HOUSE OF ASSEMBLY

Wednesday 29 October 1980

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

PETITIONS: MEAT TRADING

Petitions signed by 555 residents of South Australia praying that the House urge the Government to oppose any changes to extend the existing trading hours for the retail sale of meat were presented by the Hon. P. B. Arnold, and Messrs. Abbott, L. M. F. Arnold, Becker, Hamilton, Langley, and Russack.

Petitions received.

QUESTION

The SPEAKER: I direct that the written answer to a question, as detailed in the schedule I now table, be distributed and printed in *Hansard.*

CRIMINAL PROSECUTIONS

In reply to the **Hon. PETER DUNCAN** (1 October).

The Hon. K. T. GRIFFIN: During Estimates Committee A's examination of the Department of the Corporate Affairs Commission's Estimates of Expenditure on 1 October 1980, the Hon. Peter Duncan sought information on the number of prosecutions in 1978-79 and 1979-80. Prosecution figures for 1978-79 were not available at the examination, however the following statistics provide the information sought:

Date	Criminal Prosecutions Completed	No. Companies Prosecuted for Non-lodgment of Returns, etc.	Fines Imposed for Non-lodgment Prosecutions
			$
1978-79	28	2 212	156 211
1979-80	24	936	57 181

In 1978-79, there was initially a large backlog of return prosecutions from the previous period, and for some of the year additional staff resources were applied to continuing offence prosecutions. For the whole of the year to 30 June 1980 only one person worked on non-lodgment prosecutions with the consequence that time was not available to conduct continuing offence prosecutions nor to keep up with the volume of other prosecutions. Prosecutions under section 348 of the Companies Act (failure to lodge foreign company annual returns and balance sheets) and under section 380 (continuing offence), which totalled 971 in 1978-79, were not conducted in 1979-80. Prosecutions under section 158 (failure to lodge local company annual returns) dropped from 1 195 to 800 in the period.

FIRE ALARM

The SPEAKER: I draw to the attention of the House that the security officer is checking the cause of the alarm. If any further action is needed, it will be reported quickly to the House.

MINISTERIAL STATEMENT: SOUTHERN VALES CO-OPERATIVE WINERY LIMITED

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

Leave granted.

The Hon. D. O. TONKIN: On 26 February this year the Minister of Agriculture informed the House of the untenable financial position of Southern Vales Co-operative Winery Limited, and announced that the Government had decided to request the State Bank to extend a seasonal loan to the co-operative under the Loans to Producers Act, to enable processing of the 1980 vintage.

On 4 March, the Minister further informed the House that, since the State Bank was unable to comply with that request, the Government was prepared to make funds available to the bank, for advance to the co-operative, so that processing of the 1980 vintage could be financed and payments to growers could be made at a level comparable with payments in 1979. This commitment will be honoured.

The Minister made it clear on that second occasion, and in answer to Questions on Notice Nos. 920-923, that the decision to apply Government funds in this manner was conditional upon an agreement from the co-operative to work closely with the South Australian Development Corporation in formulating a sound commercial scheme to resolve the co-operative's financial problems, and to do so before the 1981 vintage. This undertaking was given by the co-operative and as a result Mr. R. H. Allert, of Allert, Heard and Co., was appointed as a consultant by the S.A.D.C. to examine all possible options for ensuring that the winery became a viable commercial operation.

I must now inform the House that the consultant's assessment of the co-operative's affairs confirms the advice received from the State Bank and S.A.D.C. that the co-operative is insolvent. Nevertheless, every possible avenue has been pursued to restore the co-operative to a position in which profitability can be resumed.

First, efforts have been made to arrange for the sale of the winery, or for the establishment of a management arrangement, which would permit its continued operation. Several expressions of buyer interest were received but only one resulted in a firm offer, which was subsequently found to be unacceptable by the board of Southern Vales.

Secondly, detailed consideration has been given to different means by which the co-operative could reduce its debt burden, since it is agreed by all parties that the co-operative could not, in the next three to five years, service both its seasonal loans and at the same time generate sufficient operating surpluses to repay a substantial portion of the principal on those loans and so reduce its overall debt structure to an acceptable level.

One such means considered by S.A.D.C. was a three to five year moratorium on payment of interest on the co-operative's seasonal loans, but on the evidence available it is most unlikely that the co-operative could return its operations to sufficient profitability in that period to be able to service both current interest and accumulated arrears at the end of the moratorium. Moreover, the co-operative is currently trading at a loss prior to the charging of interest, so even though a deferment of interest payments may reduce that trading loss it will not restore the co-operative to a profit situation nor enable it to accumulate funds necessary to meet interest charges when they again become payable.

A further consideration is that under such a proposal the co-operative will be most unlikely to generate sufficient funds for the replacement of capital items, the need for which will arise in the future when payment of deferred

interest will provide a heavy burden. Consideration has also been given to reducing the co-operative's indebtedness by selling its surplus stocks and assets, but even such a sale, at reasonable valuations, would leave a debt commitment that cannot be serviced by the co-operative at its present levels of trading performance.

Thirdly, the possibility of providing further short-term Government assistance, whilst seeking another buyer for the winery, has been considered and rejected. This course of action, which would require the Government to indemnify the co-operative for further losses of an unknown extent in the period leading up to and including the 1981 vintage, has no greater attraction than the appointment of a Receiver-Manager to begin seeking a buyer now.

The Government has been compelled to conclude that a satisfactory solution to the co-operative's financial problems cannot be found. The co-operative is insolvent. At present it has a deficiency in shareholders' funds of about $450 000, and recorded an operating loss last year of about $400 000. Vintage loans exceed securities by about $650 000. There is no prospect of the co-operative trading out of its present position, and attempts to arrange a sale, or acceptable merger, or otherwise solve the financial problems of the enterprise have proved fruitless.

In all the circumstances the Government has decided, regrettably, to inform the board of Southern Vales Co-operative Winery that arrangements should be made immediately to settle its obligations to the State Bank and other creditors. That information was conveyed both to the co-operative and the State Bank, yesterday.

Finally, I wish to refer to the position of growers who will be affected by the co-operative's move into receivership. Many growers, who produce grape varieties in demand, will be able to sell their grapes to other wineries. This is already being done, and demand is expected to continue. Indeed, co-operative members already produce more than double the co-operative intake, which indicates that some members themselves have used the co-operative as a receiver of grapes of last resort. The growers most affected will be those producing unwanted or unpopular varieties of grapes, who, until now, have sold much of their produce to the co-operative, and who can now be expected to experience greater financial stress.

However, in recent times the demand-supply imbalance in the grape industry has appreciably improved. In addition, the Southern Vales area has shown an increasing reputation for quality grape and wine production. Growers will be aided, wherever possible, by rural assistance funding administered by the Department of Agriculture, either in the long term through farm improvement loans to assist in vineyard redevelopment, or more immediately by wine grape carry-on loans, subject to meeting the normal criteria. Such loans are currently available to wine grape growers in any part of the State.

ROYAL COMMISSION INTO PRISONS

Mr. BECKER: The Public Accounts Committee has received a request from counsel assisting the Royal Commission into Prisons for the release of material which it is currently holding as a result of its investigations. Unless any member of the House indicates by proposing a notice of motion by Thursday next opposing the committee's intention to forward the material to the Royal Commission, the material will be forwarded. The committee is satisfied no information given will be prejudicial to any person who has given evidence. The committee's report on the subject of prisons will be tabled in Parliament in the normal manner when completed.

QUESTION TIME

VICTORIA SQUARE

Mr. BANNON: I direct my question to the Premier. Now that the Government has accepted the argument of the traders in Victoria Square that a remand centre would have a detrimental effect on the Central Market area and business in Victoria Square generally, will he give further consideration to their equally strong point of view that the conversion of Moore's to law courts will damage trade? In a press release issued this morning the Minister of Industrial Affairs, on behalf of the Government, announced that a remand centre would not now be built in the law courts precinct. I would suggest that the Premier listen to this explanation, rather than to the briefing being given to him by the Minister of Industrial Affairs, because I am going to put some important points on record.

The Minister admitted that there was strong opposition to the proposal, including opposition from traders in the Victoria Square promotion committee, who believe that the proposed remand centre would seriously affect their businesses and their livelihoods. This matter was dealt with last in this House at length on 21 October and, in response to statements that I made on the issue, the Minister of Industrial Affairs made some extended comments on the whole situation of law courts redevelopment. When those comments came to the attention of the Victoria Square traders, they in fact evoked a response from their spokesman, Mr. J. W. Weinert. Those comments are expressed in a letter to the Minister, and some of the points made are extremely relevant in the explanation of my question. Mr. Weinert states:

> I cannot see in your comments—

and he is referring to the comments of the Minister of Industrial Affairs—

> any mention that any discussion with you in relation to this matter is a waste of time and a complete frustration, for as far as you and your Government are concerned, and as told by you at that meeting, it was useless for us to still try to argue our case against law courts going into Moore's—that it was an irreversible decision by your Government full stop, and that nothing will change this position.

Mr. Weinert goes on to say that he was horrified that the Government would not listen to the many hundreds of business people, owners, and employees of the area. The letter continues:

> I now say to you—do not criticise the previous Government or the Opposition for the diversification of the law courts into other areas, for what you are doing is far worse, for you are coming into and disrupting the second largest commercial area within the city, in a major way. Anything the previous Government had done was only minor in this regard, compared to the massive intrusion into retailing and the commercial front of this area to Victoria Square.

Mr. Weinert makes a number of other points in a similar vein supporting the comments that I expressed in the debate. He refers specifically to comments made by the Minister at a deputation of Mr. Weinert, Mr. Bambacas and other people from the Central Market area. During the debate in this House, the Minister said that Mr. Weinert had told him that the most important need in the Central Market area was parking. The Minister said (*Hansard* page 1263):

He said the most critical factor affecting trade in that area is the lack of parking, not the fact that the Government had bought Moore's. As one would expect, he was critical of the Government's purchasing Moore's.

That is saying nothing, as he has criticised the Government publicly, but he said that the lack of parking in that area was more important than the Government's buying of Moore's. Mr. Weinert deals with that in his letter and sets the record straight by pointing out the two points that were made to the Minister which were as follows:

1. The area urgently requires additional car parking—now—not when the international hotel is complete.
2. That law courts are not to proceed within the Moore's building.

He further states:

Both these points are important and we still, as was told to you, fight for both, so please do not say that the most important need in the Central Market area is parking—they are both important—one compliments the other.

Mr. Weinert finished his letter, which I will not read in total, with these remarks:

In fact, you close your door to anybody who offers any suggestions to improve this commercial area, and repeat in parrot fashion "that law courts will be in Moore's and it is an irreversible decision", irrespective of its cost or viability, or the fact that it could help in destroying the commercial viability of the area.

In view of the way in which the Minister of Industrial Affairs has handled this matter on behalf of the Government, my question is properly directed to the Premier.

The Hon. D. O. TONKIN: I suppose the Opposition is quite serious about this matter, but I must say that it seems quite extraordinary that members opposite should try to whip up this dead horse again. If I remember accurately, speaker after speaker last week dealt with this very issue over and over again, and said the same old things. Indeed, we have heard a repetition of what was said then in the Leader's explanation of his question today, which covered the same ground.

The Hon. D. C. Brown: He even criticised us for putting a remand centre on the site.

The Hon. D. O. TONKIN: Yes, and we made quite clear that we had not decided at that stage to put a remand centre anywhere. Now, the Leader asks whether the Government has accepted the arguments put forward by the Victoria Square traders about siting a remand centre in Victoria Square or thereabouts, or in Moore's building—I believe that that was the gravamen of his argument. As I told the Leader last week, at that stage we had not made a decision where the remand centre would be sited. The Leader canvassed widely a number of alternative sites which were being considered and which were available, and I think that he will find them in *Hansard*. He put them down in order. My answer was that no decision had been made, and it certainly had not been decided to site a remand centre in Moore's building. I am not sure that that suggestion had ever come forward. There certainly were suggestions that a remand centre be sited in the court area, but for the Leader to say now that he believes the Government had decided to site the remand centre in Moore's building and that we have now decided not to site it in Moore's building seems quite ridiculous. The fact remains that the Leader is sore, because the Government has made a decision which, I believe, is the correct decision—to site the remand centre out of the city. As the Leader acknowledged the other day, that is one of the very proper sites for it. I am not quite sure what the Leader is complaining about today.

The other half of the Leader's question asked whether the Government would reconsider the decision about Moore's building, and the Leader put forward Mr. Weinert's view. That view is pretty well known by members in this Chamber and it is becoming more and more well known, to their cost, by many people in the community. Mr. Weinert has a particular interest in this matter and I suggest that he is allowing himself to be somewhat overtaken by his concern. In answer to the question whether the Government will reconsider the decision about Moore's building, I indicate that the answer is "No, the Government will not reconsider the decision to put law courts in Moore's building." I believe that, in a few years and certainly by the turn of the century, that decision will be hailed as one of the most statesman like decisions that this Government could have taken. There will be no doubt whatever that, with the old Supreme Court building and the excellent conversion plans for law courts in the Moore's building—

Members interjecting:

The SPEAKER: Order!

The Hon. D. O. TONKIN: Since that building will be used for law courts, this decision will be seen as the most logical decision and one that is well in keeping with the entire precinct. I am still amazed that the Leader should put forward the view that the courts in the Victoria Square area disrupt the area, because courts have been sited in the Victoria Square area for many, many years, and how on earth these courts can possibly change the nature of that area, I do not know. With the international hotel and the law courts complex that will be built, the shopping area around the market will be enhanced.

Let us put one or two things in perspective. At present, a considerable amount of difficulty is being experienced by all traders, and that difficulty is experienced by traders in the city, even by those in Rundle Mall (and they would be the first to say that that is so). The traders in the Mall are particularly fortunate, and to some extent they should thank the member for Hartley.

Members interjecting:

The Hon. D. O. TONKIN: Credit where credit is due, and we went into that last night. Those traders should thank the member for Hartley for pushing on with that plan, because I believe that that facility attracts shoppers and, without the Rundle Mall, I suspect that those trades would have been in much the same position as that in which the Grote Street, Victoria Square and Central Market traders now find themselves.

Undoubtedly, there will be an increased reservoir of shoppers for the Central Market traders to draw on with the conversion of Moore's into courts. The point is that those people will not shop in the area, nor will anyone else, unless the facilities of the shops themselves are of a standard that will attract them. There is no reason to suppose that people will simply go to that area because the shops are there. It is for that reason that the Government has offered to co-operate in any way with the redevelopment of that precinct.

Indeed, the Minister of Industrial Affairs spent at the last meeting (that is the closed door to which the Leader of the Opposition referred) 1½ hours talking to the traders and repeating the Government's offer to assist in rejuvenating and upgrading that entire area, certainly not in the same fashion as the Rundle Mall, but in a comparable fashion so that it can properly compete on its own merits. I suggest to the Opposition (and I know that the Leader does not like my giving him advice, and the Deputy Leader says that they can well do without it), that it should face reality and look at the whole question on its merits. I believe that it would be taking a far more responsible attitude if it were to acknowledge that the

decision to use that fine old building for law courts is a very good decision indeed. The Opposition would get more support in the community generally, were it to support the project.

BRIGHTON ROAD TRAFFIC

Mr. MATHWIN: Can the Minister of Transport say when it is expected that the dreaded Lonsdale link road will be opened to connect the Lonsdale area and all points south with Brighton Road, and whether the programme for the erection of traffic and pedestrian lights is to be completed before that opening occurs? The Minister will be well aware that the previous Labor Government, under the direction of the then Minister of Roads and Transport (Mr. Virgo) put this detrimental project to—

The SPEAKER: Order! I ask the honourable member not to comment.

Mr. MATHWIN: This project was commenced by the previous Government, as the Minister would be well aware. The Minister would also be aware that it will create many problems for young and old people alike, because it will cause a massive influx of extra vehicles on to Brighton Road that will then flow on to nearby areas.

The Hon. M. M. WILSON: I understand, from the Commissioner of Highways, that the opening is scheduled for some time in the first two weeks in December. Great cognisance is being taken of the effect that the extension of Lonsdale Road will have on Brighton Road and the citizens of Brighton, and that is why my officers have been at some pains to evolve traffic-management measures that will cause as little impact from the increased flow of traffic as is possible. We are also concerned about the effect of tankers and heavy vehicles coming down that road. Indeed, not only the member for Glenelg, but also the member for Brighton has made representations to me on those matters, and we are having a close look at the whole situation. I am unable to give the honourable member the exact details as to when those traffic-management measures will be taken.

INDUSTRIAL DEVELOPMENT

The Hon. J. D. WRIGHT: Does the Premier agree with the submission of Sir Ben Dickinson to the Senate Standing Committee on National Resources that industrial and resource development in this State has almost ground to a standstill because of the uncertainties over the supply and price of gas? If so, what is the South Australian Government doing to bring about an agreement with the gas producers to achieve proper price fixing co-ordination for their dry gas exploration in the Cooper Basin?

I am sure the Premier is aware that Sir Ben Dickinson advised the Senate Standing Committee on National Resources that uncertainty and confusion over supply plans, the pricing of natural gas and the Government's attitude to levies remains the greatest deterrent to maximising the use of natural gas. He said the pricing of dry natural gas at the source conforms with no uniform policy, as is the case of liquid fuels, and he said both producers and consumers remain uncertain as to future prices. Sir Ben also lamented that there is no producer body or Government agency currently able to provide accurate and comprehensive information on gas wells drilled, reserves, productive capacities, expenditures, and revenues to permit production costs to be related to prices presently being charged and prices that should be charged in the future.

The Hon. D. O. TONKIN: Sir Ben Dickinson has done a great deal for this State and obviously his opinion is very worth while in all matters relating to energy and mineral resource development. Sir Ben is entirely right when he says that natural resource and industrial development in this State has nearly ground to a halt, and it is for a number of reasons that this has happened. I do not have to tell the Deputy Leader of the Opposition that, under the policies of the previous Government, with the ban on Roxby Downs and the disincentives which there were to exploration for hydrocarbons, prospects had become very low. We have problems with gas, and I appreciate the Deputy Leader's concern. It is a problem which will not be solved by trying to make political points.

The Hon. D. J. Hopgood: It's a pity you couldn't have remembered that yesterday when you were answering my question.

The SPEAKER: Order! The honourable Premier has the call to answer the question.

The Hon. D. O. TONKIN: It is a problem which should concern us all because we face in this State a very real problem because, as the Deputy Leader of the Opposition knows, we have a differential in our contract to supply gas to Sydney and the Adelaide metropolitan area. We are getting very close to the cut-off point where Sydney will have favoured supplies over and above Adelaide. Gas pricing has been a matter for discussion between the Government, the South Australian Oil and Gas Corporation, and the producers generally for some considerable time, and very heavy pressure is being put on the Government constantly to improve or increase gas prices to what has been called by some people world parity pricing. The point is that there is no such thing as a world parity price for gas. Average prices are charged in different countries, but there is certainly no benchmark level one can use. It is because of our concern for the appropriate use of gas, a concern which stems from a previous Government's desire to bring gas down to the metropolitan area, and its bringing of ETSA power generation on-stream by using gas, and our concern for the supply to the metropolitan area that we have consistently rejected any moves to take gas prices out of the present form of arbitration and control and put them into the higher range.

We have been able to resist this pressure because there is now more and more exploration money being put into the search for more gas supplies, and hydrocarbon supplies generally, by private enterprise. This is almost supplementary to the question which was asked, I think, only yesterday. The point is that private enterprise is now putting far more money into exploration for gas and hydrocarbons, and I have no doubt that, if more gas is to be found (and I am convinced that there is, judging by the geological reports we have), it will be found in plenty of time to ensure South Australia's supply. The Government is determined not to allow any major increase in gas prices to the detriment of the people and consumers of South Australia. We are also determined to take every possible step to ensure that the supply of natural gas to Adelaide and South Australia continues. In this House last week I outlined some of the steps which were being considered on a national basis to connect various pipelines into a grid. The question is of concern, and I share the Deputy Leader of the Opposition's concern. However, I must say that we are determined that we will not let the consumers of South Australia suffer, and I repeat that the policies of this Government, which encourage private enterprise exploration, have made it possible for us to maintain that attitude.

POLICE DRIVERS

Mr. BECKER: Can the Chief Secretary state what instructions and practical training our police cadets receive in handling motor vehicles, particularly during high speed pursuits? I refer to a letter to the Editor in today's *Advertiser* which sets out the practice and training in the British Police Force. Is the statement correct, and, if so, how does the training in the United Kingdom differ from that in South Australia? I would also be grateful if the Minister could obtain statistical information in relation to the ratio of police accidents compared to public accidents?

The Hon. W. A. RODDA: In the early hours of this morning I saw the letter referred to by the honourable member. Also, in the early hours of this morning I asked the Acting Commissioner for some details as they apply to the training of our police officers. All cadets graduating from the Police Academy receive a minimum of five weeks' intensive driving instruction utilising a teaching ratio of one to each two trainees and covering high-speed situations. Adult trainees receive a minimum of three weeks similar instruction. A classification (driving permit) system exists and trainees are not accepted as proficient unless they reach the particular standards set across the range of driving skills and theoretical understanding required. The letter in today's paper stated—

The Hon. PETER DUNCAN: On a point of order, Mr. Speaker. The Minister appears to be reading the statement that he is making. This is in contravention of the Standing Order and also in contravention of the ruling that you made earlier this session.

The SPEAKER: I do not uphold the point of order. If the member takes heed of the announcement I made he will know that I clearly indicated that Ministers, in replying to second reading debates, etc., will be given an opportunity to quote factual information. I take it from the tenor of the honourable Minister's answer that it is factual information that he is providing, and not information which he could be expected to retain in his head.

I would, however, ask the honourable Chief Secretary and all other Ministers to make sure that they conform to the spirit of the announcement which I made previously, as do the lead speakers of the Opposition.

The Hon. W. A. RODDA: The statement that is attributed this morning to the letter writer is said by the Acting Commissioner to be generally correct. Only a limited number of English patrol officers receive the training referred to. He further points out that there is a report in today's Advertiser recording the death of five English police officers in a car accident yesterday in the United Kingdom. The South Australian training is based on the system evolved originally at the Hendon (U.K.) police driving school and is taught at the Advanced Driving Wing of our In-service Training Branch, utilising highly skilled driving instructors.

The system of teaching closely accords with the defensive driving system as practised by the British, and the standards are directly comparable. One of these instructors is a product of the Hendon school. It was difficult to make a valid comparison between the vehicular accident rate of police as compared with that of the general population in the time in which I requested the information. Patrol officers travel considerably more mileage than does the average citizen, under much more varying conditions and circumstances. In the year 1979-80, the total number of public accidents recorded in this State was 51 340, of which 236 were fatal accidents responsible for the death of 266 persons. In addition, 8 798 persons received injuries.

In the same period, police vehicles travelled a total distance of just under 23 000 000 kilometres. Under the police system of classifying and recording departmental accidents, which is much more stringent than is the public obligation, a total of 304 accidents was recorded. An accident, under this definition, can be virtually nothing more than a scratch to a vehicle. Of these accidents, and from those involving civilians as the other driver, it has been assessed that police were legally culpable in 13 accidents. In the same period relative to the accidents in which police were involved, only one police officer, a pedestrian, was killed in a vehicular accident. One civilian was killed in an accident involving an on-duty police driver. The Acting Commissioner points out that, in the limited time in which he was asked to provide this information, he believes that the police accident rate is superior to that of the public, given the circumstances and the mileage travelled.

DAVENPORT CREEK

Mr. ABBOTT: Will the Minister of Aboriginal Affairs give to the House a positive assurance that he will facilitate the transfer of a piece of coastal land known as Davenport Creek from the Lutheran Church of Australia to the Aboriginal Lands Trust? The Minister should be aware of the background to this question, which deals with the future of section 100 of Bartlett. He should be aware, because the Far West Aboriginal Progress Association has sent him three telexes on the subject: on 17 and 24 June, and again on Monday of this week. My information is that the Minister has replied to none of these, that the land in question has been held by the Lutheran Church, and that it has been understood always that it would ultimately be used for the benefit of local Aboriginal people. The previous Labor Government had agreed to that proposition. Since this Government came to power, some district councillors appear to have opposed the proposed transfer. The Koonibba Community Council and the Far West Aboriginal Progress Association have been unable to get any clear response from the Government to their requests. As the Minister represents the Aboriginal Lands Trust in this House, can he explain why he has declined even to acknowledge representations to him since early June? Will he assure the progress association that he agrees with its requests?

The Hon. H. ALLISON: I am indeed well aware of the entire background to this problem, and the final decision certainly does not rest only in the hands of the Minister of Aboriginal Affairs. There is some distinct possibility that written communications have not been entered into with the interested parties, but I can assure the honourable member that I have received a deputation very recently from the district council directly involved with this land, and that I have held consultations very recently with a senior member of the Aboriginal Lands Trust. At the same time, several Government departments have a fairly obvious interest in this Davenport Creek area, quite apart from the Lutheran Mission, which has held the lease for some considerable time and which has now expressed a wish to relinquish that lease as a first choice in favour of the Koonibba people.

In fact, two or three different areas of a different ecological nature are involved. One of them is the area immediately adjacent to Davenport Creek, which has traditionally been used not only by Aboriginal people for possibly centuries but also by the local community, and which is regarded as one of the more desirable areas for recreation, fishing, and camping. It is a possible choice of site for an oyster farm, and it has been suggested, for

example, as a desirable piece of land to remain vested in the whole of South Australia, held in perpetuity rather than return it to the Aboriginal people. Another area of land which lies to the west of that area is more of a straightforward cliff and coastal section about which there would seem to be less dispute but which is still regarded as a piece of real estate that is suitable for recreational purposes for the entire population in that area.

I do not know whether the honourable member implied that the dispute was running hot. In fact, it is not. I have found that all parties concerned have been very reasonable. The problem has been a long-standing one, and I understand that it was on the former Minister's desk for some considerable time, probably marked by the lack of final decision that was given to it. Certainly, there were no final recommendations in existence when I assumed the Ministry of Aboriginal Affairs. There is some dissent between the Aboriginal people who would like the land to be vested with the Aboriginal Lands Trust, that body having complete control. There is some dispute as to whether the Lands Trust itself might be able to contain that form of vandalism which might be perpetrated by off-road vehicles. There has been a suggestion that vesting the land in the National Parks system might provide rangers who would be able to police the whole situation much more adequately.

In addition, I believe the Department of Marine and Harbors has expressed a very keen interest in this area due to the fact that it is unique in South Australia. It has a unique marine biological environment, and the department has suggested that it should have some special responsibility over that area. Thus, we have the Minister of Aboriginal Affairs, the Minister of Marine and the Minister of Environment associated with this, and I can assure the honourable member that the matter has not rested. The matter has been before the former Government for a great number of years and is now before the present Government. I realise that the matter had reached a certain stage of agreement under the former Government, but certainly the consultations had not extended to the full agreement of local government. The agreement that had been reached tended to be unilateral rather than multilateral. This Government is considering a number of factors to which the former Government did not appear to have given full recognition. I am hopeful that in the very near future we can arrive at some decision.

MARINE ENVIRONMENT

Mr. RANDALL: Can the Minister of Environment say what action is being taken by his department to monitor the marine environment in South Australia? Concern has been expressed to me from two areas: from a number of people in the community who are concerned for the marine environment (such concern being evident to me since I have come into this House) and from within the Government itself, from within the Public Service. It has been put to me that there is a great deal of expertise among some public servants in this area, but the problem is that they are spread amongst various Government departments. Therefore, I am interested to know what the Minister is doing in this area.

The Hon. D. C. WOTTON: The Government is very much aware of its responsibility with regard to the monitoring of marine pollution in State waters. In fact, it is only very recently that I have sought approval through Cabinet to develop legislation to control marine pollution, particularly through dumping and land-based discharges.

Of course, this legislation will be the responsibility of the Department for the Environment, which, as the House would appreciate, has a broad environmental protection responsibility. It is considered most appropriate that the Department for the Environment be involved in the development of legislation to control marine pollution.

The member for Henley Beach and other honourable members may also be aware that recently the Commonwealth moved to introduce legislation to control the marine environment and, subsequent to the passage of legislation conferring power in regard to the three-mile territorial seas to the States, the Commonwealth wrote to all States in Australia stating that it would be legislating to control marine dumping beyond the three-mile territorial sea limit and that it proposed that States should enact complementary legislation to control marine dumping on the landward side of the three-mile territorial sea limit.

We have reacted positively, and we see that this is an ideal opportunity for the State and the Commonwealth Governments to work hand in hand in environmental matters. Therefore, we have advised the Federal Government that we will accept the legislative proposals that have been put to us by the Commonwealth, with the proviso that there should be full consultation between the Commonwealth and the State. I believe that it has been recognised that that consultation should take place, particularly in regard to discharges from pipelines or outfall structures that extend beyond the three-mile limit. The South Australian Government has an important responsibility and a commitment to protect the quality of the marine environment, and it is acting positively in the formulation of legislation, which is being drafted and which will be under the responsibility of the Department for the Environment.

SPECIAL BRANCH

The Hon. PETER DUNCAN: Is the Chief Secretary yet in a position to tell us what is happening in regard to Special Branch? On 18 June, the Chief Secretary was quoted in a local newspaper as saying that the State Government had nearly completed its review of the role of the Special Branch of the South Australian Police Force. The Chief Secretary further stated that he expected to be able to make an announcement within about four weeks. It is now about four months since that time, and I wonder whether the Chief Secretary, without briefing, is in a position to give any information on this matter.

The Hon. W. A. RODDA: I am pleased to give the honourable member an answer without notice. As I think I said in June, we were hopeful to be able to provide the House with information about a Government decision on guidelines and, as was indicated in Estimates Committee B, in response to a question asked by the member for Elizabeth, I point out that His Honour Mr. Justice White went on extended leave, as he is entitled to do. I can inform the House that the Government has made quite considerable progress, but I hesitate to put a time on it; however, I can indicate (to give myself some leeway) that we will be able to inform the House and the honourable member before the House rises for Christmas of the Government's attitude on the guidelines and the set-up of Special Branch.

RIVERLAND FRUIT PRODUCTS

Mr. LEWIS: My question should, I think, be directed to the Minister of Industrial Affairs, by virtue of his stand in handling the matter. Has the Government yet made any payments to fruitgrowers who are creditors of Riverland Fruit Products Co-operative Limited in accordance with

the undertaking given by the Premier on Thursday 7 August whereby all fruitgrowers would be paid 50c in the dollar of the outstanding amounts owed on the fruit supplied by them in the year prior to 25 June 1980?

In the statement to which I have referred, the Premier outlined a number of actions that the Government would be taking to ensure that the Riverland Co-operative would remain as a trading entity. From memory, it was estimated that fruitgrowers were still owed by the co-operative just over $1 000 000 for fruit delivered during the 1979-80 season, even though peach and pear growers had already received 60 per cent payments on their fruit and apricot growers had received about 80 per cent for the fruit they had supplied. Furthermore, the statement contained the condition that the payment of 50c in the dollar on the outstanding amounts was contingent on two factors: first, that the growers were to assign their debt to the Government; and secondly, that they would contract to deliver the fruit during the coming 1981 season to the co-operative. If any payments have been made, how much, and, if there are any still outstanding, how much, and why?

The Hon. D. C. BROWN: The facts as related to the House by the member for Mallee are correct. True, on 7 August the Premier gave an undertaking to the fruitgrowers who had supplied fruit to the Riverland fruit cannery for the 1979-80 season that the Government, provided that they undertook, first, to assign their debts to the Government and, secondly, that they also undertook to supply fruit to the cannery for the 1980-81 season, would pay them 50c in the dollar. So far, the Government, through the Department of Trade and Industry, has paid 157 fruitgrowers a total amount of $213 457, that being 50c in the dollar. That means that those fruitgrowers involved have now received 90 per cent of their total due payment for apricots and 80 per cent of their due payment for peaches and pears.

It is difficult to ascertain the full degree of the liability that the Government faces in this matter, but it is likely that there is still an outstanding amount of about $250 000 that could be paid to fruitgrowers. These would be fruitgrowers who still had not assigned their debt to the Government or contracted to supply the Government for the 1981 season.

The Government is taking a responsible stand in ensuring that it will not make any payment until the contract to supply the cannery for next year is signed by the fruitgrower. The Government throughout this matter has insisted that it keep the cannery going as a viable operating venture, if at all possible. An important part of that is to ensure that adequate fruit is obtained for next season. That is why that condition has been laid down. So far, about half the growers in the few weeks in which the offer has been opened have already assigned the debt and the fruit to the Government, and almost $250 000 has been paid out.

OUTER HARBOR PASSENGER TERMINAL

Mr. PETERSON: Will the Minister of Marine have an investigation undertaken with the Education Department to evaluate the potential of the Outer Harbor passenger terminal for use as an unemployed youth training centre? The unfortunate fluctuations in world shipping patterns has left the State with a splendid building which cannot be used as was originally intended. Circumstances have also created an unemployed youth situation, and various training schemes have been initiated to help these people. Currently at the Outer Harbor the old signal station is being used for such a scheme, and the *Messenger* of Wednesday 22 October reports:

> The old pilot station at the Outer Harbor is a hive of activity these days. It has been transformed from a place for guiding ships to an education centre for unemployed youth.
>
> For the past 20 months the Further Education Department's education programme for unemployed youth (EPUY) has seen a steady stream of young people enrolling for classes at the station. The programme, geared to help young unemployed brush up on skills, has had an increasing amount of applicants, according to English teacher Jill Richards. "At present we have 32 students on the 20-week course but there are more waiting to get in," she said.

I understand there is quite a substantial number of people. The terminal would provide an excellent venue for the expansion of this obviously successful scheme, and would, while utilising the excellent but unused building, provide a first-class venue for a regional training centre.

The Hon. H. ALLISON: I believe that I might more appropriately deal with this question, as this is essentially more than 90 per cent educational: it is simply the venue that is in question. May I say that, over the last several years, this is similar to an issue which has been addressed to the former Minister of Marine, and I believe that he at one stage made the passenger terminal available to a school in the area for educational purposes.

Mr. Peterson: But not upstairs, though.

The Hon. H. ALLISON: I realise that the honourable member now wishes to widen the scope and alter the purpose of the educational function of that building.

There are currently existing some leases over the passenger terminal, but I am not sure precisely what they are. However, obviously the facility has been relatively unused for a considerable time, having been built in anticipation of a great deal of both passenger and container trade at Port Adelaide. The two, I assume, would have run together, but this did not materialise, although the present Government is still looking into the possibility of a greater use of it.

Looking again at the educational prospects, I appreciate the honourable member's concern for the young unemployed either at school and looking towards employment or those who have already left. May I say that to this extent the Education Department itself spent some $475 000 during the last financial year and the Further Education Department about $550 000, both of State money, on programmes which were directly related to what we now term school-to-work transition programmes. In addition to that, the Federal Government during the current calendar year made available the sum of $2 200 000 for school-to-work transition education to be divided approximately evenly between further education and general education.

Again, in 1981 the Federal Government is supplementing the money which the State Government has already committed through its existing schemes to the extent of an additional $2 300 000, which we are of course accepting, and it is possible that this $2 300 000 will be redirected not towards a fairly even share basis between education and further education but more towards a heavier distribution in further education. The extent to which that money may be used in the Port Adelaide passenger and container terminal has not been considered to my knowledge. We have been looking at a number of alternatives, and I believe I mentioned during the Budget Estimates Committee stage that we were hoping to train youngsters for jobs which were immediately available, and we do have a range of those of which we are well aware. If it is possible for the Further Education Department or the Education Department, with either State or Federal

funds, to consider among the many alternatives which we have presently in mind for the passenger terminal, the Minister for Marine and the Minister of Industrial Affairs jointly with my own department will have a look at that for the honourable member. I assure him that we do appreciate very much the concern he has expressed for unemployment in his area as we are ourselves addressing the problem.

HOLDING SCHOOLS

Mr. SCHMIDT: Will the Minister of Education say whether the Government intends to continue with the concept of holding schools, and what advantage does the Minister see with such a concept?

The Hon. H. ALLISON: The honourable member has expressed an interest in holding schools over the last several months, and I recall that both he and the member for Baudin may have raised this matter during the Budget Estimates Committee stage. I think when we are talking about advantages we would acknowledge that the advantages which we see in the holding schools scheme are those which were, I believe, mentioned by the member for Baudin during his questioning of me during the Budget Estimates Committee stage, namely, two main advantages.

One is that a holding school is a school essentially comprising temporary buildings of a high quality which are placed on the school site, generally a fairly large school site, in anticipation that existing small student populations will firm up in the longer term. The holding school is therefore constructed generally of a larger capacity than is immediately needed.

The second advantage, therefore, is that, where a community may be developing (the northern and southern portions of the expanding areas of Adelaide are good examples of these areas) and the population is increasing, the school-parent community can be directly involved in the planning of a school of a more permanent nature. Those two advantages are the main ones. The present Government, contrary to what I detected were fears hinted at by the member for Baudin, is still firmly committed to the holding school concept as being soundly based.

The time span which was originally envisaged as being the minimum (that is, three years) for planning and completion of the permanent stage, we find to be a little brief. In fact, we are looking towards a four, five, or six-year time span, if we are to allow for the two factors (that is, the firming up of the school population and also the close involvement of parents) in planning for the final permanent structure. Another concept is also involved in which members of the House may be aware, and that is that to plan for a possible peak population (for example, a school may peak at 1 200 and then stabilise at 900 over a period of years) there is what we call in the Education Department a core plus situation, where a permanent spine is built with transportable buildings retained for a long term on the site but still with the potential of being removed should the peak be passed and should a permanent plateau be arrived at. It is obvious that for that reason the temporary nature of the buildings has to be such that temporary means that the buildings are still of a very high quality so that young people are not disadvantaged by having blocks of this nature within the school.

To demonstrate that the Government is still firmly committed to the programme, perhaps a brief progress report might not be inadequate. The Munno Para school which was opened in 1979 will have its permanent community hall by 1981. The Moana and Yetto East schools, opened in 1980, will have their community halls planned for middle or late 1983. While the Salisbury Heights school is planned in the longer term to be of a temporary nature, simply because the numbers have not yet firmed up there, the Salisbury North-west school is planned as a quickly completed R to 12 (that is, admission to year 12) school, simply because the numbers are there, and the school community has requested that there be a change of name to Paralowie in that case.

So, we are certainly firmly committed to the principle of holding schools. One of the questions raised, I believe by several members, during the Budgetary question time, related to whether the Government realised that in providing temporary accommodation it was also committed to permanent accommodation in the middle to long term.

The department does realise that, and in the five-year plan it has committed funds to provide for the construction of permanent schools once school numbers firm up and once parents have been totally involved in forward planning for that permanent construction.

EDUCATION CENTRE

Mr. HAMILTON: Can the Minister of Education say whether it is a fact that the ground floor space of the Education Centre is to be handed over to the Department of Mines and Energy in March 1981 for display purposes and, if it is, is this to be a permanent arrangement? If it is not, for how long will it last and what alternative arrangements will the Education Department and the Department of Further Education have to make for display purposes? I received a telephone call this morning from an irrate principal, who said that this area is to be let in March next year. In his opinion, this is a blatant attempt by the Government to push forward its uranium policies. Will the Minister confirm or deny this statement?

The Hon. H. ALLISON: This matter has been raised with my office, and there is no doubt that the matter was the subject of some discussion initially between the Minister of Mines and Energy and me. The matter was then referred to the Director-General of Education and it is under consideration. No final decision has been made, and hence no public Ministerial statement has been made. The on-going process of this has now landed the matter quite firmly in the lap of the Minister of Public Works, who is also studying the whole question, jointly with—

The Hon. J. D. Wright: Why did they cancel—

The Hon. H. ALLISON: It was not my decision to cancel the orders. I understood that that had happened, and therefore the matter arrived on my desk as late as about 10 o'clock last evening. As I said, the contentious nature of the problem has recently been drawn to my attention and a final decision will only be arrived at in consultation with the Minister of Public Works, the Minister of Mines and Energy and the Minister of Education.

KEEVES COMMITTEE OF INQUIRY

Mr. OLSEN: Can the Minister of Education say whether the Keeves inquiry will report on disadvantage country schools experience, compared to their metropolitan counterparts in relation to choice of curriculum and resources for enrichment studies, as opposed to core studies? If not, will the Minister refer to the Inquiry the question of increased flexibility or available allowances for

the employment of part-time contract teachers to fill the void in country areas to provide a wider range or choice of subjects?

The Hon. H. ALLISON: Yes, the Keeves Committee of Inquiry into Education in South Australia will consider the allocation of resources, both in metropolitan and country areas. This will involve the allocation of staff and, of course, directly related to that is funding. I do appreciate the honourable member's concern at the relatively low diversity of choice in country schools. I believe you, Mr. Speaker, will recall that a school in your area has only recently been allocated matriculation status. This is a problem associated with remoter or more isolated large country schools, a problem not shared by the metropolitan schools more closely situated where there is the possibility not only of a wider choice within a school but also of sharing studies between a number of closely adjacent schools. We will investigate the matter closely through the Keeves Committee of Inquiry.

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

The SPEAKER: Call on the business of the day.

FISHING INDUSTRY

Mr. KENEALLY (Stuart): I move:

That in the opinion of the House a Select Committee should be appointed to consider and report on the fishing industry in South Australia with a view to—

(a) assessing the viability of existing fishermen operating in the coastal waters of the State;

(b) making recommendations on whether legislation should be enacted to improve the management of the State's fisheries;

(c) making recommendations as to whether—

(i) additional licences or authorities should be issued in the various fisheries; or

(ii) the numbers of licences or authorities in these fisheries should be reduced; and

(d) determining the adequacy of existing port facilities to service the needs of the State's fishing fleet.

I wish to point out immediately that my motion does not seek to criticise the present Administration or its predecessor. It does not seek to make political mileage at the expense of the Government, but merely seeks to grapple with a complex and difficult subject for the benefit of fishermen, the industry, the communities reliant on that industry, and the State of South Australia.

My motion presupposes that Parliament sees itself not as a rubber stamp for the Administration but as a body which in its own right can investigate and make recommendations on matters of importance, and the subject of this motion is a matter of such importance. I am seeking the support of members for the right of Parliament to investigate this industry by way of a Select Committee. This is not a novel motion. In 1967 a Select Committee reported to the House of Assembly on its investigation into the fishing industry. Many of the present management policies flow from that excellent report, and I recommend that members should take the opportunity of reading that document so that they can more fully appreciate the value of the type of inquiry that I am seeking. The 1966-67 Select Committee report stated:

> In the course of its inquiry the Committee held 36 meetings and examined 137 witnesses. Of these witnesses, 64 appeared before the Committee as private individuals; 22 associations were represented in evidence; two delegations of fishermen and four officers from Government departments also appeared before the Committee. In addition to the meetings held in Adelaide, the Committee visited a number of country centres and took evidence at the following places:
>
> *South-East*—Mount Gambier, Port MacDonnell, Beachport, Robe, Kingston.
>
> *West Coast*—Port Lincoln, Streaky Bay, Ceduna.
>
> *South Coast*—Goolwa.
>
> *Kangaroo Island*—Kingscote.
>
> *Upper Murray*—Berri. In addition, an inspection was made of Chambers Creek with members of the District Council of Barmera.
>
> *Yorke Peninsula*—Wallaroo, Minlaton.

Members can see that the Select Committee on that occasion carried out an extensive inquiry into the fishing industry, and that is what I am hoping can occur on this occasion. On page 6 of that report, under the heading "Fishing industry—General Aspects", a number of comments were made that I believe are relevant to read to the House. Paragraphs 24 to 27 state:

> 24. During the course of its inquiry the Committee encountered some difficulty in ascertaining the present state of the fishing industry in South Australia. Unsubstantiated evidence was presented to the Committee that catches were deteriorating in a number of areas, and that considerable over-fishing had taken place. It is of interest to note that the same opinions were expressed in 1934 by witnesses who appeared at that time before the Royal Commission on the Fishing Industry.
>
> 25. The Committee could find no substantive evidence that there had been any fall in the total State production from the fishing industry. Estimated figures provided by the Department of Fisheries and Fauna Conservation indicate that production over the last few years has risen steadily.
>
> 26. However, the Committee was concerned that at present it was not possible to obtain definite figures regarding catches of various types of fish in South Australia. No compulsory system of production returns from fishermen or fish buyers and processors exists at present, and consequently it is extremely difficult to judge the quantity of fish being taken and whether the fishing resources of the State are being utilised efficiently. From its own observations and the evidence submitted to it, the Committee considers that, while the total State production from fisheries has increased, there nevertheless appears to have been some reduction in the catch per fishing unit.
>
> 27. This decline in catch per unit would seem to be due to the larger number of persons engaged in the industry. Certainly there has been a substantial increase in the number of licences issued—from 5 600 in 1959-60 to 10 400 in 1965-66.
>
> There has also been an increase in the number of boats registered pursuant to section 16 of the Fisheries Act—every person taking fish for sale must register his boat—and 2 019 boats were registered in 1965-66. However, many boats have a crew of more than one taking fish for sale and, in addition, people take fish for sale without using a boat. With the increase in population and the greater use of power boats, it can be anticipated that the number of licences and boat registrations will continue to increase unless provision is made to control various types of fishing activities.

I have read those comments because they apply largely to the present situation, although today we do not license amateurs to sell fish, so there are 1 311 licences to take and sell fish as compared with 10 400 in 1965-66, and there were 2 019 registered boats in 1965-66 as against somewhere in the vicinity of 40 000 boats today, covering recreational and professional fishing boats.

A conclusion reached on crayfish (lobster) fishing was sadly prophetic, and indicates the thought and effort

exerted by that Select Committee. Paragraph 58 of its report states:

> In countries where crayfish stocks have been heavily fished, it has been found that there is a rising production for several years and suddenly a decrease. This occurred in Western Australia, where it was found necessary to introduce and enforce strict regulations on the catching of crayfish. The committee considers that, in the light of Western Australian experience, the total crayfish production in South Australia is likely to decline seriously in future years unless controls on effort are introduced.

I said that that was sadly prophetic, because that is exactly what has happened. In its conclusions, that excellent report states:

> For these reasons, the members of the committee feel that the inquiries they have made and the conclusions they have reached are by no means final. Further consideration will have to be given in future to many of the matters brought before the committee.

That is expressly the intention of this motion. I am asking that further investigation by the Parliament be made in this industry. In the programme papers provided for the Estimates Committees, one of the objectives of the Department of Fisheries was described as follows:

> To provide equitable distribution of the fish resource; to cater for the specific needs of a variety of interest groups within the community.

That is an objective with which I heartily agree. However, in my view, it is not being met. There is not an equitable distribution of the fish resource in South Australia, and that is one of the major causes of the discontent existing in the industry. Those of us in this Parliament, on either side of the House, who represent electorates that include fishing interests, know that in every fishery, whether lobster, tuna, prawn, abalone or scale, inequities and pressures exist. Obviously, many people have a vested interest in fishing and there are pressure groups within the industry. Much debate on the fishing industry takes place on an emotive basis and in the absence of fact. A Select Committee could ascertain these facts.

I readily concede that fishermen, even though an independent breed, are known to complain on occasions and are reluctant to disclose, even to the appropriate authorities, the results of their fishing activities. Nevertheless, I have been sufficiently convinced by the evidence received over a period of 10 years as member for Stuart that there are fishermen in South Australian coastal waters who are doing extremely well, while others are barely making a living. If the discrepancies in income were merely an accurate account of the abilities of fishermen, I would have no complaint. However, nothing could be further from the truth. While some differences in income can be attributed to fishing ability, Government regulation and available capital are the main contributors. By and large, we have a managed fishery in South Australia, and so decisions made by Government and this Parliament bear very heavily on the viability of each individual fishing unit.

The strongest management tool used is the control of the number of authorities or licences issued, and that is an appropriate and responsible policy, although comparisons of incomes as between the various fisheries reveal some disturbing anomalies. Anomalies that occur in a free market system are bad enough, but anomalies in a managed industry are alarming. While I support the Government's intention to manage our fisheries, there is another point of view, and I quote that point of view as expressed in the September issue of *Australian Fisheries* under the title "Unique management methods in New South Wales abalone fishery", an article written by Dr. Francois, Director of the New South Wales Fisheries, and Mr. Gorman, Senior Biologist, Marine Exploration, New South Wales State Fishery. It is important that the House should know that there is an alternative view to the policy of managed fisheries in South Australia. The report states, in part:

> With the history of over-capitalisation of some fisheries and the resultant problems, many fisheries managers find difficulty in living with the concept of free entry and some enterprises failing. There is a growing tendency for fisheries managers to adopt an ultra-conservative approach to management which in its most extreme form is manifested in the adoption of a licence limitation policy for every fishery to the exclusion of any other, regardless of circumstances.
>
> There is no shortage of development money in Australia: we are all familiar with the over-abundance of petrol stations, chemist shops, etc.
>
> There is no reason why Australian Governments should guarantee that fishermen earn a certain return on capital—we see no reason why fishermen should not be allowed to fail, as is the case in most private enterprise undertakings in Australia.
>
> We consider that it is time Australian fisheries managers concentrated on looking after fish rather than involving themselves in the god-like exercise of guaranteeing a living to persons in a private-enterprise situation.
>
> We think it is healthy that some fishermen become wealthy and other fishermen fail. It is healthy to have a turnover in the fishing industry, brought about by natural forces operating in any free enterprise system rather than by government intervention.
>
> The concept of buying back licences and the elaborate procedures involved, including the windfall gains to those initially granted licences, is a complete anathema.
>
> However, because such practices have been widely adopted throughout the world and Australia, recent amendments to the New South Wales Fisheries and Oyster Farms Act have provided for this type of management regime if the Government of the day decides that this is what it wishes to have. In fact, the New South Wales Government has decided on a limited entry fishery for abalone. It is now an easier job for New South Wales State Fisheries to deliver what the Government wants.

I do not accept the philosophy of that article. The free enterprise system is inappropriate to the limited fishing resource which this Parliament is charged to protect, and I am at one with Government members on that. This is one occasion when I am sure that every member of this Parliament will agree that the free enterprise system is totally inappropriate. This Parliament sets the rules, and we must ensure that a more equitable distribution occurs.

The only figures available to determine the viability of fishermen in South Australia are those collated from fishermen's returns. This should indicate the return to the fisherman in South Australia. The figures were sourced by the Australian Bureau of Statistics and the South Australian Department of Fisheries, and they refer to the year 1978-79. In the scale industry, there were 815 licences (486 A-class and 329 B-class licences). The gross declared income for the scale industry was $6 337 000, an average income to a fishing unit of $8 000.

In lobster fishing, there were 361 authorities and the gross declared income was $8 237 000, with an average gross income of $23 000. In the abalone fishery there were 35 authorities, with a gross declared income of $1 462 000, and an average income of $41 000.

In the tuna industry there were 39 authorities, $2 377 000 was the gross declared income, and the average income per fishing unit was $62 500. In 1978-79 in the prawn fishery there were 53 authorities and seven special

permits, $11 586 000 was the gross declared cash, and the average declared income per fishing unit was $193 000 gross. In 1979-80 there are 53 authorities and eight special permits.

In 1980 there are 751 scale licences in South Australia, (477 A-class licences and 274 B-class licences), a reduction of 64 licences. The statistics show that a scale fisherman in South Australia, A-class or B-class, averages a gross income of $8 000, from which he must service his capital investment, pay for his fuel, labour, etc. Those figures are patently absurd and totally unreliable, and they do not provide the information necessary to determine appropriate policies. The scale fishery in some areas in South Australia is in tatters; blatant disregard for fishing regulations is shown, and detection is extremely difficult. The individual fishermen are not happy with the situation and would welcome a Parliamentary investigation.

So far as the lobster fishery is concerned, in any Parliamentary inquiry reference should be made to the Copes and Cassell Report. Discussions should be had with the industry and the department to enable recommendations to be made to facilitate the restructure of the industry. The situation has been going on for long enough in the lobster industry in South Australia; decisions need to be made. If decisions cannot be made by agreement between the industry and the department, Parliament has a responsibility to involve itself. It can do this by forming a Select Committee. Within the lobster fishery it is difficult to believe that fishing units could survive on an average gross income of approximately $23 000—these figures are quite obviously understated.

I appreciate that the total tuna catch in South Australian waters is not necessarily the gross catch for the tuna fishery. Much of their fishing is done in other State waters. However, a Select Committee could look at this fishery to determine what involvement, if any, the Government should have. As it is a deep sea fishery of high capital investment, it may be that regulations applying to the fishery should be minimal. I have no objective or subjective reason to question the figures of the tuna fishery returns, but I would be considerably surprised if the tendency that applies to other fisheries is not apparent also in the tuna fishery.

I suspect that the returns credited to the abalone industry are closer to the truth than the others. This fishery has had its highs and lows, but it appears to be profitable at present. However, I wish to relate a story told to me about a fisherman who was granted an abalone licence in 1976. When seeking the authority, he maintained that there was enough abalone to sustain a doubling of the number of authorities. However, when successful he changed his mind and then claimed that there were hardly enough fish to sustain existing authorities holders and that no more should be issued. This, in a nutshell, is what happens in the managed fisheries. Fishermen who are outside a fishery maintain that there is ample resource to sustain an increase in numbers of authorities, and those who are within that fishery maintain that there is insufficient resource to maintain a viable fishing unit and that there should be less. A Select Committee could determine the truth of these matters.

I hope the member for Flinders is listening to my remarks. The prawn fishery shows an average return of $193 000 per fishing unit. Although this compares most favourably with the other fisheries, I am strongly of the view that this fishery also grossly understates its income. I have received good advice which indicates that in Spencer Gulf two of the small operators in the last season had catches in excess of $400 000 in value.

I recall attending a meeting on the Redcliff petrochemical development at which a spokesman for the fishing industry said that the plant threatened a prawn industry worth some $20 000 000 per annum in Spencer Gulf. That figure may well be closer to the truth, and it substantiates my figure of $400 000 per catch for smaller units in that fishery. In May 1977 Mr. G. Raptis, a man whose views of the fishing industry ought to carry some weight, is reported as telling the Industries Assistance Committee that a prawn authority was "like printing money or owning liquid gold". In contrast to that statement, there have been many press reports, that indicate a crisis situation within the industry. A Select Committee would help to ascertain the facts.

A Select Committee should look at the problems generated by the sale of licences and authorities. The present regulations allow prawn, lobster and, more recently abalone authorities to be sold. Because of the limited authorities available, particularly prawn and abalone authorities, an artificially high price can be demanded. For instance, a prawn authority can cost $250 000 or perhaps more, and in many instances these authorities were granted to the fishermen by the State Government free of charge. The editorial in the May 1979 copy of the SAFIC magazine stated that the price for a prawn licence in South Australia was $250 000, and the editor challenged the prawn industry to refute that statement. If the cost of a prawn licence in 1979 was $250 000, it would have increased.

When the price of purchasing and fitting out a vessel is added to the authority price, it all adds up to a cost as high as $400 000 or $500 000, or even more, a price far beyond the resources of an ordinary fisherman. It can clearly be seen that this industry could largely come under the control of interests not traditionally associated with fishing. This is a very real threat, and the evidence is there to substantiate the threat. Some fishermen follow their profession because it is a lifestyle they prefer, so they come to it by choice. Others are fishermen because of family involvement and it is the only occupation that they know. Others make a purely commercial decision to go fishing as they believe the return warrants the risk. What is happening is that those people with the financial resources who are in the industry purely for commercial gain are squeezing out those who fish as a lifestyle, and decisions need to be made as to how Parliament considers these conflicting interests. All members here who represent electorates that have a fishing industry know that what I am saying is correct—that the family fishing unit is threatened by those people who are fishing purely for economic gain. Surely this Parliament has a part to play in looking at this matter.

Among the matters that a Select Committee should consider would be the cost of providing a fishing unit in each fishery, including the cost of the vessel and the cost of the gear, based on the minimum labour required, the running cost, fuel, food, etc., and the cost of maintenance, and it should determine the size of the catch required to give a reasonable return on the minimum capital and labour required. I do not believe that the Parliament or the Government should seek to protect fishing investments that are more than the minimum required to run a profitable unit. That is a commercial decision that can be made by fishermen themselves. I do not cavil at that; they are entitled to do so, and of course ought to do so.

It is a matter of critical concern whether, on the information available, the resources could provide a reasonable return and, flowing from the answers to the questions, recommendations could be made as to the appropriate number of licences to be issued in each of the fisheries and whether zoning should be considered. I have

been struggling for five or six years to establish a licensing system or a system that would provide authorities that have greater regard to the value of the resources. Because fishermen, for whatever reason, do not fill in accurate fishing returns, this Parliament can never make a decision based on reliable information.

The figures that I have cited show that, according to the declared returns, some fishermen have a gross income of $8 000 per fishing unit, with which they pay employed labour and run the unit, and others have a gross income of up to $193 000 per unit, but I wager that none of these figures are accurate, and the only way in which the correct information can be ascertained is by an inquiry that would have the status of a Parliamentary Select Committee. There is already evidence that this is so: as I said, the 1966-67 committee of inquiry into fisheries obtained information that was quite relevant at that time, and I believe that a similar inquiry would ascertain information that is quite relevant today, because the Department of Fisheries is quite unable to provide that information.

The Hon. M. M. Wilson: Are you saying that an ordinary inquiry, not a Parliamentary inquiry, would not be able to obtain the sort of information about which you are talking?

Mr. KENEALLY: I acknowledge the Minister's inquiry: he wants to know whether another form of inquiry may be able to obtain that information better than a Select Committee of this Parliament could obtain it. A Select Committee made up of members who represent fishing interests would be able to give tremendous assistance to those people in their constituencies who have problems in regard to the fishing industry. I doubt whether there is a group of people within the community, but outside the fishing industry, who are involved as closely with fishermen and the fishing industry as are those members of Parliament who represent fishermen. I also believe that fishermen would be more prepared to give evidence to a Select Committee that consists of people with whom they are comfortable, whom they know, and who they know understand what the industry is about. The fishermen know that members of Parliament will not become snowed by false information.

Therefore, I believe that a Select Committee of this Parliament is the appropriate body to inquire into the industry, because it is the Parliament that has the responsibility. The Minister's suggestion presupposes that the Government or some other body should inquire into the industry. I believe in the status and the authority of Parliament, and members, because of this motion, have a chance to show their support for my contention. I have reams of information, and I am sure that the members for Rocky River, Flinders, Whyalla, Eyre and other members of the House will also have information about this matter so I will not detain the House unduly. I indicate that, if there is reason to believe that I may not receive the absolute support of the fishing industry for all the arguments that I have propounded, I expect that I will receive total support for having an inquiry into the adequacy of the existing port facilities that service the needs of the State's fishing fleet.

There is no doubt that adequate facilities do not exist in all ports, if, in fact, they exist in any part. Criticism from the industry in regard to that matter has been consistent for years. To highlight the present position, I can quote two letters that I received from concerned groups. Other honourable members may have received copies of these letters. A letter from Mr. Simms, Secretary of the South Australian Prawn Fishermen's Association, states:

> I wish on behalf of the South Australian Prawn Fishermens' Association to draw attention to the almost complete lack of facilities for slipping and servicing fishing vessels in northern Spencer Gulf. The number of larger fishing vessels operating from within the northern gulf has increased over the years but facilities for maintenance have not kept pace with the needs of the industry.
>
> Port Pirie, being a safe port with smooth waters, would be a logical place to locate a slipway. Suitable areas are available which would not encroach on any other port service requirement. Back-up industries needed for some maintenance services are already at Port Pirie and it is reasonable to assume that further ancillary industries will follow as requirements become known.
>
> I feel obliged to state that there is at Pirie a tidal ramp provided by the Department of Marine and Harbors. I must also say that this facility has many shortcomings and is in some ways dangerous. Because it is a tidal ramp, it is totally unsuited for emergencies or otherwise. This was proven when a trawler developed a bad leak and was compelled to use the ramp. The difficulties experienced were extreme in trying to effect repairs.
>
> It is recognised that Port Lincoln has an excellent slipway, but unfortunately, apart from being 150 miles away, the growing number of fishing and other vessels in that area overtax this facility at certain times of the year which coincides with northern gulf boat requirements. The alternative is to proceed to Port Adelaide. Not only is this very inconvenient but very costly in terms of fuel usage. Six hundred gallons plus would be consumed for the return trip whilst 350 approximately would be needed for the run to Port Lincoln and back.

I also received a letter from Mr. Simounds, Secretary of the Northern Spencer Gulf Professional Net Fishermen's Association, who supports his colleagues in the prawn industry and which states:

> In the N.S.G.P.N.F.A. we have 14 boats ranging from 32ft. to 45ft. which have nowhere to slip, only on the beach, which is not satisfactory at all. With the present and future price of fuel, it is too costly to travel to Port Lincoln or Port Adelaide.

The rest of his letter supports what I have already said. In addition, the Port Pirie City Council is making representations for a slipway to be constructed at that port. Such a facility would have a beneficial effect on the city's economy. Jobs would be provided, provisioning would occur, and so on. Port Pirie could well do with such a boost; in fact, a prospective boat building industry was lost to the city because of the lack of an adequate slipway.

The Spencer Gulf Cities Association, at a recent meeting, supported a motion for an inquiry into the fishing industry in South Australia. I have reason to believe that many other local government bodies in South Australia also support the motion, and reference to the South Australian Local Government Association would support that view. These local government bodies are concerned because they have an interest in the viability of their town and in the viability of their economy. The fishing industry plays a substantial part in the economy of Port Lincoln, Port Pirie, Port Broughton, Wallaroo, Cowell, Ceduna, Port Adelaide, and Robe, and I could go on. This is why local government is interested and why I believe that this Parliament should be interested. My call for a Select Committee should be supported, because too much information is in doubt.

Without reflecting on the Fisheries Department, I do not believe that that department has the resources to provide the information that we need and, therefore, a Select Committee would be of inestimable value to the department, the Government and the Minister in determining future management policies. My call for a

Select Committee is not a desire to make political capital at the expense of the Government.

It is not a criticism of the current or previous Administrations. It is a sincere attempt to arrive at the truth of a complex industry, so that decisions can be made by the Parliament that will be in the interests of the industry, of those who participate in it, and of those who depend on it. I ask for members' support.

Mr. OLSEN (Rocky River): First, I commend the member for his objective approach in relation to this matter and the comments he made at the beginning and the end of his speech in relation to that objective approach. Undoubtedly, the management of the fishing industry in this State is a very complex issue. The honourable member needs to be congratulated for bringing the matter before the House and showing his obvious genuine concern for the industry and its well-being in the future.

The problems associated with the industry are many: the reducing resources, the professional fisherman *versus* the part-time fisherman (that is, the class A and class B fisherman in the scale-fishing industry), and the facilities available for fishermen. Problems in one area do not necessarily apply to other areas, and this fact raises the subject of zoning in relation to the management of the fishing industry in this State. There is also another factor, namely, the rights of the amateur fisherman, and the need to give adequate consideration and protection to the vital factor of tourism in South Australia. No doubt, the areas that the honourable member is seeking to put before a Select Committee are, in the main, those areas of concern among sections of the fishing industry.

Mr. Keneally: It would include amateurs; it is a total inquiry.

Mr. OLSEN: Yes. Now that I have heard the general tenor of the speech, I think it would be appropriate to study and assess whether a Select Committee is the most rapid and best method to review the problem, or whether better alternatives are available for the Government to consider. I repeat that I recognise and respect the genuine concern of the member for Stuart. I also recognise that the Spencer Gulf Cities Association has supported his approach in this matter. For my part, I see merit in the approach put forward to the House by the honourable member, and will encourage the Government to consider the motion seriously. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

BEVERAGE CONTAINER ACT AMENDMENT BILL

Mr. BLACKER (Flinders) obtained leave and introduced a Bill for an Act to amend the Beverage Container Act, 1975-1976. Read a first time.

Mr. BLACKER: I move:

That this Bill be now read a second time.

It is a very short Bill; it is a three-clause Bill, but it is quite specific in its intent. The Bill is designed to bring some equality into beverage container legislation to ensure that all types of beverage container are treated equally. I think it fair to say that the reason why I have introduced this measure is not so much for the container industry, but more to the point of litter and its implications on our country towns and metropolitan cities, and more specifically our beaches. Without fear of contradiction, I believe that the beverage container legislation has been of some embarrassment to the former Government and, to a certain extent, to the present Government, for the reason that we have two sets of standard—one for the soft drink manufacturers and another for the alcoholic beverage container manufacturers. That is why the inequities and the litter problem have been further accentuated.

The Corporation of the City of Port Lincoln, being the only city corporation within my district, has had the problem of litter for a number of years, and it has mounted a campaign going back to 1954. So, it is a long and protracted campaign. The specifics of that campaign to do something about the litter problem associated with the beer bottle is connected with its price. I will read a reply to the late Senator Rex Pearson from the Premier of the day, Sir Thomas Playford, as follows:

> In reply to your letter of 24 March 1954, I have to inform you that the local governing bodies have authority to make by-laws dealing with the dumping of rubbish or materials on any public road or place. The suggestion that a payment be made for empty bottles higher than the normal manufactured price would mean a higher price for bottled beer and cannot therefore be agreed to.

If we went back through the records, every member could find a great list of articles and of approaches made to the various Governments and Ministers of Environment and, in general, find much support for the whole concept of a standardisation of the container legislation. In 1954, the then Adelaide Bottle Co-operative Company Limited wrote to the Town Clerk of the City of Port Lincoln. Although the company sympathised about the litter problem, it was not prepared to take any real action. I think it fair to say that the present Minister of Environment has been contacted by many councils, and I will deal with some of those approaches directly. At a recent Spencer Gulf Cities Association Conference, held in Port Pirie, the Premier was present, and three motions were moved by Mayor Davey of Port Lincoln and Councillor Werfel of Port Pirie, all calling on the Government to introduce a 10c deposit on the glass beverage containers. I will quote briefly from an editorial in one of the Spencer Gulf papers headed "The ugly mess", as follows:

> A move by the Port Lincoln Council to have deposits placed on beer bottles and other glassware is a meritorious one and should receive the support of the community in general.

To outline the anomalies presently within the beverage container legislation, I will quote from an editorial in the *Port Lincoln Times* of 16 May. It is headed "Pull-rings and pulled strings", and states:

> When is a pull-ring not a pull-ring? The answer, for South Australian beverage containers legislation, appears to be when it is on a beer bottle and not a beer or soft drink can. In its efforts to reduce environmental eyesores the former State Government took much of the joy out of using beverage cans by outlawing pull-ring openers and causing manufacturers to introduce the fingernail breaking push-in opening.
>
> Most people accepted this as part of a very necessary campaign to reduce unsightly litter. However there must have been a massive loophole somewhere because next thing we see are even larger and shinier pull-rings on the tops of small beer bottles which have largely replaced beer cans in popularity because of their negligible deposit compared with the cans' five cents.
>
> There is no doubt we should have been far better off with discarded cans—pull-rings and all—than the more unsightly bottle pull-rings, plus bottles (mostly broken), plus the hideous and unfortunately durable cardboard six-bottle containers which are fast converting our beauty spots into one vast brewery advertisement.
>
> One day we may be lucky enough to get a State or even a national Government with sufficient immunity to big

business string-pulling to enact the legislation necessary to stop our country becoming a huge rubbish heap.

As I mentioned earlier, the whole complex problem of bottle deposits has been a very protracted one. When the Hon. Mr. Corcoran was Minister of Environment he found that conflict existed within his Party about this measure, and many articles in local papers back up that statement. One report of 15 September 1978, under the heading "Deposit on beer bottles rejected", states:

> The Minister for the Environment, Mr. Corcoran, has rejected an A.L.P. sub-branch call for a deposit of at least 5c on beer bottles. Mr. Corcoran was reporting on a call by the Glenelg Central sub-branch at a previous council meeting that a deposit of at least 5c be imposed on all soft-drink and beer bottles, including "Echoes".
>
> Glenelg delegates criticised Mr. Corcoran's report. Mr. A. Ross said it was a "two bob each way, pussy-footing, fence-sitting" recommendation that showed the association between the A.L.P. and the brewery industry.

Unfortunately, that is the feeling that does come out—that there must be some connection between big industry in this field and the particular Government in power. The Corporation of the City of Port Lincoln, in its endeavours to promote the campaign it has been mounting and in an endeavour to have some legislative action taken on the litter problem, particularly in the street, published a pamphlet which was circulated to all local authorities and which called on them to support the campaign. The pamphlet was very well set out and well drafted and it basically revolved around the theme of fact and fantasy. It has been clearly shown that the deposit system did cut can litter. It has been firmly established that a higher deposit would cut the litter problem associated with glass.

When I gave notice of this particular Bill (and I gave notice on the opening day of Parliament, 31 July 1980), I was rather intrigued that on the very next day on which Parliament sat the member for Rocky River should raise a question specifically relating to bottle deposits, as follows:

> Does the Minister of Environment intend to respond to a call for a 10 cent deposit on all bottles and, if not, why not, and can he say what steps are being taken or have been taken to ameliorate the litter problem caused by bottles? I refer to a report in the *Advertiser* of 27 October 1979 wherein the Local Government Association of South Australia at its annual general meeting called for a 10 cent deposit on all glass beverage containers in the interests of public safety and litter control.

The member for Rocky River gave further explanation. The Minister gave a lengthy reply, and it made obvious that the question had been a Dorothy Dixer, in view of the notice that I had given a week previously. He spoke about the bottle manufacturing industry having voluntarily increased the price from a ½ cent a bottle to 30 cents per dozen for those bottles. The Minister concluded:

> I believe that a 10 cent deposit on all glass containers would cause significant dislocation in the industry, and I am personally yet to be convinced that such a measure is entirely necessary. I would suggest that industry is as aware of its responsibility as is the Government, and I am confident that we can work together to determine positive environmental and health benefits through the voluntary recycling of containers.

To a certain extent I have some sympathy with that. However, I am not yet convinced that the logic behind that statement can be sustained. When the container deposit legislation was being debated before this House it was stated on many occasions that there was a very high return on beer bottles. If we are to accept that, there should be little or no consequence on the bottle manufacturing industry, because the likelihood of any reduction in bottle manufacture, bearing in mind that the vast majority of them have been returned for refilling, would be totally inconsequential. To that extent there is a flaw in the argument being proposed.

It is far more accurate to suggest that there is not a very high return of beer bottles for refilling, and the very reason that the bottle manufacturers wish to continue their campaign for a minimum deposit is that it gives them a far higher through-put in the manufacture of their bottles. One of the bottle manufacturers came back soon after a statement was made by the Minister in an article to the paper and stated that its viability depended quite significantly on high export orders. I think that the industry is to be commended in every way possible for seeking export orders. However, to mount a campaign to prevent the introduction of an additional deposit on beer containers on the premise that there is a high return of beer bottles is totally false and misleading to the community. I cannot accept that; it is either one or the other.

If bottle manufacturers are getting a high turn-around of beer bottles for refilling, the likely impact on them will be totally insignificant if the deposit increases. However, if there is not that turn-over, it is obviously a very lucrative component in the replacement manufacture by the bottle manufacturers. What I am saying is that, if the turnover is not there, the manufacturers have additional jobs to provide those bottles back into circulation. That is where the crux of the whole matter lies. Thus, somebody has not been telling the complete or the whole truth during that time.

Soon after the member for Rocky River asked his question in Parliament and the Minister responded (and I have suggested that was as a result of the Notice of Motion that I had given on the previous sitting day). The "From the Back-bench" column by the member for Rocky River appeared in the *News* of 21 August 1980, just a little less than a fortnight after the matter was raised in Parliament, headed, "Deposit rise should help bottle blitz". Most of the comments made in the column I fully agree with. I would like to quote one extract from it, as follows:

> It is estimated that the current return rate for cans is 85 per cent compared with soft drink bottles (20/10 cent deposit) 85 per cent, beer bottles 83 per cent and Echo beer bottles 55 per cent.

If the raising of the deposit to 10c will cause a 2 per cent difference in the return rate, we are being quite pedantic about the arguments being presented by the bottle manufacturers.

It is just not on—if 83 per cent of a commodity with a small deposit is returned and 85 per cent of an identical container with a deposit of 10 cents is returned, then why all the hassle? There should be no need for any hassle or opposition whatsoever over the arguments being put forward.

In its campaign, the Corporation of the City of Port Lincoln sought support from its local government counterparts in a circular it sent to most of the councils throughout the State. I have copies of replies from 74 councils and corporations, in which only three councils did not totally support the 10 cent deposit container legislation. I think it only right that I should name those three councils. One was the Corporation of the Town of Renmark. The letter stated:

> Thank you for your letter of 5 May 1980 on the above matter. I have to advise, however, that my council is not completely in accord with the imposition of a 10 cent deposit on all glass beverage containers. It would appear that the introduction of a deposit on wine and grape juice containers would impose difficulties and costs in packaging wine in

special containers for the South Australian market only.

I can understand the problem there, particularly when a large part of the business of a wine manufacturer is conducted interstate. I have allowed for that problem in the drafting of the legislation. The Corporation of the City of Glenelg replied:

> I am directed to advise that council decided to await results of the deputation by the Local Government Association to the Minister of Environment.

That was a holding operation. The only other local governing authority which actually opposed the proposal was the Corporation of the City of Adelaide and one does wonder why that should be the case. Its letter stated:

> I refer to your letter of 5 May 1980, in which you have sought support from the Adelaide City Council for the implementation of deposits of at least 10 cents on all glass beverage containers. I wish to advise that the city council at its meeting held on 30 June 1980 decided to adopt the recommendation put forward by the corporation's Legislation, Properties and General Committee, that no further action be taken in supporting the proposal to implement a deposit on glass beverage containers.

That is not really an opposition; it is a withdrawal from the hassle. It can be seen that in 71 replies out of 74 there is strong support for the introduction of a 10c deposit bottle legislation proposal. I think it only fair that I should mention some of the replies from the local governing bodies that the Corporation of the City of Port Lincoln received. One was from the District Council of Murray Bridge, which is a town at the centre of the district of the Minister of Environment. In part, the letter said:

> Council has previously supported the retention of deposits on those containers which currently have them and it supports the proposal put forward by your council for a 10c deposit on all glass beverage containers. It has done this as the items involve luxury items and it is considered that this figure is not excessive.

The District Council of Mannum supports the proposal and wrote to the Port Lincoln council accordingly, as did the District Council of Mount Barker. Those district council areas are in the District of Murray which is the district of the Minister of Environment. I believe I have copies of letters from corporations or district councils in the districts of every Minister and, in fact, every member of this House which all support the 10c bottle deposit legislation.

I must say quite sincerely that any member who stands up and opposes the implementation of a 10c deposit legislation is flying in the face of his local government authorities. That is a serious accusation but I point to the fact that local governing authorities in all districts support the request for the 10c deposit legislation. I have examples of letters I would like to quote from corporations and councils in every district. I certainly have copies of letters from every country district, including that of the member for Rocky River whose comments in his press column do not agree completely with those of the local governing bodies in his district. I say that as a word of advice. Mr. Speaker, most of the district councils in your own district have responded to the call by the Corporation of the City of Port Lincoln, and they have called on the support of the Minister. I have no doubt the local governing authorities will have sent copies of this correspondence to all members of Parliament.

I believe the Joint Committee on Subordinate Legislation has recently tabled its minutes of evidence relating to the P.E.T. two litre plastic containers. That report indicates that the P.E.T. containers are a potential hazard. I do not wish to broaden the debate any further, except to say that there appears to be an anomaly and some litter problem associated with this type of container. It has been suggested that it can be disposed of by burning which, in itself, could pose a danger to the community, as we all know that some plastics when they are burnt can be a health hazard.

In summarising, I would like to give an explanation of the Bill. The first clause contains the short title; clause 2 refers to the date of commencement. Clause 3, which is the meat of the matter, provides:

> Section 4 of the principal Act is amended by striking out the definition of "refund amount" and substituting the following definition:
>
> "refund amount" means—
>
> *(a)* in relation to glass containers—
>
> (i) ten cents; or
>
> (ii) being glass containers of a prescribed class, kind or description—an amount exceeding ten cents prescribed in relation to glass containers of that prescribed class, kind or description; or
>
> *(b)* in relation to containers other than glass containers—
>
> (i) five cents; or
>
> (ii) being containers of a prescribed class, kind or description—an amount exceeding five cents prescribed in relation to containers of that prescribed class, kind or description:.

I present this Bill to the House with the specific request for all members to consider the implications of the wishes of their own local government authorities. I have indicated that I would cut my explanations short, but I must say that at the time of the conclusion of the debate I intend to quote from the letters from district councils to members of the House to verify that what I am saying today has the support of not only the Local Government Association of South Australia but also the vast majority of the local government authorities throughout the State.

In the interests of the litter problem in South Australia, the prevention of health hazards, the safety of the children who run on our beaches, and of every citizen of this State, I seek the support of members of this House.

Mr. GLAZBROOK secured the adjournment of the debate.

INCOME TAX

Adjourned debate on the motion of Mr. McRae:

> That, in the opinion of the House, a Select Committee should be appointed to consider and report on the various methods, either in use or proposed for consideration, of apportioning income tax between the Commonwealth and the States and in particular this State and to advise the Government on the various effects which may be induced by the "New Federalism".

(Continued from 24 September. Page 1083.)

The Hon. D. O. TONKIN (Premier and Treasurer): I welcome the opportunity to reply to the motion put forward by the member for Playford. I accept that he has put it forward in a spirit of concern about the long-term future of the financial arrangements between this State and and the Commonwealth. There are some matters in his speech with which I am bound not to agree. I think he would accept that, and I do not intend to labour the point to any great extent. For the benefit of members, I point out that the history of the payments to or from the States and the Northern Territory is very admirably summarised

in the Federal Budget Papers, particularly Budget Paper 7, and there is a summary of the previous arrangements which have occurred from page 9 onwards. That summary includes the situation which applied before the income taxing powers were given from the States to the Commonwealth, and goes right through the position of the Grants Commission, what have been called the Whitlam guarantee provisions, coming right up through the New Federalism policy introduced by the Fraser Government in 1975 after a good deal of discussion.

I think it is important we all have some understanding of that situation. Certainly, since I have been going to Premiers' Conferences in the past 12 months I have learnt a great deal that I did not know previously about the arrangements that have been made, and I have come to a far better understanding of the complexity of the matter. It is a situation where, the more one finds out, the more one finds one does not know about it. It is an extremely complicated business. Nevertheless, there are some fundamental principles, and they are the ones to which I want to address myself briefly now.

First, the motion as put forward is really in two parts. The first part deals with the setting up of what, in his opinion, is a necessary thing, a Select Committee to consider and report on the various methods, either in use or proposed for consideration, of apportioning income tax between the Commonwealth and the States, and in particular this State. The second part is encompassed in the next part of the motion, which is that the Select Committee should advise the Government on the various effects which may be induced by the New Federalism. It is the second part of the motion in which the political point scoring could take place and in which differences in ideology and economic theory could be drawn. I am sure the honourable member would agree.

I am a very strong supporter of the New Federalism policy adopted by the Fraser Government; indeed, I had a great deal to do, in company with many others, with designing and approving the matters as they came forward. So, it is quite natural that I should support it, and I support very much the concept that the States should retain their autonomy as far as possible and be able to set their own priorities in their own spending. For that reason, I am very much of the opinion that the funds which come to the States should, as far as possible, come in a lump sum so that the States can set their own destinies and allot their own priorities in consultation with their own local communities. It is for that reason, in another context, that I mentioned last night—or early this morning—that I believe that local government should be given more autonomy, more access to funds, so that it can make the same decisions at the grass roots level, the point closest to the delivery of the services provided. That is what should happen as far as the States are concerned. The income tax sharing arrangements put forward have gone a long way towards restoring a great deal of independence to the States in setting their own priorities. I refer members to pages 38 to 41 of the attachments to the Treasury statements for the Budget of this year in this House.

The problem which arose during the Whitlam era was the enormous use that was made then of the section 69 grants and the greater and greater intrusion which, as a result, came into the States' affairs from the Commonwealth. Basically, this is a matter of ideological difference. The Labor Party is committed to supporting a Government centralised in Canberra, and is ultimately committed to the abolition of State Parliaments and to the adoption, with the central Government in Canberra, of a system of regions which will be looked after by something resembling the Greater London Council. This is where the old Department of Urban and Regional Affairs was so active in preparation in those days for the adoption of that structure.

We believe that within our State we are far better qualified to decide what our own people need. I very much resent any suggestion at all that we should be dictated to in State affairs by a Government in Canberra, and I am not particularly fussed about which persuasion, although I may say that it is a great relief following Saturday week that it is not a Government of the other persuasion. Nevertheless, the States need to stand up for their rights and to decide their own destinies.

During the Whitlam years the Federal Government relied very heavily on section 69 of the Federal Constitution, and that is the section which empowers the Commonwealth Government to make cash grants to State Government for specified purposes. It is a section on which the High Court has ruled from time to time to the effect that there is virtually no limit to the purposes which can be nominated, and virtually no limit to the Federal Government's discretion in using funds. In other words, section 69 grants are grants with conditions imposed, conditions which are binding on State Governments and which can be made for almost any purpose. Money offered to the States must be used for those purposes and for no other purpose. What is more important, it must be used in a way that is approved by the Commonwealth. During the Whitlam years the Government relied so heavily upon this provision that in three years specific purpose grants were increased by 350 per cent from $930 000 000 to $4 150 000 000, whereas the untied grants in that time increased by only 64 per cent—and this is before any adjustment for inflation is made. The reason for the huge increase in specific performance funds was that this form—

The Hon. D. J. Hopgood interjecting:

The Hon. D. O. TONKIN: It was a good deal for those people who were prepared to sit back and be dictated to by Cabinet.

The Hon. D. J. Hopgood interjecting:

The Hon. D. O. TONKIN: I am not convinced that that is so. When one considers it in the context of the total sums that were made available, that is an extremely small proportion. The reason for the huge increase in specific purpose funds was that that form of payment suited the Commonwealth Government of the time very well indeed. It gave it the power to control State Government programmes. Not only did it provide money for capital works but it provided money for the ongoing revenue. Not only that, it committed the State Governments to providing ongoing revenue to support projects that it had been fairly well able to dictate where necessary by providing specific purpose capital funds. Thus, the Commonwealth was able to control State Government programmes in a way that was more effective, and it could do this more than any other Federal Government had ever been able to do since Federation. That is why, under the new Federalism policy, specific purpose payments were reduced in the first Budget (certainly, by only 2 per cent). General untied grants were increased by 20 per cent. From that move, which has now been repeated year after year, the effect was to release much larger sums of untied money into the States, which was a very effective way for the Federal Government to say, "Here you are, we will give you a total amount of money which is sufficient to maintain all existing services; if you want to keep things the way they are, if you want to keep programmes going as they are going now, that is your prerogative, but also you must establish your own priorities. There is just so much money available from taxpayers, we are giving you a recognised share of it; you cannot go on expanding

programmes all over the place without having to set priorities and decide which comes first."

The effect of the tied grants system was that State Governments could fall back from time to time on the excuse, when a particular group of people in the community asked why it was not proceeding with a certain project, that the Federal Government had not made sufficient funds available and that it was therefore the Federal Government's fault. In actual fact, that excuse could never have been possible. That excuse was still used even after the State Government had been given adequate funds in a lump sum and the Federal Government had made it clear that there were no strings attached. Some State Governments still tended to say to people who wanted to know why a project was not going forward, "Well, its the Federal Government's fault." In actual fact, it was not. The effect now of the untying of tied grants and the granting of additional sums to the States in an untied form has really put State Governments on their mettle, because, instead of accepting what the Federal Government dictates, they must now sit down and really sort out their own priorities, and that is an extremely good thing. It is a responsibility that some Governments have not wanted, but certainly it is a responsibility which this State welcomes, because we believe it is the very basis of economic management, and responsible economic management at that.

The other effect of it was that some hard decisions have had to be made by the States. Again, this Government does not resile in any way from that position; we are prepared to take the responsibility to make hard decisions about the priorities of Government spending. The whole point is that that is what Governments are for, as Governments have a responsibility like the board of any company or any business. This Government is prepared to make such decisions; if the decisions are tough and we make the wrong decisions, a Government of other complexion must wear the effect of those decisions. If the Government pleases the electorate, it will receive support; if not, it gets its just desserts, which I suspect is what happened last September 12 months.

With regard to the matter which was the main substance of the motion moved by the member for Playford, that a Select Committee be appointed, I refer the honourable member to page 38 of the attachment document in the Budget papers. A number of matters were deferred from the June 1979 conference. A Premiers' Conference was held on 7 December 1979, at which time the Commonwealth agreed to a form of guarantee. A Premiers' Conference was held, again with Loan Council, and in the June meeting we decided that the States would be provided, as a basis for planning, with an offer to ensure that each State's entitlement from income tax revenue in 1980-81 would at least be the same in real terms as it was in 1979-80. This was achieved by increasing the amount which each State received in 1979-80 by a proportion derived from relating the sums of the four quarterly c.p.i. figures for the year ended March 1981 to the sum of the four quarterly c.p.i. figures for the year ended March 1980. That gave the choice of two sums, and the States were to receive the higher amount, whichever it was.

The States were not particularly happy with that offer; it applied only for the year 1980-81. It left the principle of a guarantee open for some negotiation at a time of reviewing tax sharing, which, as honourable members will know, is to take place in June 1981. That method did not take into account population increases. The absolute level may have been maintained in real terms, but the per capita level certainly was not, and it contained no betterment factor, a factor which has been a feature of most financial agreements for the last 20-odd years and one which the States believe is absolutely important.

The review which is coming forward towards the end of this year is a most important one for South Australia. Again, I give the member for Playford some credit for being concerned about it, because it is a matter of great concern. The investigations which have been conducted so far were conducted at the Premiers' Conference without the Prime Minister (I suppose one could call it an unofficial Premiers' Conference) which was held in Melbourne, and another meeting was held in Adelaide on 12 September. It was intended to have a joint submission ready to go to the Commonwealth some time in September so that we could have a meeting with the Prime Minister before the time of the expected Federal election. However, unfortunately there has been a hold-up in the work that has been done by Treasury officers, particularly from the State of New South Wales, and the agreed submission is still not ready.

There have been some negotiations with Mr. Hamer, the Victorian Premier, and we believe that we will forward to the Prime Minister in the very near future an agreed form of submission. The basic premise is that the States are not seeking more money; we do not want a bigger share of the cake, because, at present, we believe that we are getting not a bad deal, but we want some protection against changes in Federal Government policy, and we need a fairly positive guarantee that changes in taxation policy, for instance, will not drastically affect the share that the States will receive.

Mr. Bannon: A sort of Whitlam guarantee.

The Hon. D. O. TONKIN: It is a basic guarantee which in some ways would come back to the Whitlam guarantee in that it would contain a provision to take into account population and a betterment factor, but there is no way in which we could justify a betterment factor of 3 per cent, which was the original figure. I will not go into the details of what sort of betterment factor we should be prepared to ask for and accept (it would be wrong of me to ventilate that matter), but the discussion resulted in the suggestion that we should stick to the 1980-81 figure for the States as a base level and that we should move ahead on that base level, taking into account inflation and a betterment factor, and that it should apply to a share of income tax receipts. There was also considerable discussion about whether or not it may be better to take in a specific share of total revenue receipts of the Federal Government.

Mr. Bannon: Such as petrol tax.

The Hon. D. O. TONKIN: Such as petrol tax, indeed. I do not think that it is any secret to say that the New South Wales representatives totally rejected that concept, much to my surprise: I thought that they would probably welcome it. Most of the other States thought that that was quite a good proposition, but were pretty much equally divided as to which was the better, because it is not so much the basis on which it is calculated that is of importance as the fact that we need that base guarantee so that, if there is a change and if, for instance, the Federal Government moved right away from personal income tax into a broadly based consumer tax, then the States, if they had no base guarantee, would be left completely and absolutely out in the cold and we would have to renegotiate another agreement. Who knows what we would get.

Also, with the security of a base guarantee, the States need some continuity and some expectation that the arrangement will continue for more than one or two years. There has been a good deal of discussion as to the base, the betterment factor, allowing for population, and exactly

on what basis the tax will be collected. We believe that it does not matter particularly whether a share of personal income tax or a share of total revenue is involved, provided we have a firm guaranteed base figure from which we can work. We want that for some five years, as a minimum—that is the nub of the problem.

The member for Playford has suggested that a Select Committee of this House should be set up to consider these matters; again, in general terms, far more attention should be given to Federal-State financial relationships, but I am not convinced that this Chamber provides the best forum for constructive pulling together of proposals. The honourable member has suggested that there could be a faculty attached to either the School of Economics or the School of Law.

Mr. McRae: A department of the Faculty of Law.

The Hon. D. O. TONKIN: I am sorry, I should have recognised that the honourable member would prefer the Faculty of Law, and that is probably very right, because the whole interaction is very much a legal arrangement rather than a financial arrangement, and that proposal has some merit. Certainly, there is no such school, faculty or department, to my knowledge, in Australia, and I do not know whether there is one in the rest of the world.

Mr. McRae: There are only three in America.

The Hon. D. O. TONKIN: I believe that the honourable member's suggestion bears looking at. The point is that that faculty is the place for theoretical discussions, and any Select Committee of this House would be very seriously handicapped because there would be no way in which it could do more than consider the various options open and would then have to put those options to the Government, which, in turn, would have to put the options to a Premiers' Conference, probably to the informal Premiers' Conference first and then to the Premiers' Conference with the Prime Minister. As I am sure the member for Hartley will substantiate, it is not easy to find a unanimity between the States at any time at a Premiers' Conference with the Commonwealth, or even without the Commonwealth, so it appears that, although the motion is well-intentioned and there is merit in some of the honourable member's suggestions, a Select Committee of this House is not the best way in which to solve the problem.

I conclude by saying that we intend to keep a very close watch on the negotiations that must occur before the end of June 1981. A Premiers' Conference is scheduled for February, and by that time I hope the Commonwealth will have had our submissions and, if it has any other ideas, will come to the States well before that time to give us an opportunity to discuss the Commonwealth proposals in good time before the conference. I must say that one of the difficulties that the States have experienced, as the member for Hartley will again recognise, is the lack of consultation that is possible between the Federal Government and the State Governments before changes are made in tax policies. I know that the need to maintain secrecy and confidentiality before making changes is paramount, but it does not help the States in the slightest to be confronted with a change which is announced unilaterally by the Federal Government and which must be accepted, take it or leave it, by the States. Obviously, there must be a better way of consultation, and that is another question to which we will be addressing ourselves.

I take this opportunity to pay a tribute to the Treasury officers who have worked diligently in regard to this matter; they have made a very detailed submission to the commission, which is considering the review of relativities that is being carried out by the Commonwealth Grants Commission. That inquiry is proceeding independently of the outcome of the discussions that the Premiers are having, and the outcome will be extremely important to South Australia. I am not quite certain exactly what effect the railways agreement, which was entered into some years ago, will have on our future relativities factor, but that is a question that we will be watching very closely and fighting for very strongly.

The Hon. J. D. Corcoran: When is that study to be completed?

The Hon. D. O. TONKIN: That will come before the end of June 1981, and will form part of the new financial agreement between the States and the Commonwealth. I pay a tribute to the officers of the Treasury and of the Inter-Governmental Relations Branch who have done a tremendous job in putting forward South Australia's point of view and in co-ordinating the studies that have been done so far. It is certainly not their fault that we have not been able to send that final submission to the Prime Minister. Those officers have been doing everything that they can, and they are hopeful that they will have that document ready within the next week or two.

I appreciate the honourable member's concern in regard to this matter, and I regret that I cannot see that a Select Committee of this House can in any way forward those very practical and essential negotiations, certainly from the point of view of discussing theory, options or possibilities; there should be some means for discussion, and I congratulate the honourable member for the suggestion that he has put forward in relation to the Faculty of Law.

The Hon. R. G. PAYNE secured the adjournment of the debate.

FIREARMS

Adjourned debate on motion of Mr. McRae:

That in the opinion of the House, in view of the increase of firearms in crimes of violence, the Government should urgently implement and enforce the new regulations on obtaining and keeping guns and further that the existing guidelines should be much strengthened.

(Continued from 24 September. Page 1083.)

Mr. GUNN (Eyre): I oppose the motion. I have given this matter a great deal of consideration, and having read what the honourable member for Playford had to say in his brief speech on this occasion, I well recall the previous occasion when he brought this matter before the House, when he seemed to work himself up into a considerable lather. It would appear from reading his contribution that he has a genuine concern in relation to people who use firearms in the commission of offences. I believe that the way in which to solve this problem is to institute far more severe penalties. It is no good making life unbearable for that large number of law-abiding citizens who own firearms, who are never convicted of an offence, and who do not misuse them. We should not suddenly set out to want to make life difficult, and create more red tape, when it is unnecessary.

I believe that the honourable member has little experience in the use of firearms. I do not know whether he owns them or has had experience in the practical use of them, whether he belongs to any of the clubs, or whether he is associated with any sporting shooting clubs in the State.

Mr. McRae: None of those.

Mr. GUNN: Well, I think it would be wise if he were to avail himself of the opportunity to visit some of those organisations. I believe that, first, he would be impressed by the people who belong to those clubs. They are law-

abiding and responsible citizens who, in no way, want to see the law contravened. However, they are sick and tired of being accused of being irresponsible and of being fooled around by well-meaning people who do not know what they are doing.

Mr. Slater interjecting:

Mr. GUNN: It is all very well for the honourable member to raise his voice. He has, probably like the member for Playford, little knowledge of this subject. The honourable member ought to be aware that his motion has caused considerable concern among sporting clubs. They are concerned that he will continue along this line. If he is genuine in his attempts at preventing people from breaking the law, he ought to be advocating strict penalties for people who rob banks or who commit other offences by using firearms. He ought to have the necessary Statutes amended so that, if people use firearms in the commission of an offence, such as robbing a bank, they will be sent to gaol for a considerable period. That is the way in which this matter should be handled.

If people use firearms to shoot up road signs or to annoy the public, they should be dealt with severely, but what we are doing here is inflicting penalties on people who are not breaking the law. It will not be that criminal element who will have their firearms registered or who will obtain a licence to own a firearm. I think it highly amusing to think that people who would rob a bank would go to that trouble.

Mr. Slater: They don't do that.

Mr. GUNN: The honourable member entirely agrees with me. No doubt he will oppose the member for Playford, too.

Mr. McRae: I doubt that.

Mr. GUNN: I took that from the honourable member's tone. If we are going to outlaw every item available in society that has the possibility of inflicting injury on people, only a very small number of items will be available to the public. Last year, a number of people injured themselves (some may have lost their lives) by slipping on bath mats. Should we have a register for bath mats? Should they be licensed by colour or texture? That illustrates the ridiculous situation that could arise. I understand that a law was passed in the United States of America to prevent birds from flying over a certain building. You could pass any ordinance you liked, but let us look at the practical implications of the course of action suggested here.

For a long time in this State we had a system of registration, whereby every person who owned a firearm had to register it. Most reasonable people did not object to that. What people now object to is having not only to register their firearm but also to obtain a licence. If they want to shoot a rabbit, they have to get permission of the property holder, and go to the National Parks and Wildlife Department to obtain a permit to shoot foxes or rabbits. They must arm themselves with all these documents before they start. I personally think that there should be one document, and that should be sufficient. I happen to be associated with the South Australian Gun Club and the South Australian Clay Target Association, both of which comprise responsible and law-abiding citizens. They represent clubs throughout South Australia, and a number of their members own several firearms, such as shotguns, etc.

Mr. McRae: They can be dealt with by exceptions. I am not criticising sporting clubs. I hope I made that clear.

Mr. GUNN: Unfortunately, in any regulations brought down, the sporting fraternity would be caught in the net. If a person has two or three shotguns, most of which are valuable pieces of equipment, he looks after them, and does not leave them lying around. However, they are included. He will have to get a licence. Each year, the licence will have to be renewed so that the owner can participate in the sport. If you said to every person who wanted to play football, "You must get a licence before getting a pair of boots," imagine the outburst there would be in the community.

Mr. McRae: That can be done by exception.

Mr. GUNN: If the honourable member does not want to deal with people involved in the sporting area, such as gun, pistol, and rifle clubs, no-one is advocating that hand guns or powerful sophisticated weapons should be available. The next group of people who has a legitimate right to own firearms are landholders, who have to use them to dispose of animals or vermin. They might own two or three firearms. Perhaps there is an argument for registration, but we have gone to great lengths in this State. I have had lengthy discussions with the police, and I know the inspector involved in this matter. He comes from the West Coast, and I have known his family for many years.

Mr. McRae: He's doing a good job, too.

Mr. GUNN: He is a very competent officer, and I have no complaint about the manner in which he is administering the system. People have to take their firearms in, even though they are registered, and they clutter up the police stations. Each year, they will have to get a new licence. That means more red tape. What will happen to all this money? Will the Government use the measure as another revenue-raising measure?

Mr. Keneally interjecting:

Mr. GUNN: If the member for Stuart will listen, he will have his opportunity to speak. The third group of people are those who live in the metropolitan area, and the honourable member says they have no legitimate reason for owning firearms.

Mr. McRae: Right.

Mr. GUNN: That is where we part company. I believe that, in a democracy, all law-abiding citizens who have not been convicted of a serious criminal offence have the right to own firearms.

Mr. McRae: Why do they need them?

Mr. GUNN: Under a democracy, it is their right. It would be inappropriate and improper suddenly to say that we will legislate or introduce regulations (which would be worse) to prevent them from owning firearms. If the honourable member thinks he can prevent possession of firearms, he is living in a fool's paradise, because the criminal element, no matter what regulation or legislation is put before Parliament, will still obtain firearms. If you make it more difficult for individuals to obtain firearms, you will build up a black market.

Mr. McRae: That already exists.

Mr. GUNN: I would suggest to the member for Playford that, before he goes further into this venture, he gives careful consideration to the matter. I would point out to the House some responsible people in this State—

Mr. Keneally: Is that the little red book?

Mr. GUNN: It is, and this little red book is a catalogue of events in the South Australian Clay Target Association citing various localities to which hundreds go at weekends to enjoy participation in this legitimate sport as law-abiding citizens. I point out that some of them are close to the area in which the member for Playford lives. The South Australian Gun Club is at Bolivar and the International Club is at Baker's Road just off Gawler Road, some 2·4 kilometres north-west of Virginia and close to where he lives. During the course of my consideration of this matter, I went to some trouble to dig out some particular material that had been sent to me over

the past few months in relation to the regulations. Last year I was approached by the Sporting Shooters Association of South Australia (in relation to the motion of the member for Playford), as follows:

> Being aware of a Notice of Motion to be put before the House concerning firearms legislation, we are compelled to put some facts before you, to ensure that you do not unwittingly become party to the perpetration of an injustice to the 150 000 law-abiding gun owners in South Australia and support a socialist based doctrine designed to rob the citizen of his civil rights.

When I read that particular phrase, I thought it was really time that I did some research on the matter because, if the honourable member was endeavouring to inflict a socialist doctrine on the people of this State, urgent attention and consideration should be given to it. The letter continues:

> First, let us make it quite clear that we, along with all responsible gun owners, recognise the need for effective gun controls, designed to reduce the criminal, vandal and careless misuse of firearms. However, to effect this end does not require the "nightmare legislation" proposed.
>
> We challenge Mr. McRae's inference that there is an increase in the rate in which firearms are used in crimes of violence. We know of no statistics available to prove the point. We are well aware that crimes of violence are increasing and so will, therefore, the use of firearms increase. What Mr. McRae and other advocates of repressive gun laws will not consider is that crime is in no way related to the ownership of firearms by law abiding citizens. Statistics indicate that the crime rate in Western Australia is similar to that of South Australia—this is despite the fact that Western Australia has had for 30 years the most restrictive gun laws in the free world, whereas South Australian gun laws have been reasonably liberal.

I would suggest that the honourable member should give consideration to that particular matter. The letter continues:

> Whilst no national statistics are available for armed crime an exhaustive report by the N.S.W. Attorney-General released in 1978 examined the question in both N.S.W. and Victoria. As these are the two most populous States, occurrences therein certainly reflect national trends. The most important fact regarding firearms that this report proved was that pistols and revolvers accounted for 40·1 per cent of firearms used in armed robberies in N.S.W. and for 50·8 per cent in Victoria.

Particular weapons have very severe restrictions placed upon them. The document continues, and it is a pity that I have not the time to read it all into *Hansard*. The honourable member referred to accidental deaths caused by firearms. The letter states:

> Nationally there were in 1977 a total of 6 651 accidental deaths from all causes, of these 62 involved firearms. That is less than ·01 per cent. How do firearms rate along with other causes of accidental deaths?
>
> | | |
> |---|---|
> | Motoring deaths | 3 720 |
> | Falling deaths | 1 160 |
> | Drowning deaths | 414 |
> | Fire deaths | 162 |
> | Railways deaths | 146 |
> | Barbiturates | 112 |
> | Electrical | 70 |
> | Struck by lightning, etc. | 67 |
> | Firearms deaths | 62 |
>
> How does South Australia rate in the national average?
>
> | | |
> |---|---|
> | Total accidental deaths | 556 |
> | Motoring deaths | 328 |
> | Falling deaths | 91 |
> | Drowning deaths | 73 |
> | Firearms deaths | 5 |

That was just a brief resume of some of the comments that the Sporting Shooters Association made. No doubt other members received that document. I have considerable other material, but I do not want to unduly labour the point. I received a letter from the South Australian Clay Target Association.

An honourable member: Of which you are a member.

Mr. GUNN: Yes. I received this before I became a member, and it may do the honourable member some good if he joined such a responsible organisation.

Mr. Keneally: What is your best score?

Mr. GUNN: I will not make the comment I was going to make, but the honourable member would need to keep more than 50 yards away. This letter states:

> I understand that Party members will shortly be considering the implementation of regulations to the Firearms Act, 1977, and I wish to bring to your notice, the attitude of this association. We have reviewed the latest draft copy of the regulations issued by the Chief Secretary and consider little change has been made to those presented by the previous Government.
>
> As a member of the Combined Shooters and Firearms Council of South Australia (representing most shooting organisations), through submissions made previously by that organisation; we have expressed our opposition to the registration of longarms. My association's policies support the implementation of shooter licensing, on the basis that it is the user not the firearm, which needs to be controlled.

It was concerned about what has been done already; I would hate to think what course of action these people would want taken if they were aware that the member for Playford wanted to bring in more repressive legislation or suggestions in relation to the control of firearms. Recently I received from a firearms body from the United States an interesting document which is headed, "Well meaning but without understanding" and which states:

> Experience should teach us to be mostly on our guard to protect liberty when the Government proposes—

Members interjecting:

Mr. GUNN: Honourable members opposite do not seem interested in what I have to say. I should have thought that, when one of their colleagues, for the second time, has brought this matter to the attention of the House, they would be interested in an enlightened approach by someone who has had some practical experience in the sport and used firearms in his endeavour to make a living.

There are one or two other things I would like to have said, but I understand that I have spoken for the time set aside. I have a considerable amount of material that I was going to quote. I believe the existing regulations are quite sufficient to control the irresponsible use of firearms in this State. I believe that a number of things ought to be done to them to ease the burden of certain sections of the sporting fraternity. I believe we should be very careful before we go further in this area because we will not have any effect, in my view, on the criminal elements who use firearms in the commissioning of offences.

What we should be doing is putting on the Statute Books far more severe penalties for people who are convicted of not only offences related to firearms but also all crimes of violence. I advocated on one other occasion that we need far stronger deterrents, and I am concerned that—

Mr. Trainer: Bring back the birch.

Mr. GUNN: I repeat that, where defenceless women, children and other defenceless people are attacked by thugs and other villains, the birch ought to be applied. I make no apology for that. I believe that, if people in the street were asked about it, the majority of them would agree that, when defenceless women are attacked and

raped in their flats, and a poor woman of 80 was attacked the other day, those offenders deserve to be treated accordingly. An example should be made of them so that like-minded individuals would consider this before they attempted to attack helpless people.

It is all very well for the honourable gentleman to have a sneer on his face. I suggest that he go out and ask people in the community if they are satisfied that enough is being done to deter these villains. I believe that this motion should not be supported.

Mr. SLATER (Gilles): I support the motion. I agree with what the member for Eyre has said about members of gun clubs being responsible people. As I understand it, it is the intention of the member for Playford to place no further inconvenience on persons who want to participate in an interesting and what is regarded as an important sport in South Australia. I have never been a member of a gun club; I have never owned a gun or discharged any type of firearm, but I have a son who is a member of a gun club. He is the owner of a gun because of his occupation, and I understand he owns several pistols (I hope they are all licensed). I know from the experience of my son that members of gun clubs are responsible people. We do not want to impede in any way whatsoever their participation in their sport. We have to balance any inconvenience that might be suffered to these people in getting licences under the regulations, against the general well-being of the community.

From time to time we read of crimes of violence associated with firearms. In addition, we also know that there is an increasing tendency towards the use of firearms in crimes in this State. I hasten to add that I agree with what the member for Eyre has said that the real criminal element is not likely to go along to the local police station to license their firearms. Unfortunately, within our community there is a minority of irresponsible people who damage property by shooting at signs and that sort of activity.

Mr. Becker: And even at members.

Mr. SLATER: Even, as I am reminded, during the duck shooting season at members of Parliament. I think that probably supports the argument better than anything I could say in regard to irresponsible people having access to firearms. The basis of the argument of the member for Eyre was that we should deter these irresponsible people by increasing penalties, so that people will be deterred from taking action such as I have mentioned in regard to the destruction of property. I do not think that would be effective because the offender has to be apprehended before any penalty can be placed on him.

However, what concerns me more is the availability of firearms to persons who unfortunately use them in crimes of passion. Usually, this type of crime is committed amongst relatives and acquaintances in times of domestic disharmony and dispute, when a person becomes upset and temporarily deranged. The ready access to a firearm gives these people an opportunity to use it in such a situation.

An honourable member: It can happen with a knife.

Mr. SLATER: Yes. The member for Eyre indicated that many deaths occur by people slipping on bath mats. Death can happen in many ways of course. However, when people become distressed, upset, and deranged for a temporary period—they may have a history of mental instability—if a firearm is readily available, they are likely to use it. What I am saying is that ready availability is what we should be looking at closely.

I understand that the motion is an attempt to obtain from the Chief Secretary an opportunity to find out how effective the regulations have been and whether the police are satisfied with the regulations. The figures quoted by my colleague suggest that a staggering number of 150 000 weapons are registered with the department under the regulations. His statement was that this was quite remarkable. No doubt that figure would include guns licensed by the persons the member for Eyre mentioned, who have these weapons for a legitimate purpose, such as for sporting purposes. An amnesty period was allowed earlier this year, during which people could register their unregistered weapons at a police station. A significant number of people took advantage of that situation. However, I venture to say that in the community a significant number of weapons of various kinds would not be registered by people who are the irresponsible type about whom I am talking. Unfortunately, in our community there is a minority group which is irresponsible.

Mr. Evans interjecting:

Mr. SLATER: I do not think the political situation worries people in times of distress or upset when deciding the weapon to use.

We should be making every effort to protect the community from the indiscriminate use of firearms. We do not want to take away the opportunity for those interested in sport involving firearms to pursue that interest, but we must balance that against the general welfare of the community. No person with a history of irresponsibility or mental instability should have the opportunity to have a firearm. They are the persons we are more worried about than anyone else. In the application form for a licence, the following questions are asked:

> Have you ever been refused a firearm licence or licence renewal or had a licence cancelled?
>
> Do you have any physical or mental disability which may render you unfit to use or be in possession of a firearm?
>
> Other than minor traffic matters have you ever appeared before a court of law, panel, or judicial body of any kind charged with any offence?
>
> During the last three years, have you resided outside the State of South Australia?

The most appropriate question probably does not go far enough, because it asks only whether the applicant has any physical or mental disability that may render him unfit to use or be in possession of a firearm. Not one person in 100 000 would answer "Yes" to that question, admitting to some degree of physical or mental disability that might preclude him from owning a firearm. It is a loose and stupid question to put to an applicant for a licence. People who may be psychologically unsuited to have a firearm should have no opportunity to possess one. I do not suggest that everyone who applies for a licence should have a psychological test, but this is an important aspect of obtaining a licence; the person should be responsible, as mentioned by the member for Eyre, and perhaps associated with a sports organisation.

I have never owned a firearm and I cannot see why a person like myself, living in metropolitan Adelaide, should require a licence or a firearm. Everyone has his own special interest, and no doubt there are members in this House who use firearms for sporting purposes, but I cannot understand why people generally should own firearms unless they want to go to the country and shoot rabbits, or someting of the sort.

We have in our society an unfortunate tendency to violence and crime, and perhaps some people might wish to own a firearm to protect themselves and their property, but such a thought has never occurred to me. Apart from that, however, I cannot see why anyone in the metropolitan area should need either a licence or a

firearm. That is an expression of opinion based on my own experience, and I do not want to deter anyone who may wish to have a firearm for a legitimate purpose.

The Hon. P. B. Arnold: I think the vast majority own firearms for sporting purposes.

Mr. SLATER: I realise that. Persons of a certain psychological disposition are attracted to owning guns. It has been suggested that people might want to shoot dingoes or other vermin outside the metropolitan area.

Mr. Lewis: And outside parks.

Mr. SLATER: I leave it to the honourble member about where they are used. I am sure that the basis of the motion is that we want to make sure that people, outside of their legitimate pursuits in sporting organisations, and so on, are not able to use firearms for illegal purposes. There are people who do that, and we are looking to the Chief Secretary to make sure that the existing regulations are effective in protecting the public from the indiscriminate use of firearms.

Mr. RANDALL secured the adjournment of the debate.

PORTUS HOUSE

Consideration of the Legislative Council's resolution:

That, in the opinion of this Council, any decision by the Government to demolish the property at 1 Park Terrace, Gilberton, known as Portus House, is premature. Portus House is a significant part of the built heritage of South Australia and must be retained while any option exists for alternative transport corridors to meet the needs of the residents of the north-eastern suburbs.

(Continued from 24 September. Page 1088.)

The Hon. D. C. WOTTON (Minister of Environment): I find it somewhat awkward to speak in this debate, because members who have read the motion will realise that it deals with the retention of Portus House, and I think that they will appreciate that it is almost completely demolished. However, I now have an opportunity to answer some of the points made and the criticisms levelled at the Government and at me personally regarding this matter.

As Minister of Environment, I am especially sensitive to the promotion of the environmentally sound development of South Australia, as well as to the conservation of its natural resources. I know that we are talking about Portus House, but it is an opportunity for me to say something about what we are doing, as a Government, about nature conservation, and members would appreciate that there is legislation before us at present (and I will not discuss that matter) to amend the Heritage Act to include native vegetation as an important part of our heritage, providing us with an opportunity of making available incentives to the general public, to landholders, to retain native vegetation on their properties. I am very much aware of my responsibility, and the Government is aware of its responsibility to conserve our heritage.

I am very proud as Minister to be able to say that in the short time the Government has been in office we have been able to announce the publication of the second interim list of items intended for inclusion on the register of State heritage items. The list contains some 87 items which are important to the State's cultural heritage. The list includes items of a very diverse nature, and I have been very pleased with the reaction we have received from the public now that these items have gone on public exhibition; I have been delighted with the response we have received from the public.

Owners of heritage items are acknowledged to possess features which will enhance the standing of South Australia in the eyes of all Australians, and this listing of some 87 items provides for special consideration to be given to appropriate development of these items in order to preserve their character.

It is important to realise that listing on the register (if I may dwell on this for a moment) should not be looked upon as foreclosing any options that the owner may wish to consider for his or her building or property. Before the items can be placed on the register they are entered on an interim list, to which I have just referred, and that provides the opportunity for public representations to be made, and they can be carefully considered before it is decided to enter the items on the register. As I have said publicly before, it is important that I consider all written objections to the proposed entry of items on the register that are received in the time that is provided for people to be involved and to have their say about these matters. As a Government we are aware of our responsibility and I am very pleased with the general reaction of the public towards things that we want to keep as an important part of our heritage. South Australians generally are fortunate in having so many heritage items in our State and in our city.

The South Australian Heritage Committee, at a meeting in August, considered whether to include Portus House on the register of State heritage items. I have here a letter from the Chairman of the Heritage Committee advising that Portus House does not warrant registration. The letter is signed by the Chairman of the committee, Her Honour Justice Roma Mitchell. We are very fortunate to have the people who form the membership of this committee. Recently I have been accused of being political in regard to the members of that committee. However, I might say that the majority of the members of that committee were selected by the former Government. I believe that the representatives on that committee are serving the committee and our heritage well, and I can hardly be accused of being political, because the majority of those members, as I say, were selected by the former Government. The letter from the committee states:

Dear Mr. Minister,

Following representations, I and several members of the committee inspected Portus House, Walkerville, accompanied by officers of the Heritage Unit. The heritage significance of the house was carefully considered by the committee at its meeting on Wednesday 20 August 1980.

The committee is of the opinion that the interest of Portus House is mainly in the 1890 wing, rather than the remnants of the 1850's house, which can no longer be regarded as a house in its own right. Portus House today is thus predominantly a building of the 1890's and it is the individual fittings and decor rather than the fabric of the house, itself, which are impressive. The house is of little historical significance.

The committee, therefore, recommends that Portus House not be included on the register of State heritage items. The committee does, however, favour the preservation and reuse of the internal fittings of the house, if possible.

That letter came after much representation from a number of people who requested the involvement of the Heritage Committee. Quite rightly, the committee looked at the building and then gave me a report and a recommendation. I put that recommendation to the Department for the Environment, and the department supported the views of the Heritage Committee. The committee favours the preservation and reuse of the internal fittings if possible. I am pleased to say that the National Trust has accepted some of the fittings, and I understand that many of these fittings are already being used, some are being used in

Ayers House, some up at Collingrove, near Angaston, and others have been placed in some of our more important historical buildings.

The Hon. M. M. Wilson interjecting.

The Hon. D. C. WOTTON: Yes, items of botanical interest have also been removed from the grounds and have been placed in the Botanic Gardens. I am pleased that that was able to occur. I accepted the recommendations from the Heritage Committee and my department, so Portus House was not placed on the register. I found it rather interesting to look through the Opposition spokesman's contribution made in another place on this subject. He made the point that he did not see the heritage report that was initially carried out in regard to Portus House, and I find that rather incredible. As members of this House will appreciate, the Opposition spokesman was the Minister of Environment prior to the change of Government, and I would have thought that, due to his involvement with the department at that time, he would know what was going on, because negotiations have been taking place between the Highways Department and the Department for the Environment for many years. It seems quite incredible that the former Minister did not know that these negotiations were taking place and that it has taken him this long to come out in the way that he has in regard to Portus House.

The Hon. M. M. Wilson interjecting:

The Hon. D. C. WOTTON: I would have thought so. In light of the importance that is now being placed on Portus House by the Opposition, it would seem incredible that even if the Hon. Dr. Cornwall was not aware of it, one of the previous Ministers of Environment was not involved in this procedure.

I was also interested to note, in last week's edition of the *Standard,* that two of the previous residents of Portus House were quoted as saying that the mansion that has now been demolished or is in the process of being demolished was not worth saving. Three people were referred to, one being Mrs. Portus, who lived in the house for 20 years until four years ago; she said that it was too late to do anything about the house. She made the point that she was away when the fuss started but that, if she had been in Adelaide at the time, she would have indicated that it was far too late to save the building. Mrs. Portus also said that it was a magnificent house and would have been well worth preserving, but it had become very run down and beyond help. She went on to say that the house had become dangerous; that the staircase was about to collapse and other parts needed extensive repairs.

Miss Gertrude LeMessurier, who now lives very close to Portus House, said that it was bad luck that the house had to be demolished, but it was about to fall down anyway. She made the point that its preservation is no longer worthwhile and that there is nothing worth saving—they were the words she used. In regard to the overall evaluation of Portus House, the house had some noteworthy features, but it was not of persuasive merit to warrant its placement on the register of State heritage items. The house was primarily of interest as an example of Victorian Italianate style, with some very good interior decor and detailing, but it did not reflect any broad historical context or identification with historical events, as I have said. The Heritage Committee inspected the house, but concluded that it was not of register status; the National Trust also considered that the building was of recorded status only, and I indicate that the Government has been vary anxious to have the building recorded, which, I am pleased to say, has taken place. Arrangements have already been made to place many of the interesting architectural items in the house with the National Trust, and items of botanical interest have been removed from the grounds to the Botanic Gardens.

I have not mentioned matters relating to improved standards of road works and traffic, but those matters are an extremely important part of the whole exercise. That matter falls within the responsibility of the Minister of Transport. Because much of what was said in the other place referred to heritage matters, I felt it important to get some of the facts right and to answer some of the points made in the other place by the Opposition spokesman. Having said that, on behalf of the Government I do not support the motion.

Mr. HEMMINGS secured the adjournment of the debate.

I.M.V.S.

Adjourned debate on motion of Mr. Hemmings:

That in the opinion of the House the Government should, in order to restore the credibility and independence of the Institute of Medical and Veterinary Science, establish a public inquiry into the affairs of the institute with particular reference to—

(a) the circumstances surrounding the closure of the environmental mutagen testing unit run by Dr. John Coulter and the value of reopening and maintaining such a unit at the institute;

(b) whether, as an independent statutory body, the I.M.V.S. has always facilitated the free and open flow of information on health hazards to its own employees and to the public of South Australia;

(c) whether any undue influence has been brought to bear on the I.M.V.S. by chemical and drug companies to have unfavourable reports on their products suppressed or the names of the companies concerned deleted;

(d) whether reports have been suppressed or names have been withheld by the threat of companies concerned withholding financial assistance to the institute or conversely by providing assistance to prevent unfavourable reports;

(e) whether pressure from outside organisations, including Government departments, has ever produced a restrictive interpretation of regulations by I.M.V.S. senior management which has led to interference with information on actual or potential health hazards to the public of South Australia; and

(f) whether the I.M.V.S. and its senior officers have always served the best health interests of the people of South Australia.

(Continued from 24 September. Page 1090.)

Mr. LYNN ARNOLD (Salisbury): I am pleased to have the opportunity to continue the remarks that I was making some weeks ago about the I.M.V.S. and the call by the member for Napier in his motion for an inquiry into that institute. I am particularly pleased to be speaking today given that, yesterday, the Minister decided to have an inquiry into the I.M.V.S. that will consider many of the areas that were dealt with in the motion of the member for Napier. I am very pleased that the Minister of Health has finally realised the error of her ways in refusing, for such a long time, to listen to the advice from the Opposition that an inquiry was desperately needed.

There has been much evidence in the press, from reports in the community and from evidence presented to this House, particularly by the shadow spokesman for health, that things are not well at the I.M.V.S. It is a great pity that the Minister has taken so long to respond. I am

intrigued that this is yet another episode in which the Minister of Health has chosen finally to follow the advice of the shadow spokesman for health, and this clearly shows how much she is dependent upon the member for Napier and the way in which he organises his knowledge and information about health matters in this State. First, the Queen Victoria Hospital was saved; on the advice and at the instigation of the member for Napier, the Minister of Health hurried, somewhat tardily, to set at rest the doubts that existed in the community on that score. Now, we have exactly the same thing in regard to the inquiry into the I.M.V.S.

I believe that we normally think of shadow spokesmen as trailing their respective Ministers, but the evidence is quite clear that, in regard to the member for Napier, he should be referred to as the foreshadow spokesman of health, because his advice precedes all of the Minister of Health's actions. I know why the Minister is not in the House at present: she is in her office, scanning the utterances of the member for Napier, ascertaining what further action she should take and what she should do next, about which we will hear in due course. I look forward to hearing what she has chosen to undertake. It is a great pity that it has taken her so long to come to a realisation of the importance of this matter, because there has been a lot of uncertainty in the community about this point.

I want to compare some of the aims that have been outlined in the press reports by the Minister with the aims outlined in the motion of the member for Napier, but before doing so I will comment on how badly the Minister has behaved in the way in which she announced this matter. The inquiry was announced in the press of Tuesday 28 October: it was not announced in this House. I believe that the Minister owed it to Parliament, as it was a matter of debate before the House and a matter of some community concern, to inform the House of that decision before informing other parties. Instead, the information was issued to the press, and there is some evidence that it was issued in a most partial way, because not all members of the media were given equal access to that information.

In regard to the aims of the inquiry, one can see that many areas of the Minister's terms of reference follow on from the advice of the member for Napier.

To take part in this discussion, I have numbered the aims, as reported in the *Advertiser,* in their order of appearance from 1 to 10 and compared them with those that appear on the Notice Paper under the motion moved by the member for Napier. We can see, for example, that item *(b)* in the motion appears in the Minister's items Nos. 1 and 2. Item *(c)* in the motion appears in the Minister's items Nos. 1 and 4. Item *(d)* in the motion appears in items Nos. 1, 7 and 10 of the Minister's terms of reference. Item *(e)* appears in Nos. 1 and 10, and item *(f)* appears in items Nos. 1 and 3 of the Minister's terms of reference, and I will touch on the way in which those matters dealt with them.

There is one very important omission in the terms of reference as stated by the Minister, namely, that which refers to item *(a)* of the motion moved by the member for Napier, which reads:

> The circumstances surrounding the closure of the environmental mutagen testing unit run by Dr. John Coulter and the value of reopening and maintaining such a unit at the institute.

Surely, given the debate that has taken place in the community, one of the most essential areas of inquiry that should have been looked at, referred to and investigated has been omitted from the Minister's terms of reference. I think that that only brings suspicion on the Minister's motives. Indeed, there is another aspect in the terms of reference which, I think, adds to the doubts and suspicions I feel in this regard. That relates to term of reference No. 6, which reads:

> The scientific merit and costs of the present and proposed research programmes at the institute.

It refers to that as being an area to be inquired into. The use of the term "present and proposed" is highly significant. No mention is made of past programmes, of what has been done previously, of how essential and valid were the past programmes. Indeed, there is the definitive cut-off point that unless the programme exists at this moment, in no way will the inquiry touch on it. This is clearly an attempt to exclude any consideration whatever of the environmental mutagen testing unit that existed at the institute. That is a very great shame. The Minister has acknowledged how much she is learning from the member for Napier. It is a pity that she did not take those lessons one step further.

It may be mentioned by the Minister that some of the terms of reference she has in the inquiry are not included specifically in the motion of the member for Napier. I will briefly touch on those that that assertion might be made about. I will deal first with Item No. 5, referring to the structure and operation of the veterinary section of the unit. I believe that, in many senses, with regard to many of the allegations that have been made about the institute, that could be regarded as somewhat of a red herring to the real debate that is taking place. In any event, I believe that, inherent in the proposals of the member for Napier exists an analysis of the full organisation. Item No. 6, to which I previously referred, I believe would have covered the terms of reference as stipulated by the member for Napier, had the phrase "present and proposed" not been included. It should merely have referred to any such programmes that had taken place in recent years, as well as those proposed for the future. Clearly, that is an attempt by the Minister to curtail the investigation. No. 9 which refers to "appropriate policies for future research at the institute", in many ways is implied as being one outcome of all the areas of investigation in the inquiry requested by the member for Napier.

One of the things that also worries me about the terms of reference is that there is no specific reference to an investigation into the source of funds. I will read the point that refers to funding, as follows:

> The investigation will look at the financial structure, including the use and control of funds.

It is not to look into the source of those funds or how those funds have been gathered together for the institute. When I spoke previously in this debate, I made numerous references to areas of concern that we, in the Opposition, felt about the source of funds for the institute or about the way in which those funds may be altering the operations of that institute. So much evidence has been provided in the House by the member for Napier, and by other sources, that that should have been answered by the Minister. It should have been included in the terms of reference. To deliberately leave out the word "source" could well result in no investigation whatsoever being undertaken into the source of those funds.

Mr. Lewis: What sort of source?

Mr. LYNN ARNOLD: The member for Mallee wanting to involve himself in the debate, somewhat trivially, reminds me of a comment once made of the Deputy Prime Minister of this country when it was said, "Behind that hayseed exterior lies a hayseed brain." The Minister should announce to the House that she is prepared to expand the terms of reference of that inquiry to take it to other areas, to look into these issues that have justifiably been raised by the shadow spokesman and by the

Opposition in general, because this is something of vital concern to the entire South Australian community. I know that the Premier, being a medical man, is concerned about these issues.

In the short time I have left, I think that some reference should be made to the member for Mitcham. He sought to make cheap capital out of this matter by coming in lately to the affair to achieve some publicity. He reminds me of the lamprey that sucks at the blood of the fish that is caught in the net cast by the shadow spokesman. Once caught, he comes in and tries to achieve some quick advantage, some quick capital, from the situation.

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

Mr. EVANS secured the adjournment of the debate.

CROWN LANDS ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

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

FOREIGN JUDGMENTS ACT AMENDMENT BILL

Second reading.

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

That this Bill be now read a second time.

It is designed to make possible the registration and enforcement in this State of judgments of the courts of Papua New Guinea for the recovery of income tax. At present such judgments cannot be enforced in Australia because the relevant legislation of each State, which provides for the registration and enforcement of foreign judgments, does not extend to judgments for the enforcement of revenue laws. A request from the Government of Papua New Guinea for the modification of the present restrictions was considered by the Standing Committee of Attorneys-General.

The Attorneys were unanimously of the opinion that the relevant legislation of each State should be modified in order to permit the enforcement of judgments of courts of Papua New Guinea for the recovery of income tax. Accordingly, legislation in substantially the same form as the present Bill was drawn up at the direction of the Standing Committee of Attorneys-General. The present Bill differs somewhat from the draft prepared for the standing committee because of differences between the South Australian Foreign Judgments Act and the corresponding legislation of other States. However, the effect is the same. I seek leave to have the explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clauses 1 and 2 are formal. Clause 3 inserts definitions of "recoverable" and "non-recoverable tax". The Governor is invested with an over-riding power to declare certain species of tax not to be "recoverable tax". Clause 4 relaxes the prohibition against registering judgments for the enforcement of penal or revenue laws by permitting the registration of judgments relating to "recoverable tax", that is to say, income tax payable under the laws of Papua New Guinea. Clause 5 makes a consequential amendment.

The Hon. PETER DUNCAN secured the adjournment of the debate.

DOMICILE BILL

Second reading.

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

That this Bill be now read a second time.

It is in the form of proposed uniform legislation on the subject of domicile approved by the Standing Committee of Attorneys-General. When legislation in this form has been enacted in all the States and Territories, a common commencing date will be fixed, so that the law of domicile will remain uniform throughout the Commonwealth.

The most important amendment to the common law rules of domicile consists in the abolition of the dependent domicile of married women. The common law rules in this regard grew up at a time when the rights of a married woman to own, manage and dispose of property were limited. Because a married woman existed, in contemplation of law, as a kind of appendage to her husband, rather than as an independent autonomous personality, it is not surprising that she should have been assigned the domicile of her husband. However, the legal position of a married woman has now changed completely: she now suffers from no legal disabilities and whatever reasons there may once have been for assigning to her the domicile of her husband have disappeared. The Bill therefore removes the rule under which the domicile of a married woman automatically follows the domicile of her husband.

The Bill also makes a number of other amendments to the law of domicile. It abolishes the rule under which a domicile of origin revives upon the abandonment of a domicile of choice. Under the new rules, introduced by the Bill, a domicile of choice will continue until acquisition of a new domicile of choice. The traditional reluctance of the courts to find that a person has abandoned his domicile of origin is also dealt with by the Bill. It provides that the evidentiary burden of displacing a domicile of origin is to be no greater than the evidentiary burden of displacing a domicile of choice. The Bill alters the rules under which the domicile of a child follows the domicile of the father, if the child is legitimate, and the domicile of the mother, if the child is illegitimate.

Under the rules introduced by the Bill, the domicile of a child will, where the parents are living separately and apart, follow the domicile of the parent with whom the child has made his home. Finally, the Bill creates new rules for determining domicile in relation to countries or States that together form a union. Sometimes it is possible, for example, to establish that a person desired to make his home in Australia but a domicile in one particular State cannot be clearly established. The Bill provides that in such a case his domicile will be in that State with which he has, at the time it becomes relevant to determine domicile, the closest connection. I seek leave to have the explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clauses 1 and 2 are formal. Clause 3 contains definitions that are relevant to the new provisions. Clause 4 is a transitional provision. Clause 5 abolishes the rule under which the domicile of a married woman necessarily follows that of her husband. Clause 6 abolishes the rule of law under which a person's domicile of origin revives when he

abandons a domicile of choice without having acquired a new domicile of choice and provides that his previous domicile continues until he acquires a different domicile.

Clause 7 provides that a person of or above the age of 18 years or a person who is or has been married is capable of having an independent domicile except where he is incapable of acquiring a domicile by reason of mental incapacity. Clause 8 contains provisions for determining the domicile:

(a) of a child who has his principal home with one of his parents and whose parents are living apart or who has only one parent; and

(b) of an adopted child.

Clause 9 specifies the nature of the intention a person must have to acquire a domicile of choice. Clause 10 provides that a person domiciled in a union, but not in any specific country forming part of the union, has the domicile of the country with which he has the closest connection. Clause 11 specifies the nature of the evidence required to establish a domicile of choice.

The Hon. PETER DUNCAN (Elizabeth): This is a fascinating piece of legal theory which gives—

The SPEAKER: Order!

The Hon. PETER DUNCAN secured the adjournment of the debate.

SOUTH AUSTRALIAN ETHNIC AFFAIRS COMMISSION BILL

In Committee.

(Continued from 28 October. Page 1547.)

Clauses 2 and 3 passed.

Clause 4—"Interpretation."

Mr. LYNN ARNOLD: I am interested in the definition, and I mentioned in my speech earlier today that there is a difference between the definition of "ethnic affairs" in the South Australian Bill and that in the Act passed in the New South Wales Parliament. I think that is worth mentioning, because it seems to indicate perhaps a slight difference in interpretation, and I would be interested in the Premier's comments on why this definition was chosen. For the edification of members, I point out that the New South Wales Act, in the definition of "ethnic affairs", provides:

> "Ethnic affairs" means matters pertaining to the existence of different ethnic groups in the community.

By contrast, the definition in the Bill before us is:

> "Ethnic affairs" means any matter relating to language, traditions and culture of an ethnic group.

I think we can see that there is perhaps a philosophical difference. In the New South Wales Act we have a concept of interface between an ethnic minority group and the community as a whole. In the South Australian legislation, we see a total reference to an ethnic group without any particular point of contact with the community as a whole.

Does that mean that, in the philosophy of the Bill, we are interested only in the ethnic community itself, not in its relationship to the community? I think that it does not mean that. I think that it is not the philosophy of the whole Bill. I wonder why Parliamentary Counsel chose not to use something closer to the New South Wales definition, at which Parliamentary Counsel must have looked, because if one looks through the Bill one sees numerous other references that are similar, if not identical.

The Hon. D. O. TONKIN: The member is beginning to redeem himself in my estimation.

Mr. Keneally: Get on with the business. That's a lot of rubbish.

The ACTING CHAIRMAN (Mr. Russack): Order!

The Hon. D. O. TONKIN: I do not think the member for Salisbury regards it as rubbish. He is quite correct: there is a difference between this wording and that in the New South Wales legislation. It is a matter that was given a great deal of attention but it was decided finally that the wording is basically the summing up common usage of the term, and it was felt that this was common usage. The honourable member has talked about a concept of any one minority group and an interface between that minority group and the community as a whole. We do not see it in exactly those terms, although the meaning is very much the same.

We see it very much in a broader sense that any minority group, because I agree that an ethnic community, by definition, tends to be a minority group, is part of the general community. I think the member is right in saying that there is not a great deal of difference in meaning and interpretation when he interprets the New South Wales definition as being an interface between the ethnic group and the total community. We believe that an ethnic community is very much part of the total community.

There is very little in the definition. The meaning is very much the same and I would hope that, as with all such definitions, we never get so closely down to an absolute definition that we find ourselves excluding some groups that ought to be included. The whole object is to keep the issue as broad as it can be.

Mr. LYNN ARNOLD: With regard to the next definition, "ethnic group", we raised the point earlier about the purpose of the Bill as to whether we were talking about ethnic people in general which, in effect, incorporates everybody or whether we were talking about ethnic minority groups. I had put to the Premier a point which I thought he might answer and which I now ask him to answer as to the role of the Aboriginal community in respect of this Bill. Is it proposed that this Bill has prime relevance to them or will they be expected to refer to the Minister of Aboriginal Affairs and his department? As the definition stands at the moment, anyone within South Australia has access to provisions of the Bill and thereby the provisions of the commission itself.

I do not think that that is what is anticipated, as I understand that the Premier last night indicated that we were dealing with ethnic minority groups rather than ethnic groups and thereby removing from the ambit of the Bill much of the Anglo Saxon community. Further to that, what is the role of the Aboriginal community? To whom does it relate? Will it be related to this Act? I am not saying that that would be wrong, because I do not know how the Aboriginal communities have expressed their feelings when approached by the Government as they doubtless have been.

The Hon. D. O. TONKIN: The honourable member is being a little hair-splitting. It is a matter very much of definition and relativity. When we are talking about a minority group, it is a question of a minority in relation to what. Even the Italian community could be regarded as a minority group in the overall context of South Australia. Everyone knows that it is the major ethnic group that we have in South Australia. It is all a matter of definition. One can define it within the definitions that we have, and one can regard it in any way that one wishes. The whole object of the exercise is to maintain the broadest possible coverage so that it can apply to any group in the community of ethnic origin which believes that it wants to

participate in or use the services that will be provided by the commission.

As to the Aboriginal community, that obviously is very much a special case. The other ethnic groups do not have special legislation or provisions. The Aboriginal land rights situation that we have been discussing at great length takes account of the fact that there is an Aboriginal council of, for instance, Anangu Pitjantjatjaraku in the North-West, an Aboriginal Lands Trust, and a Federal Aboriginal Lands Commission. Specific legislation and provisions cover the Aboriginal community. It also has a Minister of Aboriginal Affairs. So, generally speaking, if there is a need for Aborigines to be based under the umbrella of the commission, the facility is there. But, at the present time, I do not envisage that that will be so, but it is there if needed.

The ACTING CHAIRMAN: I point out that this will be the honourable member's third question.

Mr. LYNN ARNOLD: Yes, Sir, and it is the last question I want to raise on this matter. I want to know what contact was made with the Aboriginal community specifically with regard to this Act in terms of its relevance to it. Was any contact made and what was the variety of opinions expressed, as I imagine that there would be a variety with regard to the application of this Act *vis a vis* the possible role of the Minister of Aboriginal Affairs and his department?

The Hon. D. O. TONKIN: No specific contact was made in regard to this Act. We have had on-going dialogue with the Aboriginal people for some time. We have been giving a great deal of our time to their immediate problems, and I believe the Aboriginal people would regard themselves not as an ethnic group but very much as Australians and would lay claim to being Australians with far greater emphasis and right than perhaps members of the Anglo Saxon races here now.

It may be that this attitude could change. If that happens and if there is a need to bring Aborigines under the umbrella of this commission, the power is there to do so. However, I do not envisage that that is intended or necessary at this stage. Indeed, I for one, in expressing a personal opinion, believe that they are able to stand on their own two feet and have their own rights, and that is what we are about to recognise now.

Mr. KENEALLY: I was pleased to hear the Premier's comments. He is correct in assuming that the Aboriginal people in Australia believe that they are the real Australians and that every other ethnic group is exactly that. They are the original Australians and the Anglo Saxon people are the ethnics. One of the unfortunate things that has happened to the term "ethnic" is that it has been very much corrupted in our language. It has unfortunate overtones. I believe that this is something to be regretted, although there does not seem to be an easy way around it. I believe the task of everybody is to ensure that the term "ethnic" is an honourable one and that people respond to it honourably. I endorse the Premier's remarks that Aboriginal people in Australia do not consider themselves to be part of an ethnic group, as would be covered by the Ethnic Affairs Commission but consider themselves as the original Australians. That is a status that they want us, as new arrivals to the country, to give them. I think that they are entitled to that.

The Hon. D. O. TONKIN: I am grateful to the honourable member. He will realise that the points of the member for Salisbury were in the context of minority groups at an interface with the total. That is where the Aboriginal community came in. I agree with the honourable member in regard to the meaning of "ethnic". It has certainly become corrupted from its original and pure meaning, unfortunately, from one viewpoint. However, I suspect from another viewpoint it has now been accepted in common usage. I do not believe that it is in any way a derogatory term. I do not hear it used that way and I do not interpret it as being used that way when I hear it. Bearing in mind the wide acceptance that the term has, I do not think we can find any objection to it. I am reminded that Mrs. Mayo from the Good Neighbour Council quite frequently takes the opportunity of making the point that "ethnic" does not really mean what we think it means and that we should get back to the pure English meaning of the word. I think, generally speaking, it is well accepted.

Clause passed.

Clause 5 passed.

Clause 6—"Constitution of Commission."

Mr. LYNN ARNOLD: This clause relates to two matters, first, the number of members of which the commission will consist and, secondly, the term for which they will serve. The clause provides that there shall be eight commission members, comprising one full-time member and seven part-time members, all of whom will serve a term not exceeding five years.

By contrast, the New South Wales Ethnic Affairs Commission Act contains slightly different arrangements. First, that commission comprises 12 commissioners (not seven members, which our commission will comprise) and it has a lead commissioner, who is appointed for five years, all the other commissioners being appointed for three years.

Two points regarding this matter should be considered pertinent here. The first relates to the number of commissioners to be appointed. In terms of a legitimate population comparison, I suppose one could argue that, because New South Wales is a larger State, one could expect more commissioners to be appointed there and that, therefore, the ratio of 12 members in New South Wales to seven in South Australia is reasonable. However, we are not dealing in terms of the total population of the State or of those of ethnic origin within it. In fact, we are dealing perhaps more importantly with the spread within the ethnic community.

The New South Wales Act provides for the appointment of 12 commissioners, in an attempt to give coverage to all ethnic communities in that State and their place of domicile therein. Some of those commissioners are allocated to country areas, so that ethnic communities in country regions do obtain representation of the commission. That will be very difficult with the seven members that we will have on the South Australian commission because, for a start, we have more than seven ethnic communities in South Australia. Also, we have obvious ethnic communities in rural areas as well as in the metropolitan area. One can refer to the communities within the Riverland, Whyalla, Port Pirie, Ceduna and other parts of the State.

Mr. Evans: What about Mount Gambier.

Mr. LYNN ARNOLD: For the honourable member's benefit, I will add Mount Gambier to the list. Therefore, we have a distribution throughout the State. First, we must take account of that aspect. Secondly, I refer to the total number of commissioners. Seven commissioners would quickly go into only a fraction of the range of nationalities and communities that we have in South Australia. I suppose that that could partially be answered if it was anticipated that the term of office of the commissioners would be relatively short, so that there would be a fairly rapid turnover, much in the sense of the United Nations Security Council, for example, whereby nations take their place in the Security Council for a relatively short time,

and then are replaced by other nations. When it all comes out in the wash, all nations find their seat in the Security Council. If we had that situation here, with the commissioners having only a short time of office, we could say that all the communities in South Australia (the British included, for the benefit of the member for Glenelg) would find their place within the Ethnic Affairs Commission. However, that is not the case, as the term of office with which we are dealing is five years, compared to three years in New South Wales.

Mr. Mathwin: Are English, Scots and Irish ethnic?

Mr. LYNN ARNOLD: There are 148 nations in the world, and they contain many ethnic minorities. If we were to list them all, we would be here this evening for much longer than we were here last evening. So, I hope that the member for Glenelg will give us some respite. I shall be interested to know why the term of five years was chosen for the part-time commissioners, when in New South Wales they are appointed for only three years.

An honourable member: You've got it wrong.

Mr. LYNN ARNOLD: I am sorry; I stand corrected on that. The term is three years. I should like to know why a shorter term was not chosen for the part-time commissioners, thereby allowing a faster interchange of members, and why there is no obvious reference to a staggering of that changeover. In other words, this year two members could be appointed for three years; next year another two members could be appointed for a further three years. This would help to maintain continuity of the group and, at the same time, it would enable a wide cross-section of the communities to be represented. I know that within my electorate, which does not contain a total cross-section of communities in South Australia, I would certainly have far more than seven communities.

Mr. Mathwin: Would you have some Turks?

Mr. LYNN ARNOLD: Yes. I have Italians, Greeks, Maltese, Dutch, Spanish, German, Vietnamese, Indians, South Africans, and the like. I consider that 12 members would more closely be able to represent that cross-section. Indeed, given the preponderance of certain communities, perhaps the Italian community, in South Australia, it might even have been possible with a commission of 12 members to say that two of the positions might have gone, for example, to the Italian community, thereby representing one from each major group within the Italian community. We must accept that there are different groups within the Italian community in this State. They are two areas on which I should appreciate some comments from the Premier.

The Hon. D. O. TONKIN: The honourable member has caught up with the error that he made regarding the term of office of the part-time commissioners. The term of office for the part-time commissioners will be three years, and for the full-time commissioner it will be five years. I make the point that, although a three-year period may seem to a member of Parliament an eternity as a term of office (I can remember that it did when I was sitting almost exactly where the member for Salisbury is now sitting, when I first came into this place), it is not a long time in terms of the life of this commission. The useful life of the commission must be measured in terms of decades rather than of three-yearly spans. So, in reply to the honourable member's first question, there is no problem at all with the three-year term, as it will enable a good turnover of people.

Mr. Lynn Arnold: What about the staggering of people?

The Hon. D. O. TONKIN: I am coming to that situation, which can always be dealt with. In the first instance it is important to get a commission working and settling down well and, if it is necessary to make adjustments to allow for staggering, that can be done in good time.

The other thing that bears noting is that experience generally seems to have shown that in New South Wales the size of the commission is rather too large. I think that the best committee is always a committee of one.

Mr. Keneally: Is that how you run the State?

The Hon. D. O. TONKIN: Not entirely. The commission will obviously be a more efficient operation if it is an optimum size, and that is considered by this Bill to be fewer than 12 members. Staggering is allowed for. In fact, if the honourable member looks at subclause (4) *(a)* he will see that members will be appointed for a term of office not exceeding three years. The matter is very much in the hands of the Government, which will take the necessary steps to make those appointments, allowing for that aspect.

The more fundamental question should be answered, although I thought that I answered it last evening when closing the second reading debate. It is not in any way envisaged that we will split our ethnic communities into their various groups, count up how many represent the Italians, how many represent the Greeks, and so on, and have a proportional sort of representation with two Italians, one Greek, and so on.

That would be quite wrong, because it is not intended in any way that these people shall be directly representative. That was the point that I made last evening. Ethnic communities, whether they be Greek, Italian, or of any other origin, and although they have different languages, cultures or customs, share one common problem, namely, their difficulties in relating to the total South Australian community.

They have difficulties that may vary according to their language problems, but the actual problems are common to all of them. That is why it is important that we are able to get a wide spectrum of representation of the general problems, of the attitudes, of the interface (as the honourable member termed it in New South Wales) and people who have the necessary sensitivity, the characteristics indeed which are set out so clearly—the knowledge, sensitivity, enthusiasm and personal commitment and an involvement with ethnic groups who can be part of that commission.

I repeat that the commission is not in any way intended to be a forum for direct representation of any one group. The people who are there, whether they be of Italian, Greek or any other ethnic background, will not be there representing their own people, but they will be there representing all ethnic groups and putting their point of view. That is why it is very important, I believe, that we have this spectrum, why we have three-year terms, why there can be staggering under subclause (4) *(a)* so that we have an ongoing injection of enthusiasm and new ideas: in other words, so that we maintain the momentum and have as wide and as broad a spectrum of input as we can. That basically sums up the rationale behind this entire clause.

Mr. KENEALLY: I thank the Premier for the reply that he has given to the member for Salisbury, because, in part, it answers a question that I have not yet asked. I accept that it is impossible to have representatives on the commission from each of the major ethnic groups in South Australia.

The Hon. D. O. Tonkin: There are 50 different language groups.

Mr. KENEALLY: In Whyalla we have 50 to 60 different ethnic backgrounds. In Port Pirie we have two of the more historically significant ethnic groups in South Australia, and the members of the Italian and Greek community in that city play an enormous part in the social, business,

community and sporting life of that city. There is very little, if anything, that happens at Port Pirie that does not involve deeply members of these two communities.

I would like the Premier to tell the Committee whether it is the intention of the Government to include amongst the people who will be members of the commission representatives from the country. It is always important that people who live in the country, whatever the board or commission is, be represented on it. It is not sufficient for the Government to say that it has people in the city who will be on the commission and who have an awareness of the problems that exist in the country, because that is not the case. Theoretically it may be the case but, in practice, it does not happen. Because I represent Port Pirie, because I have a parochial interest in that town and because I am much aware of the contribution that ethnic groups in that city make to South Australian society at large, I am anxious that they be represented by any one of a number of outstanding people from that city on the commission. Is it the Government's intention to have one or more of the part-time commissioners appointed from country areas?

The Hon. D. O. TONKIN: I can appreciate the honourable member's concern for country representation, but he would expect me to be consistent in saying again that I do not anticipate that there will be any hard and fast rules for representation, either from particular ethnic groups representing them or from the country, specifically because they are from the country, or for any other reason. That does not mean to say that there will not be or that there need not be people who come from the country who are generally representative of the ethnic communities' view.

That is quite possible and, in the terms that the honourable member has used in speaking so highly of various leading members of the communities in his own district (I am sure that is repeated in other districts), I am certain that to pick someone who is of first-class material, somebody with the sensitivity, enthusiasm and all those characteristics, I am quite certain that we will get people from the country on the commission. I am not yet in a position to comment on the people who will be chosen. I repeat that it will not be a question of picking somebody to represent a community, area or a town; it is somebody there to be a representative of the ethnic communities as a whole within the community. It is not direct representation; it is there as a membership. I would hope that, with the staggering procedures that we will have, with the three-year terms, or possibly less for some, to start with so that we can get the thing moving, we will have a wide range, and we have a great deal of talent to choose from. There is no question about that.

Mr. KENEALLY: It has been my experience, from living in the country all my life, that, unless there is written into legislation that a member of an authority, a board, commission or whatever, needs to come from the country, it is rarely that the country is represented. Is it the Government's intention to ensure that there is representation from the country? I accept that the Premier and the Minister who has charge of this matter may desire, and ensure through their own efforts, that there is representation from the country, but times change, Administrations change, Ministers change and Premiers change, and the desires of one Administration are not necessarily followed by another, although I hope that, if the Administration changed, more than just consideration would be given to the needs of country people.

Mr. Mathwin: Have you a particular person in mind?

Mr. KENEALLY: No. That would be most unfair to the bevy of talent that exists in Port Pirie, any one of whom would make an admirable contribution to such a commission. The Minister in charge of this matter visits Port Pirie frequently and has many friends there (they might not share his politics, but they like the guy up in Port Pirie), and I am sure that he would like to have one or two of those people come down and be part of the commission.

More seriously, I should direct my comments to the Premier rather than to the member for Glenelg, because I hope to obtain a sensible answer. Can the Premier give the assurance that there will be representation from the country or, if he is unable to give that assurance himself, will he give the assurance that he will discuss this matter with his Minister with a view to ensuring that there is this representation? The Premier said a moment ago that the best committee is a committee of one, but I extend that to two and allow him to have the privilege of discussing this matter with the Minister before he makes his decision.

The Hon. D. O. TONKIN: I do not think that will be necessary. I could not give an absolute assurance, and the honourable member, on reflection, would not expect me to. We are anxious to get the best possible people. As I say, there are significant ethnic communities around the gulf, in the Riverland and in other areas, and I would be surprised indeed if there was not good rural representation. Obviously, I have taken account of what the honourable member has said. He has made his point, and I will keep that in mind.

I think I can say, probably with greater effect, that the members behind me are far more likely to be emphasising the importance of the country representation than are members on the other side. I am sure that they will not let me forget the situation. Later in the Bill, we will find that there is provision for the setting up of advisory committees, one of which will be set up to look at the specific problems of ethnic groups in rural communities. We have not by any means forgotten the point the honourable member is making.

Mr. HEMMINGS: I am relieved at the Premier's interpretation of the selection of the part-time members of the commission. I was horrified to hear the member for Glenelg giving his interpretation of clause 6 when he said that, because 250 000 people in this State have come from the United Kingdom, there should be a representative of the United Kingdom on the commission. I congratulate the Premier on scoffing at that line of argument, and saying that he thought there should not be one member representing a race, but a member representing the whole of the ethnic groups. I appreciate that point.

Subclause (2) details the qualities to which the Minister shall have regard in selecting nominees for appointment to the commission, and I think this could cause some problems. Paragraph *(d)* relates to the nature and extent of involvement with ethnic groups, which would be a major point, but in relation to paragraphs *(a)*, *(b)*, and *(c)*, in effect the Minister will have to pick out supermen, because we are talking about sensitivity, knowledge, and enthusiasm and personal commitment. Perhaps the latter two qualities could be easily obtained, but I see problems in relation to sensitivity and knowledge.

I wholeheartedly support the Premier's comments in relation to the part-time members of the commission, but I think someone objected last night to the term "ethnic". I object to it. I sometimes refer to myself facetiously as a member of an ethnic group, but I think most members accept that as a facetious remark. The Minister will have problems in meeting the requirements of *(a)*, *(b)*, *(c)*, and *(d)*, and I think the pressure will be on him, so that we will end up with part-time members of the commission representing the bulk of migrant groups within the State. I would like to think that the Minister would resist that line,

and I am sure the Premier would agree that he should resist the easy way out; otherwise, I think the Ethnic Affairs Commission will get off to a bad start.

The Hon. D. O. TONKIN: I quite agree. It will not be an easy job in the first instance, and a great deal of advice will have to be taken on the matter. I am sure the honourable member will agree that the criteria listed are necessary criteria for appointment of any people to any commission or committee of this kind.

Mr. Hemmings: On any other commission you would not have this kind of criteria.

The Hon. D. O. TONKIN: Nevertheless, they are there, and they are some things that certainly could not be guaranteed by any form of election of representatives or representative nomination. I am sure the honourable member would agree that, whatever happens, it must be left to the sensitivity and judgment of the Minister in the long term in accepting the advice that he is given.

After the initial appointment, hopefully we will have available a far wider range of advice from the commission itself. There is a wide range of advice from the community now, and there is no question that many people are qualified to fulfil the role. It will not be easy to decide who, and it is likely that there will be some reflection of the numbers of varying groups, simply because that is how things will turn out on a proportionate basis, but that will not be the major factor. The Minister (in this case it is I) will have to wear the decisions that are made, and we will have to do our best to make sure that we have the best people available. That is probably what it all amounts to. It may well be an Anglo-Saxon.

Mr. Hemmings: Not the member for Glenelg would. He worries me.

The Hon. D. O. TONKIN: The member for Glenelg, as would the member for Napier, probably be ideal as a member of the Ethnic Affairs Commission, but there is one small problem. I would be delighted to offer the member for Napier a position on the commission if he is prepared to take it.

Mr. Hemmings: As long as I don't have to resign my seat.

The Hon. D. O. TONKIN: I think rather that the honourable member would forfeit it. I suspect that that would be an office of profit or gain under the Crown. It does not mean that a person of Anglo-Saxon origin will not be on the committee. It does not restrict anyone or pick anyone. It could be someone very closely working on a professional basis with ethnic communities. In every way I think those characteristics are important to list as some indication to people reading the Bill of the qualities we are looking for.

Mr. LYNN ARNOLD: I have some questions regarding the appointment of the eight members. How will the nominations be decided upon? How is it decided to determine who will be eligible for consideration for appointment? Will the various ethnic communities within South Australia be invited to submit a slate of names, or will the various organised groups and associations within the community be invited to submit a slate of names from whom an appointment will be made? Who will be the determining panel? Will it be the Ethnic Affairs Branch making a selection and seeking Ministerial approval of that, or will it be the Minister himself? How will the nominations be called for, and who will make the decision on those nominations?

I am pleased to note that the Upper House moved an amendment to the original Bill and added paragraph (d) which asks that in the selection of the nominees regard shall be paid to the nature and extent of involvement with ethnic groups. That is a very wise decision of the other place. We know where the amendment came from, but it indicates that we want people who have contact with the ethnic community, day-to-day contact, not merely well-known names in certain circles. I think that has helped clarify part of the issue.

The other point I want to raise concerns advisory committees and I would appreciate more elaboration by the Premier on that matter. I appreciate the fact that whatever the size of the committee that we finally choose—

The Hon. D. O. Tonkin: That is dealt with in clause 15.

Mr. LYNN ARNOLD: I will follow it up then. Regarding this clause, I am interested to know what access the commission will have to the broad spectrum of ethnic groups by means of representatives. Is it anticipated, for example, that there will be an advisory council that meets on an annual basis or on a quarterly basis or whatever which would contain representatives from every community group within South Australia from all the geographical spread within South Australia? Naturally this would be a voluntary group; it would not be a paid group in any sense, but it might be a sounding board where ideas could be sounded out, or is it contrawise suggested that the commission will go out to each one of the communities by some prearranged method to sound out with each community? I suppose the second proposal has a lot more to commend it because there would be greater opportunity for real communication to take place. How is it proposed that either of those two methods would take place, and which one is proposed?

The Hon. D. O. TONKIN: First, with regard to nominations, let me make it clear once again that there will be no nominations. There is no representative pattern or function, and the initial commission will therefore be selected from people throughout the ethnic communities, people who have shown the required characteristics listed, and the method of selection will be very much on the advice of the Ethnic Affairs Branch and on what will become a branch of the Ethnic Affairs Commission. Of course, the final decision will rest with the Minister. I repeat, the choices will not please everyone. I have no doubt that when the first commission is appointed there will be some disappointments. Inevitably, as in any walk of life or in any group, there are people who believe they have something to offer which they are willing to contribute, but because there are so many people falling into that category not everyone can be chosen. I hope that by using subclause (4) *(a)* we can stagger the situation. Obviously, interested people will be brought in and given the opportunity of participating. If some of those people do not participate in that function (and we will deal with this matter under clause 15) hopefully they will be given a job on an advisory committee with a specific aim which perhaps will best suit their expertise. Ultimately, of course, the appointment of members of the commission will be made by His Excellency the Governor on the advice of the Minister. A list of names is already available to the Minister for advice to His Excellency the Governor, a list of names from which people could be chosen. Again, this depends very much on the outcome of the Bill.

Concerning the question of consultation which will take place, I am not attracted to the suggestion that the member for Salisbury has made that there should be a representative group of all people meeting in a formal situation. I think that sort of formality, as with the Parliament, sometimes brings out a sense of occasion in people and does not make for good consultation at a grass-roots level. It brings out rather more formality than anything else. Frequently the results of those meetings and the resolutions of those meetings do not reflect individual

feelings. I envisage that the commission will, in fact, partly through its advisory groups and partly through its membership, maintain the closest possible contact with all concerned ethnic groups in the community, so that it will very much be a two-way business. The commission will be there to receive submissions, to make contact with people who wish to have advice or participate or put forward their ideas, and of course it will go out into the community and make contact, and hopefully will maintain a very wide open line of two-way communication. Basically, that is the format that is envisaged.

The ACTING CHAIRMAN: Order! Before calling the honourable member for Salisbury I draw his attention to the fact that this is the third time that he has risen to speak on this clause.

Mr. LYNN ARNOLD: I had noted that. I am somewhat reassured that the method of consultation will be the more effective and efficient one of consultation with groups in the community individually. However, there is one other point that I want to raise with regard to the nomination of members. I accept the point that the Premier has made that the members of the commission do not, in fact, by virtue of their membership of that commission, represent a particular community. For example, a person of ethnic community A does not necessarily represent the vested interests of all those comprising community A. I accept that, but I raise a point about the nominations; the ethnic community groups within our society perhaps know much better the range of people who could possibly serve on the Ethnic Affairs Commission than would the Ethnic Affairs Branch. I am in no way slighting those working in the Ethnic Affairs Branch (they do very good work) but they could not be expected humanly to know everyone in the community who may be able adequately to do the job. I would have thought it not unreasonable to send out to the ethnic community associations or groups within this State and inform them that people are required on the commission, that they will not represent particular ethnic groups, and obtain names of people who could fulfil that capacity reasonably well, and the selection could be made on those names. That was the basis of my suggestion. I cannot see that any one group such as the Ethnic Affairs Branch could possibly know of everyone who would be capable for this sort of function.

The Hon. D. O. TONKIN: I think the member for Salisbury underestimates the Ethnic Affairs Branch. As I pointed out earlier today, there have been very wide consultations with members of ethnic communities and in the course of those consultations, with specific reference to this issue, there have emerged quite obvious people who would be candidates for consideration. There is no way that I could show him the list but the honourable member will just have to accept my reassurance that such a list is in existence and that the people that we already have on the short list show admirable characteristics, and I believe that they will do a first-class job.

Mr. HEMMINGS: I want to touch on a rather sensitive area which I hope the Premier will treat seriously, as I do. One of the things that bedevils certain migrant groups, not only in Australia but in other countries, is that certain races come into a country as migrants carrying certain political beliefs. One group I could mention comprises people from the Baltic States, who are perhaps not as active in this State as they are in Melbourne and Sydney. There are migrants who come into this country who are prepared to accept the political system and who may join one political Party or another, but some migrant groups come to this country still bearing the banner of the country they came from or the effects of a defeated political regime from which they are fleeing.

I am sure the Premier accepts that that is a problem and, if all ethnic groups are to be embraced, will the Minister inform the House how he intends to deal with that sensitive area?

The Hon. D. O. TONKIN: I treat the honourable member's question quite seriously, because difficulties exist that are not peculiar to South Australia, but apply throughout Australia. This is one occasion on which I can say that I am very thankful that I am the State Minister of Ethnic Affairs and not the Federal Minister for Immigration and Ethnic Affairs. I cannot give the honourable member an answer to the problem, which it seems will have to be tackled, and I believe is being tackled, by the Federal immigration authorities.

I have made representations, as I am sure all honourable members have from time to time on behalf of families or sponsors, in connection with individuals who seek entry into the country, but we have no jurisdiction in this matter: all we can do is make representations on their behalf. It may well be that the Ethnic Affairs Commission as it is finally formulated, working in conjunction with the commission in New South Wales and possibly with the Victorian commission, and so on, will ultimately be able to give advice to the Federal authorities that will help to overcome the problem that the honourable member has outlined, but at present I am afraid that I am not in a position to make any judgment on the matter. I believe very strongly that people have the right to hold and to express their views, provided they do not in any way interfere with the rights and freedoms of other people: I believe that that is a pretty good working proposition.

Mr. CRAFTER: I move:

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Lines 20 to 25—Leave out all words in subclause (1) after "members" in line 20 and insert—

(a) one full-time member appointed by the Governor on the nomination of the Minister;

(b) seven part-time members appointed by the Governor on the nomination of the Minister; and

(c) one part-time member (who must be an employee of the commission) appointed by the Governor on the nomination of the employees of the commission.

After line 25—Insert subclause as follows:

(1a) The full-time member of the commission appointed under subsection (1) *(a)* shall be the Chairman and Chief Executive Officer of the commission.

The purport of this amendment is to add a further part-time Commissioner to the commission who would be appointed by the Governor on the nomination of the employees of the commission. Clearly, the qualities which are required of commissioners and to which the Premier has referred, such as knowledge, sensitivity, enthusiasm and personal commitment, are also required of the staff who serve this commission. The success of the commission will be very much related to the effectiveness and qualities of its staff. It is now quite a common practice that on bodies of this nature, whether they be university councils, councils of colleges of advanced education, or other groups that have a particularly public purpose, there is a representative member of the staff.

The addition of this staff member would not affect the position of the full-time member of the commission who is also the Chief Executive Officer. The Opposition does not wish to alter that full-time position, but modern management is structured in such a way that it would not be acceptable to the staff for the Chief Executive Officer to represent them in that way. I note that the Government's stated policy on employee participation is that "the Government's role will be to advise and assist employees and management to initiate such schemes only

when requested". I would be interested to learn what initiatives the Minister has taken to implement this policy and what discussions have taken place with the proposed staff of the commission to ascertain their views of membership of the commission.

Some years ago I was involved in the preparation of legislation to establish the Legal Services Commission and many deputations were made to the Minister at that time in regard to representation of the staff of that commission. It was a particularly complex operation, because employees of the Commonwealth Government department and employees of the Law Society of South Australia were being brought together. The discussions between all parties and the final decision to accept representation of the nominee of the combined staffs has brought about a much smoother passage of that rather difficult amalgamation and no doubt has helped to improve not only the effectiveness of that vital community service but also the morale of the staff in a time of crisis. I would be interested to know whether the Minister could tell us about the implementation of that aspect of the Government's policy.

This amendment is in line with the previous Government's attitude towards the involvement of staff at the policy-making level. The staff of the Commission consists of highly skilled people in the front line of delivery of these services to the community, whether they be in the courts, hospitals, at the front counters of Public Service departments or in the higher decision-making areas of Government, or whether they be involved in discussions on any of those criteria that form the functions of the commission. These are people undoubtedly of great sensitivity who are able to contribute considerably to the functions of the commission. The amendment would increase the size of the commission to nine persons. Bearing in mind the need for a quorum, nine persons is not an unwieldy number; in fact, I suggest that that number is quite workable in carrying out the tasks that these people will be empowered to undertake by this legislation. For those reasons, I commend the amendment to the Committee.

The Hon. D. O. TONKIN: I recognise the commitments of the member for Norwood and his wish to put into effect a policy that is strongly believed in by his Party—industrial democracy.

Mr. Lynn Arnold: And rightly so.

The Hon. D. O. TONKIN: One of the difficulties that always arises with this proposal is that, while we agree that there should be every degree of employee consultation and participation, in no way will we ever include in legislation a compulsion that employees must be selected to take their place on the commission. Nothing in this Bill would prohibit an employee of the commission from being selected as one of the members of the commission—nothing at all. I totally agree with the honourable member that we are very well served in the Ethnic Affairs Branch, and I have no doubt that we will be very well served in the Ethnic Affairs Commission, but it is very much a question of finding the best people available in the community, as I have said constantly this evening.

If those people happen to be employed as officers of the commission, there is no reason why one of them could not be a member of the commission. To include a requirement that compels one of those people to be a member is, in my view, totally opposed to common sense, quite apart from anything else, and is certainly opposed to the open philosophy that we hold. I appreciate the honourable member's intentions, but I regret that I cannot accept the amendment.

Amendment negatived; clause passed.

Clauses 7 and 8 passed.

Clause 9—"Meetings of the commission, etc."

Mr. LYNN ARNOLD: The point I raise here involves the quorum size. Subclause (5) provides that five members of the commission shall constitute a quorum. There are two differences with the New South Wales legislation, and I would appreciate the Premier's explaining these differences. First, the New South Wales Legislation provides for a quorum of four out of the 12 members, as follows:

> Four Commissioners or such other number as may for the time being be fixed by the Minister is a quorum at any meeting of the commission.

The number of four is one issue, and the second issue is the ability of the Minister to make a separate determination in special circumstances. With regard to the first issue, I believe that, in their situation, a quorum of four out of 12 is a meagre size and, indeed, far too small, whereas I wonder whether five out of the eight Commissioners here is not too large, and whether we should not have thought of the same size quorum as in New South Wales—four—achieving the ratio of 50 per cent of the size of the commission, as opposed to that State's ratio of 33⅓ per cent, which I acknowledge is too small. It is easy to conceive that three, or even four people may not be able to attend on many occasions. The second point I find interesting about the New South Wales legislation, and I am sorry that it is not included here, is that the Minister has the capacity to fix a special quorum, doubtless for special occasions. I have no doubt that they did not anticipate that these special occasions would occur often, if ever, but nevertheless the right exists.

If an urgent matter comes up whereby it is not possible to have all the members together, even if due notice has been given, as required (it may be that by some strange coincidence that most members are overseas, yet something needs urgent attention), the Minister has that capacity in certain circumstances to create a new quorum figure. That would have been a wise provision in this clause, taking into account the eventualities that could occur because, obviously, the legislation is supposed to take into account eventualities which in many cases we hope will not occur but which we have to recognise may occur.

The Hon. D. O. TONKIN: The honourable member places rather too much reliance on the New South Wales legislation. He has already pointed out, properly, that it is much bigger than our commission. We are looking for a coherent commission, composed of people who exhibit the qualities that have been outlined earlier, a commission that transacts business and develops policy. The question of a quorum is important, especially in circumstances where major policy decisions may be decided. I am sure the honourable member would be horrified if Caucus could come to a conclusion on an important matter with a quorum of less than half, plus one, or whatever it is. I am sure that he would agree that policy decisions made by the commission should not be made by a minority of the members.

Mr. Lynn Arnold: Not a minority. I am suggesting half.

The Hon. D. O. TONKIN: In common usage, half plus one is a very useful quorum. I am sure that is the way it ought to be. The honourable member may call it a super abundance of caution, and perhaps it is. We want to ensure that attendance is such that, when policy matters are decided on, we can be sure that they represent the views of at least a majority of the commission. That is one of those fundamental facts.

The honourable member has some point when he says that perhaps the Minister should have the right to set a different quorum to meet unusual circumstances. I am

prepared to wait and see exactly what happens, but I give the assurance that, if there appears to be any difficulty with this matter, that may well be the solution to the problem which we will bring into the House with some urgency if the occasion arises.

Mr. CRAFTER: I move:

Page 4—After line 33 insert subclause as follows:

"(6a) The Minister shall cause copies of the minutes to be laid before each House of Parliament."

The Opposition believes that this amendment is important for the proper conduct of the commission. When one considers the functions of the commission, they are certainly all matters which very much concern the public. The public has a right to have before it the information concerning decisions taken by the commission with respect to its functions. I will briefly go through some of those functions, because they are the sorts of activities that should not be kept in the dark. The first function is as follows:

To investigate problems relating to ethnic affairs and to advise the Minister and make reports and recommendations on the basis of those investigations; to consult with and provide advice to Government departments and instrumentalities on the implementation of ethnic affairs policies.

They are directly related to the delivery of these services in the community. The commission's functions continue:

To undertake research and compile data relating to ethnic groups.

That sort of information is of interest to the whole community. The commission's functions continue:

To advise on the allocation of funds available for promoting the interests of ethnic groups.

Where there is a question of the allocation of funds to community groups, it is important that that information be made public so that there is no ill-informed public comment on discriminatory practices or the unfair allocation of those moneys. The functions continue:

To provide services (including interpreting, translating and information services) approved by the Minister to ethnic groups.

It is important that the community know what are the Government's policy and priorities with respect to those services, where they will be provided, and how they will be provided in the community. The functions continue:

To consult with other bodies and persons to determine the needs of ethnic groups and the means of promoting their interests.

Once again, it involves the work of the commission with the broader community. Another function is as follows:

To arrange and co-ordinate meetings, discussions, seminars, and conferences with respect to ethnic affairs.

Why deny the public information with respect to those activities? The final function stated in the Bill is as follows:

To report and make recommendations to the Minister on matters relating to the avoidance of discrimination on the basis of ethnic origin; to co-ordinate initiatives in the field of ethnic affairs.

Making recommendations to the Minister on matters involving discrimination is an important matter. It is one that has caused great concern in this State for many years. We have laws in this area, and those laws are very much an assistance and support to members of our community who are discriminated against. These people look to the Government for support in times of discrimination against them, their families or their communities.

Finally, there is a function to co-ordinate initiatives in the field of ethnic affairs. I suggest that all those matters are matters that the public has a right to know about. The commission's attitudes, its policy-making decisions and methods and the basic information it will have on which to base those decisions would show up in the minutes. I was surprised to hear about the debate in another place on this matter, when the reasons given for the Government's not accepting a similar amendment to this was, in my view, very narrow thinking.

It was suggested that to ask that the minutes of a statutory body be brought to Parliament and laid on the table was quite an unreasonable request. This body will be created by this Parliament, and this Parliament has every right to ask it to report to it regularly and, hence, to the people of the State. Regarding the argument that, if we requested this of all statutory bodies, there would be some 260 sets coming in each month, I think that that would be an excellent situation and would be in line with the Government's professed statements about bringing to a greater degree of accountability the functions of statutory bodies in the State.

One of the great complaints made against these bodies is that they sometimes operate contrary to the best interests of the community or State, or that they sometimes go off at tangents on policies contrary to what Parliament intended for them. This is one way in which a commission set up with broad principles, to act in the interests of the whole community, can be kept accountable. There should be no problems with respect to confidentiality. I refer members to the minutes of the faculties at universities and of university councils, that are made available to the public, to the student bodies in particular, and delicate matters are dealt with in a proper way in the minutes. Members of the public do not want to know about matters of dismissals or disciplinary matters as much as they want to know about broad issues of policy and factual basis for the formulation of policy.

If the Government believes in open Government as it has said it does, the participation of the people being in the best interests of minimising waste and mismanagment in the delivery of the services that government provides, and in all these other areas, I think the Government would have no objection to this sort of accountability. In the recent Estimates debates I sought information about the Public Service List, which is to be printed each year, according to the Public Service Act. I found that it was not available to the Parliament for many months after the time when it is required under the Act, because it could not be printed in time.

To rely upon one report a year to this Parliament on the activities of the commission is, I think, not very satisfactory, bearing in mind the nature of the functions of the commission. Therefore, I think there must be a more regular and more detailed way of reporting to the Parliament and the public about its activities. I recommend the approach embodied in this amendment.

The Hon. D. O. TONKIN: One hardly knows where to start. I am not sure how often the meetings of some statutory bodies are held, but some meet far more frequently than once a month. The prospect of 250 sets of minutes, say, appearing once a fortnight on the table in the Parliament would obscure the Chairman and the Clerks at the table completely, I should think. If Parliament should happen to be sitting for only six months of the year, which is normally the case, I should think that on the first day of resumption after a break of, say, four months, the volume and weight of material would be enormous.

Mr. Crafter: It's not the weight: it's the content.

The Hon. D. O. TONKIN: That is the very point I am coming to. Faced with that enormous volume—

The Hon. Jennifer Adamson: Daunting!

The Hon. D. O. TONKIN: It would be daunting. I do not know whether the member has ever sat down to a meal where a very kind hostess (and my mother used to do it)

has piled on the plate so much food that, no matter how hungry one was, one could not face it. That is exactly what would happen to the member for Norwood. He may start with good intentions. I have no doubt that he would settle down to go through every page of the minutes. He would start in the morning and keep on and on, working into the night. I doubt that he would make much impression at all.

Is he really interested in a new lock for the downstairs toilet, the fact that there needs to be a new bicycle house built, all of the day-to-day running of every statutory authority in South Australia? I will say to the honourable member that I undertake that we will be abolishing some of them. In fact, I think the Monarto Development Commission is soon to balance the formation of this commission. I refer the honourable member to a speech made not long ago by his former leader. I refer him to pages 1399 and 1400 of *Hansard*, where the member for Hartley made an extremely pungent comment on statutory bodies and their degree of (I was going to say "profligacy" but that is not entirely right, although it could be) proliferation. All I can say is that I think the member for Norwood is being a little over-optimistic. I will give the honourable member one assurance. I will assure him that, when we adopt the practice of laying the regular minutes of every statutory body on the table of this Parliament, the Ethnic Affairs Commission minutes will be included with them.

Mr. Crafter: So, you will do that at some time?

The Hon. D. O. TONKIN: I said "When". I am indebted to the member for Flinders for letting me know that there would be 3 250 sets of minutes in six months. Without going into great detail, I think the honourable member must accept that it is a totally impractical suggestion, and I think it is an improper suggestion. I do not think that the day-to-day affairs of the commission should be the subject of concern here. I have had a little bit of fun at the honourable member's expense, and I accept that. Let me be serious for a moment.

I think the whole principle of exposing a commission such as this to such rigid, strict, detailed, and almost petty control would demonstrate a complete lack of faith in the members of the commission. I think it entirely right that the commission should report annually to Parliament, and that is a statutory requirement. That is as it should be. I think that the affairs of a statutory commission should be open to examination by Parliament as they are now. I think they should be open to the investigations of the Public Accounts Committee as necessary, but I believe that, when we appoint people of responsibility to positions of responsibility, we have every reason to show that we have a degree of trust in them. I would regard this amendment, if carried, as an insult to members of the commission, and I am certain that is the last thing the member would intend. I am afraid I cannot accept the amendment in any circumstances.

Amendment negatived.

Mr. LYNN ARNOLD: Will the Premier give an undertaking that, if any member of this place or another place seeks access to the minutes of the commission, access will be granted if it is done through the proper channels?

The Hon. D. O. TONKIN: With the condition "through the proper channels" that the honourable member added and when it is proper for anyone to see those minutes and under certain conditions, I can give a qualified assurance that that will be so. I must qualify that by saying that it will, of course, be at the discretion of the Minister and more particularly at the discretion of the members of the commission.

Mr. LYNN ARNOLD: The Premier started out to answer that very well and then I am afraid he caused more doubts in my mind than I had initially. There is so much qualification in the Premier's answer that it causes grave doubt. The Minister is responsible to Parliament. We are the Parliament, we are voting on this Bill, and we are establishing, if the Bill passes, the Ethnic Affairs Commission. When the Minister is given the responsibility for the commission I imagine that it will be on our behalf as the Parliament. Therefore, I should have thought that we would enjoy the rights of access to minutes of the meetings of the commission. I mentioned that it would have to be done through the proper channels because obviously it would not be expected that members would roll up at the office of the commission or any statutory authority and demand to see the minutes. It is only proper and fitting that they should ask the Minister in charge whether they could see them or whether it could be arranged that the minutes be given to them. This request would be made in a formal courteous way, and should always be responded to with a "Yes".

I understand that matters will come before the commission that will not be for general exhibition or promotion. We are responsible members of Parliament dealing with the affairs of State. It is quite within the realms of the responsibility that we exercise for the Minister to say to us, or for the commission to recommend to the Minister to say to us, that there are certain items in a set of minutes that are of a very sensitive nature and should not be spread throughout the community; they should indeed be kept confidential. I accept that that may be a qualification that is added to the minutes when they are offered for display. I believe that, as members of this Parliament and members to whom the Minister is responsible on behalf of the constituencies that we represent, the minutes should be made available if we request them through the proper channels and with the qualification as to the way in which the information is used.

The Hon. D. O. TONKIN: The honourable member has answered his own question. Obviously, some matters appear within minutes that would not be proper for anyone other than a responsible member of Parliament to see. Unfortunately, not all members of Parliament are responsible at all times.

Mr. Lynn Arnold: You're not reflecting on your colleagues, are you?

The Hon. D. O. TONKIN: If that is the honourable member's opinion of his colleagues, there you are. It would not be proper to make them available; this is the reason for the Companies Act. It is not proper to divulge minutes to people who are outside the commission or outside a board. The Minister has the courtesy done to him of being able to see the minutes and to ensure that the commission is functioning as it should. Indeed, it would be quite wrong if he were not able to keep this oversight, particularly in the early stages when we are depending so much and expecting so much from the commission. I cannot give any such assurance. I can assure the honourable member that, if there are queries which can properly be answered and the approach is properly made and the commission is agreeable, any information which honourable members may need will be furnished to them. The question of showing them verbatim minutes is not one on which I can give an assurance.

Clause passed.

Clauses 10 and 11 passed.

Clause 12—"Objects of the Commission."

Mr. LYNN ARNOLD: In this instance, I believe that the wording of the Bill before us is superior to that in the New South Wales legislation. That legislation has three objects

in this respect and our legislation has four. It adds a phrase which I believe is a philosophically important point. Paragraph *(c)* provides, "to promote co-operation between the various ethnic groups within the community". That is a laudable effort. It carries on the good work done by the previous Government. Indeed, a lot of the ethnic affairs work done by the previous Government was not just uniquely and discretely directed to particular groups; it was done with an awareness of the relationship and co-operation of various groups within the community. Of those groups, in total, would be the entire South Australian community. I am glad to see that that is carried on by the present Government and embodied in the Bill.

In section 15 *(b)* of the New South Wales legislation refers to "promoting the unity of all ethnic groups". I believe that the phraseology is better in our legislation, as it refers to "co-operation between", rather than the "unity of", all in the sense that there are still unique differences between all communities within South Australia that can yet co-operate, at the same time preserving the inherent special qualities and differences that they seek to preserve.

Clause passed.

Clause 13—"Functions of the commission."

Mr. LYNN ARNOLD: I am very pleased to note that this clause is the result of substantial amendment in another place. In fact, it is the result of amendments moved by the Leader of the Opposition in the Council, and I think that it has, by virtue of that amendment, come down as a very balanced, sound and well-structured clause. To that extent I wish to give it praise because I think it justly deserves it. The Government has seen the wisdom of that Chamber's deliberations and has agreed to accept it here. I am sure that Government members will accept that wisdom in this place.

Again I compare the differences between the two pieces of legislation. I make these comparisons, as the New South Wales legislation is really the only other legislation we have in Australia at the moment that is relevant to our legislation. Thus, it behoves us to look at how this legislation compares with the New South Wales legislation and to see the ways in which the Bills are similar and different, and to explain the differences and to bolster the similarities. The major difference in relation to the function of the commission exists between paragraph *(f)* of clause 13 of our legislation and paragraph *(f) of* section 16 of the New South Wales Act. Paragraph *(f)* in the New South Wales Act provides:

> To consult with Governmental, business, industrial, educational and community bodies or groups for the purpose of ascertaining a means of improving conditions affecting ethnic affairs.

In the Bill before us, paragraph *(f)* provides:

> To consult with other bodies and persons, to determine the needs of ethnic groups and the means of promoting their interests.

I can accept that it is inherent in the wording of the Bill that "other bodies" means governmental, business, industrial, educational and community bodies or groups. I simply ask for a ratification by the Premier of that assertion on my part and a confirmation that he takes it to mean the same.

The more important part of this matter is the choice of the words "promoting their interests and improving conditions". We know of many areas that have existed in the past and still exist today where ethnic communities need a great improvement in their conditions, perhaps in the industrial sphere, in employment, in the social sphere, in community relations, or perhaps within the educational sphere. So, we are not just talking about promoting their interests in the sense of giving people an awareness that such ethnic groups exist. More important, we are trying to help that community to improve its own circumstances.

The Hon. D. O. TONKIN: I thank the honourable member for his praise.

Mr. Lynn Arnold: I think that the Labor Party in another place deserves that.

The Hon. D. O. TONKIN: I was going to make the further comment that it sounded a little like self-interest to me. Nevertheless, I thank the honourable member for the praise that he has given to the wording of this part of the Bill. The honourable member would be aware that, once again, we are getting back into definitions, and general approaches and attitudes: the promotion of which the honourable member speaks in relation to business, industrial problems, and so on.

For obvious reasons, the commission will not usurp the role of other organisations, be they voluntary or charitable organisations, trade unions, or whatever. There is no question that that will happen. The interface will be between the commission and whichever organisation is responsible for furthering the cause of the person or group concerned. I have no doubt that there will be the highest co-operation between those bodies and the commission.

Mr. LYNN ARNOLD: I referred this morning to another matter which I wanted to raise in Committee and which I now raise. I refer to the assistance that the commission and the branch will be offering to ethnic community groups to provide help and services to their own communities. We all know that this has occurred for some years. Ethnic groups are not just a focus of associations or socialisation for members of ethnic groups to get together and meet each other. They are also a means of providing services, to help these people in their daily lives, be it in their work, recreational or social lives.

I am a little concerned that at no point in the functions does this function appear. It talks about investigating problems, consulting, undertaking research and advising on the allocation of funds, and providing services, including interpreting and translating services, etc., to ethnic groups. That seems to me to be the useful point where it could have gone on further to refer to the servi ce provision role of ethnic groups themselves.

Earlier this year, I represented the Leader of the Opposition at a function at which the Premier was present, when a leading member of the Spanish community was being awarded a prize for services rendered to the Spanish community in South Australia. Indeed, I think that that episode deserves some comment in this place. I refer to Mr. Seferino Sanchez, of the Plus Ultra Club in Adelaide, who was the recipient of the first award of its kind in Australia by the Spanish Government. The award was for services rendered to the Spanish community living within this country, and it recognises the important role that that person played within the Spanish community in Adelaide. That is the sort of thing which is being done in that club by that person (and this is mirrored by other people in other ethnic associations throughout Australia) that deserves support.

I know that the Premier, in response to the second reading debate last night, acknowledged that it is anticipated that that aspect would be embodied in the work of the commission and its branch. I want to make known my concern and disappointment that this is not embodied in the legislation, as this aspect is an important part of the entire functions of the commission. It would not have taken many other words or distorted the balance, but would have paid a tribute to this important area.

Mr. ABBOTT: Clause 13 *(d)* relates to advice on the allocation of funds available for promoting the interests of ethnic groups. The member for Salisbury, in his second

reading speech, referred to the Kilkenny Migrant Information Centre, and said that the Government grant to that organisation would cease on, I think, 7 December this year. I have received correspondence from a constituent who is employed by the Kilkenny Migrant Information Centre and who expressed great disgust that the Government was not prepared to support the centre, even though it filled a very important need for the community, particularly the ethnic community, in that area. Will the Premier say what facilities will be provided for such organisations as the Kilkenny Migrant Information Centre to apply for funds to enable them to continue their work?

The Hon. D. O. TONKIN: I am pleased that the honourable member has raised this matter, which follows on fairly well from what the member for Salisbury said. It gives me an opportunity yet again to reassure members that the concern of the honourable member's constituent is misplaced. Unfortunately, his constituent is labouring under a major misapprehension. Perhaps the honourable member was not in the Chamber this morning when I dealt with this question in detail. However, I repeat, for the honourable members' benefit, that the Kilkenny Migrant Information Centre will continue to be funded. Indeed, as the honourable member said, it is funded until the end of December, and it will continue to be funded, provided that Woodville council intends to take on the responsibility for passing on the funding.

A conscious decision has been taken to fund activities such as this information centre through local government. It is only a matter of a change in how the funds are made available. However, the matter is very much dependent on the co-operation of Woodville council. The Government believes that that council, and indeed any local Government body (as I have said many times before), is closer to the point of delivery of the services and, therefore, is better able to make judgments and decisions regarding the allocation of funds.

The whole point about this legislation (and this returns again to the point made by the member for Salisbury) is that the self-help concept is absolutely fundamental. That is why the commission is being set up. I think that I made that point last night, too. The whole point of setting up this commission is to take the matter away from the day-to-day bureaucratic control of the Government and to allow people, as far as possible, to do their own thing.

Another misapprehension has been promulgated in relation to certain telephone bills. There has been some complaint that the Government has not picked up the tab for the telephone bills at Thebarton. The member for Peake will probalby be interested to know that the telephone bills in question are in respect of a period that was already covered by a grant, so that the grant made to the centre was intended to be available to cover them.

Mr. Hemmings: Be generous and pay them.

The Hon. D. O. TONKIN: When funds are made available to cover an expense, if the funds are not used to cover it that is hardly the Government's fault. Be that as it may, we come back to the concept that there is no change in funding other than by the means of funding and the direction from which it comes. That may not be easy to understand, and I hope that the member for Spence reassures his constituents on that score. It is very much now in the hands of the Woodville council for decision as to whether the council will co-operate in that matter or not, and I hope that it does. Perhaps the member for Spence will join his persuasiveness to mine in that regard. The allocation of funds is advised upon by the Ethnic Affairs Commission, but the Ethnic Grants Advisory Committee is the committee that directs aid to various organisations. The commission is also going to co-operate with the migrant resource centre funded by the Federal Government. It is very much a question of being in a position to advise where that financial assistance is available and how it can be obtained. I come back again to the self-help concept which, I believe, is absolutely vital to the Bill itself.

Mr. ABBOTT: I appreciate the information given by the Premier in relation to my question, but I am still not clear as to what are the mechanics of the organisation to which I referred. Nothing is spelt out in the Bill about how the Kilkenny Migrant Information Centre would apply to local government (to the Woodville council in this case), and I would appreciate it if the Premier could advise me to whom the application is to be made and how often it is to be made.

The Hon. D. O. TONKIN: This matter has already been discussed, but the point is that this is the very point of having the commission, because the commission and its officers will act as that point of reference to point various bodies in the correct direction so that they can make application for funds that are available. That is the very point of having the commission as it is, with these powers to advise on the finances that are available.

Clause passed.

Clause 14 passed.

Clause 15—"Advisory Committees."

Mr. LYNN ARNOLD: This clause relates to the advisory committees upon which we touched earlier. I seek an elaboration by the Premier as to what the range of advisory committees will be, what their functions will be, and briefly, if it is not yet known, what their make-up and membership will be.

The Hon. D. O. TONKIN: This is very much a vital part of the commission, because, to perform its advisory role in a proper way, it must have specialist inputs from specialist advisory committees and groups. Already membership is being sought for those committees, and I think part of their strength is the informality of the system: they can be constituted for a specific purpose, they can fulfil that purpose and then be disbanded and a different group can again be built up. That is one of the strengths of the whole system.

The Hon. R. G. Payne: It is like the system under the Community Welfare Act.

The Hon. D. O. TONKIN: It is like those committees. As the honourable member will know, I was a member years ago—

The Hon. R. G. Payne: You had input into them.

The Hon. D. O. TONKIN: We had one committee, the Social Welfare Advisory Committee, and we were expected to be experts on everything. I am not sure that that was a good idea. I think to be able to vary the membership depending on the various topics or matters to be discussed is a good idea, and that did come up in that matter. That is the same sort of concept. It is a question not only of various groups—again, this is where the different groups and interests, and country areas versus city areas, are picked up in the advisory groups. This is where the major point of contact with the ethnic communities will be made—through these advisory groups and the input that they have put in.

There are already in contemplation advisory groups on education, welfare, migrants in the work force, country and rural areas, law, health, aged care, and the police. I understand in regard to the latter matter, and in anticipation of the successful passage of this Bill, that some of these groups are already in operation. Obviously, other topics will arise from time to time, and it will depend much on a two-way arrangement. Sometimes the

commission may suggest that a group be formed, and sometimes a group in the community may request help in looking at a particular subject. Flexibility is the keynote of the advisory groups.

Mr. LYNN ARNOLD: I appreciate the breadth of the committees that have already been identified by the Premier. I make a plea that consideration be given to the formation of a committee to deal with the media, because that is one very important aspect with which ethnic communities will be concerned to have some involvement. I refer first to their own particular media, the media that exists in their own language (the print medium, ethnic radio and, hopefully in the not too distant future, ethnic television), but there is also the other area of relationship with the non-ethnic media and the ways in which they can have greater access to that.

If the functions of the commission are to promote co-operation of the ethnic community with the wider community, it is important that ethnic groups feel that they are able to put their message across to a medium that is open to us all. Often the ethnic media—print, radio and, in other States, television—is not a medium to which we can all have access. I read the Spanish language newspaper and listen to Spanish radio, but that is not something that many of us do. Therefore, for most of the community it is not possible to have that access unless it is in English, for example.

I know that on this point there are lengthy debates, and often quite heated debates, within certain ethnic associations about what language they should broadcast on ethnic radio, for example, because they feel that, in the light of this important aim of reaching out to the broader community, they should broadcast in English rather than their native language. This matter could be solved if an ethnic media advisory committee was able to make or suggest approaches that could be made to the broader media to ask, "What function can you play to help us meet the need to promote ourselves to the wider South Australian community?" If the broader media accepts that challenge as promoted by such a committee, their own particular ethnic language media can remain in its own language and thereby meet the other important need of providing communication to those communities which they may not be able to get from the other medium because of a lack of proper understanding of English.

The Hon. D. O. TONKIN: As well as the committees I have outlined, which are firmly in contemplation, a number of others are in process of being set up, and a media committee is one of them.

Clause passed.

Clause 16 passed.

Clause 17—"Voluntary workers."

Mr. ABBOTT: Can the Premier explain more precisely the mechanics regarding payment to voluntary workers? How much is that payment likely to be, and what are the mechanics of it?

The Hon. D. O. TONKIN: I think it means that the commission may pay to any voluntary worker whatever allowances on account of expenses it may consider justified.

Mr. Abbott: An hourly rate or a daily rate?

The Hon. D. O. TONKIN: It is not a payment for work done. It is out-of-pocket expenses. If a voluntary worker, for instance, uses a car in the performance of his duties, obviously that is something for which he should not be out of pocket. If he travels interstate to a conference as part of an advisory committee, or anything of that sort, he will get the appropriate rate. I think the honourable member would know that there are rates set down under the Community Welfare Act, and the same sort of provision is in that Act. If people go interstate, they will travel at Public Service rates under Public Service conditions during the time in which they are actually working for the commission.

Clause passed.

Clauses 18 to 22 passed.

Clause 23—"Annual report."

Mr. CRAFTER: I know it is the Government's intention to introduce sunset legislation in relation to statutory bodies and, as this is the first created by this Government, this would have been an opportunity to introduce sunset legislation to provide that, after a certain period, this commission should phase itself out of action, be reconstituted in the same or another form, or perhaps not at all, if the exercise proves unsuccessful. I raise the matter as I see it as a departure from the stated policy of the Government towards the long-term function and reporting of statutory bodies.

The Hon. D. O. TONKIN: The Hon. Mr. Davis raised this matter to some effect in another place. The answer, quite clearly, is that an Ethnic Affairs Commission is one such commission which, of course, must be reviewed from time to time, just as any other statutory body should be, but there is no point in putting either a high noon or a sunset clause in the legislation. The Government is looking at mechanisms for periodic statutory body review. I think it is probably not appropriate to go into details of the proposals being considered, but there will be set up and submitted in good time to this Parliament proposals for periodic review of statutory authorities, and the Ethnic Affairs Commission will have to take its turn in being reviewed.

Sunset legislation basically is directed towards a programme, and it may well be, I suppose, that in the long term—and indeed I hope this happens—there will be no need for an Ethnic Affairs Commission. When that time will come, I am not in a position to say, but at present I think we can foresee a need for the commission, in one form or another, discharging such duties as the changing circumstances of the age demand for a long time yet. There are two ways: one can write a clause into each Bill or set up a body whose responsibility it is to review. At present the Government is examining the latter prospect very carefully.

Clause passed.

Clause 24 and title passed.

Bill read a third time and passed.

HOLIDAYS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 28 October. Page 1552.)

Mr. HEMMINGS (Napier): I will gladly give the call to the member for Glenelg if he wishes to take it.

The SPEAKER: The honourable member for Napier has been called and has responded.

The Hon. D. O. TONKIN (Premier and Treasurer): I move:

That the time for the moving of the adjournment of the House be extended beyond 10 p.m.

Motion carried.

Mr. HEMMINGS: The Deputy Leader, in the early hours of this morning, canvassed most of the views of the Opposition on this Bill. The Government has opted to support the retail traders in that the public will forever be denied, if this Bill becomes law, a holiday on 28

December. In his second reading explanation, the Minister referred to a problem this year in relation to Boxing Day, and said that Proclamation Day would not be taken away. If the House and the public were foolish they would agree with that line of thinking but, if this Bill is passed, the people of South Australia will no longer be able to take a holiday on 28 December. It would have to be fitted in on a Monday or any other day, as outlined in the Bill.

There was no reason whatever to change the existing provision. Section 5 of the principal Act states that the Governor may, from time to time, as he may see fit, by proclamation published in the *Government Gazette,* declare some other day to be a public holiday or bank holiday in any year in lieu of a day by the Act appointed a public holiday or a bank holiday.

That is exactly what a former Premier did in this House. However, despite the soothing words from the Chief Secretary that the Government is trying to correct an error, in effect, the Government is taking 28 December as a holiday away from the people of this State. I wish to dwell on the importance of the people of this State having a holiday on 28 December. Over the last few days we have been told by the Premier that we must reaffirm our commitment to our flag, to our State, and to the goals at which we must aim to achieve the greatness that the Premier wants us to achieve.

Mr. Millhouse: He is thrusting upon us.

Mr. HEMMINGS: Yes. Dutifully, the *News* has taken up the challenge. The editorial in today's *News* under the heading "Let's fly the flag", states:

> Premier Tonkin has set the pace with his plan to give the piping shrike its rightful pride of place in South Australia.

Also in the *News* there was a photograph of some schoolchildren gazing upon our State flag. Yesterday all members of this House received a tie bearing the emblem of our State, and the Premier urged us to wear the tie on all suitable occasions. No-one is denying that that is what we should be doing, but it does seem rather cynical that, while the Premier is saying this, there is a move to transfer the rightful public holiday of 28 December away from the people in the community to satisfy those people who control the department stores and other businesses within this State. No matter what the Chief Secretary told us in the second reading explanation about why this is being done, the reasons given by the Deputy Leader in his speech yesterday are the correct ones.

As I am a migrant to this great State, and knowing other migrants' attitudes, I can appreciate the fact that migrants tend to find themselves more interested in the history of this State, and I think the member for Glenelg would agree with me on this matter. Newcomers tend to get themselves involved in the traditions of the State or country. So, I make no apology, and I am quite proud to say that in the 17 years I have been in this country I have missed on very few occasions going down to the old gum tree at Glenelg with my family to witness the Proclamation Day ceremony on 28 December. The reason for this is that I wanted to be part of this State. Long before I became politically involved in South Australia, the spontaneous involvement of the people of South Australia in that ceremony always impressed me. I think the former Labor Administration felt that there was a deep commitment to that ceremony under the old gum tree at Glenelg. Even though it was suggested to the former Labor Administration by the retail traders that it should legislate to change the Holidays Act, the Labor Government steadfastly refused to do so. The Labor Administration felt that within the Act under section 5 there was a way that the Governor could proclaim a change in the date at any time. As I have said, it was a former Liberal Premier, Steele Hall who took that action in one particular year.

I was interested to read the comments of the member for Glenelg made last night, when the Deputy Leader was talking about the inconsistency of what the Chief Secretary had said about the attitude of the Glenelg council to changing the date of the public holiday, and what the Deputy Leader had found out himself when he rang up the Town Clerk. The member for Glenelg said, "I'll be there to help them." That pleases me.

Mr. Mathwin: That would be the first time.

Mr. HEMMINGS: The member for Glenelg will have plenty of opportunity during the second reading debate and also when certain amendments which have been circulated under the Deputy Leader's name are being debated in the Committee stages to take the correct action. I invite the member for Glenelg to cross the floor and I also invite any other of his colleagues who may feel that this is something that is not wanted by the people of Glenelg or the people of South Australia or by the United Trades and Labor Council; in fact, it is not wanted by anyone except the Retail Traders Association. The member for Glenelg can be excused for sometimes rising to the bait and making statements that he may regret at some later date. I think the comment that he made in the early hours of this morning, when he encouraged my Deputy Leader when he said that he would be right out there to help the members of the Glenelg council, perhaps could have been prompted by tiredness and the fact that he wanted to go home. I want to relate to the House a speech that the member for Glenelg made in this House on 16 October 1979.

The Hon. J. D. Wright: Will he be embarrassed?

Mr. HEMMINGS: Perhaps the member for Glenelg might be embarrassed after I read out certain excerpts from his speech, but it may touch his conscience, because I am sure he has one. I think that, after I read out what he said when he actually laid on the line what 28 December meant to the people of Glenelg and to the people of this State, when the amendments are put before the Committee the member for Glenelg will make the right decision and come over and join the conscience of the State, that is, the members of the Opposition. The member for Glenelg was rather fired up on that occasion; the Government had fallen and the member for Glenelg was sitting on the Government benches flushed with success. On that occasion he said:

> I wish to raise the hardy annual that comes about at this time of the year regarding the replacing of the Proclamation Day holiday with a Boxing Day holiday in this State. Such a situation has recently been granted at Whyalla after great representations, I presume, from the member for Whyalla, so that Whyalla shop assistants will get a holiday on Boxing Day. The situation will arise in which there will be a different public holiday in Whyalla than will apply elsewhere in the State. In fact, there will be no recognition of the historical significance of Proclamation Day, which is important in the history of this State.

That is what this is all about. If the member for Glenelg on 16 October 1979 was so keen to inform members of the House of the historical importance of celebrating Proclamation Day on 28 December, I am sure when we vote tonight the honourable member will show his true feelings and support our amendment.

Mr. Mathwin: Don't hold your breath.

Mr. HEMMINGS: Unless he has been got at. We all know that Government members are often got at; in fact, one member is being got at at this moment on another Bill that is before the House, but I know that I cannot mention that and, therefore, I will not.

The SPEAKER: I advise the honourable member that he may not ascribe views to another member in connection with a matter that does not relate to this Bill.

Mr. HEMMINGS: I transgressed a bit, Sir, and I apologise. The member for Glenelg also said some rather awful things about me which I will not repeat because, while I am not ashamed of what he said, his remarks are rather irrelevant to the Bill. The honourable member further stated:

> The honourable member would not know the significance of Proclamation Day. South Australia was proclaimed by the first Governor of this State, Captain John Hindmarsh. The ceremony was held on a hot Saturday afternoon at the Patawalonga Creek at Holdfast Bay. Of course, since then, the great achievements of the pioneers have followed.

The honourable member then went on to cite the great achievements and told us about the first day that this event was celebrated by the people of South Australia. The important part of what the member for Glenelg said about his own area is as follows:

> Proclamation Day at Glenelg is a great day. Much organisation has been done by the Glenelg council over the past years, helped by the local community, community groups and service clubs, who spend a lot of time trying to assist people on that public holiday. The service clubs try to stimulate interest and to raise money for local charities, and they have been successful. Why people should want holidays on days of convenience rather than on days on which something important is signified within the State beats me.

Will the member for Glenelg be indicating by his remarks and his vote on the Deputy Leader's amendment that the views he held on 16 October 1979 are different from the views that he now holds because, if he does that, he joins the ranks of those opposite who can be justly classed as hypocritical. We all know of the honourable member's deep involvement with that city, because he is always telling us that he gets a massive vote of confidence from the people in that area and I believe that; I also believe that the member for Glenelg will be in this Chamber for many years, as I will be, I may add.

The SPEAKER: Order! I ask the honourable member to come back to the Bill.

Mr. HEMMINGS: Yes, Sir. I urge the member for Glenelg to consider Proclamation Day as being significant in the history of our State. We should not fix Proclamation Day on whatever date the Bill provides but on the actual date of Proclamation Day, so that people in the metropolitan area like me and my colleagues can go to the Old Gum Tree to share with our fellow citizens the ceremony that commemorates the landing of Captain John Hindmarsh. I will not say anything more about the member for Glenelg; I am sure he is an honourable man and will do the right thing. I am sure that he will vote with the Opposition on the amendment. The Chief Secretary, in his second reading explanation, told us that the matter had been discussed with the Glenelg council and that the council was quite amenable to the suggestion. Most of us took that at face value and accepted that what the Minister told us was true.

I have had some rather harsh things to say about the Minister recently in regard to other areas for which he is responsible, and I feel that that criticism was justified, but in this case I felt that there could be nothing wrong if the Chief Secretary told us that the Glenelg council had been consulted and was perfectly happy that, whilst 28 December was to be known as Proclamation Day, the public would be denied a chance to take a holiday on that day and would have to fit in with what the retail traders in this State wanted. When my Deputy Leader telephoned the Town Clerk and found that what the Minister told us in his second reading explanation was quite wrong, that worries me, because the Minister is misleading the Parliament. I sincerely hope that even country members, who may not be able to attend the ceremony under the Old Gum Tree, will have a chance to speak.

Mr. Trainer: The member for Morphett should say something; I think it is in his district.

Mr. HEMMINGS: That is right. Country members may be able to take part in the debate and give their views on whether the Minister has misled the House by saying that members of the Glenelg council were amenable to the measure. The member for Ascot Park has prompted me to look again at what the member for Glenelg said on 16 October 1979: not only did the honourable member say that this day was significant and that he would fight to retain Proclamation Day as a holiday on 28 December as opposed to what was happening in the sinful city of Whyalla, as he more or less put it, but he also spoke for other members of the Government when he said:

> As I have said, the question about the Proclamation Day holiday is raised every year. I am sure the member for Hanson and my other colleagues along the western coast will support me and the council in opposing any move to do away with Proclamation Day in this State.

Mr. Trainer: The Old Gum Tree was in Hanson at that time.

Mr. HEMMINGS: That is right. That speech was not made under a dreaded socialist Government but after the member for Glenelg's own Party had come into power. Surely the honourable member had not had an advance warning that there was to be a change in the Holidays Act and was thus signalling to members on this side that something would happen so that we could prepare our case well in advance; if he was telling us that, we thank him, and I hope that the member for Glenelg will now lobby support from the member for Hanson, the member for Henley Beach, the member for Mawson and the member for Morphett. The member for Glenelg, in his speech, talked about his colleagues on the western coast.

In one part of the speech, he was bragging about his Party holding all of the western coast, with the exception of the desert Baudin, as he put it, which is so ably represented by the member on our side. I urge the member for Glenelg to show a bit of conscience and to earn respect of this House for once by crossing the floor and voting for the amendment to be moved by my Deputy Leader.

In the remainder of the time I have to speak in this debate, I will talk about the attitude of this Government, especially that of the Minister of Industrial Affairs, in relation to the United Trades and Labor Council. My Deputy Leader clearly pointed out to the House this morning the number of people who would be denied a public holiday if this Bill is passed. After reading what the member for Glenelg has said previously in the House, I hope that our amendment will be carried tonight, and that the member for Glenelg will vote for it. I must be careful here in referring to the Chief Secretary. I was going to say that he parroted the remarks of the Minister of Industrial Affairs, but I will not do that. I got a serve from the Chief Secretary last Thursday, and I do not want to incur his wrath again. The Minister of Industrial Affairs and the Chief Secretary wiped off between 40 000 and 50 000 people who would be denied a holiday.

Is that the Government whose democratic policies are being thrust down our throats daily by the *News*, the *Advertiser*, and other faithful friends of the Government? We can justifiably say that the Government shows scant regard for workers.

Mr. Hamilton: That's not unusual.

Mr. HEMMINGS: The Government keeps telling us that it has regard for the workers, yet it is denying a holiday to 50 000 workers, in order to appease the Retail Traders Association, which, more than likely, contributed to the coffers of the Liberal Party in the State and Federal election campaigns.

The SPEAKER: Order! I again now ask the honourable member to avoid making superfluous material and to stick to the clauses of the Bill.

Mr. HEMMINGS: Thank you, Sir. I will stick to the clauses but I do not call denying 50 000 workers a public holiday superfluous material. These workers would be denied a holiday if we moved from 28 December to 26 December. It seems that Government members will be faced with a conscience vote tonight. They will be voting either for the people of South Australia or for their Minister of Industrial Affairs and the Chief Secretary. I do not think that the Minister present in the Chamber is in any way in charge of the Bill, except in so far as he sits on the front bench. All the decisions relating to the Government's attitude to the Bill have been made by other Cabinet members. I urge those Government members who, together with the member for Glenelg, have an affiliation with the ceremony, to show their independence tonight. By all means, if the member for Glenelg wants to rise and have a go at me, he is welcome to do so, on condition that, when the amendment is being voted on, he does the right thing and crosses the floor.

The SPEAKER: Order! We are not discussing amendments. The honourable member for Glenelg.

Mr. MATHWIN (Glenelg): The 28th day of December is, and has always been, a most important date for the State, particularly for Glenelg. That day is a very proud part of the history of Glenelg, especially as far as the council is concerned, because that day holds one of the top places in the council's list of priorities. Obviously, some Opposition members are under a misapprehension as to how the council feels about this matter.

First, I will deal, first, with some of the history of Proclamation Day, because there seems to be some disagreement on the other side of the House on whether it ought to be named Proclamation Day, or Commemoration Day or something else. Historically, and to me, it is recognised as Proclamation Day, which has some significance. As the birth place of the State, Glenelg is interested in the whole aspect of this matter. I refer the House to the *Royal South Australian Almanac* of 1848, which prescribes the following holidays for public offices: New Year's, Good Friday, Easter Monday, Queen's Birthday, Queen's Ascension, Christmas Day, and the anniversary of the foundation of the colony (28 December). Prior to that, a notice in the South Australian *Government Gazette* declared holidays on Christmas Day and Monday the 28th, being the "anniversary of the establishment of the Province of South Australia", and all public offices were to be closed on those days.

There is no doubt about the history of this day, or of its importance. The holiday was established in 1848. I draw members' attention also to a reference in 1966 to Proclamation Day in South Australia by the Royal Geographical Society of South Australia, as follows:

> Herbert Mayo and F. W. Richards . . . By common usage in the State of South Australia, the third day after Christmas Day in each year is distinguished by the name Proclamation Day. The day is an anniversary of the occasion on 28 December 1836 when Governor Hindmarsh caused his official proclamation in the territory upon which he had just effected the landing to be promulgated. It was his first gesture of official significance to those intending to form a new community in and upon the territory.

That is written in the annals of our State's history. As a traditionalist, I believe that the importance of this day must never be allowed to be forgotten, and that its importance must be emphasised in the generations to come.

The Deputy Leader of the Opposition last night told us with great glee about the first anniversary dinner, held in 1837.

Mr. Millhouse: That wasn't at Glenelg.

Mr. MATHWIN: No, it was at the Southern Cross Hotel, near the courthouse and in the area of Currie Street.

Mr. Hemmings: Were you there?

Mr. MATHWIN: No, but my Uncle George was. As the Deputy Leader reminded the House last night, this dinner started at 4 p.m. and finished about 11 p.m. It was a long ceremony. The Deputy Leader did not say that it was recognised by all people who attended as the happiest and best meeting so far held in the Colony. Although the Deputy Leader said that there was a toast to Her Majesty the Queen, he did not really tell us the main facts about the gathering.

The Hon. J. D. Wright: I didn't want to keep you up too late.

Mr. MATHWIN: I am sure that, if you had read it, you would have been delighted to give it to us last night, when your main object was to keep us out of bed for as long as possible. The Deputy Leader threatened us. It was a threat and we on this side were quaking in our shoes. It upset me, and I could not sleep all night. The Deputy Leader failed to say that there was a number of toasts that evening. There was a toast to the Army and the Navy, and Captains from both were present. One name was recognised by me immediately when the Deputy Leader mentioned it early this morning.

Mr. Millhouse: Was there any toast to the Air Force?

Mr. MATHWIN: No. I think at that stage they were experimenting about whether man could fly.

Mr. Millhouse: That was about the time Alan Rodda was in the Air Force, was it?

Mr. MATHWIN: In 1837? No, I think you are doing him an injustice. I think you mean 1937. The Army and Navy were toasted, and after the toasts, according to the history I read, they were given "three times three", whatever that is. The shipping and commercial interests were also toasted and, again, that was toasted "three times three", according to the history book. Colonel Torrens was given a toast and that also was followed by "three times three". We have a good explanation of what happened at that anniversary meeting. It was recognised as a happy and good meeting. Coupled with the Deputy Leader's explanation of the toast to the Queen, the other toasts were recognised by all people in attendance.

Let me deal again with some remarks by the Deputy Leader last evening. He started with a threat to the House, the Premier, and the public of South Australia of unrest in some unions. Obviously, the threat was that, if we did not pull our socks up and do what we were told, the possibility of strike action would hang over our heads. Although the Deputy Leader stated the number of unions affected by this Bill, some of them contain few people, so I wonder how many people really will be affected. If anyone in this place should know that, the Deputy Leader should know that this is the annual holiday period of the State anyway, and most people will be on annual holidays. There will be skeleton staffs but most others will be on annual holidays. Glenelg, the Bay, will be flooded with holiday makers from all over the country. We have an annual influx of

people from Broken Hill then. As usual, a number of holiday makers will stay in Glenelg, the greatest tourist area of South Australia, with the most tourist beds available.

All of industry will have its annual holidays. All the building trade will be on annual holidays in that period. We ask who will not be on holidays, apart from the skeleton staffs that we must have at any time. If we are to have transport, we must have people working, but the main bulk of workers will be on holidays. Those working will be the shop assistants and the administration in retail industry, the people working in banks, and many others.

Would it be expected that members of these unions and powerful organisations would strike in sympathy with the other unions, in accordance with the threat made this morning? How about the list that the Deputy Leader read in fine detail? Would it be the foreign affairs area, where 19 people are affected; the industrial relations area, where 14 are affected; or industry and commerce, where there is one? How far does the Deputy Leader expect us to take that?

Mr. Hamilton: That was very selective.

Mr. MATHWIN: Well, having regard to the people referred to, I would say that a majority of them will be on leave anyway. I wonder seriously why the Labor Party is ditching the shop assistants union, the retail trade unions, and the bank unions. I wonder, may be suspiciously, whether it is because those unions are not affiliated to the Labor Party. Is that why they are getting no support from the Labor Party in this place? The shop assistants have refused on a number of occasions to be affiliated to the A.L.P., so that Party does not drag out affiliation fees from the membership, whether its members vote Liberal or Labor.

It may be that that is what is upsetting the Labor Party and why it wants to kick them in the teeth if it can and give them no support. There is no doubt that, in the time I have been interested in this field of industry and unions, an approach has been made on a number of occasions by the A.L.P. to have these unions, particularly the shop assistants union, placed under the Party's wing, for no other reason than financial backing. It is obvious why the Labor Party is supporting those members in those areas that the Deputy Leader read out so dramatically in the early hours of today.

The Hon. D. J. HOPGOOD: Mr. Speaker, I draw your attention to the State of the House.

A quorum having been formed:

Mr. MATHWIN: I can understand the member for Baudin being upset and calling for a quorum, as the only members present on his side of the House are the members for Albert Park and Mitchell. The rest of the benches are quite empty.

Mr. Bannon: I'm here.

Mr. MATHWIN: The Leader is here, out of breath as usual and puffing and panting, although he is a professional runner. He has been watching Benny Hill. The member for Napier said that the members of the Labor Party do attend the ceremony at the Old Gum Tree. Particularly during the last two years that the Labor Party was in office, it was used for political gain. It was a forum for their speeches. A few years ago, a past member—now retired although not voluntarily—the then member for Brighton, Mr. Hudson, made a great political speech. The Leader also tried to make great political gain from a speech he made at the black stump on another occasion.

The Hon. D. J. Hopgood: Are you sure of your facts?

Mr. MATHWIN: I am sure of the facts because I always attend.

The Hon. D. J. Hopgood: You were wrong about the affiliation of the shop assistants, because I've just checked. They are affiliated with the Party.

Mr. MATHWIN: You have put the strong arm on them, then. You will lose it.

The Hon. D. J. Hopgood: That has fixed your argument.

Mr. MATHWIN: I do not think that that is correct. The member for Napier said that he always attends the ceremony but, with all due respect, I venture to say that, although I have attended that ceremony, with the exception of one year, for the past 15 years, I have never seen the member for Napier there yet. I would doubt whether the member for Napier even knows where it is.

The Hon. D. J. Hopgood: John, we see you coming, and duck around the back.

Mr. MATHWIN: I doubt whether the member for Napier knows the street in which it is situated.

Mr. Becker: What's its name?

Members interjecting:

The SPEAKER: Order! The House will come to order.

Mr. MATHWIN: In an interjection while the Deputy Leader was speaking early this morning I said that, when the ceremony is performed again, I will be there to support the council and the people of the State who go there to see and recognise the importance of the ceremony. The Glenelg council is well aware of the problem in relation to State and Federal awards that is mixed up in the whole situation. It has had, over a period of time, quite long deliberations within the council. I have been in close contact with council, as has the member for Morphett; we share that council. It has agreed to the change.

I have an amendment on file that I hope members will support. I believe, as do the council and residents of Glenelg, that 28 December must always remain Proclamation Day. The ceremony will always be held and the mayor, town clerk and his council members, along with other dignitaries of the State, will attend the Old Gum Tree. It has been done over the years according to tradition. After the ceremony at the Old Gum Tree site, we have in the past proceeded to the Glenelg Town Hall to partake of a festive board provided by the ladies of Glenelg, the mayoress and other people, such as the Glenelg Women's Service, who volunteer this service for the people who attend the ceremony. It has now been moved from that location and in future that part of the ceremony will occur at Partridge House, now owned and taken over by the Glenelg council and used for such occasions by taxpayers of the State and ratepayers of Glenelg.

Until recent years, the people who went to the area where the food was prepared were all males. I remember well the late Sir Edric Bastyan saying, on his first invitation to the ceremony, that he wished to take his wife. Permission was refused by the council, and unfortunately for the late Governor he was not able to take his wife with him. Later that ruling was amended, and at following ceremonies the wife of the Governor was allowed to attend. Since then some lady dignitaries of the State, such as judges, are invited to celebration.

Mr. Millhouse: I think Nancy Buttfield was one of the first to go.

Mr. Hemmings: I never saw her there.

Mr. MATHWIN: She might well have been. As I said earlier, I doubt whether the honourable member for Napier knows where it is.

Mr. Hemmings: That's an untruth.

The SPEAKER: Order!

Mr. MATHWIN: The 26 December holiday should never, for obvious reasons, be known as Proclamation Day; that should continue to be 28 December.

Mr. Millhouse: Will you tell us before you finish whether you are in favour of the Bill, or against it.

Mr. MATHWIN: Had the honourable member been listening intently he would realise what is happening. Being the knowledgable gentleman that he is, the honourable member would also know that I have on file an amendment that I will expect him to support. I again stress, for the benefit of those members who have only just entered the Chamber, particularly the member for Napier, that I have found it most difficult to work out why no support was being given by the Labor Party for the union, the name of which I have forgotten.

The Hon. D. J. Hopgood interjecting:

Mr. MATHWIN: I still have my doubts.

An honourable member: The Shop Assistants Union.

Mr. MATHWIN: That is so. For those reasons, I support the Bill.

Mr. MILLHOUSE (Mitcham): I had some faint hope when the member for Glenelg first spoke that perhaps on this occasion his loyalty to his own district and council might be greater than his loyalty to his Party, but apparently that is not to be. I presume that the same goes for the members for Morphett and Hanson. I hope that, at the very least, they kicked up in their Party room about this. However, that is something about which, in the nature of things, we will probably never know.

I express the greatest regret that, on a matter such as this, when we have heard over the years (the member for Napier mentioned this) the member for Glenelg trumpeting about his area, with some good reason, when it comes to the crunch, he does not carry it through, and loyalty to the Party prevails, as it almost always does in this place; that is a great pity.

I should like to say one other thing before I get on to the meat of the debate. I refer to the timing of this debate. When I got my blue sheet yesterday showing the legislative programme for this week, I saw that the Holidays Act Amendment Bill was second on the list of six Bills to be discussed. I noted, too, that the South Australian Ethnic Affairs Commission Bill was the last matter to be discussed. Knowing that I wanted to speak on that Bill, I thought that I would have a long day, as indeed I did. However, things were changed a bit.

The SPEAKER: Order! I ask the honourable member to speak to the clauses.

Mr. MILLHOUSE: I will certainly do so.

The SPEAKER: With haste.

Mr. MILLHOUSE: However, I want to finish on this point. It has become such a conventional debating ploy in this place to point to my absences, particularly at night, that members on both sides are apparently beginning to believe that I do not turn up when something of importance and significance to me is to be debated. I assure members that the little ploy used yesterday of dropping this Bill from second on the Notice Paper to the last position thereon was not effective and would not in any circumstances have been effective. Perhaps Ministers will note that for the future.

I was present in the Chamber and heard the Deputy Leader of the Opposition lead for the Labor Party on this Bill last evening. If I may say so, the Deputy Leader made a very good speech. I feel that the *News* has treated him rather badly in the press today. Certainly, it was a filibuster; there is no doubt about that, and the honourable member made no secret of the fact. However, the points that the Deputy Leader made were good and he made them in an interesting way. I was perfectly prepared, and expecting to go on after he finished, to debate the Bill until breakfast time, if necessary. That was not to be, despite my being told that it was vital for the Government to get the matter decided by both Houses before the end of next week.

Having made those preliminary remarks, I must say that I am completely opposed to abandoning Proclamation Day, Commemoration Day, or whatever one calls it, as a public holiday in this State. This is for the two reasons that the Deputy Leader gave last night, although I give rather more emphasis to the second reason to which he referred but which he did not particularly emphasise. I am completely opposed to abandoning Proclamation Day as a holiday because it is a peculiarly South Australian day. I do not think that any member needs to be reminded of this. Proclamation Day is far better observed and understood than Australia Day, which follows on 26 January. Proclamation Day has far more meaning for South Australians than has Australia Day for the general population of this country.

It would be a great shame if we were to do anything to weaken that recognition of the day and what it stands for. If we do abandon it as a holiday, that is precisely what will happen: we will break yet another link with the history of this State. I would have been less surprised if this move had come from the Labor Party than from a conservative Party like the present Liberal Government, because the Australian Labor Party, in my experience, has in the past been quite willing to break links like this. Indeed, because of its republican ethos, it is anxious to do it.

One little matter that I mention for the edification of the member for Ascot Part is the dropping a few years ago quietly (although I protested about it) of "O.H.M.S." from Government envelopes. I put to the present crowd when they came to office that that should be restored on Government envelopes, but they have not done it. I know that you, Sir, are getting a little testy; I can see that. I mention that as an example, because, if the Labor crowd was doing this, I would be less surprised than I am that it has come from a conservative Government such as we have now.

Mr. Trainer: Isn't it supposed to be "Her Majesty's Stationery Office"?

The SPEAKER: Order! The member for Mitcham has the call.

Mr. MILLHOUSE: Whatever the origin may be, to most people it means "On Her Majesty's Service". There is not doubt about that. Whether it is a mistake, that is its significance. However, I will not go into that anymore or into the fact that, if the Labor Party had won the last Federal election, no doubt Gough Whitlam would have been the last Governor-General and the first President of the Republic of Australia.

The SPEAKER: Order! I ask the honourable member to return to the clauses.

Mr. MILLHOUSE: Let me now return to the Bill. I have made the point that Proclamation Day is a peculiarly South Australian day. It is strange (the member for Napier mentioned this) that this Bill has been introduced at the very time when the Premier particularly is pontificating about South Australia, about being proud to be South Australian, and so on; the Premier said it in the House yesterday. Last Saturday, I was at a show with him at the Greek Macedonian Society, when the Premier got up before, I think, 900 people (it was a big crowd) in a hall and said, "I am proud to be South Australian." Of course, he said it better than that, but that is what he said. Yet, the Premier comes along the next week and has introduced a Bill to abandon this peculiarly South Australian day. Well, I am not prepared to accept that, and I do not believe that it is a popular move in the community.

I know that it is extremely difficult to juggle all the

holidays in the week between Christmas and New Year. It always has been. The Deputy Leader in the debate last evening mentioned the action that was taken in, I think, 1969 (it seems to happen every 11 years) to overcome the problem that we will have this year in relation to holidays. I can remember the Cabinet debates about it. We decided that this was the best thing to do and, as the Deputy Leader said last night, the then Chief Secretary issued the proclamation. That is precisely what should happen again.

I am happy, therefore, to contemplate that being the final outcome of the debate we are having now. I know it is difficult for some people, because Boxing Day in South Australia is not a holiday, but we have been able to put up with that quite well for a long time, and certainly I am not one who believes that we have to try for uniformity with other States: simply because every other State has Boxing Day as a holiday does not mean to say that we have to have Boxing Day as a holiday. It is far more important in my view to have 28 December as a holiday than to abandon it and to have Boxing Day as a holiday merely for the convenience of some people.

In my view, the way out of this is to have both days as a holiday. I do not propose to canvass the amendments that I have on file, but I would like to point to a few facts. There are already amongst our 10 statutory holidays a number which have very little real significance: 28 December is not one of those, but I can point to a couple which are. I am not having a tilt at the Labor Party here, but Labor Day, which we celebrate in October, really now has very little significance for the general populace. It used to be called "Eight Hours Day" when I was a kid, and I suppose it still is in some ways, but so little significance does it have that I understand that the Labor Day procession is held on the Saturday morning preceeding the holiday, because so few people turned out on the Monday itself. It is convenient to have a long weekend in October, and I do not begrudge that holiday. The one which I do begrudge and which was a real confidence trick is the so-called Adelaide Cup holiday in May. It is well known to members of the House, but let me briefly recall what happened. I think that the present Chief Secretary had probably just come into Cabinet.

The Hon. W. A. Rodda: I was Whip.

Mr. MILLHOUSE: He was Whip at the time, was he? I knew he had 12 weeks in Cabinet in which we tried to tutor him a bit. That means that I am the only member of that Cabinet surviving in Parliament. What happened was this: we were facing a difficult election in 1970. The S.A.J.C. came to us and put the hard word on us and said, "It is the Centenary Adelaide Cup this year; what about making it a special holiday just to mark the occasion?" We were weak enough or foolish enough, or maybe wise enough—it does not really matter now—to agree to that happending for 1970.

Members interjecting:

Mr. MILLHOUSE: We agreed to it and then, as soon as we had gone out of office, the new Labor Government said that South Australia had always been one statutory holiday light and, "We will have it as a permanent holiday". The result is that for the past 10 years Adelaide Cup Day—

The SPEAKER: Order! I ask the honourable member to link up his remarks to the Bill.

Mr. MILLHOUSE: Sir, it is not very difficult to do that. If you look at clause 4 you will see that the third Monday in May, which is the Adelaide Cup holiday, is set out. I cannot link it any more directly to the Bill, and I hope that you are satisfied that that is a sufficiently direct link. Ever since, we have had this footling day as a public holiday, and it is not really required at that time of the year, for this reason. I have a list here of the holidays for 1981. We have a plethora of long weekends and holidays in those few months of April, May and June, and then a drought, because these are the holidays, under the present Act, for 1981: 1 January, New Years Day, is a Thursday; 26 January, Australia Day, is the Monday itself, so at least it will fall on the right day this time; Good Friday is on 17 April; Easter Monday is on 20 April; Anzac Day is on 25 April; Adelaide Cup Day is on 18 May; the Queen's Birthday is on either 8 June or 15 June, depending on the fate of this Bill; and then we go right through to 12 October. We have three public holidays in April, one in May and one in June, not having had one since 26 January or having another before 12 October. There are just too many holidays for it to be necessary to have one there. It is not as though everyone flocks to the jolly races. I have here the figures for the last couple of years: at Victoria Park this year there were 25 000 people, and 15 000 were at Football Park. One of the ironies was that we gave the Centenary Adelaide Cup as a special holiday, but very quickly the Football League trumped its ace by scheduling football matches on that very day, and last year 27 000 people attended Morphettville for the races and 32 000 attended Football Park for the football on that day. It is not as though this holiday has any real significance for many people.

My view is that, if we do want to have an extra holiday, the best thing is to abandon one of the holidays (and I suggest Adelaide Cup Day) and have both Boxing Day and Commemoration Day as public holidays, but we will get to that later. What I am saying now is that I am absolutely opposed to abandoning 28 December as a holiday, and I venture to say that, whatever happens to this Bill, it will certainly not go through in the form in which it is now being debated. I say that with some confidence on this occasion. There is (and I will not go into this) another very good reason for not abandoning it, and that was the reason canvassed at some length and made as his principal reason by the Deputy Leader of the Opposition yesterday.

One wonders why the Government has introduced this measure. Theories have been put up. My own belief, and it is subject to correction, of course (no doubt it will be corrected, accurately or not), is that this is a Bill to help the Retail Traders Association. The Government is not able to do much about normal shopping hours but, as a sort of a sop to the convenience of the retail traders, it is prepared to try to make Boxing Day a holiday in this State. It is ironic that it should be so. I do not know whether honourable members ever go into town on Boxing Day, but it is one of the busiest trading days of the whole year, in my experience, because the post-Christmas sales start on that day and the shops are absolutely thronged.

No doubt it is wanted by lots of people as certainly a shopping day, and I defy any honourable member to gainsay that. The other day, when this matter was being discussed by a chap called Philip Satchell on the A.B.C., I was out in the studio and the A.B.C. had done its best to get hold of some of the shopping people, the people who run the shops, to see what they thought about this, but no-one seemed to want to know about it. Only one man, I think Mr. Clifford, who runs Woolworths, said it was a good idea, but everyone else was out of town, and my suspicion is that they were leaving it to the Government to carry the can for them to try to get this measure through without their having to commit themselves.

The other provision in the Bill does not really matter too much, and I am prepared to accept the explanation given in the second reading speech that there has been a bit of a

mix-up over the date of the Queen's Birthday next year, and it is impossible to unscramble a proclamation once it has been made. That does apparently require legislation, and I am quite happy that we should do that.

I am quite opposed to the main purpose of the Bill and, therefore, I shall vote against clause 2 and clause 4. While obviously, from the attitude of the member for Glenelg, there is no hope of those on this side of the House succeeding in this Chamber, I think that the prospects of the Bill in another place are rather bleaker.

Mr. OSWALD (Morphett): In joining this debate, I would like to place on public record the reason why I and the city of Glenelg, and the council in particular, are reluctant to support the legislation. I am reluctant to support the legislation because many of us in the Glenelg area look upon the Proclamation Day ceremony as something which traditionally has been a great day in South Australia, a day which should not pass from our Statute Book and which should not pass into history and be forgotten about. I am a traditionalist from way back. I hate to see days and ceremonies such as this pass by, but I think we should put this debate into perspective and look this evening at why the council has reluctantly agreed with the Government's decision and why the member for Glenelg, who put it so very ably in his remarks, and I, are supporting this legislation.

In the early hours of this morning the member for Adelaide talked with some emotion about the 50 000 employees who would be involved. I believe that, later in the debate, the Minister of Industrial Affairs will analyse that figure. I will not dwell on that except to say that those employees will not be losing their holiday. No-one has referred yet to the 400 000 other workers who are being affected. No-one from the Opposition benches has mentioned in great depth the shop assistants, other employees, other unionists, who have to work at the moment, and I would like to take the point of the member for Adelaide regarding the sop, as he called it, to the employers as being part of the thrust of this legislation.

That statement was utterly ridiculous. If any of the Opposition members had ever been in business, they would appreciate the cost to an employer of every public holiday. To make a ridiculous statement to the effect that, if the employers are given the holiday, it is a sop in payment for campaign funds 12 months ago, shows very scant knowledge of the costs incurred in keeping the doors open and running a business. That is not the case. The holiday being given on 26 December is for the benefit of the vast majority of South Australians and, in that light, the Government went to the Glenelg council and explained the situation from the point of view of the numbers of people in South Australia who would be affected. Anyone who is objective about the matter will see that the vast majority of South Australians will benefit by the holiday's being on 26 December.

This is a popular measure amongst the public and one, therefore, that I am forced reluctantly to support. I do not want to see the ceremony on 28 December passing into history. It must be supported, and for the future we have some tremendous plans in Glenelg for coming ceremonies. Honourable members on both sides would be aware no doubt that the *Buffalo* is now in the course of construction. We have laid the keel, it is now afloat, and it will be floated into position shortly beside the weir. We will have a replica of the *Buffalo,* even to the cannons firing. It will not be ready for this year's ceremony, but it will be ready for the ceremony in 1981.

We have plans afoot for the re-enactment of the landing, and these significant aspects highlight the history of South Australia. It is our only traditional day. There is no argument about that from anywhere in this House, and it will be a sorry day for South Australia when it passes. However, across the country we have the Boxing Day holiday on 26 December, and the Government, in its wisdom, has chosen to take Boxing Day as a holiday in South Australia. As I have said, it is a popular measure and we support it. The council considered all aspects of the matter, and for the benefit of honourable members I should like to quote briefly from a note signed by the Town Clerk, which states:

> Having discussed the matter at length, the members of council expressed the view that in their opinion the Proclamation Day holiday should continue to be celebrated on 28 December, or on the following Monday should the 28th fall on a Saturday or Sunday, as has been the custom in the past, and that it should be noted that this is South Australia's only traditional day.

That is a clear statement of the council's concern that the ceremony should stay on that day. It is going to continue on that day, and it will plan accordingly. The council consists of responsible men who understand the situation, understand the problems with Federal and State awards, and they have taken a considered decision. The letter continues:

> However, the council recognises the problem which you have raised in relation to Federal and State awards whereby certain categories of employer groups are being disadvantaged in having to recognise two public holidays, and consequently council would raise no further objection to the proposal of observing the Proclamation Day holiday on 26 December or a subsequent day when necessary.

There is no doubt that the council approached the member for Hanson, the member for Glenelg and myself along the lines that, if the legislation goes through, we will continue to support any move to ensure that the celebration will carry on on 28 December. I do not believe that the member for Glenelg, the member for Hanson or I, being the three members concerned with the council, have shirked this responsibility. We will continue to support the ceremony on 28 December, Proclamation Day, and the council at Glenelg need have no fear that we will not support it to the hilt.

I do not intend to elaborate further. I have made my position clear. In summary, I am supporting the Bill because it is a popular measure which will receive the support of the majority of the public. We must not forget that. With this in mind, the council has made a responsible decision based on the facts before it, and it is quite happy with the holiday's being transfered to 26 December, because it knows that the ceremony on 28 December will be preserved and that that day will still go down as an important day in the history of South Australia, and will be remembered for many years to come.

Mr. HAMILTON (Albert Park): I had not intended to speak in this debate but, having listened to the member for Glenelg and some of his rantings and ravings tonight, I felt that, among other things, I would have to put my point of view. In speaking to my Leader and my Deputy Leader, I was informed by them both that, in discussions with the Glenelg council, they were both assured that it had not agreed to the proposed change, so it is interesting to hear the comments of the member for Morphett. Obviously, there is some conflict and it should be cleared up.

We heard from the member for Morphett of his reluctance to support the change. One would have imagined that he would have the courage of his convictions, that if he believed in something he would act in accordance with his conscience. As I understand Liberal Party policy, its members can vote in accordance with their

conscience at any time, and they do not need a conscience vote to do that, but that does not seem to be the case in this instance.

Further to the comment of the member for Glenelg about the shop assistants' affilitation with the Labor Party, as is often said in this House, the member for Glenelg is not very often right and on this occasion he was wrong again. Quite clearly the member for Glenelg should check his statements before he makes such contributions in this House.

Mr. Mathwin: When did they affiliate, was it last year?

Mr. HAMILTON: I can assure the member for Glenelg that they have been affiliated for many years.

Mr. Mathwin: Rubbish!

Mr. HAMILTON: If the honourable member would like to check it out he would find that what I have said is the case. Clearly the member for Glenelg, as we have heard so many times in this House, is paranoid about the trade union movement and he never ceases to take the opportunity to denigrate the trade union movement and in particular the conditions that they have fought for over so many years. In my opinion it is quite clear (and this has been said many times before not only by my Deputy but also by the member for Mitcham) that this is a sop for the Retail Traders Association. It was not surprising to hear the comments from members on this side of the House concerning this Bill being a pay-off for the campaign during the last election.

THE DEPUTY SPEAKER: Order! I remind the honourable member that the Speaker has already ruled that those comments do not relate to the Bill. I ask the honourable member to relate his remarks to the Bill, or I will withdraw leave.

Mr. HAMILTON: With regard to the siting of the ceremony at Glenelg, the ceremony is held at the corner of MacFarlane Street and Bagshaw Street, Glenelg. It would seem somewhat strange that the member for Glenelg did not know that. The member for Mitcham made the point that we should have uniformity but that only applies when it suits the Government, and quite clearly this is just an excuse to deny many people in South Australia their rightful entitlement. With regard to the point made by the member for Morphett about being a traditionalist, as far as he is concerned tradition applies only when it suits him, and it certainly does not do him any credit to speak in terms of tradition on the one hand and then talk of uniformity on the other. The deputy Leader has informed me about the 70-year calendar; the need to change the day occurs on only nine occasions in 70 years. This belies the Ministers statements. I would hope this Bill does not get through the other place because quite clearly this is another attack on the workers of this State.

Mr. TRAINER (Ascot Park): Like the member for Albert Park it was not my intention to speak in this debate until I was provoked by some of the comments of members opposite. Members on this side support the maintenance of Proclamation Day, the day that is the anniversary of the occasion on 28 December 1836 when Governor Hindmarsh caused his first official proclamation in the territory, upon which he had just effected a landing, to be promulaged. Proclamation Day, as a ceremony and a holiday, was established. This Government now seeks to disestablish that holiday and, since members on this side of the House oppose it, we would therefore have to be supporting antidisestablishmentarianism.

An honourable member: Spell it.

Mr. TRAINER: I used to be able to spell it when I was at school; I think I still can. On this occasion we hope to be joined by the member for Glenelg, in view of the comments he has made in the past on this issue. He spoke quite sensibly regarding this matter of the possible removal of the Proclamation Day holiday in a debate on 16 October last year, when he expressed a great deal of enthusiasm for the concept of Proclamation Day, for the ceremonies associated with that day and with the holiday.

Mr. Slater: He didn't know where it was being held.

Mr. TRAINER: No. We will have to forgive him for that lapse of memory. As everyone now knows and as had been pointed out by the member for Albert Park, the Old Gum Tree is on the corner of MacFarlane Street and Bagshaw Street. McFarlane Street runs off Tapleys Hill Road through to Alison Street, and I just insert that information in *Hansard* in case anybody is ever lost and they are looking for the Old Gum Tree. I point out that MacFarlane Street was once known as Old Gum Tree Street, such was the significance of that particular avenue.

When the member for Glenelg spoke on this issue on 16 October last year I think he put forward a lot of common sense; he was very reasonable, and the reason why the Opposition has taken him up on this particular matter is that it is such a rare occasion for him to display those qualities; indeed, I think that page 85 of *Hansard* of 16 October last year should be preserved in an inert gas in a glass case, like the Magna Carta, so that future generations can see the common sense that was displayed on that occasion by the member for Glenelg. The Old Gum Tree, as has been pointed out earlier this evening is actually located in the electorate of the member for Morphett. Prior to the 1977 redistribution, I think it would have been located in the electorate of the member for Hanson. Because the member for Morphett and the member for Hanson, as well as the member for Glenelg, have links with that location, with that ceremony and with that holiday, we on this side of the House hope that those members will oppose this Bill.

We noticed the reluctance expressed by the member for Morphett a short while ago, when he indicated that he was reluctant to support this Bill, and his support was indeed rather grudging. I hope that he has another think about the matter and takes stock of the situation and perhaps decides that he will do the right thing and not support the Bill. We fervently hope that we will be able to get together the necessary numbers to defeat this motion.

The member for Glenelg gave a very strong assurance in 1979 that he would be supporting the maintenance of the Proclamation Day holiday. He stressed its significance and he spoke about the significance of Proclamation Day and its importance to his electorate, and the electorates of his colleagues, the member for Hanson and the member for Morphett, which abut his district: he opposed the proposal on that occasion. The member for Glenelg said,

> I wish to raise the hardy annual that comes about at this time of the year regarding the replacing of the Proclamation Day holiday with a Boxing Day holiday in this State.

On that occasion the member for Glenelg was aghast at the suggestion to change the day of the holiday. He felt that it was absolutely disgraceful that anyone should suggest such a move, although he was the one that suggested it on that occasion, presumably knowing that the feeling in his district was such that he would benefit from erecting a straw man and then knocking it down. That is what he did on that particular occasion, although it is possible that I may be giving an unjust interpretation to the actions of the member for Glenelg.

It may well be the case that, even in October 1979, the member for Glenelg was aware of the pressure from the Retail Traders Association regarding the removal of the Proclamation Day holiday and its replacement with a holiday on Boxing Day. The honourable member may still

be aware of that, but he has not commented on that aspect on this occasion.

Mr. Slater: Perhaps he would agree to renaming it Retail Traders Day.

Mr. TRAINER: That sounds quite reasonable. Why not? After all, does not Boxing Day refer to Christmas presents in some way? It has some reference to the unwrapping of presents.

Mr. Millhouse: Wrapping them up and putting them away in boxes.

Mr. TRAINER: It would therefore be most appropriate if that holiday was referred to as Retail Traders Day. Why not indeed?

The DEPUTY SPEAKER: I do not believe that that provision is included in the Bill .

Mr. TRAINER: I abide by your ruling , Sir, and I will not make further reference to the Retail Traders Association in that context. Last year, the member for Glenelg stated:

> Why people should want holidays on days of convenience rather than on days on which something important is signified within the State beats me. As I have said, the question about the Proclamation Day holiday is raised every year. I am sure the member for Hanson and my other colleagues along the western coast will support me and the council in opposing any move to do away with Proclamation Day in this State.

The time has come for the member for Glenelg, together with his colleague, to prove that he was sincere in his statements on that occasion.

Mr. Bannon: The member for Hanson is the first.

Mr. TRAINER: The member for Hanson is now in the Chamber, but he is not paying much attention.

Mr. Bannon: Now is his chance to show us his support.

Mr. TRAINER: The member for Hanson can vindicate the comments made by the member for Glenelg last year.

It is necessary to preserve the sacred nature of Proclamation Day, and it is extremely important when we bear in mind that only recently have events been set in train to celebrate our sesquicentenary in 1986. That will be a nice situation: 1986 will arrive, and a holiday that was established to celebrate the foundation of this State, Proclamation Day, will have vanished. That would be absolutely disgraceful.

Mr. Millhouse: Abandoned by a conservative Government.

Mr. TRAINER: Yes, a disestablishmentarianistic Government, which has no sense of tradition and which turns its back on its own values. It would be a sad and sorry day for this State if that was done by a Government of the nature of that opposite us. It is necessary to preserve this holiday in the same way in which we have gone to great lengths to preserve the Old Gum Tree. There are only fragments left of the Old Gum Tree; most of it is held together with cement, but great efforts have been made to preserve it, even though we are not sure that it was the tree under which the State was proclaimed. I quote from a text called *Glenelg, Birthplace of South Australia, 100 Years of Civic Administration Development, 1855 to 1955,* which I obtained from the Parliamentary Library, as follows:

> Whatever may have been the exact location of the time-honoured ceremony, it is incontestable that the old tree was a focal point which impressed itself indelibly on the memory of those who were present at the ceremony. Were this not so, it is inconceivable that, when the majority of the Province was celebrated on the 28th December, 1857, the pioneers and early colonists, many of them doubtless having been present at the initial ceremony, should have affixed a tablet to the tree averring that "on this spot" the memorable inauguration ceremony had taken place.

What would those pioneers think of the actions of this Government in contemplating abolishing the holiday that celebrates the proclamation of this State? Those actions being contemplated are absolutely disgraceful. I strongly oppose this Bill, and I hope that the members for Glenelg, Hanson, and Morphett will do likewise.

Mr. BECKER (Hanson): I may as well put members of the Opposition out of their misery, because I will support the Bill, but I do so reluctantly, and I will qualify that statement. I have the right and the privilege to register my protest, which I did. I blame the members of the Glenelg council in this matter, because I believe that the council took the ground from under my feet in the early stages of discussion. I wrote to the Glenelg council, and I make no apology for that or for the language that I used. My letter, dated 25 September, regarding the Proclamation Day holiday, stated:

> As a resident and ratepayer of your city, I wish to bring before the council my utter disgust that our so called "city fathers" have given away the Proclamation Day public holiday. Some years before I was elected to Parliament, I was President of the Australian Bank Officials Association. We made a call for a change of holidays at Christmas. I was castigated for thinking let alone promoting such a suggestion. In all my years as one of the local M.P.'s, I was urged to support the retention of the Proclamation Day holiday. In fact I did all I could to preserve such a day.
>
> Now I am informed . . . that council has changed its mind. Council has erred. It has lost for all time the fine traditions, the significance of celebrating the birth of our State. A pride and heritage the people of South Australia and in particular the people of Glenelg rightly have felt proud of for so many generations. Now it is just another day on the calendar. Gone is any shred of the true significance Proclamation Day could mean for future generations.
>
> I am b..... disappointed.

I received a reply from the council, as follows:

> I acknowledge receipt of your letter dated 25 September 1980 and advise the following council decision as recorded as a result of the Council meeting held on 27 May 1980:
>
> That the Chief Secretary be advised that council is firmly of the opinion that the Proclamation Day holiday held should continue to be celebrated on 28 December or on the following Monday should the 28 fall on a Saturday or Sunday. However, should it become necessary to alter the date of the public holiday to 26 December then the council would continue to conduct the Commemoration Day Old Gum Tree service and supporting activities on 28 December fall on a Saturday or Sunday as has been the custom in previous years. It should be noted that this is South Australia's only traditional holiday.
>
> I understand that the Proclamation Day holiday has not been changed as at this date, although a Bill is presently before Parliament. Your correspondence will be placed before council at its next meeting on 7 October 1980.
>
> Yours faithfully,
> (Signed) R. K. Baker,
> Acting Town Clerk.

I then received further correspondence stating that the council had advised the Chief Secretary, as the member for Morphett said, The letter states:

> However, the council recognizes the problem which you have raised in relation to Federal and State awards whereby certain categories of employer groups are being disadvantaged in having to recognise two public holidays and consequently council would raise no further objection to the proposal of observing the Proclamation Day holidy on 26 December or a subsequent day when necessary as described in your correspondence.

We have said many times that we are proud of the three tiers of government within our community and that local government is the closest to the people, although I do not always necessarily believe that: I believe that State politics is closest to the people.

Mr. Millhouse: I ask you just one question: is the Glenelg council full of Liberals now?

Mr. BECKER: I do not think so.

Mr. Millhouse: It sounds like it to me. Their Party has leant on them as it is leaning on you.

Mr. BECKER: The Glenelg council no longer comes within my district, but it did so for seven years and I thought I could read the council pretty well.

Mr. Trainer: You're lucky to get replies from it; it doesn't even answer my letters.

Mr. BECKER: I followed up my letter with some phone calls, and I make no bones about that, because I was pretty furious. The form of government that is supposed to be closest to the people, in this case the Glenelg council, clearly gave away, on 30 May, the Proclamation Day holiday. I was annoyed about that, because I have always allowed myself to be guided by the local council, and that is how I became involved in this issue when I was elected to Parliament.

As the member for Mitcham and the Deputy Leader would know, in 1966, the Bank Officials Association and the Shop Assistants Union, with the general support of the Trades and Labor Council, approached the Government of the day to obtain an extra holiday at Christmas. As I said in November 1970, when the Holidays Act Amendment Bill was last debated in the House, I was always grateful to Frank Walsh, who was the last State Premier who ever granted us a bank holiday; that was on Tuesday 27 December 1966, and I believe that it was a public and bank holiday.

I believe that, when the late Mr. Walsh made that announcement, he was severely criticised within his own Party and within the business community. Regrettably, it was only a few months later that he was replaced as Premier, and the Hon. Don Dunstan took over. We made representations to Mr. Dunstan in 1967, but we were unsuccessful. Looking back through my old records, I find that extraordinary public and/or bank holidays were granted on occasions. In 1960, Saturday morning 24 December was declared a bank holiday. In 1961, Friday 29 December was a bank holiday, as also was Saturday morning 30 December; I think Wednesday 26 December 1962; and Saturday 28 December 1963; and it was some time until we were given the holiday on Tuesday 27 December. That is why I appreciate the efforts being made now to have an extra day this Christmas to cater for all those who are involved in Federal awards, and I fully understand and appreciate the situation.

However, I was informed in 1968 that, if an extra public holiday was created in South Australia, particularly at Christmas, that holiday would cost the Rundle Street traders (now, of course, the Rundle Mall traders) $300 000. So, an extra holiday at Christmas would perhaps now cost the Rundle Mall traders about $1 000 000. It would cost the State Transport Authority and the Electricity Trust about $200 000 each in 1970, and today, that would be about $600 000 each. Government employees would have lost about $125 000 in penalty rates in 1970, and that could probably be trebled to about $425 000 today. So, granting an extra public holiday could well cost the community, business and statutory authorities over $2 000 000. The problem we face is in deciding whether the community and the economy of the State can afford this extra day.

I understand that a suggestion has been made (and I read this in the media) that perhaps we ought to move a public holiday celebrated earlier in the year to the Christmas period, but I doubt the merits of that suggestion. I know that in 1969 a special public holiday was created to celebrate the centenary of the Adelaide Cup. That day was made a permanent holiday in 1970, and the member for Mitcham did not oppose that proposal. He did not speak for or against the Bill, nor did he vote for or against it. I take it that in 1970 the member for Mitcham, like the rest of us in Opposition in those days, supported the Adelaide Cup holiday.

Mr. Millhouse: You're quite wrong. It was all done when we were in office, and it was done by proclamation. You weren't even in Parliament then so you can't be saddled with any responsiblity for it.

Mr. BECKER: I beg to differ, because in 1969 the Adelaide Cup holiday was granted.

Mr. Millhouse: It was before 1970.

Mr. BECKER: In 1970, legislation was introduced in the House to make it a permanent holiday. It was in November 1970, so that was well after the 1970 Adelaide Cup. The member for Mitcham had the opportunity then to oppose the principle of making the Adelaide Cup a permanent holiday. On this matter, I am reminded by prominent breeders of thoroughbred horses that it would be very difficult to estimate within $10 000 000 the value of the thoroughbred industry in South Australia.

Mr. Millhouse: Do you think it would be ruined if it weren't a public holiday for the Adelaide Cup?

Mr. Slater: And racing generally.

Mr. BECKER: I am coming to that. You must have a strong stable racing industry within your own State to justify a strong viable breeding industry. At present, the horse-racing industry in South Australia is not enjoying the true growth it should be enjoying. The industry must look at itself critically.

Mr. HEMMINGS: On a point of order, Mr. Speaker, there is nothing in the Bill that deals with the training of horses or the Adelaide Cup .

The SPEAKER: I acknowledge that there is nothing in the Bill about the Adelaide Cup or the training of horses, but I draw the honourable member's attention to the latitude that has been given to other honourable members in relation to the Adelaide Cup holiday. The honourable member himself was allowed such latitude.

Mr. BECKER: Thank you, Sir, for your direction, because I am referring to clause 4, which repeals the second schedule and substitutes a new schedule; it lists the various holidays, including the third Monday in May, which is commonly referred to as the Adelaide Cup holiday. I am justifying my reasons for supporting the Bill, and counter-arguing any suggestions made in the media for any change. Certainly, I will enlarge on the breeding industry and racing industry at the appropriate time in the future if the opportunity arises.

Mr. Millhouse: You might have discouraged me from moving the amendment after what you've said.

Mr. BECKER: What amazed me is that you cannot estimate the figure within $10 000 000. I did not realise that it was that valuable an industry in South Australia. It is an extremely labour-intensive industry and, for that reason, I would not want to do anything to jeopardise any future prospects, employment opportunities, or growth industries in this State. I believe that South Australian racing has enjoyed an excellent reputation.

I have registered my protest. I believe that the Glenelg council has cut the ground from under my feet and has made it awkward for me, indeed, because I am on public record, back in October 1967, as having led the bank officer movement to have Boxing Day made a public

holiday. We lobbied hard with the then Government, as we did with every Government whether the Playford, Walsh, Dunstan, or Hall Government, to have some sanity brought into the matter of public holidays at Christmas. I cannot speak with complete authority as regards certain business people in Glenelg. Whilst they are a little disappointed, they are determined that the Proclamation Day ceremonies will go ahead and that at least $15 000 will be provided for the Proclamation Day foot race.

It is still claimed that it will be the richest first prize for a foot race in Australia. I hope that the sailing regattas, the surf lifesaving carnival, and other events will continue. As the member for Morphett has said, there are plans to upgrade the Proclamation Day ceremony. Since it has been discovered that the Red Coats were at the first day ceremony, uniforms are being designed and made, and a total re-enactment of the ceremony and arrival at the Old Gum Tree by His Excellency is planned to take place eventually. It may take four or five years to put together, raise funds and upgrade this Proclamation Day ceremony.

I believe this is important, in view of the announcement made yesterday. I totally support the Premier. I told him some months ago that it was time we did something to engender pride in our State. After all, the State motto is "Faith and courage". It is important that we take it upon ourselves to support the Glenelg council and do all we can to create awareness and to educate the community about what Proclamation Day means to South Australia, even though it will no longer be a public holiday. I mourn that passing as well, but I believe that we must not just forget it and let it fade away. I hope that the Government will support the Glenelg council in ensuring the success of the Proclamation Day carnival. The challenge would be to the Minister of Recreation and Sport and the Minister of Tourism to ensure that that aid is justified.

Finally, I should like to express my appreciation, as I think the member for Glenelg expressed his appreciation, of the fact that over the 100 years the Glenelg Women's Service has catered for the luncheon on Proclamation Day in the Glenelg Town Hall. They have included the wives of the councillors and of members of Parliament and former members. Lady Pattinson was helping until recently. Pat Davidson, the wife of Senator Gordon Davidson, the wives of the staff and my wife have helped. I think one could say that the Glenelg Women's Service was a very small but very active band of women, and some of the well-known women of Glenelg, including Mrs. May Davies, who has been involved for 30 or 40 years, have supported very loyally and in a dedicated fashion this Proclamation Day luncheon.

It was an absolute delight a few years ago, when Sir Douglas Nicholls was Governor of South Australia, to have had the opportunity to look after him when he attended the Proclamation Day ceremony. We spoke at length. He wanted to know what he could do as Governor, particulary to support the foot race and that part of the carnival. I know what it means as a tradition in this State and to so many people. I support the Bill, but register a very strong protest at the action taken by the Glenelg council.

The Hon. D. C. BROWN (Minister of Industrial Affairs): I rise to cover one or two of the industrial matters that have been raised, and I do so in support of my colleague, the Chief Secretary, on the way in which he has handled the proposed amendment to the Holidays Act. One or two fundamental issues must be laid to rest when we are dealing with this Bill but, before coming to those key issues, I briefly add my support to the fact that Proclamation Day is an extremely important day for South Australia. As a State, it is the most important day, and I believe that all of us, in supporting this Bill, are in no way trying to detract from the day.

Mr. Millhouse: That's the very effect of the Bill.

The Hon. D. C. BROWN: If the honourable member listens, I think I will answer that point effectively. We all know that the majority of people in Australia are on holidays between Christmas and New Year. After listening to hours of debate in this place, one got the impression that everyone in Australia was working between Christmas and New Year, whereas the reverse is the position. The vast majority of people are on holidays during the Christmas break period. One has only to look at industry, building sites, and commercial sites to see that there is virtually no-one working. This is the great Australian holiday season.

Some people do work: shops are open and their employees have to work. Banks comprise another group, and there are service industries like that. If we are to talk about this legislation, they are the groups to which we should be paying attention. We should not be trying to imply that the vast majority of South Australians will suddenly be required to forego a holiday or will be working on 28 December if this Bill is passed. My view is that, because the vast majority will be on holidays irrespective of any amendment made to the Holidays Act, the celebration at Glenelg as part of Proclamation Day will be enhanced, because the entire Jetty Road area and other parts of Glenelg can open their shops, trade, and have a festive atmosphere. I believe they will attract far more people than currently go there.

I have been down there for the past couple of years and have noticed the number of people there. Frankly, it is disappointing, and I should like to see many more thousands of South Australians participating in this celebration at Glenelg.

An honourable member: Then they have to have the day off.

The Hon. D. C. BROWN: They are already on holidays. I ask the honourable member to listen. I think that is possible, by creating the right atmosphere in Glenelg. Let us lay to rest the general impression that has been fed to this House in the past couple of hours by Opposition members. The next point to lay to rest is that we are not suggesting that the day of Proclamation Day should be changed, yet that was a most absurd comment made by the opening speaker for the Opposition, the Deputy Leader, last night, when he said:

> However, I will not be so willing and able to concur in the major part of the legislation, namely, changing Proclamation Day or Commemoration Day . . .

Throughout the debate, Opposition members have tried to suggest that we are trying to say that the 26th should be Proclamation Day, not the 28th. That is not the case. We are saying that there should be a public holiday on the 26th. Proclamation Day will continue on the 28th. It is laid down by other legislation and it is a pity that some members, before rising to their feet, including members such as the member for Mitcham, did not look at other legislation to see whether Proclamation Day is spelt out and the fact that we are not altering it in the Holidays Act.

I had the impression from listening to the speeches that not one member from the Opposition had looked at the original Holidays Act. Opposition members all implied that somewhere in the Act there was reference to Proclamation Day, yet I challenge any member to show me where there is any reference to proclamation Day in the Holidays Act. There is no reference.

Mr. Millhouse: There is a reference to 28 December.

The Hon. D. C. BROWN: Yes, but there is no reference to Proclamation Day. That is where the entire argument—

Mr. Millhouse: Then why is there a reference to 28 December?

The SPEAKER: Order! The honourable member for Mitcham had his opportunity and I ask him to desist.

The Hon. D. C. BROWN: I heard the honourable member in silence, and I think that it is only fair that he should listen to my argument, as should other members. There is a fundamental flaw throughout their arguments. We have listened hour after hour to the effects that the Bill will have on thousands of employees under industrial awards and how they will miss out on a public holiday. It is quite obvious that Labor members have not bothered to look at the industrial awards or the Holidays Act. Nowhere in the Holidays Act is there reference to Proclamation Day. Secondly, if they look at the industrial awards that they have talked about for so long they will see that those awards refer specifically to Proclamation Day or Commemoration Day. They say that in South Australia there shall be a public holiday on Proclamation Day. Some of the other awards say that there shall be a public holiday in South Australia on Commemoration Day. The two expressions are used. In some awards, 28 December is included in brackets.

Providing that there shall be a public holiday in South Australia on 26 December has no impact on those industrial awards whatsoever. Yet, that is the very suggestion that the Deputy Leader of the Opposition tried to imply throughout his protracted and deliberately drawn one-hour speech last night. He tried to suggest that thousands of workers under industrial awards, both Federal and State, would miss out on a public holiday. The Secretary of the Trades and Labor Council has also suggested the same thing.

I challenge any of them (and I have had legal advice from the Government's legal advisers, and from Parliamentary Counsel) to find where there is an industrial award under which people will miss out on a public holiday because of this change to the Holidays Act. Does that not change the entire emphasis of the debate? Does it not change the entire logic put forward by the Opposition members as to why they are opposing this proposal? I suggest that because of that evidence they no longer can oppose the Bill. These facts certainly shoot a hole right through the case that they have tried to sustain both early this morning and this evening.

I refer members to some of the Federal industrial awards to which I refer. The timber industry award refers to Commemoration Day. The carpenters and joiners award states that Proclamation Day shall be observed as a holiday in lieu of Boxing Day. The shipwrights shore award refers to Proclamation Day.

Mr. Millhouse: In lieu of Boxing Day you said.

The Hon. D. C. BROWN: Yes, it shall be observed as a holiday in lieu of Boxing Day. I point out that these people will not miss out on a public holiday. I am referring to Federal awards. They are missing out on the Boxing Day holiday already. They will not have any alteration to the number of public holidays that they receive each year. The metal trades Federal award states that Proclamation Day shall be observed as a holiday in lieu of Boxing Day. The engine drivers and firemen's general award states that Boxing Day is included in the specific public holidays. They all have provisions referring to other such days in general observed in the locality.

The Government has gone through all the industrial awards that might be affected. I asked the Secretary of the Trades and Labor Council to come up with suggestions as to different industrial awards that we should examine. We have been through the awards and from what I can see I have yet to find an industrial award that specifically links Proclamation Day as granted under those industrial awards with the Holidays Act here in South Australia. That argument arose because I first tried to have written into this proposed amendment that those people who achieve two public holidays, one on the 26th and one on the 28th, under their industrial awards, should continue to receive them. But the point was that, because Proclamation Day was not referred to in the Holidays Act, there was no such loss of a day by those people under their industrial awards. It was pointed out quite rightly by the Parliamentary Counsel that, if I tried to do so, it would be first, a breach of a Federal award and, secondly, the Federal award overrides any State Act and would therefore apply.

I challenge any member opposite to find an appropriate Federal industrial award which specifically relates to the Holidays Act in South Australia and which means that, because of this amendment, anyone will lose a public holiday. Frankly, unless Opposition members can come up with a specific award this evening, I think we would have to accept the fact that they have no grounds whatsoever on which to argue the very case that have been trying to argue for so many hours.

I was disappointed to hear the threat by the Deputy Leader of the Opposition of industrial action. He said that he could foresee it and, in effect, he was trying to intimidate us by referring to industrial action. I do not think that this is fair on the majority of unions. He has suggested that all of the unions are backing what he is saying. I suggest that few of the unions understand the argument or the implications involved. If they have listened to the incorrect information that he has peddled to the House they would have some concern. I am sure that they would voice their objections. However, the argument that he has been peddling not only to the House but also the Trades and Labor Council, is wrong.

Another point that the Deputy Leader raised was what he called the rudeness of the Chief Secretary in not answering the letter sent to him by the United Trades and Labor Council. The Trades and Labor Council sent a letter to the Chief Secretary, who immediately referred it to me as Minister of Industrial Affairs. We immediately wrote back to the Trades and Labor Council acknowledged the fact that the letter had been sent to us by the Chief Secretary, and asked for negotiations with the council. We had those negotiations. To suggest that the Chief Secretary has been inefficient or rude to the Trades and Labor Council is incorrect. I met with the Council on at least two occasions. I was the first person to raise the point with Mr. Bob Gregory, and I believe he appreciated the fact that I did so.

I indicated to him that the Government was looking at a possible amendment to the Act, and asked whether he could look at the possible industrial implications in terms of people's industrial awards. It was because of that invitation to him to do some work on it and then for further discussions that I finally found the very thing that I have talked about this evening, that is, that I am yet to find an industrial award that is worded in such a way that, because of this amendment to the Holidays Act, anyone will lose a public holiday. The other suggestion that has been made is that all unions are opposed to the proposed amendment. That is not correct, and in fact some of the unions are very strongly in support of it.

For instance, the Shop Assistants Union is, for a very good reason, strongly in favour of 26 December being a public holiday, in exactly the same way as bank employees

are strongly in support of having 26 December in lieu of 28 December as a public holiday.

Mr. Slater: For this year.

The Hon. D. C. BROWN: It is not just for this year. I will clarify the matter for the honourable member. This shows how ignorant he is. I suggest that the honourable member refer to a number of newspaper cuttings that can be found in the Parliamentary Library. He would find articles such as that which appeared in the 27 October 1978 issue of the *News* and which clearly indicated the support of shop assistants, and in fact the whole trading industry, to that proposal. On 6 October 1977, I presented a petition to the House, the *Hansard* report regarding which is as follows:

> Mr. Dean Brown presented a petition signed by 16 049 residents of South Australia praying that the House would request the Government to reconsider its decision and declare 27 December 1977 as the public holiday for Proclamation Day.

That petition was signed by 16 049 residents. Do members know who presented that petition to me? The signatures were collected from shop assistants, and this shows the strong support amongst shop assistants for this change in the public holiday. This applies not just to this year, as the honourable member suggested, but it applied back in 1977 and in other years as well.

Having had a very enjoyable Christmas Day, on which most Australians tend to over-indulge in one form or another, the last thing that they want to do is return to work immediately the day thereafter. Those people realise that others throughout the rest of Australia have 26 December off in which to recover. They would like the same privilege and chance to have a day off after the rather hectic Christmas Day that we as Australians celebrate with our families.

Bank officials and employees are exactly the same. For some time, they have been pushing for a change. That group is not the only group that has been pushing for such a change. I will now read to the House a list of South Australian associations that would like the change to occur. It is as follows:

> Chamber of Commerce and Industry, Scientific Equipment Section; S.A. Master Tanners Association; Australian Road Federation; Australian Paint Manufacturers' Federation; United Pest Control Association; Earthmoving Contractors Association; Swimming Pools Association; Waste Disposal Association; Master Electroplaters Association; South Australian Chilled Fruit Juice Association; Personnel Services Association; Agricultural and Veterinary Chemicals Association of Australia (South Australian Branch); Riding Establishments Association; Dental Laboratories Association; Australian Institute of Dry-Cleaning; National Ready Mixed Concrete Association; The Furnishers' Society of South Australia; Contract Tooling Engineers Association; Apparel Agents Association; Precast Concrete Manufacturers Association; Floorcovering Industry Suppliers Association; and the Air Diffusion Council of South Australia.

Mr. Langley: What year was this?

The Hon. D. C. BROWN: It was all in 1978, not this year, the one exceptional year (to which I will come shortly), as suggested by the Opposition.

Mr. Crafter: To whom was that addressed?

The Hon. D. C. BROWN: These were different groups that wrote to me.

Mr. Crafter: In 1978?

The Hon. D. C. BROWN: Yes. The list continues as follows:

> Institute of Launderers and Linen Suppliers; Licensed Marine Store Dealers Association; Caravan Trades and Industries Association; Institute of Chartered Accountants; Real Estate Employers Federation; South Australian Automobile Chamber of Commerce; Meat and Allied Trades Federation; Federation of Chambers of Commerce; Mutual Life and Citizens Assurance Coy; South Australian Road Transport Association; Corporation of Insurance Brokers; Theatre Managers Association; Master Hairdressers Association; Australian Federation of Construction Contractors; and the South Australian Employers' Federation.

Mr. Millhouse: They all wrote to you as an individual member in 1978?

The Hon. D. C. BROWN: Yes. I have the letter before me now.

Mr. Millhouse: Are the names on some sort of a form, or were they individual, spontaneous letters?

The Hon. D. C. BROWN: I canvassed a number of organisations to see what their views were. I have individual letters, in every case, on their own letterheads, and signed by the appropriate people. They have indicated their support for such a change in relation to Proclamation Day.

Mr. Crafter: Will you table those?

The Hon. D. C. BROWN: No, I will not table private letters. I have read out the list and, if the honourable member has any doubts, he can check with them. This shows the large widespread support for this move throughout South Australia. I find it amusing to hear the suggestion by members opposite that this move has little support. Certainly, they have not come up with any list of associations and outside groups as I have; nor have they been able to come up with a petition such as the one containing 16 049 signatures that I presented in 1977.

Mr. Langley: What about the petition signed by 45 000 in relation to the butchers?

The ACTING SPEAKER (Mr. Russack): Order!

The Hon. D. C. BROWN: Although the petition to which I have referred did not contain as many signatures as that relating to butchers' trading hours, a petition containing 16 049 signatures is a large petition to be presented in this House, and no-one has come up with such a petition decrying the move.

Mr. Langley: You went out and got it. They'll sign anything to get rid of you. You know that.

The Hon. D. C. BROWN: The member for Unley has suggested that I went out and got these people to sign the petition, but that is not true. I did not produce the petition form or ask anyone to sign it. These people came along and presented it to me because they knew that for some time I had been campaigning for a change in the public holiday.

Members interjecting:

The ACTING SPEAKER: Order! All members have had or will have an opportunity to contribute to the debate.

The Hon. D. C. BROWN: That is not the reason.

Mr. Millhouse: It sounds like it to me, and you've leaned on the blokes from down the Bay Road.

The ACTING SPEAKER: Order!

The Hon. D. C. BROWN: The statement made by the member for Mitcham is a rather sad reflection.

Mr. Millhouse: I know how your Party works.

The Hon. D. C. BROWN: The people at the Bay are independently minded and would stand up for what they thought. They have done that in their letters.

Mr. Millhouse: Becker and Mathwin and the other chap didn't sound too independent to me.

The ACTING SPEAKER: Order! I ask the member for Mitcham to refrain from interjecting.

The Hon. D. C. BROWN: Having had his argument crushed tonight, and having seen the stuffing knocked completely out of the case put forward by the Opposition,

the member for Mitcham is interjecting a great deal. We all know that, when he is on shaky ground, that is exactly when the honourable member interjects, in the hope that he can distract the member who is speaking from the line that he is taking. I certainly will not be distracted.

It is also appropriate that I read to the House one or two other points that have been made and, in particular, refer to an industrial judgment which I think is very telling. I refer to the decision on an application to vary the Timber Workers Award. Mr. Commissioner Matthews of the Commonwealth Conciliation and Arbitration Commission said (and I ask members to note this, because it is pertinent):

> In the great majority of Federal awards, the Commemoration Day holiday is substituted for Boxing Day in South Australia in recognition of the State holiday position. A few other Federal awards prescribe both Boxing Day and Commemoration Day holidays for South Australia, but such awards are exceptions to the general rule.

It is interesting that no-one else from the Labor Party has bothered to raise that sort of point in the debate. Commissioner Matthews is saying that, in the vast majority of Federal Awards, they receive only the one day and, therefore, having a public holiday on 26 December would not be taking one public holiday away from those people.

Again, I draw the attention of the House to that point, but in the minority of cases they grant both Boxing Day and Commemoration Day and they specifically refer to Commemoration Day. As we are not in any way altering the date of Proclamation Day or Commemoration Day (whatever one likes to call it), we are not influencing those Federal industrial awards.

I think even the member for Mitcham would agree that my argument is sound and logical and that the case put forward by the Deputy Leader of the Opposition is quite incorrect. I am sure the honourable member agrees with me that, by altering the Holidays Act, we are not altering Federal awards or the rights that people have under them. The one group that could be affected (and this depends on the Commonwealth Public Service Board) may be some Commonwealth Public servants in some years.

Mr. Millhouse: Tell me this: how long do you think it would be before the awards were varied?

The Hon. D. C. BROWN: It was interesting to see, because a number of them, when the extra public holiday was brought in for Adelaide Cup Day, tried to get their industrial awards altered for that. I suggest that any employer association that did not try to get its awards varied then is not likely to go back and get them varied now. Any that were varied then took away that extra public holiday and, in some cases, they do not get the Adelaide Cup day, but they do celebrate Proclamation Day instead. I suggest that the honourable member should go back and check the details. I believe that the case I have put to the House needs to be considered carefully. I am sorry that I was caused to digress by the honourable member about the Commonwealth Public Service. We have had an assurance from the Commonwealth Public Service Board that this year Commonwealth public servants will receive 28 December as a public holiday and, if 26 December is a public holiday, they will receive it as well. I understand that in at least three or four out of every seven years they will receive both public holidays, and there is a possibility that certain Commonwealth public servants may lose one, two or three public holidays every seven years. That is the only group on which it has any significant impact through the change of the day.

Mr. Becker: What about the South Australian Public Service?

The Hon. D. C. BROWN: It has no effect on the South Australian Public Service.

Mr. Becker: We miss out.

The Hon. D. C. BROWN: We do not. It has no effect on the public holidays taken. The other point I make is that the Deputy Leader of the Opposition suggested that in very few years out of the 70 years he looked at would there have been any benefit. I would say that it has a benefit every year: the people who want the public holiday on 26 December want it on 26 December because they have had Christmas Day on 25 December. To suggest that it is of benefit only in some years is quite incorrect. It has benefit every year, and that is why people like shop assistants, bank employees and many other people have come out and campaigned for national uniformity and for the public holiday to be taken on 26 December.

Mr. LANGLEY (Unley): I have never heard the Minister try to convince the Opposition in the way he has done in his speech tonight. I was surprised, because many times when he has spoken he has convinced me about the matter handled in his portfolio. I think he is trying to cover up for the Chief Secretary. I thought that the Deputy Leader of the Opposition spoke strongly on these points.

The Hon. D. C. Brown: He did not do his homework.

Mr. LANGLEY: The Minister can interject and walk out; he can please himself. He does not have to listen. If he thinks he has done the right thing, that is okay by me. The Deputy Leader of the Opposition covered this subject strongly. There is no doubt in my mind that, regardless of the award that has been mentioned, he is remiss in saying that everyone wants 26 December as a holiday. It all depends when it falls. Everyone knows when that falls. I have attended the ceremony at Glenelg, and I am sure that the member for Glenelg and the member for Morphett have also attended the ceremony, as well as other people.

Mr. Mathwin: I am a regular.

Mr. LANGLEY: Yes, it is part and parcel of the activities of the people in this State. Members from both sides have talked about tradition, and this is a traditional ceremony. Although it is a holiday for many people, it will not be a holiday for all if this Bill becomes law. After all, if 26 December fell on a Sunday, no-one would worry about it. If there is a holiday on 26 December, no-one will want to work on 27 December, and there will be a holiday on 28 December. We are taking away a lot from the people.

South Australia is a great traditional State. In his speech tonight the Minister has tried to hoodwink members of the Opposition. The Deputy Leader of the Opposition has covered the subject strongly. If we are not careful, the Government will want to take away Adelaide Cup Day: it is moving towards that.

Mr. Mathwin: The member for Mitcham wants to do that.

Mr. LANGLEY: The member for Mitcham can have his say on that. I do not think South Australia has any more public holidays than has any other State—it may have fewer.

Mr. Becker: Considerably fewer.

Mr. LANGLEY: The member for Hanson says it has considerably fewer. Why should South Australia not try to boost the holiday on 28 December? After all, the Minister of Tourism has talked about this. We are told that it is a great day for South Australia. South Australia is one of the few States that has a holiday on that day.

Mr. Millhouse: We are the only State.

Mr. LANGLEY: Yes. It has something in its favour: it is a traditional day for South Australia. I am sure that Victoria has a holiday on 26 December, but 28 December

is a day that is special to our history. Despite what the Minister has said in his speech, if he claimed that South Australia has more holidays than any other State I would have listened to him intently, but he did not refer to State awards.

The Hon. D. C. Brown: Yes I did.

Mr. LANGLEY: The Minister will have an opportunity to speak.

The Hon. D. C. Brown: It does not affect State awards.

Mr. LANGLEY: Whether or not it affects State awards, the Minister was trying to tell the House that 26 December was better as a holiday than 28 December. Can the Minister say that 28 December will remain a holiday from now on in addition to 25 December?

The Hon. D. C. Brown: It does not affect the number.

Mr. LANGLEY: The Minister did not clarify that 26 December and 28 December will be holidays in the future. Not at any stage did he say that, yet that was what he was asked about. As far as I am concerned, 28 December is a great day for South Australia. I am sure that the Minister, if he has the time, will be down at the celebrations at Glenelg along with many other people who are on holidays, although members of essential services have to work. Why should we have holidays for one group and not for another?

The Hon. D. C. Brown: I was there last year, but I didn't see you there.

Mr. LANGLEY: I was not invited last year, but I have been there on two or three occasiona. When I was Speaker I was invited, and I attended the ceremony, but I do not go where I am not asked. The Minister of Industrial Affairs was at his worst tonight. He was not confident, not sure of what he was saying. The Deputy Leader of the Opposition had all the facts. He made a brilliant speech, but today we have heard the Premier saying that we had kept the people here for too long. The cartoon in the daily paper shows most of the Government members asleep, while Opposition members appeared to be awake. The Premier spoke for 40 minutes although he need not have spoken. The press representatives are here tonight. I reckon Mr. Middleton did not read a word of what the Deputy Leader said.

Mr. Randall: Are you going to keep us here until 8 o'clock?

Mr. LANGLEY: The member for Henley Beach will be looking for a job at Telecom in 1983.

The ACTING SPEAKER (Mr. Russack): Order! I ask the honourable member to come back to the Bill.

Mr. LANGLEY: I was provoked, Sir. I think the Bill should be amended. Today, I visited a senior citizens club where about 50 people were in attendance. Three of those people approached me and asked that the holiday should remain on the same date. I think we should retain the tradition of our State.

Mr. BLACKER (Flinders): I must admit that I had not taken very much notice of this debate. No-one from my district has spoken to me about their wishes in the matter, but, having listened to both sides of the debate, I find myself in a quandary. I have spoken to many members tonight, and I have told some that I will be supporting the Government and some that I will not be supporting it. However, I want to come down on the side of tradition and the recognition of Proclamation Day as it was originally intended. If it were not that the date is 28 December, I believe we would not have this hassle.

Mr. Slater: Do you think Governor Hindmarsh chose the wrong date?

The DEPUTY SPEAKER: Order! The honourable member for Gilles should not interject, especially when he is not in his seat.

Mr. BLACKER: I believe that the change will be a convenience for the workers, and I can understand that. Many people believe that it is desirable to have the extra day in conjunction with the Christmas celebration, to give a longer break. I can understand the difficulties experienced by people who live away from home and want to go home to their families for Christmas. With the Proclamation Day celebration adjacent to the Christmas break, those people would have extra time available. I would have to support that concept, but I believe that in fact we are arguing about abandoning the official State recognition of Proclamation Day on the date on which the event took place. I think we should as nearly as possible keep to that tradition. Too many of our State and natural traditions have been allowed to slip away because we have failed to stand firm when the crunch has come, and when changes have been made for reasons of convenience.

The point was made, I think by the member for Ascot Park, that in six years we will be having our centenary celebrations. The Government has established a committee to plan for those festivities and the Eyre Peninsula representative on it is Mayor Ekblom, from Whyalla, a very worthy representative. She is trying to get around Eyre Peninsula to ascertain the views of the people so that she can present to the committee a true reflection of their wishes. This all forms part of the centenary celebrations. If we abandon this concept within a few years of those celebrations we have lost another link with our history. With due respect to some members who may be expecting me to support them, I have come to the conclusion that we should stand up for the tradition of the maintenance of Proclamation Day on the date originally determined.

I listened with interest to the Minister of Industrial Affairs. I do not think there is any argument about the effects on Commonwealth public servants or people working under Commonwealth awards. I am sure that is not the argument. No-one is trying to deprive anyone, to my knowledge, of a holiday. It is a matter of whether the recognition of Proclamation Day is moved so that it is convenient for the holidays to take place at one time.

I have sympathy for the three members who represent the Glenelg area and the compromising position in which they find themselves with the change of attitude on the part of the Glenelg council. However, the matter is wider than that. It should not be just the attitude of the Glenelg council that those people or the Government should consider. Proclamation Day is for the whole of South Australia, and it should have equal significance to every South Australian. It has been said that not many people go to the ceremony, and I must say that I have never been to it. Perhaps I am the poorer for that, but that does not mean that I have no respect for the day. I am sure that my respect for it would be less if the public holiday were to be taken on 26 December, depending on whether Christmas Day fell on a Saturday or a Sunday.

The significance of the day should be equal to every South Australian regardless of whether they are members of the Glenelg council or whatever. It should not make any difference. While I appreciate the compromising position that the three members are in, every one of us is in an equally compromising position when discussing whether we abandon the Proclamation Day holiday. I believe that we should attempt to maintain the holiday on the day on which the Proclamation was originally made, even though I acknowledge the inconvenience that many people may have over the Christmas weekend. It is a vote of conscience, that is, whether we move the celebration from the original day, and I believe we should support the

celebrating of this holiday on the actual date when the event took place.

The Hon. W. A. RODDA (Chief Secretary): I thank all members on both sides of the House for their contributions. Some members have been for the Bill and some have been strongly against it. That is their prerogative and it illustrates the democracy of this place. I draw members' attention to editorials which appeared in the two leading newspapers of this city. On 25 October, the *Advertiser* editorial stated in part:

> The move makes sound sense, of course. South Australian businesses have been trying for years to get government to make the switch, to overcome the peculiar staggering of Christmas holiday breaks in South Australia and bring us into line with the rest of the country. Last year Whyalla made a unilateral declaration of independence, and embraced Boxing Day, and it was inevitable that the rest of us would follow. This year, with Christmas Day falling on a Thursday, Proclamation Day offered holiday dislocation and Boxing Day a four-day break. So it is a good year to make the change—but not, it is hoped, to forget the significance to South Australia of Proclamation Day.

The opinion in that editorial, even though it may be the editor's opinion, is not a bad one to take notice of. The editorial continues:

> Proclamation Day had the virtue of historic point. Now we are losing it, as a holiday at least. The Glenelg council will ensure that the December 28 commemoration ceremony at the concrete-encased Old Gum Tree continues, but the Government will abandon the holiday and replace it with a December 26 Boxing Day holiday.

The editorial acknowledges that the State celebration will continue. The *News* was equally supportive in what it had to say. The editorial stated:

> . . . at least this year, although we could have a Christmas holiday that is less anarchic and out of step with the rest of Australia, the Proclamation Day observance has meant that South Australia has each year gone through a bewildering series of holidays with an on-again off-again shopping and commerce confusion at unnecessary cost. For those not indulging in absenteeism and Public Service grace days it has dislocated family arrangements and made for a general silly season.

So the leader writers of those two papers have pointed out the very real concerns of people employed in this State.

Mr. Millhouse: But you must realise, of course, that some of their best advertisers are retailers. Have you ever thought of that, that they might be influenced by their newspapers's income from retailers?

The SPEAKER: The debate is being closed by the honourable Minister.

The Hon. W. A. RODDA: I think the point the honourable member makes will not be lost by the action that this Bill provides. Members opposite have made some comments about my colleague, the Minister of Industrial Affairs, but I think the Minister pointed out the industrial aspects of this Bill and he has properly canvassed all the aspects of it. I endorse the comments of the Minister of Industrial Affairs. I point out to members opposite that the Cabinet is a team, and I shall say something about the input of the Minister in a moment.

I emphasise that this Bill will benefit the majority of South Australians. An example of this is bank employees, who are posted throughout the State in country areas, and the retail employees, who will have a continuous break, and this will not in any way detract from the point that was made about the big sales that we see following the Christmas festivities. Also this brings South Australia into line with other States, as of course all the other States have celebrated a holiday on Boxing Day. As the member for Flinders pointed out, we have family reunions at Christmas time. The point was made quite strongly by the Minister of Industrial Affairs. This is a period when South Australians are on holiday. I noticed last year in the week following the holidays that there was plenty of room to move around the city of Adelaide and for the parking of one's car, etc. I have received correspondence supporting a change to 26 December from a number of organisations. I shall quote from some of the letters. First, I have a copy of a letter from the Australian Bank Employees Union dated 24 October. The letter states:

> On behalf of the President, Division Committee and over 6 800 union members, I would like to thank and congratulate the Government on its move in introducing legislation to make December 26 a public holiday. As you know, we have been campaigning various Governments over very many years for this very obvious move to be made and I know many country members will be delighted by the result.

That letter was signed by Mr. Lindley. The A.B.E.U. wrote to me earlier this year in June. That letter states:

> For your information, the following is a list of members who signed a petition, a copy of which was sent to you early this year. The numbers totalled 6 791; from the Bank of Adelaide, 604; A.N.Z., 793; C.B.A., 368; C.B.C., 92; National Bank, 1 068; Bank of N.S.W., 516; State Bank, 300; Savings Bank of South Australia, 1 252; and the Railways Savings, 19.

The Commonwealth Bank Officers Division wrote on 5 June. The letter states:

> . . . The reform sought is one that our members have felt very strongly about for very many years. It has been a matter of considerable disappointment to us that the previous Labor Government in South Australia, for some obscure reason, was quite unreceptive to similar approaches. A change in the terms of the commonsense proposition sought by the petition can only reflect favourably on the present Government. Accordingly, we appreciate your co-operation in supporting this matter.

Yesterday I received a letter in longhand from a Mr. Klopp who is a chemist. The letter is as follows:

> I am writing as an employer. After hearing your media release regarding altering the public holiday from 28 December to 26 December, I personally favour such a move, as the current arrangement is highly destructive to both my business and personal life. I also mention that my staff have expressed themselves to be strongly in favour. . .

The Federation of Chambers of Commerce in South Australia wrote as follows:

> The members of the chamber who met at Elizabeth for the annual general meeting passed the following resolution: "The Federation of Chambers of Commerce petition the State Government to have Proclamation Day observed on 26 December and not 28 December as at present."

The chamber wrote on 10 July in a similar vein. I have already referred to the Associated Banks of South Australia in regard to the petition that came from the A.B.E.A.

Mr. Millhouse: Have you had a letter from either the National Trust or the Pioneers Association?

The Hon. W. A. RODDA: No, I have not had a letter from those distinguished people. The Shop Distributive and Allied Employees Association states:

> On behalf of the people I request that Friday 26 December be observed as a public holiday in lieu of Monday 29th—

that must be a misprint—

> I have sought the views of employers in the industry and it would appear that they support the change sought. I believe that this change would in no way inconvience the general public and would certainly be

appreciated by shop assistants and others employed in the industry.

There was also considerable correspondence during the previous Government's term of office, pleading with the then Government to proclaim a holiday on 26 December in lieu of 28 December. The Whyalla chamber wrote to the Hon. J. D. Wright in December, but the copy is somewhat faded and I will not endeavour to quote from it. The Pinnaroo Chamber of Commerce wrote in 1978 to the Hon. D. W. Simmons, the Chief Secretary of the day, requesting that the "Public holiday celebrated on 28 December each year and known as Proclamation Day be in future celebrated as a public holiday on the next working day after the Christmas Day public holiday." The chamber wrote to the Minister again on 19 May 1978, pressing that point, so earnest was it. The Federation of Chambers of Commerce wrote to Mr. Simmons on 18 April 1978 and urged the Government to "make the necessary amendments to the Holidays Act in order to have Proclamation Day holiday observed on 26 December".

Mr. Millhouse: Is there any advantage in your going through these letters?

The Hon. W. A. RODDA: These letters show that there is current support for the action and that there has been support for some time. When I listened to the former Minister last evening, I noted that he did not seem to acknowledge that fact.

The Hon. J. D. Wright: How many letters do you have from Commonwealth-based employee organisations?

The Hon. W. A. RODDA: My colleague dealt with that matter, and dealt with it very well. Nothing was done by your Government, but this Government has taken action. It is true that I received a letter from Mr. Bob Gregory, Secretary of the United Trades and Labor Council, on 8 August, as the honourable member said last evening. The honourable member said that I couldn't have cared less and did not answer that letter. I did not get up-tight about that. I wrote to Mr. Gregory and stated:

> I acknowledge receipt of your letter of 8 August regarding the celebration of Proclamation Day. In response to a series of representations which have been presented on this matter, I am presently having discussions with the Minister of Industrial Affairs and will let you know the outcome of these negotiations at the earliest opportunity.

The Hon. R. G. Payne: What was the date of that letter?

The Hon. W. A. RODDA: It is dated 20 August. The matter was referred to the Minister of Industrial Affairs, and I have cited the Minister's response today. As the Minister pointed out, arising from that communication to me, he had extensive discussions with Mr. Gregory, and there have been on-going discussions in those quarters.

The Hon. J. D. Wright interjecting:

The Hon. W. A. RODDA: This matter has been approached by the Government, and how we run the Government is our business. The Government and I certainly have not ignored the United Trades and Labor Council. The Government decided not to accept the U.T.L.C.'s argument because we believe that we are acting in the interests of the majority of South Australians. Additionally, I point out that, in comparison with other Australians, those employees under Federal awards in South Australia will not be worse off but will have the same number of public holidays as anyone else, and that point has been canvassed amply by my colleague. In talking about the—

Mr. Millhouse: May I suggest that you don't go over it again?

The Hon. W. A. RODDA: You raised the point about the significance of 28 December, going into it in some detail, and I see nothing wrong in your doing that. It was a quirk of fate that Governor Hindmarsh happened to arrive in South Australia on 28 December 1836 (not on 20 December or 1 January); otherwise this matter may never have arisen. That is the situation concerning people in South Australia, and the Government is trying to remedy it. It was said last night that I misled the House when I said that the Glenelg council was amenable to the change being made. That has been borne out in the letters that have been quoted tonight by my colleagues. The Glenelg council does not oppose the Bill. It has said that it would prefer the holiday to occur on 28 December but that it will not oppose the Government, and it acknowledges the Government's right to make this change.

I would like to put on record my respect for the members of the Glenelg council for the reasonable approach that they have taken in this matter. On the one hand, they are all South Australians and they want to see Proclamation Day preserved as an important part of the State's history. It has been said quite clearly that the Glenelg council will maintain and conduct the ceremony under the Old Gum Tree, where it has traditionally been held over many years. Sporting events like the Bay Sheffield and other activities occurring when South Australia is on holidays, will continue, and in this case the families of South Australia will be able to enjoy their reunions and will not have to race off, as did the young banker who lives at Coonawarra and who came home for a few hours but had to return to Port Lincoln where he has been posted. That kind of thing which has been happening across the board will be corrected by this legislation. I thank the House for its attention and I commend the Bill to all members.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—"Days fixed as holidays."

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

> Lines 13 to 15—Leave out subsection (2) and insert subsections as follows:
>
> (2) Subject to subsection (2a), when the first day of January, the twenty-fifth day of December or the twenty-eighth day of December falls upon a Saturday or Sunday, the following Monday shall be a public holiday and bank holiday in lieu of that day.
>
> (2a) In 1980 the twenty-sixth day of December shall be a public holiday and bank holiday in lieu of the twenty-eighth day of December.
>
> Lines 22 to 25—Leave out subsection (5).

My amendment is two-fold; first, to protect the Saturday and Sunday if the holiday falls on either day, so that no-one will be disadvantaged in that area; secondly to ensure that only in 1980 will there be an exchange of the 28th for the 26th. I do not think there is need to do any more than that in this legislation. If the Government is trying to ensure that the holidays would flow, and that employees who were entitled to the Commemoration Day holiday but not to Boxing Day would be able to enjoy the span of four holidays, as I said in the second reading debate, there was only a need for a proclamation in that area, as occurred in 1969, when the Hon. Ren DeGaris was the responsible Minister. The effect of what the Government is doing is to create a permanent situation for the future. I do not think that this is proper way of approaching this provision.

I will take up the remarks of the Minister of Industrial Affairs, who I thought used his position as Minister to make the major replies on behalf of the Chief Secretary (something which I have not seen done in the House previously, and which I would not have thought the Chief

Secretary would allow to occur). The Chief Secretary is quite competent to reply to the debate. The Minister's argument, in my view, falls down in the last part of his remarks.

He began by telling us that we had not studied the awards and that the Act did not apply. He has the advantage of being able to read what I said this morning, but I have not had the advantage of reading what he said this evening. He said that Commonwealth employees would lose a public holiday in three out of every seven years; I think that was the effect of what the Minister said. How can he contend that the awards apply in the way in which he contends they do? That is not my information. The Minister has asserted that he has received a Crown Law opinion on this matter. If he has, he may be right. The Trades and Labor Council has advised me that it has recieved a legal opinion on this matter and that the assertions in its letter of 8 August to the Chief Secretary are correct. That letter, which was read into *Hansard* last night, clearly indicated that it would not be difficult for employers to apply to have the awards varied.

The Hon. D. C. Brown: That's totally different from what you said this morning.

The Hon. J. D. WRIGHT: It is not. I based my argument on the Trades and Labor Council's correspondence. Earlier tonight, the Minister roused at the Opposition for not giving him a go when he was speaking. He is the worst offender in this House or in any Australian Parliament. He cannot contain himself in any circumstances. As soon as I get to my feet, he wants to do battle like a child on each and every occasion. I will not tolerate the Premier, either.

Members interjecting:

The CHAIRMAN: Order! I do not think that the interjections across the Chamber do anything for the debate. I suggest that the Deputy Leader speak to his amendment and that Government members allow him to do so in silence.

The Hon. J. D. WRIGHT: Thank you, Sir. It is clear that the Minister attempts to interrupt my speech on every possible occasion. He is the worst screamer when a member interjects on him. I sat through his speech tonight and did not interject once. He knows that, and I hope that he shows me the same courtesy. I based my argument this morning on the contents of the letter from the Trades and Labor Council. If the Minister is right (and I will not dispute that now) the situation is that it is not automatic that those employees would lose this holiday. It would not take much of an effort, in my view, for the Federal Government or private employer to apply to have the holiday deleted.

My proposition (and I think it is reasonable) is to change the days for this year only. It will have a two-fold effect: it will give a guarantee to those employees who now receive two holidays the guarantee in that area; and, secondly, it will allow us to continue Commemoration Day. One further point, I think, which to a large degree must destroy 70 per cent of the Minister's argument, is that the Chief Secretary clearly said in his second reading explanation that those employees who were entitled to this holiday would not lose it this year. That may be correct, and I am prepared to accept it. However, he did not give any qualification about what would happen in ensuing years. If the Chief Secretary was so positive about the prophesy he made tonight about what applied in the awards, why was he not more emphatic about that situation in his second reading explanation? He merely covered the situation for this year, and they are the Minister's own words.

The Hon. W. A. RODDA: The Government does not accept the amendment. The Bill has a permanent character, and the amendment is quite opposed to the spirit of the measure. The Minister canvassed industrial matters widely and I do not want to go into that, but the amendment is not acceptable to the Government.

Mr. MILLHOUSE: I have been in a state of splendid indecision whether to support this amendment. If I thought it would go through, I would certainly support it. I prefer my own amendment, which I think will be debated, because I do not think the one that has been moved will go through. It is a second best to mine, and I prefer it to the Bill as it stands. As I understand the guts of the Deputy Leader's amendment, it is to make Friday 26 December this year, a holiday, so we go from Christmas Day, the Thursday, right through to Sunday, giving four days straight. My diary has already written in it "Monday 29th, Proclamation Day", and we would lose that. I do not think that that is a good idea. Without prejucide to my own amendment, I propose to support this one.

The Committee divided on the amendment:

Ayes (18)—Messrs. Abbott, L. M. F. Arnold, Bannon, Blacker, M. J. Brown, Crafter, Duncan, Hamilton, Hemmings, Hopgood, Keneally, Langley, Millhouse, Payne, Plunkett, Slater, Trainer, and Wright (teller).

Noes (20)—Mrs. Adamson, Messrs. Allison, Ashenden, Becker, Billard, D. C. Brown, Eastick, Evans, Glazbrook, Lewis, Mathwin, Olsen, Oswald, Randall, Rodda (teller), Russack, Schmidt, Tonkin, Wilson, and Wotton.

Pairs—Ayes—Messrs. Corcoran and McRae. Noes—Messrs. Chapman and Goldsworthy.

Majority of 2 for the Noes.

Amendment thus negatived.

Mr. MILLHOUSE: I move:

Page 1, after line 25—Insert—

(6) The following provisions apply in relation to the proclamation Day holiday:

(a) when the twenty-eighth day of December falls upon a Saturday or a Sunday, the following Monday shall be a public holiday and bank holiday in lieu of that day;

(b) when the twenty-eighth day of December falls upon a Monday that is a public holiday and a bank holiday by virtue of subsection (5), the following Tuesday shall be a public holiday and bank holiday in lieu of that day; and

(c) when the twenty-eighth day of December falls upon a Tuesday that is a public holiday and bank holiday by virtue of subsection (5), the following Wednesday shall be a public holiday and bank holiday in lieu of that day.

I should like to use the first amendment, of the three I have on the file, as a test amendment and, if I may speak to the principle behind it, that may save time. The effect of my amendment would be to allow both Boxing Day, 26 December, and also proclamation Day, 28 December, to be holidays.

Members will see that the first amendment, the one that I am formally moving, does what we have to do, because Governor Hindmarsh arrived on 28 December, and juggle the days of the week a bit in case various days fall on Saturday and Sunday, but I do not think I need go into that. They are mere machinery matters. As a trade-off by having both 26 December and 28 December as holidays, I am proposing to abandon the holiday for the Adelaide Cup in May, so that we keep the number of holidays even.

I was allowed some indulgence by the Speaker to go into this matter during the second reading debate. The reason I advanced was that there should not be a holiday for the Adelaide Cup—it was a confidence trick put over us in

1970 and was then perpetuated by the Labor Government when it came in for the reason that it decided that, since South Australia had one fewer holiday than the other States, we should have this one. It is the wrong time of the year to have it anyway. There is Easter, Anzac Day and the Queen's Birthday at that time of year. It is a holiday which is not greatly appreciated by most people. Few people go to the Adelaide Cup. As to the ridiculous suggestion of the member for Hanson, that we will ruin the bloodstock industry if we do not have a holiday for the Adelaide Cup, one need only to state it to dismiss it. I shall not say any more about it.

The numbers going to the races are very small. There are football matches on that day also, so that is bad luck for the football league. I do not have much sympathy for the league, after the way it is carrying on over the West Lakes lights. It can reschedule the matches if it wants to. If we abandon that holiday, we can meet everyone's convenience. We can do what the Minister of Industrial Affairs is so keen to do (with the Chief Secretary tagging along behind him quite obviously), and that is have Boxing Day as a holiday. We can also preserve the day which is our State day of commemoration—28 December.

Since I spoke in the second reading debate, I have received a letter from somebody living at Blackwood, which I believe is the member for Fisher's electorate. It puts the position very well. It is interesting that that person wrote to me and not to the member for Fisher.

Mr. Trainer: I don't think Mitcham has any boundaries.

Mr. MILLHOUSE: It has not indeed—I represent the whole State. The letter, which is dated 27 October, states:

> Dear Sir,
>
> I was very dissappointed to hear recently that the Government is considering the abondoning of Proclamation Day—28 December Public holiday and to 'trade' this day of our State's heritage with so called 'Boxing Day'—26 December! I was therefore delighted to hear your proposal on this morning's news of exchanging Boxing Day with Adelaide Cup Day, 19 May.
>
> I thoroughly agree, with your views, that, practically speaking, 'Adelaide Cup' is of inconsequential comparison —comparing a horse race day with the day of Governor Hindmarsh's Proclamation of this State, and that transferring this day to 26 December would bring us into line with other States without losing anything in the process. I am glad that you have sufficient respect for your elders to speak up at a time like this, and assure you that you represent the feelings of many people in South Australia also.
>
> Yours faithfully,
>
> Hugh D. Magarey

That pretty eloquently sums it up. The valiant efforts of the Minister of Industrial Affairs really got the member for Adelaide in on this. His argument hinged on the question of awards and who is going to lose which holidays. That is an important consideration, and I do not underrate it. Having heard the debate, I believe that there is more accuracy in the member for Adelaide's comments on this occasion than in those of the Minister of Industrial Affairs.

This letter highlights what I believe is the important point. The prime consideration is not who will get a bit more holiday but whether or not we are going to abandon the only traditional day we have in South Australia. That is a far more important consideration. The bit about awards and who gets how many public holidays and whether some people get two or not is irrelevant to that consideration.

Although the member for Hanson did not have the strength to buck his Party and vote as obviously he would like to have voted on this matter, he put it pretty well. I do not think that I can do better than that. The member for Morphett also said the same thing in his way. The member for Glenelg camouflaged his true feelings rather better. The fact is that this is our national day, as far as the State can have a national day. I have heard the Premier again and again saying how proud he is to be South Australian and then with one sweep he proposes to cut away the most important prop under being a South Australian and under the traditions of our foundation.

In my view this amendment will allow us to get the best of both worlds, and we will sacrifice nothing of any great consequence: we will have Boxing Day as a holiday, Commemoration Day as a holiday, and we will lose a holiday in a period of the year when it is not necessary to have yet another one.

The Hon. W. A. RODDA: The Government does not accept the honourable member's amendment. I do not want to say that he is practising hypocrisy because, in essence, he agrees with what the Government is doing, but at the expense of another holiday that has become part of the South Australian scene. All the twaddle about somebody writing to him from Blackwood—

Mr. Millhouse: Blackwood is a good spot. Ask Stanley Evans.

The Hon. W. A. RODDA: There is nothing wrong with Blackwood but we have twaddle merchants coming from all sorts of places.

Mr. Millhouse: Which to you is more important—the horse race or Commemoration Day?

The Hon. W. A. RODDA: The Glenelg council has indicated that it is still going to carry on the traditional day, irrespective of whether it is going to be a public holiday. Most South Australians are on holiday at that time of the year. The Minister of Industrial Affairs is coming in for some wallop on this. What he has said is a carefully assessed and observed opinion on the matter. I can remember 10 years ago in this respect when the late Mr. Bob Irwin, was our doorstep for a long time. The honourable member was the Attorney-General and I was the Whip. He was the principal person dealing in liaison with the Premier, Steele Hall. We went along with that. What the member for Hanson says about the racing industry being a big industry is true. If one wants to hear explosions in the community, one just has to move into the Adelaide Cup. Obviously, the honourable member has other forms of relaxation, but a lot of people are interested in racing. When Morphettville is refurbished that, too, will be very much a part of South Australia in the long term. We in no way cast aspersions on the national day—the only real national day in South Australia. The Glenelg council is doing a wonderful job in its approach. It is recognising the need for change, and that the request has been made of this Government and previous Governments. This Government acknowledges that, and we oppose the honourable member's amendment.

Mr. MILLHOUSE: I would have thought that I would get some indication from the Labor Party of what it was going to do, but it does not look as though I am going to know what its view is. I suspect that the problem from those members is that it means losing a holiday, and that might be a bit difficult to explain to people. I regret what the Chief Secretary has said but tell him that it is anybody's guess how this Bill will finish up. Unless he is prepared to compromise here, or possibly in another place, he may well lose the Bill altogether.

The Hon. M. M. Wilson: It doesn't appear that this will be.

Mr. MILLHOUSE: It may not be; I do not know. I can tell the Chief Secretary that, in one way or another, I believe that Commemoration Day will be preserved as a holiday. Whether it is because of this amendment or the

Labor Party amendment, which I also supported, certainly the Bill will return in an amended form and, if the Government wants to get it through, it will eventually have to compromise. I regret that the Government will not accept my suggestion, which is the best compromise of the lot for the people of South Australia.

Mr. BECKER: I oppose the amendment, on which I have briefly touched previously. There is no way in which I can support an amendment that takes away one holiday and transfers it some where else.

Mr. Millhouse: Why not?

Mr. BECKER: The member for Mitcham should be aware that the figures taken out before the last amendment to the Act in 1970 show that Victoria had 12 public holidays; New South Wales had 10 (including the August bank holiday); Queensland had nine; Western Australia (the only State in Australia that celebrates its own Foundation Day) had 12; Tasmania had 11 plus 3½ days (it has odd half-day holidays throughout the north and south of the State); and at that stage South Australia had nine public holidays. So, we were, together with Queensland, the worst off by far of any other State because we had fewer public holidays.

Mr. Evans: The State was better off.

Mr. BECKER: I do not agree with that. The workers are entitled to public holidays, the same as anyone else is. That is one of the reasons why I supported the legislation that made the Adelaide Cup holiday a permanent holiday. As the member for Mitcham knows and has admitted, he supported that measure in Cabinet when it was created a public holiday for the Centenary Cup. The honourable member did not oppose the Bill that was introduced by the Hon. Glen Broomhill, the then Minister of Labor and Industry. When introducing the Bill on 19 November 1970, Mr. Broomhill said:

> Several representations have been made to the Government for an additional public holiday to be granted each year; also requests have been received that Boxing Day, in stead of Proclamation Day, should be observed as a public holiday.

As the member for Mitcham knows, this issue of public holidays and requests regarding the Adelaide Cup have been going on for many years. Mr. Broomhill continued:

> Honourable members will recall that earlier this year the Government of the time decided to proclaim an additional public holiday to celebrate the centenary of the Adelaide Cup race meeting. This extra holiday was appreciated by the public, although the Government subsequently received complaints about the disruption of business caused by having a public holiday on a Wednesday.

One should remember that it was held on a Wednesday but was moved back to a Monday. Mr. Broomhill countinued:

> The South Australian Jockey Club Incorporated had asked that, in view of the success of the public holiday being held on the Adelaide Cup Day—

that was in 1970—

> this should be made a permanent public holiday. Following discussions with representatives of that club, the Government has been advised that if an additional public holiday was proclaimed on the Monday instead of the day on which the Adelaide Cup is normally held, which is a Wednesday, the club would be willing to reorganise its cup carnival programme and change the day of the Adelaide Cup day meeting to the Monday holiday. This would follow an important race meeting on the previous Saturday. This the Government has decided to do and one of the amendments made by this Bill gives effect to that decision.

That explains to me why the Opposition could not support the amendment moved by the member for Mitcham. I agree with the assumption made by the member for Mitcham that the Adelaide Cup holiday will do nothing in a grandiose way in relation to the cup meeting itself, although the attendance has increased significantly and will continue to increase. Generally, attendances at race meetings vary between 8 000 and 14 000 persons, depending on the weather and the programme.

Mr. Millhouse: It got to 25 000.

Mr. BECKER: Yes, and in my opinion it should attract a far greater crowd; perhaps a crowd of 50 000 would be justified. However, I am critical of the efforts of the Jockey Club in promoting the day and of the general organisation of the racing industry, which should have a hard look at its own efforts to promote horse racing in this State. The State Government has a vested interest in this matter, as it receives millions of dollars annually from the racing industry. So, someone somewhere must sit down and take a hard long look at the racing industry. The member for Mitcham would be pleased to know that an inquiry is being conducted into the racing industry, and that that report will be brought down—

The ACTING CHAIRMAN: Order! The member for Hanson has gone far enough in relation to discussing the racing industry. I have given him some latitude, and I suggest that the honourable member return to the amendment or link up his remarks.

Mr. BECKER: Thank you, Sir. In opposing the amendment one would have to qualify support for the Adelaide Cup, which is the prime racing event on the South Australian racing calendar.

Mr. Evans: Oakbank is.

Mr. BECKER: It is a picnic meeting. In relation to the quality of horses and the distance of the race, the Adelaide Cup is an outstanding event on the South Australian racing calendar. Oakbank is the home of the Great Eastern Steeplechase, which is a race for any horse that can run around a course and jump over a few hurdles. It is a very cruel event.

Mr. Millhouse: How many go to Oakbank?

The ACTING CHAIRMAN: Order! There is nothing in the amendment about Oakbank. I suggest that the honourable member address his remarks to the amendment.

Members interjecting:

The ACTING CHAIRMAN: Order! There is too much conversation across the Chamber.

Mr. BECKER: I am linking up my remarks because, in an attempt to support the retention of the Adelaide Cup Day holiday, it is important to realise that this race is the focal point of the South Australian racing industry, in which 55 000 people are involved.

The Hon. J. D. WRIGHT: I rise on a point of order. I know that the member for Hanson wants dearly to make a speech about racing, but I think that he should reserve that matter for some other time when racing legislation is before the House. I draw your attention, Sir, to the way in which the honourable member has been speaking. I cannot find anything in the Bill except than about the May day holiday. The honourable member is drifting right off the debate.

The ACTING CHAIRMAN: I have already told the honourable member that he must link up his remarks. I cannot permit him to continue to make wide-ranging comments regarding the racing industry. I therefore ask him to confine his remarks to the amendment. Otherwise, I will have to ask the honourable member to resume his seat.

Mr. BECKER: The Adelaide Cup is held on the third Monday in May, and that is specifically referred to in the Bill. We are dealing with the third Monday in May, and

that is how it was originally established. I have referred to the extract from *Hansard* from 19 November 1970.

The then Minister of Labour and Industry (Hon. Glen Broomhill) introduced the amendment to the Holidays Act. I cannot see why I am not entitled to support the retention of that pubic holiday and, in doing so, why I am not allowed to enlarge on the value of that public holiday, except to say that the Government of the day back in 1970, the previous Liberal Government, also recognised the importance and value of the Adelaide Cup holiday and its contribution to the racing industry.

The Hon. J. D. WRIGHT: I want to place on record just where the Labor Party stands in regard to this amendment moved by the member for Mitcham. I thank the member for Mitcham and the member for Flinders for their support for my amendment. If it had not been for a couple of mistakes we would probably have had that carried. Nevertheless, we will know better and keep people here in future. On behalf of the Opposition, I cannot be party to shifting a holiday from one spot to another and losing a holiday as a consequence of doing that. That is what the amendment does: it replaces Commemoration Day, which I would dearly like to hold if it is possible, with the May day holiday.

The Hon. D. C. Brown: You would have more objection to this amendment than to mine.

The Hon. J. D. WRIGHT: Well, it would directly take away from State awards. I still believe that the effect of the general amendment is to take away holidays, and I am much more convinced about this amendment, which would directly replace the May day holiday and revert to Commemoration Day. Holidays are hard won in the first place and are appreciated by everyone—they are part of the Australian way of life. I do not believe that South Australia will be any better off. I have the facts and figures here (but I will not go through them again) indicating all of the public holidays throughout Australia. Clearly, South Australia in some areas is presently at a disadvantage, and I am not going to be a party to producing a further disadvantage and decreasing the number of public holidays by one. I have argued that I believe that Commemoration Day, or Proclamation Day, has been thrown out the window by this Government. The Party opposite will live to regret that action. I do not see strong enough reasons to lose a holiday, irrespective of what holiday it is. Whether it is this holiday or any other holiday, my attitude would be the same. It is not because it is Adelaide Cup Day that is involved, although I believe that that holiday should be retained because it is a popular holiday. My basic argument, and where I depart from the member for Mitcham, is that he wants to reduce the number of holidays by one, and I cannot support that view.

Mr. BLACKER: I cannot support the member for Mitcham on this motion because, in my opposition to the Bill as drafted, it was my intention that every effort should be made to keep the actual celebration of the event on 28 December. Seeking an amendment which does a swap, so to speak, with Adelaide Cup Day (or any other day) raises a new concept in the Bill, and we should consider, if we are going to do a swap, whether we will be considering Adelaide Cup Day, Labor Day, the Queen's Birthday, Australia Day—those things should come into consideration.

As it was my intention to keep it to that day (and that was the point in the discussion and in the Bill), I stick by my original comments. I regret that I cannot support the member for Mitcham, because his amendment does do a swap for a holiday that is now well established. I have no particular brief for the racing industry. I have nothing there that attracts me to that day, and I am sure that if I had been in the House at the time when the Adelaide Cup Day was introduced I would have opposed it strongly. Nevertheless, it is now established, and it is a fact of life. I do not think it is the point of this debate whether we are going to forgo one established public holiday in order to do a compromise on two holidays just after Christmas.

Question—"That the amendment be agreed to"—declared negatived.

Mr. Millhouse: Divide!

While the division was being held:

The CHAIRMAN: There being only one member on the side of the Ayes, I declare that the Noes have it.

Amendment negatived.

The Committee divided on the clause:

Ayes (21)—Mrs. Adamson, Messrs. Allison, P. B. Arnold, Ashenden, Becker, Billard, D. C. Brown, Eastick, Evans, Glazbrook, Lewis, Mathwin, Olsen, Oswald, Randall, Rodda (teller), Russack, Schmidt, Tonkin, Wilson, and Wotton.

Noes (18)—Messrs. Abbott, L. M. F. Arnold, Bannon, Blacker, M. J. Brown, Crafter, Duncan, Hamilton, Hemmings, Hopgood, Keneally, Langley, Millhouse (teller), Payne, Plunkett, Slater, Trainer, and Wright.

Pairs—Ayes—Messrs. Chapman and Goldsworthy. Noes—Messrs. McRae and Whitten.

Majority of 3 for the Ayes.

Clause thus passed.

Clause 3 passed.

Clause 4—"Repeal of second schedule and substitution of new schedule."

Mr. MATHWIN: I move:

Page 2, line 20—After "December" insert "(Boxing Day)".

I ask the Committee to support the amendment. The Glenelg council is quite agreeable to the Bill, but it did suggest—and I heartily support it—that in no way should there be any likelihood that the holiday on 26 December should become known as the Proclamation Day holiday. The date of 26 December is recognised in many areas throughout the world and in many States of Australia as Boxing Day. There is no mention of it in the trades holidays of the Old Adelaide South Australian almanacs around 1860 to 1880. The South Australian directory of 1912 lists Boxing Day, but not as a holiday. It is not mentioned in the Holidays Act, but it is observed in other States.

We have heard some talk of Boxing Day, and a definition was given by the member for Ascot Park, with an interjection from the member for Mitcham on the same subject. Boxing Day refers to Christmas boxes, a gratuity given on Boxing Day; it is the day after Christmas Day; boxes placed in churches for casual offerings used to be opened on Christmas Day and the contents were called the dole of Christmas box. The box money was distributed next day by the priest. Apprentices used to carry around boxes for their masters' customers for certain small gratuities. Postmen received such gifts until after the Second World War, and some dustmen and errand boys still call to collect it. All that occurs on Boxing Day, the day after Christmas Day.

The Hon. J. D. WRIGHT: The Opposition opposes this amendment. What amazes me is where it has come from. I have had an opportunity of reading the speech, and of listening to the member for Elizabeth reading out that speech tonight made by the member for Glenelg last year. It is incredible that not only does he dig the grave and bury Commemoration Day for ever, but now he wants to add insult to injury and change the name to Boxing Day, a day

that means nothing to South Australians. Had he had the decency to have stayed out of this, if his Party wanted to change the name, although I would not have supported it, it would have been respectable, because it would have come from someone else. For it to have come from the member representing the district where Commemoration Day has been held since 1836 is beyond my comprehension. The honourable member was on record last year in this House and previously, but more particularly about 12 months ago, with a very strong speech on this matter. Now he is throwing tradition and his own integrity out the window. The Opposition opposes this move.

The Hon. W. A. RODDA: The Government accepts the amendment.

Mr. Millhouse: Is this a sort of trade-off to let him get something out of it?

The CHAIRMAN: Order!

Members interjecting:

The CHAIRMAN: Order!

The Hon. W. A. RODDA: The Glenelg council has made it quite clear to South Australia that it is going to commemmorate 28 December, and there is no taking the name away from that day.

The member for Glenelg's amendment specifically spells out that it is Boxing Day.

Mr. MATHWIN: I am most disappointed in the speech by the Deputy Leader.

Members interjecting:

The CHAIRMAN: Order!

Mr. MATHWIN: The Deputy Leader has made it quite clear that the only thing he is concerned about is the fact that I have agreed with the Glenelg council to the effect that it is quite happy provided that 26 December is recognised as Boxing Day. We are not altering Proclamation Day, which has always been on 28 December, as the member would well know, and if he is unsure of that he should seek advice from his Leader. As 28 December will still be known as Proclamation Day, there will be no alteration to that at all.

Mr. Langley: Where did the Premier drag you from?

Mr. MATHWIN: It is all right for the honourable member to have half a seizure in this place, but the point remains that Boxing Day is recognised throughout the world as 26 December, and there is no doubt about that. Honourable members opposite would well know that.

Members interjecting:

The CHAIRMAN: Order! There are far too many interjections. I cannot hear the honourable member for Glenelg.

Mr. Max Brown: You have not missed anything.

The CHAIRMAN: I warn the honourable member for Whyalla.

Mr. MATHWIN: This amendment seeks to ensure that there is no confusion and that 26 December will be recognised as Boxing Day, and that nobody will misinterpret that day as Proclamation Day, which still remains 28 December.

Mr. Millhouse: I would not have spoken if the silly member for Glenelg had not got up—

The CHAIRMAN: Order! The member for Mitcham must not reflect on the member for Glenelg. I ask him to withdraw that remark.

Mr. Millhouse: Did I reflect on him in some way?

The CHAIRMAN: I will name the member for Mitcham unless he withdraws, without qualification, the remark he made in relation to the member for Glenelg.

Mr. MILLHOUSE: What remark was that?

The CHAIRMAN: When the member for Mitcham said that the member for Glenelg was silly.

Mr. MILLHOUSE: No, I just said "the silly member for Glenelg".

The CHAIRMAN: The member for Mitcham has been warned for the last time. He will withdraw the remark, or I will name him.

Mr. MILLHOUSE: I might as well be named, I suppose.

The CHAIRMAN: I name the member for Mitcham.

Mr. MILLHOUSE: Righto, I'll go.

Mr. Langley: How many times have you interjected?

The CHAIRMAN: The member for Unley will not interject.

The Speaker having resumed the Chair:

The CHAIRMAN: I have to report that I named the member for Mitcham for consistently refusing to pay regard to the authority of the Chair.

The SPEAKER: Does the member for Mitcham wish to withdraw or otherwise make an apology to the House?

Mr. MILLHOUSE: Mr. Speaker, yes I do. I have always felt for some reason your deputy, the Chairman of Committees—

The SPEAKER: Order!

Mr. MILLHOUSE: Well, I have got to be able to withdraw with an explanation. He has been quick to pull me up on anything; whether he has got some feeling of insecurity or some inferiority complex I do not know, but if he had tackled me, as you have, in the right way, by inviting me to do this, of course I withdraw. All I said was "the silly member for Glenelg" and if that is an unparliamentary expression, then of course I will withdraw it, but it was just the way in which the Chairman of the Committee tried to do it which annoyed me and made me dig my toes in, but certainly I withdraw, and I apologise.

Mr. BANNON: I move:

That the House accept the apology of the member for Mitcham.

Motion carried.

The Chairman having resumed the Chair:

The CHAIRMAN: The question is that the amendment be agreed to.

Mr. MILLHOUSE: Mr. Chairman, I should like to say something about the honourable member for Glenelg and the speech that he made. It is perfectly obvious from the fact that the Government is accepting this amendment that this was patched up in the Government's Party room among the Party to try to save the member for Glenelg's face, because he has betrayed the council, as have the member for Morphett and the member for Hanson. It is an absurd amendment, and I entirely agree with what the Deputy Leader of the Opposition said about it. It is meaningless and, if any member in this House believes that the people of South Australia will remember Commemoration Day when it is no longer a holiday, then they are very silly people indeed. There is no doubt about that. Once it is not a holiday it will not be very long before it is completely forgotten, and that is the whole point of my opposition to this Bill. Just by trying to emphasise that 26 December is Boxing Day will do nothing whatever to preserve Commemoration Day.

The Committee divided on the amendment:

Ayes (21)—Mrs. Adamson, Messrs. Allison, P. B. Arnold, Ashenden, Becker, Billard, D. C. Brown, Eastick, Evans, Glazbrook, Lewis, Mathwin (teller), Olsen, Oswald, Randall, Rodda, Russack, Schmidt, Tonkin, Wilson, and Wotton.

Noes (18)—Messrs. Abbott, L. M. F. Arnold, Bannon, Blacker, M. J. Brown, Crafter, Duncan, Hamilton, Hemmings, Hopgood, Keneally, Langley, Millhouse, Payne, Plunkett, Slater, Trainer, and Wright (teller).

Pairs—Ayes—Messrs. Chapman and Goldsworthy.
Noes—Messrs. McRae and Whitten.
Majority of 3 for the Ayes.
Amendment thus carried; clause passed.
Title passed.

The Hon. W. A. RODDA (Chief Secretary): I move:
That this Bill be now read a third time.

The Hon. J. D. WRIGHT (Adelaide): I do not want to be accused of keeping people up late again. I occupied the crease yesterday for only one hour and 25 minutes in all, yet I get the total blame. The Government should get some blame.

Members interjecting:

The Hon. J. D. WRIGHT: I do not dispute what is in *Hansard*. I want to place on record finally that I am quite disgusted with the attitude of the Government over this situation. The Government is determined to continue with this Bill that does away with the only traditional holiday that has been observed in this State for many years, despite the fact that the Premier talked about flying the flag, the piping shrike, and the pride we must have in South Australia. The member for Mitcham quite modestly bowed to the Premier's way of putting it over to some 900 people on the weekend about how proud—

The SPEAKER: Order! I draw the Deputy Leader's attention to the fact that he may only discuss the Bill as it has left the Committee.

The Hon. J. D. WRIGHT: Thank you for that guidance, Sir. The Bill in its present form is no different from the form in which it was introduced; the numbers have been used to clearly indicate that. I place on record that the Premier has, for some time, been talking about flag-flying, piping shrike and all the things—

The SPEAKER: Order! I draw the Deputy Leader's attention once more to the fact that any member who speaks in the third reading debate may only refer to the Bill as it has left the Committee. This is not another second reading debate.

The Hon. J. D. WRIGHT: If I am not permitted to proceed in that way, the clear fact remains that Proclamation Day, or whatever it is called, has been destroyed in South Australia for all time or at least until the Labor Party gets back into office, because we will reinstate that holiday. I go on record now as saying that when we are returned to Government we will amend this legislation to give back to the people of South Australia the Commemoration Day holiday that they are so entitled to. I oppose the third reading.

Mr. MILLHOUSE (Mitcham): I cannot go as far as the Deputy Leader of the Opposition in opposing the third reading because there is one clause in the Bill that, in all fairness, we must let the Government have.

Mr. Bannon: They can do it by proclamation.

Mr. MILLHOUSE: They cannot unproclaim the proclamation; is that not the problem? I would vote against the third reading without the slightest hesitation were it not for clause 3 of the Bill. I accept the Chief Secretary's explanation that someone has bumble-footed and the wrong day has been proclaimed for the Queen's birthday next year, and that the only way to annul the proclamation is by legislation. The Government cannot issue another proclamation to annul the first proclamation. To my mind, that justifies my voting for the third reading of the Bill, and it was for that reason that I made certain that clause 2 be called on, which is the crux of the Bill. We had to vote against that clause, because that is the offensive clause. Clause 4 is almost as bad, but it is consequential on clause 2, so I did not bother to call again. Finally, in explaining my reasons for not voting against the third reading of the Bill, I indicate that, after the Premier spoke on Saturday night and said that he was proud to be a South Australian, I got up and agreed with him.

The SPEAKER: Order!

Mr. BLACKER (Flinders): I too must explain my position. I said in the previous debate that I believed that Proclamation Day should be retained on 28 December. However, the attempt made to rectify the problem that exists (it is made in clause 3) is worthy of the support of this House. For that reason I, too, support the third reading.

Bill read a third time and passed.

ADJOURNMENT

At 2 a.m. the House adjourned until Thursday 30 October at 2 p.m.