores in all this. What they want to do, through the help of the present Government, which will be paying back the large amount of financial assistance that those groups gave the Government in the last election, is to achieve a complete monopoly in the market, and they will achieve it, because the present Government will not co-operate in the demands that the Opposition has legitimately made for proper retail zoning in the area. Increasingly, small business men who, before the controversy (and you, Sir, will be well aware of the hectic meetings we have had in the Elizabeth District and other places) were disputing with me, are now coming to me, asking me to act as their ambassador in this matter, because they can see the writing on the wall. First, there is the onerous lease prepared at the shot-gun level. The terms are set out for a shopkeeper—he can take it or leave it. No longer is there the concept of a person's getting out, working his heart out in a deli through the day, night and weekends, and then having a big asset to recoup. That is no more; the big conglomerate now demands that it will control everything. It will now dictate the terms of the lease, if it chooses, the terms of huge development, if it chooses, and also the terms of trade, if it chooses to do that.

Let me make a prediction: I believe that Adelaide is grossly over-shopped. I completely renounce what the so-called chief of Coles has said. What will occur is that these large conglomerates like Myers and Coles will send the small traders to the wall. They will do this by keeping up onerous leases to keep the small business men pinned down. At the same time, they will extend their businesses and, with the demand relating to petrol prices and the rest, it is only logical, as Bowden Ford said, that people will be attracted to those big centres, and they will use Saturday trading. Because industrial awards properly demand certain rates of pay (and I support that), the small trader will again be caught at a disadvantage. The small trader has always looked to Saturday afternoons and Sundays as his salvation and his bread and butter, as we well know. But will he be granted anything out of this? Not on your life! Big business will trade on Saturdays and, having got Saturdays, the next move will be Sundays. That is the philosophy, I recall, of the Liberals' former Leader.

Mr. Steele Hall announced, in this House, as Leader of the Opposition that he was aiming for 24 hours a day, seven days a week. Of course it fits into this philosophy. It would put these five big conglomerates in total control of the market and of prices, wipe out any small competitor, and at the same time put a crashing burden on their employees. The only good feature out of this whole miserable thing—and I have found it difficult to summarise in the time allotted me—is that at long last a number of small business men have woken up to the realities of the situation, and they have started to contact the Labor Party for the first time, because they see that it is their only salvation. The Liberal Party, and in particular the Minister of Industrial Affairs—

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

Dr. BILLARD (Newland): In the short time I have tonight I want to address myself to a problem that relates to the employment of teachers in South Australia. The problem to which I refer and the suggestions I wish to make have wider implications for the whole of the Public Service. The suggestion I wish to raise is not new. In fact, it was raised originally, I understand, by the South Australian Institute of Teachers about 18 months ago (in August 1978), but for one reason or another it appears to have been lost in the system. I wish to raise it again now because the problems it addresses have become worse in the interim.

The problem is that right throughout the 1970's there has been a dramatic change in the pattern of employment within the teaching service. In 1971 there was a loss rate for primary school teachers of 15·3 per cent per annum and of secondary school teachers of 12·49 per cent. However, this loss rate has declined to the point that, in 1978, for primary school teachers it was 5·8 per cent and for secondary teachers it was 4.8 per cent. There are many reasons for this. I understand that one of the reasons has been the surplus of teachers who have been turned out by our colleges of advanced education.

I understand that, last year, some 2 100 teachers who graduated were seeking, for the first time, employment with the State Government. However, only 600 to 700 of those could be employed. That has quite a dramatic impact on teachers currently in the service and generates a cyclic effect which in fact causes the loss rate to drop even further. Teachers who hold their positions and who might normally drop out of the service for one reason or another look ahead and see that they may not be able to re-enter the teaching profession. For that reason they hold on to their jobs at whatever cost. Many women, for example, who would normally consider dropping out to have families hold on to their jobs and put off having families. Some who do take accouchement leave return at the earliest opportunity. In various ways, some return and put their children into child care centres, and some take part-time employment, neither of which is satisfactory either from the viewpoint of encouraging people to take fully their responsibilities in rearing their children at an early age or from the viewpoint of ensuring that teachers are able to programme properly for the most effective employment of their staff.

The lack of mobility that results when people hold on to their position also causes distortions in the career structure. Obviously, many people who would like to enter the teaching service cannot do so. In the same way we also have teachers who, in normal circumstances, could expect promotion as a reward for excellence in their work and as an avenue of undertaking greater challenges and who, because of the lack of mobility within the service, are unable to gain their promotion.

All of this has the effect of degrading the quality of teaching, which has an impact on the children in the school. It lowers morale and job satisfaction amongst

teachers, and also it has an impact on the families of teachers, who must be put into child care centres.

Specifically, the proposal that was raised was called parental leave by the Institute of Teachers. It is a five-year accouchement leave, or an extension of accouchement leave, and is leave without pay. The emphasis placed on the proposal by the institute was the non-sexist emphasis, the leave being taken by either parent up to five years from the birth of a child.

I think that in the current situation, where we have a continuing decline in the loss rate, we must do something significant to encourage mobility back into the teaching service, and that five-year parental leave, for want of a better term, is highly desirable. I believe that, if such a scheme were introduced, it may be necessary, for example, for teachers to give notice of, say, six months before they returned, but with such notice it should not be too difficult for the Education Department to slot teachers in somewhere within the same Region as they were teaching previously.

In relation to the impact on the employment market, I understand that at the moment we have 200 to 300 teachers taking accouchement leave each year. That being so, for a period of five years after the introduction of such a scheme we would need to employ an extra 300 teachers a year. We would have an extra 1 500 teachers in the system, and after the five years the employment pattern would return to normal.

What we are gaining is not a permanent increase in the intake of teachers, but rather a breathing space while we can adjust the rate at which teachers are being trained within the colleges of advanced education. I would expect that, if teachers were given five-year accouchement leave, or parental leave, a percentage would choose at the end of that time not to return to teaching. That is fair enough. I believe that that is pure gain as far as the employment of teaching graduates is concerned, and many teachers would find more profitable avenues of involvement in the community.

Apart from the impact of 200 to 300 extra teachers a year being employed, I believe the real possibility and the real power in this proposal are that it may encourage many teachers who have been holding off and putting off having families, to drop out of the system and take advantage of this leave. We may find that we can in fact return to a situation where the loss rate, instead of being 4 per cent to 5 per cent, returns to its more natural level of 12 per cent to 15 per cent.

Finally, I think that there are wider ramifications for the whole of the Public Service. I believe that, in any situation where you have enough people employed in a category, where the numbers that are on this parental leave can be averaged over a period of time, this scheme can be used to advantage.

If we are looking for ways in which to scale down the numbers in the Public Service in areas in which we want to scale them down, we can use this scheme. It allows the Government to scale down these numbers in a way that does not adversely impact career structures in these areas. I think this is important, because, when we change the structures of employment within government, it is very easy to introduce distortions, either through non-recruiting over an extended period, or through prohibiting promotion over an extended period. We introduce loss of morale and distortions that are quite unrealistic and undesirable. I bring forward and recommend that the Government consider this proposal as a means by which some extra teachers in this State who are now being thrown on to the unemployed market—

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

Mr. O'NEILL (Florey): I wish to express concern, particularly after having seen the channel 10 news segment tonight relating to dangers arising from indiscriminate depositing of uranium ore around the countryside, safety factors laid down by the appropriate authorities obviously having been ignored. I am concerned at what I believe to be a great disservice to the people of South Australia, both in the economic area and the area of public and industrial health.

The Deputy Premier indicated to this House last week the Government's intention in respect of uranium mining and, indeed, milling if someone can be got in to do it. I believe that the Minister and/or the Government is ignoring the great doubts being cast over the uranium and nuclear cycle generally and turning people off this mineral and the uses to which it can be put. I do not know whether the Minister is ignorant of these developments or whether he is deliberately choosing to ignore them. On 15 November last year the Deputy Premier assured Parliament and the people, regarding uranium mining and development, that "it cannot proceed until the Government is completely satisfied that it is absolutely safe to do so". However, apparently the Deputy Premier had no doubt even at that stage, because on 21 September 1979 he is reported in the *Australian* as having said:

> The enrichment processes and final products are entirely safe.

He is also reported in the same journal as having said that it is not dangerous in regard to radiation. That was quite definitely contradicted tonight on the channel 10 news. Perhaps between 1979 and February 1980 the Deputy Premier has been able to convince his colleagues that his opinion of September 1979 was correct, in view of what he told Parliament last week. An increasing body of opinion says that the industry in all its phases, from mining to power generation, is fraught with quite devastating dangers.

We have only to read our own *Advertiser* to learn that a Swedish Nobel prize winner, Professor Alfven, who served on Sweden's nuclear programme for many years, and in fact was one of the prime movers in the development of that programme, now calls for a halt because of the terrible ecological and other dangers that he now perceives. The Soviet Union, of course, one of the greatest proponents of nuclear power, now openly admits serious doubts on safety and environmental matters.

Reports gathered by the Australian Atomic Energy Commission are full of qualifications about safe working procedures, and so it goes on and on. All the supposed safe working regulations are heavily qualified and call for very strict adherence to the procedures laid down. We could see on the channel 10 news tonight that these were ignored by the companies engaged in the recovery and treatment of the ore.

Because my time is limited, I turn now to the economic dangers inherent in the Government's infatuation with the mining and treatment moguls. We have heard a lot about Roxby Downs from the Premier—Roxby Downs *ad nauseum*. However, whilst it may be a large mining development some time in the future, I think South Australians are keeping their feet on the ground. While the Premier waxes lyrical about a new Mount Isa, the Western Mining Corporation director of operations said in the *Advertiser* on 10 October 1979:

> It is pointless to speculate about how many jobs full-scale development of Roxby Downs might create.

An article in the *Advertiser* on 18 January 1980 states:

> Western Mining executives say privately they know they

are on a winner no matter how long it takes.

In other words, they will develop that area when they want to. I believe that the Premier, the Deputy Premier and the Government generally are flying a kite. They are telling the people of South Australia what a great development Roxby Downs is, but little is being said about the real urgency behind their desire to get into the uranium race. The real reason is the relatively easily recoverable deposits at Beverley and Honeymoon.

I think it is incumbent upon me to draw to the attention of South Australians the people behind Beverley, in particular. One of the partners which owns approximately 50 per cent, as reported in the *Advertiser* recently, is the Phelps Dodge Group of the United States of America, listed among the largest 200 companies in the world. Other partners include Oilmin, Petromin, and Transoil, and it is interesting to note that an article in the *Australian* of 18 September last year referred to a Mr. Alan Bond having eclipsed the Liberal Party's victory when he moved in to capitalise on the change of Government by buying shares in those companies to which I have just referred. I must give the Government credit for at least having enough gumption to help put the block on that gentleman when he tried to move in on our natural gas reserves.

A break-down of the companies reveal that a Mr. J. B. Petersen of Kingaroy, Queensland, owns 21 000 shares in Oilmin. Further investigation reveals that a company called Artesian Basin Oil Company Proprietary Limited owns 1 000 000 shares in Oilmin. Owners of all issued capital in Artesian Basin Oil Company are the Lucky Strike Drilling Company and Mr. J. B. Petersen.

South Australia gets a guernsey in that a company called Burralong Nominees Proprietary Limited has 20 000 shares, and a company called AFMECO Proprietary Limited has earned (and I presume that means bought) a 35 per cent interest in one of the exploration licences. That company has a North Adelaide address but it is not listed in the phone book. I do not have time to go into all the interlocking companies, but it discloses an amazing story about just who is connected with these two deposits.

Regarding Honeymoon, the companies involved are One-Mines Administration Proprietary Limited, Taton Exploration Drilling Company Proprietary Limited, Mount Isa Mines and a C.S.R. subsidiary called A.A.R. So, some heavy capital is behind these developments, and very little in it for South Australia. There are some very dangerous ecological factors connected with the leaching process which is proposed to be used at Honeymoon. A report from the Australian Atomic Energy Commission draws attention to the affinity of radon to water.

Any water that comes into contact with uranium ore must be contained and not returned to the artesian basin. I gather from the Deputy Premier that $50 000 000 was being spent by the companies involved in Roxby Downs to investigate the ecological ramifications of the situation. However, we have now found out that that is the overall sum to be spent on the entire developmental programme.

The only good thing about the whole exercise is that from the Premier's statement members have learned that none of the Ministers or Liberal backbenchers are likely to make a financial killing from this exercise, because they have been told by the Premier to divest themselves of the shares that they hold in the uranium industry.

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

Motion carried.

At 10.26 p.m. the House adjourned until Thursday 28 February at 2 p.m.