HOUSE OF ASSEMBLY

Tuesday 25 August 1981

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

PETITION: HANDICAPPED PERSONS

A petition signed by eight members of the Physically Disabled Club praying that the House urge the Government to amend the Building Act, 1970-1976, so that the power to waive access requirements for people with disability rests with an expert body responsible directly to the Minister and not with local government was presented by the Hon. J. D. Wright.

Petition received.

PETITION: PORNOGRAPHY

A petition signed by 32 residents of South Australia praying that the House urge the Government to tighten restrictions on pornography and establish clear classification standards under the Classification of Publications Act was presented by Mr Langley.

Petition received.

PETITION: BEVERAGE CONTAINERS

A petition signed by 216 residents of South Australia praying that the House urge the Government to restore the Beverage Container Act to provide that PET bottles be subject to a deposit was presented by Mr Millhouse.

Petition received.

QUESTIONS

The SPEAKER: I direct that the written answers to questions, as detailed in the schedule that I now table, be distributed and printed in *Hansard:* Questions on the Notice Paper Nos. 18, 19, 23, 29, 32, 39, 45, 52, 53, 56, 67, 71, 74 and 75.

LOCK COAL DEPOSITS

In reply to **Mr BLACKER** (6 August).

The Hon. E. R. GOLDSWORTHY: The Department of Mines and Energy recently commissioned a group of consulting mining engineers to undertake a conceptual mine feasibility study of the Lock coal deposits. They concluded that considerable further work would be required before decisions could be made to undertake mining. This relates to coal seam quality and variability and to dewatering impacts. The Wakefield and Kingston coal deposits are more favourably located and have much larger reserves and thus are considered to have higher development potential.

LIVE SHEEP EXPORTS

The Hon. W. E. CHAPMAN (Minister of Agriculture), by command, laid on the table a copy of the report on the Australian live sheep export trade relating to a Ministerial statement that he made in this House last week.

Ordered that report be printed.

PAPERS TABLED

The following papers were laid on the table:

By the Treasurer (Hon. D. O. Tonkin):

Pursuant to Statute—

I. Savings Bank of South Australia—Balance Sheet as at 30 June 1981.

By the Minister of Environment and Planning (Hon. D. C. Wotton):

Pursuant to Statute—

I. Planning and Development Act, 1966-1981—Metropolitan Development Plan—City of Woodville Planning Regulations—Zoning.

By the Minister of Transport (Hon. M. M. Wilson):

Pursuant to Statute—

I. Bus and Tramways Act, 1935-1978—By-laws—Bus and Tramways Fares.

II. Railways Act, 1936-1979—Regulations—Railway Fares.

By the Minister of Recreation and Sport (Hon. M. M. Wilson):

Pursuant to Statute—

I. Racing Act, 1976-1980—Dog Racing Rules—Minimum Age Limit.

By the Minister of Health (Hon. Jennifer Adamson):

Pursuant to Statute—

I. Building Societies Act, 1975-1981—Regulations—Raising Funds.

NO-CONFIDENCE MOTION: FISHERIES

Mr KENEALLY (Stuart): I move:

That Standing Orders be so far suspended as to enable me to move the following motion without notice forthwith, such suspension to remain in force no later than 4 p.m.:

That this House express its lack of confidence in the performance of the Minister of Fisheries, particularly in his relations with the fishing industry and his care for South Australian fish resources, and calls on the Premier to dismiss him.

Motion carried.

Mr KENEALLY: The Opposition acknowledges that a no-confidence motion is the most serious sanction Parliament can place on a Minister. A check of *Hansard* records will show that we have used it sparingly, not because Ministerial blunders warranting censure do not abound, but because we respect the traditional importance of such a motion, using it only when the incompetence of, or mismanagement by, a Minister demands that this action be taken. The Opposition recently moved a motion of no confidence in the Minister of Education for expressly those reasons.

Today, because of the appalling mismanagement of a vital South Australian prawn fishery by the Minister of Fisheries, we are asking the House to demonstrate its lack of confidence in his ability to fulfil the important responsibilities that reside in him. At the outset I wish to make two important observations. Many people operating within the South Australian prawn fisheries will find it strange that I am championing their cause. My colleagues will bear witness to the fact that over the years I have been a constant critic of many aspects of that industry. While I believe I have cause to do so, I will continue to seek changes within the industry. However, on this occasion, I am with the prawn fishermen in their anger against a Government and a Minister who have recklessly disregarded their legitimate concerns.

Secondly, I believe it must be said that the Minister is a popular man, liked by every member of this House. This fact does not make the motion any easier to move. However, niceness is no substitute for competence. In accepting his Ministerial appointment, the Minister undertook to admin-

ister the State fisheries in the interest of all South Australians. To do this effectively, he must show strength within Cabinet and possess the confidence of his Premier, Ministerial colleagues, and of the fishing industry. I will demonstrate that he has neither the strength nor confidence necessary, and that he must be replaced.

So that members can better appreciate the importance of this motion, some background information should be given to the House. In 1975, the Department of Fisheries advised the Government that there were unexploited prawn stocks in Investigator Strait.

Although little research had been carried out in the St Vincent Gulf prawn fishery it was confidently assumed that a model would show that: prawn breeding took place at the northern end of St Vincent Gulf; prawns migrated southwards, being harvested by 12 prawn fishermen with authorities for St Vincent Gulf; stocks found in Investigator Strait were an 'overflow' from the gulf. It was considered at that time that the waters of the strait were too cold for prawns to breed. As a result, the Government took the following course of action: first, two additional prawn authorities were issued for St Vincent Gulf to 'mop up' more prawns on their southward migration, and secondly, five Ministerial permits, on annual term, were issued for the strait. These permits were issued to see whether the assumed overflow could sustain a permanent fishery.

In 1976 it was apparent that the Ministerial permit holders were meeting with considerable success. This prompted Mr Raptis to challenge State control of the fishery by sending in his large prawn vessels.

The ensuing case between Raptis and the State went to the High Court, which ruled that most of the strait (except for the three-mile territorial strip on both sides) belonged to the Commonwealth. The State and Commonwealth Governments could not agree on a joint management regime for the fishery and, in order to assert its authority, the Commonwealth issued three Commonwealth licences to fishermen to trawl for prawns in the Commonwealth waters of the strait. This was done without any biological or economic justification and without the approval of the State Government. It was purely a political gesture by the then Primary Industry Minister, Ian Sinclair.

There were, by the end of 1976, eight vessels harvesting the Investigator Stait 'overflow' and 14 vessels harvesting the established fishery in St Vincent Gulf. By 1978 the St Vincent Gulf prawn fishery was established as the most prosperous fishery in the State. When the prawn fee dispute was settled in September on an interim fee of $2 000 for all prawn boats and a full fee to be agreed to in the 1979 licensing season, the St Vincent Gulf prawn fishermen expected to have to pay the highest fee of all.

However, the Investigator Strait Ministerial permit holders were already suffering declining catches and, because of this, even in the interim period, they were allowed to continue paying their original Ministerial permit fee of $200 per annum.

Because of rumours circulating in the industry at the time, the Minister of Fisheries and the Premier wrote to the Ministerial permit holders assuring them that, in accordance with the conditions of their Ministerial permits and traditional practice in the industry, they would be granted full prawn authorities when the management of the proven fishery was resolved. At that time it appeared that such resolution revolved about the question of whether the Commonwealth would accede its share of responsibility for the management of the fishery to the State.

The Minister of Agriculture has made great play of this letter and has attempted to embarrass the former Labor Government over its existence. However, that letter was written on the advice given by the department at the time, that a viable fishery existed in the strait, and was valid and necessary in the circumstances. Now that subsequent departmental research has proved that the model of the fishery used at that time was inaccurate, no such promise would be possible.

I mention here that that research has taken place. It is interesting that today I have been given a letter that the Minister wrote to the Hon. Brian Chatterton, shadow Minister of Fisheries, in another place. On 20 August 1981 the Minister said:

> Dear Brian,
> On 22 July 1981 in the Legislative Council you stated:
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> > Now we have new research work, and this has been shown in the catches that have been obtained in St Vincent Gulf. We have this new work which shows that a great number of the prawns, in fact, came from Kangaroo Island and Investigator Strait.
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> The Minister then said:
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> I am not aware of the new research work to which you refer, and I would be grateful if you could send me a copy of the information which led you to make that remark.

Before doing that, I want to refer the Minister and his Cabinet colleagues to a statement made by Mr Corigliano, the President of the Australian Fishery Industry Council, South Australian Branch, which he made in evidence to the Senate Standing Committee on Trade and Commerce on 22 May 1981, as follows:

> I believe it will be another year before the small prawns that breed there are wiped out. There seem to be two waves of small prawns. In July and August a wave of small prawns come off shore from Kangaroo Island and there seems to be a wave again in October and November. I think the fishery will get so low that it cannot recover if it is allowed to go on any longer.

There is more of that evidence that I could quote. In case the Minister says that that is not evidence of an inquiry into the prawn fishery in Investigator Strait and St Vincent Gulf, I refer him to his own department's research dated 19 November 1979, when the department, under the leadership of Mr R. K. Lewis, and including A. R. Knight and B. Leigh, the crew of the *Joseph Verco*, and prawn industry observers, Mr Justice and Mr Smith, undertook a research programme in Investigator Strait and St Vincent Gulf to prove the very fact that there were prawn nurseries on the lower end of St Vincent Gulf and in Investigator Strait. It is significant that the Minister of Fisheries has to write to the shadow Minister asking for evidence of research work that has taken place during his period of administration. This is but a small factor, one of many that I will bring to the notice of the House.

In August 1979 full fees were negotiated for the entire prawn fishery, but, because of evidence of sharply declining catches in St Vincent Gulf, prawn authority fees for this fishery were maintained at the interim level of $2 000 per vessel. During 1980 the St Vincent Gulf prawn fishery continued to show declining catches. New research carried out jointly by fishermen and Department of Fisheries officers showed that the original model used in 1975 to justify the entry of further vessels was completely wrong. In fact, evidence now pointed to two important breeding grounds for prawn stocks: one is on the western side of the gulf and the other is off American River and Kingscote in Investigator Strait, which I referred to a moment ago.

Previous management strategies were shown to be totally inappropriate when it was established that the source of prawns in the strait was from breeding grounds and not from an overflow from the gulf. The operations of the permit holders and Commonwealth licence holders in the strait meant that these breeding grounds had been heavily over-fished to the stage where the fishery was experiencing a cut-off of prawn stocks to the gulf. This naturally produced a severe decline in the gulf fishery. Studies then revealed that prawns were growing more slowly in the

southern breeding ground than in the northern one. It was estimated that it could be three years between time of breeding and the optimum size for harvesting for market. These studies accounted for the time lag between the commencement of fishing in the strait and the subsequent decline in St Vincent Gulf fishery catches.

On 23 January 1981, the Director of Fisheries wrote to the Australian Fishing Industry Council (S.A. Branch) outlining the South Australian Government's position on Investigator Strait prawn fishery management, which can be summarised in the following terms. Rather than read the letter, I will summarise. The objective was to restore prawn stocks that had been heavily depleted by overfishing. The strategy was no commercial fishing for two full seasons. The future policy was to call for vessels to re-enter the fishery should it be determined that the fishery was able to accommodate effort at the end of the two-year period. It was the recommendation of the State Government for a total closure of the fishery from June 1981 to June 1983.

On 4 February a meeting between AFIC and the Department of Fisheries confirmed this policy. On 9 March a Port Lincoln meeting of AFIC sent a telex to the Premier urging support for the recommendation made by the Minister of Fisheries. I quote from that telex:

For the urgent attention of the Premier:

The fishing industry of Port Lincoln asks you and the Federal Minister, Mr Nixon, to give your personal attention as a matter of urgency to the now far too long drawn-out Investigator Strait-St Vincent Gulf fiasco. We trust your Cabinet gives full support to the responsible decision of S.A. Minister of Fisheries and S.A. Department of Fisheries...

The damage that has been done to the St Vincent Gulf prawn resource in this unnecessary long drawn-out problem can only be described as a disaster.

Fourteen fishing groups signed the telegram, including the Port Lincoln Management Committee members of AFIC, Western Waters Prawn Boat Owners Association, S.A. Prawn Fishermen's Association, Puglisi Fishing Co., Haldane Bros, Santa Anna Deep Sea Fisheries, Gemic, and so on.

On 31 March, the Minister and Mr Nixon issued a joint statement announcing the withdrawal of the Ministerial permits for State waters in the strait and proposed a total closure of the whole strait fishery for two years. I quote from the *Advertiser* of 1 April 1981, as follows:

In a joint statement yesterday, the Minister for Primary Industry, Mr Nixon, and the S.A. Minister of Fisheries, Mr Rodda, said the Commonwealth was seeking comments from interested people on a proposed closure of the fishery. Mr Rodda said he would urge the Commonwealth to close the strait for at least two years. He said South Australia had already cancelled State permits for five boats in State waters of the strait and was seeking reciprocal Commonwealth action. The Director of the S.A. Department of Fisheries, Mr R. A. Stevens, said the strait fishery was collapsing. The President of the Port Adelaide Professional Fishermen's Association, Mr M. J. Corigliano, welcomed the move.

It is quite apparent that during April and May of 1981, the local State member for the area, the Minister of Agriculture, and the Federal member, Mr Porter, developed a campaign to upset the decision of the State and Federal Governments, and attempted to get the three remaining Ministerial permit holders and the three Commonwealth licence holders into other State prawn fisheries. It is worthy of note that two of the original five Ministerial permit holders had voluntarily handed in their permits due to declining catches.

One basis given for the campaign of the Minister of Agriculture and his colleague was that the loss of the prawn fishery to Kangaroo Island processors would affect adversely the economy of the island. However, the transfer of the strait fishermen to other prawn fisheries would mean that they would not land their fish at Kingscote anyway. A more sinister, and we believe the real reason for the campaign of the local State and Federal members was revealed at a meeting of Kangaroo Island fishermen. Nigel Buick (owner of the Kingscote fish processing factory) reported to the meeting that he had put his hands deep into his pockets for the Liberal Party and he expected to stop the closure of the strait fishery. On the other hand, SAFCOL (which leased Buick's factory) announced that the strait prawn catch was insignificant to its operations.

Now, Sir, we in this Chamber are very well aware of the activities of the said Mr Nigel Buick. He did, as he claims, put his hand deep into his pocket for the Liberal Party. And his was the name used by the Liberal Government to authorise a whole series of notorious and disgraceful third party election advertising in September 1979. So bad were these advertisements—

The SPEAKER: Order! The honourable gentleman has put before the Chair a motion relative to the fishing industry, and I would ask that all members who speak to the motion do speak to it.

Mr KENEALLY: I will tie this in with the motion, Sir. So bad were these advertisements, that even the Liberal Party was too ashamed to attach its name. It is obvious that Mr Buick expected some quid pro quo. It is equally obvious that his local members, Chapman and Porter, agreed with him. Why else would they so vigorously pursue his personal interests to the exclusion of all else? It is even more obvious that the quid pro quo was granted. Events that followed amply demonstrate this. I mention in passing that the use of $32 000 worth of fishing equipment granted by the Government to Mr Buick, free of charge, to investigate the squid fishery was obviously not a good enough pay off.

On 24 April, AFIC wrote to the Federal Department of Primary Industry supporting cancellation of Ministerial permits, total closure of the fishery for two years, and rejection of the proposal to transfer the Commonwealth licence holders to other State prawn fisheries. AFIC provided supporting evidence on the decline of the St Vincent Gulf fishery of 40 per cent despite a 30 per cent increase in effort in the gulf and a 54 per cent drop in Investigator Strait. It claimed that the decline in the prawn fishery resulted in a loss of income to the State of $1 400 000 and 100 to 120 jobs. AFIC also refuted the claim that the Kangaroo Island fish factory would suffer if a closure of the fishery took place. It confirmed support for the South Australian Minister of Fisheries' recommendation.

On 29 June a meeting was held between AFIC and the Minister of Fisheries, Minister of Water Resources, Mr Ross Storey and the Director of Fisheries, Mr Stevens. This meeting is reported in a letter to the Minister of 8 July 1981. The purpose of the meeting was to promote the Minister of Agriculture's plan to AFIC. However, AFIC strongly opposed the transfer of the remaining prawn fishermen to other prawn fisheries, just because it was politically convenient for the Minister of Agriculture. AFIC pointed out that it was only prepared to accept such a proposal 'if and when it can be proven that such action is justified'. But, representatives pointed out to the meeting that 'current biological research is unable to justify additional prawn fishing effort'. AFIC finally pointed out:

The depth of industry despair, and that out of desperation, our members are considering action which has no precedent in our history.

On 6 July, AFIC wrote to the Minister of Agriculture rebutting attacks made on it by him in an undated letter. The Minister's letter was obviously offensive and insulting, and I read partly from the reply of Mr Gallary, Executive Officer of AFIC, which substantiates that judgment:

Frankly I am offended by your suggestion that this council has a history of by-passing the Minister's office in fisheries matters.

It is absolutely incredible that this Minister of Agriculture would criticise AFIC for by-passing the Minister of Fisheries. Everyone in this House and in this State who has any idea of what goes on within the fishing industry knows that the Minister of Agriculture is continually by-passing the Minister of Fisheries and over-riding, to a large extent, the recommendations that he makes. Yet he has the effrontery to write to Mr Gallary and suggest that AFIC was by-passing the Minister. Mr Gallary completes his letter in these terms:

As you suggest, further discussion at this time is pointless, although I would like to bridge the gap in the near future.

Obviously Mr Gallary is a much more reasonable person than the Minister of Agriculture. The whole mess became too difficult for Cabinet to deal with, and it appointed a Cabinet subcommittee under the Chairmanship of, no less, the Minister of Industrial Affairs, not the Minister of Fisheries.

What an incredible decision by Cabinet or by the Premier. Here is a critical matter that is quite within the reserve of the Minister of Fisheries, and Cabinet elects a subcommittee chaired by the Minister of Industrial Affairs. I would like to see how the Minister of Industrial Affairs would react if Cabinet appointed the Minister of Fisheries as Chairman on a subcommittee looking at shopping hours. I would like to see how the Minister of Agriculture would react if the Minister of Fisheries was elected Chairman of a subcommittee that looked at some of his actions in his portfolio. Of course the Ministers would not like it.

In my view it is disgraceful that this decision was imposed upon the Minister, and it is more disgraceful that he accepted it. This is not unusual. I can quote a very easy example of how the Premier treats this Minister. Recently, when Cabinet arrived at Port Augusta, a group of fishermen was there to see the Minister at the request of one of his back-benchers. I spoke to the Minister and the Premier (I hope the Premier is listening to this) saying that the Minister ought to meet with these fishermen. After some convincing, the Premier acceded to that request and delegated the Minister of Fisheries to speak with the delegation of Port Augusta fishermen.

However, he insisted that the Minister of Agriculture accompany the Minister of Fisheries in his discussion with the Port Augusta fishermen. That is a gross insult to the Minister of Fisheries and an even greater insult to the Port Augusta fishermen, who wanted to present their case and grievance not to the Minister of Agriculture but to the Minister of Fisheries. Those are constant examples. I believe that all members of this House could quote such an instance in this debate if they were able to do so. On 16 July, AFIC met the Cabinet subcommittee and were surprised to find Mr Porter also present. That Cabinet subcommittee included the Federal member for Barker, Mr Porter. I believe that the plot thickens.

The AFIC delegation was kept waiting for one and a half hours while, in their words, 'the subcommittee was harangued by a Cabinet member who has access to subcommittee members at other times'. Of course, the Minister of Agriculture was, quite naturally, the member referred to. They were kept waiting whilst the Minister of Agriculture was haranguing the subcommittee in his interests and in the interests of one of his financial supporters.

As a result, AFIC regrettably had a totally inadequate 25 minutes with the subcommittee. On 17 July AFIC telephoned Mr Storey, seeking a better hearing before the Cabinet subcommittee. They received no reply to that approach.

On 20 July AFIC telephoned the Minister of Industrial Affairs, seeking a further hearing. They received no reply to that approach. On 22 July AFIC telexed the Premier, seeking a further meeting with the Cabinet subcommittee, saying, in part:

The time available during our recent meeting with the Cabinet subcommittee to discuss Investigator Strait did not allow AFIC the opportunity to explain fully the reasons for our recommendations which were established at a special meeting of the AFIC management committee. Our members feel that it is imperative that we meet again with your subcommittee and be given ample time to discuss this issue in the immediate future.

There was no reply to that telegram, which, interestingly, was addressed to the Premier and a copy of which was sent to the Hon. Dean Brown. He tries to suggest that he was not the Chairman of that committee. Why else would a copy of that telegram be forwarded to him?

Then, on 24 July AFIC telexed the Premier, again expressing dissatisfaction with the hearing before the Cabinet subcommittee; offering a compromise that two vessels remain in Investigator Strait fishery but asking that known areas of breeding grounds for juvenile prawns be totally closed to all; and asking that, if the operations of these two vessels do not have an adverse effect on the zone, that the strait and gulf fishery be merged. I quote further from that telex:

AFIC maintains that in offering this arrangement we are accepting what is really Commonwealth responsibility. It is obvious that the State is also prepared to accept some of that responsibility but we are fearful that the State may be prepared to go much further in order to placate a Cabinet Minister. We abhor the influence being wielded by one of your Cabinet Ministers who to date has been successful in overriding the industry recommendations as well as a decision by your own Government that the Commonwealth be required to close Investigator Strait for a period of two years. That decision was supported by AFIC. We maintain that this issue must be resolved and ask that a decision be taken urgently. We offer our time to meet once again with your Cabinet subcommittee in order to clarify the AFIC attitude.

We maintain that we have been very considerate in not subjecting your Government to public and political pressure on this matter. However, we now feel that this council has no alternative but to publicly explain its attitude which is one based on preservation of the fish stocks and the managed fisheries of South Australia. Any decision taken on the basis of pure political convenience will be opposed by this council. We maintain that your Government's prime concern should be the protection of South Australia's fish stocks, and we look forward to receiving advice in the immediate future.

Of course, no reply was received. That telegram also was sent to the Minister of Industrial Affairs, who suggests that he has no interest in this matter. On 27 July AFIC, by now very angry, again telexed the Premier seeking a meeting with the Cabinet subcommittee. The telex stated:

For two weeks AFIC has unsuccessfully sought a further meeting with the Cabinet subcommittee formed to deal with the Investigator Strait prawn fishery problem. At a previously arranged meeting AFIC representatives were kept waiting for one and half hours whilst the subcommittee was harangued by a Cabinet member who has access to subcommittee members at other times.

For a political Party who assured the fishing industry that AFIC would be recognised as the voice of the industry I am annoyed at not being given adequate opportunity to put industry's position on such a serious matter. Figures demonstrating the decline of this valuable State resource have only been available since your Government was elected and industry expected that, with good government, corrective action would have been taken long before now. This delay is having serious effects within our industry.

I recognise the busy schedule of Cabinet members but draw your attention to the fact that AFIC delegates voluntarily give their time for the good of the industry. I now ask you directly for a time to be set for AFIC representatives to meet with the subcommittee. I am expecting an early response.

That was signed by Mr Corigliano. None of these attempts to gain another meeting was replied to. Since that time AFIC has telephone Mr Story, the Minister of Industrial Affairs, the Minister of Fisheries and his office, but has received no reply. A total attitude of ignorance has been demonstrated by this Government towards the representatives of the prawn fishery in South Australia and it is not good enough.

The Hon. J. D. Wright: Unbelievable!

Mr KENEALLY: It is unbelievable, as the Deputy Leader says, but typical. On 6 August, to the dismay of the fishing industry, the Minister of Fisheries announced a policy of no change for Investigator Strait; that is, the Government had decided to allow the continued exploitation of the fishery by the three remaining Ministerial permit holders and three Commonwealth licence holders, despite there being no meeting with AFIC (one could hardly call the 20 minute fiasco with the subcommittee a meeting), no protection for the breeding grounds and areas of juvenile prawns, and the fact that, if State waters of the strait are closed, the cost of policing this is considered to be prohibitively expensive and difficult to perform effectively. The press statement announced:

> The State Government has decided that no action will be taken at present to merge the Gulf St Vincent and Investigator Strait prawn fisheries until the viability of a combined total fishery has been further assessed. Announcing this today the Minister of Fisheries Mr W. Allan Rodda said the Government had agreed that further research was necessary to assess the prawn stocks in both Gulf St Vincent and Investigator Strait.
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> 'Evidence suggests that there may be a need to rationalise the fishing effort in those waters,' Mr Rodda said. He said the issues involved were both complex and difficult and that the Government had held talks with representatives of the Australian Fishing Industry Council (S.A. Branch), the Gulf St Vincent prawn fishermen and the Kangaroo Island Fishermen's Association in an effort to settle the matter.
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> Mr Rodda said the Federal Minister for Primary Industry, Mr Nixon, had been informed of the decision, and the Commonwealth had also been asked to undertake further research into the Investigator Strait prawn fishery.

That was an incredible statement to make, inasmuch as it announced a decision not to do something that was never contemplated in the first place. The solution to the problem of the Investigator Strait and St Vincent Gulf prawn fishery was to announce something which had not been contemplated and which certainly did not meet with the approval of participants in the industry. It met with the approval of the Minister of Agriculture, be there no doubt about that; and I am sure that it met with the approval of a certain Mr Nigel Buick. Let there be no doubt about that. However, it did not meet with the approval of those people whose livelihood and future viability depend on the prawn fishery.

This press statement signified the Government's intention to allow the continued over-fishing of prawn nursery grounds and the almost certain destruction of the fishery. It claims that the Government had held talks with industry spokesmen which, as I have already explained, is utter rubbish.

This whole story is indicative of the Liberal Government's appalling lack of concern or understanding of the prawn fishery in the strait and St Vincent Gulf which has resulted in this inaction. The six fishermen who are left in the strait fishery cannot hope to survive (note that two have already left), but in the process of going bankrupt they will plunder the breeding grounds at the eastern end of the strait and ruin a potentially prosperous prawn fishery in the gulf. It is also worthy of note that two of the remaining three Ministerial permit holders fishing in the strait have retained the right to fish in other managed fisheries. Messrs Alexander and Manser hold rock lobster authorities and are currently able to re-enter that fishery at will.

It is apparent that conflicts within Cabinet make it unable to decide on even a minimum course of action that would protect the breeding grounds while the Investigator Strait fishermen proceed to bankrupt themselves. The premier is unable to control the Maverick Minister of Agriculture, who continues to work openly to undermine (with the help of Mr Porter) the decisions of Cabinet and, more particularly, his colleague the Minister of Fisheries. His activities cannot be for the sake of the Kangaroo Island economy, as this part of his electorate would be only marginally affected by a total closure, but is for the benefit of Nigel Buick, who is (by his own admission) a significant contributor to Liberal Party funds. I am assured of that by the hollow laugh of the Minister of Industrial Affairs, who everyone knows has no humour; when he laughs it indicates that he is under pressure, which of course he is at the moment. As a consequence, we witness the complete destruction of what is left of the credibility of the Minister of Fisheries and his ability to handle his portfolio.

Mr Gunn: Did Bruce Muirden write this, Gavin?

Mr KENEALLY: His policy and his agreement with AFIC have been completely voided. Before I finish my comments, I point out to the member for Eyre that this assuredly is my speech, and if he listened he would know that it is.

Therefore, because of the incompetence of the Minister of Fisheries and his inability to represent within Cabinet the vital interests of the fishing industry; because of the reckless disregard shown by the Minister of one of our most valuable fishing resources; because of the refusal of the Minister to adequately consult with the fishing industry; because of the Minister's refusal to stand up to the Minister of Agriculture whose ruthless determination to pursue the interests of a Liberal Party supporter makes him a key figure in this betrayal of the fishing industry; and because of the obvious lack of confidence in the Minister by the Premier and Cabinet, who treat his Ministerial capabilities with contempt, I have moved this motion of no confidence.

I am absolutely certain that the Minister of Fisheries will be the first responder to this motion in defence of his own performance, in defence of his own administrative blunders. If he again hides behind one of his Ministerial colleagues, it will be transparent that all I am saying applies not only to his administration outside the House but also to his administration within the House and to the regard with which his colleagues hold him. Because of all these factors, I ask that this House show its lack of confidence in the Minister of Fisheries, and so demand his dismissal.

The SPEAKER: Order! Is the member for Stuart moving a motion? To this point of time he has not done so.

Mr KENEALLY: Thank you very much, Sir. I already have done that, if you check with *Hansard*. I am not reflecting on your decision, Sir; I am quite happy to read the motion again.

The SPEAKER: Order! The honourable member read the motion when seeking a suspension of Standing Orders, but not subsequently.

Mr KENEALLY: Thank you, Sir; I will be happy to do that. I move:

> That this House express its lack of confidence in the performance of the Minister of Fisheries, particularly in his relations with the fishing industry and his care for South Australia's fishing resource, and calls on the Premier to dismiss him.

The Hon. D. O. TONKIN (Premier and Treasurer): The honourable member for Stuart really has excelled himself today. I have never heard so much background noise in the Chamber—

The Hon. D. J. Hopgood: The Premier has a rude back bench.

The Hon. D. O. TONKIN: I do not think the honourable member for Baudin is correct in that statement. I think that he should direct that remark to his colleagues on his own back bench, because they were doing a great deal of the talking. Let us get a few things straight: the honourable member for Stuart thinks that he is very clever with this motion, because if, in fact, the Premier stands to answer

any charge that a Minister's performance is in some doubt—

Members interjecting:

The Hon. D. O. TONKIN: The noise is still coming from that side of the House. If that happens, the Premier will be accused of not supporting his Minister. If, as the member for Stuart suggests, the Minister stands first to reply, the Premier will be accused of deserting his Minister, so the Opposition thinks that it wins either way. Let us get down to business, because I have never heard such a deplorable exhibition in all my life.

First, it is now nearly two years since the last election. It is still a matter of great surprise to me that allegations are made from the other side of the house which quite clearly show how deeply bitter the Opposition still is, and how short-sighted and introspective its members still are. I am appalled by the allegations which have been made about various individuals. I make the point that the Government did not supply squid digging gear to Nigel Buick; it was done by arrangement direct with the joint venturer, and Safcol was the Australian partner in that, so there is no truth whatever in the allegation made. I hope that the member for Stuart will have the decency to stand in this place and apologise for making such a statement. Secondly, there was some funny point (and I was not quite sure what the honourable member was getting at) about why the Minister of Fisheries was not Chairman of the Cabinet subcommittee. Our Cabinet subcommittees are always chaired by the senior Minister present. If we were to take the honourable member for Stuart's approach further, he would be saying that the Premier should not be in the chair at Cabinet meetings and that the Minister dealing with a particular subject should be the person in the chair. I have never heard anything so ridiculous in all my life.

The honourable member for Stuart has been guilty of the most gross exaggeration, the most gross and appalling exaggerations and, indeed, of misleading this House and promoting untruths—and I say that advisedly. I do not think that he, to make a political point and to try to push his own way in his shadow portfolio, should resort to these tactics. He says, amongst other things, that the meeting with AFIC lasted for 25 minutes. Then, towards his peroration he got down to 20 minutes, so in his own speech he could not maintain any degree of consistency.

Mr Keneally: I said '25 minutes'.

The Hon. D. O. TONKIN: The honourable member did not; he said 20 minutes at the end of his speech. That is the sort of exaggeration that has been going on, and on and on. Let us get something else quite clear: the meeting between the Cabinet subcommittee and AFIC lasted for one hour and 20 minutes. Indeed, one member of the Cabinet subcommittee had to leave after one hour because the meeting had gone on for much longer than expected.

Mr Hamilton: You're saying that, but you're telling lies.

The Hon. D. O. TONKIN: I am saying that the member for Stuart is not accurate.

The SPEAKER: Order! I ask the honourable member for Albert Park to remain silent.

The Hon. D. O. TONKIN: The Kangaroo Island fishermen, who have some interest in this matter, also met with the Cabinet subcommittee for something like half an hour. Right from the beginning, the member for Stuart could not resist the temptation to exaggerate to try to make his case better. I, for one, have no respect for him for doing that.

The member for Stuart says that we might be surprised that he is defending in this place the prawn fisheries, because he has had a lot to say on the other side in the past. I agree; we are surprised, very surprised indeed, and I am surprised at his sudden championing of the whole cause of fishery preservation, or resource preservation, because he is doing a complete turn around and I think it is about time that we worked this out, too. His great interest in fisheries is well known, because he has consistently advocated that the B-class fishermen in Port Augusta should continue to use nets. He has said that frequently and constantly, and this totally contradicts what he has said in the past about the need to conserve the resource.

We have had a great deal of discussion about the Port Augusta B-class fishermen. The member for Stuart, to do him credit, has stood up for them, and I admire the man for standing up for them, but there is no way that we could give in to the request when he has constantly made to allow them to continue netting when in fact the overall plan of the conservation of the resource requires that B-class fishermen do not continue with netting. That was not an easy decision for this Government to make. It was difficult, but this Government is not in the business of backing away from tough decisions, especially when they are for the ultimate benefit of the people of South Australia, and for the ultimate benefit of the fishing resource.

Some matters were referred to us by a delegation at Port Augusta which was attended by a number of Ministers, because, as the member for Stuart well knows, the whole of the Cabinet was in the building. The matters which have been raised in relation to the use of double nets and double netting techniques in the gulf have been investigated and dealt with, and I am grateful that they were brought to our attention by the fishermen at Port Augusta, but how can he reconcile his support of continued netting of B-class fishermen at Port Augusta with his stated desire to preserve the fishing resource? The answer, of course, is that he cannot, and everything he is saying has been an artificial pose. He does not share that attitude, and I am not surprised to hear him advocating what he is advocating for the prawn fisheries, because obviously he is playing Party politics, and nothing more.

In the interests of conserving the resource, and this is the Government's record and policy, it has decided to phase out B-class licences by attrition, with no transfers taking place, and it was as a result of representations from AFIC that nets had been taken away from B-class licence holders. The use of nets by amateurs has been restricted, and once again the aquatic reserve policy, the extensive areas that have been closed to netting—all of those things have been done after consultation with the South Australian Recreational Fishermen (SARFIC) and AFIC. All of this has been done in the interests of good management.

The Hon. J. D. Wright: Have your got the wrong speech?

The Hon. D. O. TONKIN: No, it is not the wrong speech. It might not suit the Deputy Leader of the Opposition, but the point is—

Members interjecting:

The Hon. D. O. TONKIN: Obviously, they are not serious about their criticism of the Minister or of the Government, because I am putting on record steps that we have taken in the interests of preserving the resource. We have taken those steps and we have done so in consultation with people in the industry. This has all been done in the interests of good management and conserving the resource, the fishery. How the member for Stuart can continue on with this attitude, knowing that he does not really support good management of his own local resource, because he wants to see netting continue, I do not know.

We have also to help the fishing industry—and this was a matter of Liberal Party policy—made full transferability apply now to prawn, rock lobster and abalone licences. Transferability ultimately will come to the scale fishing area, once the specific and individual difficulties are sorted out. Dormant licences are being removed at present and there are difficulties with older people in the industry and

with family situations, all of which will require very careful assessment and assistance, and that assessment and assistance is already being made.

I emphasise that the fundamental reason for these principles of management is to protect the resource for all fishermen and the people of South Australia. The management policies which are being instituted are proving successful. In Spencer Gulf the catch has improved quite markedly, to the extent that prawns are now being sought there at a much later stage of their development, when they are adult. There is clear evidence that the resource is being conserved and properly harvested.

The matter of the Investigator Strait prawn fishery has proved most difficult, not the least because of conflicting views and interests of the fishermen involved and because two Governments are involved. The member for Stuart was not prepared to say (and I place this clearly and firmly on the record) that it was the State Labor Government, when in office, that caused the entire problem. Let us get that clear. The member for Stuart referred to this earlier. In 1975 the Labor Government, without any research, gave two extra licences in St Vincent Gulf and five permits for Investigator Strait. That decision committed too many boats to those two areas, and that is the whole basis for the present situation. That is something the member for Stuart did not choose to mention. He did not in any way take responsibility for it, which he should. However, when things are different they are not the same.

Briefly, the Federal Minister, having earlier issued prawn permits for Investigator Strait, wanted a rationalisation of the fishing effort based on a merging of that area with the St Vincent Gulf area, and, in spite of long and detailed discussions which went on a great deal longer than is suggested by the member for Stuart, agreement could not be reached with the fishermen involved in the fishery. The St Vincent Gulf fishermen wanted to take over the Investigator Strait fishery as well and exclude all the existing Commonwealth licence holders without any thought for their future. It was a difficult situation. One can appreciate the rights on both sides—on the one hand the Investigator Strait fishermen and, on the other, the Kangaroo Island fishermen. The member for Stuart has gained no marks for denigrating them. One can also see the difficulties which face both Governments.

Clearly, it was not in the interests of a solution to this problem or of continuing good relations with AFIC to read the threats that were made to blockade ports, and so on. There was no point in beating around the bush. They had to be told that that was the situation. I wrote to Mr Corigliano on 21 August as follows:

I am in receipt of your letter dated 13 August 1981 in which you protest at the Government's handling of the recent Investigator Strait issue.

I believe that, since this Government has been in office, relations between AFIC and the Government have been excellent, and there are ready examples of the co-operation between us which have resulted in overall improvements in the industry. However, on the matter of the Investigator Strait prawn fishery, I don't believe that co-operation has been forthcoming from you or your council in what has been an extremely difficult and complex question.

You will be aware that the Minister of Fisheries made determined efforts to resolve the matter once and for all. However, on placing a possible solution before you, your council felt obliged to threaten the Government with 'blockading of ports, non-submission of catch returns, non-payment of fees, and no co-operation whatsoever'.

I have no qualm with people voicing their objections to Government proposals; indeed, it is very much part of our democratic society for people to voice their opinions. However, I would draw the line at the type of threats issued by you to the Government when we first attempted to discuss this matter with AFIC. I do not consider this attitude is in keeping with the previous good relations which the Government has enjoyed with AFIC.

As I indicated previously, the Government sought to resolve the matter of the Investigator Strait prawn fishery once and for all. Bearing in mind that there was also Commonwealth involvement, any solution was not only going to be difficult to obtain but was also very likely to be subject to criticism by a number of groups. I would remind both yourself and your management committee that it is the Government which must in the final analysis make decisions on both policy and practical matters affecting the citizens of South Australia. While the Government acknowledges the valuable contribution AFIC makes towards developing fisheries management policies, I would hope that AFIC can adapt a more conciliatory attitude in any future disagreements it may have with this Government.

That letter needed to be sent, because there is no way that the people of South Australia could be held up to threats such as those that were made. Frankly, I do not think that those threats represented the opinions of the majority of fishermen in this State. Further discussions will take place with the Federal Minister now and AFIC will be involved, in a consulting capacity, at some time in the future when those discussions have been proceeded with.

More research is needed. The member for Stuart suggests that adequate research has already been done. It has not. The 1979 *Joseph Verco* research cruise was aimed at checking the extent of small prawns throughout the St Vincent Gulf and Investigator Strait area. It found that there were small prawns in the north of St Vincent Gulf and off Cape Jervis, but it did not identify the location of the nursery areas feeding those small prawn concentrations.

The SPEAKER: Order! The Minister of Agriculture will please come to order.

The Hon. D. O. TONKIN: That is not in any way a research programme. It was never intended that it would be a research programme. There is no evidence of long-term recruitment from Investigator Strait to St Vincent Gulf as a major or substantial source of St Vincent Gulf prawns. The analysis of the results found then was discussed in the Management Liaison Committee, which did not come to the conclusions which the member for Stuart has now seen fit to put on them.

The statement that the Investigator Strait fishery will continue with three State permit holders and three Commonwealth licence holders is incorrect. There are no State Ministerial permit holders in Investigator Strait now: the State Government took the initiative of rescinding those in December 1980 out of concern for the prawn resource.

I repeat: a solution will and must be found. It will require goodwill and common sense on both sides of what is a very difficult question.

Good management proposals must be agreed by all parties in the interests of good management and the preservation of the resource. When I say 'all parties', I mean Kangaroo Island fishermen, St Vincent Gulf fishermen, and, indeed, all South Australian fishermen.

Finally, I have been informed by a representative of a significant number of fishermen in South Australia, and by a member of AFIC, that his people, a considerable number of fishermen, dissociate themselves entirely from the Opposition's criticism, both of the Government and of the Minister in this matter. They are well satisfied with the Government and the Minister, and they will not in any way go along with what has been said.

Fisheries management is always a very difficult matter. Indeed, as the Hon. Mr Chatterton mentioned only the other day, it is very complex. We know that because it has been so for many years. There is always a conflict between the desire to advance individual fishermen's interests and the need to conserve the resource in the interests of all fishermen and the people in South Australia. Dialogue between AFIC and the other fishing bodies and the Government has always been excellent, both before and after this Government came to office. This episode is the excep-

tion which has proved the rule. The Opposition cannot now put the blame for its own blunder when in office on to the present Minister of Fisheries. I have every confidence in the Minister, and nothing that has been put forward today by the member for Stuart in all its distorted form causes me to have anything other than the utmost confidence in his management of the fishery and in his management of the department, which is doing so much to conserve the fishing resource for South Australia.

Mr BANNON (Leader of the Opposition): It would have been very interesting to run a book on who was going to step up on behalf of the Government to try to defend this totally indefensible fiasco that has developed over one of our major economic resources. That is what we are talking about—the fishing industry itself and policies surrounding it, and a particular part of that fishing industry, the prawn fishing resource, involving some millions of dollars and some hundreds of jobs. So, we waited with great interest to see just who would be called on by the Government to spring to its defence. Members will recall that, when a motion was moved involving education matters, it was the Minister himself who rose to defend himself and his record.

One would have expected, in these circumstances, with a motion on this specific issue, that a knowledge of the developments, and a response, if indeed there was one, would reside with the Minister of Fisheries himself. Not a bit of it; he remained firmly in his place looking as embarrassedly discomfited as he had been throughout the member for Stuart's address. Who else could be called on? The Minister of Agriculture obviously has had much to do with these matters. In fact, as my colleague has revealed to this House, it has been his single-handed action in standing over his colleague that has resulted in a large part of this fiasco. It has been his support of his constituent, who has also, in that constituent's words, 'Put his hands deep into his pockets for the Liberal Party,' which has resulted in the shameful reversal of the decision that took place. Perhaps he could claim some special knowledge, but it was interesting that he did not rise in his place as the *de facto* Minister to give his reply. The Minister of Industrial Affairs, who has not exactly a deep knowledge of fishing, as we understand, was placed, as Cabinet's expert, in charge of a subcommittee when it was necessary to look at this matter in depth, and, when Cabinet was so totally bogged down by the division over the issue that it had to be referred out to a subcommittee, it called on the expertise of the Minister of Industrial Affairs, perhaps as some kind of referee in the unequal contest between the Minister of Agriculture and the hapless Minister of Fisheries. Was he to rise in his place and give us another example of his rostrum style debating on this matter? The answer is 'No'. I suppose there were one or two who could have been called upon—the Deputy Premier, to indulge in the usual line of abuse with which we are so familiar in this House, or indeed that member waiting in the wings, the member for Rocky River, who at the weekend announced himself as an expert on marine matters, as he talked about what Government policy should be in that area, another one that is supposedly in the hands of the Minister who is the object of this motion.

He remained in his place, no doubt waiting his turn, which will come all too soon if this appalling performance continues on behalf of the Minister of Fisheries. But, no, it was eventually the Premier who rose in his place. He was going to reply, to gallop to the rescue of his Minister. An extraordinary support it was: he was appalled by the references to Mr Buick and his role. He refuted suggestions made by the member for Stuart in relation to that, but he did not answer one specific point. Certainly, he referred to the grant mentioned in passing by the member for Stuart. He produced no evidence for that, and made no reference whatsoever to Mr Buick's statement at the meeting that he was going to ask, in effect, for his cheques to be cashed, for his support to be met by the Government in terms of its policy. Not one reference was made to it; a simple dismissal by the Premier, who probably does not want to know about it.

He then threw scorn on the fact that it was not proper that the expert and responsible Minister should not be chairing the subcommittee looking into this difficult matter. 'It is not odd', he said, 'After all, Cabinet could not be chaired by me when it discusses fishery matters.' That is a ludicrous example, but I guess it is not odd to a Premier who has already given away his responsibilities for the Treasury to a committee of three Ministers, of which he is not a member. That is typical of his approach and, of course, just as he cannot trust himself with the Treasury, he cannot trust the Minister of Fisheries with responsibility for fisheries policy.

While the Premier claims that AFIC met for one hour and 25 minutes, that is neither what AFIC says nor what it believes. Certainly, the meeting itself might have lasted that long: the meeting harangued, behind closed doors, by the Minister of Agriculture, with AFIC members sitting in the lobby waiting long past the time for which the meeting had been set. And, when they were finally ushered in they were given very short shrift indeed. We have the precise evidence of that in the telex.

The Hon. D. C. Brown: They had 1 hour and 20 minutes in there, and I will sign an affidavit to the fact.

Mr BANNON: I think the Minister had better listen to this telex from the subjects of this issue in which they said that they were very concerned that the time available during their recent meeting with the Cabinet subcommittee to discuss Investigator Strait did not allow AFIC the opportunity to explain fully the reasons for their recommendations, which were established at a special meeting of the AFIC management committee.

Whether the time was 10 minutes, 25 minutes, 1½ hours, or the whole day, the fact is that the group was not satisfied that it had time to explain its reasons, and that surely is the crucial point. It is certainly true that this whole meeting was handled very badly, and that the subjects of it left totally dissatisfied with the hearing that they had received.

Then the Premier decided to attempt to turn the attack on to the member for Stuart. The Premier said that it is improper for the member for Stuart to move this motion because of his views about the fishing resource and how it should be exploited. The honourable member's interest in and knowledge of the fishing industry is wide. His views on the fishing resource are respected, even when they are disagreed with, and I should have thought that his criticisms and remarks today had very much added weight because of the background from which he speaks. As the member said at the outset of his remarks, it is not his usual course to go into bat for the official fishing lobby in this way. It is because he sees the merits of their case and the fact that he believes they are right that I believe adds special weight to his pleading of their cause today.

The Premier said that it was a difficult decision to make, and that Cabinet does not back away from difficult decisions. I think that we have encapulated in that statement the whole point of this motion. In many ways it is a case study of how this Government cannot find a way to solve its policy dilemmas, how it is unable to act with any kind of swiftness or dexterity, how it disadvantages and treats badly those pressure groups that seek to have their views discussed and considered by it, how it makes on the one hand a firm decision which two or three months later is reversed because of special interest groups, how some of its

Ministers, and in particular the Minister of Fisheries, are so weak and lack such weight in Cabinet that their views are totally rolled over and overborne by some of their colleagues. It is a Cabinet of disarray and indecisiveness.

It was all right for the first 12 months or so. It could potter on, pretending it was inquiring into, investigating and studying things. Now it is just too far down the track. The time for action has long passed, and it is still proving incapable of action. How long ago was the joint press statement issued by the Federal and State Ministers, in which statement the State Minister expressed a strong and firm decision? It was 4½ months ago, or 1 April. All that has happened since then has been a chapter of accidents, indecisions and reversals, culminating in the final non-decision to do something that was never contemplated in the first place, as was so well put by the member for Stuart. There is a case study all too often reflected in a whole range of areas on the part of this Government, all too often involving the Minister of Fisheries in his other capacities as Minister of Marine and, most notably, in the prisons area as Chief Secretary.

Then the Premier went on to lecture us on B-class fishing licences. What that had to do with the issue of prawns one did not know. On and on he went for about five or 10 minutes about people being in the industry and wanting it to be preserved and the difficult policy dilemma faced by the Government. It was totally irrelevant: not a prawn swam into sight throughout that whole passage of his speech. We still do not know what it was about. I suspect that the Premier had some prepared notes on that aspect of the subject and, because he did not want to display the fact that he had no knowledge at all, that he had better read out something which was prepared for him. And he did so, despite its irrelevance to this debate.

Then we got the same old story that the State Labor Government is to blame. It does not matter what we are talking about, whether it is the State's finances, schools, the state of the health funds or the hospitals: the former Government is to blame. That is a continuing phrase. The Premier claimed that the member for Stuart had completely ignored any role played by the former Government. I would remind the Premier that the member for Stuart referred to that explicitly. He made it quite obvious in the course of his speech when he referred to a letter that had been sent by the previous Government to the fishermen, when he talked at length about what the previous Government had done in relation to it. He explained the basis on which that letter and action was taken, namely, that at that stage the departmental research was inaccurate and inadequate.

We confess that freely, but that research was in train when we left office and, when the findings of that research were revealed earlier this year, immediate action was called for. We did not get immediate action because of the hopeless state of Cabinet and its decision making. We know what our record was.

I now refer to the Minister's amazing letter yesterday to a member in another place (Hon B. A. Chatterton), in which he asked Mr Chatterton to give him details of the research to which he was referring: the research on which Mr Corigliano gave evidence to a Select Committee on 27 May, and which is contained in a document of his own department signed by a committee of his own officers. What an extraordinary thing on which to ask for evidence. He is totally ignorant of what is going on in his own department. I have requested my colleague to provide the Minister with a copy of this paper as soon as this debate has finished so that he can have a look at it.

In relation to AFIC and its role in this matter, I believe that the member for Stuart carefully detailed both in time and sequence the whole course of these events, and at no time could it be said that those experts in the Fisheries Department and those persons in the industry and their representatives could be satisfied with the Government and its role. They got absolutely nothing from the Minister, who needs a minder whenever he goes to speak to a delegation or a deputation. Someone else to keep an eye on him is dispatched from Cabinet, or wherever it might be. It is a sad thing to have to reveal publicly these things, but those groups that are dealing with the Minister are talking about it all too openly in the community, and I think it is high time that the Minister took that to heart, did the right thing and tendered his resignation to the Premier.

The Premier has assured us that there will now be further discussions which will involve the Commonwealth Government and all parties, presumably while the fishing goes on, while the fishery resource is virtually taken out of existence, and while the basis of the jobs and of those millions of dollars is destroyed. On what basis are those further discussions to take place and what effect will they have? Surely a decision was reached on 1 April, which decision was embodied in the joint statement of the Minister and his Federal colleague. What has happened since then to change it? There have been no facts of research, and no facts have been brought forward from the fishing industry: it has involved simply the pure, narrow, selfish political interest of the Minister of Agriculture and his wealthy constituents. That is the only new factor in this issue since 1 April, and that is why the change in decision was made.

The Premier said that AFIC members are well satisfied and that the Government has had very good feed-back. The Premier gave no names and no evidence of that. The member for Stuart has presented us with a comprehensive dossier, letter, chapter, verse and telex setting out precisely why this body is totally dissatisfied with the Government and why it is appalled at its handling of the prawn fishery.

I do not think we can do better than refer to the point made by the member for Stuart at the end of his address when he referred to the incompetence of the Minister of Fisheries, the Minister's inability to represent within Cabinet the vital interests of the fishing industry, his disregard of the resource, his refusal adequately to consult, his refusal to stand up to the Minister of Agriculture, who is pursuing his own narrow and selfish interests, and the obvious lack of confidence held in him in, whatever he says, by the Premier and Cabinet. He should resign now to enable this resource and the other areas under his portfolio to have some sort of rescue operation mounted on them so that total disintegration does not follow.

The Hon. W. A. RODDA (Chief Secretary): In reply to this quite out of character charge by the Leader, whose schoolboy debate training is coming out and who threw a bit of socialist insult at my colleague, let me say this: the honourable member who moved this motion should be ashamed of himself and of his chiding of the Minister of Agriculture. Where was he when I was in Port Augusta a few weeks ago and when a bevy of his people descended upon us? He did not come to the discussion, which was a most angry one; those people had some very rude things to say to me. Where was the honourable member?

Mr Keneally interjecting:

The Hon. W. A. RODDA: The honourable member was taking on something very prim and proper for the National Trust; that is not without some virtue. I pay tribute to the judgment of the honourable member, who knew where the better virtues were on that day. It is all very well for the member for Stuart, the shadow Minister of Fisheries and whatnot to get up in this House and to start blasting off about an industry—a $36 000 000 industry, if I may remind my little friend, the Leader, the schoolboy elocutionist, who is not backward in throwing a few epithets around. But who

is upset about this industry? Let me throw that back into the teeth of the member for Stuart. We have had some assurances today from quite a wide spectrum of the industry that it would have no part of this. I point out that there are quite a few leaks about, and I am not surprised that members opposite have obtained some of the information that they have quoted.

When one looks at the motion moved by the member for Stuart, one can see that he cast it far and wide seeking blood. I do not mind that, because it is not the first time that I have faced the bayonet. I am a survivor; I hope that when the member for Stuart is as old as I am he will be able to say the same thing.

Mr O'Neill: Waterloo!

The Hon. W. A. RODDA: Is that where I saw the honourable member? He was the bloke who was running the other way. I find that I am condemned particularly for my relations with the fishing industry. Regarding some of the productive things that the Government has done, I refer, first to the fact that we gave an assurance to the fisheries people, in particular, that we would create their own department for them. If I can borrow a phrase, previously they were the back end of the Department of Agriculture, and there are all sorts of names for that sort of position.

The Tonkin Government set up a new department. The Government also made provision for seven new field officers, so that all country stations could be staffed by two officers. When the Government came into office, some very respectable citizens were getting their necks stretched by poachers who were making inroads into the industry. I remind the honourable member that some very unholy things fell upon some decent citizens of this State because of the extravaganza that was handed out when people went to remind some of these people who were poaching on the industry that they were outside the law. The Government has taken steps to strengthen surveillance; we have made amendments to the Fisheries Act which allow licences to be specified in greater detail.

When the member for Stuart was yacking on earlier, he made some scathing remarks about the inadequacies of licences. The Government introduced a policy of allowing the transfer of scale fishing licences within fishing families. That has had the approval of people who just did not know where they were going next. The Government has extended the patrol and surveillance capacity of the patrol helicopter to ensure that those who have a licence have their resource protected. The Government has provided scholarships for fishermen's families to acquire better training, and, specifically, vessel handling qualifications. We are extending that a bit too fast, because only a couple of weeks ago I had to take some prompt action to have some regulations redrafted so that this $36 000 000 industry could in fact go to sea.

The Government has completed a review of the processing and marketing sector, and has adopted the recommendations of the review committee for the effective management of that section of the industry. I am sure that the member for Salisbury would be interested in that, because he has expressed some interest in that matter along the way. The Government has created a number of new aquatic reserves to protect the scale fish stocks. The member for Napier can smile away, but, on coming into office, from the response it received from the scale consultative committee which was set up under the supervision of Dr Jones, the Government found that stocks were running down. This was a very positive measure which was taken very early in our Ministry.

In the fisheries management area, the Government created abalone authorities which could be transferred at market value to fishermen. In the rock lobster area, we established two management liaison committees for industry input into commercial management, and further defined enclosures in the southern zone. In the scale fishery, we set up the closure of nursery areas, and provided for the effective transfer of class A commercial fishermen and a reduction in the total netting effort by all groups of fishermen; that is, even the A class fishermen had their nets, which I think they were able to use up to 650 metres.

The salmon area was coming under pressure. The Government introduced a total catch quota for the conservation of stocks. With regard to squid, we expanded research programmes on calamari and oceanic squid. Crabs are a problem.

An honourable member: They are, too.

The Hon. W. A. RODDA: These people have been around; they are not without some response when one talks about these sorts of things. In the area of crabs, we have a revision of the control measures to improve protection for brood stock. Regarding sharks, a highly successful information workshop was held at Millicent to consider the state of the fishery there, and quite practical and useful information came out of that. In the area of the Coorong, negotiations on future management are at the point where the Government awaits a proposal from the fishermen involved.

Although the honourable member moved this macroscopic motion, he then narrowed it down to an argument about Investigator Strait. I echo that this matter was of the honourable member's own making. As the Premier pointed out, in 1975 the Labor Government set up this fishery, probably in good faith. The honourable member referred to a letter from the then Premier which I want to quote, because the gist of this letter gives an indication of some of the roots of the trouble that we are in today. He said to a fisherman:

> Thank you for your recent letter. I can assure you that all points you have made were known and discussed by Cabinet when a decision to adopt the High Court line was made. I understand that the Minister of Fisheries, Mr Chatterton, assured your deputation to him on 25 July last year (that is, 1977) that authorities for the Investigator Strait prawn fishery would be made available to Ministerial permit holders as soon as it is possible to establish a proper management regime for the area. As the matter is heavily dependent on the Commonwealth-State agreement, concerning the future management of the State-based fisheries, I can only reiterate that the South Australian Government will continue to press for full responsibility for the area under dispute, and that if it is successful your present problem may be solved.

'If it is successful'—they are the key words. Of course, it was not successful. The honourable member did not mention the notice that appeared in the press in 1975 inviting people to apply for these permits. Among other things, that advertisement stated that if the resource proved satisfactory they would get permits. When we came to office I was besieged by people wanting an authority that the previous Government had offered them. After looking at the catch rates and the stock, it was obvious that we would not be able to accommodate those applications, even though that had been promised to them. In Investigator Strait the hourly catch rate was 24 kilograms in 1975, 33 kilograms in 1976, 35 kilograms in 1977, and in 1978 it had fallen to 24.1 kilograms. In 1980, when I revoked those permits, it had fallen to 16.3 kilograms. This is a situation for which we are now being chided.

As the Premier so rightly said, this is a most difficult area. The negotiations I had with the Minister for Primary Industry were subject to acceptance by the industry. We have not been able to get that acceptance. I know, and I am sure that the honourable member who moved this knows, that the most profitable way to handle this matter would be to have this area as one fishery and to manage it with closures and numbers. There is a great limitation on

this because the bulk of the waters involved are Commonwealth controlled and the State has no jurisdiction over those waters. There has to be agreement in this matter, and we could not get that agreement.

It is all very well to say that we did not meet with AFIC. One of my colleagues, some officers and I left a Cabinet meeting and spent practically the whole of an afternoon discussing this matter with the President of AFIC. Opposition members did not receive a leak about that. We resolved nothing there. The honourable member will have to get a copy of the summary of that meeting. That was a fruitless exercise—we got nowhere at all. All the patience and persuasive eloquence I have (according to honourable members opposite I have not got much persuasive eloquence at all, but do not come too close to me or you will find that I have persuasive eloquence, and a bit more that goes with it—and that is not a threat) was not enough. Ongoing examination of the resource, properly done over a period of time, combined with discussion with the Commonwealth is the only way this matter will be resolved. The prawn fishery in Spencer Gulf is properly managed and running very well. There has been a pick-up in the catch rate in the prawn fishery on the west coast, which was in tatters.

Mr Keneally: What is the fishing like in Coober Pedy?

The Hon. W. A. RODDA: I will come to that in a moment. This shows that management of a fishery and a lessening of the number of fishermen does improve a prawn fishery. Notwithstanding this useless debate we have had today, if agreement can be reached about the optimum number of vessels in that area, regardless of whether these are Commonwealth and State waters, if properly managed this fishery can be an adornment to the fishing industry in South Australia (and I return to what the Leader had to say about this valuable asset running down) and will make a valuable addition to the returns of this State.

The Hon. J. D. CORCORAN (Hartley): Politics is a funny game. It was only last week in this House that I thanked the Minister of Fisheries for his consideration, tolerance and understanding as Chairman of a Select Committee of which I was a member. That was sincerely meant; there is no question about that. I want the Minister to know that there is absolutely nothing personal in what I am about to say, but I believe that this matter raised by the member for Stuart should, at least, have been properly debated by the Premier and, indeed, by the Minister.

The allegations that were made very simply and very directly by the member for Stuart, were as follows: that a policy had been announced some time in April relating to a specific fishery in Investigator Strait and that events took place that led to a change and a complete about-face in that policy early in July of this year. The allegations that were so important, I thought, to the crux of the whole matter were that pressure that was brought to bear by the local member (the State member), the Minister of Agriculture and the Federal member for that area representing Kangaroo Island, Mr Porter. Nobody in this House will deny that both of those members have a perfect right to represent the views and the interests of the people who make up their electorates. Why, then, has there not been one single mention on the part of the Premier or the Minister of Fisheries of the part played by these two very important people in this issue?

The Hon. D. O. Tonkin: Because the allegations are a lot of nonsense.

The Hon. J. D. CORCORAN: If there was nothing to hide, for God's sake why could it not come out in the open? Why could it not be said to this House that, certainly, the Minister of Agriculture made representations to the committee; certainly he made representations to the Minister; certainly the Federal member made representations to the Minister, the Premier and the committee as well?

The Hon. D. O. Tonkin: Do you want me to say it again? It was a load of rubbish.

The Hon. J. D. CORCORAN: What the Premier has said is that neither of these people had any interest at all in this matter and made no representations.

An honourable member: He didn't say that at all.

The Hon. J. D. CORCORAN: 'It is a load of rubbish' is what he said. I am talking about whether or not they made representations, because that is the crux of the matter. It is the nature of those submissions and representations that I am after, because they represent the serious part of this motion—as to whether or not a single Minister has been over-ridden for reasons of political pressure and political pressure only, and whether he has been deserted by other members of Cabinet and left standing on his own on this issue. It is a very important thing to reverse a policy completely. There usually have to be good grounds. There are scientific grounds, in this case.

The member for Stuart clearly cited the reasons why the policy was adopted in April. I want to remind the House what those reasons were. He said (and this information came from the Minister's own department, so I have no reason to doubt what the honourable member for Stuart said) that on 23 January 1981 the Director of Fisheries wrote to the Australian Fisheries Industry Council, South Australian Branch, outlining the South Australian Government's position on Investigator Strait prawn fishery management, which can be summarised by saying that the objective was to restore prawn stocks that had been heavily depleted by over-fishing.

The strategy was that there would be no commercial fishing for two full seasons. The future policy was to call for vessels to re-enter the fishery should it be determined that the fishery was able to accommodate effort at the end of the two-year period, and it was the recommendation of the State Government that there be a total closure of the fishery from June 1981 to June 1983.

The Hon. R. G. Payne: To the Commonwealth?

The Hon. J. D. CORCORAN: This is to the Commonwealth. On 4 February, a meeting between AFIC and the Department of Fisheries confirmed this policy. On 9 March, a Port Lincoln meeting of AFIC sent a telex to the Premier urging support for the recommendation of the Minister of Fisheries. I will not quote that telex, because it has been quoted by the member for Stuart, but it urged support. I wonder why it was felt that it was necessary to send that to the Premier at that time. Perhaps it was to indicate that they supported it because it was the sensible thing to do. It goes on to say that damage done to the St Vincent Gulf prawn resource in this unnecessarily long drawn out problem can only be described as a disaster. That was mentioned in the telegram itself. It was on 31 March that Mr Rodda and Mr Nixon made the joint statement, which said:

> In a joint statement yesterday, the Minister for Primary Industry, Mr Nixon, and the South Australian Minister of Fisheries, Mr Rodda, said the Commonwealth was seeking comments from interested people on the proposed closure of this fishery. Mr Rodda said that he would urge the Commonwealth to close the strait for at least two years. He said South Australia had already cancelled State permits for five boats in strait waters of the State and was seeking reciprocal Commonwealth action. The Director of the South Australian Fisheries Department, Mr Stevens, said the strait fishery was collapsing.

One would have expected that, when that policy was reversed, whether or not the Commonwealth agreed to it, the State part of it could have been carried out—but was it? Were AFIC licences withdrawn from the State waters? If that policy was to have been reversed, one would have expected at least the Minister to come up with further

evidence from his department that showed the previous approach to be wrong. He could not do it, because there would be further evidence from his department. He let his department down. Why did he do that? I can only assume, because neither the Premier nor the Minister has told me anything different, that the allegations made by the member for Stuart are correct, that it was political pressure, and that Mr Buick, who made the statement at the meeting at Kangaroo Island about the pay-back, or whatever it was, was the man who brought the pressure to bear on the local member and on Mr Porter, and they were then required to do their job in order to have this policy changed. That is a shocking thing to say. It is a very grave allegation, and that is why I believe it should have been answered. If anything should have been answered in this House this afternoon, it is those allegations. Are they not answerable?

The Hon. D. O. Tonkin: They are a load of rubbish.

The Hon. J. D. CORCORAN: If that is so, why did the Premier not say so in the first instance instead of trying to avoid them? He merely spoke about this Government's performance in relation to fisheries generally. He was caught. We were talking not about the handling by this Government of the Fisheries Department generally but about a specific thing, one that we believe highlights the serious inadequacy of the Minister to handle the Cabinet in relation to his own portfolio. That is a great difficulty.

I am saying, as has been said by the member for Stuart, that the allegations are serious enough to be refuted by someone in this House. Why were they not refuted? One can only reach the conclusion, in the absence of that, that there was something in the statement and that there has been something in the actions of the Minister of Agriculture and the Federal member for Barker, Mr Porter, to bring political pressure to bear on the Minister to change his mind and on other Ministers to go against the Minister of Fisheries. If that is so, I deplore it, because in no way does the Minister deserve that. I believe he conscientiously approached the matter in the first place, took the advice of his department, and then found he had to desert it. Now, he has got the dilemma that he is in. What does he say this afternoon? Not only the Minister, but the Premier, said: 'Of course, it is all your fault, it is the Opposition's fault, because you did it in the first place.' For God's sake, any decision that the Government is making at the moment would have to be the fault of the Opposition, because the Government has not done anything yet. It is only making decisions on what we did in the past. It is in a dilemma there, too.

I want someone, seriously, to forget about the red herrings and the personal points scoring, and get down to the guts of the motion, which calls on someone to explain clearly and concisely why the policy on Investigator Strait has been changed. Was it political pressure from the Commonwealth? It has not been said. Did the Commonwealth say it would not co-operate, and therefore it was useless for the State to do anything? Did the Fisheries Department say that it had made a mistake with the research, but there was no need to do it yet, because they had a little while longer? Was it pressure, political pressure, that caused the Minister of Agriculture and his colleague, the member for Barker, to go to the Minister, the AFIC meetings, and the Cabinet, and put pressure on them to change the policy announced in March?

They are the questions that have to be answered, and they have not been answered in this House this afternoon. If there is truth in the allegations made this afternoon—and they seem to have a very sound basis and good grounding—then this Minister is in serious trouble. Not only is he in serious trouble, but the performance of the whole Government can be held up to ridicule, but he especially is in trouble. If the allegations cannot be answered adequately, then surely the only decent thing for him to do is resign as a protest against the way in which he and his department have been treated, or for the Premier to remove him from the Cabinet.

I would not like to see that happen to a good friend of mine, but that is the sort of thing that is involved. If those are the facts, I want them answered this afternoon, and I will give the Minister of Agriculture an opportunity to do that. I want to hear from him that there has been no such statement from Mr Buick, that there was no political influence and no pay-back involved in this matter, because that is the guts of the matter we have raised today. If there has been, then there has been collusion on the part of the whole Cabinet, and the poor unfortunate Minister of Fisheries has been pushed under again and not given an opportunity to operate as he and his department should operate.

The Hon. W. E. CHAPMAN (Minister of Agriculture): At the end of the line, I have been challenged to answer some allegations made on the other side of the House. It gives me pleasure to do so, for a couple of reasons. The first is that they should be answered in this place, and another is that the member of the community who has been so viciously attacked in this place, Mr Nigel Buick, should have his name cleared at least as this opportunity permits.

An honourable member: Were you at the meeting?

The Hon. W. E. CHAPMAN: I have been to a number of fisheries meetings when he has been present, and I am aware of the great contribution he has made to the fishing industry in this State, and of his attitude and support for the community in which he and I live. I admire the attitude he extends to the community.

Members interjecting:

The SPEAKER: Order! Two members from the Opposition have asked that specific questions be answered this afternoon. I ask honourable members to remain silent so that the answers can be given, if in fact they are to be given.

The Hon. W. E. CHAPMAN: As a member of that community and as a highly respected citizen of the community, Mr Nigel Buick made a significant contribution towards the last State election, which resulted in our Party's coming into Government. He made that contribution personally. He has never requested, nor has he ever enjoyed, what has been so viciously referred to by the Opposition this afternoon as a pay-back, either as it relates to the fishing industry or as it relates to his contribution as an individual.

I have never heard Mr Buick make such a demand or an allegation on any member of this Government. He proudly stood up at the time. If any of you have the guts to do so, he will proudly stand up to you again and tell you precisely where he stands on the issue and answer for himself as well, the rotten allegations that have been made about him in his absence here this afternoon.

Members interjecting:

The SPEAKER: Order!

An honourable member: You haven't answered.

The Hon. W. E. CHAPMAN: I have answered. I have never heard him make a statement of the kind that you—

Mr Trainer: 'Did he make the statement,' was the question, not, 'Did you hear it?'

The Hon. W. E. CHAPMAN: If the honourable member will put it to me precisely how he wants it, I will give him the answers that I know. However, I have no understanding at all from any source of the nature of the statement that was allegedly made by Mr Buick, as reported in this House this afternoon. It is a disgrace to do so in the manner it has been done. Front up or shut up on that issue is my answer

to Opposition members. However, I do not propose to pursue that at great length at this stage. It is important that Mr Buick's name and his family is cleared of such a rotten allegation on this occasion.

Reference has been made to the kind of support that my Federal colleague Jim Porter, and I have given to our constituents. I do not deny that I, and my colleague the member for Barker have vigorously supported my constituents on many issues including the present one. So we should. Having done so, I can report to this House that, in the event of such circumstances occurring again, where my people are in jeopardy, I will do it again and again. That sort of representation is welcomed by my colleagues in the present Government. Having made the point of view on behalf of those constituents, it is the Government's job from time to time to make decisions on issues.

Having made a decision, I am the first to support my Government in implementing that decision, and more especially my colleague the Minister of Fisheries in his role within that Government. Already this afternoon the Minister of Fisheries relayed to this place a host of achievements that he has secured for our Government since coming into office two years ago. On those decisions made by the Government he has had the full support, to the man, of each of them, including, of course, myself. On this issue he has had my full support. The Minister of Fisheries, with the support of his Government, has fought vigorously since we came into office to pursue exactly the same line as did his predecessor in the previous Government, namely, to secure a relationship with the Commonwealth regarding the combined management of the two fisheries, the Investigator Strait fishery and the St Vincent Gulf fishery.

I supported the previous Government on that issue, I supported my colleague on it, and I still do so. I look forward to the time, as soon as is possible, when those two waters can be jointly managed by the State, by my colleague the Minister of Fisheries. As and when that agreement can be secured, it is my wish that the type of closures in those waters applies consistent with that put forward by my own constituents and by others over a very long period. We all recognise that in order to protect the resource those waters must be closed for periods of each year. There has never been any argument in urging (or however one likes to describe it) our Government to secure that arrangement from the Commonwealth Government, wherein we inherit the total management of that area so that it can be properly managed and so that there is not a problem of line divisions between St Vincent Gulf and Investigator Strait.

There is no withdrawal of our support in that direction. I repeat that that support is collective. The Minister of Fisheries has vigorously explored that line and has not been able to secure that—

The Hon. J. D. Corcoran: Why?

The Hon. W. E. CHAPMAN: On the basis (and here comes the final question raised by the member for Hartley that he wanted answered) that some months ago there was a proposal to close the Investigator Strait. That proposal was conveyed by my colleague to the Commonwealth Minister. Naturally, it was not supported, by the fishermen who were deriving a living from that area. As a result of that proposal, the administrator of those waters, the Commonwealth Minister for Primary Industry, (Hon. Peter Nixon) invited those fishermen and the Kangaroo Island community to make submissions to him as to why it should not be closed, as proposed by South Australia. As a result of those submissions being made, not only by the fishermen themselves but also by a whole range of community citizens from that area, by the member for Barker Jim Porter, and by myself, giving the fair and on-site reasons why it should not be closed and why we should pursue the proposal that had been explored by the previous Minister as (explained earlier in this debate and by my own colleagues), and the combination of the two waters—

An honourable member interjecting:

The Hon. W. E. CHAPMAN: Exactly; there is nothing to hide in this. As a result of that, our State Minister, (Hon. Allan Rodda) then invited submissions from the industry, and he got them. There has been one hell of an argument about who got an hour and who got 20 minutes or whatever. How damn petty can one get? The representatives of the St Vincent Gulf prawn fishermen and anyone else has had the opportunity to go to the subcommittee referred to, and really I think that that is too petty for words.

This is not a petty political issue. It is a very important industrial issue which involves the livelihoods of people. In the meantime, the Minister of Fisheries, with Cabinet's full support, has not decided to proceed to destroy the welfare of that community generally, or those people in particular until more research is done. We look collectively to both sides of this House to support that being done. For the member of Stuart to carry on in the way that he has carried on this afternoon, leaves a lot to be desired.

As for interference as was alleged by me in a situation that belongs precisely to the Minister of Fisheries, one does not have to have a very long memory to recall what occurred during the term of office of the last Government when the very member himself set out on a campaign to overturn a decision of his own Minister of Fisheries and his own Cabinet in relation to the issue of B-class licences in Port Augusta, that is to the railway workers in particular. That subject is well known. I do not criticise him for it. However, it is very hypocritical for the honourable member now to criticise a member that is now in the Government for supporting his constituents when, indeed, he has practised it blatantly, not before a decision was made by his Government, but thereafter.

Throughout the whole excercise, my involvement in this issue has been as a result of representing my electorate. So, too, is that the case with Jim Porter. In the process of the Government's considering all the relevant factors associated with the prawn industry, and indeed, not after the Government has made a decision. As sure as I am standing here, I am certain that my Federal colleague and I would support our Government to the hilt, once it had made a decision. But, in the process of collecting the facts, not only is it my job to do so but also I have done so. And, I would do it again in order to get the full picture before the Government and, if necessary, before this Parliament.

The Hon J. D. Corcoran: Did Cabinet agree to the policy that was—

The Hon. W. E. CHAPMAN: The member for Hartley ought to know better than to refer in this place to the decisions of Cabinet. What I set out to explain this afternoon is that our Minister of Fisheries is right on top of this job. He knows what he is doing. We support him in that position. I certainly support him as a representative of a vast number of fishermen in this State and, as and when necessary, I will support those constituents to the Minister, to the Government, and, on a decision being made, I will support a decision of the Government, whether or not it hurts. I have 10 seconds to go, and I do not propose to answer any further Opposition interjections. If any member wants to raise the subject again in this place I will welcome the opportunity to participate in the debate.

The SPEAKER: Order! The time for debate on the motion having expired, I intend to put the motion.

The House divided on the motion:

Ayes (22)—Messrs Abbott, L. M. F. Arnold, Bannon, M. J. Brown, Corcoran, Crafter, Duncan, Hamilton,

Hemmings, Hopgood, Keneally (teller), Langley, McRae, Millhouse, O'Neill, Payne, Peterson, Plunkett, Slater, Trainer, Whitten, and Wright.

Noes (24)—Mrs Adamson, Messrs Allison, P. B. Arnold, Ashenden, Becker, Billard, Blacker, D. C. Brown, Chapman, Evans, Glazbrook, Goldsworthy, Gunn, Lewis, Mathwin, Olsen, Oswald, Randall, Rodda, Russack, Schmidt, Tonkin (teller), Wilson, and Wotton.

Majority of 2 for the Noes.

Motion thus negatived.

MINISTERIAL STATEMENT: L.P.G. SALE

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

Leave granted.

The Hon. D. O. TONKIN: I am pleased to be able to advise the House that this afternoon, Santos Limited, on behalf of the 11 Cooper Basin producer companies, is announcing the completion of a contract to supply Japan with liquid petroleum gas. The contract has been signed with Idemitsu Kosan Company Limited for the supply of 1 250 000 tonnes of L.P.G. in the five years from 1984 to 1988. On current values this contract is worth in excess of $250 000 000. Royalties to the State will, therefore, be considerable. The South Australian Government welcomes the completion of this contract as it represents another significant milestone in the development of the Cooper Basin.

It is important to realise that the development of the liquid reserves in the Cooper Basin will be of benefit to all South Australians in terms of the royalities that this will return to the State Treasury, the impetus that it will give to the local economy of the Iron Triangle, and to the economy of the State generally, and the new supplies of liquid transport fuels that will become available. The Government has been pursuing this project with the producers since they advised, early last year, that they believed that the liquid hydrocarbon resources of the Cooper Basin were capable of early economic development.

Concurrently, and as indicated in the policy statement presented to this House by the Minister of Mines and Energy on 18 October 1979, the Government had been looking into the question of the early establishment of a liquids pipeline from the Cooper Basin. As a result of the indication from the producers that they wished to pursue this matter further, the Government commissioned the Pipelines Authority to undertake the necessary technical study to allow design and construction of the pipeline to begin once a decision to proceed with the project and financial arrangements had been made. It is pleasing to note that, in the 18 months since these initial actions were taken, the project has been able to proceed to the point at which an important export contract has been secured, and the environmental assessment procedures to define a precise route for the pipeline and location for the necessary port and terminal facilities are well under way.

On the basis of present estimates, the Cooper Basin holds 7 500 000 tonnes of current recoverable reserves of L.P.G., 5 200 000 tonnes or 2.1 per cent of Australia's crude oil reserves, 6 700 000 tonnes or 7.3 per cent of Australia's condensate reserves, and 7 500 000 tonnes of ethane. These figures reflect the enormous importance of this project to the State and national economies. My Government firmly believes that successful implementation of this project, and other major resource developments now committed or planned for South Australia, will be of significant long-term benefit to the State and confirm to all South Australians the desirability of developing our mineral and petroleum resources.

SUPPLY BILL (No. 2)

Adjourned debate on second reading.

(Continued from 19 August. Page 449.)

Mr BANNON (Leader of the Opposition): This Bill grants the Government supply to enable it to carry on its administration until the 1981-82 Budget is passed by the Parliament. It is not normal for intensive or prolonged debate on these Supply Bills, but there are a couple of factors this year that I think make it very important that Parliament deals with the Bill and the State finances to which it relates in some detail.

First, bearing in mind that this Bill enables the Government to carry on its administration until the 1981-82 Budget is passed by Parliament, is the question of the Budget itself. In the normal course of events, the Budget should be introduced next Thursday. But, we have been given to understand that the Budget will be delayed this year. If it is not introduced this Thursday, it will be the latest Budget this decade, except, of course, for those years when a September election altered the Government time table. Obviously, a new Administration formulates a new Budget. In other words, we are faced with considerable delays in presentation of this Budget. Certainly, the Premier has referred to it a number of times. He has anticipated what we might find in it. But, in the normal course of events, we would see its full details next Thursday, when the House rises for the show break, giving ample time for its implications and ramifications to sink in.

The Hon. E. R. GOLDSWORTHY: I rise on a point of order, Mr Deputy Speaker. I submit that the Leader of the Opposition is not speaking to this Bill, which is simply to vote money for the continuation of the payment of public servants of this State. It is routine legislation, which comes before Parliament several times a year. In those circumstances the wider references he is making are not in order.

The DEPUTY SPEAKER: It is normal for this debate to be treated as the honourable Deputy Premier describes. However, it is appropriating some $300 000 000, which is a sizeable sum. I therefore cannot uphold the point of order, but I point that out to the honourable Leader of the Opposition that he should confine his remarks to the matter which is under discussion, and I shall be listening carefully to what he has to say.

Mr BANNON: Thank you, Mr Deputy Speaker. I appreciate your comments and will certainly confine myself to the financial matters embodied in this Bill. I believe that when the Deputy Premier intervened in the debate I was being relevant indeed because I was speaking to the precise point on which he raised his point of order, namely, that in the normal course of events one does not need to deal with this matter in any great detail because hard on its heels, within a matter of some days, one is debating the full Budget of this State. This is not happening on this occasion. Such have been the Government's budgetary problems that there are now considerable delays in the formulation of its Budget. In fact, if we are not presented with the Budget this Thursday we will have to wait at the earliest to 15 September when the House reconvenes before we hear the Budget. I do not know whether that will definitely be Budget day but that will be the first opportunity after Thursday for the Budget to be presented. That will make it the latest Budget this decade, except for those years when a September election has altered the Government's time table.

This Supply is enabling the Government to carry on until that Budget is passed. It is a Bill that is introduced in the context of the State's finances as revealed at the end of the financial year on 30 June. The Budget that follows it will demonstrate the extent to which this Government has destroyed the strong financial base of this State. It will announce to all South Australians that they cannot look to this Government for the maintenance and extension of the services and facilities that they have come to expect. Indeed, the Premier has gone to great lengths to let us know the bad news in advance. He has done his utmost to foster in the community feelings of resignation, apathy, and a feeling of futility over the whole issue.

Mr Lewis interjecting:

Mr BANNON: I am sure the member for Mallee is concerned about this situation, because I think we would all agree that where there is apathy about such issues, where people simply no longer care, there is no hope for the policies of the Government being implemented. We are being asked to vote a large sum of money for Supply. We are being asked to vote that money to keep a Government going which is plainly in dire financial straits, a Government which has dissipated the advantages and the financial benefits which it inherited.

It has already presented a litany of excuses for the situation that brings these Estimates before us. We have heard the Premier speak about the matter on a number of occasions, and then we had the extraordinary Ministerial statement on the effects of the Federal Budget on South Australia. On all these occasions the theme has been similar. The Premier has sought to shift responsibility for his current problems on to former Governments. He has recited tired old arguments about the growth of public sector employment, ignoring the fact that his own submission to the Commonwealth Grants Commission contained a table which showed that the ratio of South Australian Government employees to population was less than the ratio than in Western Australian and Tasmania. The submission pointed out that his speeches have ignored the arguments that it was necessary for the smaller States, when compared with the three more populous States, to maintain a slightly larger public sector workforce if they were going to maintain the range and quality of public services.

The Premier also repeated one of his election campaign stunts concerning the growth of tax receipts, refusing to recognise that the Commonwealth handed pay-roll tax collection to all the States as a growth tax in 1971, and that single tax accounted for well over half of the 1980-81 total tax collections in the State. The Premier has claimed that a trend towards a net outflow of population began in 1975, completely ignoring the net inflows in 1976 and 1977 and the record loss in population that has come about since his Government took office. In fact, the total net outflow of population in the 18 months of the present Government is 10 600. It is as if the entire population of the town of Murray Bridge or the city of Port Lincoln were lifted up and moved outside the boundaries of this State, lost forever.

The Premier has even suggested that the new tax sharing formula—now coming fully into operation—was somehow an invention of the Dunstan Government, when in fact it is the consequence of the Liberal Party's new federalism, which he is on record as supporting. Speeches full of trumped up excuses for failure are all we can expect, and I do not think it is good enough for the people of South Australia from a Government that has had nearly two full years in office. Yesterday, the monthly Financial Statement for June dealing with the Government's Revenue Account and Loan Account was published. That document represents the final instalment in a year of drastic financial mismanagement. The disastrous results suggested during the debate on the Appropriation Bills in June are now outlined in black and white.

The full picture will no doubt emerge when the Budget is eventually presented, lost in the context of a vote of Supply. I think a number of points can be made because they are already clear. First, the Government has given South Australia the largest ever deficit on Revenue Account. Secondly, this Government has made the largest ever transfer from Loan Account to prop up its Revenue Account. Thirdly, the admitted or published deficit of $8 000 000 is not only far in excess of the budgeted figures but is also a gross understatement of the true financial position of the State. Before we examine those figures, let me remind the House once again that Labor left office with the State's accounts in surplus after a series of surplus Budgets—in fact it was only in 1977-78 that a planned deficit occurred—and, more importantly, the reserves were in very good shape indeed. The State economy, which had survived the worst of the down-turn in Australia from the period 1974-77 and had gone through a rough patch in 1977-78 and early 1979 was showing signs of great and steady improvement by the time the change of Government occurred. Since then the indicators have all gone downwards again, and that has been clearly demonstrated.

Dr Billard: That's rubbish!

Mr BANNON: I am surprised that the member for Newland says 'rubbish' because the record is there. It has been plainly demonstrated again and again by looking at the economic indicators. Is the member for Newland claiming that there is something wrong in handing to this current Government a Treasury in good shape indeed? There is nothing at all wrong with that. It is fortunate it had it, and it used some of that financial muscle to come out with the good result in its first nine months of office. On page 3683 of *Hansard* of the last session, the Premier is quoted as saying:

> It is a matter of great good management that last year some $37 000 000 was set aside in anticipation of a difficult year this year.

Where has it gone? The last financial year was difficult indeed, and the coming financial year, we are told, will be even worse. If the Premier, or any other member opposite, cares to check *Hansard* of 17 October 1979 at page 141, he will find that I warned that 1980-81 would be the crunch year for South Australia's finances, and indeed so it has proved.

The Premier has been more interested in trying for cheap political propaganda during the past two years than in managing our finances sensibly. He has been so keen to create some justification for his rhetoric that he has refused to heed the warnings and look with realistic and objective eyes at the economic indicators and the data they reveal. This is the context in which this House and the South Australian people judge the Premier's stewardship of the State's finances—a surplus which has been turned into a deficit. When one looks at the figures, it can be seen that the position becomes even more alarming. A planned deficit of $1 500 000 has blown out to $8 000 000. In the past there may have been deficits of greater size, but they were planned and were backed up by reserves. An amount of $18 400 000 was in reserves the last time that an overall deficit was budgeted for in this State. The deficit was put to a particular purpose, an important and vital job creation scheme, which we need to have restored again but which this Government steadfastly refuses even to look at. Incidentally, those job creation schemes, which were regarded as anathema to the monetarist approach adopted by the Premier and those in his Party and those of his philosophical bent, are indeed now beginning to be tried in other countries such as the United States of America and, most noticeably,

in Great Britain, in the face of the alarming disintegration of the British economy and the civil unrest and other fall-outs of long-term unemployment, particularly amongst young people. I have referred to when a deficit last occurred and what the money was put towards. The most important point was that it was planned; it did not blow out or happen by accident, as has occurred in this case.

The deficit would have been even higher: it has been held to this figure of $8 000 000 only by record Loan Account cut-backs and some fiddling with the receipts side of the ledger. A record amount of $37 300 000 has been pulled out of Loan funds—$21 300 000 more than the budgeted figure of $16 000 000. The Premier has told us that he has been able to do this because of his so-called savings on Loan Account, those savings which, incidentally, sit oddly with his complaints at the Loan Council that not enough money is being provided by the Federal Government under the constraints of the Loan Council. Obviously, it is not going to provide money if that money is simply going to go into the State's Revenue Account instead of towards its purpose, which is the development and expenditure on public works and essential capital services in this State.

These so-called savings are, in effect, projects deferred or abandoned, their cuts which are costing the community, in terms of facilities, and the economy, in terms of the economic activity they provide, very dearly indeed. The figures we now have show that the Government spent $14 600 000 less on works than the Budget estimate for the year—that is $14 600 000 which will not now flow to our building and construction industry. It is $14 600 000 worth of community assets which the State must forgo. No wonder those assets are deteriorating; no wonder our building and construction industry is the most depressed in Australia.

The Premier has also been able to pull into the Loan Account an extra $6 600 000 for which he has not budgeted. Where this has come from is not clear, but what is certain is that it undoubtedly represents a last minute bookkeeping transfer to make the situation look less grave. It should be remembered that on 2 June, during the debate on the supplementary Appropriation Bill, the Premier said, 'As to repayments and recoveries from departmental sources, no major departure from the Budget estimates is expected.' However, between the time he made that statement and 30 June the receipts under that line and discounts increased by $6 700 000. Obviously, this was a last minute transaction which even the Premier did not see as necessary when he spoke to the House on 2 June. He certainly did not indicate that it was going to occur. The Government has created another record with the release of these figures.

South Australia's Revenue Account is now labouring under an all-time record deficit. The Premier claims a deficit of $6 600 000, but that is after he has brought into the account $37 300 000 from Loan funds. If that is put together with the $6 600 000, we find a minimum of at least $43 900 000. It could be even worse than this. Remember that in June the Premier announced that he was taking a further $8 000 000 from the Primary Producers Assistance Fund, moneys that are held in trust under a Federally funded scheme which is administered by the State Government. There is cash in that fund, and some of it was put into the General Revenue Account. Without that transfer from a reserve account the deficit could even be as high as $52 000 000 on the Revenue Account.

Obviously the deficit on combined accounts, the stated deficit of $8 100 000, is unrealistically low. It certainly tries to hide the parlous state of our finances. To get something approaching the real deficit of the Tonkin Government after two years in office we would have to add at least the moneys cut from payments on works and the extra repayments and reserves pulled in at the last moment. This gives a minimum overall combined accounts deficit of $29 300 000—a record amount. Again, considering the equally last-minute transfer from the Primary Producers Assistance Fund that I have just mentioned, that deficit could go as high as $37 000 000. None of this takes any account of the massive rise in State charges which have taken place since the last Budget and which again have served to operate a last-minute rescue on the overall result. The full effect of those charges, of course, has not yet been felt. If the extra revenue from that quarter during the last financial year is considered, it shows even more starkly the extent to which the Tonkin Government's Budget strategy last year was obsolete even before the Appropriation Bills were through this House. Take just two instances from the statement of the Revenue Account published yesterday: receipts in the area of law, order and public safety have increased by almost $3 000 000. Receipts in the catch-all line 'Other departments' have increased by $5 500 000. Obviously, these increases have been the result of increased State charges levied by the Government. None of those items was mentioned in the Premier's speech last June.

As to the overall effect, it is no wonder that the Premier has been converted to deficit budgeting. He had no other choice than to make the best of it; reverse all his protests and disagreements with the concept of deficits and to say that there is nothing really wrong with it.

As I told the House earlier, over the last few weeks we have seen the Premier carefully preparing South Australia for this disastrous result, and for his second deficit in a row in the 1981-82 financial year. What excuses has he given? I think it would be too high to use the word 'reasons' in that context. The Premier told us in June, when he began these warnings, that the cause of the Government's financial problems were factors entirely beyond the control of the State Government. He blamed wage increases, the interest on the public debt, the change in the State's revenue grant from the Commonwealth, and the cost of the voluntary early retirement scheme. What the Premier did not say was that the work value cases that led to the wage rises had been in the pipeline well before his Budget was framed. They were completely predictable and should have been incorporated in the planning for that Budget. He knew that they were coming or, if he did not, he blinded his eyes to them. He should have planned accordingly, but he failed to do so.

The Premier also did not say that the increase on the interest rate on the public debt and the change in the revenue grants are a direct result of the policies of the Government in Canberra, a Government which he publicly and loudly supported in October last year. So, there could have been no surprise to the Premier, on the re-election of the Federal Fraser Government, that these events occurred, and yet they are, he says, due to circumstances beyond his control, unexpected, and therefore they were unable to be anticipated when he formulated his Budget at the beginning of the last financial year.

It seems to have taken the Premier a while to understand that those Federal policies would not only cause distress to individual South Australians but would seriously affect his own Budget result. It seems also to have taken him a while to understand that the new federalism which he has argued for since 1975 inevitably means less funds for the States. I refer to the final matter, the expenses of the scheme for voluntary retirement, which, after all, he himself introduced. In claiming that that is something which happened by accident or because of circumstances beyond his control he ignores the fact not only that it was introduced by his Government but also that there are double payments associated with his policy of dismembering the public sector.

In fact, he has created a situation where what work there is is going out to contract, where it is being done, in some cases, not as adequately and certainly not as cheaply as it could be. While the private contractors are doing that limited trickle of work there are capable, highly skilled Government employees who are not being used to the full extent of their talents and abilities. Again, that is costing money. There has been a scandalous dismemberment of a highly skilled and well respected public work force. That has cost this State plenty, not only in terms of actual cash payments, but also in terms of the quality of the work and services that they provide.

The Premier, in blaming circumstances beyond his control, also makes no mention of one of the bases of his current financial problems; that is, the erroneous costing of his election promises. That mistake, which was made prior to the last election, was never corrected (indeed, never admitted) and is an error that recurs year after year. It is not just the loss of revenue in one year that can be forgotten as you go into the next. It means that year by year that amount of money, which should have been available for the State's finances to balance our books, will not be available. Major errors of costing were made by the Premier to put him in that position.

The Premier was going to pay for all this by cleaning up waste and mismanagement, but he has made absolutely no impact on expenditure and obviously he has found that the public sector he took over was well managed and efficient. He has even gone so far as to complain of the Loan Council's attitude to general purpose capital funds (which I referred to earlier) and he has claimed that it should be more generous and provide more for the financing of infrastructure for major development projects. We simply have to ask: how can one complain of the Loan Council's attitude when the Loan funds are being used to prop up a Revenue Account? It certainly puts the Prime Minister, whether he is friendly or unfriendly to South Australia, in a very difficult position indeed. The Premier is going to him and demanding that more capital funding be made available for vital developmental projects and that the other Premiers and the Prime Minister in the Loan Council should make them available, when at the same time his own Budget strategy requires that these vital funds are not put into the Loan works for which they are provided, but are poured into his Revenue Account.

As more and more of the State's Loan funds are diverted to the Revenue Account, the Premier's credibility at Loan Council meetings plummets. This effect and these arguments obviously make it very difficult indeed for South Australia to put its case with any degree of credibility at the Federal level. The Premier's subterfuge, his excuses and his announcement of the bad news in dribs and drabs should not be allowed to conceal the drastic effect that his management of our finances is having on important sectors of the State economy. Even the Premier has had to admit that we cannot afford to continue to finance our recurrent operations through capital funds indefinitely. Indeed, we cannot.

The Premier has had to concede that to continue to use capital funds in this way for a long period would be detrimental to the economy, particularly the building and construction industry and to employment. In fact, in doing it just for the short period he has—just 12 months or so—has already had that drastic effect. I warned him of this during the Budget debate in September last year. I said then that we were beginning to see serious cash flow problems for the Government which were not just going to affect South Australia in the short term but would return to haunt any Government in the future trying to grapple with the parlous financial situation that will be the legacy of the Tonkin Administration.

This was strenously denied by the Deputy Premier, who was replying for the Government. He said that it was absolute nonsense. A little less than 10 months later here is the Premier saying exactly the same thing. There is no doubt that at least on this occasion he is correct and his Deputy is wrong. It is well known in the building and construction industry that Government cut-backs are having a drastic effect on growth and on the whole private economic sector in this State. The Master Builders Association of Australia survey of building construction activity released in May of this year states:

> Limited tender opportunities and a general lack of available work (especially Government work) seem to be the main problems concerning industrial and commercial builders in South Australia.

Since 1979-80 the total payments on works from Loan Account has declined from $226 100 000 to $196 900 000. That is an absolute decline of $29 000 000 in money terms. However, allowing for inflation we would need to be spending around $50 000 000 more this year just to maintain the 1979-80 level. Is it any wonder that our economy is in tatters and is lagging totally behind the rest of Australia?

That is not spreading gloom and doom: it is recognising the realities of the economic situation in this State. It is not something beyond the control of the Government: it is something for which the Government is directly responsible through its attitude and policies on public works. All of this is apparent from the figures that have been released to date. The Budget, when it finally appears, will no doubt bring to fruition the second stage of the Premier's warnings that next year's Budget will cause even more distress to ordinary South Australians and put even greater pressure on our key job creating industries. When that Budget is brought in, the Opposition will require dollar-by-dollar details of the so-called savings that the Premier is claiming on Loan Account and a detailed explanation of what impact they are expected to have on South Australia's depressed economy. They are called savings, but we see them as cuts and we see their effect on this economy.

The Premier has warned South Australians that their expectations of good and sound financial management and their expectations of a decent level of Government services are not going to be fulfilled by his Government. We are here considering a Supply Bill to allow the Government to continue its expenditure until such time as the Budget debates have taken place and the appropriations for the financial year have been made. We are looking at this against a back drop of complete disorder of the State's finances and a resulting poor state of the economy. The Premier, today, made an announcement which, indeed, the Opposition welcomes very much: that contracts have been signed for the supply of l.p.g. to the Idemitsu Kosan Company. Those are valuable contracts for an important resource development project. Unfortunately, the benefits will not begin to accrue until the period of the contract from 1984 to 1988. It is as well to remind the Premier and his Government many times that we are in 1981 and that there are other resource developments somewhere down the track, too.

Their exact value, timing, and their benefit are not really known. The big question facing South Australia and South Australians today is this: what do we do in the meantime? Where can we get the impetus and the economic revival that is necessary for the sheer survival of this State over the rest of this decade? Those answers are not forthcoming from the Premier, and I do not think there is any great expectation that we will have them either in any forthcoming debates in this place or indeed before the next election.

Mr SLATER (Gilles): I will refer, first, to the proposed expenditure by the Department of Tourism, and specifically to the national advertisement seeking a Director of Marketing for the Department of Tourism. That person has been referred to in the press as a 'super salesman to sell tourism in South Australia'. The salary for this person, as shown in the advertisement, is in the vicinity of $38 000 a year. I believe that that is a significant amount and is not likely to provide an impetus to boost tourism in this State. I understand it is one of the few positions that Cabinet has given permission to be advertised outside the Public Service. I notice in today's press that a further appointment is likely to be made, or has been made, by the department. It has been announced by the Minister that the person to be appointed to a new position of Director of Development and Regional Liaison of the South Australian Department of Tourism is Mr L. J. Penley, a leading Mount Gambier travel executive. He has resigned his position with Jetset Tours and relinquished his chairmanship of the South-East Tourist Association to take up this appointment. In both cases it has been indicated that the appointment has arisen out of the TONGE report. I have expressed both in this House and in public my opinion of the TONGE report.

In, I think, March of this year, we saw the appointment of Mr Graham Inns, who was described as 'Mr Tourism' or the 'super salesman' of tourism in this State. I note that in a press statement he was reported as being able to perform this particular task, based on his reputation, with some degree of success. Also, that item indicated that his reputation preceded him into that job. That article was headed 'Hatchet reputation gets the chop'. The article indicated that Mr Inns was a subtle wielder of the Public Service hatchet and had performed an unusual task on his first day in his new job. He said that some people had painted him in the role of a hatchet man, and also said:

> I would like to think that, if the hatchet has to be used, I wield it with a smile on my face.

I believe that was a rather unusual comment. Nevertheless, Mr Inns was appointed on a salary of $48 000 per annum to administer the Department of Tourism. I might also point out that the former Director of that department, Mr Geoff Joselin, has been retained, on his previous salary as Director, as Assistant Director of the Department of Tourism, so there has been a large salary increase at the top level of the Department of Tourism. I do not begrudge that, as long as results are being achieved, but unfortunately for this State they are not. I believe that the fact that we are advertising on a national basis for a person from outside the Public Service is an admission by the Minister of Tourism and the Government that their efforts have been in vain and that South Australia is lagging behind the other States in achieving its share of the tourist market.

I pointed out last week in this House that I believe we need a more co-ordinated, comprehensive and overall plan than we have had previously regarding tourism in this State. I also indicated that one of the ways that might be achieved was by the establishment of a South Australian Tourist Commission. I also pointed out that some of the other States, particularly the Northern Territory, have done this very effectively. The Northern Territory Tourist Commission was set up in January of this year and is already achieving significant results. It has achieved an upsurge in tourism in the Northern Territory, which is the boom State for tourism at the present time.

I believe that South Australia needs a more co-ordinated, co-operative, overall plan and not the *ad hoc,* hotch-potch arrangement that has existed in the past. We have been involved in a number of tourist reviews, including the one to which I referred earlier, the TONGE report. The TONGE report was really a critique of the Department of Tourism. Many of the suggestions made in that report would, I believe, have adverse effects on the department. What is coming to pass at present with all of these appointments from outside the department is proving me correct—it is having an adverse effect on the Department of Tourism. Also, it is no doubt having an adverse effect on the morale of members of that department. We are having no success so far in pulling ourselves out of the mire in the tourist industry compared to other States in Australia. We are making no progress whatsoever.

We have been invited to another media launch on Thursday of this week. No doubt considerable expenditure has been incurred on private consultancies, and also for media marketing personnel for this new launching of tourism in South Australia. I am looking forward to this launch, because I readily recall the previous launch by the Minister at a similar function over 12 months ago. The VISA (Visitor in South Australia) campaign, which I supported at the time and which I believed would assist tourism in some way, I thought would at least result in South Australia's getting a greater share of the tourist market. However, I am sad to say that I believe the VISA campaign never lived up to its expectations. It did not achieve the results that were expected, and I believe it was not a concentrated and concerted enough campaign to attract visitors to South Australia. As I have said, I am looking forward with some anticipation to the media launch to be conducted on Thursday of this week.

A good deal of public money has been spent on private consultants in this field. I will be interested to receive a reply to a Question on Notice I have lodged asking what has been the total cost of private consultancy firms, the media and marketing firms for the tourist media campaigns and reviews, including the TONGE review and other matters associated with the tourist industry. I want to know how many firms have been engaged, who they are, for what purpose they were engaged, and what amount each firm has received for its particular service. I think it will be an interesting exercise to ascertain what the cost has been to the public for these consultancies. I look forward to receiving that answer.

I wish now to refer to another matter in regard to tourism, namely, the submission made to the Premier by the Lower Murray Regional Tourist Association Incorporated, which states:

> We wish to draw your attention to the plight of the paddle steamers *Oscar W* and *Enterprise*. We believe previous correspondence has been sent to you, particularly regarding the *Oscar W*, requesting your Government's support in retaining these vessels in South Australia.
>
> The owners have given ultimatums regarding their sale to South Australian interests, otherwise these boats will be sold to eager buyers interstate. Both vessels represent a substantial part of the heritage of South Australia and are the last remaining in this State. We have herein briefly submitted our opinion. We urge your attention, on behalf of all South Australia.

That letter is signed by the President of that tourist association. The point made is that we have had an experience only recently in regard to the *Coonawarra,* which was sold to interstate interests and which is now located in Victoria and used by the Victorian tourist industry to South Australia's disadvantage. The *Oscar W* was built in 1908 and is presently tied up at Murray Bridge. The *Enterprise* was built in 1878 and is presently at Mannum. I understand that the *Oscar W* has been replanked and is in good condition; likewise, the *Enterprise,* which, as I said, was built in 1878, is also in reasonable condition.

I believe that we are in danger of losing both these vessels, which comprise one of the only remaining visible signs of our Murray River heritage. It is an important matter, and I hope that the Premier and the Government

will consider assisting in some way the association and local government in that area to ensure that the vessels remain in South Australia as part of our heritage. I understand that interests interstate at Wentworth, Mildura, Echuca, and Swan Hill are interested in the vessels and would use them as some form of tourist attraction, and I do not believe we should let that happen.

My attention has been further directed in this matter by a *Sunday Mail* report of 9 August 1981 headed 'History Set to Steam Away'. The report, by William Reschke, states:

> Two of the River Murray's most historic paddle steamers seem set to follow the late-lamented *Coonawarra* out of South Australia. Interstate offers have been rejected, but the owners say they could still go, depending on negotiations in South Australia.

The historical information that I have already given to the House is contained in the remainder of the report, which I will not quote to the House. The real basis of the report is to seek some form of assistance, from the Government or others, in retaining these two important vessels in South Australia. I add my support in whatever way I can to make a plea on behalf of the Lower Murray Regional Tourist Association and the people of South Australia to retain these two paddle steamers in South Australia and prevent their going interstate, like some of our other vessels have done, for use against South Australia's tourist attractions.

I refer now to another matter that appeared recently in the press when the Premier was extremely critical of the advertising campaign of the South Australian Lotteries Commission, which recently launched a direct-mail promotional campaign, the estimated material costs being $20 000. The Premier said that he did not believe that the direct-mail approach was appropriate and that the commission was spending a large amount of money, $20 000, inappropriately on the campaign.

The Premier's other comment was that the entry forms in letterboxes could fall into the hands of children who might have access, and he believed that that was not the best way to promote the commission. I cannot agree with the Premier's comment in that regard. I cannot see any harm in the factual advertisement about the commission. The advertisement states:

> Every dollar invested stays in South Australia.
> No percentage is paid to outside interests.
> Prize money is the highest of any comparable game in South Australia.
> Surplus is paid to the South Australian Treasury for use in the Hospitals Fund.
> 'Expenses' create employment here for South Australians.

All that information is factual, and also included in the brochure are a number of application forms, and so on, for the Lotteries Commission games.

Mr OLSEN: I rise on a point of order, Mr Deputy Speaker. I seek your ruling, because the honourable member is currently discussing a matter that is not before the House. I understand that the provisions of the Bill do not provide any money in regard to the matters to which the honourable member refers. Therefore, I think that the honourable member is out of order, and I seek your ruling.

The DEPUTY SPEAKER: Order! I have to uphold the point of order on the grounds that no funds are provided in this Bill for the funding of the statutory authority to which the honourable member refers. Therefore, I must request that the honourable member refers to the appropriation that is currently before the House.

Mr SLATER: I do concede, Mr Deputy Speaker, that I have perhaps wandered from the content of the debate but, with due respect, I do believe that the Hospitals Fund, which is made up from moneys accumulated by the commission, certainly has an effect on the overall result of the appropriation. However, I still defer to your ruling.

I want to make one final comment regarding the Department of Tourism. I have been concerned for some time that the morale of the department is having a detrimental effect on the department's activities. The Tonge Report, as I have stated previously, was extremely critical of the department's activities. The report was quite unjustified, I believe, because over a long period tourism has not received a funding priority from the Government.

Perhaps we could say that it has been a poor relation in comparison with some other activities of the Government. Although tourism itself—and everyone comments favourably on the fact—has a multiplier effect on the economy, it has not in the past received the priority from Governments that it should have received. The Tonge Report was critical of the department. It critically condemned the Department of Tourism, but I do not believe that such condemnation was justified, because Governments in the past had not provided the funding or the wherewithal to enable the department to work effectively. I believe that that is still the case. Despite all the pious platitudes of the Minister of Tourism, results have not been achieved, and South Australia is still the Cinderella State for tourism in Australia.

The DEPUTY SPEAKER: Order! There is too much audible conversation in the Chamber.

Mr SLATER: South Australia needs to lift its game in this regard, and I am sure that greater Government expenditure on tourism would produce results. I do not believe in the *ad hoc* unco-ordinated arrangements being made at present, nor do I agree entirely with the maintenance of private consultants at cost to the taxpayer. I think we have had too great a degree of private consultancy in this area. There are people within the department who have the knowledge and the expertise to do what is being done by private consultants. Tourism in South Australia, in the final analysis, and in order to receive the necessary impetus, will need a more comprehensive overall plan. The best way in which to achieve that is the setting up of a South Australian Tourist Commission.

The Hon. D. J. HOPGOOD (Baudin): In the measure before us, the Government is asking the Parliament to vote to it the sum of $310 000 000 for the Public Service of the State for the financial year ending 30 June 1982. Some of that money will be spent on the National Parks and Wildlife Division of the Department of Environment and Planning. We do not know how much will be spent on the division, because that is not in the nature of the measure before us, but clause 3 of the Bill places some sort of limit on it. Clause 3 states in part:

> (1) No payments for any establishment or service shall be made out of the moneys referred to in section 2 in excess of the amounts voted for similar establishments or services for the financial year ended on the thirtieth day of June 1981, but there may be paid out of those moneys increases of salaries or wages payable by the Government of the State pursuant to any return made under the Acts relating to the Public Service, or pursuant to any regulation, or any award, order, or determination of a court or other body empowered to fix salaries or wages.

Of course, as is inevitable, this measure will pass both this House and the other place, and the Public Service will continue to be paid. The question is whether, in this area of government, sufficient activity is going on. Honourable members will have read in the *Advertiser* of 16 July last Mr Kim Tilbrook's report headed, 'A dilemma in the wilderness', which was prompted by a visit that the Minister of Environment and Planning took, with some of his advisers, to the Unnamed Conservation Park in the North-West of the State; in fact, I believe that Mr Tilbrook was included in the party.

I will not quote at length from the report, although it contains some things to which the Government and the

people of South Australia should pay close heed. It is interesting that, having decided some days ago that I would address my remarks in the House today to this aspect of Government expenditure, and having left the Chamber for a few minutes just before the debate was called on, I looked into my letterbox and discovered in there a submission which I assume has gone to every member of Parliament. It is headed, 'Dear member', and my name has been typed in in characters slightly different from those of the general printing of the letter. It is from Dr Andrew Black, President of the Nature Conservation Society of South Australia Incorporated, and it states:

The South Australian public has a very strong interest in the environment, as has been shown in the recent Flinders University survey.

That was the survey, part of which I shared with the House only a few weeks ago. The letter continues:

They want more national parks and they want more information about them. They want them well cared for. The Government came into office promising better management for national parks. This is understandable since they were well aware that the service was grossly understaffed.

As the Budget approaches, are you prepared to see the Government staff ceilings being applied to national parks as they may be in other departments with an acceptable staffing structure? Please look at the enclosed information sheet and urge Mr Tonkin to make an exception in favour of national parks.

Let me give a few background statistics. There is, under the care and control of the Minister of Environment and Planning in this State, an area of 4 372 119 hectares of land dedicated as national park, conservation reserve, game reserve, or recreation reserve. In fact, my information may be slightly out of date. Those figures were taken from the map which shows the location of those dedicated reserves and which is dated June 1980. I have in my possession another document, not from the Nature Conservation Society, but from another source, and it was really that document which prompted these remarks. It suggests that the correct figure at present is 4 482 909 hectares. Whichever figure is correct, it is only a quibble.

It is perhaps important that I mention that, of that area, 2 132 600 hectares is locked up in the park to which I referred earlier, the one to which Mr Tilbrook refers in his *Advertiser* article, namely, the Unnamed Conservation Park. Once we take that out of the system, then, based on the second figure that I quoted, what is left is close to 2 400 000 hectares of dedicated reserves.

What sort of resources are currently available for the proper protection and care of those reserves? I think people would concede that they are not lavish. Indeed, I can recall that, a short time before I took over responsibility for this area on behalf of the Labor Party, my Leader and my colleague the member for Mitchell spoke in the House with some cogency on this matter. At present, staff charged with the responsibility for looking after this large area of the State numbers 264; at headquarters there are 43 administrative and clerical people; 16 scientific and technical people, and 42 workshop and construction people. In the regions, there are seven directors, superintendents and chief rangers and two clerical and professional people, and in the field there are 45 rangers, 34 park keepers and 75 construction and maintenance people.

Soon after taking over this responsibility I went to New South Wales to look at the system there. I did that for three reasons: first, from time to time our service has been compared to the New South Wales service and, in fact, in some ways our service has been based on the general structure and mode of operation of the New South Wales service; secondly, the New South Wales service is generally considered as being the best in the country; and thirdly, there being a Labor Government in New South Wales and indeed, the Minister for Planning and Environment, being the former Minister for Education in that State, I have had close contact with those people and it seemed to me that I would probably be in a better position to get a good look at the system than if I went to Victoria, Western Australia or Queensland. For reasons of convenience, as well as for those other reasons, I looked at the New South Wales system.

The New South Wales service has 2 931 893 hectares of land as dedicated reserve, and that is comparable with the area that South Australia has as dedicated reserve if we set aside for the moment the Unnamed Conservation Park, which, of course, is well isolated from the sorts of human pressures that we see occurring in extreme form, for example, at the Belair recreation reserve. The responsibilities of the two services would appear to be somewhat comparable.

It is true that New South Wales has a much larger population, and therefore some of those human pressures could be regarded as being somewhat greater than those experienced here, but setting aside that fact and ignoring the Unnamed Conservation Park, we find that New South Wales still has 600 000 hectares additional under reserve. Let us consider what sort of resources are put into the task by the New South Wales Government. Headquarters, administrative, clerical, scientific, technical, workshop and construction workers total 200. There are 16 regional people as opposed to our seven (that is, directors, superintendents and chief rangers). There are 87 in the clerical and professional area as opposed to our two. New South Wales has 156 rangers in the field, compared to our 45; 60 park keepers, compared to our 34; and 100 construction and maintenance people, compared to our 75. This makes a total of 619 employees, compared to our 264.

I want briefly to pick up this contrast at the regional level: 87 clerical and professional people are employed in New South Wales, compared to two in South Australia. One of the reasons for this is that, by our standards, New South Wales has magnificent educational and interpretative services. While I was there, I was taken to the Royal National Park on the south coast and shown the interpretative centre there. The person who took me is, in fact, in charge of educational and interpretative services for the whole of the west Sydney region. That person, previously a school teacher, a botany major, having an interest in the field, applied for and obtained a job with the service and is now in charge of these services. I was given a very fair indication of the services that are available there to the public.

It is important to the national parks division that these services exist, because they create a clientele for the whole concept of national parks. The education and interpretive services exist to explain to people what is available. People then come to look, applaud and demand more. It is in the interest of a healthy National Parks and Wildlife Service that those services exist; they are the shop front of the division and ensure a healthy future for it.

Mr Schmidt: What about the way in which they are funded?

The Hon. D. J. HOPGOOD: Perhaps the honourable member would like to enlarge on that at some time in the future. I would rather have thought that that was exactly what I was talking about—the inadequate funding that occurs at present in South Australia.

Mr Schmidt: I thought you went to look at the whole thing, but you don't know how it is funded.

The Hon. D. J. HOPGOOD: If the honourable member wants me to explain to him in the 17 remaining minutes of my speech how it is funded, I suppose I could do that, but I have other fish to fry. Perhaps I can explain to him on some other occasion. I suppose he is talking about service-generated revenue which is available in New South Wales

but which is not available here. I would be happy to take up that point at some time in the future. My time is limited. That does not really alter the fact that the Government's performance here in the national parks area is pitiful, compared with what is availabe in New South Wales. Those are the stark figures, but they are even worse than I have indicated.

I would now like to go back to the famous meeting which unfortunately I missed and which was addressed by Mr Ted Phipps, the Director of the Department of Environment and Planning. I believe the meeting was convened mainly by the Nature Conservation Society, but by conservation bodies generally, soon after Mr Phipps took over the reins here. It was a sort of 'please explain' meeting; people wanted to know what was going to happen. Mr Phipps told these people that the reorganisation of the department would free lots of resources for the proper care and control of parks. To give him his due, he certainly did not suggest that everything in the garden would be lovely once this occurred, but he said that certain things would happen as a result of the amalgamation of the Department of Planning and the Department of Environment that would ease the situation considerably. Of course, that has not really happened.

Mr Phipps said that, as of February 1981, the National Parks and Wildlife Service had total staff of 254 and that on completion of the Department of Environment and Planning it would have 282 staff. The amalgamation was completed on 11 May this year, but an examination was carried out of the National Parks and Wildlife Service staffing during June, and it was very difficult to discover 282 fully operational personnel. It has been suggested to me that one could probably find 264 people, if part time positions were included, such as one day a week cleaners (two people), two day a week paid guides (eight people), relocation of the Blackhill Native Flora Park staff (35 people), former State Planning Authority open spaces, field and administrative staff (eight people), and the vegetation retention project staff (five people).

However, if those people were considered as additional resources, one can only assume that before the amalgamation they were under-occupied, doing very little. Suddenly, they have been thrown into this wide area and they can throw their energies, enthusiasms and abilities into the task. My information is that that is not true; these people were very much occupied by their tasks.

What about the transfer of the eight State Planning Authority open space staff members? They bring all of their former responsibilities with them, as well as their former real estate, the major district open spaces and the regional parks, about which honourable members opposite can read in the 1962 town plan on the wall behind the Speaker's area. What about the five vegetation retention staff members? Again, they can really be regarded as additional resources to the department, only if they were not doing very much before the amalgamation took place. Of course, these people have had to continue with their traditional tasks, because they are continuing responsibilities.

There has not been the accession of additional staff or, shall we say, labour power to the department which that statement to that public meeting seemed to suggest. Nothing very much has changed. There are obviously advantages in the amalgamation of the department. The advantages do not run to having made any great inroads on the crying needs of our national parks. Therefore, as this money is spent and as the Government increasingly refines its Budget aspirations, I would hope that the concerns of people in the Nature Conservation Society and other people who are concerned about our natural heritage will be heeded by this Government. I hope that the concerns of the Public Service Association, which provides industrial coverage for the rangers, and the concerns of the A.G.W.A. and Miscellaneous Workers Union, which cover the park keepers, will be heeded by this Government.

The money that we are voting to the Government today will not only be spent in the environment area on the National Parks and Wildlife Division. There is also a whole division of new department that is concerned with pollution controls, with noise, water and air pollution.

Some time ago in the House I flourished a document which had been handed to me and which has been given a very broad circulation and asked the Minister when he was going to go on with it. I refer to a draft Bill dated 24 June for an Act to minimise and control air pollution and for other related purposes. The Government has been talking about giving statutory enactment to its ambitions in this area ever since it came into office and indeed, before it was elected. Nothing has happened. All the Minister could tell me was that the Government was carrying out proper consultation before it was prepared to bring a Bill into this House. The Government has now had more than a year since this document was prepared. I cannot believe that there was no consultation before the document was prepared. The document itself is surely the fruit of a good deal of consultation. I know this because it was happening before we left office. Surely there was no limbo. Surely the Government continued with that consultation process.

This week an important conference has been sitting in Adelaide airing the problem, the *Advertiser* of Monday 24 August says. The press report states:

> The Seventh International Clean Air Conference will begin in Adelaide today—a conference being organised by the South Australian branch of the Clean Air Society of Australia and New Zealand. It will be opened by the Minister of Environment and Planning, Mr Wotton, at the Festival Centre this morning.

The report went on and referred to various people who would be delivering papers and said a little bit more about the Clean Air Society of Australia and New Zealand. The rest of the page was taken up by some advertising which the *Advertiser* had been able to get on the strength, I guess, of running the article, from people who obviously manufacture and market equipment to do with the control of air pollution. So we waited with bated breath for the comments which the Minister might make to this august body when he officially opened the conference. We got it this morning. In the *Advertiser* on page 14 the headline says 'Controls on pollution vital: Wotton'. It quotes him as saying:

> It was vital to the welfare of the environment that the States did not lower pollution control standards as an incentive to attract development capital.

This is good to hear. I do not know whether members have looked at the Doonesbury comic in the *National Times* this week. It is of course an exaggeration, as these cartoons are, comment on what is happening in the United States at present, but I am afraid that it is happening. It is therefore good to get some sort of assurance from the Minister that whatever Reagan and his henchmen may be doing in the United States to the environment, he is not going to let it happen here, provided, of course, he gets the co-operation of his colleagues. How is he going to do it? I would have thought that this was a marvellous opportunity for the Minister to say a little about this piece of legislation, when it would be introduced to the House, and what its contents would be. I read this article in vain for any reference to it at all. The Minister, in fact, talked about the Planning Bill. That is interesting because, although the Planning Bill was introduced into Parliament in the last session, the Minister has made certain commitments about a revision of its contents, and we really do not know where that revision will take place—whether it will be in the earlier part of the Bill,

which of course has got local government so very upset (and I do not think members opposite could deny that the concerns of local government at present are very real indeed) or whether he was talking about the environmental impact statement aspect towards the end of the Bill. What he said to the meeting, as quoted in the *Advertiser,* was:

That South Australian Government believes that environmental management should be an integral part of the planning process and that the whole community should share in this respect.

Well, this is good motherhood stuff: we can applaud that. The report continues:

The new Planning Bill (recently tabled in Parliament) provides for environmental assessment to be incorporated into the planning system in relation to major controversial applications of social, economic or environmental importance.

It then goes on to say:

Mr Wotton said the international exchange of information that would take place at the conference would be 'very beneficial'.

It finishes by saying:

The conference will continue today.

There is not a reference to this Bill. I suppose it is possible that it was somewhere else in the speech of the Minister and did not get reported. I doubt this very much. I am sure that, if there had been some announcement about the Bill, it would have been highlighted in the background notes which the Minister gave to the press, as no doubt he did, and it would have been properly written up. But there is no reference to it at all. I imagine some people there were probably scratching their heads and saying, 'Well, this is all very nice, Mr Minister, but what about the stuff that comes out of the smoke stacks? What in fact is really happening in the State of South Australia about this?' There was no word about this. We, in the Opposition, call on the Minister (and I can be accused of punning here) to clear the air in relation to this matter.

Are we going to get legislation in relation to clean air control, or are we going to continue with the present system whereby we have regulations under the Health Act, which is now of course wildly inappropriate, because all of the administration of this area has been handed over to the Minister in the new amalgamated department? It may have had some sense in previous times, when all of the administration of matters concerning clean air and the control of air pollution were in fact committed to the Minister of Health. It is no longer. The Minister of Environment and Planning has to administer his control of air pollution using a Statute which is committed to his colleague in this place, the Minister of Health. So for administrative tidiness, quite apart from the fact that some strengthening is required, it is important that the Minister get this measure into the House as soon as he can. I am disappointed (and I imagine the organisers of this conference who did the Minister the courtesy of inviting him to open the conference, will, once they hear the facts, also be disappointed) that the Minister did not take the opportunity of making some clear Government commitment in this particular area.

Mr LYNN ARNOLD (Salisbury): Tonight I wish to discuss some matters related to financial expenditure within the Education Department and the degree to which cutbacks in education may be affecting the quality of education. Some time ago (in fact, on 19 June) at a Liberal Party State Council meeting the present Minister of Education gave a speech about the state of education in South Australia. In the process of that speech he asked a series of questions of me, as follows:

The pressure on Government resources will be immense. The Labor Party recognises these difficulties. Indeed, its current spokesman on education is on record as saying that a department under his administration would have looked at staff cut-backs in areas other than school assistants. So, for the A.L.P. the decision on education funding is not whether or not there will be cut-backs but instead the question is just where will the cut-backs be. It is time Mr Arnold made clear exactly what he as Minister would do. What initiatives would he take? What savings would he make?

What I might say before going on to treat with that, and it is quite significant, is that the Minister addressed those questions to the rather private forum of the Liberal Party State Council. He did not come into this Chamber to challenge me here like some of his very ambitious backbenchers did. They came into the Chamber and challenged me, but the Minister did not. He chose the secrecy, the cloisters, the privacy of the Liberal Party State Council meeting to issue that challenge. My responses to this matter will be delivered in public; they will not be kept as private information to a select and privileged few who have access to those cloisters. They will in fact be made public in this House and in other places. This is obviously frustrating and upsetting the Minister. He is obviously very concerned about this whole matter, because he knows that he is the Minister who has brought education to its worst state in South Australian history. He knows that on his head rests that responsibility.

The Hon. H. Allison: It is the best in Australia. Come off it!

Mr LYNN ARNOLD: It is the best in Australia, not because of the Government's efforts but rather the efforts of the previous Government. The Schools Commission reports are based on data up to 1979, and the Minister knows that as well as anyone else in this Chamber knows. That was the Labor Government's initiative. The Schools Commission Triennial Report this year is based on data up to 1979. In fact, the question of funding in education is an important one. I have said that on many occasions. If the members for Rocky River and Mawson had taken the trouble to read my speeches in this House and in the media they would have seen that I am concerned about funding and spending for education. I have acknowledged in my Address in Reply speech many of the constraints that exist in education, including a very important Commonwealth constraint, a constraint to which this House should be addressing itself, although it has not done so sufficiently to date. Certainly it is important. I take up the point and have said in public that I take up the point that the message raised by the Keeves Committee of Inquiry that necessitates the reallocation of scarce resources is most important. We have to look at how resources will be allocated within the education budget between the various areas of need. We have to re-analyse exactly what we are aiming to do and what we are aiming to achieve by the education system that we have, and allocate the resources accordingly.

I take up and endorse that point. I believe that any Minister worth anything at all would have taken up that point. Surely the record shows that that point was being practised and taken up in the 1970s. There was the reallocation of scarce resources between differing areas of need from time to time. There was not a static division of the pool of resources available at all times. That did change, and it will continue to be a policy under a future Labor Government. What can be said and ought to be said is that a future Labor Government would maintain its priority commitment to education which it exhibited so well in the 1970s. It would repeat its performance that education has a high priority.

In 1970, South Australia ranked very mediocre in the national ranks of education. By 1979, in general terms (although I acknowledge that in certain specific areas it may not have been the case) across the board it was certainly the lead within the nation. There is no way that anybody on the Government benches could deny that that was the case. There is no way that anyone on the Govern-

ment benches can deny that improvements took place to the quality of education in South Australia in the 1970s. The Minister is remarkably silent at this point, because obviously he cannot deny it. Education did advance in the 1970s, and it is a credit to the previous Government that it did so. It is that record, that indication by practice, that we as a Labor Opposition give to the public as evidence of future performance in education.

Education maintains its high commitment within the Labor Party because we believe that the provision of a good quality of education to the citizens of this State is fundamental to so much that happens within the State. So many programmes and actions by Government depend on the extent to which we have been able to provide all our citizenry (and not selected groups of citizenry) with sufficient funding and a sufficient quality of education.

The point that becomes important in looking at education funding in a generalised term is that what matters is what takes place in the classroom. It is the final thing that happens in the classroom that is all important. Funding in education must always be attuned to that level. To the extent to which funding takes place and to which we are not satisfied that it improves the quality of education in the classroom, then serious questions must be asked about its worth. To the extent to which needs in the classroom are not being met, we must challenge ourselves and ask whether or not resources ought to be provided in greater scope, or whatever. That remains the pre-eminent question which I am sure that anybody reasonably and decently concerned with the quality of education should always ask: 'What is happening in the classroom level?'

In the rather hysterical contributions that we have seen by some members of this House in issuing such challenges, we have had the point made that I should come out with specifics as to how a Labor Government would make that reallocation. I could be as supercilious as the Premier when he answers similar questions from other members in this House by indicating that members will just have to wait.

Mr Max Brown: Or talk about the weather.

Mr LYNN ARNOLD: That is right. They will have to wait in due course when a certain document is presented. Certainly, we all know that in the lead-up to elections the public has a right to expect that sufficient and detailed research has gone into all aspects of the Government's programme.

Mr Hamilton: And honesty.

Mr LYNN ARNOLD: Of course, on this side we all know that, but one doubts it about the other side. The public has a right to expect that, when a programme is presented to the Government and the people of this State, it has been done on the basis of proper homework. I am using as much opportunity as I have available to me to traverse this State to meet with educators, parents and people in the community to discuss with them what they believe to be the needs of education and what they believe to be the priorities. I am taking advantage of that opportunity to meet people to bounce ideas off, to promote ideas and concepts for discussion so that I can analyse their opinions. In the final analysis it will be the quality of consultation that has taken place between those concerned with education and all those involved somehow, be they teachers, parents or the community at large, that will determine how successfully any future education budget will be received by that community.

I have criticised, on a number of other occasions, the appalling capacity for lack of consultation by the present Minister. We are aiming, as a high priority, to improve that. We will be responsive to community needs and community desires and to that end, at this stage, while there are a great many ideas that I have already floated in public about spending in education and about specific directions, in terms of the finality of those directions, I believe that it is much better that they be the subject of public discussion and debate over an extended period. That is the way in which I propose to continue handling that matter.

Certainly, I believe that the present Government, in its examination of cuts in education, has not exhibited the same degree of serious concern about the matter. It has not indicated that it is genuinely concerned with the quality of education that is coming through in the classroom. It has seriously confused what I have on other occasions referred to as the social ledger with the financial ledger.

We on this side are convinced that education, as with many other human services areas, is a tandem, a combination, of the social ledger and the financial ledger, and that you cannot always measure in strict financial terms the quality of services provision. Ultimately, one of the major failings that will take place in programme and performance budgeting may well be in its inability to meet the evaluation needs of human services areas of Government, unless amendments are being considered at the moment.

Mr Becker: Study the P.A.C. report.

Mr LYNN ARNOLD: The P.A.C. report is most interesting, because it is one of the major reports that confuses the two areas. It refuses to acknowledge that education does have a social ledger that cannot be measured in simple dollars and cents terms.

One of the areas that has concerned me for some time is that this Government seems hell bent on promoting to the people at large that there will be cuts in education. The Premier has used a number of fora to promote that idea. A number of people within the Liberal Party have been indicating that education is in for a very hard time. They also have been very non-specific about that. They also have not been prepared to indicate exact areas, to say exactly how they would reallocate the scarce resources available to education, or to answer exactly how they would meet the flight from financial responsibility by the Commonwealth Government, but I suppose that one can issue a challenge to the Government and ask it to respond to that.

I hope that it does so in due course, but it has been very willing to give these generalised threats to education. One who has done that is one of the back-benchers. One wonders whether he is one of the five back-benchers who, we were told through the news media, wanted Allison called to account earlier in the year.

Mr Hamilton: One of the gang of five.

Mr LYNN ARNOLD: That is right. This member was the member for Todd. At a meeting on Wednesday 29 July at Tea Tree Gully Primary School to discuss various matters related to education, he is reported to have made a statement. He can choose to deny it if he wants to do that, but it is reported that he said:

> There is no area that will not cop cuts.

In other words, he has indicated that right across the board, in every specific area, there will be cuts in education. He has not adopted the philosophy of the Keeves Committee that talks about the reallocation of scarce resources among areas of need. He has not made the statement that there are some areas of need that surely all of us who are concerned with education would agree should be immune from cuts. He has not adopted that philosophy. He has talked about an across-the-board practice of cuts.

If he chooses to deny that, he can make that statement to the House as well. Alternatively, he can make it to the State Council of the Liberal Party, and one can hope that the document will fall into our hands. He made one other statement to that meeting that was particularly interesting,

and I think the Minister would probably want to comment on this one. The member for Todd said:

> The Minister considers that to have decreased the numbers of advisory teachers in some areas last year was a mistake. Some will be reinstated, for example, in the zoo—

that is an interesting place to keep advisory teachers—

> and in the Botanic Gardens.

I suppose that would be under a cabbage bush. I should like to know from the Minister whether that statement was correct. Does the Minister consider that it was a mistake to decrease the number of advisory teachers? If he does, I say here and now that I give him credit for that acknowledgment. If he acknowledges that it was a mistake, I give him credit that he realises that there was an impact on the quality of education in that one area, because it is certainly so that the reduction in the number of advisory teachers has had, in the opinion of many people involved in education, a direct impact on many areas of the curriculum and many areas of the ways in which schools operate.

One may wonder what the Minister meant by that statement. Was he genuine in saying that the zoo and the Botanic Gardens were highest priorities in areas where increases or new appointments were to be made in advisory staff, or were they simply off-the-cuff indications of those areas? The matter is important, because I want to mention two areas where there has not been the allocation of advisory staff made up from previous cuts.

One area is the advisory appointment related to school counsellors. I understand from the latest supplement to the *Gazette* that it is not proposed that that appointment be made in 1982. In 1981 there was an appointment in that regard, but the supplement to the *Gazette* that makes the announcement of those positions available has not indicated that that position will be available next year. Until now school counsellors have had only one advisory staff appointment related to them. The supplement would lead us to believe that next year they will have none.

There is ample evidence to show that the existence of at least one advisory staff (I am not suggesting any more than one) has great benefit to the way in which school counsellors throughout the State can provide the service that they ought to be providing. It provides a liaison person between school counsellors and the community at large. It provides an input to the various committees and bodies throughout the State on which school counsellors ought to have representation.

It also provides an advice person to whom school counsellors can go for advice. That is a most important facility, because school counsellors, dealing as they do in many cases with severe problems in their school communities, need to have someone outside that community with whom they feel they have some confidence, with whom they can relate and discuss these matters, knowing the grounds on which they are discussed and knowing that confidentiality is protected.

That confidentiality is quite important, because in many situations it is not quite possible for a school counsellor to liaise with fellow staff members within the local school community, for the reason that that may be somewhat embarrassing to other member of the staff. It may be that a problem that has arisen may affect one of the other members of the staff, and, therefore, it is necessary to go outside the school to discuss the matter.

Another area that strikes me as important, particularly in regard to the comments made by the member for Brighton in this place some weeks ago, is that regarding health education. We on this side indicated that we were appalled at some of the alleged practices that may be taking place in the education system.

Mr Gunn: You've changed your tune a little.

Mr LYNN ARNOLD: We have not changed our tune at all, because that was said on that occasion as well. What we did say was that we were very upset that the Government and members involved were not prepared to give support to the officially-sanctioned programme operating within schools, namely, the health education project team. I must admit that, after some time, the Minister did give some passing recognition to the value of that team, but the facts show that it must have been very passing recognition indeed when one looks at the allocation of resources to that project.

It is very important that an area dealing with matters brought up in health education be dealt with using great care and caution. Evaluation should always take place regarding what is happening in the classroom, and training should be made available to those teachers who will teach the course, particularly the sensitive areas of that course, so that parents can have confidence in what is being done in their schools. I have stressed that before and I will stress it again. Parents must have confidence in what is being done in the schools in those areas of health education that are particularly sensitive, in particular, the areas of drugs and sex education. They are two areas where this is very important.

The extent to which that reassurance can be given to parents depends on two things: first, the back-up that is available to staff in the schools, namely, through people such as advisory teachers; and, secondly, by the training that is available to classroom teachers themselves. In fact, a very successful programme was conducted during the 1970s. It was an intensive programme where teachers were taken out of the school for a full term and given the opportunity for a full term's intensive training in various aspects of health education. It was operated out of Sturt college but it was under the auspices of the Education Department. That particular course provided a great many teachers who played a key role as key personnel in schools in this State. It was never intended that all health education teachers should go through that course. That would not be possible within the realm of the resources available to the Education Department. However, it was intended that key resource teachers be trained in that course.

A great many teachers were trained in that course. Other teachers within the health education system were given the benefit of much shorter in-service training but, nevertheless, still some in-service training. That training included one week conferences, two-day conferences, in-house conferences at schools, and so on. They were very important. In fact, that programme has been cut back year by year. I am not going to criticise the Minister for having cut out the intensive one-term course because, in fact, that was cut out by the previous Government prior to the last election. It was cut out because it was felt, in the opinion of those in the Education Department, that enough key personnel had been given that training within those courses to service the schools in this State which were treating with health education. It was also felt that enough in-house, in-service opportunities would be provided by such people as the advisory staff and that there would be enough one-week conferences to pick up the training needs of those teachers involved in health education throughout this State. That has not happened.

In fact, the in-service training periods available to health educators in this State have been cut back drastically. Further, the advisory staff in health education has been cut back drastically. Apart from the capacity of the advisory staff to provide support and the in-service training, be it in-house or in another place, to those involved in health education, they also had another important task, namely, the evaluation and assessment of what was going on in health

education. They also had the task of monitoring those particular teachers who were involved and of determining whether or not all those teachers who were given the task of teaching health education were indeed the most suitable.

It is true that in the past those involved at the advisory teacher level in health education have been involved in recommending that certain teachers no longer teach that subject. With the reduction in advisory staff in health education there can be only one consequence, that is, that its ability to identify within the system those teachers who are not appropriate to that subject will not be identified. They will not be able to be removed. In many ways, I think that that is an indictment, particularly because the member for Brighton, at great length, made the point of how unsuccessful and how damaging all that was happening in health education was in this State. I say 'at great length' and how damaging the whole of health education was because to this day the member for Brighton has not indicated his position on the official health education curriculum.

Another matter affecting staff allocations deals with country service by teachers. This has sorely tested the Government and, indeed, it is a thorny problem that any Government would have to face. I believe that there is one preminent consideration that should be taken into account; that is, that all children in this State, wherever they may reside, are entitled to a fair representation of teacher quality. That cannot be argued and it is without debate. The point of debate is how one allocates that fair representation of teacher quality throughout the State. This Government has got itself into some hot water over this issue, particularly last year. This year it has reached an accord with the Institute of Teachers regarding country service.

I am sure that I am not alone in having received letters from teachers who are concerned about how the country transfer system will affect them. One question that I ask, and I do so in the hope that at some time the Minister will find occasion to answer, deals with the family impact of the transfer system as it is presently being mooted. It was this Government which at the last election—

Mr Gunn: You're saying those already in the country should have to stay there so your city friends don't have to go out?

Mr LYNN ARNOLD: No, I am not saying that at all.

Mr Gunn: You have been saying it all the time. It's nonsense.

The SPEAKER: Order!

Mr LYNN ARNOLD: If the member for Eyre had been listening to my earlier comments he would know how inane his interjection sounds.

The Hon. Peter Duncan: He wouldn't understand.

Mr LYNN ARNOLD: He probably would not understand. Before the last election the present Government made great play of the fact that family impact statements would be undertaken on areas that seriously affected individuals in this State as a result of Government activity. Indeed, the family research unit of the Department for Community Welfare issued a handbook for family impact statements in April 1980. In part, the handbook states:

> As part of the Government's commitment to the protection and well-being of families, it has introduced a system of family impact statements to ensure that Government action does not have adverse consequences for families.

So far, so good. I am not going to argue with that. The handbook continues:

> The purpose of the family impact assessment is to highlight for planners any possible adverse consequences of a proposal and, as a consequence, stimulate the investigation of alternative strategies for achieving departmental objectives without jeopardising the effective functioning of families. Where suitable alternative means are not available, an awareness of possible adverse effects may lead to the development of specific measures which would minimise the adverse effects for those families most likely to be seriously affected.

That has two outcomes, but first I ask the Minister a question. Was a family impact statement undertaken in relation to the country transfer accord that was reached between the Government and the S.A.I.T.? If so, what was the result of that family impact statement? In what way has the accord taken account of the findings of that impact statement? Two options are provided in this handbook.

First, if the impact on the family is of such a nature as to be serious, and if alternatives are available, those alternatives should be sought. The alternative should still provide a fair representation of teacher quality to the students of this State. If alternatives are not available, it would involve the provision of efforts or specific measures which would 'minimise the adverse effects for those families most likely to be seriously affected'. One way or the other, we need to know, first, whether a family impact statement was undertaken, and, secondly, how the family impact statement findings affected what the Government finally reached in its accord.

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

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

Mr OLSEN (Rocky River): We have been subjected, yet again, to another vitriolic amount of rhetoric from the member for Salisbury. All the huffing and puffing in the world will not eradicate his abdication of his responsibility, by not presenting to this House and the people of South Australia, substantive material in the contributions such as the speech he made tonight indicating the alternative policies that a Labor Government, if elected, would pursue in the education field. His speech stated the obvious—education was a priority. Indeed, this Government has maintained education as a priority.

The alternative policies are something on which we ought to be able to have a clear and concise exposition from him in this House and to the people of South Australia, as more money does not necessarily mean a better education for our children. As I have said before in this House, I want the best education for my children, but at least I can recognise that more money does not necessarily mean that they are going to get a better education; more and more teachers does not necessarily mean a better education for those children.

It is hypocritical to criticise without offering viable alternatives for consideration by the electorate. The member for Salisbury talks about flight from financial responsibility. Could I suggest that he has a flight from policy responsibility to the Parliament, and to the people of South Australia? Let the Institute of Teachers be aware. Let teachers within the South Australian teaching force be aware that it is an Opposition that has not a clearly defined policy. It has not on any occasion rallied to a call to clearly enunciate its policies—it has been devoid of policy initiatives and direction. However, it is an Opposition that indicates that it is an alternative. The member for Salisbury referred to a speech made by the Minister at a State Council meeting of the Liberal Party and the honourable member dared suggest to this Parliament that that, in fact, was a closed forum. The fact that the member had a copy indicates that it was not a closed forum.

The Hon. D. O. Tonkin interjecting:

Mr OLSEN: Exactly. The fact that the speech was issued to the public also indicates that it was not a closed forum. It was quite a false impression to leave with the House. On 3 June this year, during a Supplementary Estimates debate in this House, I challenged the shadow Minister to indicate

the Opposition's priorities in the education area and challenged him to indicate where the staff cut-backs would be, relative to comments he had made that were reported in the *Pirie Recorder*, to which I will refer in a moment.

Those challenges have remained unanswered (such as, 'Where will those staff cut-backs be?' and 'Who will incur the cut-backs?' and 'To what degree will those cut-backs operate?'); he remains silent. I was interested to note that, in the recent series of advertisements on behalf of the South Australian Institute of Teachers, in all but one of those advertisements they ask in a bipartisan way, 'At Budget time what will you do about this, Mr Tonkin?' followed by, 'What would an alternative Government do?' It is interesting to note that in their latest advertisement, entitled 'Education Fact No. 7', they do not, in fact, pose that question.

The Hon. D. O. Tonkin: They want money.

Mr OLSEN: Indeed they do want money. It appears to me that, in fact, that is one area in which the Opposition has a policy. The Opposition must have told the South Australian Institute of Teachers that it agrees with their 20 per cent claim to the Industrial Commission in this State, because otherwise the South Australian Institute of Teachers would have continued its bipartisan policy of putting in those advertisements both its question to the Government and its question to the alternative Government, but in that particular advertisement that question is not there. Perhaps the member for Salisbury, as shadow Minister, has embarked on at least one policy initiative, a policy initiative by stealth in which he has had discussions with the South Australian Institute of Teachers in which he indicated that he or the Opposition would not oppose such a claim and, in fact, would endorse it. If he does not endorse it, perhaps he will say to the House that he does not support the 20 per cent claim by the South Australian Institute of Teachers presently before the commission.

The Hon. D. O. Tonkin: What about New South Wales and Tasmania, where he has colleagues of his own pursuasion?

Mr OLSEN: Perhaps that is the very reason he finds himself in a dilemma, because at the State Council meeting of the Labor Party he had to water down the resolution put by the former Minister of Education, Don Hopgood. It was a very interesting watering down, bearing in mind that the Wran Government and the Labor Government in Tasmania are having the same sort of difficulty in the education field as is the Western Australian Government and, indeed, the majority of Governments across Australia—very light problems.

Let us have a look at those resolutions to which I referred and which were dealt with at the conference. Incidentally, of all the resolutions on the agenda only two, as I understand, related directly to education. The former Minister supported a resolution that the conference deplore the Liberal Party's repudiation of its 1979 election commitment to education (which is not a statement of fact) and that significantly more public resources be put into education and that as a first step staffing levels in the Education Department be restored to the 1979 level. The shadow Minister hastily moved an amendment to the resolution, which is really an innocuous resolution in any event, because it said, in effect, that it called on future Labor Governments to restore education as a priority of Government policy. If that is not calling the kettle black, nothing is. It is an obvious fact that education has remained a priority with this Government. I concur with the member for Salisbury's comments that in the '70s education was brought up to a higher standard in Australia, for which there is some credit due, but that standard has been maintained by this Government under the current Minister of Education.

Mr Lewis: And exceeded.

Mr OLSEN: And exceeded in some areas, certainly. We have a situation where the shadow Minister is devoid of policy initiative, responsibility and is not prepared to publicy enunciate that to the people of South Australia or to this Parliament. Perhaps he is having a frustrating time like the member for Elizabeth did when he was in the shadow Ministry and when he sought from his Leader support in making a policy announcement.

The Hon. D. O. Tonkin: Direction.

Mr OLSEN: Yes, direction. He sought support for a policy announcement so that he could indicate that, if the Opposition returned to Government, S.T.A. fares would not rise. He was not allowed to make that commitment. Indeed, it seems to me that the Leader must be riding roughshod over his shadow Ministry and that they are not allowed to make any policy initiative announcements for the future. When will the policy announcements be made by this alternative Government, so to speak—certainly with some qualifications?

In the *Pirie Recorder* in May of this year Mr Arnold was clearly quoted as saying, as shadow Minister of Education, that a department under his administration would look at staff cut-backs in areas other than school assistants—an interesting comment which surely must indicate that Mr Arnold accepts that there is a need for cut-backs in education funding. If so, where, who and to what extent will they be undertaken by an alternative Government? Instead of standing up and criticising sectionally the policies of this Government, which has maintained education as a No. 1 priority in this State and continued to hold the status of education funding high, where are the alternative policies? Where is the constructive alternative? If Mr Arnold would not cut ancillary staff, which even after the current rationalisation and reduction exercise will have shown a substantial net growth in the past five years, then this leaves only head office and teaching numbers where he can exercise some cuts.

The Hon. PETER DUNCAN: I rise on a point of order, Mr Speaker. The honourable member is fairly new to this Chamber and probably will not be here all that long, but apparently he has not become familiar with the Standing Order that requires him to refer to other members of the House by the electorate which they represent and not by their Christian or surname.

The SPEAKER: Order! If in fact the honourable member, and I must admit that I was not following the debate closely, did transgress, I would ask him to heed the warning that I gave to the honourable member for Napier last week and, indeed, to all members. The honourable member for Rocky River.

Mr OLSEN: If the member for Salisbury did make those commitments, he would realise or should realise or is ignoring the fact that at head office Public Service numbers have been cut by 19 per cent over the past five years and, as a result, there is little capacity for much further reduction. That leaves teachers. Is that where he is seriously suggesting that there are to be some cut-backs? It is about time that the shadow Minister 'put up or shut up', using the words of a member earlier today.

There have to be alternative policies enunciated, and the ball is in the honourable member's court to do that. If his Leader will not let him clearly prepare a policy document on education issues on behalf of the Opposition, let him indicate that to the House and deny that he is not supporting the current 20 per cent claim by teachers. Let him deny that. Why has S.A.I.T. not included the bipartisan question in its education fact sheets, relating to the 20 per cent claim, which is the revised claim in relation to the salary increases being sought? If the effect of 2 400 positions within the education system—

The Hon. R. G. Payne interjecting:

Mr OLSEN: It is interesting to note when we talk about salary increases that the principal class 1 of the high school in my area earns more than does the local member, who has 34 schools to service, not just one school. I return to Education Fact Sheet No. 7, which has been referred to by S.A.I.T. The figures on that sheet use 1975-81 as the financial base, but those figures are not sourced. In a journal that I opened only in the last 24 hours I noticed that S.A.I.T. has not used the 1975-81 financial base but the 1974-81 financial base. It obviously has difficulty in deciding which set of figures to use for its own purposes.

In regard to the consumer price index, which S.A.I.T. claims is up 82 per cent, it is interesting to note (and I source my figures from the Australian Bureau of Statistics) that the c.p.i. movement in Australia has been 80 per cent—not 82 per cent. To March, average weekly earnings have been 66.5 per cent—not 85 per cent, as the advertisement indicates. Therefore, I seriously question the teachers' Education Fact Sheet No. 7 as promoted by S.A.I.T. in regard to the foundation of those facts.

If the institute is putting such material in advertisements, it should take the time and trouble to source its figures. Just a moment ago I was challenged by the member for Mitchell about whether I personally supported a 20 per cent updated claim currently being lodged by S.A.I.T. I remind the honourable member that the teachers' pay claim would add about $55 000 000 to the State's wage bill.

The Hon. R. G. Payne: Very good footwork. No guts, but very neat footwork.

Mr OLSEN: If the member for Mitchell waits for a while, until I develop the argument to the extent I wish to develop it, he may have his question answered. The sum of $55 000 000 will be the extra cost to the South Australian wage packet. For every 1 per cent that we increase in this field we add about $3 000 000 a year to the wage bill.

I return to the comments that I made earlier in relation to quality and not necessarily quantity. It seems that in the teaching area we ought to be concentrating on ensuring that there is proper evaluation and assessment of the teaching profession as such, something that I do not believe is done to the necessary extent at present. If that 20 per cent claim were to be successful, one would have to ask what that would mean in terms of job opportunities throughout the whole range of Government enterprise in this State, whether it be the education portfolio or any other portfolio. Putting that aspect to one side, if one refers to factors other than job opportunities, what does it mean in terms of cuts in services in the health field, the police field and in the whole range of Government services provided in the community? A responsibility of any Government is to determine its priorities across the board. It cannot single out one sector and maintain priority in that sector and ignore others. It has to be fair.

The Hon. R. G. Payne: I'm still waiting for the answers that you said I 'may' get.

Mr OLSEN: I hope the honourable member displays the patience which he displayed on some other occasions when I have been speaking. I am sure that he would be willing to concede that towards the conclusion of my remarks previously he has received the answers that he has sought. I do not believe that a $55 000 000 increase in the wage bill for the teaching profession in South Australia can be justified.

The Hon. R. G. Payne: What about the $40 000 000 royalty?

Mr OLSEN: One can look at it in a number of ways. In regard to the $40 000 000 royalty to which the honourable member refers, he knows it will be a number of years before it comes on stream because of the lethargic way in which the former Government was prepared to undertake resource development in this State, and because of the difficulties it had in regard to its left wing and other sectors of the Party. This State cannot afford a $55 000 000 impost in one area at one time. The honourable member knows it and, if the Opposition were in Government, it would have to take some of the hard options that its colleagues in New South Wales, Tasmania and other States have taken.

Indeed, the Western Australian Government clearly indicated to the teaching profession in that State that it could not afford the massive increases that were being sought for salary bases and the cost to its Budget in a year, and it would have to undertake retrenchments in the order of thousands to accommodate the extra cost in Budget terms. I hope that common sense will prevail in this State, and that we will not see that situation prevail. It is about time that the Opposition, instead of being critical, offered some alternative policies that it would implement in Government. It is about time that it indicated to Parliament and the people, if it did have control of the Treasury benches, how it would allocate the resources. It is totally hypocritical to criticise without those alternatives.

Mr MILLHOUSE (Mitcham): I was going to wait until the grievance debate to have a go in the House.

Members interjecting:

Mr MILLHOUSE: Yes indeed, that is a very great attraction. Having consulted Standing Orders and the acknowledged expert on the matter in this House, I find that the debate is rather wider than sometimes has been allowed, and I think that I can probably say what I want to say just as well, and within Standing Orders, in this debate, as if I waited a few more hours to speak for 10 minutes in the grievance debate.

An honourable member: You'll be at home with your electric blanket and Ann, won't you?

Mr MILLHOUSE: With Ann and an electric blanket; let us get our priorities right, please. The matter that I want to talk about is the Santos proposal for Stony Point, the proposal which Santos has for a shiploading terminal and fractionation plant at Stony Point. I must say that, until quite recently, I had thought that that was a pretty good proposal. I heaved a sigh of relief when it was announced that the terminal would be at Point Lowly because, when we had the controversy about Redcliff, one of the reservations I had about it was that it was upstream, or further up the gulf than Stony Point, and I was told that that was one of the problems and that this was to be at Stony Point, and that was good. I was prepared to accept with some enthusiasm the proposal of Santos at Stony Point. Perhaps I should say here that I have a personal interest in this matter, because I happen to be a shareholder in Santos.

Members interjecting:

Mr MILLHOUSE: I do declare my interest.

Mr Becker: You've made a good profit now.

Mr MILLHOUSE: I bought them about 20 years ago.

An honourable member: They're the ones your grandmother bought?

Mr MILLHOUSE: No, I bought them in 1964, after Ann and I went up the Birdsville track. We looked at what was going on, and we thought that we had a patriotic duty to invest in South Australia, so I bought 200 shares and have kept them ever since then. I want to be very careful to declare my interest, because, about 10 days ago, a chap I know at one of the television channels rang me up and said, 'Robin, I am going to ask one of the most embarrassing questions I have ever had to ask you.' I thought, 'Crumbs, what has happened? Someone has accused me of streaking again, or something like that.'

Mr Becker: That was a joke.

Mr MILLHOUSE: It brought me some favourable publicity.

The SPEAKER: Order! The honourable member for Mitcham will be coming back to the Supply Bill.

Mr MILLHOUSE: Yes. I said, 'What is the question?' He said, 'The Labor Party has put out a press release to the effect that you are a shareholder in Western Mining Corporation.'

Mr Becker: No!

Mr MILLHOUSE: Yes. 'Therefore you are interested in Roxby Downs.' I thought, 'Good heavens, yes, I have got some shares in Western Mining Corporation,' and I told the bloke I had, and I have declared that interest before, I think. I said, 'I am not sure how many I have got, but I have got a number so that if, at any time, contrary to my usual nature, I wanted to go to a meeting of the company, I could go along and do some stirring.' He said, 'The Labor Party says you have 115 shares in Western Mining Corporation, and I will have to run a story on it.' So far as I know, it was never run, and the press release, put out no doubt by some anonymous nonentity on the front bench of the Labor Party, was treated with the contempt that it deserves. I am told that it came from the Labor Party.

Mr Slater: Who do you believe—them or us?

Mr MILLHOUSE: I have not had a denial until now that it came from the Labor Party, but it was never used.

An honourable member interjecting:

Mr MILLHOUSE: No, the member for Semaphore did not send it, either.

The SPEAKER: Order!

Mr MILLHOUSE: I think I should be careful to declare my interest. I have a number of penny packets of shareholdings in various companies.

Mr Langley: The Sturt Football Club?

Mr MILLHOUSE: Yes, I have been a lifelong supporter of the Sturt Football Club, as the member for Unley knows.

An honourable member: He thought he was talking to Roger.

Mr MILLHOUSE: Maybe he did; I do not know. It is not a compliment to say that to me.

The SPEAKER: Order!

Mr MILLHOUSE: Good Lord! Let me get back to the subject before you drag me back to it, Sir. It is the Santos proposal at Stony Point. I thought it was quite a good one. I have had over the past few months approaches from people at Whyalla protesting about it and protesting that the environment there will be spoilt. I have swum at Point Lowly, and I know the area slightly.

An honourable member: That's got nothing to do with the environment, I hope.

Mr MILLHOUSE: I will ignore that. I know the area.

Mr OLSEN: On a point of order, Sir, I seek your clarification as to whether the remarks of the member for Mitcham are linked with the Bill before the House.

The SPEAKER: The point raised by the honourable member for Rocky River is a pertinent one. I have already drawn the attention of the honourable member for Mitcham to the need to speak to Supply. The honourable member was moving in that direction before he answered the interjections, and I trust that he will answer no further interjections but will come to the debate before the House.

The Hon. R. G. PAYNE: On a point of order, Sir. With respect to the member who just raised the point of order with you and who had just resumed his seat, within my hearing he ranged rather widely in the same debate, and went as far as imputing motives, and so on, to members on this side. I cannot see anything in the Bill in relation to that.

The SPEAKER: Order!

Mr Olsen: What's the point of order?

The Hon. R. G. PAYNE: The point of order is that this Bill is before the House for an amount of more than $300 000 000 relating to payments that will be made on behalf of the State.

The SPEAKER: Order! I do not uphold the point of order of the honourable member for Mitchell. The record will indicate that the statement he is making quite illegally under Standing Orders is correct.

Mr MILLHOUSE: Thank you, Sir. I will get on with it now, I think, after those utterly irrelevant speeches that we have had. I was saying that I had been prepared to accept this. I had had some complaints from people at Whyalla and a request for support for them in their opposition to the use of this area for the Santos plant, but I had not done very much about it. In the past week I have had two approaches which have caused me some considerable doubt about the project, and I wonder now whether it is desirable overall.

The first approach was from a constituent of mine, Professor Rainer Radok, who spoke to me last week. He is the Director of the Horace Lamb Institute of Oceanography, one of the leading oceanographers, if not the leading oceanographer, in South Australia and in Australia, who, alas, is about to be lost to this country, as he is going to an appointment at the Asian Institute of Technology, in Thailand. He has given me a copy of a letter dated 30 July 1981 which he has written to the Commonwealth Department of Home Affairs and Environment, and a copy of which has gone to the State Department of Environment and Planning. I propose to quote from this letter, because I have a very great respect for Radok's views and experience, and I do not believe that what he says should be ignored. Referring to the Santos draft e.i.s. for Stony Point, he sets out his qualifications in the first paragraph, and then goes on to say:

> The Santos draft e.i.s. is superficial and biased. It claims in the summary to have made use of 'available data' from Redcliff, Whyalla, Port Pirie and Port Augusta. The attached bibliographies of my report 'Oceanography of the Northern Spencer Gulf' in response to a brief by the South Australian Department for the Environment in 1978 and of the Dow e.e.s. demonstrate beyond doubt the truth of the above statement.

That is, that it is superficial and biased. He continues:

> Even the background papers 6 and 15 do not go beyond the small amount of work done by their authors and their students in the area. I can therefore only suggest that the extensive work done by myself under the auspices of the Horace Lamb Institute has been disregarded deliberately.

I may say that Professor Radok, who made extensive inquiries with regard to Redcliff, decided that Redcliff was all right, rather contrary to my inclination. So, he is not a man who is against everything by any means.

Mr Lewis: He's just inconsistent.

Mr MILLHOUSE: I am afraid that I regard the member for Mallee as a 'bird brain', and that interjection really fits that description pretty well. Professor Radok continues;

> The Santos d.e.i.s. is inaccurate. There are two major phenomena which leave dominant imprints on the water and air environment of the area. The Southern Ocean with its long period sea level oscillations, probably induced by the weather systems lying over it at any one time, and the continental mass of Australia which induces through temperature differences between the land and sea diurnal and seasonal air movements the effects of which are amplified by the mountains lining the Upper Gulf.

He then refers to some diagrams and continues:

> There is at least a 50 per cent probability that any oil slick occurring at the end of the projected jetty pointing into the gulf will be sucked into the Upper Gulf past Point Lowly, especially during summer when strong southerly winds will cause persistent surface drift. Once the oil is in the Upper Gulf, it will be deposited on the mud flats which are extensive and flooded semidiurnally.

He goes on to expand about that and he then states:

The Santos d.e.i.s. is misleading. Numerical modelling can only be as good as the understanding of the modeller. None of the consultants, to my knowledge, have devoted much of their time to the study of the phenomena of the region prior to being commissioned. Models of wave action and slick drift which do not include real wind, sea level and current conditions are, at the best, academic. At high sea levels, the shore at Point Lowly is extremely dynamic, and any pertubation of sand bars will be reflected in mobility of the shore line. In South Australian waters, engineers have refused to acknowledge the presence of this mechanism which will be as strong at Point Lowly as at Brighton beach. The operations at Port Stanvac are characterised by queueing problems which will be just as prominent at Point Lowly. A proper study of the wind field based on years of data (compare the Dow e.e.s.) confirms this statement.

His conclusions are as follows:

From my understanding of the region under consideration, Santos and the South Australian Government will be well advised to spend more time on data collection and analysis of existing data (summarised, for example, in the report Air and Water Movements in the Region of Upper Spencer Gulf 1977-78 by the Horace Lamb Institute to Dow Chemical (Australia)). Such an approach is bound to save the parties involved in this project from the risk of repeating the mistakes committed at so many other of South Australia's port facilities.

That is the end of his letter. Much of the material is very technical, even that which I have read out; I omitted several paragraphs that I find hard to understand as a tyro. That is his opinion and he backs it up by a very extensive range of charts, references and so on. This information came to me from him only a few days ago and it has caused me to doubt very much the widsom, without further extensive investigation, of the Stony Point site for the project. That was the first thing that shook me.

The second was that only a day or so ago I received a letter from the Whyalla Action Group. Members would probably know that that group is made up of residents of that city who are opposed to the project. They have sent me a good deal of material.

Mr Gunn: They represent a very small percentage of the people involved.

Mr MILLHOUSE: Perhaps they do: I do not know whether or not they do, but I remind the member for Eyre—one of my constituents—that I am used to being in a minority, and I do not believe that the majority is always right.

Mr Ashenden: Especially when it disagrees with you.

Mr Langley: The honourable member is in his last days, as you well know.

Mr MILLHOUSE: Well, he is one of the political accidents in this place. The letter, dated 19 August and written by Ms Kathleen Bradley, states, in part:

We are aware of your concern for the ecology of the Upper Spencer Gulf, and hope that you will find time to consider our call for the resiting of the proposed plant or an open independent public inquiry into the proposal. The Opposition Leader of the A.L.P. (Hon. John Bannon)—

I did not know that he had got as far as that yet—

Mr Hamilton: He's still honourable.

Mr MILLHOUSE: He is only honourable in the same sense as I am honourable. The letter states:

The Opposition Leader of the A.L.P. (Hon. John Bannon) made some very disturbing statements recently during his trip to Whyalla.

There is a reference to the *Whyalla News* of Wednesday 12 August, and it is further stated:

We were most concerned to hear via press/radio of his unconditional support for the siting of the plant in the delicate area of Point Lowly Peninsula, a site of much recreational, educational and historical value to Whyalla residents. There have been reports of the Opposition Leader's comments on the local radio station 5AU pertaining to the possibility of a petro-chemical plant or uranium enrichment in this area. I personally did not hear the comments, but it appears that the above projects were discussed in the light of increased employment for Whyalla people. We hope our submissions and comments are of interest to you and the Australian Democrats as a whole.

Having had the material from Professor Radok, I must say that the material that this group has sent me is of considerable interest. Submissions have been received from a number of people as to the—

Mr Gunn: Have you discussed the matter with the two members who represent Whyalla?

Mr MILLHOUSE: I doubt very much that it would be worth my while. One of them, I suppose, is one of the followers of the Leader of the Opposition, and I have quoted the Leader's views. I do not believe I would get much change discussing the matter with the Leader of the Opposition, if that is what he thinks. The Leader has already given unconditional support to the scheme. I do not know who the other member for the area is.

Mr Gunn interjecting:

Mr MILLHOUSE: Is it the chap who lives in my district? With the utmost respect, I doubt whether I would do much good talking to him, either. I have never done much good talking to him about anything. We will leave it at that. I will not go through the rest of the material, because I do not want to take up too much time. I have had more time than I expected, anyway. However, I sound a word of warning about this project and I believe that we should look at it far more critically than we have done to date. I propose to do that, and I hope other members will do it as well.

We must not be dazzled by the thought of additional employment and prosperity, important though those matters are at Whyalla or for the State as a whole. If we will do irreparable damage to the area, that price may be too high to pay. While I acknowledge that those people at Whyalla who have written to me could be said to have some self-interest in the matter, that does not mean that they are wrong. There is no doubt that Professor Radok, upon whom I rely primarily, has no such self-interest in the matter, and he is an expert in a very specialised field of knowledge.

This is the first time I have spoken publicly on this issue. I hope to go to Whyalla in the next few weeks, talk to those who are concerned and have another look at the area in the light of what I know now and hope to know. I ask all members and particularly the Government, with its outlook of blind development for the State at all costs (and it has not really got far yet, although that is its outlook), to pay some heed to what has been said, not necessarily by me tonight but by Professor Radok in his letter, a copy of which has gone to the department. When we come to make a final decision on this matter, as I guess we will be asked to do at some time in the not too distant future (and I think there must be some connection between the Ministerial statement that the Premier gave this afternoon and this matter), I hope that we will not go into the matter blindly but will make a balanced and sensible judgment on it.

Mr GUNN (Eyre): I want to make a few comments in relation to this debate. First, I am very sorry the member for Mitcham thinks it is a waste of time discussing matters of importance with me, because I always try to be a very reasonable person and take into consideration all views that are put to me when making up my mind. In relation to the matter of Stony Point, which happens to be situated in my electorate, a week ago I had lengthy discussions with a large number of my constituents, and without fail they all support it and want it.

An honourable member: They want work.

Mr GUNN: They want work and they believe it will create a situation in which there will be work for a long time. I would describe the Whyalla Action Group as a well-meaning group of people who are somewhat misguided, because they fail to appreciate the benefits that will flow to the people of South Australia and to the constituents of

the member for Whyalla and my constituents, who urgently require employment. I suggest to the member for Mitcham that he should give that matter very serious consideration.

Mr Millhouse: I do. Isn't that the same as the uranium debate, with you all saying that we have to have the jobs, and therefore we must take the risks?

The SPEAKER: Order! The honourable member for Eyre.

Mr GUNN: This project has been given a great deal of consideration. I think all of us want to ensure that our resources are employed in the best possible fashion. There is no sense in destroying those resources at the well-head. We ought to develop them so that they can be refined and put to use. That is all I want to say in relation to the matter. I think the member for Whyalla and I share the same views in this matter. All we want to do now is see the project proceed as soon as possible. Adequate consideration must be given to those people who will be displaced by it. They must be given adequate compensation and assistance. I believe the Whyalla Action Group, to put it mildly, has not thought through its arguments.

In relation to this Supply Bill, obviously some of the money will be spent on the continued operation of the Department for Community Welfare. I am sorry the member for Spence is not in the House, because during my absence I was viciously attacked by the honourable member, and that is uncharacteristic. We all know the honourable gentleman to be a very pleasant and well-met gentleman, someone who is normally not involved in attempts at character assassination of me or my constituents. I do not mind what he has to say about me; I am quite happy to reply on any occasion. But when he unjustly attacks three of my constituents at Coober Pedy, in the defence of a friend of the Labor Party, then I take strong exception. He said:

> Mr McCormack is renowned for reacting in the same paranoid fashion as the member for Eyre.

These are very strong words. On one occasion I was critical of the gentleman in whose defence the honourable member spoke. One reason why I criticised him was that he used the community welfare office at Coober Pedy during the Federal election to store all the Labor Party propaganda, and this material was in a position where the public could observe it. This was the first time I was aware that Government offices could be used to store political material. Mr McCormack has been employed by the Commonwealth and has co-operated with the Department for Community Welfare, a State instrumentality that is funded by this appropriation. He has dedicated himself for seven years to improving the welfare of the Aboriginal community in that area. I challenge the honourable member to repeat outside the House the scurrilous and untruthful attacks on and allegations about the other two members of Mr McCormack's family. I always believed the honourable gentleman to be a sincere and honest member of this House. He will no doubt have the courage of his convictions and go out and repeat those statements where they can be challenged. The member for Spence said:

> Mr McCormack has held a temporary position for seven years, and still the council cannot conduct its own affairs.

That is a reflection upon the council, and is quite scurrilous. He continues:

> One of his brothers does the majority of the contract work for the Umoora community, and another brother, who owns an opal-buying and selling business, dictates the pricing of opals sold by the people in the Umoora community.

That is a grave reflection to cast on these persons. Nothing could be further from the truth. I know these people personally and they are honest and upright citizens. These are people of the highest Christian beliefs, and no honest person could make the assumption made by the honourable member. I challenge the honourable gentleman to go out on the street and repeat his allegations. If he is an honest upright member of this House who has the courage of his convictions, let him go outside and repeat his allegations. I believe he would not have that courage. Let us have no more of the honourable gentleman's mouthing these nasty accusations by the political stirrers within the department.

There are many dedicated people within the Department for Community Welfare who are doing a great deal of good to help the underprivileged and people in difficult circumstances. Unfortunately, there are a few political activists, such as the gentleman in question, and they are the people that the honourable member has supported. I have been selected for this continued line of attack by members of the Labor Party because I have defended people who do not hold the same radical views as do the minority of these people. These people have Christian beliefs and are prepared to be quite active in the Christian church. On two occasions, the honourable member, aided and abetted by the member for Stuart, has attacked me and those people in the most vitriolic fashion. If that is the standard the Australian Labor Party stoops to, then I can say it has reached even lower depths than I thought it would. I challenge the honourable gentleman to apologise to those people concerned.

Earlier today, the Leader complained at great length and explained to us what was wrong with South Australia. The member for Salisbury followed in his usual wordy fashion, saying little of significance. The questions that I believe ought to be answered are these: in view of the fact that the Labor Party controlled the destiny of this State for 10 years and left it in a financial situation that is basically the reason why the Government has the financial problems that it currently has, what were we left behind? We had an overbloated Public Service. That Government had increased its activities in areas in which it should never have become involved. It became involved in the commercial world. Members opposite have been critical of transport. The new shadow Minister of Transport is in the House but I do not know how long he will last. His two predecessors did not last very long.

Mr O'Neill: Not long as shadow Minister, but I will be the Minister after the next election.

Mr GUNN: Great words of wisdom from the honourable gentleman. We had a dial-a-bus programme put forward which was going to solve all the transport problems of South Australia. How long did that last?

The SPEAKER: Order! The honourable member will come back to the appropriation as it applies to 1981-82?

Mr GUNN: Yes, Mr Speaker. Nothing more needs to be said about that project. The next matter I wish to raise with the Leader is that he has had a lot to say about what should be done. I pose the question to him and his colleagues: where will the funds come from necessary to carry out this massive expansion programme about which he has talked? We understand that the Opposition, in Government, would increase the size of the Public Service of this State. Either it will increase taxes or charges. The member for Elizabeth had some trouble with the Leader of the Opposition a few weeks ago when he sought an undertaking from the Leader. No wonder the member for Salisbury is leaving—he is a friend of the member for Elizabeth, one of the few supporters that he has at the moment. No wonder he is feeling embarrassed. When the member for Elizabeth sought an undertaking from the alternative Premier of this State about the charges, he would not give it. Obviously, it is Labor Party policy to carry on in the fashion in which it carried on in the 10 years of its term of office and drastically increased charges.

If there was one thing that it was good at, it was increasing taxes and charges. The Labor Government ran second to no other Government in Australia in that respect. I believe that the people in this State are fortunate to have their affairs in the hands of a Government that is prepared to make difficult decisions but those which are right. In my electorate, I could easily recommend to the Government that tens of millions of dollars could be invested without any trouble at all. I could put forward dozens of projects that could be justified. Are the people of South Australia prepared to pay for them?

The SPEAKER: Order! I draw the honourable member's attention to the fact that we are dealing with the expenditure of funds for the employment of public servants. We are not talking about the raising of funds.

Mr GUNN: I am fully aware that it is a reasonably restricted debate, and I had to rule earlier today in relation to that matter. However, I was pointing out that the other proposal which the Leader of the Opposition has had a lot to say about is the Premier's support for the current Liberal-Country Party Government in Canberra. Let us not have any more nonsense about this. Every member on this side supports that Government. We are still suffering from the disasters of one incompetent Government we had for three years—the Whitlam Government. If the Opposition is advocating a return to that sort of management, heaven help the people of this country.

There are many other things I would like to say about my electorate. I would also like to refer to tourism, the Adelaide Airport, and the road system. They are all very important matters. My electorate will play a very significant role in the future of South Australia. It has unlimited tourist potential, great mineral wealth, the finest merino studs in the world, a large fishing industry, major wheat-growing areas, large areas of pastoral activity and mining of the finest opals in the world. I can give a travel talk similar to that given by the member for Brighton the other night.

The SPEAKER: I ask the honourable member to come back to the debate, or I will have to withdraw his leave.

Mr GUNN: I am pleased to support the Bill.

Mr PETERSON (Semaphore): I will keep to the Consolidated Revenue Account as much as I can. A matter that concerns me in regard to the expenditure of funds relates to the public transport system on the LeFevre Peninsula.

The Hon. M. M. Wilson: You were pleased about the decision the other day.

Mr PETERSON: Yes, that was not public transport, but I was pleased about that decision. It was heartening to know that right sometimes wins through. However, a problem exists in relation to public transport and needs attention by the Minister. I am pleased that he is in the House this evening. Some time ago I wrote to the Minister and asked a question relating to the provision of public transport on LeFevre Peninsula. In reply, he stated:

> The greater part of the electorate is in fact served by both rail and bus, giving a large number of residents a choice of both modes for many of their journeys.

That is true and is brought about by the geographical layout of the district. The bus and train services run parallel. Because both services are in operation on the peninsula does not necessarily mean that there is an effective service, and indeed several areas are poorly served by public transport.

In a further reply from the Minister, that is acknowledged when he says:

> The authority endeavours to provide a public transport service to within 400 metres of most homes. This standard is met in the electorate of Semaphore with the exception of one or two small areas which will be provided with public transport when resources permit.

A quick reference to the Adelaide public transport map provided by the S.T.A. (it is a very complete and well-produced document) shows that there are clearly more than one or two areas that need to be catered for.

I refer to the areas bounded by The Esplanade, Bower Road and Military Road at Semaphore South; and parts of the area between The Esplanade and Military Road between the Semaphore and Largs jetties. I refer also to the people living in Largs North near or to the east of Victoria Road or anyone living in the no-man's land of public transport between Lady Gowrie Drive and Military Road and the Fort Largs Police Academy at Largs. Even the construction of a new railway station will further isolate some people from public transport.

In a further reply from the Minister the existence of three areas not served in accordance with the standards was acknowledged. They were the portions of Taperoo and Osborne between Military Road and the sea (as mentioned before), the portions of Largs north-east of Victoria Road, including the Willochra and Wandilla Streets area (also mentioned), and parts of North Haven, which is still being developed.

An interesting fact in the two replies is that the distance within the radius of public transport was extended to 500 metres in that month. I do not know whether it was an error or inflation or a change of policy but there was a difference of 100 metres in the two letters. The Minister also stated that it was proposed to service the first-named areas by a bifurcation of the Osborne bus service along Carnarvon Terrace to Victoria Road. That would help some of the people there, but it would do nothing for the people along the southern end of Victoria Road. This area must be served as quickly as possible, as it is totally isolated.

He also stated that the isolated parts of North Haven would be served by an extension of the existing service to that area.

However, at that stage he rejected the suggested routes put forward by the people living in that area and by me. One of the points in that answer was that it referred to an area that will now not be developed in North Haven, to the north of Victoria Road. Because of that, the Minister may take it up with the State Transport Authority and get the whole programme looked at again.

So far as the other areas around the esplanade at Semaphore and Semaphore South are concerned, it was proposed that an extension of the Semaphore to Glanville bus service be put into that area. The service at the moment is basically to secure the rail connection at Glanville, and the possibility of such an extension was accepted and denied in a letter from the member for Davenport when he was acting Minister of Transport, when he said:

> While at certain periods of the day there may be sufficient time for this bus service to be extended to the north or south of Semaphore Road, such an extension would be impractical for the following reasons.

He goes on to say that it could be done only during certain periods, and he states that there would be inconvenience to passengers travelling from Semaphore to Glanville. I do not quite understand the reason that he gave, because the whole purpose of that bus service is to link with the railway, so they have to link up with the rail schedule anyway. The Minister concluded by stating:

> The State Transport Authority's experience with part-time extensions is that they are generally unsatisfactory as the times at which it is practical to operate them does not always suit the passenger requirements.

That could very well be so, but I think a trial in that area for a short period would certainly show whether it was practical or not and certainly would add to the service to

the people in those areas. As to the Largs North area, the need has been acknowledged by the Minister, and he has stated that the problem will be solved but perhaps the whole philosophy related to public transport on the peninsula could be reviewed by the Minister and his department.

One thing that has occurred over the years is that the bus service has been eroded from a regular 21-minute service a few years ago, and the rail time tables in the area are under threat of modification at the moment.

The area that I represent contains many people who need public transport. It is the only access to travel for many elderly people, pensioners, and unemployed persons. They are all on restricted incomes and depend very much on public transport. One major problem with public transport on the peninsula is a total lack of it on Sunday morning for people who live north of Jetty Road, Largs Bay. That leaves the vast majority of people who live on the peninsula without public transport on Sunday morning, and those who wish to travel have the options of walking, in the most extreme cases, five or six kilometres, waiting until the first train leaves Outer Harbor for the city at 12.40 p.m., or waiting for the Osborne bus, which commences at 12.46 p.m., or for the North Haven bus, commencing at 1.31 p.m.

This non-supply of public transport on Sunday morning leaves some three-quarters of the people on the peninsula isolated from Adelaide, and to me it does not seem reasonable that this sort of situation should go on in an area like that. The problem would be simple to solve by the provision of one mid-morning bus or train there. It should not be difficult to schedule something like that. It would not be costly to the Government, and it would provide a much greater service. When one compares this matter to the money the Government is to spend on the light rail system, it is difficult to understand why the small amount involved could not be expended out of the Consolidated Account for this purpose.

Another problem occurring on the peninsula regarding the Consolidated Account relates to the section of the account allocated to the Minister of Marine. Problems have arisen with the transport, holding and shipment of live sheep from Outer Harbor. It was interesting today to receive the report from the Minister of Agriculture, because the points put forward in that report are very clear. It is acknowledged that the trade is very valuable to the State. I have worked for quite some time in the stevedoring industry. I know the need for it at the port and for the State in general, and I support use of the facilities at Port Adelaide for that.

However, there are problems, and the ancillary employment created by it, I think, has been of great benefit to the State when we look at the benefits that come to the cross-section of our community, from the Marine and Harbors employees, ship pilots, mooring gangs, and the wharfage we get for the State.

Mr Hamilton: What about the meatworkers?

Mr PETERSON: I will debate that with you afterwards. That is another point, and you have to prove that point yet. Transport employees in both road and rail get a lot of benefit out of it. What about them? They get money out of it, too. What about the waterside workers? They all get a dollar out of it.

Mr Hamilton: What about the abattoirs blokes?

Mr PETERSON: What about them? You give me the answer. No-one else has it. The companies that provide feed for the sheep do fairly well out of it, I think. At least, they keep people working. There is also the aspect of the contractors carrying out work on the ships, the repairs and maintenance. There are no facilities at the other end of their run, so they need to do all the repairs and maintenance at this end. There are benefits to the farmers, stockowners and shearers, and to all those employed across the board. South Australia does very well, according to the report put forward by the Minister today. There is the claim, just referred to, put forward by the meat workers, and that is something that I do not intend to canvass this evening. The point I wish to make about the live sheep trade is the total disregard it shows for the people who live in the Outer Harbor area.

The trade is of great benefit to the State, but it seems that people on the peninsula must put up with the worst aspect of the trade. No-one seems to care much about the stench and flies that result from this, and obviously those employees required to clean this up would be paid from Consolidated Revenue, so I am relating it to Consolidated Account. The situation lately with the live sheep loading at Outer Harbor seems to have worsened, and for many people it is getting intolerable. People in the area have been made physically ill because of the apparent total disregard for their requirements in living conditions. I have heard the Minister referring in this House to the smell as the smell of gold and money. That attitude is understandable, coming from someone who is a pastoralist and is getting some return from the shipment of sheep, but it is not acceptable to people who have to put up with the smell.

Some 16 months ago the people around the Outer Harbor loading point voiced their disapproval over a plan to build a pen to hold some 30 000 sheep. It was to be at the back of the wharves, in the vicinity of No. 3 shed. There was massive public response. This brought about a re-think of the entire programme, and the original plan to use No. 3 berth was rejected. There was a point about the plan at the time that I would like to raise—the total disregard for the people. The plan was put forward. There was no consultation with the people. It was just put forward as a *fait accompli* and at no time did people or the residents association in the area discuss anything about the matter. It was only when the plans had been finalised and submitted to the local council that any knowledge of it was given to the people. The reaction was such that petitions were raised and the Minister was notified of the objections of the people. The Department of Marine and the Director were brought in, and a volatile public meeting was held in the area, attended by the Director. All these actions were necessary to bring the matter to attention, and I feel that these people were being neglected by the system being used.

Subsequently, another proposal was put forward to use No. 1 berth at Outer Harbor and reduce the number of sheep held, and also limit the holding time in the pens before loading. Since that proposal was accepted, all the sheep have been loaded through that facility at No. 1 berth, Outer Harbor. The problems that were causing quite a bit of distress at that time seem to have been alleviated by the railways in relation to the problem with trains being held up at the rear of houses. It will be further alleviated by the extension of the standard gauge on the eastern rail corridor next year.

During the previous dispute, quite a few assurances were given by the Minister and the Director of Marine in relation to the holding yards. They said that they would be cleaned and kept in an acceptable condition so that dust, flies and the smell would not be a problem. All of these assurances seem to have slipped away, and the problem has arisen once again. In relation to the new proposal at No. 1 berth the Minister of Marine, in the *Advertiser* of 18 April, said in relation to the pens at No. 1 berth:

> Quite obviously, this will represent a significant improvement both to the economics of the vessel and on the impact of the sheep loading exercise on the community.

He also said:

The live sheep trade is of major significance to the Port of Adelaide [no-one disputes that] and to the economy of South Australia, and the aim of the Outer Harbor improvements including the holding yards, is to upgrade the facilities and service while reducing inconvenience to the general public.

If the reference to reducing inconvenience to the general public was made in good faith, the exercise has been a total failure, because the situation has grown worse. Despite all the assurances that steps would be taken to alleviate the problem, that has just not happened.

I have received many letters and many phone calls from residents. I have directed many of them to the Director of Marine, with whom this responsibility lies. In the time left to me I will briefly quote from those letters. One letter states:

The odour enters right through into the front room; to have this odour around for even a short period is unthinkable.

Another letter states:

We wish to add our voices to the chorus of protests from North Haven residents in relation to problems with sheep ships.

Another letter states:

I wish to make the strongest protest against the introduction of this [sheep pens] into our area and all the environmental problems it has brought, notably the smell.

Another letter states:

I wish to lodge a very strong protest against the Government putting sheep pens at Outer Harbor. The wind blows very strongly down here and you can imagine the stench that results on a windy or hot still day.

Mr Olsen: They can put them at Wallaroo.

Mr PETERSON: You can have them. That is a very interesting comment by the member from up there somewhere.

Mr Olsen: Rocky River.

Mr PETERSON: Is Wallaroo in your area?

An honourable member: He always makes sure he looks after his area.

Mr PETERSON: That is all very well; the sheep can go up there. He knows as well as I do that they will not take them up there, for many reasons.

Mr Olsen: In fact, they are exporting a lot of live sheep out of the port of Wallaroo.

Mr PETERSON: Why don't you take them all? I'm not against the trade at all.

Mr Olsen: Excellent. I am pleased that you will let us have them.

Mr PETERSON: You can have them.

Mr Olsen: Minor dredging of the approach channel—

The SPEAKER: Order!

Mr PETERSON: That is a point I will make later on. With summer approaching, surely there are enough problems in relation to the shipment of live sheep without the State Government's allowing the local situation which is developing in this area to deteriorate to the point where residents are forced to take some action to relieve the situation and receive attention for the problem. The economies of the new system have been pointed out by the Minister, acknowledged and defined. Why will the Government not spend a little of that money to ensure that the situation does not deteriorate to such an extent that people will have to make stronger efforts to have the situation fixed?

One of the anomalies in this situation is that while this stench problem is occurring in this area, an international clean air conference is being held in Adelaide. This issue could be raised at that clean air conference, and perhaps an answer would be found.

Mr Hamilton: Why don't they set up sprinklers in the area?

Mr PETERSON: That might be the answer. That was tried at the treatment works in Frederick Street. One other problem in my electorate relates to the consolidated account. This situation developed as a result of a report commissioned by the Government. My fear is that the Government will comply with that report, which was commissioned by the Chief Secretary and presented by Mr R. G. Cox, O.B.E., G.M. C.St.J. K.F.S.M., Fellow Institute Fire Engineers (I am not quite sure what all those initials stand for). Mr Cox was commissioned by the Government to prepare a report on fire installations. The terms of reference of that report were to examine:

(a) The numbers of station officers, senior firemen and firemen to be employed by the Fire Brigades Board to provide the board with an adequate level of staffing to enable the board to take all necessary steps to extinguish fires and protect life and property in case of fire in the abovenamed areas [that is, the metropolitan area] taking into account:

- improvements in operational and control procedures;
- safety of employees;
- community attitudes regarding necessary level of service and costs.

(b) The numbers and types of fire-fighting appliances and support vehicles which should be available.

The next term of reference is the most important and it concerns me very much—

(c) The most appropriate distribution of fire-fighters and appliances through the metropolitan area as defined above.

(d) Any desirable changes in operational or management procedures.

(e) Any other matter considered material to the efficiency of the brigade and in the public interest.

Mr Cox is very well qualified in this field, and I understand that he works as a fire consultant engineer in Western Australia. Because of his undoubted knowledge, expertise and world-wide experience, I am amazed at some of his recommendations. I could go further and say that some of them filled me with a little bit of fear, because if they are adhered to I am afraid it will be disastrous for my electorate.

The Hon. D. C. Brown: Do you appreciate that he was Chief Fire Officer in Hong Kong?

Mr PETERSON: They may have rickshaws there; I do not know.

The Hon. D. C. Brown: I wonder whose advice the Government should follow: that of a back-bencher or that of Mr Cox.

Mr PETERSON: I was in this House earlier today when I heard a Minister stand up and say that he was proud to be representing the people who put him into this Parliament. He stood there and said that that was his job. The day that is not my job I will not be here. That is what I am here for, and I am very pleased to thank you, Mr Minister, for giving me the opportunity to get that in. Can I carry on now? I do not often get too many shots.

The Hon. D. C. Brown: You can carry on. I just—

The SPEAKER: Order! The honourable member will return to the matter before the Chair.

Mr PETERSON: The Cox report recommends quite a few changes to the Fire Brigade in this State. It was commissioned at a stage when a Select Committee was investigating the Fire Brigade in this State. While that Select Committee was looking into this issue, the Government commissioned another report. That worries me; I cannot quite work it out. It is surprising, and I think it is unusual, that Mr Cox appears to have anticipated some criticism of his report. On page 7 of the report, under the heading 'Criticism of Report Contents', he states:

Few investigatory reports escape criticism, particularly when substantial changes from past patterns of thinking are necessary. This report is unlikely to prove an exception. I would, however, prefer, and indeed advise, that I answer critics, in person, having both points of view placed on the record.

That would have been very suitable if we could have got together, but by the time I obtained the report Mr Cox had well and truly left the State. I hope that the Minister, or the people concerned, will take notice of the comments that I will make. It is surprising, with the number of people he consulted, that the findings in the report were arrived at. One area that causes me serious concern appeared on page 8 under the heading 'Metropolitan Support Stations', as follows:

The urban developed area of Adelaide, and the isolated 'special fire hazards' scattered within will be more effectively and economically served by establishing a meaningful concentration of fire fighting resources in the median strips north and south of the central core. The frequency of omnipresent risks in denuding the Central City Station of resources will be reduced, whilst the travel time of appliances required at fires in outer metropolitan areas will be greatly reduced.

Subject to availability of funds, and with careful husbanding of funds already set aside for the headquarters project, coupled with proceeds from the sale of six or more fire station sites and buildings, I estimate that the regrouping programme can be completed within four financial years; whilst the benefits will be noticeable within 18 months.

The crucial point there is the sale of six or more fire stations. The question that must come to the minds of most members is, 'Is it a fire station in my area?' If they do not worry about that, I do not know what they would worry about.

Mr Randall: Are they all in your area?

Mr PETERSON: No, there is one in my area. On page 61 of the report there is a map indicating the station which serves the area that I represent. The key station in that area, as far as we are concerned is that at Semaphore, which will be deleted. The basis for that decision appears on page 19 of the report in comments about the time frame for attendance at a fire, where the following is stated:

In simple terms—what period of time, can, on average, be permitted to elapse without undue danger to the community, between the receipt of call and the arrival of a fire appliance at the incident?

That comment concludes later, as follows:

How long can this time frame be extended to achieve a practical balance between fire losses and brigade costs? I believe up to 15 minutes in the majority of urban development can be tolerated.

Relocations and closing down of stations cannot possibly improve fire services. I relate this remark in particular to the situation in my district. I am sure that to close down Semaphore station will be fatal. Mr Cox goes on to say that it seems that the time and distribution of appliances in the area is important. On page 45 of that report, under the heading 'Table for the criteria of fire station locations', he shows a risk classification. He states that class A risks are congested central areas; large port areas; large warehousing/transit areas; large oil or petrol plants; and concentrated older factory areas; and that the turn-out time for the first appliance should be five minutes. He states that risk category B consists of factory areas with high potential risk; block risk; timbermill; and secondary oil storage depots; and that they want a turn-out in six minutes.

For those who are not aware of what is there, the LeFevre Peninsula has the largest petrol storage facilities in the State. It also has a huge industrial development and vast residential development, with all classes of residential development such as timber-frame and weather-frame properties up to brand new properties. There are wharf areas and all sorts of installations, including chemical ones. So, by the writer's own criteria, it seems that we should always be within the five-minute situation. This is supported on page 52 of the report, where the writer states:

That time frames for arrival, under average conditions, to property in the city core—

I do not know why the city area is any different—

shall be five minutes for two appliances . . .

I cannot accept that an area such as Semaphore should be subjected to less coverage than any other area. We have a crisis situation there. If we take away that appliance and it is at Port Adelaide or about to be relocated about a mile or so away from where it is at present, and if it is called upon, the appliance will have to traverse the core of Port Adelaide, and if the Birkenhead Bridge is open additional time will be involved. If that station is closed, there will be huge public outcry from people on the peninsula. I cannot understand why this report was commissioned at a time when a Select Committee was investigating the entire problems of the Fire Brigade. If a report—

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

Mr HAMILTON (Albert Park): I should like this evening to address myself to the question of health. It was interesting to read an article in the *News* of 22 July by Dr Neil Blewett, in which he said that he believed that the new system would create chaos within hospitals and health insurance funding areas. Tonight, we have seen a clear demonstration of that confusion anticipated by Dr Blewett, the Federal Labor spokesman on health. An article headed 'Medibank health fee refused' in the stop press in tonight's *News* states:

The SPEAKER: Order! I draw the honourable member's attention to the fact that this is a State appropriation and there is no opportunity for direct reference to a matter which is the province of the Commonwealth, with the exception that it has a direct State involvement.

Mr HAMILTON: Thank you, Mr Speaker. I will endeavour to couple up my remarks in order to accommodate your wishes. This article states:

Confusion over health funds in South Australia reached crisis point today with the announcement that the Commonwealth Government had knocked back approval for Medibank Private health fund rates.

It details the announcement by the Medibank General Manager, Mr Gavin Kelly, who announced new rates for basic family and medical health cover and basic single medical and hospital cover.

The SPEAKER: Order! I ask the honourable member to indicate clearly to me immediately how he believes he is going to be able to link these statements to the State appropriation.

Mr HAMILTON: I believe, because of the confusion about this matter and because there will be so many uninsured people in South Australia, that many of the hospitals will find extreme difficulty with funding, and many uninsured South Australians will be bankrupt because they will be unaware of and in confusion about the type of health insurance that they require. This will result in a cost to the State.

The SPEAKER: Order! Provided that the honourable member, when he again receives the call, is able directly to link his remarks to a State responsibility the matter that he is now addressing may be proceeded with. However, I draw his attention to the fact that any direct involvement with medical insurance, which is a Commonwealth issue, is not a part of this debate.

The Hon. D. C. BROWN (Minister of Industrial Affairs): I move:

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

Motion carried.

Mr HAMILTON: I will endeavour to link up that point, as requested, Mr Speaker. I believe that it will require the State Government, through Supply, to provide additional moneys for State hospitals because people are uninsured

and unaware of what insurance they should take out. This will result in additional costs to the State Government—

Mr Hemmings: And they're not providing the money as well.

Mr HAMILTON: Indeed. I hope that satisfies you, Mr Speaker.

The SPEAKER: Order! The member for Albert Park is asking whether I am satisfied with his explanation. I am not totally satisfied with the explanation. I am quite willing to hear the honourable indicate additional costs associated with hospitalisation, which are State costs, but I would ask him not to further mention, other than as just a passing reference when absolutely necessary, the term 'Medibank', which is a Commonwealth matter. The honourable member for Albert Park.

Mr HAMILTON: Because of the confusion in the community with health funds, this will require additional funding by the State Government. So that I do not waste any more time on this matter, I would like to refer to matters that I am sure come within the province of this debate. I refer to an article that appeared in yesterday's *News* in relation to the cost of drugs in the community. There is no doubt that these costs will be enormous. The report, headed 'M.P. in medicine waste attack', states:

> Albert Park M.P., Mr Kevin Hamilton, was 'horrified' when shown a huge assortment of medicines found in a dead woman's flat. And the collection he saw was only a portion of her storage, because those with expiry dates were destroyed.
>
> Mr Hamilton said the over-prescribing for the woman, 81, who died a few weeks ago was dangerous and expensive. 'In the light of new prescription charges this is a dreadful waste,' Mr Hamilton said. All usable medicines will be sent to the Polish Medical Appeal.

It disturbed me to find the many drugs in this woman's flat. Numerous medicines had not even been used. Of one drug, nine bottles had not even been touched. Similarly, I found three bottles of medicine that came from the Queen Elizabeth pharmacy that had not been touched. Something like that 23 different types of drug had been prescribed but had not been taken by this woman. There is no doubt in my mind that there are some (and I stipulate 'some') unscrupulous doctors who take advantage of elderly people by prescribing additional drugs, which obviously, as in this case, are not necessary.

I can recall on several occasions seeing a doctor go into this residence on three or four mornings a week. It appears to me this doctor was abusing and oversupplying these drugs to this woman. As I have pointed out, many of these drugs had not even been touched. Although we hear so much about the need to cut down in Public Service areas, one finds these abuses, and it is not just an isolated abuse. Indeed, from 8.15 this morning at my home, I received three telephone calls, and subsequently at my electorate office I received numerous other phone calls from people who were very disturbed at similar finds themselves or by similar findings by neighbours or friends.

In particular, I received a phone call from a person in Blackwood who was very much concerned with this over-abuse. He said it is no wonder that people in South Australia are required to cut down in various areas when we have these abuses. He said that, in his opinion, pharmacies within Government hospitals are allowing people to take out drugs without a proper check. I asked whether he could substantiate that claim but he said that, although he could not, he had heard other instances of it.

Similarly, I received a telephone call from a Glenelg North woman, who said that she had been called to attend a number of residences in her area where elderly people had passed away. In one instance she found a plastic bucket full of drugs. She also said that other drugs had been flushed down the toilet, and that there were numerous bottles of drugs that also had not been used. Again, the view came through that there appeared to be an over-prescription of drugs, and it appeared to this woman that there are some unscrupulous doctors who are over-prescribing these drugs for people.

Mr Randall: How do they get the drugs? How can they afford them?

Mr HAMILTON: Obviously, they get them on the free list from hospitals and chemists. I should have thought that the member for Henley Beach would know that. Another aspect that concerns me is that yesterday, at the invitation of one of the administrators, I spent about three hours inspecting the St John centre on Greenhill Road. The administrator rang me today and referred to the question of drugs and their effect on the community, and particularly about the cost of running public hospitals. He told me, shortly after 9 o'clock this morning, that the log sheets reveal on average three cases of drug overdose a day. He said that a day did not go by when the St John service was not called upon to transport someone who had taken a drug overdose. He concurred with my view that this is a dangerous situation, particularly in relation to children and those persons with emotional problems.

Clearly, this is another area in which the community is being over-prescribed with certain types of drugs. Even this afternoon, the Minister of Transport spoke to me in this Chamber; he said that he had pointed to tl is problem himself. Clearly, therefore, there is a need for greater vigilance in regard to the over-prescription of drugs and the cost to the community.

In particular, we find that where an overdose has been taken, or where children are able to get prescriptions or drugs out of the home medicine chest, they end up in the Adelaide Children's Hospital, involving an additional cost to the community. I feel that a greater education programme is required to warn people of the dangers of keeping drugs or prescriptions that are no longer required. I recall that, many years ago, the Lions Club in South Australia mounted a campaign throughout the metropolitan area and was able to collect large quantities of drugs. One would hope that the Minister of Health, who is not in the Chamber tonight, would look at this matter, on behalf of not only my constituents, but many others in South Australia. Judging from the number of telephone calls I have received, there is no doubt that there is much concern in the South Australian community on this matter. Tomorrow, I will tally up the number of telephone calls received at my electorate office, where until 10 a.m. today about 13 calls had been received.

Mr Randall: I had some, too.

Mr HAMILTON: Yes, and no doubt many other members in this Parliament would have had similar calls. It is pleasing to get calls from within and outside of my electorate, commending people like me for raising these issues.

On the question of the cost of drugs, an article appeared in the *News* on Wednesday 19 August stating that greater drug use and the increase in prices paid to manufacturing wholesalers were having an effect on the community, and in particular on the cost of running hospitals. As I have said, the handing out of prescriptions, it would appear, by some doctors who are unscrupulous is one factor. The report also raises the question of the checking of the drugs handed out in the pharmacies within the Government run hospitals in South Australia.

I turn now to an article that appeared in the local suburban newspaper which covers part of my electorate. In the *Weekly Times* of Wednesday 19 August, under the heading 'Vandalism crackdown', a report states that the Woodville council is angry over a $50 000 a year bill which has been

attributed to vandalism within that council's area. The article states:

The problem is said to be rife in the Woodville district and damage repairs cost council more than $50 000 last financial year. A worried council has approved an investigation into the causes of vandalism and also to see what measures can be taken against the vandals themselves. We privately all know the reason for vandalism, Mayor John Dyer said angrily. I believe the blame rests firmly with the parents and it is my opinion that action should be allowed against them to recover the cost of repairs.

Most vandals are at an age where the law doesn't allow them to be properly chastised. The police are concerned because there is little they can do; even if a vandal is caught and brought before the court, they seem to get away with nothing more severe than a pat on the head. I believe it requires action on the part of the Government. The penalties must be more severe and more enforceable. The Government's current policies in this regard have backfired, in my opinion.

I would like to digress from the article to point out that this criticism is reminiscent of the lead-up we saw to the 1979 State election, when advertisements in the newspapers implied that it was the fault of the Labor Government, and that the increase in rape, crime and vandalism was a result of the policies of the Dunstan Government. We have now seen this Government being criticised for exactly the same thing, and yet we hear very little from it. It takes a council to bring to the attention of the public, especially in my area, what is happening.

We have heard a great deal about what this Government is going to do, but as yet we have seen nothing of its promised crack-down on crime. It is obvious from the number of unemployed in the community that there will be an increase in crime and vandalism because of the policies of this State Government, which supported the Federal Government last year. As a result of increasing unemployment, we have increasing vandalism and increasing cost to the community.

In saying that, in no way do I reflect on the role of the Police Force. Members of the force are required to carry out many activities, and of course wherever possible they check on vandalism. As I understand it, however, police officers have a priority list, and they must be aware of this, being directed to more serious matters before getting down to matters of vandalism. The report further states:

The vandalism issue was raised in council after West Lakes Rotary Club suggested that a public awareness campaign be mounted in the West Lakes district to try to reduce vandalism. A report to council said vandalism was 'rife' throughout the Woodville area, not just West Lakes. The report listed the major problem areas as:

- Public lighting—poles bent and broken, lights smashed, electrical parts ripped out leaving bare wires exposed.
- Stormwater structures—brush fences and gates pushed in or burnt, switch gear and meters smashed, concrete slabs thrown into open drains, safety ladders wrenched off and thrown into drain.
- Play equipment—swing seats removed or cut in two, logs burnt or thrown into lake, panels on slides dented and torn.
- Trees and landscaping—trees pulled out, broken off or trampled, vehicles deliberately driven over newly-planted garden and lawn areas.
- Bus shelters—defaced by graffiti and posters, seats smashed.
- Toilet blocks—doors ripped off and smashed, basins and toilet pans smashed or blocked up, taps removed, roof tiles removed, walls defaced, lights smashed, walls broken down.
- Street and parking signs—bent over, removed, defaced, turned around.
- Gardening equipment—hoses cut up or removed, sprinklers removed or damaged or turned on after hours, sheds broken into and equipment and tools scattered about, damaged or stolen, tyres slashed, petrol tanks adulterated, windows smashed.
- Footpaths and roads—defaced with painted slogans and drawings, dug up, new wet concrete footpaths, kerbs and gutters defaced with writing, bike tracks and footprints.
- Council buildings—broken into and damaged.

The total cost to council through vandalism for 1980-81 was $50 956, the report to council said.

Mr Slater: That's for law and order.

Mr HAMILTON: As the honourable member has pointed out—

The DEPUTY SPEAKER: Order! I have allowed the honourable member to make passing reference to a council, but he must confine his remarks to the appropriation.

Mr HAMILTON: Thank you, Sir. That is what I was going to direct my attention to.

The DEPUTY SPEAKER: I am pleased about that.

Mr HAMILTON: We have heard so much about the money that will be put into Government departments to cut down on increasing vandalism and crime—

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr HAMILTON: The hypocrisy of this Government has been shown quite clearly.

Mr Mathwin interjecting:

The DEPUTY SPEAKER: Order! The honourable member for Glenelg will cease interjecting.

Mr HAMILTON: Very little do we hear from members opposite about what they are going to do. We heard a lot of words when members opposite were in Opposition, but when the real crunch comes we get nothing from them. There is a need for more police and vehicles so that the police can patrol these areas to cut down vandalism. We have enough imposts from this Government in the way of increasing charges and we should not have to put up with increasing vandalism and crime. It is about time the Government recognised what the community is entitled to. We on this side hope that the Government will now honour some of the promises it made about increasing penalties and law enforcement within the community. As the Mayor of Woodville correctly pointed out, the Government's current policy in this regard has backfired—and the Mayor is certainly not a supporter of the Labor Party. It is quite clear that a member who, I understand, once stood on the Liberal Party ticket is criticising this Government for its lack of law enforcement in South Australia. The member for Glenelg certainly does not like receiving what he dished out when he was in Opposition.

Mr Mathwin: You wouldn't have a clue.

Mr HAMILTON: That remains to be seen. The honourable member has criticised the people in my district. I would like to pass on the comments. The honourable member continually interjects and waffles on: one would suggest he has the brains of an ant.

The DEPUTY SPEAKER: Order! The honourable member does not need the assistance of interjections. I draw the attention of the honourable member to the fact that we are dealing with the appropriation of $310 000 000 and I ask him to confine his remarks to that matter.

Mr Slater: There is certainly not enough for the Police Force.

The DEPUTY SPEAKER: Order! The honourable member for Gilles must not interrupt.

Mr HAMILTON: As the Deputy Speaker correctly pointed out, I do not need the assistance of the member for Glenelg, whose rabid comments certainly have not assisted the implementation of law and order in South Australia and have not recognised the need for the appropriation of moneys to overcome the problems.

Mr O'Neill: Did you say 'rabid' or 'rabbit'?

Mr HAMILTON: I said 'rabid', but I leave the interpretation to the community. There is no doubt the shadow Minister of Transport will direct himself to the moneys that are being spent by this Government in the transport area. We heard a great deal when members opposite were in Opposition about the need for better public transport in

South Australia and what they would do when they came into office. If the member for Glenelg could contain himself for a moment, he may learn something, if he is prepared to listen instead of opening his mouth all the time and dribbling. I know that the member for Glenelg listens with a great deal of interest to what I have to say, because he will be informed. For his information, the present ticketing system is quite full of holes.

Mr Mathwin interjecting:

Mr HAMILTON: It is interesting that the member for Glenelg hopes for the money holes. We hear a great deal about the constraints that his Government wants the people of South Australia to cop, but the Government has introduced a ticketing system whereby not only does the State Transport Authority lose money but also it places employees in a position where they can be accused, and incorrectly so, of defrauding moneys from the State Transport Authority. Unfortunately, I have only a short time left in which to speak and I will give one illustration of what can take place.

Under the current ticketing system, some of these tickets are sold in a booklet of 12 for the price of 10. The 12 tickets are stapled into a little booklet and they look like any other ticket. The information I have received from one of my constituents, who knows that area well, suggests that the ticket clerks can sell those tickets individually and, after selling 10, pocket the remaining two in every booklet. I am not suggesting that they would do that but, if there are any discrepancies in the money, they believe that they can be wrongly accused of taking the additional cost of these two tickets. I am concerned that any Government employee would be placed in this invidious position.

The DEPUTY SPEAKER: Order! The honourable member's time has expired. Before calling on the honourable member for Florey, I point out that this is not a general grievance debate but a debate on the appropriation of $310 000 000, and I ask the honourable member to bear that in mind.

Mr O'NEILL (Florey): I will try to keep within the parameters that you, Mr Deputy Speaker, have laid down. I will certainly refer to money and in particular to the $30 000 that the State Government has already appropriated from the fare paying passengers who use the State's public transport system. Because that money has gone into Consolidated Revenue, the matter is relevant to this debate. It may be that the Government would be prepared to accept an amendment to this proposition whereby $310 000 000 less $30 000 would be appropriated.

I am concerned about the way in which the Government has been handling its financial affairs and I refer in particular to what occurred in the past week. Everyone would know that on Sunday 16 August a new scale of fares was introduced by the State Transport Authority in regard to trams, motor omnibuses and railways in this State. The complaining public has to pay up if it wants to use public transport. Undoubtedly, a number of members opposite as well as many members on this side received diverse complaints about the increase in fares and the confusion in regard to charges. Despite advertisements in the daily press, people had trouble understanding the proposals.

I had discussions with the union that covers the members involved in the trams and buses and I understand it has laid down certain stipulations to the Minister of Transport in respect of the way in which its members will handle money because, as pointed out by the member for Albert Park, some people who have to carry out these duties of collecting the increased fares have grave doubts about the changes and believe that they may be open to unfair charges of misappropriation and so on. On Wednesday of last week I was asked whether the increases in fares had been gazetted in accordance with the requirements of the various Acts. I must admit that I could not answer that question. I assumed that the Government, which persists in telling us how responsible it is with money and how much better it is at handling financial affairs than anyone else in the State, would have carried out the necessary requirements under the various Acts.

Being somewhat new to Parliament, I had to make inquiries around the place to find out the situation. Much to my surprise a number of people I asked were not sure, and being a cautious person and not prone to go off half-cocked, I wanted to check it out properly and it took me all of Thursday. Late Thursday night, I was able to find out that the Government had omitted to gazette the increased charges and therefore the authorities had no right to be taking the money from the public.

Mr Lynn Arnold: What incompetence!

Mr O'NEILL: Indeed, what incompetence from a Government that professes to be competent. On Friday morning, I rang the Government Printer and asked in which *Gazette* and on what pages the necessary endorsements were contained. I was informed that, if I held on for a few minutes, the gentleman to whom I spoke would get a proof copy, because it had not yet been printed. The Government Printer was in fact printing a *Gazette Extraordinary*. These *Gazettes Extraordinary* are precisely that. They do not happen very often and usually there is a very serious reason for them. On this occasion, it was the fact that the Government had omitted to carry out the requirements of the law, an interesting situation for a Government who rants and raves about law and order. Nevertheless, the *Gazette* was printed.

An honourable member: At what cost?

Mr O'NEILL: At what cost I am not sure. However, it was at considerable cost in terms of illegal fare payments by the farepaying citizens of Adelaide. I also learned something else. I looked in the Vice-Regal notices in the paper of 22 August, and I saw that on 21 August, in the afternoon, His Excellency the Governor presided at a special meeting of Executive Council. This Government had to run around and get the Governor to attend a special meeting of Executive Council to ratify the legislation and authorise the printing of a *Gazette Extraordinary*. I am sure the Minister must be pleased about his relationship with the press. I put out a press statement on it, drawing attention to the fact that this omission had been discovered, and the *Advertiser* of 22 August reports:

> Higher fares illegal, so Government acts.

This gives the impression to a lot of people that the Government was very magnanimously overcoming a problem which had accrued in the public transport area of somehow or other higher fares being charged. So there is no strong indication that it occurred as an absolute and unequivocal mistake by the Government. I admit that the Minister was honest enough to say that there had been an 'administrative oversight', and he said further:

> I regret that the delay in the *Gazette* has occurred and the S.T.A. has facilities to handle any inquiries about refunds.

I am sure the Minister must be joking. There are certain processes available whereby a person who considers they have been unjustly charged can, by carrying out certain procedures, recoup the money that they had paid. We are not talking about ordinary circumstances. We are talking about a situation where, as a direct result of Government bungling, the State Transport Authority has taken illegally from the citizens of Adelaide $30 000 on bus, train and tram.

Mr Mathwin: You can get the money back if you take the ticket back.

Mr O'NEILL: There we have an intelligent interjection from the member for Glenelg. He says they can get their money back if they have a ticket. How many people horde their bus and train tickets? Some people may have taken advantage of the weekly tickets and so forth and may be able to get their money back. There will be a lot of people who contributed to that $30 000 who will not be able to get their money back. If the Minister and the Government want to be dinkum, if they want to do the right thing by the long suffering users of public transport in this city, they can rectify the matter quite fairly. If the Minister is prepared to declare a period of five days (which is a period equal to the time the citizens were illegally and unjustly charged the extra money) during which the old fare structure will apply, then there may be some measure of justice. Unless he is prepared to do that, this Government is getting away with $30 000, less whatever small amount may be recouped by people who were lucky enough to retain their tickets, of money belonging to Adelaide's fare-paying public.

It is bad enough that the Government has been ripping off the people of South Australia for almost the past two years with its increases in all sorts of charges to try to bolster its absolutely infantile efforts in budgeting. Here we have a situation where, because of its administrative bungling, it has taken from the people of Adelaide $30 000. I offer my suggestion quite sincerely. The Minister may be able to find some administrative argument as to why he cannot do it. If he wants to be fair to the people of Adelaide, that is one way in which he can overcome the problem.

Last week I asked the Minister a question in respect of a delay in delivery of the new buses for the S.T.A. I understand that initially the Government argued that it was changing from Volvo buses to MAN buses because it could save a few thousand dollars on each machine. The situation in regard to that is that the whole of the Press Metal Corporation's line was upset when the change was taking place from Volvo, which was a reliable supplier and had an infrastructure in South Australia capable of handling the reception of the assembly and the delivery of the Volvo engines and chassis to P.M.C. The company had all the facilities and employees there to continue at an economic price, the production of the very effective Volvo buses that operate in the city.

The Government, with its preoccupation of saving the taxpayers' dollars and possibly for some other reasons known better to the Government than to this side of the House, switched to MAN buses. It was understood that there were to be no disruptions to the production line and that MAN would be able to deliver the shipment of chassis from overseas with the same regularity and continuity that Volvo had done. This is not the case. The plan was that four chassis would come to Australia late in May and would arrive in Adelaide in June. One chassis was to be with the body-builder in June to carry out the prototype work and the building-up. One bus was to go to the S.T.A. near the end of September, and four months later production of buses would follow at the rate of six per normal month.

These great plans have not eventuated. There are no MAN buses in Adelaide at the moment. I believe that one in Melbourne is being assembled and should be delivered here in a month. The situation is that that bus was never destined for Adelaide; it was part of an order going to New Zealand. It was diverted to Melbourne to try to overcome the lack of deliveries of the South Australian order on time, and it got held up on the Melbourne waterfront. That is the excuse that the S.T.A. is using here, that it was not its fault or the fault of the Government, but rather the fault of the naughty waterside workers in Melbourne. Anybody who knows anything about the dispute on the Melbourne waterfront knows that the dispute eventuated because of deviousness and a lack of decent industrial relations in Victoria.

The DEPUTY SPEAKER: Order! I have to draw the honourable member's attention to the fact that there is nothing in this Bill about the waterfront in Melbourne. I ask him to come back to the matter before the House.

Mr O'NEILL: I stand corrected. I thought that the fact that a bus purchased with South Australian Government money which was reposing on the waterfront in Melbourne would have some connection—

The DEPUTY SPEAKER: Order! The honourable member then went on to explain the nature of the dispute on the Melbourne waterfront, and that has nothing to do with the discussion currently before the House.

Mr O'NEILL: For reasons that I cannot mention at this stage and which have nothing to do with the trade union movement, the A.L.P. or anybody on this side of the House, we do not have any MAN buses in South Australia.

The Minister expressed some concern about the fact that there may have been some retrenchments. It has been reported to me that already nine employees have become redundant at P.M.C. because of the failure of MAN to deliver those chassis to South Australia. The company is valiantly trying to hold on to its employees and trying to get some assistance in ensuring a delivery. The Minister, in answer to my question, said:

> One of the reasons that we [the Government] insist in this State that construction on bus bodies is carried out by P.M.C. is to provide work for South Australians. I would be extremely concerned if there are any retrenchments and I will get a report for the honourable member on the matter.

He has not supplied me with a report yet, but I have some information from other sources in respect of the problems. It may be that, if that bus is delivered within a month, P.M.C. can carry those extra employees for that time. I think that it is a great gesture on behalf of that company to carry employees and to try to compassionately overcome a problem created by this Government.

It is amazing to see the way in which the members of the Government can forget the attitudes that they adopted when in Opposition. Whilst I do not have the exact quote I recall that, when P.M.C. was set up and efforts were made by a previous Minister of Transport in the former Government to make sure that the work was done in South Australia, comments of a quite contrary nature were made.

Another problem which concerns these buses and the employment of people in South Australia is that, because of the specifications, the bodies of the buses cannot be made with the same size square tubing as was used on the Volvo buses. The tubing that was used on the Volvo buses was made at the Tubemakers Australia plant at Kilburn in Adelaide. The specified requirements for MAN are not available in Australia and must be imported. That position hardly bears out the Government's concern about providing jobs for South Australians. I am informed that, because of the delay and before the contract can get under way, Tubemakers may be able to tool up to manufacture the required size tubing in Adelaide. The fact is that at the moment it is not available in Australia, and therefore it can hardly be seen as providing work for South Australians.

Another matter on which I would like to touch relates to the expenditure of moneys in South Australia with regard to the Department of Marine and Harbors. I find it rather amazing that, with all the talk of cutting back in Government expenditure, tightening belts, and telling the public that it will be confronted with increases in the cost of Government services, we see in the *Sunday Mail* a report

of statements attributed to the member for Rocky River, the gentleman who was keenly watching his unfortunate colleague on the front bench squirm and suffer this afternoon during the no-confidence debate. He said that South Australian ports needed a big overhaul. He went on to talk about the need for agriculture, which he says is Australia's greatest earner of the export dollar. He referred to the size of the ships that would be coming into South Australia later in the century. He is implying that the Government is contemplating doing something about it.

A fair question would be, 'Where does the Government intend to get the money to do all this upgrading of the various deep sea ports all around South Australia?' There is no doubt that a number of actions taken by the previous Government which were ridiculed at the time by the then Opposition have certainly begun to pay off in South Australia. I would imagine that members opposite have changed their minds and their attitudes regarding the container berth at Outer Harbor, as it is becoming a more and more attractive prospect for international shippers as the problems of Sydney and Melbourne pile up as the cargo piles up on their wharves. This is not all attributable to industrial problems.

The facts that those cities are so big and that their port facilities are rather central creates all sorts of problems for city traffic and for the movement of cargo. The lack of available space to handle it is a contributing factor. One must give credit to the foresight of the previous Government, particularly the Minister of Marine at the time, the member for Hartley, in going ahead against the considerable criticism of the then Opposition and building that very important container handling berth at Outer Harbor.

The Hon. D. C. Brown: There was no criticism from the Opposition, was there?

Mr O'NEILL: I have been warned about the Minister of Industrial Affairs. He is prone to handle the truth carelessly quite often, and that is his opinion of what happened. I understand from my reading that there was criticism at the time and that there has been criticism since, but it has died off of late because the situation has changed.

The problems that have confronted the development of container handling in the major cities have quite obviously increased the value of the Outer Harbor facility in South Australia. The point I am worrying about is, in view of the fact that the South Australian Government is in such a parlous state regarding funds, where the money for this big upgrading is coming from. I would like to know. It may be that the Premier can at a later stage indicate whether or not the Government intends to carry out a fairly rapid upgrading of the major ports in South Australia or whether this is just a little more gum-beating by the member for Rocky River to possibly improve his chances of taking over the positions of Chief Secretary, Minister of Fisheries and Minister of Marine when the present incumbent takes the advice that was given to him this afternoon and resigns.

The last point I want to make is undoubtedly concerned with money. It may not be strictly related to appropriations but I think there is a considerable connection, because home buyers in my district are being placed in an invidious position by the combined effects of the financial policies of the State and Federal Governments because of the rapid escalation in interest rates, and it goes further than that. A lot of young people in my district, as undoubtedly applies to young people in the districts adjoining mine and possibly in other parts of the metropolitan area, are beginning to find that the great Australian dream, so-called, of owning one's own home is rapidly becoming a nightmare and that they just have no hope in the world of attaining that ambition. There is no way in the world in which they can get the money, and we have reached such a ridiculous state that in this evening's *News* it was reported that one lending company, for want of a better term, is offering investors with more than $5 000 to invest immediate payment of their interest. If they invest $5 000 today, they will be immediately credited with their interest. I forget the rate at which they will be paid, but the gimmick is that, if they leave the money invested for 12 months without touching it, they will get another supplement to the interest rate. Other people in my district are suffering, and they are the people who pay interest. We all know that, because of the infamous policies of the Fraser Government in respect of rentals, the situation is—

Mr RANDALL: I rise on a point of order. I have listened to the member for Florey for some time and have waited for him to draw his remarks back to the Bill before us, which is a Bill to appropriate $310 000 000 for the Public Service of this State. He is ranging wide on home loan interest rates.

The ACTING SPEAKER (Mr McRae): I ask the honourable member to state specifically his point of order.

Mr RANDALL: My point of order is that the member for Florey is not addressing himself to the Bill before the House.

The ACTING SPEAKER: There is no point of order.

Mr O'NEILL: I think we have just had a classic case of the inability of members on the Government benches to understand the situation. The member for Henley Beach cannot understand that the way in which the Government is handling its $310 000 000 and the other finance it has appropriated legally and illegally from the citizens of this State has real repercussions in the areas to which I was addressing my remarks. If the honourable member thinks that the fare-paying public of South Australia like to be ripped off for $30 000 by an incompetent Government and that that has nothing to do with monetary Bills, he should not be in this Parliament. He should go back to playing with wires at Telecom. I understand that he played around with electronics, or something like that. If he makes stupid remarks such as the one he has made, he deserves all he gets. If he cannot relate what I have said back to the monetary policies of this Government, he should not be here.

People in the honourable member's district are suffering because of the incompetence of this Government and the Fraser Government in handling money in this country. As I was trying to say, the situation does not affect only people who apply for home loans. It also applies to people who cannot get them because they cannot get the finance that they must have in order to get them. We have reached the ridiculous stage where a person has to be on $15 000 or $16 000 a year to get a home loan. Also, rentals are starting to sky-rocket. The honourable member may not know anything about that but, if he asks the people in his district who cannot make ends meet and who are being told by the Federal Government, undoubtedly supported by this Government, that they ought to consider using mobile homes, he has no idea of what is going on—

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

Mr TRAINER (Ascot Park): I would like to address a few remarks in relation to the Bill, connected to the way in which we as a community look after some of our members when calamitous misfortune falls upon them. In that context, I would like to refer to some remarks I made in this House on 23 July when I referred to a school accident that occurred to the son of a constituent and to the inability of that constituent to receive compensation for that accident. Following that accident, I wrote on 18 June to the Minister of Education as follows:

I have been approached by Mr and Mrs A. R. McLoughlin of 4 Orkney Avenue, Marion, regarding an incident on the morning of 1 November 1979 at Mitchell Park High School, an incident which has had serious consequences for their son Shaun.

Shaun, at that time, was aged 14 and was in a year 9 class in the laboratory awaiting the arrival of his teacher. Shaun leaned forward on his stool to chat to two other students, David McFeat and Leigh Snook.

Mr Pfenning, the teacher, arrived and began writing on the blackboard, facing away from the class.

Mr LEWIS: I rise on a point of order. I do not understand how the material being presented to the House at present bears any relationship whatever to the matter before the Chair.

The ACTING SPEAKER: Nor do I, until I have had a chance to hear how the honourable member for Ascot Park develops his point, and I hope that he will come to his point in a very short time.

Mr TRAINER: I believe that I opened my remarks by saying how I was going to link this to the Bill. I said that we as a community, in a properly organised society, should be catering for such problems by providing moneys for people who are injured in accidents such as that about which I wish to speak for the next few minutes. The letter continues:

At that moment, another student, David Kanas, kicked the stool out from under Shaun McLoughlin, and Shaun landed with his coccyx on the rim of the stool seat.

Shaun was taken to the Flinders Medical Centre where the initial diagnosis was bruising only. However, he missed the remainder of that school year as a result.

He attended school in 1980, but required further diagnosis and physiotherapy. Further diagnosis indicated damage to two discs, and the continuous pain has not been significantly relieved by traction or by a back brace.

Shaun is currently unable to sit or stand for more than a few minutes, cannot participate in any normal youthful activities, has not attended school since being hospitalised for a while this January, and has not been able to cope with school work sent home to him.

The remainder of his schooling is under a cloud, and his employment prospects have been most severely affected.

I am drawing these matters to your attention in the hope and expectation that appropriate compensation is available.

Could you advise accordingly?

I was concerned whether there was some way in which we as a community could look after this lad, in view of the misfortune that had befallen him. I received an acknowledgment from the Minister fairly promptly. It arrived in my office on 26 June, and was dated the day after the Minister would probably have received my letter. That is unusually prompt from the Minister. Most of his replies seem to take a long time. It could well be that we should put more aside out of this appropriation for Ministerial staff for the Minister of Education so that he could be a little bit more prompt. On 15 July I received a reply from the Minister, directed to me as the member for Ascot Park as follows:

I refer to your letter of 18 June 1981 regarding the availability of compensation for Shaun McLoughlin, a student who was injured at the Mitchell Park High School. The Education Department does not insure children against accidents whilst they are at school, nor does the department accept general responsibility in the event of an accident occurring.

Mr LEWIS: Mr Deputy Speaker, I rise on a point of order. I understand from the Notice Paper that this Bill is for the purpose of appropriating revenue for the Public Service. I fail to see the connection between the remarks made by the honourable member and that purpose. It is not for the purpose of insurance.

The DEPUTY SPEAKER: Order! I have just resumed the Chair and I have just caught the conclusion of the honourable member's remarks. I point out that we are dealing with the appropriation of $310 000 000. All comments should relate to that particular matter or be linked to that appropriation.

Mr TRAINER: I would anticipate that the action of public servants in the Education Department and the way they would handle situations such as the one I have presented would be relevant to the expenditure of $310 000 000. The letter continues:

Liability is admitted only in those cases where there is evidence that the injury resulted either from a breach in the duty of care owed by a teacher to a student, or from a negligent act or omission, on the part of a servant of the Minister, acting in the course of her/his duty.

That is the very same sort of public servant to which this Bill is connected. The letter continues:

The Principal of the Mitchell Park High School has provided an account of the incident which tallies substantially with your description. The account has been examined and I am satisfied that the duty of care has not been breached and that the Education Department is not liable in this case. Accordingly, no compensation is payable to Shaun's parents on these grounds.

The Hon. R. G. Payne: Was the letter signed?

Mr TRAINER: On this particular occasion the letter was signed by the Minister, but it would have been dictated by a public servant. It was possibly dictated by a public servant and then signed by the Minister afterwards. The letter concludes:

It is of course regrettable that the boy should have suffered so severely as a result of a careless prank and I hope that, in time, he will recover completely.

I thought I made it quite obvious in my letter to the Minister how severely the boy was affected. It is a serious issue, and it came to my attention earlier as a result of an article that I read in the *Australian* in July last year concerning similar cases where accidents occurred as a result of unintentional inattention on the part of public servants. A similar incident applied in another State, and the article about it states:

Those who know her well call Mrs Faye Allen 'The Angry Ant' because this slender, tiny Queensland woman spends much of her time fighting big government at all levels: Federal, State and local.

On that argument of her being opposed to big Government, I am sure that at least part of her argument would be of some appeal to members opposite. The letter continues:

But mainly Mrs Allen is involved in a five-year battle (so far) to force State governments to provide compensation insurance for children disabled by accidents at school.

And with good reason. For Mrs Allen's older son, Steven, lost his left arm, and the whole shoulder, after a playground accident. Had Steven been hurt in a factory or at a home or on the street—or even a private school—he would have been eligible for automatic disability compensation insurance. But he was injured at a State school so—unless his parents are rich enough, and brave enough, to take the tortuous path to the High Court—he gets nothing. And, even then, he might still get nothing. In fact, the case could send Bob and Faye Allen bankrupt ... This anger of Mrs Allen goes back to Friday, 25 July 1975—when tragedy began, as it so often does, in a small way. At an inter-school sports day at a tiny State school near Gladstone, Steven, then aged nine, slipped and fell from a school monkey bar—a sort of ladder running parallel with the ground—and broke both bones in his left forearm. There was dirt in the wound and an ambulance was called to take him to the doctor. X-rays were taken and then he went to hospital for surgery.

By the next afternoon, Mrs Allen says, Steven's left shoulder was so swollen that the cast was cutting into him—and his arm was suspended to take the pressure off. There was the smell of something rotting and Steve couldn't feel his fingers, she said. On Sunday his fingers were very dark, and some cuts were made in the cast to ease the pressure from the swollen shoulder.

The article continues:

Monday a peephole was cut into the plaster. By Tuesday he was vomitting. This time a swab test showed he had gas gangrene in his arm.

When Steven eventually recovered from the operation, which necessitated the removal of his arm, Mrs Allen helped him exercise in the rehabilitation unit. The report continues:

After six weeks, they went to Brisbane where experts tried to fit Steven with an artificial arm.

Later, the story continues:

His mother removed both her sons from the State school as soon as she found out there was no compensation scheme and though the family had no particular religion, put them in the local Catholic school after ensuring it covered itself with an insurance policy.

It could well be that some of our public servants might consider our schools adopting a similar approach so that the students are covered by adequate compensation. The article continued:

Mrs Allen believed that Steven should be eligible for a compensation payment from the [Queensland] State Education Department. 'To my dismay I discovered that children permanently injured in a State School, no matter how seriously disabled, are not eligible for any compensation whatsoever—not one cent. The education department did loan an electric typewriter so Steven could learn a special system designed for one-handed typists.

Later, the report states:

Mrs Allen was told by the department that if she wanted compensation she must take legal action. 'They were challenging us to do it—knowing full well what we had in store. They say they can't give us public money—but they will spend public money in a long costly court case. They have unlimited resources—and here is little old us to buck the system.

The article continues:

'Taking them to court is a once-in-a-lifetime gamble because if you lose the costs are astronomical.

That, Sir, is a similar situation to that faced by my constituent with respect to the Education Department. Mrs Allen continued:

'There are thousands of children being permanently injured in schools and getting nothing for it. If there were any way the statistics could be gathered people would get a hell of a shock. They are being injured in the playgrounds on unfit equipment, at football, and suffering shocking cricket ball injuries to the face—particularly the littlies. And their parents can't afford to go to court'.

Some children were even being injured while working at school—but again there was no compo for them. Yet they had no choice. It was easy to say children should not carry a TV downstairs at school, but what child was going to defy the teacher?

Mrs Allen told how she had tried to get insurance cover for her sons but could not find a private company that would provide it. She had approached the insurance commissioner in Canberra and was referred to the Insurance Council of Australia in Melbourne: They were able to find only one insurance company which provides cover for children in the event of an accident. However, it is for a maximum of only $500', she wrote. The letter continued: 'It became apparent that parents cannot protect their children with compensation cover at any price and have no choice but to send them to school completely at risk'.

Mrs Allen is worried. She says, 'I really wonder—

Mr LEWIS: I rise on a point of order. I again seek the ruling of the Chair on the relevance of this material to the Bill before us, which relates to an Act to apply out of Consolidated Account the sum of $310 000 000 for the Public Service of the State of South Australia, as I understand it, not Victoria or Queensland, for the financial year ending 30 June 1982. How on earth the material related to accident compensation in other States can have any relevance whatever to this debate is beyond me, and I ask for your direction, Mr Speaker.

The SPEAKER: The honourable member will appreciate that I was not in the House when the member for Ascot Park commenced his address. I am aware that he was speaking on a course of action to which he believed the Government expenditure of this State should be directed during 1981-1982, and he has proceeded to give two examples. I believe that more than two examples would be testing the patience of the Chair, but, although it happens to be an interstate reference, it is pertinent to the proposal that the honourable member putting forward to this Government in relation to the expenditure of its funds.

Mr TRAINER: The next comment that I was going to make directly links that Queensland experience to the South Australian one. I was going to draw attention to a Question on Notice which I put to the Minister on 27 August last year and to which I finally received a reply on 10 February this year. In that question I asked whether the Queensland situation as outlined in that report applies also in schools of the South Australian Education Department, and, if so, whether the Minister proposed any action to rectify the situation. The Minister's public servants, to whom the Bill is directed, assisted him to prepare a reply to what was rather a lengthy question on my part. It had seven parts to it, and one answer was as follows:

Unless liability is determined by a court or accepted by the Government without the matter proceeding to court, no compensation is available to students injured in school accidents.

I also asked how many cases of this nature there had been in South Australia in each of the last five years on behalf of injured schoolchildren, what decisions were reached in these cases, and were any cases settled without a court decision? The Minister's reply, prepared for him by his department to that section of the question, was as follows:

Over the last five years accidents in schools have resulted in 12 successful damage suits being brought against the Minister. Of the 12, 10 were settled out of court.

My attention was drawn once again to something about which I was already aware, namely, that there are a couple of insurance companies which receive premiums paid to them through schools. In fact, when I was a teacher it was one of my jobs as a public servant to collect these premiums and pass them on to the insurance companies concerned. Two insurance companies operate in this field. One is C.G.A. Fire and Accident Insurance Company Limited, and the other is the Hibernian Society. The Minister's reply pointed out that those companies provide a 24-hour cover, although it is a very limited cover. It provides:

For the payment of certain expenses, which include medical and hospital fees, etc. Whilst lump sum compensation for residual disabilites such as loss of limbs, eyes, etc, is not part of the basic student accident insurance arrangement, parents seeking alternative insurance, incorporating broader coverage for their children, are free to negotiate with the insurance company of their choice.

There is more involved in accidents such as this than just the medical costs.

I referred to the McLoughlins, and the action of the particular public servant in this case. I am not in any sense being derogatory in regard to that teacher in this instance, because I realise from my own experience how difficult it can be to maintain 100 per cent supervision over a class. It was quite understandable that the teacher should happen to have his back to the class in order to use the blackboard when this accident took place. Nevertheless, the McLoughlins feel that this serious accident occurred to their son as a result of his actions. Apart from the medical costs, he has lost the wages that he would have earned over the holidays, his schooling has been set back a year, he has received a great deal of pain and suffering, and his future career prospects, as I explained before, have been more or less destroyed. He will receive no compensation unless the Education Department concedes fault or is taken to court. In regard to taking a Government department to court, the McLoughlins are in a position where they are not quite poor enough to receive legal aid, and yet not wealthty enough to afford the gamble of the legal costs that may be involved.

When this case first received a small amount of media coverage the McLoughlins were rung the next day by another mother who pointed to another similar case involving an accident in a school where a child had been injured. In that case the child had had a pin poked in her eye, and the legal costs, when that family took the department to court, came to about $4 000. I understand, although I only have this as second-hand information, that the lawyer who represented that family was the member for Mitcham. I must make a point of discussing this matter with the honourable member later, as it seems that he lost the case.

It could be possible, even if one believes one has a good case in regard to the negligent actions of public servants that may have resulted in this sort of injury to one's child, to spend large sums and still lose—a problem that exists with other areas of injury such as the woman who was hit by a cyclist and who was referred to the other day.

It could well be that the problem will not really be solved until we have some sort of national compensation scheme. However, I am pleased to inform members who are interested in this topic that I was telephoned yesterday by Mr George Cook, the former State Manager of C.G.A. Insurance, who had heard of the incident as a result of my commenting on it in the House on an earlier occasion. His company had discussed this at a national conference recently, and the case I mentioned in this House had been drawn to their attention as a result. They considered it an important issue, and they were giving some consideration to providing some sort of capital benefit cover.

Another subject on which I would like to pass a few remarks also concerns constituents of mine, but in this case rather than just one family it concerns an entire parish. It relates to the expenditure involved in drawing up plans for the Emerson crossing and taking them to fruition. For those who are not aware of the history of the Emerson crossing, the intersection of South Road and Cross Road has been a source of traffic jams for some time, because a railway line goes straight through the middle. Most people well know what a problem it has presented. The solution to the problem is an over-pass planned to carry South Road over the top of Cross Road. I am very much in favour of that over-pass. There are one or two environmental problems associated with it, but I am sure that, with the good services of the Minister of Transport and the Minister of Environment and Planning, those problems can be overcome.

However, there is one problem that concerns me greatly, although I am very much in favour of the Emerson overpass in one of its aims, which is to ease the way for traffic on South Road, because that, if successful, will remove any pressure that may exist to try to reintroduce that part of the MATS plan which involved a north-south freeway, which would cut straight through a large number of suburbs in my electorate and completely destroy large parts of the community.

I wish this project well, but I am very much concerned about its impact on St Anthony's parish, at Edwardstown, the Catholic Church about 100 metres south of the intersection. It is a very busy and active parish.

The Hon. R. G. Payne: Slightly west of South Road.

Mr TRAINER: It is slightly west of South Road; that is right. The parish community has been concerned for some time about the problems of access and egress to its properties—long before the problem of the Emerson over-pass, with the large ramp that would go down South Road extending southwards further than the church. Its properties and facilities are located on South Road, along the side street, Castle Street, and another side street running off that, The Grove, and include the parish church, parish hall, St Anthony's Primary School, and St Anthonys presbytery, all of which are situated on that site. All are in well-kept grounds in which the parishioners take no small amount of pride.

There are extensive off-street car parking areas between the church and the hall and on the western side of the hall as well, financed and maintained by the parish. An average of 650 people attend Mass at St Anthony's on Sundays, and 400 more on each of three church holy days during the year, not counting Christmas, when there are more than 1 000 in attendance, or New Year's, when the attendance is about the same as on Sundays. On Saturdays, weddings are held in the church, with an average of more than 100 people in attendance. On some Saturdays there may be more than one wedding. There are baptisms on most Sundays at 3.30 p.m., with 50 or more people in attendance, and an average of 40 week-day funerals a year are conducted from that church, attended by between 100 and 300 people, as well as other special church occasions, such as confirmation, first communions, parish missions, and so on.

The hall that belongs to the parish, which is also threatened by the Emerson over-pass project, is in regular and frequent use by parish and community groups, mostly on evenings and weekends. Activities there include a monthly elderly citizen's social, weekly meetings of further education classes, religious education classes, community youth groups, parish social activities, and the like, but it is not used for any commercial purpose.

The school that is on the site has an enrolment of 102 children in years 1 to 5, being a junior primary school. Enrolments are increasing as younger couples move back into the area, and I am pleased about that, because I am the local member. Provided parents can continue to be satisfied about the safety of their children, it is expected enrolments will increase to 130 children within the next five years. All those facilities that I have listed except the Presbytery are entered from Castle Street. That is where the problem lies, because the median strip that is associated with the ramp and overpass will project further south than Castle Street and will completely block off the entrance.

A whole series of problems is associated with the Emerson overpass. I have written to the Town Clerk of Marion and to the Minister of Transport concerning these problems. The first problem is the loss of any protection from vehicular traffic for children attending St Anthony's school who must cross South Road. At present there is a flashing light pedestrian crossing by the church, but the plans for the project do not incorporate adequate pedestrian crossing facilities in the vicinity of the church and school. Another problem is that of restricted access to the premises while construction is taking place. All honourable members who have seen Highways Department employees in operation would realise how difficult it can be, in spite of their best efforts, to get access to properties alongside the route while work is in progress. I am sure the Highways Department will attempt to minimise any inconvenience, but the problem is closely related to the design of the overpass and cannot be totally separated from that issue.

There will be severely restricted access to the church and the school when the overpass is completed. Even now, the St Anthony parish buildings are among the most inaccessible of any such buildings in the metropolitan area, quite apart from any further impact that the overpass may have on access. Entry into Castle Street can be difficult with even moderate South Road traffic flows and the dead-end nature of Castle Street leads to congestion. Furthermore, the closure of the Castle Street railway crossing some years ago partially isolated the church and the school from the western half of the parish. These existing problems pale into insignificance when the potential impact of the Emerson overpass is considered. The southern end of the overpass ramp will be opposite Castle Street, preventing any entry

or exit from the premises, other than by a left-in, left-out method, particularly as an unbroken median strip will continue southward from the ramp for a considerable distance.

Fortunately, the Highways Department has now incorporated a U turn facility under the overpass a few metres south of Cross Road, which will permit parishioners or parents living south of the church or school to get home from Castle Street by turning left into South Road, proceeding north along the slip road alongside the overpass, performing a U turn under the ramp and then heading southward along the eastern slip road. However, this does nothing whatsoever to provide a method of entry into Castle Street for parishioners, school children and parents, other than those who can readily approach from a southerly direction and are able, therefore, to turn left into Castle Street from South Road. Access will be very limited for residents of Glandore, Black Forest, Clarence Park, and most of Clarence Gardens, and will continue to be somewhat circuitous for residents of South Plympton and parts of Edwardstown West. The parish has suggested two viable options that might help to alleviate the problems.

The slightly more favoured option is the construction of a link through railways land between Castle Street and Messines Avenue. The other option is to re-open the Castle Street railway crossing, but there are problems in that regard. Unless one of these two options can be provided, the loss of access resulting from the Emerson overpass will destroy the parish as a viable entity. Indeed, I suggest that the problem is such that the implementation of one or the other of the two solutions should take place as soon as possible, rather than to await completion of the project. As I mentioned earlier, there are further problems of access during the period of construction and it would seem desirable to provide adequate access well before the decline in the parish's viability reaches an irreversible stage. I have kept closely in touch with members of the parish on this matter since first becoming aware of the problems 18 months ago, and I have been quite pleased to date with the response of the Minister to the submissions that have been made in regard to this problem.

Indirectly in correspondence the Minister concedes that they may not have given sufficient attention to the problem of providing pedestrian facilities for the young children at St Anthonys School, and that matter is being reviewed. The submission regarding access is being given due consideration and I am sure, because they are pretty reasonable options that have been put forward by the parishioners, that one or the other of those two options will be favourably considered and adopted by the Minister.

The Hon. R. G. PAYNE (Mitchell): In speaking to this matter, which concerns the approval or otherwise of this House of an amount of $310 000 000 by way of Supply, I would begin by referring to an item of the present Government's policy which would involve salary payments which may come under the heading of Supply $310 000 000. I am very pleased to be able to inform the Minister on the front bench at this time that, as always, I will be speaking very closely to the Bill and that this first item relates quite directly to the Bill. I am referring to the recent opening of the Energy Information Centre, which is located, according to the brochure, at 175 North Terrace, Adelaide. I believe that you, Sir, would be aware that that address is the address of a building which was formerly owned by the Liberal Party in South Australia and was subsequently disposed of, I am told, to a Mr E. Christianos of Christianos Enterprises and, as I have already mentioned, it presently houses a Government activity for which supply must be provided by way of an installation which is referred to as the Energy Information Centre.

It has been put to me by a person who is an elector in South Australia (not a constituent of mine—that is why I make this distinction) that there are some very curious circumstances associated with the recent history of this building. This person has put to me, as I have already stated, that the building at 175 North Terrace was owned by the Liberal Party in South Australia until a fairly recent date and that subsequently a sale was effected of that building by the Liberal Party to a Mr E. Christianos, of Christianos Enterprises. It has been further put to me that that sale may well have been contingent upon promises which were made that, contingent upon the sale to that person and that enterprise, Government rentals would be forthcoming at a suitable time in the future by way of occupancy in that building. It has been further put to me that the installation of the Energy Information Centre in that building is one of the Government occupancies that were promised at the time, not necessarily by name, but by way of arrangement, that would in effect allow for recoupment by way of rents of some of the expense involved in the purchase of the building.

In simple terms, I am told that the Liberal Party was able to unload the building upon that person on the basis that there would be a recoupment directly from the finances of this State by way of rentals which will be paid to that particular company in South Australia. I note that the member for Rocky River, who is presumably privy to these arrangements, is nodding his head by way of negation in this matter. One can only assume on this side of the House that he has some knowledge of what the actual details of the transaction were, and I trust that on some suitable occasion, perhaps through the Minister responsible for the installation of the Energy Information Centre at that address, he will choose to refute the allegation or otherwise make information available to the House as to the veracity or otherwise of the information that has been put to me.

I would look forward to receiving that information at an early date so that the matter can be put to rest as to whether there was any untoward action by the Government (that is, the Liberal Party) in relation to the sale of that building and to the installation of the Energy Information Centre at that address. It has also been put to me that, whilst the aims of that centre are certainly worthwhile and would be supported by members on both sides of the House (the dissemination of information in relation to energy conservation in all fields in the State, whether in industry, domestically or whatever, would be supported by all), those persons who are able to exhibit in that location seem to fit a rather narrow range of activity.

A number of Government or semi-governmental agencies are involved; I refer, for example, to E.T.S.A., Amdel and, I understand, other agencies. My informant claims that he is involved in the supply industry relating to building materials and that a careful selection has been made of the exhibitors at that location to the exclusion of him and other persons who have worthwhile materials, techniques and technologies to display in that building. I would agree with any member here that on occasions we are given information which does not always prove to be 100 percent correct. In this case I believe that the matter is of such importance that it ought to be brought to the attention of the House so that the Minister concerned can deal with the allegations per medium of the information I have been given and clear up that matter.

Speaking earlier in the debate, the member for Rocky River chose to direct some of his remarks to the member for Salisbury and to that member's capacity as the shadow Minister of Education. The member for Rocky River said that the position in which the shadow Minister of Education found himself on occasions when speaking on education

matters to the teachers body in the State was such that he was putting forward a lot of criticism but was not making any concrete alternative policy proposals. The member for Rocky River went on to suggest that there was some link between the position of the shadow Minister of Education and that of the member for Elizabeth, who had found himself in a position where he had resigned because of some differences that he had.

I will take this opportunity to point out to the member for Rocky River that what has occurred in relation to the member for Elizabeth is that, being a member of the Party on this side of the House, he has had some views which he has believed strongly enough were right that he has taken certain action which he believed was open to him. When he was not able to sustain those views he resigned. I suggest to the member for Rocky River that he might respect, first, the member concerned for sticking to the strength of his convictions on the matter and for taking a quite severe step and, secondly, the system within the Party occupying the Opposition benches which has allowed for that member to be able to express his view and take the steps which he believed to be necessary in the circumstances and not attempt, as he did, to in some peculiar way link the actions of that member with those of the member for Salisbury.

The member for Rocky River is gearing himself up to interject and I hope that he does not transgress in that way. The member was somewhat astray in his thinking when he went on to say that, in some peculiar way, the shadow Minister of Education was remiss in his behaviour when he did not declare whether he was in support of a 20 per cent pay increase that was being sought by the South Australian Institute of Teachers, and he made some play on this. I am not sure you were able to hear them, Sir, but I believe you will know that those remarks were made by the member. Otherwise, I would not be referring to them.

He continually stressed the point that, in some way, the member for Salisbury was not fronting up and indicating whether he supported that claim. I found it very curious that, in the middle of all those remarks, the member for Rocky River was rather anxious not to declare his own position in that matter as to whether he supported that claim. As I have said, when he was gearing himself up to put that point forward, he was spoken to strongly by the Premier, who was then occupying the front bench and chided him quite noticeably, so the member for Rocky River decided to take another tack, which was to talk about the amount that might be involved in such a claim, should it be granted, and to specify the amount of something over $50 000 000.

That was a very cunning artifice but I suggest that it is one not worthy of the member if he really wished to make the point that he believed a member on this side ought to be doing something in a matter such as that. In order to establish his own *bona fides*, he ought to have had the guts to indicate his own position on the same matter. I believe that a thorough search of *Hansard* tomorrow will indicate that the honourable member was very careful to talk about the effect on the State's Budget and his qualms and concerns about that, but not, in my hearing, did he clearly declare himself on that matter.

I suggest to the honourable member that, to come into this House as a representative of an area and, in effect, put forward the view (and this was the only inference that could be drawn), regarding people who are employed in the Public Service of this State and who are recipients of the salaries carried in this House by way of Supply Bills such as the Supply Bill we are now considering, that there was something crook about their approaching a tribunal set up for this purpose, to evaluate claims and submissions on that basis, was entirely wrong.

As has been pointed out by my colleague, the Government can make its submissions to the very same body. That statement was quite mystifying and, if one has any doubts about whether an honourable member has real *bona fides* in a matter, one will always find that that member is subsequently blustering by interjection that that is what he meant. If he really meant it, he does not need to make that point by interjection now, because the record will stand for itself. That is enough on that topic and I trust that the honourable member, in the short stay he proposes on the State scene before he leaves for Federal climes, will in future give consideration to *bona fides* before he attacks another member in the House.

The Hon D. C. Wotton: It might pay you to read *Hansard* tomorrow, too.

The Hon. R. G. PAYNE: I have found that reading *Hansard* only confirms the admiration that all members ought to have for those staff members, members of the Public Service of this State in this Chamber, who through thick and thin and through indecipherable and mumbling interjections such as we have just received from the Minister opposite, still manage to get down a decent and reliable record of the proceedings in the Chamber during each sitting.

An interesting statement today which, had it come earlier, could have had a direct bearing on the financial Bill now before us, was made by the Premier in relation to the sale of l.p.g. to a Japanese company, Idemitsu Kosan.

I found the Premier's statement very interesting when one relates it to an earlier statement by the Premier reported in the *Sunday Mail* on 9 August. The report states:

> A $40 000 000 boost for South Australia on way: South Australia can expect resource development royalties of about $40 000 000 a year by the middle of the 1980s, the Premier Mr Tonkin said yesterday.

Mr Speaker, let me make it quite clear to you and to all members of the House that I wish that were so. I would welcome it if it were true, if it were even nearly true, and if it were likely to happen. What is the truth in the matter might then be a fair question to follow, and I raise that particular question. That report further states:

> The royalties would come from current and foreshadowed developments including the development of the Cooper Basin liquids and the mining of uranium in the Lake Frome area.

The Premier confined it to a fairly narrow area. The actual announcement relating to contracts, involving the very l.p.g. referred to, states:

> The contract has been signed with Idemitsu Kosan Co Ltd for the supply of 1 250 000 tonnes of l.p.g. in the five years from 1984 to 1988. On current values, this contract is worth in excess of $250 000 000.

Royalties to the State will therefore be considerable. One could be forgiven for suggesting that there has been a shift from $40 000 000 to 'considerable'.

Let us examine that statement. The royalty currently payable on petroleum products is 10 per cent of the value with a couple of correlations to that. Let us be generous and say 10 per cent of the value, as indicated in the contract. 10 per cent of that contract is $25 000 000, and $25 000 000 to apply over a five-year period. If we assume that the deliveries will be exactly even in each year, then as I understand it we are talking about $5 000 000 in 1984 and $5 000 000 in 1985. The Premier's announcement was that by the middle of the 1980s (and I assume that we would all agree that 1985 is the middle of the 1980s) there would be $40 000 000 from the liquids set-up and from the mining of uranium in the Lake Frome area. Actually, he went on to say that this did not include the Roxby Downs bonanza, which is also dangled regularly. So far we have established that we are likely then, from a contract which

has been signed in relation to l.p.g., to get $5 000 000 in the mid-1980s. Let us be generous and say that they will deliver more in the second year than in the first year. I do not mind: let us call it $8 000 000, or $10 000 000, which is double what one might expect. We are left to find $30 000 000 from the sale of uranium in the Lake Frome area.

Let us see what people concerned with uranium have to say about these matters. This is what the people involved in the uranium project at Honeymoon, for example, had to say about that matter as short a time ago as 7 May 1981, when talking about the joint venturers, as follows:

If the joint venturers get all the necessary approvals and decide to go ahead—

they had not decided to go ahead as recently as May—

their first step will be to build a pilot plant which will operate for 18 months before any decision is made on full-scale commercial production, the Manager (uranium) of Mines Administration, Mr D. A. Brunt, said by telephone from Brisbane yesterday.

He went on to say that he had not yet seen the environmental assessment, and so on. Admittedly, that was in May and there have been some small progressions since. How shallow, then, are we entitled to say was the statement made by the Premier? The two areas from which he claims we will get $40 000 000 in royalties (and I wish this was true from the point of view of the State) was the liquid set-up in relation to delivery down a pipeline—and so far all we can talk about on a most generous scale is $10 000 000 from that side of things, putting the best possible face on it—and some indefinable amount should uranium proceed to be obtained from the Lake Frome area in the manner that he has suggested.

I can recall on occasion the Premier's claiming, both in Opposition as Leader, and as Premier, that the previous Government was wont to make claims which could not be substantiated and which often ended up as pie in the sky. I suggest to members that he was perhaps also talking about his actions and his Government's actions when he made those statements. In fact, in making that statement the Premier excluded the situation at Roxby Downs. I suppose that most of us would not really be prepared to take the Premier's word as an expert, anyway, in relation to what may or may not happen at Roxby Downs. I do not think he would think it necessarily uncharitable on my part to make that statement, because he is not qualified or equipped to make accurate statements about that technical activity.

I wonder what the South Australian Chamber of Mines Incorporated has got to say about Roxby Downs, for example, assuming that all goes well and that various hurdles, which have to be overcome and which we need not dwell on as they are not germane to the Bill before us, do not hold up the project. This is what the Chamber of Mines Incorporated states in its journal—*Johnny Green's Journal*—of July 1981, only a few weeks ago, about that very topic under the heading 'Resource "boom"?'

Two words that imply soaring wealth through mining now!

The very next sentence is rather a jolt:

They are somewhat misleading! Resources potential, yes—boom, no!

The article goes on to say that Australia has immense resources but that immense problems must be faced before they generate wealth for the community. It then lists some of the difficulties which I will not bore the House with now, but which include the position in relation to world prices for metals and so on, which are down, the need for large sums of money to develop resources, the necessity for work skills which may be in short supply when demand is up in the mining area, and industrial relations. It then turns to the important matter germane to South Australia, under the heading 'Time scale', and it is not the Labor Party saying this but the Chamber of Mines. In regard to the time scale, it states (and this is the Chamber of Mines; not the Labor Party, saying this):

It took Santos 20 years with no profits to develop the Cooper Basin. It took Mount Isa—

that is the model that is always referred to in the same breath whenever Roxby Downs possibilities are mentioned—

twenty-four years and at least three bankruptcies to get going. It takes from 10 to 20 years to develop a major mine. It will probably take until the mid-1990's to fully develop South Australia's uranium mining, milling, conversion and enrichment potential provided that there are no adverse major changes of Government policy, altered financial requirements such as resources rent taxes, wars, long strikes—

Even the authors then give up and say 'etc., etc.'. There are so many imponderables that the Chamber of Mines is saying that the earliest that one can expect full development is the mid-1990's. I do not introduce those facts in order to be derisive in my debate. I am trying to put them before members to bring about a very much needed note of realism in respect of the so-called resources boom, which this same article says ought to be 'resources potential', not a resources boom.

It quite rightly draws attention to the many problems that exist between, as it were, even putting down a shaft in a mineralised area and actually getting down to production which has been put into ships and sold to buyers who are providing money from which royalties will come. The article quite properly draws attention to the difficulties which can lie along the way, not the least of which, of course, are the world prices prevailing from minerals which are concerned in that area.

I refer to gold. I have heard it put abroad that the gold content which we now know and which we understand exists in mineralisation at Roxby Downs will be a useful bonus, as it were, from the production of copper in that area. If one studies *Johnny Green's Journal,* which is quite informative (it is unfortunate that it comes out only quarterly), one finds that the gold scene throughout the world is balanced on a knife edge. There are articles which say that the whole of South Africa's production is in danger because of the fall in gold prices.

Honourable members should consider that they are talking about prices of about $425 an ounce, and one can see the tremendous cost involved in recovering some minerals is such that, even with what appears to be astronomical prices on present day values of $420-$425 an ounce, many of the mines now in production in a place we have all been led to believe is a veritable bonanza, that is, South Africa, are considered, not by the Labor Party or by me with my limited knowledge but by those in the community one would expect to know, to be in a dicey position.

I trust that members will try to temper their enthusiasm for some of these projects with a little more consideration and caution such as at least some of them usually apply when looking at the primary industry scene.

In the few remaining moments that I have I would like to refresh your memory, Mr Speaker, and that of other members, about what the Liberal Party policy was in relation to the royalties announcement about which I spoke earlier, and the special announcement made today by the Premier which could result in improvements in the State's financial position in the future. Your Party's policy on this matter, Mr Speaker, only as short a time ago as August 1979 was '. . . promote the building of a liquids pipeline if necessary'.

That is hardly what one would argue to be a positive and surging approach to this matter; it is a sort of 'two bob each way; we will have a look at it if it gets on the priority

list; if it is necessary, we will go along with it.' For the Premier to suggest, as he has today in his statement, that all of this has come to pass because of efforts by the present Government is just so much hooey, and unworthy of him as Premier.

Mr HEMMINGS (Napier): In speaking on this very important Bill, in which we are dealing with the sum of $310 000 000 for the Public Service, I would like to relate my remarks to moneys expended by the Health Commission. The Minister of Health at the moment is carrying out an exercise in deception and dishonesty over the future of the Para Districts hospital, and it does her no credit whatever. After years of frustration and delays, the community wants an answer now one way or the other: is there going to be a new hospital, or not? The community in the northern region needs an answer of 'Yes' or 'No'. Surely, they are entitled to know whether or not they will continue to be treated as second-class citizens in health and nursing home care.

I would like to compare hospital services and nursing home services in the metropolitan area. I asked the Library Research Service to give me figures of locations of hospitals and nursing homes in the metropolitan area, and it will be evident from those figures that the people in the northern regions are at a disadvantage as compared with people in other regions which are represented by Liberal members of Parliament.

In the central northern Elizabeth region, 345 hospital beds are available; in the central northern Tea Tree Gully area, 326 beds are available; in the central western urban region, 940 beds are available; in the central eastern Adelaide region, which takes in the electorate of the Minister of Health, we have the staggering figure of 2 815 beds available; in the southern urban area, 1 189 beds are available. I seek leave to have the figures inserted in *Hansard* without my reading them.

The SPEAKER: With the honourable member's assurance that it is purely statistical?

Mr HEMMINGS: Of course, Mr Speaker.

Leave granted.

HOSPITALS AND NURSING HOMES IN THE METROPOLITAN AREA BY REGION

Name	Hospital Beds	Nursing Home Beds
Central Northern—Elizabeth		
Recognised Hospitals		
Lyell McEwin	184	
Hutchinson	93	
Private Hospitals		
Central Districts	68	
Nursing Homes—Private Gain		
James Martin		16
Martindale, N.H.		43
Trevy, N.H.		27
Marron, N.H.		31
Total	345	117
Central Northern—Tea Tree Gully		
Recognised Hospitals		
R.A.H.	112	
Modbury	214	
Private Hospitals	—	
Nursing Homes—Private Gain		
Tea Tree Gully N.H.		33
Nursing Homes—Non Participating		
R.A.H.		125
Total	326	158
Central Western—Urban		
Recognised Hospitals		
Queen Elizabeth	692	
St Margarets	51	
Private Hospitals		
Western Community	104	
Hindmarsh Memorial	41	
Ashford	201	
Thebarton Community	30	
LeFevre and Port Adelaide Community	21	
Nursing Homes—Private Gain		
Greenglade		25
Landsdown N.H.		15
Orana W.H.		29
St Clavers N.H.		20
Tennyson N.H.		63
Western Community Hospital		35
Koolunga N.H.		21
Morpeth W.H.		23
Ravensbrook N.H.		16
Semaphore N.H.		10
Hayward-Charlton		40
Serene P.H.		31
St Martins P.H.		26
Weeroona P.H.		50
Allora P.H.		91
Western P.H.		47
Woodville P.H.		50
Westminster Village N.H.		25
Wesley House N.H.		44
Nursing Homes—Non Participating		
Ru Rua/Estcourt House		100
Nursing Homes—Deficit Financing		
Regency Park (Physically Handicapped)		70
St Laurence N.H.		53
Karingal N.H.		57
Flora MacDonald Lodge		49
Southern Cross N.H.		146
Spastic Centre		38
Totals	940	1 174
Central Eastern—Adelaide		
Recognised Hospitals		
Adelaide Childrens	300	
R.A.H.	1 107	
Torrens House	20	
Queen Victoria	174	
Private Hospitals		
Abergeldie	39	
Burnside War Memorial	81	
Kahyln	42	
Monrieth	22	
Calvary	218	
College Park	25	
East Terrace	31	
Fullarton	44	
Hutt Street	25	
Kiandra	44	
McBride	21	
Memorial	141	
Northern Community	63	
Parkwynd	41	
St Andrews	174	
Stirling District	42	
Wakefield Memorial	116	
North Eastern Community	45	
Nursing Homes—Private Gain		
Milford		90
North Adelaide P.H.		24
Winchester		54
Adaire N.H.		12
Anaster		42
Nontrose		46
Kensington Park		23
Victoria Park		20
Campbelltown		35
Francis		22
Glendale		25
Lewis		36
Norwood		35
Wynwood		36
Tara Private Hospital		24
Gloucester		23
Lima		33
St Georges		32
Wondai H.		20
Ashley		21
Avonmore		30

Name	Hospital Beds	Nursing Home Beds
Bellara		50
Botanic Park		20
Flinders		22
St Davids		22
St Peters		16
The Avenues		43
Arlington Private		29
Burnleight		20
Carinya		28
Kings Park		40
Minbrie		16
Ridge Park		48
St Clare		45
St Louis		45
Warwick		19
Nursing Homes—Non-Participating		
Magill Home		72
Salvation Army Parklyn		11
Home for Incurables		826
Nursing Homes—Deficit Finance		
Walkerville N.H.		87
Helping Hand Home for the Aged		131
Melrose House		14
Alexandra Lodge N.H.		31
Christian Rest Home		27
Resthaven N.H.		39
Milpara N.H.		70
North East Community N.H.		68
Clayton N.H.		49
Loreto Convent		5
Playford N.H.		82
Tappeiner Court N.H.		24
Aldersgate		144
Lutheran N.H.		68
Christian Rest Home		34
Dunbar Home for Aged		41
Lourdes Valley		79
Lutheran O.F.H.		49
Resthaven N.H.		33
War Veterans Home		26
	2 815	3 156
Southern—Urban		
Recognised Hospitals		
Flinders Medical Centre	471	
Kalyra	60	
Southern Districts	45	
St Anthony's	32	
Commonwealth Hospitals		
Repatriation	388	
Private Hospitals		
Blackwood and District	66	
Glenelg District	40	
Griffith	34	
Hartley	18	
Holdfast	19	
Pier	16	
Nursing Homes—Private Gain		
Halsbury		24
Harrow		21
Hawthorn		23
Mitcham		38
Rosenkath		21
Torrens Park		19
Reynella		31
St Catherines		17
Glenelg N.H.		23
Halcyon		50
Waterworth		31
Austral		209
Miroma		31
Oaklands		19
Abingdon		33
Ashwillow		15
Nursing Homes—Deficit Funded		
Allambie		50
Allhallows		51
Alwyndor		48
Cabra		9
Kapara		23
Masonic Memorial Village		128
Minda Homes Incorporated		25
Murray Mudge		25
Resthaven (Marion)		44
Resthaven (Westbourne Park)		35
Sunset Lodge		35
Resthaven (Kingswood)		32
Totals	1 189	1 110

SUMMARY OF REGIONS

	Number	Beds	Beds per 1 000 population
Northern Urban (Pop. 284 900)			
Recognised Hospitals	4	603	2.4
Private Hospitals	1	68	
Nursing Homes	6	275	.96
Central Western—Urban (Pop. 192 600)			
Recognised Hospitals	2	743	5.9
Private Hospitals	5	397	
Nursing Homes	26	1 174	6.1
Central Eastern—Adelaide (Pop. 202 800)			
Recognised Hospitals	4	1 601	13.9
Private Hospitals	18	1 214	
Nursing Homes	59	3 156	15.6
Southern—Urban (Pop. 228 500)			
Recognised Hospitals	4	608	5.2
Commonwealth Hospitals	1	388	
Private Hospitals	6	193	
Nursing Homes	28	1 100	4.9

Mr HEMMINGS: The Minister knows the answer in relation to the Para Districts hospital, and she knows it well, but so far has not had the courage to put it on record. I will take my time tonight to say it for her, and I challenge her, if she disagrees with me, to come into the Chamber and say otherwise. The people in the northern regions have got Buckley's chance of this Government's ever building the Para Districts hospital, or even upgrading the Lyell McEwin Hospital. The people of the northern region will continue to be treated as second-class citizens by this Government, because that is a basic political fact.

The northern region which would be served by a new hospital facility takes in four State electorates which return, with a solid majority, four Labor members, so this Government, which has told the State that this forthcoming Budget will be as tough as any which any South Australian Government will be required to bring down this century, will not be rushing to spend money in an area where there is no political kudos to be gained. The Minister, who regularly lectures the community on healthy living, is now prepared to abandon the people in the northern suburbs in the provision of adequate health care delivery services. The Loan reserves have been plundered to cover up a shocking deficit. Let us look at the history of health care in the northern suburbs.

I have been told that in the first stage the Lyell McEwin Hospital was designed by an architect who was not experienced in hospital design: the design was chosen as a cheaper alternative to something designed by architects who were experienced in that area. Therefore, in the first place, the hospital was considered to be inadequate. Since the early 1970s, the resident community of the Northern Adelaide Plains has been led to believe from one source or another that it could expect a new hospital to be built to satisfy the hospital-based health needs. In 1973, the Bright Report recommended a major hospital development to replace the Lyell McEwin Hospital. This need was recognised in 1977 by the South Australian Parliamentary Standing Committee on Public Works, which reported as follows:

There is a need for a new general hospital as well as a nursing home and rehabilitation centre in the Para districts.

Mr Oswald: That is an indictment of your Government.

Mr HEMMINGS: Following a submission by the Northern Metropolitan Regional Organisation and the Para District Health Services Advisory Committee in 1978, the then Minister of Health, the Hon. Don Banfield, stated:

We can say the Government is anxious to push on with the building of the Para District Hospital as soon as possible.

Of course, the Fraser Government, true to form, by withdrawing funding to the States under the hospital development programme, seriously damaged that time table. In 1976-77, this State received $30 000 000 for hospital development: in 1977-78, that sum was cut down to $5 120 000. What did we receive in 1978-79? Nothing! The member for Morphett said that that was an indictment of the previous State Government, but I would say that is an indictment of the Fraser Government. The State Labor Party still maintained that commitment. In July 1979, the then Minister of Health, the member for Elizabeth, while opening a public seminar stated:

In the first place, let me reassure you of the Government's commitment to building the Para District Hospital.

That commitment was carried forward by this Government, because, under its health policy, the Liberal Party stated:

The Liberal Party is aware of the need for hospital facilities as well as the growing need for geriatric and rehabilitation facilities in the local government areas of Elizabeth, Munno Para and Salisbury, and the northern metropolitan region generally. We will encourage the building of a hospital to serve the areas with adequate free beds subsidised by the Federal Government, as agreed, being mandatory to the project.

Secondly, a report prepared by consultants of the Health Commission, Messrs Brewer Smith and Brewer Maxwell in association with Kinhill Planners Pty Ltd, which was released in May 1980, agreed with this and recommended to the Government that a new community health complex, including ambulatory care, acute hospital services and extended care should be provided for the Elizabeth subregion, preferably at the Elizabeth town centre. There was a commitment by the previous State Labor Government and by this incoming Liberal Government. That was backed up by a recommendation by the consultants who investigated the matter.

The report also stated that the number of acute beds in the new complex should be deferred until the impact of the central districts private hospital could be assessed. This is where the dishonesty and deception of the Minister comes in. Notwithstanding the overwhelming evidence that there is a need for a major public hospital in the northern regions, we find that the Minister has announced that another survey is being carried out. It is being carried out, as the Minister told us, to identify the needs of the community, especially those of the disadvantaged.

I remind the Minister again that I have made many speeches in this House about the disadvantaged in my area, and no-one seems to listen. Let me remind the Minister of the plight of the disadvantaged residents of the region; they are the visible ones, who are measured by those receiving pensions, unemployment and other benefits, and who represent over 21 000 persons in the northern region classified as being disadvantaged. That represents a ratio of one to seven.

Obviously, members opposite are not really interested in that. They do not represent electorates that carry those numbers of people who are disadvantaged. This ratio can only worsen in the future as the region's proportion of aged persons, which is about 5 per cent at the moment, catches up to the Adelaide metropolitan average of 9.5 per cent. I will quote from a press release that the Minister made when she announced that yet another survey of consumer needs was to be carried out in the northern region. The Minister said:

Local councils in the area had lent financial support to the project, contributing up to $8 000 towards its cost. Councils involved were Elizabeth, Gawler and Salisbury. The Central Districts Private Hospital would also give financial support. It is very heartening to see local government and private involvment through the Para Districts Health Service Advisory Committee.

The Minister went on to say things that have been known by the Health Commission since 1976. She said:

The main focus of the survey would be on consumer-felt needs and expectations relating to hospital and other health services.

The Hon. R. G. Payne: Does that mean plenty of apples?

Mr HEMMINGS: You could say that, because the Minister had always gone on record saying that we need to eat fresh fruit. The sinister point about this is that the Central Districts Private Hospital was giving financial support to the survey. The Central Districts Private Hospital has grown from an initial 64 beds to 110 beds. Originally, the hospital dealt only with surgical and maternity cases. I understand that it now intends to enlarge its operation to that of a general hospital, providing full hospital-based services, and will expand to include a further 42 beds. I am also given to understand that it has held discussions recently with the Health Commission and the Minister. The latest survey will not be completed until October this year, so that any decision to provide a facility as recommended by the Health Commission's consultants cannot be included in this year's Budget.

When local government in the northern region considered the application for a private hospital, fears were voiced to the then Government that that project would affect the building of the Para Districts Hospital. To its credit, the previous Government said that it would have no affect at all, because it would be dealing with surgical and maternity cases only. We have now a private facility which will be in competition with any proposed public facility such as the Para Districts Hospital or the community health complex, as outlined and recommended by the consultants to the Health Commission.

It is interesting to note that when the Health Commission, the Government and the Minister were dealing with a hospital in your own area, Mr Speaker, they were very quick to come down and allocate the money for a new hospital to be built in Kadina. That was a political decision, and I do not deny the fact that you, Mr Speaker, can now go to your constituents and say that the Government is providing a needed health service in your area. However, in my area and in the areas of the members for Salisbury, Elizabeth and Playford, there is no such decision. For political reasons, the Government has decided that it will not take any action whatsoever. I again challenge the Minister to come into this House and deny this. I predict that ultimately the Minister will announce that, with the increased facility offered by a private hospital and the fact that the community will be forced to take out hospital cover, a public facility is just not on.

As far as the Minister of Health is concerned, the 21 000 people in my electorate can be damned. The Minister is well aware of the concern of local government regarding the Para Districts Hospital. A delegation of the northern region has been to the Minister. Recently, I received a letter from the Corporation of the City of Elizabeth. Although I will not read all the letter, I think that one paragraph shows the concern of local government in the northern region. It states:

The continuing delays and further consideration by the health Commission on the matter of building a new hospital or the upgrading of the Lyell McEwin Hospital are a cause for concern. With the tight money situation there is a real cause for a pessimistic outlook.

That reflects the view of every local government body in the northern region. What reply did the Minister give to

the Elizabeth council regarding whether or not she would make a decision concerning the Para Districts Hospital? The Minister stated in part:

At a deputation I received from the northern region of councils, which included representatives from the City of Elizabeth, I intimated that the uncertainty surrounding Commonwealth health funding arrangements and the dearth of funds available from capital works made it rather difficult to reach a decision at this time. I also indicated that I would ask the Health Commission to give this matter further consideration.

That is the situation now. We have a health survey which is not due to be brought down until October this year. We have the Premier saying, in effect, that the worst Budget is going to be brought down. There are 21 000 disadvantaged people who will be forced to travel to the Royal Adelaide Hospital or other metropolitan hospitals, and who will not be able to use the Lyell McEwin Hospital. It seems that we have some collusion between the Minister of Health and the Central Districts Private Hospital which will mean that those people in my area (in the northern region) will be channelled into the Central Districts Private Hospital, which is set up for gain and gain only. The disadvantaged people will have to make their own way as best they can.

As far as I am concerned, this is an important issue. The previous State Labor Government made a commitment. The incoming incompetent Liberal Government stated in its health policy that it would maintain or ensure that there was an adequate health facility in the Northern Para Districts region. It is about time that the Minister of Health stood up in this House and said one way or another whether or not that area is going to get its hospital. I say that it is not going to get it because this Government has no intention of providing a hospital in the Para Districts region. I challenge the Minister to come into the House and deny what I am saying or to make a statement which will give some reassurance to the community in general in the northern region and to local government in particular.

Mr ABBOTT (Spence): I want to address my remarks tonight to the matter of small businesses, and I think that the Government should offer more assistance to the small business operators in South Australia. I want to support my colleague the Deputy Leader of the Opposition in his move for a Select Committee inquiry into small business problems. There is no doubt that the Government is only paying lip service to the plight of small businesses in this State, and it places small business policies so low that it will not even consider the genuine attempt to tackle some of the problems that they face, as has been proposed by the Deputy Leader.

It was interesting to note that, following the Deputy Leader's Address in Reply speech, the South Australian Government has now called on the Commonwealth to provide more funds to help small business. It is reported in the *Advertiser* of last Saturday that the Minister of Industrial Affairs (Mr Brown) made the call at a meeting of Federal and State Industry Ministers in Adelaide. The report states:

Mr Brown told the meeting the money should be made available through the Commonwealth Development Bank.

He said the policies of the bank should be modified to allow more cash for the restructuring of small businesses and the provision of working capital and for greater risks to be taken by the bank.

There should be Federal Government guarantees for loans to provide working capital for small businesses through the normal banking system.

These measures should be accompanied by Federal Government action to encourage trading banks to give a reasonable proportion of their funds for loans to small businesses.

Mr Brown said the Federal Minister for Commerce and Industry, Sir Phillip Lynch, had undertaken to have the matters raised by South Australia discussed at a Federal level.

At least Sir Phillip Lynch has agreed to have the matter discussed at Federal level but, judging by the inaction of the Federal Government and the fact that this State Government will not stand up for South Australia by taking on the Fraser Government, little can be expected from the belated call by the Minister of Industrial Affairs.

Just two weeks ago a gentleman living in the Hindmarsh district came to see me about the official notice that he had received from Westfield Shopping Centre management Co. Pty Limited, of Sydney, advising him that the lease for the premises in which he conducts his business expired on Wednesday 30 September 1981 and that the lease would not be renewed. My constituent and his wife have been operating a delicatessen business in shop No. 76 at the Arndale Shopping Centre, Kilkenny, for approximately three and a half years. On 31 July my constituent received a letter dated 29 July 1981 from the General Manager of Westfield Shopping Centre Management. That letter stated:

Re: Expiry of lease of shop No. 76 at Westfield Shoppingtown, Kilkenny.

This letter is to formally advise you that the lease for the above premises expires on Wednesday, 30 September 1981, and that the Westfield Board of Management as head lessee of Westfield Shoppingtown, Kilkenny, do not wish to renew the lease which is currently held by you and hereby give you two (2) months notice to take effect from 1 August 1981.

We point out your obligations pursuant to item 6, clause (B) of the lease to peaceably yield up and surrender the premises on the termination of the lease, we also point out item 6, clause (C), section (vii) of the lease. Please advise the Centre Manager, Mr Barry Bullen, of when the removal of all fixtures, fittings, including shopfront and illuminated sign, will take place and the completion date. All due moneys are to be paid, excluding any adjustments on outgoings, overages and electricity, the accounts for which will be forwarded on the completion of the adjustments and calculations. Please advise of your forwarding address for any correspondence which is to be forwarded after your vacating the premises.

The letter was signed by Westfield Shopping Centre Management Co. Pty Ltd. My constituent informs me that they will not give him any reason as to why his lease will not be renewed other than to say that the premises are required for other purposes. It is quite obvious, however, that they are not happy with his business profit, from which they take a percentage, yet he has built the business up progressively over the past three years, as is shown by the audited turnover figures provided by his accountants, S. Savas & Associates.

In reply to the Federal member for Hawker, Mr Ralph Jacobi, M.H.R., who is endeavouring to assist in this matter, the accountant enclosed in conformity with his client's request copies of audited turnover certificates for the period commencing 9 January 1978 and ending 31 December 1980.

As stated in the reports, business turnover during the said period was as follows: from 9 January 1978 to 31 December 1978 it totalled $122 632; from 1 January 1979 to 31 December 1979 it totalled $127 724; from 1 January 1980 to 31 December 1980 it totalled $132 136. According to the audited records for the period commencing 1 January 1981 and ending 31 July 1981, the turnover for this period amounted to $80 220. It was also indicated that business turonver for the year ending 31 December 1981 would be in the vicinity of $145 000. This information had also been sent to the accountant of Jones, Lang and Wootton and the Centre Manager at Arndale.

Despite the fact that those figures clearly show an increased business turnover each year, the Westfield Board of Management, as the head lessee, will not renew the lease and as a consequence the proprietor and five female staff will become unemployed. What disturbs my constituent mostly, however, is that he himself will not only find it extremely difficult to find employment but he will be

required somehow to continue paying off the mortgage on his home and the business, which I understand came under the one loan agreement, and which presently amounts to $250 per week. Here is a small business man, who states that he was making a very satisfactory living, being thrown on to the unemployment scrap heap, including five others, without any reason at all being given. Perhaps he was not making enough profit to satisfy the greed of the multinationals.

I will refer now to an article which appeared in the first edition of *Probe,* Australia's only national consumer newspaper. The article is entitled 'Consumers pay for soaring small shop rents' and states:

The large Indooroopilly Shoppingtown complex in Brisbane is the scene of a bitter public row between small retailers and its landlord, Westfield Holdings Limited. The small retailers claim they are being ruined by excessively high rents—'rented out of existence'—while the large groups such as Woolworths, Myer and Target receive favoured rents from Westfield.

There's a similar picture throughout Australia. Small retailers are beginning to buck at what they consider to be excessive rental demands by large corporate landlords. In one shopping complex, small retailers occupy only 30 per cent of the total floor space, yet pay 70 per cent of the total yearly rent. A South Australian Government report says that small retailers in shopping centres in every State have complained about rent and their lack of bargaining power with landlords.

In New South Wales the Chamber of Commerce and Industry has responded by establishing a small business committee to investigate the complaints of minor tenants. And in Western Australia the Building Owners and Managers Association is attempting to get landlords to follow a set of model lease arrangements. No State Government has yet ruled out the possibility of future intervention if the problem persists. The Queensland Small Business Development Corporation is investigating complaints against 16 shopping complex operators and is now preparing a report for the Queensland Cabinet.

In South Australia, complaints by small retailers of oppressive clauses in leases have led to a Government working party recommending legislative action. The most insidious activity of corporate landlords is to attract tenants to a centre by low rents and then unexpectedly impose a heavy increase once the tenants are established. Excessive rentals are not only forcing small retailers to the wall but also forcing up prices for consumers. The only winners in the shopping centre rental dispute raging around Australia so far have been the large corporate landlords. Legislative action is inevitable unless landlords renegotiate fairer deals with their tenants.

The Deputy Leader has quite rightly pointed out that the small business sector is an especially important employer in the wholesale and retail industries and that, unless that sector is encouraged to grow, employment will continue to fall behind and South Australia will continue to remain the State with the highest level of unemployment. If a Select Committee was established it could examine all matters of rent, profitability, viability and the fairness of lease agreements, etc. It would thus offer some ray of hope to small business operators.

On 18 August the Minister of Industrial Affairs, in a Ministerial statement to this House, criticised me with respect to a comment I made about the Government's assistance to Gerard Industries Proprietary Limited and Detmold Packaging. My prime concern about the expansion of these industries was the effect it would have upon the residents living in the homes sold by the Government to these industries and the broken promise to assist them with rehousing. The Minister stated that I had criticised the Government for its lack of consultation with the Hindmarsh council in respect to this matter. I have an official document in response to the Minister's statement which has been endorsed by the council and I will quote it to the House because of its relevance to this particular Bill. The document states:

In late August 1980, an ad hoc committee comprising representatives from council, the then Department of Urban and Regional Affairs and the Highways Department adopted a programme for investigation of several study areas containing land surplus to transport requirements. These investigations enabled the committee to prepare a joint report for consideration of these agencies prior to forwarding of a report to Cabinet in accordance with recommendation 11 contained in the Hindmarsh Report, and endorsed by Cabinet.

In order to report to the ad hoc committee and council, on an appropriate development strategy for Detmold Industries, council's planner had discussions with Detmold Industries in September 1980, and following these discussions, Detmold Industries made contact with the Department of Trade and Industry to seek their assistance in preparing a development plan to be endorsed by council, and so enabling the transfer of surplus Highways Department land in accordance with the development plan.

A detailed report outlining the progress of work in seven separate study areas was presented by council's planner to council on 27 October 1980. In respect to land in the vicinity of Detmolds, it was reported to council that the Department of Trade and Industry were working with the company toward a development plan for council consideration, but that proposals were in the 'melting pot'. Assurances were given that council would be fully informed as to the progress of arrangements between Detmolds and the Department of Trade and Industry. As a result of this report, council wrote to the Ministers of Transport and Planning informing them of the progress of the ad hoc committee and its resolutions in regard to the seven study areas examined. As no Detmold development plan had yet been prepared for council's consideration by the Department of Trade and Industry, council made the following request:

> That Cabinet be requested to defer release of the land in this area until the Department of Trade and Industry have completed negotiations with Detmolds and the council has had the opportunity to examine the proposals.

Numerous requests to officers of the Department of Trade and Industry were made by council's administration to ascertain the progress and direction of discussions with the company, but no useful information was forthcoming. After nearly eight months, officers of the Department of Trade and Industry held their first meeting with the Town Clerk and Town Planner to explain their proposals worked out with Detmold Industries. They requested an early meeting with council to introduce their proposals for Detmold Industries and to confirm proposals for the release of surplus Highways Department property in other areas.

Council met with officers from various Government agencies at a special meeting of the Planning and Development Committee on 4 May 1981. While councillors expressed satisfaction over the arrangements for the disposal of land in most areas, considerable dissatisfaction was expressed at the sketching proposals for Detmold Industries. After waiting eight months for a detailed development plan from officers of the Department of Trade and Industry, councillors were simply told that arrangements had been made for the transfer of all surplus Highways Department property to the company.

No indication could be given of the extent, nature of likely staging of the planned expansion. In other words, after eight months there was still no development plan for council's consideration. Similarly, no answer could be given as to what constituted assistance to rehouse tenants displaced because of industrial expansion. It was, in fact, unfair to expect councillors to agree on the release of property to Detmold Industries while there was still no plan for the orderly development of the company and adequate provisions for tenants.

Council's planner made it quite clear at the meeting that council was being asked to support the decision to release the land without an overall development plan. He stated that council would still be free to consider controls on development through its zoning regulations, even though it was preferable to have agreed on a development plan first.

At the next meeting of full council on 11 May 1981, council in fact resolved:

> That before council gives its views in respect to the proposed transfer of Highways Department land to Detmold Industries, it asks that a committee be established . . . to obtain further information in connection with the development of Detmold Packaging . . .

Letters requesting the appropriate State agencies to nominate representatives to the proposed committee were sent out on 14 May 1981. After nominations were received, council planner endeavoured to arrange a meeting as early as possible. The nominated representative from the Housing Trust was unavailable because of annual leave until 9 June 1981. It was agreed between council's planner and departmental representatives that, as one of council's main concerns was clarification of housing assistance to tenants, the meeting be postponed until his return. On the return of the Housing Trust representative, a meeting was arranged for the following week—18 June 1981. This meeting was cancelled at short notice because it was unsuitable for two representatives.

A report was subsequently prepared for the next meeting of council on 22 June requesting that a meeting date be fixed. The first convenient date for all representatives to attend was on 9 July 1981. The Minister's claim that delays thwarting the resolution of the Detmold Industries issue were caused by council's planner or the council itself is clearly untrue. Furthermore, it appears that officers of the Department of Trade and Industry have ill advised the Minister in order for him to make such a claim. Unfortunately, the most likely explanation is that there was a need for a 'scapegoat' for shortcomings within the Minister's Department of Trade and Industry.

Council considers it regrettable that the issue is being used politically and that the council's actions are construed as being obstructive. The endorsement of a development plan for the expansion of industry is primarily a planning issue. However, the fear of residents, either directly affected because of tenancy in Detmold Industries owned housing or other residents in areas within the vicinity of the industry, is obviously a matter of grave importance to local councillors.

Resolution of this issue has been delayed largely because of deliberate secrecy and inadequate communication by officers of the Department of Trade and Industry toward other Government departments, councils and local residents. A more open approach undertaken in the spirit in which the council intended to plan for the future well-being of Detmold Industries and surrounding residents could have seen this issue settled objectively many months ago.

It is clear that misunderstandings have occurred between all parties on this issue and it is now apparent that:

1. Council and tenants' fears over adequate provision of housing have been resolved satisfactorily to the credit of Detmold Industries.
2. That, while council had logically expressed a clear intention to have Highways Department land withheld from disposal until development plans had been agreed to, this had not been achieved. Council has therefore exercised its land use control powers to see that orderly and proper planning is carried out.
3. That the development plan submitted by Detmold Industries to the meeting of the joint committee on 14 August will enable council to readily consider this proposal and to frame a development plan agreeable to the company, local residents and council, to foster a more efficient expansion of the company and a better relationship between the company, residents and council.

It must be emphasised that at no time has it been the policy of council to hinder the rightful and proper expansion of industry within Hindmarsh. The initiatives council has taken over the past few years have been in recognition that problems do exist in the town where there are competing interests between industrial and residential land use. Council has always recognised the important role industry plays in the function of the town. Therefore, all past and future planning initiatives are embarked upon with the intention of resolving existing conflicts and encouraging the efficient use of land and property in appropriate areas, hopefully with the active involvement and encouragement of the Government.

However, in the light of the ill-informed comments of the Minister, we have our doubts. It is sincerely hoped that the misunderstandings and division on the Detmold Industries issue will be resolved without further delay and that any division on this issue does not prejudice council's relationships with other industries within the area or Government agencies is not detrimentally affected.

It is clear from the dossier that the Minister has misled the House on this matter, and as a consequence he has misled the people of the State. I sincerely hope that the Minister apologises to the House and that the Government will get on with the business of providing adequate housing alternatives for the people who are affected, as well as for the many thousands of people who have been waiting for rental accommodation for far too long.

Mr WHITTEN (Price): I also support the Supply Bill that was introduced by the Premier last Wednesday to provide $310 000 000 to enable the Public Service to carry on until the Budget is passed. I draw to the attention of the House the redevelopment that has taken place at Port Adelaide. This redevelopment has been going to occur for many years and now it is really happening, all thanks to a Labor initiative that was taken in 1975.

Mr Randall: How much will it cost the State Government?

Mr WHITTEN: If the member for Henley Beach would hold his tongue for one moment, he would find out. To put him out of his misery, I will tell him that initially $903 000 was provided by the State Labor Government of the time, and $440 000 was provided by the Port Adelaide corporation.

Mr Randall: What's that got to do with this Bill?

Mr WHITTEN: For God's sake, Mr Deputy Speaker, can you not control the fellow from Henley Beach? He does not understand. He has asked what this has to do with the Bill, and I am trying to tell him. State money is being provided. A project manager has been provided by the Department of Environment and Planning, and planners are involved in the project. The honourable member is so dumb that he cannot understand that those services must be paid for.

The DEPUTY SPEAKER: Order! The honourable member must not refer to the honourable member for Henley Beach in that fashion. He must not personally reflect on the honourable member.

Mr WHITTEN: I apologise to you, Mr Deputy Speaker, and I withdraw and say that the member for Henley Beach is not dumb—he does not understand, and he does not want to understand.

The DEPUTY SPEAKER: Order! I also point out that the honourable member for Henley Beach is out of order by interjecting.

Mr WHITTEN: Thank you, Mr Deputy Speaker. After the rude interruption, I will continue. In 1975, the State Labor Government agreed that there would be redevelopment at Port Adelaide. A certain sum was provided and each year it is necessary to provide money for those people who are employed in the Department of Environment and Planning.

Mr Mathwin: That has nothing to do with the supply of money.

Mr WHITTEN: I do not want to answer the member for Glenelg, but I will do so if he keeps on with these silly interjections.

The SPEAKER: I suggest to the honourable member for Spence that he continue relating his remarks to the appropriation of $310 000 000, and I point out to the honourable member for Glenelg and other honourable members that all interjects are out of order.

Mr WHITTEN: I want to give some of the history of this matter and why it is necessary for the redevelopment of Port Adelaide to go ahead. In the early 1960s the Liberal Government also had a plan for the redevelopment of Port Adelaide. In 1962, a report of the metropolitan area of Adelaide designated the traditional centre of Port Adelaide, generally bounded by Leadenhall, The Minories, North Parade and the Wharfs 2 to 4, Todd Street, Lipson Street and Commercial Road, as a district centre. This Government has now designated Port Adelaide back to a district centre, when it was a regional centre.

In 1975, a committee was set up of the Port Adelaide Corporation in conjunction with the State Planning Authority. The committee put out a plan and asked the community to comment. That plan, having been favourably commented on by the people in the community, has gone ahead, but only after a lot of trials and tribulations because of the development that took place at West Lakes, and then later the problem with the land at Queenstown that was owned by Myer Ltd, which did not get planning approval for a shopping centre. We have now, in the course of several years from 1975, got something in Port Adelaide which is very good.

In 1976, the Monarto Commission made a model of Port Adelaide, including a plan for a mall. We have that mall. We have a market in Port Adelaide at which any produce

whatsoever can be bought. You can buy groceries, fish, meat, footwear, craft goods, and all manner of things. In 1979, just after the defeat of the Labor Government, the Minister of Environment and Planning opened the first stage of the Port Mall.

Mr Mathwin: A mall means you are a dirty member.

The Hon. Peter Duncan: What about a moll?

The DEPUTY SPEAKER: Order! I do not think this conversation across the Chamber is necessary. I ask the honourable member for Price to continue relating his remarks to the appropriation.

Mr Mathwin interjecting:

The SPEAKER: I warn the honourable member for Glenelg.

Mr Mathwin interjecting:

The SPEAKER: I warn the honourable member for Glenelg a second time.

Mr WHITTEN: As I was saying, that mall was opened by the Minister of Environment and Planning and he paid tribute at the time to the initiative that was shown by the previous Labor Government. Unfortunately, since that time, there have been two or three further openings.

There was one last year, when the Minister of Recreation and Sport opened a recreation centre in Port Adelaide which is one of the best recreation centres anywhere in the metropolitan area. If the Minister would only listen to what I am saying, I intend to praise him, because he also referred to the initiative taken by the Labor Government. He said that the previous Minister of Recreation and Sport, the Hon. Tom Casey, had shown considerable forethought in negotiating with the Port Adelaide council to ensure that the people of Port Adelaide did have a recreation centre. Since that time a new part of the mall was opened, this time by the Minister of Environment.

What concerns me greatly is the political bias that has been shown by some members of this Government by not recognising the member for the district. That has happened a couple of times, and the last time it really hurt. With the money provided by the Housing Trust, 12 new cottage homes have been built, and they are beautiful homes. They were opened by the Minister of Housing last Friday. The Housing Trust sent out invitations to many people. It sent invitations to the Mayor of Port Adelaide, councillors and aldermen, and rightly so, and also sent an invitation to the Federal member for Port Adelaide. It sent an invitation to the member for a district adjoining mine, but it did not send an invitation to me as member for the district. I claim that that shows political bias; knowing that the Liberal Party has no hope whatsoever of winning the electorate of Price, the Government believes that it will be able to exert some influence in Semaphore. That is my reckoning, and I felt deeply hurt that I should be ignored in my own district.

Mr Oswald: It was an oversight.

Mr WHITTEN: I can accept that sometimes there is an oversight. I accepted that once and did not say a word about it, but on the second occasion that it happened (last Friday) I was disgusted. I never thought that the Minister of Housing would be that way; he may not be that way, but I am sure that his officers in the Housing Trust who are responsible would have submitted a list to him so that he could refer to those people when he was speaking. I believe that he named about 30 people that day, but the member for the district was totally ignored. What really hurts is that I believe I have made a great contribution to the redevelopment of Port Adelaide.

Before the Labor Government showed the initiative, I was making representations on many occasions to the then Government, and in late 1975 the matter came to fruition. All that aside, I compliment (and I do not often pay compliments to opponents) this Government on carrying on what we started in 1975. It has a long way to go yet, because great things can happen down there. A lot more housing is to be brought into the centre of Port Adelaide. Next Tuesday, 1 September, a large property is to come up for auction—the Kauri Timber Company property. It has been a timber yard for the last 95 to 100 years.

It has not operated as Kauri all the time, but the Government has changed the planning to ensure that the Kauri timber yard will in future be for housing only. Mr Acting Speaker, if you know Port Adelaide, you will know that the Port River bounds the Kauri site. I envisage that the Government could buy that site and we could have town houses built in the same way as those at West Lakes. We could have marinas there, each property owner having a little marina of his own. I believe it would be a great thing for Port Adelaide.

I doubt that this Government would have the money or that it would want to buy or develop that property. I believe that a developer would buy it and then seek support from the Government to continue the redevelopment, because that is part of the redevelopment area that goes right down to the Port River.

Regarding redevelopment, around about 1978 a project manager was appointed. He was a man named Hugh Davies, and he is still employed in the Department of Environment and Planning. I think he has done more for Port Adelaide and its redevelopment than any other individual has done, and I do not say that I have done any more than Hugh Davies has done.

I would be greatly concerned if the Supply Bill was not passed, because he is the main driving force in Port Adelaide and there would be no money to pay his salary, so I can link that up again with the necessity to provide the Public Service with money. I give another instance to the member for Henley Beach of why I am supporting this Bill and talking about the redevelopment of Port Adelaide.

Since the start of the redevelopment there, the Labor Government built the Department of Marine and Harbors building there. Many employees of that department were moved out of Victoria Square and are now working down there in the Department of Marine and Harbors building. The State Government Insurance Commission has erected a building there. It is the first one erected by S.G.I.C. outside Adelaide. That is a great building, and it is providing great service for the people of Port Adelaide, in as much as it houses not only the insurance office but also the Department for Community Welfare and the Motor Registration Division.

The Hon. W. E. Chapman: Do you recall that opening that we attended there?

Mr WHITTEN: Yes, I do recall the opening.

The Hon. W. E. Chapman: What was the name of the mayor of the council who put on that tremendous spread for us that day?

Mr WHITTEN: That tremendous spread came from a hotel outside my district, the Largs Pier Hotel, which is conducted by a person who was a great Port Adelaide footballer. His name is Sandy Virgo. He is only a distant relative of the former Minister of Transport.

This Bill will also provide money for the new Department of Further Education college which is being built in Port Adelaide. That is an initiative taken by this Government,

and I say that it also is something that is very necessary. The one thing that the Government has been very remiss about is preserving the history of Port Adelaide. It is very necessary to have a nautical museum there. It is wrong for South Australia to lose its history as it is doing. Port Adelaide should have a home for the ship which has now been taken from near Port Adelaide to the South Australian Film Corporation and which will be used in the film *For The Term of his Natural Life*. It is necessary that, when the film is complete, this ship, the *Annie Watt*, be returned to a home in Port Adelaide where it can be kept for ever more.

It is also necessary for the last steam tug on the Port River to have a home. I hope that it goes to Cruikshanks Corner. I believe that in the very near future this Government will make a decision to enable the nautical museum to come into existence.

The Hon. R. G. Payne: Is Dick Glazbrook going to open it?

An honourable member: It's not the naughty museum, it's the nautical museum.

The DEPUTY SPEAKER: Order!

Mr WHITTEN: I do not wish to comment on that one, either.

The DEPUTY SPEAKER: No, the honourable member would be completely out of order.

Mr WHITTEN: I would think that the Minister of Transport would be very interested in the new bridge that will span the railway line at Port Adelaide. Over the last week or two I was pleased to see that some preparations have been made in relation to that bridge, because if the present situation is allowed to continue very much longer I am afraid that there will be a bad accident in that area. There has been a report that in one area of the bridge forty per cent of the pylons are rusted out. In another part it is thirty-three per cent. The bridge has been jacked up, but I am pleased to see that the new bridge will not be constructed in the same way as was the old one. It will be a good job, and the Minister of Transport should take a fair bit of interest in it.

I was sidetracked when I was talking about the Kauri job. Next Tuesday I will be very interested to see whether the State Government bids for that site or whether a private developer bids for it, and then I will be interested to know what plans are made. I believe that that site will sell for a very high sum, but it will help Port Adelaide if the right developer purchases it.

I have spoken about how badly a Minister and one of his departments behaved last Friday. I hope that the Hon. Mr Hill will say that it was not his fault and an officer was at fault, and I hope that that officer will have a good excuse. With those few remarks, I support the Bill.

The Hon. PETER DUNCAN (Elizabeth): Mr Deputy Speaker, I remained seated for a moment waiting for the 'Hear, hears!' from members opposite, who have shown great enthusiasm for my welfare over recent days.

Mr Randall: We are waiting to hear the 'Hear, hears!' from your side.

The Hon. PETER DUNCAN: There is plenty of support on this side.

The Hon. W. E. Chapman: After all your performances, you still have some support? That is charity, to say the least.

The Hon. PETER DUNCAN: If the Minister is prepared to wait for a few minutes he will be pleased to hear me have many interesting and relevant things to say. If he sits quietly he will have his patience well rewarded.

The Hon. W. E. Chapman: Don't bore us to tears about Nigel Buick again.

The DEPUTY SPEAKER: Order! I do not think the member for Elizabeth needs the assistance of the Minister of Agriculture.

The Hon. PETER DUNCAN: No, Sir, and I do not find Mr Nigel Buick boring, either. Apparently the Minister does, but I certainly do not. If I can take the opportunity to get a word in between interjections from the Minister, I wish to make some reference to the Bill now before us. That Bill, of course, being a Supply Bill, provides money for the running of the services provided by the Government of South Australia. What service could be more important and more fundamental to the people of this State than the Police Force? I wish to say something about the question of the disappearance and subsequent alleged activities of one Colin James Creed, a now suspended detective of the South Australian Police Force. I have been following this particular matter with great interest.

Mr Lewis: You've got an interest in the matter, have you?

The Hon. PETER DUNCAN: No, and to make sure that the honourable member gets this point very clear, I have never met Colin James Creed and, to my knowledge, I am not acquainted with anyone who knows him personally.

Certainly, to my knowledge, I do not know any of his family; nor have I been in contact with any such people. Again, against the difficulties presented by Government members, to link my comments with the Bill, I point out that on 25 May Chief Superintendent Ken Thorssen said that police regarded the capture of the detective wanted for the two armed robberies as a high priority task, and he went on to say how much of the resources of the South Australian Police Department were going into this particular matter.

What concerns me about this matter is that there are a number of strange contradictions. Initially, I want to deal with some contradictions that have occurred in the numerous reports that have appeared in the Adelaide press concerning the hunt for this alleged offender. Briefly, the history of the matter is that this detective is alleged to have committed two robberies and, subsequently, is now alleged to have committed a rape and possibly other offences whilst on the pay-roll of the South Australian Police Force. He had been a police officer for a period of over 10 years. On the night before his disappearance, to use a neutral term, there seems to be some conflict about just what happened.

One report dated 27 May 1981 stated that the Police Commissioner, in a statement, said that investigations caused Detective Senior Constable Colin James Creed to be questioned in relation to those two offences on 21 May 1981, and that after the questioning of Creed inquiries by senior detectives and commissioned officers continued. Creed failed to report for work on the morning of 22 May. That is as it may be, but another report on 22 June 1981 stated that the warrants were issued on 22 May, but that police were unable to find Creed, who had been attached to the Fraud Squad. The previous night Creed had been asked to take part in an identification parade, and senior police believe that he then became aware that they suspected him of armed robbery. Several items were seized from his premises. Warrants were issued following examination of these items, but Creed did not arrive for work and could not be found—a wise fellow under the circumstances, one might comment as an aside.

There is obviously a quite interesting contradiction in the two stories that have been printed in the press, and that contradiction ought to be sorted out and cleaned up very smartly because information I have, in fact, is that Creed was not in fact questioned as such. He was asked to present in an identification parade but he was told he was appearing in the identification parade merely as an extra, as it were,

in a parade where the intention was to identify some other person. The unfortunate allegation that has been made to me by a police officer is that Creed was tipped off from within by other police officers, and the result of that was that he was able to make good his escape.

Now, following other information, I am more concerned about two other matters. First, this police officer has brought great shame on the Police Force in South Australia. I can well understand the anger and anguish, for that matter, which many senior police officers feel in relation to him. That, in my view, does not excuse the fact that the police quite obviously have conducted a publicity campaign in relation to this fellow—a publicity campaign which I believe will almost certainly ensure that, if he is captured alive (and I will have something to say about that in a few moments, because I have some grave doubts about that), I have serious doubts about the possibility of his now obtaining a fair trial in South Australia.

All the widespread publicity has been in terms not of an alleged robber or anything of that sort. I am not allowed to hold it up, but in the *Advertiser* of 25 May 1981 the headline extraordinarily states 'Robber's capture priority'. Today's *News* headline states 'Rogue detective disguise master'. Every member can appreciate the sort of impact that those headlines and others would have on the South Australian public. In my view it will now be virtually almost impossible for a person who has had this sort of publicity to obtain a fair jury trial in this State, or in Victoria or in New South Wales, for that matter, where similar types of publicity have occurred.

It has been quite disgraceful, and I think that the way that this was perpetrated bears no credit on the Police Force because, in fact, the only reason why his name and personal details could be published was that the Police Commissioner made a request that these details be published pursuant to the Wrongs Act. In doing so, he has given the press *carte blanche* to publish such matters. They are some of the concerns that I have about this matter.

However, the graver concern that I have relates to the information that he may have about other members of the Police Force and other activities of an illegal nature that have been undertaken by other police officers in South Australia. Now, of course, Creed has nothing to lose. He can quite easily, for whatever purpose, provide information on the activities of other police officers. I believe the fact that he is in possession of that information, and the information that I understand which he has and which he may now well feel disposed to present if captured alive, places him in a position where he is of considerable threat not only to the reputation of the Police Department generally but, more particularly, to the futures and careers of certain other police officers.

In those circumstances, I believe that steps ought to be taken to try to ensure that, when he is apprehended, Creed is arrested and not executed. That might be strong language, but anyone who has followed the history of the New South Wales Police Force—and just so that I can link up my remarks, I mention that there are extradition treaties or arrangements between the States, whereby funds are paid from one Police Force to others throughout Australia for purposes such as investigations into the whereabouts of persons such as Mr Creed—will appreciate the point I am making.

I want to refer to the sad case of Mr Warren Lanfrancini, of N.S.W., who was shot while allegedly being arrested. He was a drug trafficker who apparently, according to the information that is available, had been doing some trafficking in drugs on behalf of certain N.S.W. police officers. There is no honour among thieves, of course, and apparently he was not simply trafficking in police drugs but was also cheating the cops. When they found this out, they decided to—

The Hon. W. E. Chapman: The police, you mean.

The Hon. PETER DUNCAN: I am sorry—the police. When they ascertained this, they decided to take some action in connection with the matter and, while they were 'attempting' to arrest him, he was shot dead. Then there was Philip Weston, a convicted bank robber, or an armed robber, anyway, who again had been conducting robberies, it was alleged, with some assistance from the N.S.W. Police Force—or some officers of the N.S.W. Police Force; I hasten to correct that. Although he had a long record, strangely, he was able to obtain bail and he continued on his merry way with further armed robberies. Unfortunately, however, in one of them he shot someone, and apparently that was outside the terms of the arrangements that he had with the N.S.W. police.

Mr Gunn: These are very serious allegations you're making.

The Hon. PETER DUNCAN: They have been well reported interstate. When it came to arresting him, the police actually had him under surveillance in a telephone booth, but waited until he had returned to the house where he was living. There was a shoot-out, and he was killed.

My concern it that Mr Creed should be taken alive, and that is a concern that should affect every member of this House. I believe that there is considerable cause for concern, in the light of information that Mr Creed may have, that he may not be arrested, but rather simply that his body will be captured. That would be a very unfortunate thing, and it is important that all steps should be taken to try to ensure that he is taken alive. The member for Eyre said that these were serious allegations. Certainly, it would be a very serious matter if this suspended officer was killed whilst being arrested.

He is not, of course, the only South Australian police officer in recent times alleged to have been committing serious offences. The honourable member will be aware of the case of Darryl John Lacey, now of Sportsmen's Drive, West Lakes, but formerly of Whyalla, and the matters surrounding that situation which are now before the courts. I will not refer to them further. No doubt the honourable member will be aware of those matters and will have that information.

If Creed is arrested, the information he has will be important to senior police officers in South Australia, but it will also be very detrimental to some other police officers in South Australia. This Government should take some action to try to ensure that Creed is provided with appropriate protection if and when he is arrested. It would be reasonable for the Attorney-General to make a statement that protection will be provided and also, if Mr Creed was wise, I suspect it would be in his interests to ensure that any information he has is put in affidavit form and provided to an independent source, such as a solicitor or some other person, before he is apprehended. Because of the sort of information I understand he has in his possession, the likelihood of his being brought to trial is probably fairly remote.

I have mentioned a number of facets of this matter and I do not want to go into it any further because, quite obviously, these matters are quite delicate. The Attorney should make a statement about this matter, and a public statement should be made that, if Creed has any information, it should be provided through an independent source. Such statements should be published widely interstate to try to ensure that such information as he may have can be made available and to protect him from any harm that may otherwise befall him. I reiterate what I have said publicly and otherwise on a number of occasions—the South Australia Police Force has my highest regard, and I believe it

is easily the best force in Australia. When I was Attorney-General I had very good co-operation from the force. I have never, ever, had any reason to doubt the honesty and integrity of the senior officers of the force, and I believe it is easily the cleanest Police Force in Australia.

Nonetheless, the only way of ensuring that police forces retain a reasonable degree of integrity (and I am glad that the Minister has decided to show some interest in this matter) is to ensure that the senior officers of those forces are always on the lookout to root out any elements of corruption that established themselves in the force. In this case, I believe it is necessary to do so. I do not believe that Creed is the only person in the force who has been involved in various illegal activities. It is important that the force take all steps that can be taken to root out any other elements within the force that have been involved in illegal activities.

I hope that the Chief Secretary will read *Hansard* tomorrow to see the comments I have made. I seriously am concerned about the likely fate of Mr Creed. I believe that he is in possession of certain information about other police officers, which to some extent makes him a marked man. The Chief Secretary can, if he likes, choose to take the sort of attitude he took toward my comments about the prisons matter about 12 months ago.

The Hon. W. A. Rodda: I gave you a lot of co-operation.

The Hon. PETER DUNCAN: Yes, Sir, but at the same time I do not want to embarrass the poor Minister further after the rough day he has had. He will remember that he made a comment at one stage to the effect that he would have an inquiry into Duncan's allegations over 'my dead body'. Well, the body is still with us, I am pleased to see, but so is the inquiry. I hope that the Minister will take what I have said tonight seriously and that steps will be taken to try and ensure that the information which I understand Creed has will be made available and that Creed will be arrested and brought to trial and that we will have the opportunity of hearing what he has to say about other activities, by certain of his former colleagues.

Mr LANGLEY (Unley): I am pleased to speak during the course of this debate and pleased to see the Minister of Fisheries and Minister of Agriculture sitting together. As the member for Hartley said, the Minister of Fisheries is not a bad bloke, but he has one great thing in his favour: the Minister of Agriculture controls him. There is no doubt about that. Earlier today the Minister went down and bowed his head alongside the Premier. The Premier knows everything about this place. He has been the greatest knocker of all times, and now he just cannot balance the Budget.

Mr GUNN: I rise on a point of order, Mr Speaker. In one of your earlier rulings you said that members should relate their remarks to the appropriation. I contend that the honourable member for Unley is not relating his remarks to the Bill before the House.

The SPEAKER: Order! I do not intend to uphold the point of order. I have been listening very closely to the honourable member for Unley and I noted, immediately prior to the honourable member's taking the point of order, that the member for Unley started to refer to the balance of the Budget. As long as he pursues that course, there will be no need for further action.

Mr LANGLEY: This is a very wide debate for the simple reason that it concerns this State's finances. If anybody says that fisheries is not part and parcel of it, I will be willing to sit down. The member for Eyre is always very quick to get up when something hurts him, and in this case I do not intend to worry about it. After all, we are talking about money matters. The Government of the day is not helping people in this State, and I assure honourable members opposite that they are down very strongly.

I will now speak on a matter that I am happy to speak about. There is no doubt that sport is one of the great things in life. The member for Glenelg has always had a word to say about it, as has the member for Brighton. The member for Brighton brought up certain happenings during the course of his speech. Many people in this State have to pay taxes on sporting goods which come from the Commonwealth Government. I am disappointed that people are paying far too much. It may be irrelevant but it is about time that members opposite thought more about sport. Our greatest sportsmen are ambassadors for this State. It is about time that the Commonwealth Government and our own State Government got to work together and did something about sport. I can assure honourable members opposite that I would be very happy if they did something about it.

Some members opposite get up and say that they believe in something but do nothing about it. By way of interjection, I asked the Minister of Industrial Affairs about whitegoods. The Minister has never heard of a refrigerator or a stove. Simpson and many companies in the area have trouble trying to sell their goods. During the course of time they have fallen by the wayside.

Sir Thomas Playford said that we had had the opportunity during the course of time to overcome these things. The honourable members for Henley Beach and Brighton laugh about it but, whether they like it or not, that is part and parcel of it. The Minister of Industrial Affairs at no stage answered my question. He knows that one of the greatest things that happen in this State is the sale of whitegoods. He is an agricultural man and does not understand.

The Hon. D. C. Brown: What question?

Mr LANGLEY: I asked the Minister to answer an interjection and he knows as well as I do that in this State whitegoods are an important part of what we sell. He has heard of Simpson Pope and many other companies in that area.

Mr Russack: You could have sold a lot more to the Northern Territory, if the Stuart Highway had been completed years ago.

Mr LANGLEY: I do not disagree with the honourable member. Who controlled that area?

Mr Russack: The State set the priorities of how the money would be spent.

Mr LANGLEY: What did the Commonwealth Government do about it?

Mr Russack: It provided the money for national highways, and the State set the priorities.

Mr LANGLEY: I did not mention that. We are many miles behind. I can assure honourable members that the Minister did not make any move at all and he did not answer the question about whitegoods. Any honourable member opposite would know that whitegoods play an important part in our sales to other States.

The Minister of Industrial Affairs told an absolute untruth in the case of remarks by the Premier and himself concerning the area at Hindmarsh. What was said by the Minister is totally different from what was said by the Premier, and the member for Spence has pointed that out. The other night I listened to debate on the same matter in this House. I have moved around my district and farther afield. No-one knows how the Budget really affects South Australia. Some people are paying 17½ per cent, some 2½ per cent—everyone is paying something. The Minister of Industrial Affairs cannot look after himself with the unions.

Mr Lewis: Link up your remarks.

Mr LANGLEY: I will link them up for the member for Mallee, with whom I occasionally go home. We are good friends. I do not divulge anything about the Labor Party and one thing in his favour is that he does not divulge anything to me. I have had a strong allegience to a committee in this House concerning dentures.

An honourable member: You get your teeth right into it.

Mr LANGLEY: I will. It is taking years to get action. Never in my life as a member of this House have I not made an effort for people in this State concerning their teeth. The Australian Labor Party went through this for two or three years. The Government of the day does help people at the Dental Hospital in Frome Road. I have been there, and we also went around to other areas.

There is no doubt that there is a rip-off in this State concerning teeth. If one goes down to the dental section at Frome Road, one can see the dental technicians working alongside patients, many of whom come from institutions and other places. The dental technicians stand alongside these people to ensure that their teeth are right. The technicians are very good people. The Minister inevitably says that she is reviewing the situation.

Mr Lewis: Bite the bullet and get the teeth into it.

Mr LANGLEY: The member for Mallee only knows about sheep teeth; he does not know too much about people's teeth. If the member for Mallee spoke to people in his electorate about teeth and how much it costs them, most likely they would be able to afford it. However, people in my district cannot afford it. The service provided at Frome Road is reasonable, as the Minister of Health knows. People should be able to get teeth for half price, but the Minister does not want to allow that. Does the Minister want the price to be doubled? Although the Minister dislikes my attitude—

The Hon. D. C. Wotton: You've got nice teeth, though.

Mr LANGLEY: Of course I have nice teeth. The Minister of Health could not care less about how much it costs other people.

Mr Trainer: She'll give us a burst of 'Fangs for the Memory'.

Mr LANGLEY: I am not worried about the Minister. At the next election she will definitely play a certain part, as will the Minister of Education, who is hopeless. The Minister of Health will try to do the right thing by having a shilling each way. Mr Deputy Speaker, I know that we are not allowed to bet in this House, but I will have a bet that she will have a shilling each way on this matter. I am sure that the way the Minister is going she will review this decision.

The Minister and every member of this House will soon have an opportunity to vote on a matter before this House. The people of this State are sick and tired of dentists getting too much money. I have been in a position of having to pay $300 for something I should not have had to pay for. It was definitely out of order by the person concerned. I tell the Minister in no uncertain manner that she is peforming very badly. It is about time that the Government of the day got down to the right position. The Minister has been told by the dental profession that they will make plenty out of it, but the Government will not do much about it. I believe that before long the Minister will say that the Government will pay some money towards doing something about the situation. I am waiting for the Goverment to subsidise these people. The Deputy Premier is hanging around now telling members not to speak and not to do anything.

The SPEAKER: Has the honourable member for Unley concluded his address?

Mr LANGLEY: No, Mr Speaker. The Deputy Premier tonight made a decision that no other member would speak and that that would be the finish of the debate. Two Government members spoke, however; that is how well the Government is going. Everybody is entitled to speak.

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

Mr LANGLEY: I will come back to what has happened concerning this matter. Whenever the Government has promised the Opposition anything it has never honoured its promise. I will continue when the Deputy Premier sits down. The Deputy Premier has taken control of everything and has said, 'Don't forget fellows you're not allowed to speak.'

The Hon. D. C. Wotton: I wish you would stop.

Mr LANGLEY: I wish to goodness that sometimes the Minister would stop speaking. The Opposition will win the next election. The Minister of Education, who tried to rebuke me the other night, is going down the drain. He is further down the drain since I last spoke. He should get out in my area as soon as he possibily can; he will learn something. I can tell the Minister—

The Hon. H. Allison: I hope that finger is not loaded.

Mr LANGLEY: I would not shoot the Minister; he is an asset to us—

The Hon. D. C. Wotton interjecting:

Mr LANGLEY: —and so is the Minister of Environment and Planning. Wait until the member for Hartley gets stuck into him; that will be the end of him.

The Hon. D. C. Wotton: You're not giving out trade secrets, are you?

Mr LANGLEY: No, I am just telling the Minister how he is going. As I have said before, it does not matter what happens, I will remain undefeated. The Minister of Health is doing a great job, but if Des Corcoran ran in her area she would be going back to dressmaking.

The Hon. D. C. Brown: You were going to say something about me.

The SPEAKER: Order! The honourable member for Unley is fast coming back to the Bill before the House.

Mr LANGLEY: True, the Minister has had a few affairs, but I want to let him know that one could run a duck in his district as well. I want to go further—

The Hon. D. C. Wotton: You've only six minutes left.

Mr LANGLEY: Yes, and why does not the Liberal Party run someone in my area? There is Mr Nicholls.

The SPEAKER: Order! I draw the attention of the member for Unley to the fact that I have previously asked him to come back to the Bill. There is nothing in the Bill relative to Unley or candidates for Unley. In the five minutes he has remaining, I ask him to address himself to the Bill.

Members interjecting:

The SPEAKER: Order! The member for Hanson and the member for Mallee will assist the conduct of the House if they remain silent.

Mr LANGLEY: I wish to refer to something that is near to my heart and that of every South Australian. Perhaps the Minister has played some sport, but he has never been an international. I assure Government members that the greatest ambassadors for this country have been our cricketers and all sportsmen. Why should the Australian Government and State Governments levy a tax on sport? Sportsmen are the greatest ambassadors of all time. The Minister of Health can laugh, but although she is doing a champion job she would not get a kick in a street fight. In this great country, with all its material wealth, why must we impose taxes on sport? I suppose we could consider taxes on sport if the taxes were levied on all sport. I am disappointed about what has happened. One must pay tax on the purchase of a cricket bat or a cricket ball. It will not be long before one will have to pay out tax on a lolly. I wish I knew more about taxes.

Members opposite can laugh at what I am saying, but let me tell them that, if they are going to do anything in life, they should get on with the job.

The Hon. D. C. Brown: You've been on your feet for the last 29 minutes. It's a good innings.

Mr LANGLEY: And I will be not out, too. The Liberal Party has run a few ducks in Unley, and they have all been defeated. John McLeay did not defeat me, nor did the Mayor.

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

Mr PLUNKETT (Peake): I rise to speak on the Supply Bill involving an amount of $310 000 000. I have referred on other occasions to the attitude of the Government of the day to private contracting and what I, and some of my colleagues, consider that this costs the State. I refer, first, not only to private contracting but also to the attitude of this Government in letting out tenders for contracts. In particular, I would like to refer to a contract that the Highways Department has called for a tender for about $250 000 for line marking. An advertisement appeared in the *Sydney Morning Herald* on 10 August 1981, informing people of a tender for the job. The advertisement states:

Application of white road marking paint 1981-1982.
Tenders will be received at the office of the Commissioner of Highways, 33 Warwick Street, Walkerville, until 2 p.m. on Tuesday 1 September 1981, for the application of white road marking paint at various locations within South Australia.

The advertisement goes on to relate that this is contract No.1, and that specifications and tender forms are available at the first floor office, room 160, Walkerville, S.A., of the Highways Department. That was on 10 August 1981. A similar advertisement appeared in the *Age* on 8 August 1981, and also in the *Advertiser*. Although, according to the advertisement, tenders are to close on 1 September, I have been informed that this tender has been let. I have been informed by very good sources that the person who has won the contract comes from New South Wales, and that he has been to the Highways Department and looked at the situation here; he was there only yesterday, and he spoke to some of the line markers, who are weekly-paid employees.

It is natural that these weekly paid employees are very upset. Some of them telephoned me, because, when I was an organiser for the Australian Workers Union, I was also the organiser for the line markers. The Highways Department has a large gang of line markers who operated from Northfield. They did the highways line marking for the whole State, which meant that they would leave Adelaide on a Monday morning, go into all corners of the State, do the line marking for seven days and they then returned to Adelaide. Another gang would then go out. That was a very successful method of operating a line marking gang, and much work was attached to a person being employed as a line marker. This kind of work requires a lot of experience. As more employees were needed, men were trained at Northfield for the job until they became experienced.

However, things changed from 15 September 1979 when the present Government came into office. This Government does not believe in having weekly paid employees in any department: it believes that everything should be given to private contractors. Many members of the Government would now have doubts about the wisdom of what they have done. They have run down all Government departments, but they have not saved money. In actual fact, there has been much more expense to the State because of the contracts that have been let. One of the reasons for this is that the weekly paid Government workers held down a particular job for five, ten or thirty years, and they trained the oncoming workers. The situation has changed since the coming to office of this Government: there is no-one to train the men. The Government must call tenders and bring in private contractors, which, with all due respects to those contractors, are not as experienced as the Government workers, unless they have been employed in that industry.

I disagree that this Government should call tenders for those jobs, because the highways line marking gangs are 18 men under strength at present. If the Government allowed the Highways Department to employ 18 men or to replace these men as they were needed, it would not have to call tenders or bring in people from interstate. A New South Wales contractor has claimed that he has won the contract to which I have referred. He was at the Highways Department, and I can assure honourable members that, to have authority to be there, he must have won the contract, because the department will not let anyone into the depot.

I know, having been an organiser of the union, how hard it was to get into the Northfield gates. I can assure honourable members that it was very hard. I do not know how the contractor from New South Wales knows before 1 September how he has won the contract, but he has informed some of the line markers that he intends employing no locals and that all his employees will be from interstate. This will mean our loss to another State (New South Wales or wherever it may be) of the money that would have been paid out to people in the State.

I do not agree with private contracting and dispensing with weekly-paid Government workers. I most sincerely disagree with the attitude of bringing interstate contractors to do work that we could well do ourselves in South Australia. Our State has the highest unemployment, and this Government of the day (and it is only for a day too—only for this term) has the stupidity of encouraging contractors from interstate, at the cost of our own employment in South Australia.

The Hon. W. E. Chapman: Name three contractors we've engaged from interstate?

Mr PLUNKETT: The Minister for Agriculture, who has come in and blown his nose, has asked me to name three contractors that do line marketing. I expected that question. I was told not to be worried about how many contractors we have in South Australia. This is an old trick of the Liberal Party. Under the present system in South Australia, we have only one major line-marking contractor outside of the Highways Department, with several small two-man or three-man jobs.

I accept what the Minister has just said for the simple reason that the Government has allowed the main source of training to run down to the strength that it is today, and this is what I have been speaking about: the Highways Department's line markers train their own markers. That is why there have not been any other contractors in South Australia. This is the excuse that the Liberal Party is going to use: that we have no contractors that can do the job. One has merely to employ them on the line markers as weekly-paid workers at Northfield, and they will train the men. There are plenty of experienced persons there who are still able to train these people.

So Minister's suggestion that I should say how many contractors are in South Australia is not valid. Most certainly there are not many contractors in South Australia because we had a very efficient line-marking training area out at Northfield, and the Liberal Government has ruined this. This means that, unless these people are to be trained at Northfield, people will have to be brought from interstate. This is the Government's attitude. As I said earlier, we have one of the highest unemployment rates in Australia, and here is a Government that is encouraging people from

interstate to come in and take the few jobs that are available.

The Hon. W. E. Chapman: Sorry, you misunderstood me. I said, 'How many contractors have we brought in from interstate?'

Mr PLUNKETT: I am just informing you of one, but I know of others.

The Hon. W. E. Chapman: I asked you to name three only.

The SPEAKER: Order!

Mr PLUNKETT: Every time that I stand on my feet the Minister of Agriculture tries to take a rise out of me. If he checks *Hansard* he will find that he has come out last every time, because I have been able throughout my life to handle contractors, shearing contractors or any other contractors, and I will not have any problems handling him in the future. The member for Morphett interjected 'How many contractors?'

Mr Oswald: I did not say that at all.

Mr PLUNKETT: I heard the honourable member say, 'How many contractors?' I will name another one. The honourable member is asking how many other interstate contractors came into South Australia. I would like to know. If the honourable member would like to do some checking on new people who have received contracts for cleaning, he would find that the contractor who does my cleaning and the cleaning for a lot of other electorate offices is also from interstate. He comes from Canberra, and the people who do the cleaning for him also come from Canberra. I would like to know at a later stage why we brought him in. I am not very happy about the person, either. I do not like people who refuse to join unions cleaning my office. I assure honourable members that I have already notified a few people in regard to taking some action in this matter. I would go further and say that not only are we giving people from interstate jobs at the cost of our people in South Australia but also that I would not trust some of the people that the Government puts into our offices. I suggest that honourable members should have more say about who is put in when tenders are called for these jobs. The Minister for Agriculture is walking out of the Chamber now. He asked me to name a few contractors, and, although I have named only two, he has started to walk out.

Mr Abbott interjecting:

Mr PLUNKETT: There is no victory with him. I would not feel proud to have rolled him. I now bring another matter to the attention of members in regard to money. All of this refers to money; I have not heard anyone ask me to refer to the Bill. I received a letter from one of the organisers of the Government Workers Union, who has asked me to bring to the notice of this House a matter concerning the beautification of the Torrens river and Marden area. An Engineering and Water Supply Department construction gang was cleaning and beautifying the Torrens River area, as well as using employees such as drivers and their trucks from the Highways Department to cart away some of the rubbish. They completed the section that they were to do in this area, and it was estimated that the cost to the taxpayer to complete further work in the area would be $60 000.

Yet, the State Government gave the contract to private enterprise and the estimate at the completion of the project is $150 000, which concerns me. I am not saying that those contractors would be from interstate, as I am not sure who the contractors are. However, I do know that the information I received is correct and that there is a big difference of $90 000, which is a cost to the taxpayers of this State and which has been brought about because of the attitude that this Liberal Government has taken to prove the point that it claims, namely, that private contractors are more viable than weekly-paid workers.

An honourable member: What happened? Did they employ more people or something?

Mr PLUNKETT: The Minister apparently did not hear, so I will repeat that the cost to the taxpayer, if the work had been completed by the Highways Department and Engineering and Water Supply Department workers, would have been $60 000. It eventually cost $150 000 for private contractors to do the same job. The Minister of Public Works is not in the Chamber.

The Hon. W. E. Chapman: He's working.

Mr PLUNKETT: Yes. He wanted to speak about two or three hours ago, but you broke the rules, and that is why we are still going here. In the Minister's absence, I would like also to bring to the attention of members the fact that, again in my job as an organiser before I came to this House, I was one who fought for and won some conditions for the workers at Northfield as far as a lunch room was concerned. I have been contacted again by another of the workers at Northfield and he has told me that there is a very strong rumour that the person from New South Wales who won the contract on the line marking is now going to shift into their lunch room at Northfield and that is going to be the office from which he will work.

Mr Oswald: Why don't you get facts, not rumours?

Mr PLUNKETT: I do not expect an ex-chemist to be able to answer questions for me. I was referring the question to someone from industry, and unfortunately there is no-one on your side from industry at present, except the ex-shearing contractor. I certainly will be asking the Minister of Industrial Affairs this question later. I will ask him to let me know whether it is correct. We will soon know, because the contractors will be shifting in to the place. It is not only a rumour: they have been told that it will happen.

Mr Oswald: Give us facts.

Mr PLUNKETT: Every time I stand on my feet I give facts. There are no problems about what I say, because that is one of the things that annoy members on the other side. I am too close to the skin for them. They do not like my telling them some home truths. Every time I stand on my feet I can defend myself. I have never had any problems in dealing with the Government and I do not intend to let that position change.

I would also like to refer to a few other things that have a lot to do with the money Bill. I refer to the building industry. I do not think there will be too many interjections and slurs from the Government side now, because Government members also now realise that the new interest rates have killed not only the newly-weds who are buying homes but also a lot of people who have been in homes for many years and now cannot keep up with the interest rates.

Mr Oswald interjecting:

Mr PLUNKETT: I would not expect the member for Morphett to know about it, because he lives in a much more elite area and, probably, coming from the chemistry industry, would have owned his home a long time ago. I am speaking about people who are buying their own home.

An honourable member: He's probably a landlord.

Mr PLUNKETT: He probably is a landlord. He probably owns the flats that border the District of Morphett. I would like to bring this matter to the attention of the House because it is a big worry to me, as member for Peake. A lot of people are not buying homes. They cannot afford the interest rates. They are buying Housing Trust houses where they are available and they can get into trust houses at a slightly cheaper rate, although those rates are being increased, too.

This means then that these ordinary people who would have bought Housing Trust homes have to compete with other people who in other circumstances would have built their own homes. The interest rates are tremendous. It also means that the Housing Trust, because of the Liberal Government's attitude since it came back into office, has cut back on the number of Housing Trust homes and flats being built. The Government is not buying the older homes that are coming available as quickly as the Labor Government did. Many houses have become available in my electorate which could have been purchased, but were not. I know that people have spoken to the Housing Trust first, but the trust has not taken advantage of that opportunity. Those houses could have been used for cheaper rental accommodation.

I also refer the attention of the House to the rent increases that the Housing Trust has been forced by the Liberal Government to introduce for homes that were low rental homes. I have proof of this from two of my constituents. They live in a two-unit divided home, and one has been living in his home for thirty-nine years while the other, who lives only two doors away, has lived in his home for forty years. Their rents have trebled over the last twelve months. I would not expect some members opposite to understand this, because many of them do not live in these areas and they do not know much about people who have problems paying rent.

The people that I am referring to have paid for their homes over and over again in the last forty years. These home units originally cost £500 to build. These people are at the end of their lives; they are very elderly. I went and looked at the home of one of my constituents who came in and complained about these rent increases. That home was one of the best cared for Housing Trust homes that I have seen. He has got a beautiful garden with beautiful paths, which he put in. The Housing Trust did not put them in. The home itself is immaculate, and that is only because this person looked after it. I remind honourable members that this person has lived in his home for thirty-nine years. The other person has lived in his home for forty years and, although I have not been into his home, I intend to look at it. He only contacted me yesterday morning. He has paid for his home three or four times over since he has lived there. This Liberal Government has no feeling whatsoever for elderly or disadvantaged people. It then turned around and increased rents. It also sent Housing Trust tenants a questionnaire. It does not matter what people put on these questionnaires: the rents still go up. Unfortunately, I only have a half an hour and I would need a lot more time than that.

The Hon. W. E. Chapman: That's too long.

Mr PLUNKETT: It is too long because I get too close to the bone for the Minister. The member for Mallee could not understand it, anyway. I would not expect him to, but I know that many of his colleagues have given up—even the ex-chemist.

There is another topic that I would like to raise which relates to equipment. I am disappointed that neither the Minister of Transport nor the Minister of Industrial Affairs is here. Earlier in the year I raised the matter of equipment sold at Northfield. The excuse I received was that the equipment had to be sold. I know that a lot of equipment was withdrawn and not sold; it has still not been sold, yet the Government has bought some new equipment. I would like to know why the taxpayers of South Australia have been put to that expense by this Liberal Government, which has sold off equipment to give an excuse for putting private contractors on the job and doing away with weekly paid workers while the Premier has been employing in his own office plenty of new staff members as advisers, because the Liberal Government is in such a mess. It will be in a lot worse mess before the next election; there is no way it can get out of that.

The SPEAKER: Order! The honourable member's time has expired. If the honourable Premier speaks, he closes the debate.

The Hon. D. O. TONKIN (Premier and Treasurer): The debate on this Supply Bill has been most unusual, given the normal and accepted practices of the House. The longest time taken for a second reading debate on a Supply Bill in the past 5 years was 23 minutes and the average time was 8 minutes. The failure to honour the accepted tradition has astonished observers and has reflected very badly on the opposition. The granting of Supply is traditionally given speedy passage, for two good reasons. First, the provision of funds for paying salaries of members of the Public Service normally attracts support from both sides of the House and is passed with a minimum of delay. It is a traditional method of appreciation for the valuable and, indeed, essential role played by members of the Public Service in the administration of the State. Secondly, it is because of this accepted speed of passage of Supply that a further opposition has been made available for debate on the motion that the Bill be considered in committee. There is no excuse for the Labor Party's behaviour today. This debate will have taken far longer than eight hours for the passage of the Bill through all its stages, and the deliberate slowing down of the passage of the Supply Bill by the opposition can only be interpreted as a slap at the Public Service, and it is disgraceful.

In recent weeks the Leader has been accused of treachery, impropriety, weakness, gross misinterpretation and misunderstanding of authority, pursuit of stupidity, and exhibiting a manner of round about politics. These accusations are not mine, nor those of any member on the Government benches. Rather, they are the words of two members of the Opposition Caucus whose seniority in terms of membership of the A.L.P. and membership of Parliament far outweigh the Leader's. There has been no better example of what the Leader's accusers on his own side think of him than his response yesterday to the publication of the State's financial position for the last financial year.

The Hon. J. D. Wright: There are no 'accusers'.

The Hon. D. O. TONKIN: I would have thought that the Hon. Mr Foster and the member for Elizabeth added up to two, and that is the plural, for the benefit of the Deputy Leader.

Mr McRae: Use the singular, not the plural.

The Hon. D. O. TONKIN: Yet again the leader has shown that he is prepared to be treacherous and weak in his pursuit of Government at all costs. He seeks the Government benches by stealth. It is the responsibility of any Parliamentary opposition to criticise and reject policies being pursued by the Government of the day and to tell the public what alternatives it should offer. The leader has had almost two years to offer his alternative, but he has not done so.

Members interjecting:

The DEPUTY SPEAKER: Order! There are too many interjections. The Leader of the Opposition was heard in reasonable silence. I am going to insist that the Premier is given the same courtesy.

The Hon. D. O. TONKIN: He has not done so because he knows there is no alternative to the policies of restraint on public expenditure and public sector growth, and the achievement of more realistic levels of State taxation which the Government is pursuing to ensure that all South Australians can benefit from the economic recovery which these policies have set in train since September 1979.

In that time, the Leader has made repeated statements which, on the one hand, have sought to roundly condemn the Government for implementing policies which the majority of South Australians voted for in September 1979 and, on the other, have sought to give the impression that in some way, things would be different and better under a Labor Administration.

According to his public statements, the Leader does not agree that there should be restraint in growth of the public sector and public expenditure—policies which the Premier of New South Wales and the Premier of Tasmania have been forced to pursue in recent months.

At the same time, the Leader will not accept publicly, as again his colleagues in New South Wales and Tasmania have been forced to do, that charges made for services provided by the State should be—

Mr Keneally interjecting:

The DEPUTY SPEAKER: Order! I warn the member for Stuart.

The Hon. D. O. TONKIN:—at levels which more realistically reflect the cost of providing those services. However, within the confines of the Opposition Caucus and the more limited groups playing at ideological warfare over A.L.P. objectives, we know that the Leader has admitted to the reality of current economic circumstances.

The member for Elizabeth, in his recent criticism of the Leader, accused him of treachery in relation to a dispute over representation in a particular Party forum. At the same time, the member for Elizabeth exposed the Leader's double standards and forked tongue in relation to the matter of State charges.

I refer to the member's description, as quoted in the *Advertiser* on 14 August, of the Leader's refusal to allow a commitment to be given that, in Government, the A.L.P. would not increase public transport fares. The member stated, and I quote:

> I spoke to Mr Bannon about this and sought an assurance from him before I criticised the Liberals that we would not put up fares in Government. He would not give me that assurance and that was why I did not make any comment on the matter.

And yet what has the Leader himself said publicly about this same matter? We all recall that in the weeks leading up to the Norwood by-election campaign in February 1980 the Leader involved himself in a campaign to misrepresent Government action at that time in relation to public transport fares. And in a debate in this House as recently as 2 June this year, the Leader again questioned the need for increased public transport fares and, by implication, said such action should not be taken.

The Leader's double standards in this matter have been exposed, plainly and pathetically, by the member for Elizabeth. The Leader is incapable of being trusted at all in relation to statements he often makes about State finances.

Mr O'Neill interjecting:

The DEPUTY SPEAKER: Order! The member for Florey has interjected far too often. I intend to see that the Premier is given the opportunity to reply. I have issued one warning, and I will be forced to take sterner action if the interjections continue.

The Hon. R. G. Payne: We don't mind if—

The DEPUTY SPEAKER: I warn the member for Mitchell. He has completely defied the ruling of the Chamber.

The Hon. D. O. TONKIN: I repeat that the Leader is incapable of being trusted at all in relation to statements he often makes about State finances. His statements yesterday must be seen in the same context. I understand that he used the term 'bloody dreadful' in relation to the publication of the statement on the State finances for last financial year. That statement referred to a deficit on combined accounts of $8 000 000 and a transfer of funds from Loan Account to Revenue Account. Yet the Leader pretended that somehow this practice was something new and that the deficit was out of all proportion to deficits incurred by previous Governments.

Obviously, the Leader is too junior in political and Parliamentary experience to appreciate that Sir Thomas Playford, Mr Dunstan and the present member for Hartley made similar transfers. If we consider the total deficit in comparison with total Government outlays from the Revenue Account, it represents .5 of 1 per cent of those outlays. In criticising this result, the Leader has obviously deliberately ignored the fact that the Government, of which he was a member, ended the 1977-78 financial year with a deficit of $6 500 000, which represented a slightly greater percentage of Government outlays than the current deficit does.

It must be recalled that, as well, the result in 1977-78 was achieved only after the use of reserves amounting to more than $18 000 000 accumulated following the railways deal, a deal which increasingly, in coming years, South Australians will have cause to regret.

The Leader has also spoken of the Government's financial position in terms designed to give the impression that the Government should not cut back on its Loan programme for public works, and should increase recurrent expenditure in real terms. However, in cutting back on payments from the Loan Account, the Government is continuing a practice which the former Government had pursued in its last four Budgets. In cutting recurrent expenditure in real terms, we will be following a practice which the former Government pursued in its last two Budgets.

Mr Langley interjecting:

The DEPUTY SPEAKER: Order!

The Hon. D. O. TONKIN: The Leader has said, according to this morning's *Advertiser,* that the former Government left the Treasury with a surplus of $600 000.

Mr Bannon: Which morning was that?

The Hon. D. O. TONKIN: The morning paper that we had at the beginning of today's sitting. What he carefully avoids, and he cannot draw any red herrings across the trail in making that statement, is the fact that, during that financial year, there was under-spending of $12 400 000 on the Revenue Account owing mainly to the change from quarterly to half-yearly wage indexation adjustments, so that only the December 1978 decision had a major impact on that result.

It is time the Leader came to terms with these facts and pursued his role in Opposition in a responsible manner. In criticising the present financial situation, is the Leader implying that the Government should not have paid the massive additional amounts required to meet higher wages? Is he committing himself to a continuation of cut-backs—

Mr Langley interjecting:

The DEPUTY SPEAKER: Order! I warn the honourable member for Unley.

The Hon. D. O. TONKIN: —in the Loan programme which have been necessary for a long period because of financial circumstances—

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. D. O. TONKIN:—over which a State Government has little control? I realise that members opposite do not like this, but they will have to listen to it. Is the Leader admitting, as the present member for Hartley did when he was responsible for the Treasury, that spending must be cut back in real terms, and growth in the public sector must be restrained? Or is the Leader developing a case for much higher rates of taxation, rates which would deny South Australia any opportunity to gain from major developments now committed or in the advanced stages of planning?

It can only be assumed, unless the Leader is prepared to state otherwise, that he believes that South Australia can afford another dose of the recipe of high taxation and no development that sent this State to its knees during the 1970s—the decade of lost opportunity. In his statements to date, the Leader has been deluding only himself.

No Government likes to record a Budget deficit. But the past year's result—a deficit of some $8 000 000—is manageable and understandable. In terms of money values it is on a parallel with the $6 400 000 deficit recorded by the previous Dunstan Labor Government in 1977-78 following the transfer of substantial Loan funds.

The difference in the 1980-81 Budget outcome is that a series of unrelated factors put extraordinary pressures on the State's finances. These are well enough known to members of this House, but it is appropriate to outline them again, after the rubbish that we have heard this evening. The first is the continued spiral in wages. The State Government must meet the rising wages bill of its own work force, in the same way as private employers have to pay their workers.

During the 1980-1981 financial year, work value wage increases forced the Government wage bill a staggering $17 000 000 above estimate. That was $17 000 000 that the Treasury was asked to find simply to pay the Government work force. That was over and above the $79 000 000 for increased salaries and wages. It is all very well for the Leader of the Opposition to say that that sum should have been calculated. That makes no difference to the fact that the money had to be found. Those wage demands are not a problem that is unique for 1980-1981.

Mr Hemmings: You're not impressing your back bench.

The Hon. D. O. TONKIN: I do not have to impress the members on my back bench, quite unlike the Leader of the Opposition, who is desperate to do so. The teachers have already indicated that they are planning to press for a 20 per cent pay rise in the near future. A demand of this size will cost the Government an extra $56 000 000 in a full year. It must be remembered that the teachers' planned wage claim is over and above the 69 per cent salary increase they have enjoyed since 1975.

It is also worth remembering that a rise of that size would do nothing to improve the quality of education in this State. If anything, the reverse will apply. Increases of that magnitude stunt the Government's capacity to make outlays in other, more productive, areas. The alternatives are simply, reduce employment opportunities or make substantial increases to State taxes and charges.

The second factor relates to something most people understand—rising interest rates to service the public debt. As every member in this House knows, the level of interest applied to the Government, and for that matter to everyone who borrows money, is subject almost entirely to the requirements and influences of the Federal Government. They are beyond the State's control or influence. In the past financial year, rises in interest rates cost the Government about $11 000 000 in unexpected repayments.

Thirdly, South Australia's financial allocations from the Federal Government during the 1980-81 financial year were below our original Budget estimates. During the year, an interim formula was used to determine State receipts from the Commonwealth, based on individual c.p.i. movements.

Because the inflation rate in South Australia was lower than the forecast figure in the last Federal Budget, the State's financial grants were something like $5 000 000 below the estimate determined by the Federal Government. It seems unfair that a State can be penalised for bearing down on inflation.

My Government has made no secret of its determination to reduce the size of the public sector, and at the same time encourge growth in the private sector. To assist this reduction we introduced, in 1980, a system of voluntary retirement in the Public Buildings Department and the Engineering and Water Supply Department. The results have been marked. There has been a substantial reduction in the size of the Government work force that will reflect in savings of millions of dollars for South Australian taxpayers in the years to come. But that arrangement cost the Government more than $44 000 000 to finance during the last financial year.

The alternative to cutting back on the public sector is obvious. Government payments will continue to grow and this can only be financed by increases in taxes and charges. If the Leader is suggesting we should pursue the policies of the previous Labor Administration and encourage unbridled growth in the Public Service, how then does he suggest we pay for it?

Another factor which seriously eroded the State's budgetary position in 1980-81 is the repayments and other hand-outs the Government has had to make on mismanaged or ill-conceived projects inherited from the previous Labor Administration. I do not wish to labour this point, but it cannot, at the same time, be ignored. It is a fact of life, and the Government has not resiled from its responsibility to address itself openly to the problem. Look at the list of disasters which have become a millstone around the present Government's neck, such as the Riverland cannery, Samcor, the Frozen Food Factory, servicing the debt for Monarto, pay-roll tax remissions for an agricultural implement operation, and the South Australian Land Commission, which is yet to be finalised. Where does the Opposition believe the money to pay the State's way out of these fiascos is coming from?

Finally, the Government has chosen to maintain generous payments in important areas of Government activity, particularly in education, community welfare and apprenticeship training. The Government makes no apology for its present financial record. As I have already said, we inherited a set of financial books from the previous Labor Administration which, on paper, had a surplus of $600 000.

The reality of the situation is that the introduction of half-yearly wage indexation meant the Government almost immediately felt the impact of another wage increase of about $12 000 000. That gave a totally false picture of the last Labor Budget. That Budget came at the end of 10 lost years for South Australia. South Australian taxpayers, both now and in the future, will reap the backlash for those years of financial and economic mismanagement.

The policies of successive Dunstan Governments left South Australia with high unemployment, high taxation, an inflated Public Service and a series of unproductive and uneconomic enterprises. While States such as Queensland and Western Australia surged ahead on a wave of investment based on resource development, South Australia stagnated. Labor governed by rhetoric and not economic reality. It ruled without direction, without purpose, without a plan, and without a final goal. It increased the size of South Australia's public debt out of all proportion. The economic shambles which evolved under Labor would have been excusable if there had been some definable end—a light at the end of tunnel. There was none.

Without the Rail Transfer Agreement the fallacy of Labor's sound economic management would have been exposed as early as 1974-75. Budget figures for the past eight years show clearly that the apparently healthy Labor Party Budgets were achieved only with the transfer of funds bolstered by handsome payments from the Commonwealth, as part of the railways deal.

Members interjecting:

The DEPUTY SPEAKER: Order! The honourable member for Ascot Park is out of his seat, and he has interjected on a number of occasions. If he wishes to carry on in that fashion (and interjections, of course, are out of order) he must return to his seat.

The Hon. D. O. TONKIN: Labor also squandered about $50 000 000 of the railways agreement funding on artificial unemployment schemes, which left few of their beneficiaries with permanent full-time jobs. By the end of 1979 Labor had squandered the short-term benefits of the rail agreement without leaving any permanent long-term advantages for this State.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. D. O. TONKIN: What did remain was a mounting public debt caused by ill-conceived short-sighted projects undertaken for electoral gain rather than this State's long-term advantage. The rail agreement itself is already causing mounting problems for this State, and those problems will be magnified once South Australia's rich resources are developed.

The Federal Government's review of State relativities has already put a question mark above South Australia's claim for the equivalent of today's value of something like $60 000 000 in Federal payments. There can be no doubt that this potentially disastrous situation has emerged because the previous Government failed to insist on a properly drawn up and watertight financial agreement for the transfer of the railways.

The State also stands to lose millions of dollars in freight profits once the mining ventures now being developed in South Australia's north are fully operational. Freight revenues now being enjoyed by the resource rich States of Queensland and Western Australia will flow automatically to the Federal government and not to the State Treasury, when the ore is moved to the coast for shipment or processing. This is simply another of the follies which my Government inherited when it came to office in 1979.

Let me turn now to the Leader's petty criticisms of this year's State Budget, the final figures.

Members interjecting:

The DEPUTY SPEAKER: Order! The Chair has been most tolerant about the conversation which is going on across the Chamber. I have issued a number of warnings to honourable members. It is late and the Chair does not wish to be difficult, but I have to ask honourable members to keep the conversation down or I will carry out the threats that I have made by issuing some warnings. Honourable members are aware of the Standing Orders. I intend to see that the Premier is given the opportunity to be heard so that all members can hear what he has to say.

The Hon. D. O. TONKIN: While it is true that in recent times the State Budget—

Mr LANGLEY: I rise on a point of order. Many times in this House there have been considered opinions in regard to reading a speech. Is the Premier reading his speech?

The DEPUTY SPEAKER: During the speech by the Leader of the Opposition he referred continuously to copious notes. The Premier is only doing the same. There is no point of order.

The Hon. D. O. TONKIN: I am glad that members of the Opposition have shown themselves in their true light tonight, because I would have thought that their hilarity bore no relation whatever to the tragic situation that South Australia inherited after their maladministration for some ten years.

While it is true that in recent times the State Budget has come in on the Thursday before the opening of the show, this is not a tradition which has its roots deep in South Australian Parliamentary history. The Leader would also be aware that, while the House adjourns on Thursday for a two-week break, the show does not begin until the end of next week. In addition, there have been a series of Premier's Conferences and Loan Council meetings this year, the last being only two weeks ago.

Does the Leader really expect Treasury officers to be able to present to me a fully drafted Budget, only a fortnight after receiving the final detail of Federal Government influences on their calculations? The Budget certainly has been difficult to draw up because of the severe financial restrictions imposed on the States by the Commonwealth.

It is unlikely that, if faced with that same situation, the Opposition would draw up a Budget any less severe than the Budget we will shortly be presenting to this House. It was quite apparent that the former Labor Premier, the member for Hartley, had already faced up to this possibility.

The Opposition has maintained an embarrassing silence about what it would do in the face of the present economic difficulties which, as I also illustrated, are beyond the control or influence of this Government. But, in this debate and in next month's Budget debate, the shadow Ministry will no longer be able to avoid the issue. They will have to indicate then how they would manage the State's finances in the unlikely event that they would ever be in a position to do so. Just what would the Opposition do? Would it maintain expenditure in all departments and areas of Government activity? Would it return to the costly and wasteful policy of expanding numbers in the Public Service? Would it spend taxpayers money on expensive and often unnecessary construction projects at the expense of essentials, and if so, where will the money come from?

The alternatives to the present policies being pursued by my Government are bitter and unpalatable to the majority of South Australians. But, without the necessary constraint on Government spending, the undeniable fact is that State taxes and charges would have to be increased to unacceptable levels.

What the Leader and his divided Party fail to understand or refuse to accept is that the money is just not there. The only way it can be found is to directly increase taxes and charges to levels which will cause financial difficulties in every household in the State. The only other option is to dramatically increase money borrowed by the Government to fund extravagant programmes, and few people in this State are not aware by now of the high rate of interest the repayments would attract, and the difficulties which such profligate borrowing have caused the State finances instituted as they were at that time by the Dunstan Government. The ultimate results would be the same—increased taxes and charges to service the loan.

The Opposition cannot have it both ways, and it is time the Leader stopped his campaign of destructive criticism and put forward his detailed alternative plan for the economic advancement of South Australia. The plain fact is (and it has been proved quite amply in this prolonged and rather senseless debate—a matter that has caused a very grave departure from tradition and is certainly a slap at the Public Service) that the Opposition does not have an alternative economic package which the South Australian public would find either credible or acceptable.

Bill read a second time.

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

That the Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole for the consideration of the Bill.

Motion carried.

In Committee.

Mr Langley: Now we can speak for 10 minutes. The gutless wonder. He read every word.

The CHAIRMAN: Order! I would suggest to the honourable member from Unley that he should not continue to use that language, as it is unparliamentary.

Clause 1—'Short title.'

Mr LANGLEY: Is that unparliamentary?

The CHAIRMAN: The Chairman has advised the honourable member from Unley that the terms he used across the Chamber, in the Chair's view, were unparliamentary, and I have suggested that he not continue in that vein.

Mr Langley: If you have ruled that way, I am willing to sit down. I have never heard—

An honourable member: Sit down and shut up—

The CHAIRMAN: Order! I would suggest, first, to the honourable member for Unley that it would be advisable for him not to continue in the manner he has. I would suggest to the Deputy Premier that he should not continue in the vein that he has.

The question is that clause 1 stand as printed. Those in favour say Aye, against say No. I think the Ayes have it.

Clause passed.

The Hon. J. D. WRIGHT: I want to know when we get grievance.

The Hon. D. O. Tonkin: You've missed it, son.

The Hon. J. D. WRIGHT: We have not missed it. I was on my feet before the Speaker left the Chair.

The CHAIRMAN: Order! Unfortunately, the House—

Mr McRAE: I rise on a point of order.

The CHAIRMAN: Order! One point of order at a time.

Mr McRAE: There is no point of order that has been taken.

The CHAIRMAN: Order!

Mr McRAE: I demand that I be heard on a point of order.

The CHAIRMAN: Order! I will name—I name the honourable member for Playford.

Mr McRAE: I demand that I be heard on a point of order.

The Chairman having left the Chair:

Mr McRAE: You bastards know that I went across there to calm down a situation that you created, and you let Goldsworthy get out of this Chamber because he did not have the guts to take part in a situation you created, and you have put me in that situation. I demand that I get a fair deal from you, because you set that up, and so did you, Graham, and you knew that very well. I know what I am saying, and I am demanding that I be heard.

The Speaker having resumed the Chair:

The CHAIRMAN: I have to report that I have named the honourable member for Playford for continuously defying the rules of the Chair.

The SPEAKER: Order! Does the honourable member for Playford have an explanation?

Mr. McRAE: Yes, Sir, I do have an explanation. I wish to explain the sequence of events.

The SPEAKER: For defying the Chair?

Mr. McRAE: For defying the Chair.

The SPEAKER: Order! The honourable member has the opportunity to give an explanation of why he has defied the Chair.

Mr. McRAE: I do not admit that I defied the Chair. I did not. I would like to explain the circumstances that arose.

The SPEAKER: The honourable member has been given permission by the Chair to give an explanation of why he has been named for defying the Chair. I accept the point made by the member for Playford, and ask him to address himself to the reason why he finds himself in his current position.

Mr McRAE: May I seek your explanation, Mr Speaker?

The Hon. D. O. Tonkin: He stood up after the question.

The Hon. J. D. Wright: I did not. I was standing up before Graham left the Chair.

The SPEAKER: Order! The honourable member for Playford will be heard.

Mr McRAE: Mr Speaker, will you permit me to explain the sequence of events which led to the unfortunate naming that has occurred?

The SPEAKER: Relative to the naming, I have asked the member for Playford whether he wishes to address the Chair with a reason.

Members interjecting:

The SPEAKER: Order! The Deputy Leader, the Deputy Premier and the member for Unley will assist the proceedings of the House if they remain silent. The member for Playford will resume his seat. The member for Playford will be aware that a member, having been named, for whatever reason (normally it is for persistent defiance of the Chair), is asked by the Chair whether he wishes to explain why he finds himself in that predicament. If the honourable member does not wish to explain, we will then proceed to the next stage, which is a motion for his removal from the Chamber. The honourable member does have an opportunity to explain the circumstances of the position in which he finds himself. If subsequently a motion is moved that the explanation be accepted, the member may remain. If he does not seek to explain his position, the Chair cannot accept such a motion that the explanation be accepted.

Mr McRAE: Mr Speaker, I wish to explain the circumstances. I must begin by saying that I have been a member of this House since May 1970. I wish to explain the sequence of events which led to my being named. Supply Bill was going through its second reading stage, and the Premier had delivered a speech in reply: that is, he was the last of a very large number of speakers who were engaged in that debate. During the course of that reply there were a number of interjections, and your Deputy, Mr Speaker, had some difficulties. At one point I approached another member purely to ask him to assist the Chair. That was visible to every member in this Chamber. It must have been visible to every member of this Chamber that I left my seats for that purpose, and that purpose only; that is, to assist the proper conduct of the proceedings of this House, and for no other reason whatsoever.

In the course of my doing that, Sir (and I am sure that your Deputy would verify that that was the sequence of events), the next stage of the debate was embarked upon when the question was put that the second reading of the Bill be agreed to. It was in that state of considerable confusion, when Mr Speaker's Deputy was calling quite loudly for order and I was attempting to assist in gaining some order, that some confusion arose. What I am putting to you, Sir, is that that confusion was deliberately engineered by the Government of the day. In other words, the Government had sought to stifle the debate by taking advantage of what was an unfortunate situation.

The Hon. E. R. Goldsworthy: Yes, you missed the bus.

Mr McRAE: You, Sir, heard the Deputy Premier say 'You missed the bus!' I am not sure whether that was directed to me as a person or to Her Majesty's Opposition. I hope that it was not directed to Her Majesty's Opposition, because I am sure that Her Majesty would not be terribly pleased with the demeanour of one of her senior Ministers in this House.

The SPEAKER: Order! The honourable member is putting forward an explanation of his own.

Members interjecting:

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

Mr McRAE: I am indeed coming back to that point, Mr Speaker. It is this: I am appalled at the thought that I was

named. For a start, I could not even hear the warning that was given to me by your Deputy. The reason for that was the total uproar in the House. That may have been due to a member on this side of the House. It may or may not have been due to that fact; I do not know. I am not levelling charges against your Deputy, but certainly I do not recall hearing any warning or any guide signal of any sort. In fact, I am a non-violent person, a very passive person. Who was that laughing?

Mr Hemmings: Schmidt.

The SPEAKER: Order!

Mr McRAE: I am a passive person and a non-violent person. I am ashamed of my behaviour a few moments ago, when I reflect about it: that I should walk across and thump the Premier's table. I feel totally ashamed that I should have done something like that. However, it reflected my utter and genuine anger that I had not heard any warning. All I had done, in my view, was try to assist the orderly conduct of this House and, suddenly, I heard nothing. I had not been called to order throughout the night, and suddenly I was named. For what? I do not know what I was named for. You told me, Sir, that I was named but I am sorry that I cannot recall why you said I had been named.

The SPEAKER: Disorderly behaviour.

Mr Hemmings: Persistent disorderly behaviour.

The SPEAKER: Order! I ask the honourable member for Napier to recognise that it is the honourable member for Playford who has the entitlement to explain the situation in which he finds himself.

Mr McRAE: I can only divide the matter into two parts and then leave it to you, Sir, and the mercy of the House. There was the first part in which I consider, and I think the whole House would consider, that I was totally innocent, in that all I had done was go to a member of the House in an attempt to persuade that person to co-operate with the rulings of the Chair. I honestly say to you, Sir, and to everybody present, that I heard no warning, and I certainly, to my mind, did not act in a disorderly fashion.

I must admit to my total shame and contrition that, after I had been named, I did act in a disorderly fashion, and that I did cross the floor and thump the table. However, that was well after being named and, I might say, under extreme provocation. I was stunned to hear the verdict that had been given to me. I can only assume that your Deputy, Mr Speaker, had made some mistake. But, in terms of explanation, if the situation is that I am found guilty without trial, and that appears to be the situation (and I am not reflecting on you, Mr Speaker and I am certainly not pleading guilty to the first matter that occurred), I can only say that if I am found guilty under some kind of law—God knows what kind of law that would find me guilty without trial—when I have done nothing that was wrong. It is on that basis that I would seek that my explanation be accepted, and most certainly I would be appalled to have in my record that I was ever expelled from the House.

The SPEAKER: I will clarify the position for all members as the hour is very late and the circumstances being what they are. Standing Order 171 provides:

> Whenever any such member shall have been named by the Speaker or by the Chairman of Committees, such member shall have the right to be heard in explanation or apology, and shall, unless such explanation or apology be accepted by the House, then withdraw from the Chamber;

Mr BANNON (Leader of the Opposition): I move:

> That the honourable member's explanation be accepted.

It would be most unfortunate if what was an incident that has been somewhat confusing and very strange at this hour of the night in this House results in the suspension of the member for Playford. There were quite extraordinary circumstances leading up to his apparent naming by the Deputy Speaker. I say 'apparent naming', because I think that there was total confusion in the House at the time. Certainly, I, sitting directly in front of the member for Playford, was quite astonished to find him named by the Deputy Speaker when, in fact, as I understood it, he was standing to take a point of order. I heard the member say repeatedly that he was taking a point of order, and he was calling the attention of the Chair to that. He was not interjecting, he was not behaving in a disorderly manner—he was rising in his place, as the forms of this House demand, and taking a point of order.

It may be that the Deputy Speaker did not understand that that was what the honourable member was doing. Perhaps he saw or heard the voice of the member for Playford and acted precipitately in response to it. I think it was a great pity that he did. I mention in this context that from this side of the House we were confronted with some quite extraordinary interjections being made by the Deputy Premier, who, as Leader of the House, was sitting in the Chair which the Minister of Water Resources now occupies. I heard that clearly, and I think that a remark from the Deputy Speaker at that stage when he was in the Chair as Chairman of Committees indicated that he had caught it, too, as the Deputy Premier retired from the Chamber.

I do not wish to raise the temperature of this debate, because I think we ought to look at it in a fairly cool fashion. It would be most unfortunate if this incident leads to the suspension of the member for Playford. It would be quite outrageous for this to occur in the light of the incident, but I would say that the Deputy Premier was calling out interjections across the floor of the House at the time at which he was named.

He made extraordinary allegations against the member for Unley which I will not repeat, because I do not wish to raise the temperature of the debate. He certainly referred to the Opposition in words of a most derogatory kind which went well beyond the normal cut and thrust of debate, which were quite unparliamentary, and which came across very loud and clear. Again, I do not wish to place then on the *Hansard* record if they are not there already, because I think it would raise the temperature in a way that perhaps should not be done at this stage.

I think it is a pity that the Chairman named the member for Playford in the way in which he did. Let us just recall that this incident has occurred after an extremely unfortunate problem of procedure, organisation and agreement in this House over the way in which the debate should be conducted. We are still here debating the Supply Bill at this hour not because the Opposition wished to do so, or indeed because the Government—

The SPEAKER: Order! The honourable member for Mallee.

Mr LEWIS: I acknowledge the extraordinary nature of the circumstances, but I ask for your direction, Sir. Under which Standing Orders are we presently entertaining the motion moved by the Leader?

The SPEAKER: There is no point of order in the manner in which the honourable member has expressed it. The honourable Leader is addressing the House under Standing Order 171.

Mr BANNON: Thank you, Sir, and I am trying also to keep my remarks temperate and not to indulge in points scoring, in an attempt to get some rationality introduced into the decision that the House will have to make shortly.

I think there is every reason for the explanation to be accepted. I do not think it should be seen as a censure of the Deputy Speaker in the course of action he took because

of the general confusion that prevailed. I think genuinely that the member for Playford, who was rising from his seat to take a point of order, could be seen to be quite amazed by the fact that he was named. Indeed, until he was named, and until the Chairman continued to name him, it was not apparent to members on this side of the House that that was the drastic action that was being taken. As I say, in view of what was being said and done by the Deputy Premier at that time, it is quite extraordinary that the member for Playford was singled out when the unparliamentary performance and language were being uttered from the other side.

I refer to the fact that the organisation of this evening's programme, as the Government Whip knows and those on the other side of the House know, was disrupted after a firm agreement had been reached which obviously the Chair cannot have total cognisance of. However, I think that it is worth putting on record—

The SPEAKER: Only in so far as it relates to the incident currently being debated.

Mr BANNON: I believe that the incident that occurred was a culmination of what was seen by members on this side as a breach of an agreement in terms of the programme that we had agreed to fulfil this evening.

The Hon. E. R. Goldsworthy: That's untrue.

Mr BANNON: That may be disputed by those on the Government side, but that is certainly how it was seen here. It resulted in a rising in the temperature, which resulted in the unfortunate naming of the member for Playford. That was one of the consequences, but perhaps the most important thing of all was that, in the general confusion, at a time when a grievance debate was about to commence and my Deputy, who was to lead the debate for the Opposition, had come into the House and stood in his place to take the call, the motion was pushed through in a way that did not allow for the recognition of my Deputy and sought to close off the whole debate. That was quite unwarranted, and that was the point of order that I understood the member for Playford to be taking.

As the matter was being put by the Chair, he rose to point out that the Deputy Leader had not been recognised as he rose to speak on the grievance. I will recall these words, because they are a little more felicitous than were some which were used by the Deputy Premier. As that point was being taken, very loudly, the Deputy Premier said, 'Pigs ear. You missed the bus.' That was the atmosphere in which this ruling was made by the Chair.

I appeal to the House. The member for Playford, as Deputy Whip, together with my Deputy as the Leader of the House, had been involved earlier this evening in firm arrangements, which were broken by the Government and which resulted in confusion.

The Hon. E. R. Goldsworthy: That's a lie.

Mr BANNON: Whether or not the Government accepts that—

Mr KENEALLY: I rise on a point of order. The Deputy Premier was heard distinctly to say 'That's a lie' and I ask you, Mr Speaker, to enforce your normal ruling in circumstances such as this.

The SPEAKER: Did the honourable Deputy Premier use the term to which the honourable member referred?

The Hon. E. R. GOLDSWORTHY: Yes, Mr Speaker, I said 'That's a lie.'

The SPEAKER: I ask the Deputy Premier to withdraw that remark unconditionally.

The Hon. E. R. GOLDSWORTHY: In view of the Standing Orders and your request, Mr Speaker, I withdraw that statement.

The SPEAKER: The honourable Leader of the Opposition.

Mr BANNON: Thank you, Mr Speaker.

The Hon. E. R. Goldsworthy: It was a complete untruth.

Mr BANNON: The Deputy Premier, having withdrawn his remark, says that my statement was a complete untruth. I assure you, Mr Speaker, that this kind of provocative behaviour and language has typified the Deputy Premier's performance and led to the incident in question. Let me refer again to the member for Playford, who was involved in making these agreements, who believed the agreements had been broken and who, despite an attempt to keep some sort of time-table, was faced with a further example of that kind of thing. The honourable member rose in his place to take a legitimate point of order and, unfortunately, incurred the wrath of the Deputy Chairman, who could not sort out the static of interjection and disorder that was in the House. I appeal through you, Mr Speaker, to the House generally to support my motion that the honourable member's explanation be accepted; let it be carried, and the incident be forgotten, so that we can get on with the business of this House and the grievance debate that is now due.

The Hon. R. G. PAYNE: I will endeavour to emulate my Leader by remaining temperate in this matter. To that end, I support his motion that the explanation of the member for Playford be accepted. I have listened very carefully to the circumstances as outlined by the Leader, and I utterly confirm those circumstances. You, Sir, were not in the Chamber during the whole gamut of the incident; there had been a certain amount of unruliness in the House. I was involved in that and I was warned by the Deputy Speaker. I accepted that ruling. If I remember correctly, the member for Unley had been warned. Cautions were distributed generally to members on the basis of background and general conversation as well as interjections.

It was in that sort of climate that members on this side saw the Deputy Leader attempt to obtain the call to speak on the grievance that is normally associated with the motion of going into Committee on a finance matter of this nature. I was still cognisant of the fact that I was under warning, so I could probably argue that I was fairly calm and not directly involved in the interchange that was taking place. I observed that, as soon as it appeared there was some contretemps in relation to the fact that the Deputy Leader might begin to speak in grievance, the member for Playford rose in his place and endeavoured to take a point of order. There was quite a bit of general noise and interjection at that stage but, as I have already stressed, perhaps on the one occassion for a long time I was not directly involved, because I was under warning.

The member for Playford explained his unruly behaviour that occurred after the naming in a way that I believe indicates to all members that, if ever there was an occasion on which an explanation should be accepted after a member's being named, this is that time. I do not think I have used one inflammatory word so far, or a word that could be argued to be of an inciting nature. I have endeavoured to outline and refresh member's memories on the matter. Clearly, there was a lot of confusion. I know that the Deputy Premier believes he was involved in the matter in a certain way, and says that he was not in the House at one point of time and so on. There are others on this side of the House who, if called on to substantiate what they did during those three or four minutes, would be very hard put to recall accurately. I believe that my memory of those events is fairly accurate because of the circumstances in which I was operating at the time. I was under a fairly recent warning and therefore I was sitting in a composed manner and I decided that at that stage I had no direct involvement in what was going on, and that I could observe it. If one refers to the Standing Orders, there is mention that a member 'shall have the right to be heard in explanation or apology.'

It seems to me that what was put forward to the House by the member for Playford contained both a reasonable and sound explanation as to the circumstances he found himself in and an excellent—if that is the right word to use—apology for the predicament he found himself in and also for some behaviour which he felt sorry for that occurred after the actual naming incident. He began by saying that he had been in the House since May 1970 and, as you will be aware, Sir, I have also been in the House since that time. I am receiving advice which I believe might raise the temperature of the House. I believe I could be easily incited if I were to retail the events which are associated with this piece of paper, but I propose to put it down and not raise that matter at all. We are here to hear a member give an explanation and an apology. We heard the member for Playford give and excellent explanation of why he finished up in that predicament, as he saw it, and that is the only way he can do it; and we heard his apology. I believe that, if ever there was an occasion that warranted acceptance of an apology by the House, this is it. I urge all members to apply their thoughts and support what I have put before the House.

The Hon. D. O. TONKIN (Premier and Treasurer): The events of the last half hour have been most unfortunate. I cannot recall any other occasion in my Parliamentary career where I have seen such happenings in this House. What has led to this situation has nothing to do with an agreement. It started off with the Opposition's breaking with tradition and subjecting the passage of Supply to a lengthy and unnecessary debate. I was watching very carefully when the motion was put by the Deputy Speaker that, 'The Speaker do now leave the Chair and the House resolve itself into a Committee of the whole for consideration of the Bill'. I was watching carefully because, as I have already explained, I was once caught by the passage of that motion and the putting of the question and, because I was caught in Opposition, the Opposition forfeited its right to a grievance debate. It only happened once, and from then on I was ready for that motion and stood whenever it was put, before the actual question was put.

The Opposition currently has had this happen to it at least twice. On the first occasion, when the Leader of the Opposition was very young in his position, I remember we actually allowed him to proceed although he had missed the call. The second time that he missed the call was some little time ago. I was there watching with great interest to see what would happen on this occasion.

Mr BANNON: I rise on a point of order, Mr Speaker. The Premier is not speaking relevantly to the point that is before us which relates to the behaviour of the member for Playford and the acceptance of his explanation to this House. It has nothing to do with the events that he is canvassing.

The SPEAKER: I do not uphold the point of order. I have been listening to the debate, and I noted quite particularly that the Premier was relating the course of events leading to the incident for which the explanation is being considered. I believe that that course of action is consistent with other such debate in this issue that we have had earlier this evening. The honourable Premier.

The Hon. D. O. TONKIN: The Deputy Leader did not rise before the question was put and I was watching it very carefully indeed. In fact, the Deputy Speaker hesitated for a palpable time, waiting to see whether anyone would rise before he put the question, and it was passed. It was not until the mace was below the table and the Deputy Speaker was taking his position as Chairman of Committees and was putting clause 1 that the Deputy Leader of the Opposition rose to his feet and said words to the effect, 'Point of order! I want to know when we get our grievance.' That was the clear sequence of events, and I do not think that there can be any mistaking them.

I very much regret what has happened and I must say that I am grateful to the member for Playford for what I take to be his apology. I certainly will accept it as a personal explanation. I understand his feelings because, on reflection, he would not want to have done what he did. I am not able to support the motion for the simple reason that the authority of the Chair of this Chamber must be upheld, and I believe that the member for Playford will accept that need in an institution such as this.

The Deputy Leader, when asking when the grievance debate was to be held and asking for guidance on this matter, was clearly taking a point of order. The member for Playford stood in his place at the same time and loudly and repeatedly insisted and demanded that he be heard and that his point of order be heard. The member for Playford knows full well (as he has been in this place long enough) that, when one member is on his feet taking a point of order, he is not entitled to take a further point of order until—

An honourable member interjecting:

The Hon. D. O. TONKIN: He should not have been on his feet if he was not taking a point of order. There is no way that another member can take another point of order until the first point of order is disposed of. That is the clear fact of the matter. The Chairman of Committees at that stage called for order on a number of occasions. Certainly the noise level was very high, but that was to a large extent because of the member for Playford and the Chairman's efforts to control the situation. Numerous warnings were given, and there is no doubt in my mind that the honourable member for Playford consistently, for whatever reason, defied the ruling of the Chair by continuing to call and insisting that he be heard while the Deputy Leader was on his feet. There is no question that the Chairman of Committees was correct in his ruling and, much as I regret what has happened this evening, I nevertheless must oppose the acceptance of the explanation.

The Hon. J. D. WRIGHT (Deputy Leader of the Opposition): I want to support the motion to accept the apology and explanation by the member for Playford, because that is clearly what the member for Playford has done this evening. He said he was contrite about his activities and he also apologised for those activities, and I believe that he gave what was a perfectly legitimate explanation when one considers the facts as they occurred.

The Premier talked about the authority of the Chair. I do not dispute that. I have been here for eleven years and have not been put out yet, so my record suggests that I must recognise the authority of the Chair, but I also recognise that the Chair has some moral obligations that clearly were not carried out this morning. The Speaker, and therefore the Deputy Speaker, were provided with a call list with my name appearing on the top of that call list as the first speaker in the grievance debate. I sincerely believe that, whether that is clearly indicated in the Standing Orders or not, it has been the tradition and the belief of this House and all members in it that, once the Speaker has been provided with a call list, he operates accordingly.

I do not think any Speakers since I have been in this House has not obeyed that tradition and that historical circumstance. I was waiting, quite clearly, at the end of the debate for the Deputy Speaker, the Chairman of Committees, to call me. I am not going to placed on record my belief as to exactly when I stood up. There are some people on my side who are prepared to say that I stood up before

the Deputy Speaker actually left the Chair. Other people within the confines of this House say I did not.

I will not argue whether I did or did not but what I do believe is that there was some responsibility and moral obligation clearly on the Deputy Speaker to have recognised the traditions and historical circumstances of this House by acknowledging that call list, and quite clearly. I was the first speaker on that list and was looking for the call. It was in those circumstances, which quite clearly became heated, that the member for Playford took his point of order. Let me make this point also clear. I did not take a point of order. There was no point of order taken by me, and I hope that *Hansard* got that accurately so we can look at it tomorrow. I merely asked a question—

Mr Langley: They made a blue.

The Hon. J. D. WRIGHT: I merely asked a question of the Deputy Speaker—

The SPEAKER: Order! I am advised that the honourable member for Unley has already had warnings earlier this evening. I would ask him not to interject again.

The Hon. J. D. WRIGHT: I was making the point that I did not call a point of order. I was asking a question of Deputy Speaker, whom I had up until that moment believed would give me the call, as was his responsibility, and he had failed to do so. The member for Playford had had the responsibility of drawing up that call list, and we have established since that the call list had been placed with the Speaker and therefore with the Deputy Speaker.

It was in those circumstances that the Deputy Whip from our side, the member for Playford, felt quite entitled to take his point of order, when he was not recognised by the Speaker as having the right to do so. I have never seen in this House, under your Speakership or under any other Speaker since I have been here, any member on either side of politics refused the right to a point of order. That is clearly what happened tonight. The Deputy Speaker (and I am not sure on what grounds he did this because he has not explained himself yet), refused the right of the member for Playford to take a point of order. If it was on the basis that I had taken a point of order, then the Deputy Speaker was clearly wrong. I am sure that the record will show that I did not take a point of order. I was merely asking when I was going to be called, and that is the clear and utter responsibility of the Speaker. If it is not, I would ask you, Mr Speaker, to give a ruling in this House at some stage on whether the call list is applicable, and whether we can depend upon the responsibility of the man in the Chair, whether it is you, Mr Deputy Speaker, the member for Playford or whoever may be in the Chair, to apply that call list.

If we cannot rely on that list, we should do away with the call list and have members jump up all over the place like Indians. In my view, the call list brings some decorum to this House. If that is not going to be the responsibility of the Speaker I would like your advice on it, and I will accept your ruling, because I think that you are a very fair Speaker. You have given both sides of the House—

The SPEAKER: Order! The honourable gentleman will now come to the explanation of the honourable member for Playford.

The Hon. J. D. WRIGHT: I am convinced that the explanation by the member for Playford was a clear and concise record of what occurred. He was attempting, quite legitimately under the Standing Orders of this House, to take a point of order which ought to have been recognised by the Deputy Speaker. It was not, and as a consequence of that the Deputy Speaker decided to name him.

Since then (and I think this is much more important than all of those proceedings), we have had the actions and the explanation given by the member for Playford, who quite clearly is sorry for the events that occurred. He has told this House that he is concerned about what has happened. He has made clear that it was the first time in the eleven years that he has been here that there has been any difficulty. He has asked on this occasion that the Premier accept his explanation. I support his explanation very strongly and ask all members to search their conscience about exactly what happened tonight and the events leading up to it. If members have any conscience at all, they will support the member for Playford.

The House divided on the motion:

Ayes (20)—Messrs Abott, L. M. F. Arnold, Bannon (teller), Max Brown, Crafter, Duncan, Hamilton, Hemmings, Hopgood, Keneally, Langley, McRae, O'Neill, Payne, Peterson, Plunkett, Slater, Trainer, Whitten, and Wright.

Noes (23)—Mrs Adamson, Messrs Allison, P. B. Arnold, Becker, Billard, Blacker, D. C. Brown, Chapman, Evans, Glazbrook, Goldsworthy, Gunn, Lewis, Mathwin, Olsen, Oswald, Randall, Rodda, Russack, Schmidt, Tonkin (teller), Wilson, and Wotton.

Pair—Aye—Mr Corcoran. No—Mr Ashenden.

Majority of 3 for the Noes.

Motion thus negatived.

The SPEAKER: The House will come to order. I ask the honourable member for Playford to leave the Chamber. In doing so, I make the point that, when asked the reason for the honourable member's being in the predicament in which he found himself, I indicated that it was for 'persistant disorderly conduct'. In actual fact, the report made to the Chair when I returned to the Chamber, and the official position, was stated as 'persistantly defying the authority of the Chair'. I apologise to the honourable member for Playford for giving the other reason when asked that question. It was a view which I gave on the circumstances which I saw before me when I came back into the Chamber and saw the honourable member out of his seat and talking from that position. Persistantly defying the authority of the Chair is the official situation. The honourable member for Playford will please leave the Chamber.

The Hon. J. D. WRIGHT: I rise on a point of order, Mr Speaker.

Mr Langley: Why don't you—

The SPEAKER: I warn the honourable member for Unley for the last time. The honourable Deputy Leader.

The Hon. J. D. WRIGHT: Would I be in order at this stage, Mr Speaker, to seek to move a suspension of Standing Orders so that the Opposition can have its right to have its grievance?

The SPEAKER: No. There are further procedural motions in relation to the course of action which is currently before the Chair. I ask the honourable member please to return to his chair.

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

That the honourable member for Playford be suspended from the service of the House.

Mr BANNON (Leader of the Opposition): I oppose the motion.

The SPEAKER: This is not a debatable question. Standing Order 171 provides:

. . . shall, on a motion being made, no amendment, adjournment, or debate being allowed, forthwith put the question . . .

Motion declared carried.

Mr J. C. BANNON: Divide!

While the division bells were ringing:

Mr KENEALLY: Would I be in order in asking you, Mr Speaker, just how long the motion for suspension may last?

The SPEAKER: Order! The honourable member would not be in order. I will entertain a question from him afterwards.

The House divided on the motion:

Ayes (23)—Mrs Adamson, Messrs Allison, P. B. Arnold, Becker, Billard, Blacker, D. C. Brown, Chapman, Evans, Glazbrook, Goldsworthy, Gunn, Lewis, Mathwin, Olsen, Oswald, Randall, Rodda, Russack, Schmidt, Tonkin (teller), Wilson, and Wotton.

Noes (19)—Messrs Abbott, L. M. F. Arnold, Bannon (teller), M. J. Brown, Crafter, Duncan, Hamilton, Hemmings, Hopgood, Keneally, Langley, O'Neill, Payne, Peterson, Plunkett, Slater, Trainer, Whitten, and Wright.

Pair—Aye—Mr Ashenden. No—Mr Corcoran.

Majority of 4 for the Ayes.

Motion thus carried.

The SPEAKER: The honourable member for Stuart asked a question when the time for taking the vote had just expired. The honourable member would know from his reading of the Standing Orders that the suspension on the first occasion in a Parliamentary session is for the remainder of the sitting of that day.

The Hon. J. D. WRIGHT (Deputy Leader of the Opposition): I want to move that Standing Orders be so far suspended as to allow the grievance debate for the Opposition which we were just robbed of.

The SPEAKER: Order!

The Hon. J. D. WRIGHT: Am I entitled to move that, Sir?

The SPEAKER: The honourable member is entitled to put a motion to the Chair, yes.

The Hon. J. D. WRIGHT: Well, Sir, I was—

The SPEAKER: Order!

The Hon. J. D. WRIGHT: Can I sit down, Sir? That is all I want to know.

The SPEAKER: The honourable member may sit down, having been told to do so by the Chair, and will be given the call to rise to his feet again. I called the honourable member to order because, in moving a substantive motion, I suggest with all due humility that it is not a proper course of action to start making comment.

The Hon. J. D. WRIGHT: Well, I just move it, Sir.

Mr Keneally: Do you want to speak to it?

The SPEAKER: Order! The honourable Deputy Leader said that all he required to do was to move it.

The Hon. J. D. WRIGHT: I want to move it, Sir. It is quite obvious that there was some plan this evening by the Government to avoid—

The SPEAKER: Order! The honourable Deputy Leader will please resume his seat. The honourable Deputy Leader rose and indicated to the House that he intended to move for a suspension of Standing Orders. He then proceeded to make comments which, in the view of the Chair, were out of order. He further asked whether he would have an opportunity to speak. He may speak, indicating the reasons why he desires to move for the suspension of Standing Orders, and he may continue with that explanation, and that explanation only, for a maximum of 10 minutes. The honourable Deputy Leader indicated, I believe, that he had finished making his explanation.

The Hon. J. D. Wright: No.

The SPEAKER: Order! I will give him the benefit of a doubt; I call upon the Deputy Leader of the opposition.

The Hon. D. O. TONKIN: On a point of order, Mr Speaker, the Deputy Leader of the Opposition made a most serious reflection on the Chair in suggesting that there was obviously some plan tonight, involving the Chair, to do the Opposition out of a debate. I think that is a total reflection on the Chair.

The Hon. R. G. PAYNE: On a point of order—

The SPEAKER: Order! One point of order at a time. I accept the point of order that the Premier has raised, but I point out that the reason why I asked the honourable Deputy Leader not to comment was because of the nature of the comment which is the purpose of the Premier's rising on a point of order. It could have been taken as a reflection upon the Chair, but the Chair did not see it in that light as it reflected upon the Speaker, although that construction could be given to it. The Deputy Leader, if he seeks to take the call for a further period of time, will be fully appreciative of the fact that he may not continue in that vein.

The Hon. R. G. PAYNE: On a point of order, Mr Speaker, I suggest that the previous point of order raised by the Premier was itself out of order, because he did not take objection at the time of the alleged breach to which he reffered.

The SPEAKER: That is correct, but the honourable Premier, like any other member, was precluded from taking the point of order because the Speaker was on his feet at the time remonstrating with the honourable Deputy Leader.

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

That Standing Orders be so far suspended as to enable the grievence debate that is allowed during the passage of the Supply Bill to be proceeded with.

We must take cognisance of the points I made earlier in the debate in regard to the suspension of the member for Playford. I refer to the significance of the call list. I have always believed that the call list is important, and it has been part of my practice to check with the Speaker, irrespective of whether I was a Minister in Government or in the Opposition. I know that you, Mr Speaker, could authenticate what I say. I often look at the call lists that have been provided by the Opposition and the Government. It is from that record that one can see how many speakers will debate a particular Bill.

It has been proved beyond any reasonable doubt that the Whips on the Opposition side carried out their responsibilities this morning and placed with the Speaker the call list. It was then incumbent on the Chair to recognise that call list, as has been the practice in the past, and call the person first named on that list to speak. I am not in a position to judge why the Deputy Speaker did not do that, but he did not. I and other members on this side believe there was some responsibility on the Deputy Speaker to do that.

Perhaps it was a mistake that he did not: I do not want to make any strong assertions about the Deputy Speaker. Perhaps he did not see the call list. I do not know. The call list was certainly placed there, and the Deputy Speaker gave no-one on this side the opportunity at any time to stand up, speak and begin the grievance debate. A lot of kerfuffle was occurring in the House at that stage from both sides. That was not good from either side. There were numerous interjections from the Deputy Premier, some of which were very nasty interjections at that stage.

Mr Bannon: 'You bastards!'

The Hon. J. D. WRIGHT: I am told the Deputy Premier even used the words 'You bastards,' which was quite insulting to members on this side. I am sure that my comrades are quite legitimate. With all the confusion that was going on and with the abuse emanating from the other side, it was quite obvious that something had to occur. I still insist that this whole matter could and should have been avoided, had the Deputy Speaker recognised the traditional way of calling on speakers in this House.

It is my belief, whether or not it is the belief of other members, that I made a genuine attempt at what I considered to be the appropriate time to indicate to the Deputy Speaker that I wanted to speak in this debate. I am convinced that I was on my feet before the Deputy Speaker left the Chair. I do not know why the Deputy Speaker decided not to call me in those circumstances. I believe he had a responsibility to do so. However, there is now an opportunity to undo some of the wrongs that have been done tonight, although they cannot all be undone.

The Hon. D. O. TONKIN: I rise on a point of order. I hope that the Deputy Leader is not reflecting on the decision of the Chair.

The SPEAKER: Order! That construction could be given to the points that the honourable Deputy Leader is making. However, I prefer to believe that he is setting the scene for the reason why he wants a suspension of Standing Orders.

The Hon. J. D. WRIGHT: I thank you, Sir, for your protection. However, I was not referring to decisions of the House at all: I was referring to the interjections and conduct of people on the Government benches during the whole of that process. The Deputy Premier was accusing this side of the House of being bastards. That was the word that he used across the Chamber.

The SPEAKER: The honourable Deputy Leader will come back to the reason why he desires the suspension.

The Hon. J. D. WRIGHT: My final reason is that, for whatever the reasons on the Government side, whether deliberate or not or whether or not they were planned, or even whether it was a mistake, I have found over the years that I have known the member for Eyre that he is at least an honest man. I have not always agreed with him, but at least I found him to be an honest man. Here is an occasion for him to improve on that belief of mine and to say whether or not a genuine mistake was made. Whatever the circumstances, it is clear that the Opposition has been deprived of its rightful grievance. There was a list of 12 speakers (which I understand is still on your desk, Sir) who want to participate in this debate.

I believe that the Government ought to be sensible and honest enough in its approach to this matter to give the Opposition the right to continue this grievance debate. That would finalise the whole of the debate, and I believe that it is our perfect right. In the circumstances I expect the Government to have some honour in this regard.

The Hon. D. O. TONKIN (Premier and Treasurer): I oppose the suspension of Standing Orders. When the Deputy Leader talks about the conduct of members of this Chamber and refers to this side of the House, I remind him that the conduct of the Opposition members tonight has been disgraceful. I repeat what I said before: when this motion was put, 'that the Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole for the consideration of the Bill', I was watching the whole circumstances very clearly indeed. I repeat that I was caught once in Opposition, and the then Premier Mr Dunstan, showed no mercy whatever. I refer the Leader of the Opposition to the quite adequate speech that the former premier made at that time.

Mr Bannon: Do you agree with him?

The Hon. D. O. TONKIN: No, I was not happy, but nevertheless I recognised that I should have been on my feet at the appropriate time. The point is that I learnt something from it, and Opposition members quite clearly have not. This is the third time, to my knowledge, that this situation has arisen. Because of my very close interests, I was watching very carefully, and the Deputy Leader did not rise before the question was put. Indeed, he did not rise until the mace was placed below the table. The Deputy Speaker was in the Chair as Chairman of Committees and had put clause 1. That is when the Deputy Leader of the Opposition rose to his feet.

I am not in a position to know what speaking lists were or were not put in. I do know that no-one, whether it be the Speaker or the Chairman of Committees, can recognise a member unless he stands on his feet. I suggest that the Opposition puts its mind to trying to learn something from this instead of being so disorganised and unable to fulfil its Parliamentary duties in a satisfactory manner.

The SPEAKER: I admit to the House that, having accepted the right of the Deputy Leader of the Opposition to seek to suspend Standing Orders, I failed then to proceed to count the House and see whether the motion was seconded before the Premier took the second speech. It is now my intention to count the House and, subject to circumstances that then prevail, I will proceed as if the matter had been taken in due form. I have counted the House and, there being present an absolute majority of the whole, the motion for suspension is accepted. Is it seconded?

Mr BANNON: Yes.

The SPEAKER: The question is that the motion be agreed to. Those of that opinion say 'Aye', against 'No'. There being a dissentient voice, it is necessary that a division be held.

The House divided on the motion:

Ayes (19)—Messrs Abbott, L. M. F. Arnold, Bannon, M. J. Brown, Crafter, Duncan, Hamilton, Hemmings, Hopgood, Keneally, Langley, O'Neill, Payne, Peterson, Plunkett, Slater, Trainer, Whitten, and Wright (teller).

Noes (23)—Mrs Adamson, Messrs Allison, P. B. Arnold, Becker, Billard, Blacker, D. C. Brown, Chapman, Evans, Glazbrook, Goldsworthy, Gunn, Lewis, Mathwin, Olsen, Oswald, Randall, Rodda, Russack, Schmidt, Tonkin (teller), Wilson, and Wotton.

Pair—Aye—The Hon. J. D. Corcoran. No—Mr Ashenden.

Majority of 4 for the Noes.

Motion thus negatived.

In Committee.

Clause 2—'Issue and application of $310 000 000.'

Mr BANNON: Clause 2 is the key clause of the Bill, in that it spells out the amount that has been allocated to be supplied out of the Consolidated Account. On this occasion, Supply Bill (No. 2), it is $310 000 000. There is no indication on the face of the Bill as to exactly why this particular amount has been allowed for. Certainly, we received no explanation in the second reading explanation beyond the very curt remark that this amount would ensure that Supply could be maintained until the time of an appropriation and Budget being passed by this Parliament.

I think that this sum really needs consideration by the Parliament, because we have been given no indication whatsoever of when the Budget will be presented. In the normal course of events, one would expect the Budget to be handed down this Thursday, and therefore we could look at this Bill in the context of some financial allocation being made with some certainty and based on a time table that would allow its passage.

The situation that the Public Service faces and that we as members face is that, first, at the end of this week we will adjourn without the Budget having been presented. Secondly, we will adjourn for two weeks. Thirdly, we resume on 15 September, with no certainty that the Budget will be presented on that day. That means that the predictions, the basis, on which the Government has provided for this sum is not known or spelt out to Parliament, and we question whether a sufficient amount has been made available.

Let us look at the time table involved. If the Budget is available for presentation on the day on which we resume,

in the normal course of events, at least a week should be allowed for consideration of the Budget before the reply takes place. In this context, I instance what takes place in the Federal Parliament, where the Budget is presented on the Tuesday, the Treasurer gives his speech and the matter is adjourned. A week elapses before the Opposition replies, and a general Budget debate follows.

If this Budget is presented on 15 September, one would expect that a week would elapse, and on 22 September the debate proper on the Budget would commence. There is no guarantee that the Budget could be carried in that week. The Premier has already spelt out that this will be one of the toughest Budgets ever presented in this State. It comes on top of a record deficit in the last Budget. It itself will be a deficit Budget. So, while it is true that we will be able to examine, the Budget in some detail during the course of the Estates Committees, nonetheless the second reading debate will be an extremely important one in which the general issues of State's finances will be canvassed in the context of the Government's financial provision for 1981-82. I anticipate that that process will take a considerable time. I would be amazed if it was not incumbent on all members on this side to speak in the second reading debate.

It is not just the case of generalities; it is a case of looking at the allocations that are being made in the Budget. In view of what the Premier has said about this Budget, and in view of its somewhat horrendous implications for services in this State, I would also be very surprised indeed if back-bench members opposite did not feel inclined to speak on the Budget. After all, they had their electoral interests to protect and they had their constituents to represent. While the principal of Cabinet responsibility means that members of the Ministry would probably not feel free to canvas at any length the general issues raised by the Budget, members on the back bench do not have that constraint placed on them. As I have said, those of them, particularly those in marginal seats, would probably feel it very necessary indeed to make some comments and get their remarks on the record in the context of a second reading debate. That will take some considerable time.

I believe that it would not be possible to complete that debate within one week. It will probably take longer. Of course, we then have the Estimates Committees procedures. Under the new Standing Orders tabled in this House but not yet debated or adopted, two weeks are provided. We do not know whether or not the House will finally determine whether it will be two weeks or whether it will be longer or shorter. Certainly, we will need a considerable sitting time to look at the Estimates. Each Minister will be examined; under the proposal each Minister will have a full day to appear before the committee in which the detailed estimates of his department and area of responsibility are canvassed. Once again, we are looking at, say, two weeks or so of second reading debate on this very important Budget. We are looking at another two weeks of the Estimates Committees before the matter then comes back before the House.

A further debate will ensue based on the information gathered by those Estimates Committees. The possibility of moving votes of confidence on particular lines comes up under the consideration of Estimates Committees A and B, which are both considered in separate debates. Again, that will take some considerable time. The Budget then goes to the Upper House and the same rules apply in that second reading debate in the Upper House. It will occupy somewhat more time than has been the case in the past, because this Budget will have particular significance and particular implications for the financing of this State. Members should consider that time-table and remember that it is postulated on the basis of the Budget being introduced on the very day that we return, and no guarantee has been given that that will be the case. In fact, the information that we have is that such is the confusion in relation to the formation of the Government's Budget that it may be even later than that.

Even if the Budget was introduced on that first day on which we return, we are running well into November before the Budget has any hope of being carried by both Houses and receiving Royal assent. I believe that that is a fairly dangerous time-table for the Government, when one looks at an amount of $310 000 000. I very seriously question whether sufficient provision has been made by the Government. I question it for another equally important reason. Honourable members will recall the Budget that was presented by the Government last year. They will remember the deficit of $1 500 000, which was provided in that Budget. In the event, something like $8 000 000 is shown as the deficit, and that is only by distinction of some juggling of the figures and a massive transfer from the Loan Account to ensure that even that result is achieved. One of the chief factors the Premier refers to in relation to the miscalculations made in his budgeted figure, as opposed to the actual result, was wage increases which had taken place from the time that the budget was introduced into the House to the time that the financial year finished.

He said that wage increases were unprecedented. I suggest that any examination of the industrial scene at this time would indicate that similar increases may well be in the pipeline at this moment. There is enormous pressure on wage earners in this country. We have seen the rising cost of living, rising interest rates, Premiers' Conferences called, and there has been a general disarray in the whole area of wage fixation. Throughout all this, major claims have been lodged by various unions, claims which inevitably will have to be considered by the State arbitration tribunals and which will flow into the State Budget. Teachers, as the Minister of Education knows, have a work value claim that has been going through a long slow process and some decision may be reached about that claim in the next couple of months. If those wage decisions are brought down, and the Government finds itself under an obligation to pay an increased wages bill, the amount of $310 000 000 will be quite inadequate. I think the important question we must ask in this Committee stage is precisely how this calculation was made, and what is the timetable for the Government's Budget consideration, because that has a bearing on whether the amount is adequate or not. Also, we must ask what predictions the Government is making about special expenditures, increased wages awards and other costs that may arise between now and the time when the Budget is finally carried, which will be some time in November if all goes smoothly.

It is hard to contemplate events going smoothly in the light of some of the statements the Premier has made. I think that we need some detailed replies to these particular questions. It is a great pity that the second reading speech was so scanty in its explanation as to how the figures were reached and as to the basis on which estimates were made to allow for this particular supply matter. I suppose, in saying that, I am probably criticising previous Governments. Because of the nature of these Bills they have been brief in their explanations as, indeed, the debate on them has been brief. I think, on this occasion, considerably more explanation was warranted. It was certainly not given in the course of the second reading explanation or debate, nor in the Premier's reply, so the Committee stage provides us with the only real opportunity we have to ask these questions, and to get them answered adequately by the Government.

The Hon. D. O. TONKIN: I was going to give the Leader seven out of ten about five minutes ago, but repetition, repetition, I am afraid I have had to mark it down to four out of ten. I find it quite ridiculous that the Leader should persist with this farce.

The Hon. R. G. Payne: He finds something—

The CHAIRMAN: Order!

The Hon. D. O. TONKIN: I can only tell the Leader that the amount of money set aside by this Supply Bill will be sufficient, as usual, to cover the period of the Budget consideration and a period thereafter. I simply point out to the Leader that, if by any chance the irresponsibility of his Party in considering the Budget holds it up unduly, we will bring in another Supply Bill.

Mr BANNON: The Premier has given a totally inadequate reply. I can understand it. He says 'Bad luck', and that is a fair response for him, I suppose. It is certainly bad luck on his part that he does not have an adviser present in the box to provide him with the sort of material that he needs to make his reply. I am not surprised that his reply was so inadequate, because I am quite sure from the debate that has proceeded so far, and from the reply that he just gave, that he does not know the basis on which that calculation of $310 000 000 has been made and is not prepared to go into any detail on it. I think that is quite insufficient. The Premier says that he has a fall-back position in that if there is any unusual delay in consideration of the Budget an extra Supply Bill can be introduced into this Parliament.

That would be fairly unprecedented, I would suggest, and it is not the way in which we should be conducting public finance. I am amazed that the Premier suggested it. After all, a Supply Bill of this kind is, in a sense, a Bill being passed on trust. We have no idea at this time as to the programme of the Government because its Budget has not been delivered. We have no idea what new initiatives or alterations of policy are going to be embodied in any Budget presented.

All we know is that we are being asked to supply a sum of money. There are certain rules applying to such Supply Bills. The moneys voted must be used in continuing programmes, in wages and salaries that are committed on a continuing basis by the Government and, to that extent, a large proportion of this amount is already committed. But any Supply Bill is passed, in effect, blind by the Parliament, on trust, as a kind of assistance to the Government to allow it to ensure that people do not go without pay and that essential services are not cancelled because of a temporary lack of supply.

If we are acting in trust, and I am sure that this is a point the Premier would have made strongly in his days as Leader of the Opposition, if we are going to pass something in trust, then we ought to know for how long it is to operate, and we ought to know on what basis that sum of money is provided. The Premier has simply got up and said, 'Do not worry about it; this will be sufficient until the Budget is passed and, if it is not sufficient, we will pass another Supply Bill.'

That is not good enough. This House would have every reason to look seriously at an extra Supply Bill in the absence of proper budgetary consideration, because it would mean that there was total mismanagement on the part of the Government in presenting its measures to this House. Already there is such chaos and confusion in relation to the preparation of the Budget that it is being delayed by three or four weeks. We do not precisely know how long, and I think that in the context of a Supply Bill the House must be given that information.

When is the Budget to be presented? When does the Government anticipate that it will be passed? How is it calculated that this amount of money will be provided? I do not think we should be asked to contemplate another Supply Bill. This should be the only one that is required. The time table that the Government has in mind ought to be placed before the House here and now in this debate because, after all, we are going to rise for two weeks on Thursday. We will not get another opportunity to question or get these answers. I request that the Premier treat these questions more seriously. If he has not got the information, and I can understand it as he has not an adviser available to him, perhaps he could give some sort of undertaking to seek that information. But as Treasurer of this State, I would be amazed if he has not got it.

The CHAIRMAN: The question is that the clause be agreed to. The honourable Leader of the Opposition.

Mr BANNON: It is clear that the Premier is not going to respond to these questions, and I do not want to detain the House unduly, particularly as the member for Salisbury has questions that he wishes to ask. I would like to make this point in relation to this matter. We are being asked to vote an amount of $310 000 000. As I have said, we are not being told the basis of it, nor the period for which it operates. It is quite irresponsible for the Premier simply to sit back and feign sleep, or whatever he is attempting to do, and treat this House with contempt. We have already had a very poor display this evening from the Government. The Leader of the House, The Deputy Premier—

The CHAIRMAN: Order! I do not think there is anything about the Deputy Premier or the display of the Government contained in this clause now before the Committee.

Mr BANNON: There is something about the Deputy Premier, because his wages will come from this appropriation of Supply. I think I can certainly refer to the Deputy Premier.

The CHAIRMAN: Order! I recall to the Leader that I have allowed him some latitude. It was in order to discuss administrative actions in relation to the expenditure of funds applied by this Bill during the second reading debate. However, I advise honourable members that the clauses of the Bill are such that subjects involving expenditure cannot be discussed. The clauses of the Bill simply effect the appropriation of a certain amount and ensure the application of funds to the objects defined. I have informed the Committee of that, because I believe there may be some confusion as to the manner in which the debate can proceed.

Mr BANNON: My final point—and I take your point—is that I am asking something relating to the moneys provided here. It is not correct to say that these are purely administrative matters, because they go right to the basis of the Bill: on what basis shall Parliament make a grant of this amount of money? The answer surely must lie with the Premier. The extraordinary thing about the Premier in this matter is that he is presenting this Bill as Treasurer, and yet, as Treasurer, he has completely overthrown his responsibility by handing the formation of the Budget (and this could be one reason why it has been delayed) to a committee on which the Minister of Industrial Affairs, the Attorney-General and the Deputy Premier are involved. That is quite an unprecedented action for a Premier to take, but it indicates, I suspect, the difficulties he is having with the State's finances, and as a result explains why he is not able to answer the questions I have asked.

Mr LYNN ARNOLD: There are some interesting points on which the Premier should be giving answers to the Committee and which have been raised by the Leader of the Opposition. I should like to take these points further.

Members interjecting:

The CHAIRMAN: Order!

Mr LYNN ARNOLD: The allocation that we are to vote on here is for $310 000 000 and that, taken with Supply

Bill (No. 1), means that the total allocation under Supply Bills this year is $570 000 000. We are told that it is to enable the Public Service to carry out its normal functions until assent is received to the Appropriation Bill. The important element is that the Government is able to carry out its normal functions. If we read last year's Supply Bill (No. 1) and Supply Bill (No. 2), we find that they consisted of two Bills, one for $220 000 000 and one for $350 000 000, providing a total allocation of $570 000 000. The total allocation in the two Supply Bills last year was neither greater nor less than is the total allocation of the two Bills this year.

What I think is important for us to know is that, given that this is to allow the Government to carry out its normal functions and to enable the Public Service to operate, why has there been no increased allocation over last year's allocation. We are all aware that there have been in the community some wage increases and certain inflationary factors; neither of those amounts to zero. Surely, it would behove that an increased allocation be made available. It is particularly important because this Supply will take us up to early November, and we will see one-third of the financial year taken up by these Supply Bills before the ordinary Government Budget comes into play. It seems to me to imply that perhaps we are seeing an early foretaste of the cuts the Premier has foreshadowed in various public forums on another occasion.

The CHAIRMAN: Order! I draw to the attention of the honourable member the statement I made a short time ago. Talking about cuts is clearly out of order, and I ask him to confine his remarks to the clause under consideration.

Mr LYNN ARNOLD: Certainly, I am saying that we have a nil growth situation which, in real terms, is a real reduction on last year's allocation. I presume that there is some method of ascertaining what amount is applied for in Supply Bills (No. 1) and (No. 2). I presume there is some formula the Premier is keeping very much to himself. It is rather a pity. The Leader of the Opposition tried to elicit that information, and I hope that we will get it at some stage. In 1979-80, we had two Supply Bills in that year, or really three, due to the intervening election delaying the Budget. The first two amounted to $470 000 000, so this year's allocation is 17.8 per cent greater than was the 1979-80 allocation.

In two years, it has been estimated that there has been only that growth factor in the various elements in the Supply Bill components. We need to know the Supply Bill components and why there has been no increase in dollar terms as compared to last year's Supply Bill. It is insufficient for the Premier to say, 'If more money is needed, we will introduce another Supply Bill.'

The Hon. D. C. Brown: Are you trying to prove to us that you are immature and that you haven't been here very long?

The CHAIRMAN: Order! The member for Salisbury has the call.

Mr LYNN ARNOLD: One of the reasons why it is so important to remember this is that we are continually faced with the situation where the Supply Bills (No. 1) and (No. 2) cover much of the year. One-third of this financial year will be taken up under the auspices of Supply Bills. In other words, new spending programmes and the capacity in which they can be enacted will have to wait until the Budget comes down. They will then have to be deducted in the remaining two-thirds of the year. Will the Premier say why there has not been an allocation in real terms above the provision in last year's Supply Bills (No. 1) and (No. 2)?

The Hon. D. O. TONKIN: Unfortunately, the ruling that you, Mr Chairman, gave to the honourable member precludes me from giving the answer he seeks.

The Hon. R. G. PAYNE: This clause provides for the issue and application of $310 000 000. I have not done the research that my colleague obviously has done in this matter, for which I believe he must be congratulated, considering the limited time the Bill has been available, but I wonder how the figure was arrived at. A sum of $310 000 000 is involved. The Premier, in his capacity as Treasurer, is authorised to pay moneys under that vote. I expect there was a conference between the Premier as Treasurer and the Under Treasurer, in which there was a specific endeavour on the part of the Under Treasurer to try to explain to the Treasurer why it was necessary to come before this Parliament with a Supply Bill containing a figure of $310 000 000.

One would assume that some papers are available to the Premier that state this amount. Probably this figure is underlined for the Premier's benefit so that he can do a little memory absorption instead of picking up bits of paper all the time and reading from them. That is not an unreasonable request for any member to ask the Premier why a figure of $310 000 000 was chosen. The Premier should be able to answer that question. Clause 2 sets out this sum.

The Premier obviously bloody well does not know. That is why he is sitting there pretending that he is tired and muttering things. He does not have a clue why that figure was chosen. Let him be honest for once and tell us that that is the situation. His papers are probably in the other room and he does not have his cue sheet, as we see in this place every day. He cannot explain financial matters at all.

The Hon. D. O. Tonkin interjecting:

The Hon. R. G. PAYNE: Look, mate, you destroyed all your credit with me a little earlier today, so just write it off. I owe the Premier nothing at all, and he will get nothing from me. I will not have this sort of nonsense put over us any more. If the Premier is to stand in this place as the Treasurer and try to pretend that he is not able to tell us why a figure of $310 000 000 appears in the Supply Bill, he is a disgrace to the title of Treasurer.

Nobody is asking him to write down how all the amounts are put together, how many pay rises there might be, or how many contingencies one needs to take into account. It is not unreasonable for any member to expect that at least some small explanation could be given why the figure is $310 000 000. The earlier Supply Bill was $260 000 000. The increase involved is of the order of 20 per cent. How does the Premier know that that is the right amount to carry for this portion of the year? The earlier Bill referred to the first two months of the year. This is a period slightly longer than that, and at a later time in the year. Is the Premier trying to suggest, by sitting there in that obdurate manner, muttering to himself, that it is unreasonable for me—

Members interjecting:

The Hon. R. G. PAYNE: If the Premier would prefer me to correct it, he was twitching: I was not able to distinguish the difference. The Committee is asked to take a matter on trust, and we are extending that trust to that degree, if we can be told how the figure is arrived at. Earlier speakers on this side have pointed out that there are such things as wage increases, that there are occasions where it may not be entirely convenient for the Premier to rush into the Parliament every so often with another little Supply Bill. It is not necessarily good accounting.

The Premier earlier had the gall, in speaking on this clause, to talk about irresponsibility of the Opposition delaying the Budget, and he said this a day after he could not tell us when he was bringing in the Budget. Yet he talks about our being irresponsible and delaying matters. One

would hope that the Premier will cease taking advice from the bank manager member in the House, to whom he has apparently gone for assistance in this matter. It was in yesterday's paper that the honourable member concerned was suggesting there were some members who could do with financial advice, and it seems he has confirmed that by going over to the Premier in his dilemma at the moment, when he cannot give us a simple answer to the question how he works out, in conjunction with the Under Treasurer, that the amount provided is a suitable amount to put before this House?

Mr LYNN ARNOLD: Another question to join the list of those the Premier deigned not to answer relates to exactly the scope and coverage of the amount of money that is provided for in this Bill. The clause provides, 'Out of Consolidated Account there may be issued and applied, for the Public Service of the State . . . '. What does that mean? Does it mean the entire $310 000 000 is for wages and that there are no other allocations in that money—there are no consumables, for example, no maintenance expenditures, no contingencies? Does it also include contract payments to contract employees? Does it include payments to consultants? We need to know exactly what that $310 000 000 consists of. Is it entirely a wages component and, if it is, does that wages component incorporate such things as contract employees and consultants?

The Hon. D. O. TONKIN: It means exactly what it says, but out of deference to the honourable member, who has not been here long, I can explain, as he will know that some employees of the Government are paid out of Loan funds as a component of the E. & W. S. Department, the Public Buildings Department, and so on. Basically, this is for the continuance of the Public Service to pay the salaries of public servants. This is one of the reasons why this Bill normally is passed through the Chamber with the minimum of fuss and without all this filibustering nonsense that we have been subjected to today.

The Hon. R. G. PAYNE: In a patronising way the Premier at last provided some information in response to a request from my colleagues. I do not mind if the Premier wants to patronise me if only he will give me some information. If he wants to score points off me in supplying the information, he can do so. Is the Premier really trying to say that Mr Barnes does not tell him how he got the figure of $310 000 000? I know Mr Barnes quite well, and I know that he would not act in that manner. There would need to be consultation of this question in relation to inflation which may have occurred since the previous year's effort. It may be customary to have a little bit in hand. My understanding is that moneys are expended by way of warrant, and those warrants are brought forward from time to time for signature by the Chief Secretary and other Ministers who may be involved.

Surely the Premier is not suggesting that Mr Barnes has said, 'It is too hard to work out. Let us try the same amount as last year and see whether the House passes it'? We all know that it does not work that way. Why is it so difficult for the Premier to come out (he can be as patronising and as scathing as he likes) and tell the House how the figure is arrived at. Is it arrived at in consultation with Treasury officers? Is it the method I have laughed at? Do they take last year's figures for a given period, and put a small increment on it in relation to indexing or the way in which inflation has carried on in that time? Is the Premier suggesting in any way that there is some sort of filibustering going on? I point out that it takes two people to filibuster in any matter where there is something to be solved by the conversation or interrogation. The person being asked or interrogated for information can easily end that effort immediately by supplying the information. I ask the Premier to stop being so childish, to abandon his tantrums and to—

The DEPUTY SPEAKER: Order! The honourable member for Mitchell will confine his remarks to clause 2. I have already informed the House—

Mr Langley: What about 10 minutes ago?

The DEPUTY SPEAKER: Order! I have warned the honourable member for Unley about the conduct expected in the House. The Speaker and the Chairman have warned him, and I suggest that he does not interject again. I point out to the honourable member for Mitchell that this is a narrow debate.

The Hon. R. G. PAYNE: I thought that I was so narrow that I could have got through the eye of a needle. I have been asking the Premier for one single fact; how was $310 000 000 chosen as the figure in the Bill? Is there anything bloody narrower than that? Of course there is not. I have been forced to put to the Premier that he is putting on a tantrum in not supplying the simple answer to that simple question. He can give a narrow answer—I do not mind. I am willing to confine it narrowly to that narrow clause and to that skinny amount of $310 000 000. I believe the Premier is being obdurate when he will not give us that information or, what I fear more, he does not really know how the figure is arrived at. If that is the case, God help the State even more than his demonstrated performance in the financial matters already.

Mr O'NEILL: I would like to ask a question in relation to a couple of answers that the Premier has given. The member for Salisbury has indicated that the total allocated in the two appropriations is the same as was allocated last year, and I am certain that earlier this day the Premier referred to an increase in the wages bill in that period of some $17 000 000. The Premier has also said recently that it is for wages only.

Therefore, it seems to me that there is a significant discrepancy in the allocation, and rather than, as the Premier would have it, our holding up the Supply Bill, I think there is a responsibility on us to try to find out what is going on. The Premier professes to be much more worldly wise on these matters than are members on this side, and I would like him to answer that question. If the appropriations are the same as they were last year, as the Premier has said this day that there is a $17 000 000 increase in wages, and as the sum appropriated is for wages only, how does he account for the fact that he is appropriating $17 000 000 less than he did last year?

The Hon. R. G. PAYNE: I think I am on my last shot on this clause. We get three calls. Is that the rule on this matter? We will all have to stand around with Standing Orders in our hands. No-one seems to know anything any more.

The CHAIRMAN: If the member was reflecting on the Chair, he will pay the price. I was seeking advice so that I could properly inform the honourable member, and I will not have him reflecting on the Chair. The advice I was about to give is that he has unlimited opportunities during debate on a financial measure, as long as he does not engage in repetition.

The Hon. R. G. PAYNE: I thank you for your ruling, guidance, and general expression of care for my concern. If I were reflecting on your ruling, I believe you would be in no doubt about it, from the language I would have used.

The CHAIRMAN: I would suggest that the honourable member not put it to the test.

The Hon. R. G. PAYNE: I was expressing a little exasperation, because it seemed a simple request, and it appeared to take some time to get an answer. In future, I will allow more time.

The CHAIRMAN: Perhaps the honourable member should have been aware of the situation, too.

The Hon. R. G. PAYNE: Yes, that is a fair comment, and I suppose that, if it were not so early in the morning, I might have been more wary.

The CHAIRMAN: I suggest that the honourable member confine his remarks to the clause.

The Hon. R. G. PAYNE: Clearly the Premier is determined not to provide information on the clause, and I see no point in taking up some of that unlimited time you said I had.

Clause passed.

Clause 3—'Payments not to exceed amount voted last year except in certain respects.'

Mr BANNON: I hope we will have a little more success with the Premier in relation to this clause. The important feature of it is that it provides a very important safeguard, in any Supply Bill, to the Parliament. That is that, if the Government has in contemplation departures from the normal expenditures, drastic changes of policy, or any other plans for the forthcoming financial year, they are properly dealt with in the course of a Budget debate and should not appear or be voted on in a Bill of this nature.

In order to secure that situation, because clause 2 has provided a blanket grant of $310 000 000, clause 3 restricts the application of those moneys, but I think we should ask questions as to precisely how this will apply. The clause provides:

> No payments for any establishment or service shall be made out of the moneys referred to in section 2 in excess of the amendments voted for similar establishments or services for the financial year ended on 30 June 1981.

I think the crucial phrase is 'similar establishments or services.' I think that the Committee really needs to know, in view of the Budget stringencies announced by the Premier, and in view of the disastrous financial record in the year just ended, precisely what similar establishment services the Government sees as maintaining. I am particularly concerned about the word 'similar,' because it seems to provide far too great an area of manoeuvre for the Government, and I can see the Premier responding to that point. He would recognise that as a problem.

The Hon. D. O. Tonkin: You're not debating in a school championship now, son.

Mr BANNON: I am not sure whether I should respond to that interjection because by doing so I am ensuring that it will be recorded in *Hansard*. I will ignore the Premier's remarks and get back to the burden of my question. Can the Premier give an undertaking that the true spirit of this clause will be provided, namely, that when we are talking about where these moneys will be applied, they will be applied for the proper and ongoing functions of the Government? Normally, that sort of question does not need to be asked. Why does it need to be asked on this occasion—first, because we are aware of the enormous financial problems the Government has, and obviously the Government is looking for any spare cash that it can lay its hands on to apply to various purposes, and secondly, we are aware of this Government's policy to try to wind down the Public Service. In fact, it is reducing services to the lowest possible level and is contracting things out to the Public Service, and so on. What changes are contemplated and to what extent is the spirit of this clause to be followed by the Government?

The Hon. D. O. TONKIN: It is not the spirit of the clause that matters. It is the legality of this clause which this Committee is presently considering. Nothing could be clearer than its legality.

Mr BANNON: What the Premier is inviting by that answer, and I take his point because I think it is valid—

The Hon. R. G. Payne: He's now got a legal qualification.

Mr BANNON: Indeed, he is inviting a legal test to be applied. The Premier is saying that the legality of any of these payments is what is to be tested. Technically, he is correct. Obviously, he chooses to ignore the general points that I was making in relation to the question, but, of course, he is correct. When the ultimate test is applied, it must be a legal test and not a test of the spirit of the allocation. I assume from his answer (and perhaps I could pose this as a direct question), that establishments and services already operating will be continued at least until the end of November or at whatever time this year the State Budget is brought down.

Is the Premier guaranteeing that payments will be made, that staff complements will be retained, that the ongoing activities continue and that in fact nothing happens until we finally pass the Budget? If that is so, then I think we can be quite happy with this clause. If it is not, I think the Premier should specify quite clearly where changes are to be made and why they are to be made.

The Hon. D. O. TONKIN: Even the Leader of the Opposition knows that the constraints placed on spending and on the Government through this legislation are in respect of upper limits. The legislation is quite clear, and the clause is quite clear to anyone who wants to read it. It does not necessarily mean that all the money will be spent on maintaining exactly the same services. It ensures that no additional services or additional establishments are made. That is as it should be. I can only point out to the Leader (and perhaps this explains the thinking of his predecessors, too) that just because money is there does not mean that the Government will spend it. We intend to save all the expenditure that we possibly can, because ultimately that is a saving to the taxpayers of South Australia.

Mr BANNON: I thank the Premier for his explanation. I think he did cover some of the points I raised, but in nowhere near the detail that I think is required. What he is flagging to us is that the moneys allocated will not necessarily all be used up. That is a fair point. A lot will depend on the timing of the Budget. But, further, he may reduce services and establishments and, provided he reduces them and does not increase them, that is quite appropriate in the absence of the Budget. I do not agree with that, nor I think should this House with it. It is as much an act of policy not to do something as it is to do something. Unfortunately, this Government is more intent on not doing things than it is on doing things, as has been pointed out on a number of occasions, including one in this House today. One of the Government's chief problems is the lack of decisions in important areas.

I refer to the second part of this clause which deals with the payment of moneys for increases in salaries or wages payable by the Government of the State pursuant to any return made under the Acts relating to the Public Service, or pursuant to any regulation, award, order, or determination of a court or other body empowered to fix salaries or wages. I think that this is particularly apposite when one considers the way in which the Government is seeking to intervene actively in the arbitral and wage fixation process.

Here we are confronted with a Consolidated Revenue Bill, a Supply Bill, which provides that moneys awarded by courts, or whatever, shall be paid, but we are doing that in a situation where, first, the Premier in the earlier course of these proceedings has refused to give any indication on predictions of the Government on possible wage movements and the reasons for wage movements. Also, in the context of other legislation which is not part of these proceedings, the Government is attempting actively to interfere with the workings of our arbitral system and the fixation of wages in the State. I think that raises an important question. It

does state that in this section there may be paid out of these moneys increases in wages or salaries payable by the State, etc. That word 'may', is I think, significant. Does this mean that the Government, in line with its general policy, confronted with awards, agreements, or whatever, will seek to avoid them by taking refuge within this clause, or can we be assured by the Premier that any payments so ordered will be made in the course of events?

The Hon. D. O. Tonkin: I do not think the Leader can be serious.

Mr LYNN ARNOLD: The second part of clause 3 states:

There may be paid out of those moneys increases of salaries or wages payable by the Government of the State pursuant to any return made under the Acts relating to the Public Service, or pursuant to any regulation, or any award, order, or determination of a court or other body empowered to fix salaries or wages.

We have had some debate over recent times about a claim that is presently before the Teachers Salaries Board. I presume that that comes under the ambit of this Bill, because the moneys will have to be paid out by the Government if, in fact, the Teachers Salaries Board makes an award.

In that regard, and given the comments that have been made by a number of Government Ministers and members over recent weeks about the significance of that application, I was somewhat disturbed this afternoon to hear the implication by the member for Rocky River that he did not know whether or not the Government had applied to the Teachers Salary Board to plead a case in the public interest concerning the applications presently being made. In fact, the capacity does exist for that application to be made if the Government believes that it will be a serious stretching of Government resources. That has implications on this matter, because that indicates clearly the sum, the amount of money that will be available in Supply Bill (No. 2).

Did the Government take advantage of clauses 38 (2) and 40 *(e)* of the Education Act to put a public interest proposition? If it did not, one could argue the case that this provision indicates that the Government is attempting to beat up the issue in public rather than attempting to go through the proper authorised channels to put a responsible position for a Government to follow.

The Hon. R. G. PAYNE: The clause actually provides that payments are not to exceed the amounts voted last year, except in certain respects. Earlier the Premier was anxious to impress us with his legal knowledge and said that he was certain that the clause was legal. For the purposes of the narrow discussion on this clause, I am willing to accept that it is a legal clause and has all the weight and force of such a clause. The weight and force of the clause is that the payments are not to exceed the amounts voted last year. This is a strict enjoinment from the Treasurer in handling the funds concerned. To whom does the Premier actually delegate the responsibility to ensure that the amounts that are being paid out do not exceed those amounts which were voted last year, except in certain respects?

The Hon. D. O. TONKIN: The honourable member was himself, I understand, a Minister for some time. I think he is well aware of the controls and delegations which are exercised by Ministers of the Crown, and he also is aware of the role of the Auditor-General.

The Hon. R. G. PAYNE: I appreciate that at last I have managed to elicit some information from the Premier. I put it to him and to you, Mr Chairman, that the present Government was elected on an argument that it was going to provide new financial controls and new systems for the State in general. It is nearly two years since I have been out of office as a Minister. Changes in procedures over which I have no control and about which I certainly would be given no advice could have occurred. For that reason, I ask the Premier to whom that responsibility is delegated. Will he reconsider his answer in the light of that fact because, as I pointed out, he has publicly, loudly and often proclaimed that the methods of a Liberal Government when in power in relation to financial management are different from those of his predecessor.

The CHAIRMAN: The question is that the clause be agreed to—

The Hon. R. G. PAYNE: In relation to this clause and the whole financial scene, it is clear that the much-vaunted boasts of the Premier and the Government in relation to this financial control that magically comes with them when they come into Government is just so much hoo-hah, and is about as reliable as many of the other statements that they have made. Even if I did receive an assurance from the Premier in relation to how this matter was carried out, I would ask you, Mr Chairman, how one would know whether the Premier was bluffing when he gave that information because, as a self-confessed bluffer in other weighty matters relating to other serious and major operations in the State, I suppose one is entitled to assume that he might be bluffing in these rather smaller financial matters, also.

Mr LYNN ARNOLD: I come back to the point I raised before. I think that the Premier owes it to the House to give some answer. We know that this Bill provides for increases to be paid from the money that has been allocated. It does allow for those increases that have been determined by the proper authorities to be taken into account. What we need to know (and this is the question I put before, but I will now put it in terms that the Government can understand) is what Government opinion is being expressed about those increases to those relevant forums? The point I raise is with regards to the application that is now before the Teachers Salaries Board and the application by the Institute of Teachers in that forum. The Government, through its Ministers and its back-bench members, has attacked—

The CHAIRMAN: Order! The Chair has been most tolerant, but the honourable member is going far beyond what the Chair can accept in this matter. He cannot debate the likely determination of the Teachers Salaries Board.

Mr LYNN ARNOLD: I am not attempting to debate the outcome of that.

The CHAIRMAN: Or the input towards it.

Mr LYNN ARNOLD: Yes. I was merely trying to indicate that any Government money Bill is an attempt to reflect the Government of the day and its wishes to run the State. The acknowledgement is there, and rightly so, that increases be taken into account. Obviously, if we are dealing with a matter that takes into account four months of the financial year, the Bill must take into account any increases awarded in the interim; otherwise we could be in an invidious situation. I suggest that the spending of money involves an act that is not entirely the result of automaton-like Government, but is an act over which the Government has some control. It is the degree of Government control over the spending that will determine the final amount to be paid.

The Premier has indicated that the figures put to us tonight are upper ceiling figures. He has also indicated his extreme desire that money should be saved wherever possible, and that he would not be wanting to follow the philosophy of spending money because it is there. I do not think we would disagree. No Government would disagree. No Government would support the wasting of money.

Following on from the Premier's own comment, I want to know in what way the Government has attempted or will be attempting to see that that increased component of clause 3 will effect the Government's wishes and how it is going about the proper channels to do that rather than

beating up the issue in a public way through other forms that have nothing to do with the Teachers Salaries Board.

Clause passed.

Title passed.

Bill read a third time and passed.

INDUSTRIAL CONCILIATION AND ARBITRATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 20 August page 505.)

The Hon. J. D. WRIGHT (Deputy Leader of the Opposition): The Opposition opposes with all its power and all its might this Draconian legislation. The amending Bill before the House seeks to introduce into South Australia's industrial legislation unprecedented powers of intervention and interference by the Minister of Industrial Affairs. Indeed, if this Bill is passed in its present form, the Minister will have been invested with powers far greater than those allowed by the industrial legislation of any other State or by the Federal conciliation and arbitration system. I seek leave to continue my remarks later.

The SPEAKER: Is leave granted?

The Hon. D. C. Brown: No.

The SPEAKER: Leave is not granted. The honourable Deputy Leader.

The Hon. J. D. WRIGHT: That means we are commencing this debate at 4.20 in the morning, which is a great credit to the Government. Even a cursory examination of this Bill reveals that the proposed changes are inconsistent with the spirit of the Industrial Conciliation and Arbitration Act and conflict with the way in which the commission has successfully operated over the past 69 years. The Minister of Industrial Affairs is trying to interfere with that procedure. That great system of arbitration that has operated for some 69 years is now, on the whim of this Minister, to be destroyed, if the Minister is successful in getting the Bill through the House. I have some very grave doubts about that: other people will look very closely at this Bill and will examine it in detail. I hope they will understand it.

The proposed changes are consistent with the kind of Draconian legislation and the trend of interference in industrial relations that have been maintained by the Fraser Government federally. The Minister of Industrial Affairs is becoming a puppet of the Federal Government's policies. In addition, this Bill has been introduced without prior consultation with the Public Service Association and other unions, and the Minister promised that this would occur in all industrial matters. I have been informed by the trade union movement, the P.S.A., the Trades and Labor Council, the Miscellaneous Workers Union and the Australian Government Workers Association that there has been no consultation whatsoever in regard to this Bill. The Minister did not even inform those organisations (except the Trades and Labor Council, to which he merely gave a copy of the Bill) that he intended to introduce this Bill.

The Minister stands condemned on that basis. He has set himself up in the couple of years during which he has been the Minister of Industrial Affairs as being a consensus Minister. He has now proved beyond any reasonable doubt that he is not a consensus Minister; in fact, he is a dictatorial Minister, and this Bill proves that beyond reasonable doubt. I sincerely believe that the Minister will pay the penalty. There will be tremendous reaction to this Bill. The Minister has not explained why he has introduced the Bill; at least he has not done so satisfactorily to me. There has been absolutely no consultation with the unions. The Premier and his Minister have broken their word in a way that will inevitably lead to a worsening of industrial relations and industrial trust in this State.

It is clear from my consultations with people that if the Minister had (and I use those words very obligingly) in any circumstances built up any trust with the trade union movement, the association that looks after workers in this State, he has now completely destroyed it by the introduction of this Bill. Quite clearly, the Minister must have very strong ulterior motives for introducing the Bill. One cannot expect the unions to have faith in undertakings made by the Minister and his Government when they have received a major slap in the face, as has occurred on this occasion. Not only have the unions received a slap in the face but also the amendments before this House pre-empt the findings of Mr Frank Cawthorne, the industrial magistrate who was asked by this Government to undertake a complete review of the Industrial Conciliation and Arbitration Act. The introduction of this Bill is a slap in the face for Mr Cawthorne, who at this very moment is proceeding to examine the matter and has given undertakings that he will report to the Government later this year. I suppose any one with any sanity would be home in bed at this hour of the morning, but we are here because the Government has control of this House and it is keeping us here. Do not let us forget that.

Mr Cawthorne was due to report to the Government at the end of this year but, for reasons known only to the Minister, the Government has chosen to pre-empt this major review of the Industrial Conciliation and Arbitration Act by rushing through Draconian legislation in advance of his findings, without any consultation whatsoever. This is not the first time Mr Cawthorne has been dealt with in a shabby fashion by this Minister. After announcing Mr Cawthorne's review and stressing that he would be given complete independence in his task, the Minister then announced that Mr Cawthorne would be implementing Liberal Party policy. This was vigorously denied by Mr Cawthorne who said that this was not what he had been told. The Minister was then forced to retract what he had said and again stressed Mr Cawthorne's independence. The Government, we were told, would await Mr Cawthorne's findings. Once again Frank Cawthorne has been shunted aside by this Minister. Once again the Minister's word has been proven to be worth not a pinch of salt.

Let us look at the details of this amendment Bill. This Bill allows for heavy-handed political meddling in industrial disputes by giving the Minister of Industrial Affairs the power to seek a referral of a claim to the Full Commission and allowing him to intervene in an award proceedings in order to argue a case for restraint. If this Bill is passed in its present form the Minister will then have the legislative muscle to interfere, even if both sides, the employers and unions, have previously reached agreement on the matter before the commission. This proposed amendment will force parties who have entered into a consent arrangement to justify that that agreement reached is unlikely to affect our inflation rate or our level of employment. For example, even if employers and employees reach agreement, registration may be denied, even if the new and very vague public interest standards cannot be met. This will seriously inflame disputes that would otherwise have been settled. Frankly, I believe that in the long run employers and unions will be encouraged by this Bill, if it becomes law, to desert the arbitration system. That is what I believe this Minister is encouraging. He will be totally responsible for that in the long term if this occurs. In my view that would be a tragedy for industrial relations in this State. One can hardly blame employers and unions for opting out in these circumstances. Let us face facts. If both parties have reached agreement

but are then going to be faced with long delays and frustrations because of the intervention of the Minister, they will avoid proceedings through the commission. This will be especially the case if Ministerial intervention follows acceptance and ratification of an agreement by the commission. Therefore, these amendments will defeat the whole purpose of the Industrial Conciliation and Arbitration Act and, as I have just said, will be a positive incentive for unions and employers to avoid the use of the commission.

We have already witnessed the beginning of that process in the Federal arena with a common law agreement reached between the Australian Transport Federation and the Transport Workers Union. Is that what the Minister wants for South Australia? I challenge the Minister to answer that question when he replies to the debate. Is that his intention, that he is setting up a mechanism by which employers and employees will go outside the Industrial Court and will not recognise the commission and will sort themselves out and not bother to register agreements, so nobody knows what they are doing? If that is what the Minister is about, he cannot win in this situation. He is destroying the best system in the world, the Industrial and Arbitration Commission of this State. He is fostering a world of totally unregulated industrial relations wherein the strong get stronger and the weak get weaker. A certain loss of effectiveness of the commission in dealing with disputes due to delays and procedural obstacles will lead unions and employers away from the habit of arbitration and positively invite confrontation.

The cost of expert economic witnesses and more qualified advocates, plus the cost of longer and more complex hearings, will in itself be an incentive to both sides of industry to continue with arbitration. That is what the Minister is inviting and that is what he is setting out to do. He himself in his own department in future will be up for very large expenses, as will the unions which are competing in the world of arbitration.

The Federal Commission, which does not require matters before single commissioners to be dealt with in the way proposed by this Bill, will certainly become much more attractive to both sides of industry. So, we have another option. Not only will employers and employees dodge their responsibilities of going to the commission (and they will certainly be encouraged to evade it) but also if they do not evade the commission they can quite simply say that in future they will get Federal award coverage rather than State award coverage. That would be a bad thing.

I am a great believer in the State commission, and I do not want to see that occur. I predict that, if this Bill goes through as it is, South Australia will eventually see the weakening, perhaps even the demise, of its own Industrial Commission, and the predominance of a tribunal that does not even have a commissioner resident in this State. An important part of South Australian life will be effectively abdicated to the Federal jurisdiction. The Minister well knows that during my term as Minister I advocated strongly to the then Federal Minister for Industrial Relations, Mr Street, on numerous occasions placing a full-time Federal commissioner here so that Federal disputes could be determined and settled very quickly. For whatever reasons (the Government never gave me any positive reasons about those matters) the Federal Government declined those requests.

I am not sure whether this Minister has repeated my requests in this area or whether he is not concerned about it. We ought to have a Federal commissioner living in the State so that quick access can be sought by the unions and employers at a time of industrial disputation. That is the point about which I am concerned. If my predictions in this area prove correct (as I think they will be), there will be no-one here to determine those disputes if people decide to go into the Federal arena.

I am sure that this is a matter which has not been considered by the Minister. I am sure that he will be horrified to learn that the Federal award rates are, on average, higher than the South Australian award rates. The level of disputation under Federal jurisdiction in South Australia is much higher than under our own jurisdiction. Under the provisions of this Bill the Minister will be entitled to intervene on any issue—even such questions as meal allowances. The Minister will be able to request to have the matter referred to the Full Commission if, in his opinion, it is in the public interest. They are very sweeping powers indeed, in the Bill, and powers that I do not think will be accepted. As a result of this Bill the commission will have to take into account the state of the South Australian economy even though at the Federal level this consideration only applies to the national wage case hearings and other hearings of major importance.

Under this sledge-hammer Bill the commission somehow will have to juggle its principal role of settling disputes with some new wishy-washy consideration of the state of the local economy. I believe that the introduction of this 'state of the economy' clause will result in a large degree of uncertainty being introduced into the wage-fixing process. Commissioners who may be lacking in economic skills will have to take into account matters that may be beyond their understanding and, indeed, beyond the process of practical evaluation at the local economy level.

I make no criticism at all of the commissioners of this jurisdiction. Over the years that I dealt with them as an advocate, over the years that I have known them, and over the years when I was the Minister responsible for that jurisdiction, I found the commissioners to be very reliable and capable men, but we are now entering into a new arena.

The Hon. D. C. Brown: Only months ago you called on one of those commissioners to resign. You know that the statement you have just made is quite dishonest.

The Hon. J. D. WRIGHT: I am not giving credit to all commissioners in that court. 'The commissioners' is what I said; I did not say 'all commissioners'. I repeat my call, for the Minister's benefit, that that commissioner ought to resign. He has no right to hold that position. I repeat that I am talking about the great majority of commissioners, not all. The Minister and I know that he should have resigned. He forfeited his rights when he made that statement and the Minister is as well aware of that as I am. I am talking not about all commissioners but about the majority.

It is quite a different matter to consider the impact on inflation and unemployment at the national level compared to the local level, for which this Bill provides. I believe that these provisions will have the following serious effects on South Australia's industrial scene: first, the new procedures are unnecessarily complicated and will slow down settlement of industrial disputes. Secondly, it will add enormous cost to the public purse for all parties involved. Thirdly, it is absolutely impracticable. Fourthly, instead of assisting industrial relations in South Australia, this Bill will be inflammatory and will politicise the process of conciliation and arbitration.

Let me just consider these shortcomings in more detail. No member of this House should need reminding that the Industrial Commission is like the Fire Brigade: the longer it takes to get to the fire and extinguish it, the greater is the damage done. It is a matter of common sense that, if the commission is to hear evidence and evaluate the facts of each and every one of those decisions on the economy of the State, with special reference to inflation and unemployment, fires will burn harder and longer and the Minister

will burn with them. One can almost hear some people saying, 'Yes, but they will not really do that in practice.'

The answer is two-fold. First, such a presumption is completely and utterly wrong for reasons that will shortly be explained. Secondly, it would be the height of hypocrisy for this House to pass this Bill into law if it did not require that it be fully implemented by the Industrial Commission. Otherwise, what is the point of doing it? The commission will have to hear evidence and submissions on each and every occasion, for two practical reasons: first, because none of the members of the commission has been appointed for economic expertise and, secondly, because the Bill is so specific in its requirements that, if consideration was not given on a proper basis of evidence, any decision made by a commissioner would automatically be overturned on appeal, owing to his or her failure to comply with the statutory requirements.

One might ask how this requirement might be discharged without commissioners hearing the endless squabbles and disagreement by economic experts and consultants who will turn out to be the only beneficiaries of this legislation. That is what we are heading to with this legislation, with all the consultants and economic experts giving evidence. The Minister will be paying his share, the department will be paying its share of that operation, and so will the trade unions, associations, and whatever else.

One can only suppose that the commissioners will invite a panel of economic experts to sit in the smoke-filled rooms and inject interminable, theoretical and hypothetical economic problems for resolution along with the industrial ones. One might ask how the commission will conduct its compulsory and voluntary conferences pursuant to section 26 and section 27 of the Act. The Minister also has not directed himself to the question of whether the commission will be assisted by full-time economists paid for by the State. Will the parties themselves have to bring their own economists to the bargaining table at the factory conference room or the union office?

Will they risk any agreement they reach being the subject of Ministerial intervention and application for a Full Bench hearing, on some spurious principle that holds particular fascination for the Minister? It is abundantly clear that this legislation has been so hastily conceived that it is almost incompatible with the existing framework of industrial arbitration in this State. I would certainly like to hear Frank Cawthorne's opinion of the way that he has been pre-empted from the job that he was supposed to be doing for the Government.

This amendment is also a gross reflection on the State Industrial Commission's ability and capacity to handle industrial disputes. I regard that as insulting, because our commission has a record second to none in its ability to settle disputes. To quote the Minister of Industrial Affairs in his second reading explanation on this Bill, South Australia has the lowest level of industrial disputation of any State in the Commonwealth. It has enjoyed such a reputation for a number of years. Indeed, at one stage while I was Minister, with 10 per cent of the work force we had only 1.5 per cent of the days lost through industrial disputes.

In South Australia, we also have the lowest average weekly earnings of all the States. In the area of wage fixation, this State has been a follower rather than a pace setter. We have tended to follow what happens interstate. With a track record like this, there is absolutely no reason why we need an amending Bill such as the one now before us. Those are the matters that the Minister failed to address himself to when he made his second reading explanation. I would now like to consider some of the points raised by the Minister.

First, he said that the Government had been concerned for some time that the existing provisions of the State Industrial Conciliation and Arbitration Act did not require, or indeed allow, the commission to have regard to the current state of the South Australian economy and the effect that a claimed increase in wages or conditions would have on the economy. That is absolute nonsense. The Minister has been in the job long enough to know otherwise. In fact, the commission has demonstrated its desire to consider the public interest on many occasions in the past and has declared:

> I understand the public interest to be the interest of the community as a whole, not that of the employees nor that of the employers as such, nor that of both.

Indeed, the Act already provides for all questions of what is fair and right in relation to any industrial matter having regard to the interests of persons immediately concerned and of society as a whole!

The Act also provides that the commission may discuss any application to it or refrain from further hearing an application if proceeding with the application would be against the public interest.

It is clear that the commission itself has the right to do the things that the Minister now wants to do. The Minister wants to take the power out of the commission and set himself up as the authority on what is good and what is bad. I do not believe that any person or any Government has the right to set himself or itself up as the god in this area. That is what the Minister is trying to do with this legislation. The Act also provides that the Minister may, where in his own opinion the public interest is concerned, intervene in any proceedings before the court or commission, make such representations and tender such evidence as he thinks fit. Indeed, the commission in the most recent wage case considered the public interest. The commission heard evidence from seven expert economic witnesses concerning the effects of its decision on the economy of South Australia. I now want to quote some of the things those people said.

The Minister called two interveners with economic qualifications. One was a project officer with the Department of Trade and Industry. The other was Professor Keith Hancock, Vice Chancellor of Flinders University. Before referring to the evidence given by Professor Hancock about the parlous state of the South Australian economy, let us return to the Minister's second reading explanation where he said that no single factor would be a greater constraint to industrial expansion in South Australia than wage increases greater than those applying elsewhere. What did Professor Hancock, a brilliant economist, say to the court? He said:

> I would certainly agree that wages are only one of a number of factors affecting the relative economic position of different States and, if I were discussing the relative position of South Australia and the other States, I would certainly be talking about factors other than wages as the predominant consideration. Equally, I would not be giving great emphasis to wage related costs.

We had another very famous economist in South Australia, Professor Harcourt. His evidence to the court was as follows:

> . . . the overall outcome is after all what is important in the end in determining profitability, viability, employment and growth and so on, and may well be a more favourable one if you give full indexation here regardless of what is going on elsewhere than if you don't . . . I think the best solution would be for the Federal Commission to go back to full indexation and I think it is a tragedy that they departed from it.

Those are not my words, but the words of Professor Harcourt. He continued:

Even then I would argue that it is better for South Australia, nevertheless, to have full indexation than to have partial indexation.

Those are the views of two of South Australia's, if not Australia's, leading economists making very clear that, so far as they are concerned, the wage concept is only part of those things which can affect the economy and affect inflation. I do not know of anybody who could be in a better position to judge that situation than would be those two gentlemen.

The commission determined that its decision would most likely have little impact on the economy, either adversely or favourably, except that it might contribute to a more harmonious and orderly industrial relations climate. That is the very thing that I am concerned about; that is what this Minister is trying to upset. The problem with this legislation is the Minister's right to interfere, to intervene in agreements, applications or cases. If this legislation goes through both Houses of Parliament, it will give the Minister untold power, more power than any other Minister or person has in this field in Australia. Let me quote the commission in the State wages case, as follows:

For example, on the one hand we consider it unlikely, on the evidence, that the granting of the Trades and Labor Council application would significantly stimulate demand in this State in a beneficial manner. South Australia has an open economy, subject to many uncontrollable external factors bearing upon facets such as inflation rates, investment decisions, unemployment levels and relative cost components which so affect the health of the State economy that the impact is likely to be negligible. On the other hand, we are equally unconvinced that the projections of the dire economic consequences, such a decision espoused by certain parties, have any greater validity. . . .

They are pretty strong words from the court. They are pretty accurate words, too. They are very balanced words. They are words about which, no doubt, the court made up its mind after hearing all the evidence. The case to which I am referring was a prolonged one.

The case was fought very bitterly by both the employers and the employees of the State, and the State Government intervened in the case. After hearing all the evidence, all of the submissions (and top lawyers made submissions in that area), that is what the court had to say. That is what the Minister is trying to intervene in and trying to interfere with.

It is quite clear that the commission thus applied itself when necessary to the public interest and to the effect of its decision on the South Australian economy. There is therefore no need for a rigid provision that requires this at all times, even when such consideration is observed. If the commission is to continue to do its job properly, it must be allowed to retain its present flexibility. This legislation will destroy that flexibility beyond doubt. I wonder what the court is thinking about it. I wonder how much consultation the Minister had with the court, with the President, with the commissioners and other judges, who will have to try to adjudicate once this legislation has gone in. I would be most interested to know what they think about it.

In his second reading speech the Minister constantly referred to what was happening federally, and attempted to spell out the need for consistency of legislation. He said that the amendments he was proposing in this Bill would set down principles that applied federally but not in South Australia. In my view, what is being imported into South Australia is the heavy-handed meddling and interference of the Liberal Party with the independent operation of the Federal Commission.

What the Minister fails to realise is that the very meddling and interventionist role that he is trying to import has contributed massively to the breakdown of the Federal system of arbitration. There has been an erosion of confidence in one of the most important and successful institutions of Australia's civil society. There is no question in my mind that the Federal Government is totally responsible for the breakdown of wage indexation in this nation. That is a tragedy. I have always supported wage indexation, and I will always continue to support it. I believe that, if the activities of the current State and Federal Ministers in Australia were much stronger, they could retain the wage indexation system.

I do not believe it is lost forever. I believe it can be retained and that the Minister should be doing more about its retention than he, with his Federal colleagues, is doing. What is even more alarming is that the Minister takes the South Australian legislation further into the minefield than ever his Federal counterparts have been prepared to try. The provisions of section 39 of the Federal Act apply to what are either specifically designated Full Bench matters, matters referred to a Full Bench by the President, appeals or Ministerial reviews, which themselves are dealt with according to appeal procedures.

At least federally the Liberal Party has recognised that there are limits on how far a Government should go in disrupting the functioning of the arbitration system. Only matters of sufficient import to achieve Full Bench status are effected by section 39 and, furthermore, are not mandatory, as will be the case if this Bill is passed. I believe that the Minister is now putting his foot in hot water. Before this year is out the Minister will have a lot of industrial trouble in South Australia. It may be that that is what the Minister is about—this may be the first setting up of a chain of events that the Minister wants to call on the union movement. The Minister has now come out in his true colours. I have still got on record many of the Minister's statements made before he became a Minister. I have still got his proposed legislation and his proposed policy, and what he was talking about then is pretty Draconian.

Here is the absolute proof of how Draconian this Minister wants to be and how much control he wants to take of the commission, the trade union movement, and the employers. I think the Minister will be the person who will get burnt with this legislation. Under this proposed legislation, an application for an increase of tea money must be evaluated to determine the effect on inflation and unemployment. Let us not be mistaken. The words used in the Minister's Bill are 'shall consider the state of the economy and the likely effects on the level of employment and inflation'. Clearly, the Minister is not sufficiently conversant with the existing provisions of the Act, the procedures of the commission with regard to the public interest, and his own rights to intervene and put forward such matters of evidence as the public interest warrants.

He does not understand section 39 of the Federal Act, or he chooses to wilfully contradict himself when he says that the Bill seeks to provide a legislative framework in which there is commonality in the processing of claims and consistency of treatment between the Commonwealth and South Australian tribunals. Additionally, it appears that the Minister does not understand that section 39 has been part and parcel of the Federal legislation for decades. It was always, one way or another, in operation from April 1975 to July 1981.

The Hon. D. C. Brown: Who wrote the speech for you?

The Hon. J. D. WRIGHT: The Minister did not; I assure him of that. The impression given in his speech when he states the following is entirely misleading:

Sir John Moore announced that in future the commission would be required to have regard, under section 39, to the state of the economy, with special reference to the level of unemployment and inflation.

Even at this late stage, I want the Minister to answer some questions when he replies. I want to know, first, why there is urgency for this legislation. Is it to do with the current

agreement on hours between the wholesale grocers and the storemen and packers? Is that the reason for it? That agreement, I understand, is in court trying to be registered. Why are we sitting at 5 a.m., debating this legislation, which does not seem to me to be of an urgent nature? It is Draconian in principle. It should be well debated in the House—and I assure you, Sir, that it will be. There are plenty of speakers on this side.

To bring in this type of serious legislation at this time—I started to speak at 4.20 a.m.—reminds me of the time when I was called upon to speak at 2.45 a.m. on the annual holiday provisions that the Minister was bringing in. I do not think it is good enough that anyone should have to debate such legislation at 5 a.m., and I want answers from the Minister on why it was necessary to commence debating this Bill at 4.20 a.m.

I expect an answer from the Minister on the urgency of the legislation and whether it has been designed in such a hurry to prevent the registration of the agreement of the storemen and packers and the wholesale grocers. I can forecast to the Minister that he will have much difficulty in the next few months if this legislation becomes law, and on each and every occasion when he tries heavy-handedly to come in with his intervention, he will have industrial disputation.

The unions have already warned that those are the circumstances, and I can tell the Minister that he is not very popular at the moment with the trade union movement in South Australia for attempting to bring in this legislation without any consultation or advice. He did not want to consult. I suppose it is true to say that there is no consultation about it, that it is either in or out. That is the attitude that the Opposition is taking. We will not be moving amendments to this Bill; we will be voting against it holus bolus. It is bad legislation, and the Minister should withdraw it, even at this late stage. We oppose it in its entirety.

Mr O'NEILL (Florey): I oppose the Bill. There has been a growing recognition among the ranks of the trade union movement in South Australia that the rosy promises made by the Minister in his early days in Government are being recognised as nothing more than rosy promises by an ever-increasing number of members of the trade union movement. The Minister has pursued a fairly well executed ploy over the past 18 months to two years to induce the officers and members of the trade unions to believe that he believes in consultation and that he likes to talk to people. Quite often he has put forward a very pleasant manner when talking to these people, or at least he did that some time ago when he was building his reputation. More and more it became apparent that the Minister was prepared to talk and talk and talk.

However, while he was talking, officers of his department went ahead and prepared legislation in the terms that the Minister wanted, regardless of the discussions that were being held. I guess that in the files of many of the trade unions, certainly in the files of the Trades and Labor Council, can be found letters from the Minister wherein he indicates that the unions have based their claims on a false premise or that, because certain things have taken place, he cannot see any need for future discussion. The Minister has brushed off trade union officers when they wanted consultation. They are beginning to realise that the Minister of Industrial Affairs is not sympathetic and understanding but a person who makes up his mind what he wants and does it. He plays around with the trade unions as long as necessary to make his arrangements, and then he moves in on them. The situation with which we are confronted is fairly well summed up in today's *Advertiser*. An article about the discussions that are taking place with the Public Service Association states:

> Neither employer nor employee interests or even the State Industrial Commission had been consulted by the Government.

That was in respect of the propositions that are being put up here, and bears out what I have been saying. When it suits the Minister to keep quiet and prepare legislation of this nature, which has been described by my Deputy Leader as Draconian, he goes ahead and does it. He does not bother to fulfil the rosy promises of his earlier days in the Ministry. A number of interesting points are raised in the article, not the least of which, given the Government's commitment for getting value for the taxpayers' dollar, saving money and so on (which we heard *ad nauseam* today), is the fact that one of the effects on the commission would be that it would have to be in permanent sitting reviewing the State's economy.

As a consequence, a large team of economists and statisticians would be required to provide advice to the commission, all at public expense. Quality advice of that nature will not be obtained for peanuts, so a considerable sum will have to be appropriated to pay the costs involved if the Government is to do justice to the propositions it is putting forward. Another point that is made in the article is that industrial determinations would be held up until the latest economic indicators were available.

That raises another point which has plagued trade unions for years in respect of arbitration. There are a considerable number of advantages in the conciliation and arbitration set-up, especially for weaker unions. One thing that has plagued the unions over the years, especially under conservative Governments, is that when arguments are based on statistics the statistics are, at best, six months old and usually older than that, sometimes 12 to 18 months old, and they are adduced in evidence. When the arguments were based on the ability of industry to pay, the employers had the best of all worlds, because the statistics were, at best, six months to 12 months old and they were adduced in argument in cases that took three, four or sometimes six months to determine. Therefore, by the time a decision was reached, the ability of industry to pay was assessed on statistics that were 12 to 18 months old before the decision was taken.

A decision was handed down that industry was capable of paying the wages that were claimed in response to the evidence adduced. The awards were handed down accordingly. We then had the amazing situation where the employers were immediately allowed to dash out and say, 'We are suffering now because there has been an increase in prices. We must up the prices to recoup our losses.'

They were not suffering any losses at all. For the past 12 to 18 months they had been getting away with murder under the prevailing concepts at the time, namely, the ability of industry to pay. They had been getting a free ride for 18 months, creaming off the top and, when they were finally caught up with by the system, they claimed that they had to increase prices. They did so, and fuelled another inflationary trend. This is one of the things that ought to be remembered when we talk about this business of economic indicators, and so on.

Another interesting fact that is brought out in the article is that the whole nature of this legislation is self-defeating inasmuch as many unions will take the opportunity, which they can take, of changing from the State to the Federal jurisdiction. If sufficient unions do that, what will we be stuck with? We will be stuck with a lot of out-of-work commissioners and judges in the State commission, and public servants. Perhaps this is behind the Minister's plan: maybe this is the end result.

The officers of the Public Service who have looked in depth at this legislation have come to the conclusion that the Bill is unworkable, unnecessary, a retrograde step, and is undoubtedly the most ill-prepared piece of legislation to come before this Parliament in a decade. So, that is how the Public Service Association sees the matter.

Although I do not know whether this is the latest Liberal Party industrial platform, one of their principles appears to be, if it is still relevant, that industrial agreements freely entered into and awards should be observed by all involved, and the law must support the observance. If the Minister has his way, nothing will in anyway equate with that proposition freely entered into.

The Minister will have the power to intervene in any industrial matter with the full force of the State and, as a consequence, any freedom that may exist will go out the window. A publication called the *I.P.A. Review*, put out by the Institute of Public Affairs, floats around this House. I am informed that this is a kite flying organisation for the conservative forces in this country—the larger employer groups and the Liberal and National Country Party.

They tend to try to stir up the population with their psuedo intellectual treatises on the various problems that confront Australia from time to time. In this edition, they are on about union power, and they state that a countervailing influence is needed. One of the interesting conclusions contained in this article is that the remedies put forward over the years have generally called for governmental action and have generally come to nought in controlling the trade union movement's aim to try to improve the wages and conditions of members.

This publication draws the conclusion that governmental action usually comes to nought when it tries to act in the manner in which our venerable Minister is intending to act. The problem that is seen by another organisation that has looked at the proposals is that employers and the Government in recent days have failed to put reasonable industrial arguments to the commission, and they do not like the umpire's decisions. Therefore, they are trying to legislate to get around it.

The Deputy Leader was correct when he said that it has a lot to do with the agreement reached between the Storeman and Packers Union and Associated Co-operative Limited wherein they arrived at an arrangement which was freely entered into by both parties and set about having the thing recognised by the State Commission.

Mr Mathwin: Was that a sweetheart agreement?

Mr O'NEILL: The Leader has already dealt with that to some extent. I believe that this is one of the major reasons why the Minister has moved in. However, there is also the added advantage to the people that the Minister represents that it will, in the opinion of this organisation, be time consuming and will lengthen the hearings with a large number of economic witnesses. It will open up absurd cases whereby smaller wards will be forced to have economic submissions presented which, on the face of it, would not be needed, and the commission would be bogged down.

That raises another point in regard to bogging down the commission. In fact, I have noticed over a number of years in the industrial arena that, going back to the Menzies era (which is about as far back as I can go) and with the benefit of hindsight, it is quite obvious what the conservative Governments and the major employers in this country have done. Menzies set about getting rid of the basic wage concept, and I notice that some employers and even some Liberal politicians are now talking in terms of returning to that system, which was destroyed by a Liberal Government over a period of some years. That Government approached it quite methodically and destroyed it.

Over the years the system has been to make some changes to set up new procedures in the commission, and then the trade union movement, the legal people and the industrial officers who are used by these organisations must learn the new rules. After some time the unions become very adept at handling it; they learn to get on top of it and make some advances. So, the Liberal Governments (or the conservative Governments, as they really are) then bring in another change to the system and the whole procedure begins again.

The organisations and their representatives must learn the new system, apply themselves to different tactical arguments, and adduce different types of evidence. So it goes on, and this has been going on since the early 1950s. We are now in the early 1980s, so for almost 30 years the working class people of this country and their representatives have been mucked about deliberately by Liberal and Country Party or conservative Governments. The current Minister is coming somewhat late on the scene, but he is recycling old tactics.

I want to refer to one of the greatest rorts pulled by Liberal Governments in recent years and under the Prime Minister. We go back to one of the many promises that the Prime Minister made and subsequently broke, namely, full indexation of wages. He promised that and concurrently with that called for the establishment of some guidelines. The guidelines were laid down on the basis that, if the unions were going to get full indexation, they would have to adhere to the guidelines. Since that system was established, we have heard a lot about unions not adhering to the guidelines, and we still hear that unions should adhere to them.

In most recent days, the whole system of indexation has been tossed out, and we are more or less in industrial limbo in the Federal sphere. Indexation still remains in South Australia, and hopefully we will be able to hang on to it. It has been interesting that over the period of time most unions have adhered to the guidelines. There have been pressures from time to time and minor deviations from the guidelines along the way. It has been recognised by the Commonwealth commission on numerous occasions that basically the trade union movement has stuck to the guidelines.

What did the Government do? Not long after it had been in office, it suddenly decided to interfere and to talk in terms of less than full indexation. I am not sure, but I believe that since 1975 on only two occasions in all the cases that have been before the court has the commission come down with full indexation.

It seems to me to be rather ludicrous and it struck me for some time that the unions should have made more of this. There were the employers and the Government attacking the unions for not adhering to the guidelines and saying they were guilty of misdemeanours, that they were breaking agreements, and whatever else, while the Government has done far worse than that, because it is on record that in the main the unions adhered to the guidelines.

As I have said, there were some minor deviations, but the Federal Government just chopped and changed as it suited it, with the arrogance that has become a hallmark of the Prime Minister. I would say, without meaning to be rude to the Minister of Industrial Affairs, that he has developed a reputation in South Australia for being a rather arrogant Minister in carrying out his portfolio.

I presume that the Minister will not listen to the advice from this side, but I want to prevail upon him to give serious consideration to rethinking this whole proposition, because it gives the evidence, as far as I am concerned, of being a desperate act. It will not bring any industrial peace or harmony to South Australia. In fact, I am sure that it will create considerable industrial disruption. I would hope

this is not the Minister's intention, but we all know that at some time within the next 18 months or so (it may be earlier) there must be an election in this State and, going on past performances, we know that one of the election tactics of conservative Governments is to try to bring up the old line, 'Who is running the country, us or the trade unions?'

It has happened in the past and undoubtedly it will happen in the future. I hope that the Minister is not approaching this matter so cynically that he intends to get this legislation on the books and then let it lie dormant until some time next year when it suits the purposes of the Liberal Party and then begin to create strife within the trade union movement with the absolutely political, cynical purpose of using it as a lead-up to an election campaign on a 'Who is running the State?' basis. I hope that I am wrong and, if I am, I apologise to the Minister. I can assure him that the credibility of this Government is very low within the trade union movement. It cannot go on much longer.

The workers in South Australia are suffering greatly. They not only have to bear the burden of a downturn in industry but also they have to bear the burden of the increased State charges which have been coming with frightening regularity. People are being forced into a position now where a considerable part of their income is committed to providing a roof over their heads, whether they are buying a house or renting accommodation. An important factor has been mentioned before and undoubtedly will be mentioned again in this House in the near future: the de-control of interest rates is reaching havoc.

Add to this one of the final insults from a Government which gave no indication of the type of taxes with which we are now confronted: in the latest Federal Budget we are confronted with a direct tax on a large number of consumer items which everyone must use. It is an extremely regressive tax system. The pressure is on workers and it is taking the value out of their wage packets and they are not going to be able to exist. Workers are not being greedy or unreasonable in their demands for increased wages. Nor are they being unreasonable when they put forward arguments for a shorter working week.

Whether this Government agrees with it or not, the fact is that a reduction in working hours will provide more jobs in certain areas. The arguments being put up against it are specious in many respects and they misconstrue, either wittingly or unwittingly, the policy of the trade union movement which has quite clearly been indicated as a policy of discussions with the employers and the achievement of a shorter working week where it can be achieved without damaging the nature of the industry. I have pointed out before in this House that I get a bit fed up with members opposite and Ministers who rise to rant and rave about the dangers of fewer than 40 hours a week, when in fact the Government in this State accords its employees that agreement in their work contract.

Many of the State's employees work a 37½-hour week, or certainly fewer than 40 hours a week. I see nothing wrong with that but, if it is such anathema to the Government, I wonder why it has not got the courage of its convictions and why it does not say to those people who work fewer than 40 hours a week that it is against the Government's policy to agree to fewer than 40 hours a week, so it intends to increase their hours to 40. The plain fact of the matter is that they have not got the guts. Also, I think that some Government members do not believe the arguments they get up and put from time to time about fewer than 40 hours a week.

We have the situation where, through no fault of their own, workers in South Australia, as in many other States in Australia (I would imagine every other State in Australia), are trying to keep pace with inflation and economic circumstances which are not of their making. There is a continual effort by conservative Governments to portray the only villains in the piece as the workers who are trying to maintain a standard of living which has been set and a level of expectation which has been built up in this country over the years. As with the less than 40-hour week, we often hear the remark made that we must remain competitive with other countries in the area, in the South Asian or the near north area, or whatever one likes to call it. That raises another question. If members of the Government are really dinkum when they use that argument, why do they not come out and say to the people of South Australia that what they are really telling them is that in the Philippines people work for $1 an hour and in Hong Kong they work for $1.58 and that, if people want industry to continue in this country, they should accept the rate of $1.50 or maybe $2 from some of the more magnanimous employers; that people should not really expect to have a house the like of which has become the expectation of ordinary Australians over the years; and that what we should be looking at is a hillside like the one in Hong Kong that burnt out the other day—all those unfortunate people living in their homes of packing cases and tar paper on the side of a hill with no modern facilities except a few consumer durables that they are able to buy. That is what the Government is really saying when it tries to shut off the opportunities for workers to get a decent standard of living.

For many years we have listened to this. It is all written, I am amazed to find, in Liberal Party policy. There are some glowing phrases in that policy about what the Liberal Party believes should be the entitlement of ordinary people in this country, as follows:

> The basic aim of the Liberal Party is to improve the wellbeing of Australians. The Party is dedicated to the development of individual freedom and dignity to which freely chosen employment is essential. The Party is determined that all Australians enjoy the highest living standards the nation can support.

This is amazing when one considers some of the remarks we have been listening to in this Parliament of recent date, and some of the statements that have emanated from Canberra. One finds it hard to equate that with the announced policy of the Liberal Party in respect of the aspirations of workers. I think that the Minister would be well advised, and I hope he will take the advice, to reconsider this legislation and to pull it out and not proceed with it because all it is going to do is create industrial strife in this State. As I said earlier, if that is his intention, then I am disappointed in him.

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

Mr WHITTEN (Price): It is now 5.30 in the morning, and I do not know whether we are able to give complete attention to this Bill, which has been described by my Deputy Leader as the most Draconian measure ever to come before this House. I would say that it is the worst piece of industrial legislation I have ever come across, and I have been around for quite a few years, and I have been in the industrial movement for a long time. I just cannot understand why a Minister, who often expounds the idea of good industrial relations, would introduce this Bill unless, as the member for Florey stated a short while ago, it is the Minister's intention to try and create industrial disputation.

I would also agree with the member for Florey that this is what it appears to be. Whether the Minister wants to set the scene for perhaps next year, I do not know, but that appears to be the case. I am sure that there is not a union in South Australia that is not extremely upset about this legislation. They are all opposed to it. I think that the

Minister, by bringing on this Bill at 4.20 a.m., has no consideration whatever for people, and people make up unions.

The Minister intends to bulldoze this Bill through and get what he wants, because he knows well that shortly before the Industrial Court he will be in a bit of trouble. On 22 July one of the worst things that this Minister has ever done occurred when the Minister opposed in the Industrial Court a freely negotiated agreement. He tried to oppose it, but the court had doubts about whether he had that right. However, to put the matter beyond doubt, the Minister has introduced this legislation to ensure that without a doubt he can oppose any little iota of benefit that a worker may gain. I just cannot understand Liberals—they have no thought for people, particularly workers. All they can think of is making money and standing over people.

I mean that, and I have always found it to be that way. Many years ago the Commonwealth Conciliation and Arbitration Court attempted to implement some of the measures that the Menzies Government had put into the Act. It had included penal clauses which, in the case of any industrial disputation, gave the employer the right to go to the court and have those unions fined and its members gaoled for an indefinite period. In regard to that legislation, I tell the Minister this: that legislation did not do one iota of good. My organisation, the Boilermakers Society, never paid a fine and none of its members was ever gaoled. I ask the Minister to cast his mind back to consider union officials who were gaoled in regard to such legislation.

I suggest that the Minister cast his mind back to Clarry O'Shea, to the whole of Australia on strike, because that is what he is trying to do here in South Australia—create industrial disputation. Returning to 22 July, when he went into the court to oppose the application by Associated Co-op, which is the largest grocery warehouse in South Australia. I imagine that he is endeavouring by his actions to create a shortage of groceries, because that is what will happen.

On 21 July, the Minister went into court. I have a clipping from the *Advertiser* of 22 July 1981, portion of which I used previously when I spoke in the Address in Reply debate. The report was headed, 'Government blocks move for 72-hour fortnight'. It is under the by-line of the Industrial Reporter, Bill Rust, who has been reporting on industrial matters for the *Advertiser* for many years, and one would not get a fairer reporter on industrial matters. He knows what he is talking about, unlike some of the others who have come lately and who think they know something about industrial affairs. Bill Rust states:

> The State Government intervened in the State Industrial Commission yesterday to block an agreement on shorter working hours. The agreement is between Associated Co-operative Wholesalers Ltd, of Kidman Park, and the union, representing its 300 employees. The State Secretary of the Federated Storemen and Packers Union, Mr G. Apap, said the agreement reached with the company in March provided for the phasing in of a nine-day 72-hour fortnight in 1983.

That was a freely negotiated agreement, and the 72-hour fortnight provisions are not to come into effect until 1983, but the Minister said there must be a forerunner of some peace in that industry in which there had not been a great deal of peace. He said he would try to create a dispute, and that is what he has done. Bill Rust's report continues:

> In the first step, already in operation, the workers were taking an extra day off every two months. The unions and the company presented the agreement to Commissioner G. M. Stevens yesterday to be ratified.

The Minister got Mr P. R. Jackson, of the Crown Law Department, to intervene on his behalf, with the object of opposing the agreement. Mr Jackson, representing the Minister, asked that the matter be referred to the Acting President, Judge O'Loughlin, with a view to its being dealt with by the Full Commission. Commissioner Stevens, in adjourning the hearing while he consulted the Acting President, said that he would get back to the parties. The report states:

> The Government intervention yesterday accorded with its announcement on 18 March that it would intervene in the public interest when the company sought to register its agreement in the Industrial Court. The Secretary of the Storemen and Packers Union warned the Government during the hearing that if it tried to delay the agreement being registered the union would have no option but to engage in industrial action.

That industrial action will take place, and I reiterate what I said previously: the Minister of Industrial Affairs seems to be trying to create industrial disputation. Mr Apap said:

> We do not want to harm the company or the community. However, if the Government says it would be against the community interest to register this agreement it is even more certain that it would be against the community interest not to, because the result could be that they will not get any groceries at all.

I would think that one of the other prime reasons of the Minister is to endeavour—

The Hon. D. C. Brown: Is that a threat of industrial action against the community?

Mr Hamilton: What are you threatening here—industrial disputation?

Mr WHITTEN: I intend to ignore the interjection, because half an hour is not long enough to say what I want to say. I believe one of the reasons why the Minister wants to get this power is that he knows, and it is enevitable, that there will soon be shorter working hours.

If the Minister takes a little notice of what has been happening in South Australia, he will know that the Amalgamated Metal Workers Union, in free negotiations with three companies in the last few weeks, has negotiated for a shorter working week. While the details of this agreement are not to be made public, I would think the Minister knows them, because he would have access to that information. Workers want a little extra leisure time and the benefits of their labour. The Minister must get this Bill through the other place, and I believe that will be extremely difficult because, after all, while we have only 10 members there, surely there must be someone in that Chamber with a little thought for the people. However, we know that the Liberals have no thought for people. The Minister knows that he needs assistance from someone other than his own Party members.

I believe that the Minister wants this power because of the problem he saw in regard to the full commission and the 1981 wage case. The commission brought down a fair decision that recognised that workers had lost 4.5 per cent under the c.p.i. The court, after hearing the arguments from employers and the unions, agreed that the full indexation should apply, not partial indexation, whereby workers are worse off every time there is an increase. The Minister wanted to follow the Federal example and stop the workers from getting the benefits of their labour that would enable them to cope with increased costs.

Should this Bill pass, the unions would abandon arbitration and conciliation. I do not want to see that happen. I have always believed that the arbitration system can work and that employers and employees should talk and keep talking until they are forced to go to court. All employers are not bad; some employers look after their workers. However, the majority have to be forced to do so and to pay them a decent wage. The award wage rates that are brought down in the courts represent the minimum wage that employers can pay. Employers must be forced to pay that minimum wage.

The Hon. D. C. Brown: There wouldn't be too many people being paid just the award wage, would there?

Mr WHITTEN: Let me finish what I am saying before I answer the interjection. Some people are being paid less than award wages, only because the Minister of Industrial Affairs will not employ enough inspectors to police those awards. A case was reported in the press recently in regard to a baker in the country. I do not know the result, but evidence alleged that several people were being paid under-award wages.

Mr Mathwin: What about the union blokes? What are they doing?

Mr WHITTEN: I know that the member for Glenelg was a painter.

Mr Max Brown: He was a broken down painter.

Mr WHITTEN: A broken down printer, says the honourable member. I do not know whether he ever took an active part in any unions. I feel he did not take an active part because, had he done so, he would know a little more when he speaks about unions. I am sure he does not know a great deal about unions.

Mr Mathwin: I was about to become a shop steward at one stage.

Mr WHITTEN: The only problem with that would be that the members would not have voted for you. You had the idea that you would be a shop steward. Shop stewards, the people on the shop floor, are the cream of the trade union movement.

The Hon. D. C. Brown: Are you going to answer my question? Is it correct that the majority of workers are paid over-award wages?

Mr WHITTEN: It is a hypothetical question. I do not know whether the majority are so paid. I would say that several are paid over-award wages, and a worker who works for the award wage at the present time is possibly not a very good tradesman, because a good tradesman can demand a little extra for the skill he has. I seldom worked for award wages because I was able to do a job, and the employers were prepared to pay a little extra for the job that was done.

The Hon. D. C. Brown: That proves the point I am making. You accused the majority—

The SPEAKER: Order! The honourable Minister will have an opportunity to speak when he replies. The honourable member for Price is the only member I want to hear.

Mr WHITTEN: Thank you, Mr Speaker; I am pleased if you want to hear me. I will answer the Minister. In his second reading explanation, he said that he wanted to make South Australia a low-wage State or keep South Australia a low-wage State. It is unfortunate that South Australia has always lagged behind other States in wages or whatever was the going rate, while Federal awards laid down the minimum wages. In New South Wales and Victoria, particularly, active union members and good tradesmen were always able to demand some margin above that minimum wage. In South Australia, this was not always the case. Consequently, we got the name of the low-wage State. Even when we had the basic wage and the margins, South Australia was always lagging behind every other State. In his second reading explanation, the Minister said:

> Our drive has been based on selling the State's comparative advantage to potential investors here, interstate, and overseas. These advantages include low wage and other costs, greater availability of labour and, in particular, skilled labour, a good supply of industrial land which is close to all facilities, and only a fraction of the cost of similar land in Sydney and Melbourne...

We have this cheap industrial land because of the action of the previous State Labor Government. The Minister should know that in my electorate of Price and on the other side of the river in the electorate of Semaphore, a lot of cheap industrial land is the result of the actions of the previous Minister of Marine, the member for Hartley. I am pleased to say we have been able to attract the Swedish company that has come here.

An honourable member: Eglar Industries.

Mr WHITTEN: That is the company. I am disappointed that, although it originally set up in my electorate, it is now on the other side of the river in Semaphore electorate. I am pleased this company has come here; it has a record of good industrial relations.

The Hon. D. C. Brown: We are selective about where we put our good industries.

Mr WHITTEN: I do not think that the member for Semaphore will thank the Minister for all the comments he has been making about how good a fellow he is. The other day the Premier said what a good fellow the member for Semaphore was to help out with the railway line.

Mr Mathwin interjecting:

Mr WHITTEN: I do not think he will thank you for that. The honourable member was correct in saying that not only do we have the cheap land but also we have an outstanding record in industrial harmony not bettered by any other State. The Minister is truthful sometimes. He referred to excellent transport facilities that link South Australia with all other areas in Australia and overseas and an imaginative package of industrial incentives provided by the State Government. I hope that he is not going to destroy that good record of industrial harmony, because that is what is in the offing, and that is what will happen if this Bill goes through.

He said that the key to the maintenance of this comparative advantage is that South Australia must not have wage increases which are above those occurring in other States. I believe that the unions in South Australia have never been able to get wages above those in other States. To give some indication of the number of cases in which the Minister will be intervening (because he said that he will intervene in agreements), we can look at the court list in this morning's *Advertiser*. We can look under the South Australian Industrial Commission. The first one listed concerns the Cake and Pastry Baking Trades Award. The next one is in court 5B before Commissioner Cotton at 10.30 a.m., and involves the Fire Brigade Officers Award, re wages. The next one is in Chambers before Commissioner Eglinton at 9.30 a.m., and this is one on which the Minister will certainly be in on, namely, the Roseworthy Agricultural College Employees' Industrial Agreement. Probably some agreement has been reached with Roseworthy (about which you, Sir, may know) whereby the employees are going to get a paid meal break or something like that. The Minister will probably say that that will be a reduction in hours and that they will not be working their 40 hours, so he will be there to oppose it.

At 9.45 a.m. a case is set down involving Government-subsidised hospital employees—another industrial agreement. At 2.30 p.m. a case involves the District Council of Georgetown and the Australian Workers Union—another industrial agreement. Probably they will get a small travelling time allowance agreed to because the workers will do a bit more if they get a bit of travelling time. However, the Minister will go to court and oppose it. He said so. There is another in court 5D involving the Farm Instructors Industrial Agreement, and another involving the State Government; it is in Chambers before the Acting Industrial Registrar, but only costs are involved.

Members do not have to believe what I am saying, but I have a bit of industrial experience and I know what I am talking about. We see what Mr Fraser, Secretary of the P.S.A. has been saying. He is joining with all other unions and asking all political Parties to violently oppose this Bill. Also in this morning's *Advertiser*—

Members interjecting:

The SPEAKER: Order!

Mr WHITTEN: —we see a heading, 'Public Service Association attacks Bill on South Australian wage fixing'. The report states:

> The Public Service Association yesterday joined other unions in condemning the Government's proposed change to the South Australian Industrial Conciliation and Arbitration Act.

It goes on to say that it was introduced by Industrial Affairs Minister Brown on Thursday, and then states:

> The P.S.A. General Secretary (Mr I. H. Fraser) said the legislation was grossly defective and the association had sought a meeting with the Premier (Mr Tonkin) to explain the defects. Neither the employer nor employee interests or even the State Industrial Commission had been consulted by the Government.

The Hon. D. C. Brown: Of course, that is not correct, is it?

Mr WHITTEN: I am quoting Mr Fraser. I cannot say whether Mr Fraser is correct. I will be fair. I have always been fair, whether I have been dealing with the boss, the workers, or the Minister, and I will be fair on this. I know that there was some discussion with the United Trades and Labor Council, or that the council had a copy of the proposed Bill. I know that there was some sort of consultation or communication, and I would commend the Minister for that. That is what I have been saying to him all the time he has been here. He should talk with people. He should not bring a Bill like this into Parliament and try to create industrial disputation, but that is all it will do. All he will do is force unions away from the Industrial Court, force them into disputation, so that he can say to them later, 'Who is running the country?' I think we heard Bob Menzies say the same sort of thing, and he used to do the same sort of thing.

Surely industrial relations and Ministers have improved a little from those days when Menzies held sway and was so keen on union bashing. The Minister had said that he wants to have good industrial relations and to talk to unions. For a while he did that. I think most unions said, 'This Brown is not as bad as we thought he was. We know he is crook, but he is not quite as bad as we thought.' That is the situation, because he was coming around a bit.

The Hon. D. C. Brown: Does that make me a good crook?

Mr WHITTEN: I do not know about that. The Minister can take it whichever way he likes. I thought that one day he might even look on workers as people, but he just cannot see that. All he can say is the old Liberal image of dollars, dollars, dollars—'anything more that we can get for the companies, we will get!'

The Hon. D. C. Brown: The Trades and Labor Council came and had a consultation yesterday on the matter.

Mr WHITTEN: I spent my time in the House yesterday, as I have done all this morning, and I have only three minutes left in which to speak. I have pages of material, but I have not time to use it. I will end on this note and say that the actions of this Government are forcing workers to press for higher wages. Every Liberal measure forces workers to seek a litle bit of recompense to pay for their higher water rates, higher electricity charges, higher bus and tram fares, and all those sorts of things. Extra money is needed, and, as time goes on, with the actions of the Liberal Government, the workers will have to keep on going for extra wages, just to get adequate wages.

I always thought that the role of the commission was to settle industrial disputes, to enable the unions to put their case, and to allow the employers to put their case, and that unions and employers were required to abide by those decisions, but now we find that that is not going to be the case, because whatever happens in future, if this Bill should get through (and I do not think it can), the Minister will go into that court and make it tripartite, two to one. That is the problem. The unions will not be able to afford counsel needed to question the economic experts who are put into the court. There is no way that the unions will be able to afford Queen's Counsel.

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

Mr HAMILTON (Albert Park): When I was talking to a union official the other day, he termed this Bill the 'provocation and enforcement Bill'. I think that is an apt description of what this Government is about—to deliberately create industrial disputation in this State. Over the last couple of years I have seen the attempt by this Government, by various means, to create industrial disputation. There is no doubt in my mind that the trade union movement will not cop this legislation. The Minister knows damn well that the trade union movement will not cop this legislation.

I can recall just after coming into this Parliament, particularly in February 1980, hearing the Minister stand up and speaking with a forked tongue, saying, 'We want to work and consult with the trade union movement.' What consultation have we had on this Bill? Very little. It has been rammed down the throats of the trade union movement and the working class in this State. We have seen classic demonstrations of the Federal Government's attitude towards workers in this country. The introduction of the CEEP and CER Acts are classic examples of this Government's attitude, which is a champion of free enterprise.

It is okay for free enterprise to go out and demand what it wants for its goods in the market forces. Industry charges what it wants to charge, but when the workers say, 'If you want free enterprise, let us have free enterprise and give us the same opportunity to charge what we believe the market force can stand in respect to the payment of our wages', no way does this Government believe in that sort of attitude. Since the Fraser Government came into office we have seen this problem quite clearly, and it has been compounded since this Government came into office, and I am referring to the erosion of worker's wages in this State.

We have seen increased charges too numerous to mention here, but there have been something like 60 in the 1980-81 financial year. There have been increases right across the board, some having been as high as 2 000 per cent. We have seen increases in interest charges which, once again, is an erosion of the conditions under which workers live and work. We have seen increases in industrial disputation under Liberal Governments in this country.

There is no doubt that this Draconian legislation is designed to drive the working man back into worse and worse conditions and less value for his dollar. It was interesting to hear the other day the comments by the union official, who said that the Minister's attitude towards this Bill and industrial relations generally reminds him of a prominent footballer who used to play for Collingwood many years ago and who was called 'the enforcer'. This Minister wants to enforce his views upon the trade union movement and the workers of this State. I can envisage many hard and bitter battles being fought over this legislation. When I first saw the Bill, it took my mind back to a time many years ago in Melbourne when the Police Force was brought out against the workers.

One wonders whether this will occur under this Government. Does it want this sort of situation? Does it want anarchy on the streets? Does it want the same situation as we now see in England, where there are 2 800 000 workers unemployed and where they bring the Police Force out into the streets with riot shields to ram them down the workers' throats.

Mr Mathwin: That has nothing to do with this Bill.

Mr HAMILTON: My word it has; the similarities are there. This is what this Government is about: to drive the worker into submission. We all know the views of the member for Glenelg on the trade union movement. We have heard his inane interjections recently about the conditions of people working under less than award conditions. There are many instances, and we all know that Government members do not want so many industrial inspectors in this State because they know damn well that, particularly in Government departments, they will be able to enforce what those workers are entitled to.

It is quite clear that if the State Government was concerned about the workers in this State it would ensure that there were sufficient inspectors to look after the working class. But no, that costs money, and the Government is not prepared to do that. The Minister is well aware that this Bill is totally unacceptable to the trade union movement. The Government wants confrontation. I only hope that this Bill does not pass both Houses of this Parliament. I seek leave to continue my remarks later.

The DEPUTY SPEAKER: The question is that the honourable member have leave to continue his remarks.

The Hon. Dean Brown: No!

Mr HAMILTON: Divide!

The DEPUTY SPEAKER: If the honourable member wishes to continue with his remarks, he must proceed now.

Mr HAMILTON: I can envisage an erosion of living standards in this State, particulary for workers. I can see an erosion of wages, meal breaks and many other conditions under which workers will be required to work. The Minister quite clearly wants to erode the conditions of all workers here in South Australia to meet the demands of those people that he serves. They are, of course, those people who put him in: the Nigel Buicks and the like, who want to destroy the working conditions of State workers.

Only today, I received from one of the unions some rather interesting correspondence. I would like in the time available to me to incorporate a lot of this information in *Hansard*. The letter states:

There are three major amendments proposed by the Liberal Minister Dean Brown: industrial authorities to pay due regard to the public interest, meaning any commissioner hearing any matter shall consider the state of the economy of the State and the likely effects of the determination of that economy, with particular reference to its likely effects upon the level of employment and on inflation. The following points in opposition to this can be made:

(a) This section is introduced to cynically hit at the Full Commission 1981 State wages decision which awarded the 4.5 per cent full indexation, adopting reasonable industrial and economic arguments. Quite rightly, the Full Commission, although hearing all of the economic arguments, finally said that their basic responsibility was to determine the matter according to industrial, as opposed to economic, principles. The amendment changes the rules of the game—

which is not unusual for this Government—

essentially because the employers and Government failed to present reasonable industrial arguments, and they did not like the umpire's decision.

(b) The scenario now arises where in all commission matters, not just State wage cases, the economy of the State shall be considered.

If this clause is taken into account and applied strictly, unions will be forced to present economic arguments on all wage and conditions matters. This will be time consuming, lengthen hearings with economic witnesses, open up absurd cases whereby small awards will be forced to have economic submissions presented that on the face of it would not be needed, and the commission will be bogged down, particularly if conflicting evidence is presented. And where two expert economists disagree the commission would have the discretion to decide. On what basis: industrial reasons or economic reasons?

The net result may be that unions will not use the commission—and then either there is industrial action (and you get clubbed by the essential services legislation) or else sectors of the work force will not get any chance to present arguments and receive reasonable increases. For a union our size, with over 50 awards and two advocates, commission proceedings would be worsened. The resources of the employers are greater to present economic arguments which puts them in an even stronger position.

(c) Basically the commission is established to hear and determine industrial matters and settle industrial disputes, and the basis should remain of settling matters on industrial fair play without the compelling necessity to consider the state of the economy. It should be added that in practice the employers do often argue economics but that finally industrial considerations prevail. This should remain rather than the commission being locked into 'right-wing Friedmanite' considerations.

It should be noted that the legislation makes it mandatory for the Public Service Board to consider the economic position of the State. Again those arguments can and are put up, yet there could well be reasonable industrial reasons why certain sectors of the public work force should receive increases which the Public Service Board would accept, yet now they can always argue that any increases would worsen the States economy etc., etc. Overall there will be greater hurdles for achieving industrial common sense.

(d) Some comments about Dean Brown's speech in Parliament to justify the amendments need to be made. On page 4, he praises the Government's attempts to keep South Australia as a low wage State, thus really denying proper industrial principles of the same rate of pay for the same work (for example, as occurs with Federal awards, irrespective of State). Yet, shortly afterwards, he says that South Australian wage increases should not be greater than those occurring in other States.

The document continues:

Our union in most awards has not sought wage levels above interstate and, indeed, would be happy to receive comparative wage justice.

Mr Mathwin: What are you reading from? What union do you belong to?

Mr HAMILTON: If the member for Glenelg would contain himself until I have finished reading this document, and show a little bit of courtesy, I will tell him where it comes from. The document continues:

Would the Minister support claims to catch up to interstate wage levels? If the Minister means that South Australian wage increases should not be greater than interstate, then he deliberately hits at the commission guideline that says that, if an award has not received $8 since July 1978, a comparative wage justice case can be mounted, which on proper principles may mean more than $8; for example, this happened with the Government hospitals $14.30 etc., fairly argued through the system.

There is then an hysterical attack by Minister Brown that there is evidence of a general wages push in South Australia because of 19 applications before the commission. This includes F.M.W.U. awards, for example, caretakers and cleaners named as $10, yet this has received $8 (leaving $2); dental technicians $7.30 already granted; Minda—already decided.

Thus he relies on out-of-date information. Also, it appears that the other named awards are themselves either ambit or part of the one-time comparative wage justice opportunity which is within the guidelines; hardly reasons for enacting legislation.

Minister Brown's research department is completely wrong factually and therefore his argument is invalid.

Also, it can be added that the reason that the commission exists is to determine whether any claim is within or outside of the guidelines. The commission is not known to go outside the guidelines. South Australian unions have been acting within the system. It should not be up to the Minister to argue before the event that any one claim is not within the guidelines.

The Minister is hypocritical on page 9 when he says that he is creating an 'avenue by which wage and other claims by South Australian workers can be appropriately processed and in which due regard will be given to equity and fairness and by which protection will be given to the lowest paid workers and industrially weak unions'. In reality, the avenues will be denied and lower paid workers will be kept the lowest. This is the Government's real reason. It is also hypocritical to set up an inquiry by Mr Frank Cawthorne and then to by-pass this procedure. What confidence can the unions have in a Government adopting such a procedure?

Minister Brown states that the steps are to stop a wages explosion now the Federal commission has abandoned indexation. Yet the best system would be to maintain indexation increases in South Australia, which in itself is fair (see 1981 State wages case) and which would stop the work force struggling to keep up with price increases. It is a tragedy that the State Government did not follow the real merits of the arguments presented in the 1981 State wages case—an example of the Liberals not wishing to abide by the umpire's findings.

There are amendments to the Industrial Commission Jurisdiction (Temporary Provisions) Act which are allegedly merely to achieve consistency with the other amendments, yet it seems as if it may be an attempt to keep the guidelines.

That is, the employers and the Liberal Government want indexation c.p.i. increases out, yet still retain the restrictive guidelines. That is having one's cake and eating it, too. The Minister now is seeking powers to force any industrial agreement to be registered; 'otherwise it has no force or effect'. This has serious implications where many agreements are reached between the parties and abided by without recourse to registering in the commission. It may mean that workers would have difficulty suing for rights under agreements which are not registered.

One would hope that the Minister would comment on that. The document continues:

b. intervene in any matter before the commission to request a Full Commission hearing. It is difficult enough when parties to an award have the right to go to the Full Commission. What is the jurisdiction for the Minister now seeking this? Obviously genuinely reached agreements between unions and employers, whether on wages or shorter hours, will now be subject to the politics of the Minister, or right-wing Friedman economics.

c. The Minister is to be given power to intervene in any proceedings at all, thus again politicising the commission.

That is not surprising, I might add, as is shown by the dictatorial attitude of the Minister of Industrial Affairs, The document continues:

There are no reasons given why the present system is not working, and the industrial parties concerned should not have the prime responsibility for arguing the industrial merits before the commission.

In summary the proposed Bill is an unwarranted attack on the independence, integrity and basic function of the Industrial Commission to settle industrial matters.

That is from the F.M.W.U. It was rather interesting to receive that from that organisation today. One would hope that the Minister would answer some of those allegations. I did not see him writing down very much so it is quite obvious that he intends to bulldoze this legislation through the Parliament, come hell or high water, to create industrial disputation leading up to the next State election. We have seen this tactic employed for many years by Liberal conservative Governments not only in the Federal arena but also in other States.

It is a clear attempt to create this atmosphere, as I believe was correctly pointed out by previous speakers; it will be enforced at the whim of the Minister leading up to an election, that is, a programme of industrial disputes in the commission so that, as we have seen in the newspapers, a daily list is given of the industrial disputations that are occurring in the State. The community is programmed to believe that this is the fault of the trade union movement, that these people are greedy, they want all of the money, and they are causing all the problems in the community, but rarely do we see these people driving around in large cars or living in palatial houses. The workers will suffer from this.

Mr Lewis: Bull dust.

Mr HAMILTON: It is interesting to hear the honourable member say that.

The DEPUTY SPEAKER: The member for Mallee has been out of order for a considerable time.

Mr HAMILTON: It is interesting to hear the member for Mallee make that comment, because I thought he would be cognisant of the feelings of the workers who live in his area. If he is prepared to stand up and make a contribution in this House as to his feelings and if he agrees with the Government's intention in this Bill, in effect he will be beating around the head with a big stick those people whom he represents, particularly the workers. One would have thought that the Government might express more concern and had a lot more to say about the motor car industry, particulary in respect of how the new car tax will affect the industry.

That is the policy of the Federal Government. It is another way in which workers will be hit by the increasing costs. Cars will be more expensive and fewer will be sold. Workers will be laid off and there will be less money in the community. There will be a snowballing effect throughout the community. The Minister is only too well aware of the cost of such action by the Federal Government. One can envisage the comments that may come from the Minister, such as, 'This is the fault of the trade union movement', if some of those I.A.C. reports or increased charges affect the motor car industry. The Minister is attempting to lay the blame for all of the economic problems at the feet of the working man, and yet we see that about 7 per cent of the people who have all the money in this country control about 93 per cent of the wealth. I oppose this Bill very vehemently. It is Draconian and it is enforcement legislation. It will beat the worker around the head.

It will be on the Minister's head and on his Government when we see massive industrial disputation in this State. There is no doubt in my mind that we will see people out on the streets. History is full of it. I would have thought the Minister would have some understanding of industrial disputation and what history is all about. People who ignore history are fools.

Mr PLUNKETT (Peake): I rise to oppose this Bill. It is typical of the Minister to introduce such legislation. He claimed he had a lot of credibility with the trade unions not long after he was elected and became a Minister. I assure him he has no credibility now with any of the unions. I would consider that 100 per cent of unions would be opposed to him. Mr Deputy Speaker, can I take a point of order? Is the press allowed to communicate with the Minister while I am speaking? I would like to have a ruling on this.

The DEPUTY SPEAKER: Order! There can be no communication between the galleries and the Chamber.

Mr PLUNKETT: Thank you, Mr Deputy Speaker. The Minister is treating the House with contempt in the way he is performing at present. I ask that there be a stricter hold on the press when they are inside the House.

Mr Mathwin: That is absolute rubbish.

Mr PLUNKETT: It is not rubbish, you saw them speaking yourself.

The DEPUTY SPEAKER: Order! The Chair does not want to have to repeatedly call for order. I suggest to the honourable member that he not refer to the galleries and that he continue with his remarks in relation to the Bill before the House.

Mr PLUNKETT: Thank you, Sir.

Mr Langley interjecting:

The DEPUTY SPEAKER: I would suggest to the member for Unley that he not continue to defy the rulings of the Chair.

Mr PLUNKETT: The Minister's portfolio should be recast. No-one who relied upon a mottled farrago of erroneous and misleading information contained in his second reading speech could be rightly called a Minister of Industrial Affairs. To justify this inflammatory and patently incorrect assertion, the Minister sought to refer to 19 applications in the Industrial Commission. The Minister would not qualify for a position as a research clerk. I would like to refer to those 19 applications before I finish my

speech. What is the assertion? It is contained in his second reading speech and is as follows:

> There is generally within the community an expectation that there will be wage explosion in Australia following the collapse of indexation.

Already there are ominous signs that the general wage push has commenced in South Australia. It seems that the Minister does not know when wage indexation collapsed. For the information of the House that date was 31 July 1981. How do the 19 applications relied upon by the Minister support his assertions? How many were filed after the collapse of indexation? Of the 19, only four fall into that category.

In fact, 11 of the 19 applications were filed approximately a year ago. Some have been substantially concluded. Perhaps the Minister would have been better advised to adequately prepare himself before rushing into this absurd legislation for which there is clearly no need. Of the four applications which have been filed since 31 July, the transport workers State award application seeks a flow-on of an anticipated Federal award decision in accordance with a long-standing nexus, and the same applies to the bread carters award.

The other two applications relate to the bread carters and yeast goods employees and also cake and pastry award. It seems that bakers have cooked the Minister's judgment. One might well ask whether these four applications, most of them on behalf of the South Australian bakers, constitute an ominous sign of wage explosion. The Minister has obviously not made inquiries of the Industrial Registrar concerning the number of award applications that have been received since the collapse of indexation on 31 July 1981. The House should be informed of this to assist it in determining whether the stampede described by the Minister exists or is simply another of his hallucinations. There is a total of 10 such applications.

Of these 10 applications, four could be said in some way or other to have some connection with the transport workers dispute. Three of them involve the bread carters; bread and yeast, cake and pastry—these industrial demons in the kitchen again. The other is in connection with racecourse groundsmen awards and anticipates an increase for a handful of truck drivers employed by the jockey clubs.

The Hon. D. C. Brown: Who wrote this?

Mr PLUNKETT: A better writer than the bloke who wrote yours. The average number of applications received per month by the Industrial Registrar in 1980 was 16. There are ominous signs. In summary, we have an application by the T.W.U. for a flow-on into its State award and an anticipated Federal award as well as a handful of supposedly renegade pastry cooks and racecourse keepers. These, the Minister tells us, are ominous signs of wage explosion.

Before departing from this topic of T.W.U. applications, and the bread carters' applications as well as those of the racecourse groundsmen, it will no doubt be made under the principle 7 *(c)* (3) of the South Australian Commission wage-fixing principles. The Minister ought to know but probably does not know that this council told the commission only seven or eight weeks ago that there were no problems with the operations of this guideline. I would suggest that principle 7 *(c)* (3) be not so amended and that the wording of that provision remain as it is at present. In the current industrial climate and with the associated uncertainty it is desirable.

Access to the Full Bench is needed, as is the right to bring before the commission the implications of matters of principle. What language is the Minister speaking when he refers to the industrial climate at page 4 of the same speech, in which meaningless mumbo-jumbo is uttered? Some Ministers describe South Australia's industrial relations as an outstanding record in industrial harmony bettered by no other State.

This must be the industrial climate that makes it essential for the Minister to be able to intervene in matters of consent agreement reached by employers and unions. No doubt he will put some cretinous submission that he will not know anything about, to slowly but surely destroy the harmonious industrial record he so loudly states.

What this Parliament should know is that the original intention of the Minister contained in his first draft of this Bill was even worse. That intention reveals his true motive as an industrial troublemaker. Not only did the Minister seek to give himself the right to intervene in consent agreements but also the right to apply to rescind them or vary them. The proposal in the draft Bill reads as follows:

> An application for variation or recission of an industrial agreement may be made to the Commission by a party to the agreement or the Minister and, upon such application, the commission may by order confirm order or rescind the terms of the agreement.

What are the 'associated uncertainties'? If that phrase has any intelligible meaning it has been clearly demonstrated that the Minister has an existing right under section 44 of the Act to intervene in any proceedings before the court or commission. This legislation simply extends that right into the realm of consent agreements which currently require certification by the commission, pursuant to the temporary provisions Bill in any event. Such certification requires a proceeding before the commission and involves the right of intervention provided by section 44.

Is intervention by the Minister desirable? Clearly, it is not. There has been little if any intervention to date during the time that South Australia has built its 'outstanding record of industrial harmony'. There is no panic on the wages front as has been shown. Applications are being received at a rate which is a little below average. Such applications in the main are made according to the existing wage-fixing principles of the commission with which this Minister has declared he has found no problems.

The Minister claims the need to have access to a full bench. I would ask: why should the Minister have the right to seek a reference to a Full Bench when it is not the wish of the employer or the union in the matter? Where the Minister is a party to an industrial matter before the commission he has the right to seek a Full Bench hearing. This is clear from section 101. Where the Minister is an intervener no such right is expressly provided in the legislation, and so it should be. The carriage of an industrial matter should be in the hands of the unions, the employers and the commission.

To give an intervener, be it the Minister or any other, rights greater than the parties principal to the matter is to turn justice on its head and all principle against the people for whom the commission is established. It is a surprising proposal from a Government that espouses limited interference by the State in industry.

Despite the Minister's obvious confusion and the unnecessary and undesirable duplication and expansion of his rights of intervention as already contained in section 44 and as proposed in section 146c, one must attempt to interpret yet another of his platitudes with very little guidance from the language itself.

What are these 'matters of principle' referred to by the Minister? Are they so vague and ethereal that he cannot inform the House of them; or perhaps the Minister expects that others will guess at his meaning? What he has said is not much more than guesswork on his part, and reciprocally it must be the same. The Minister mentions the shorter working week as one such matter. Could there be any connection between this Bill and his expressed intention to

do anything in his power to disturb and disrupt an agreement reached between Associated Wholesalers Co-operative and the Federated Storemen and Packers Union for shorter working hours?

It seems that in South Australia people are not free to make agreements with one another if it does not please the Minister. The matters of principle referred to are the Minister's principles. If you do not share them, then he obviously intends to do whatever he can to ram them down your throat whether you like them or not. Numerous employers and unions reach industrial agreements every day. Will the Minister choose to intervene in all these matters or will he simply pick out the ones he doesn't like?

This is a jack boot measure. It limits an important right of employers and unions to regulate industrial matters without Party political principles being intruded by a trouble-making Minister of State. It allows the Minister the right to pick and choose who he will make trouble for.

I indicated earlier that I would like to inform members of this House of these 19 awards. I have some time left and I would like to do that now.

Mr Mathwin: You have 13 minutes.

Mr PLUNKETT: I do not interject on the member for Glenelg when he gets up and speaks on anything, so just let me have my say and later on he can have his say. I will not intereject on the member for Glenelg.

The ACTING SPEAKER (Mr Russack): Order! The honourable member for Peake.

Mr PLUNKETT: I now refer to those 19 awards. They are:

1. Breadcarters Award filed 31.7.81: $25 per grounds community wage movements and comparative wage justice.

2. Boarding Houses, Guest Houses filed 23.10.80: Has been the subject of proceedings before the commission interim increase already awarded on work value grounds under pre-existing wage fixation principles adjourned pending the outcome of proceedings re Cafes, Restaurants, etc. Award—Interim Award made on the basis of employers offer of $8 per week wage increase.

3 Bread and Yeast Goods Award (two claims): One made in early 1981, another 7.8.81. The latter $20 per week—grounds community wage movement and comparative wage justice.

4. Brushmaking Conciliation Committee Award filed 7.8.81: Vary wages.

5. Cafes, Restaurants filed 7.5.80: Matter already completed in commission—Interim Award of $8.30 already made—Union arguing nexus with Hotel, Clubs Award for most classifications—this would lead to only marginal increases over $8.30—small number of classifications seeking further increases on the basis of a nexus with Shops C.C. Award—

—All arguments based on Wage Indexation guidelines pre 31.7.81

—Case will be concluded next Monday, 24 August 1981.

6. Cake and Pastry and Baking Trades: Two applications—$21.30 filed early 1981, 11.2.81; $20.00 filed 18.8.81. Based on community wage movement and comparative wage justice in both cases early application well under way.

7. Canteens, Drive-Ins (Industrial and Commercial) filed 2.9.80; Subject of proceedings under pre-existing guidelines 31.7.81. Interim $8 increase awarded some time ago based on offer made by employers—awaiting outcome of various nexus arguments in Cafes, Restaurants Award, etc.—historical relationship with that Award.

8. Canteen Employees Industrial and Commercial filed 10.9.80: $8 interim awarded some time ago. Completed subject to proceedings in Cafes, Restaurants Award as above due to long standing historical relationships.

9. Caretakers and Cleaning Award filed 22.5.80: $8 interim awarded some time ago. Application dormant since that time.

10. Catering and Reception Houses filed 23.10.80: Interim Award of $8 made some time ago. Proceedings completed subject to outcome in Cafes, Restaurants Award due to long standing historical relationships.

11. Delicatessens Etc. Award filed 1980:

—This matter has been completely disposed of by the commission and should not have appeared in the list under any pretext.

—N.B. This Award was settled by consent.

12. Dental Technicians filed 30.5.80.

13. Field Officers (Road Safety Council) filed 23.7.81: Seeking simply a flow-on of the 5 per cent increase granted to State Government employees.

14. Fire Brigade Officers filed 20.6.80: Application well under way.

15. Minda Home Award filed 27.5.80: One classification only. N.B. Minister misleadingly states—'not all classifications'.

16. S.A. Medical Officers filed 16.2.81: Claim under way before 31.7.81.

17. Transport Workers S.A. filed 24.7.81: Should be included based on long standing historical nexus with Federal Transport Award.

18. Transport Workers (S.A. Public Service).

19. Teachers Salaries Board filed May 1980: Was first heard by the Commissioner on 27 June 1980 hearing in progress since then and continuing.

I have outlined the 19 awards in which the increases have been. The Minister claimed a mad rush by all the unions to make certain that they got increases. I suggest that, if this Bill goes through, we will see some of the greatest industrial strife that the country has seen, and it will be caused by a Minister who does not know his job, a Minister who claims that he is always prepared to speak to unions and give unions a chance to put their case. Yet this is the treatment given by that Minister. The Minister has not at any time been willing to listen to the unions. If he did, he would not be trying to introduce such a Bill.

Mr Lewis: That's wrong.

Mr PLUNKETT: If the member for Mallee thinks it is wrong, he will have the opportunity to put his case. I have put mine. I do not wish to continue further, and I will leave it to one of my colleagues.

The Hon. D. C. BROWN (Minister of Industrial Affairs): I move:

That the sittings of the House be suspended until 11.30 a.m.

The Hon. J. D. WRIGHT: Are we able to oppose this motion?

The SPEAKER: It is a procedural motion on which there can be no debate. The honourable member may certainly oppose it, but not verbally.

The House divided on the motion:

Ayes (23)—Mrs Adamson, Messrs Allison, P. B. Arnold, Becker, Billard, Blacker, D. C. Brown (teller), Chapman, Evans, Glazbrook, Goldsworthy, Gunn, Lewis, Mathwin, Olsen, Oswald, Randall, Rodda, Russack, Schmidt, Tonkin, Wilson, and Wotton.

Noes (18)—Messrs Abbott, L. M. F. Arnold, Bannon, M. J. Brown, Duncan, Hamilton, Hemmings, Hopgood, Keneally, Langley, O'Neill, Payne, Peterson, Plunkett, Slater, Trainer, Whitten, and Wright.

Pair—Aye—Mr Ashenden. No—Mr Corcoran.

Majority of 5 for the Ayes.

Motion thus carried.

[Sitting suspended from 7 to 11.30 a.m.]

Mr PETERSON (Semaphore): It is a little hard to develop the ardour that was here earlier today, but in the cold light of day I shall make some points as I see them. First, I want to state that I am against this legislation. I am sure that that would not be a surprise. The points that I want to make further to those that have already been made in this House previously on this matter concern the fact that, rather than trying to influence the courts in any decision to be made, surely we should be looking at the source of why these problems have arisen: why people are forced to increase their claims for wages and conditions.

If we look at the rash of claims said to be before the courts now, and even if we discount some of those claims, it still leaves thousands of South Australians who believe that their claims are valid, and obviously, their claims are

valid. We must look at the root causes of the problem. I would suggest that one of the root causes is the collapse of wage indexation. The progressive undermining of wage indexation over the past few years has reduced the—

The Hon. W. E. Chapman: How are you going? How are you feeling?

Mr PETERSON: I don't mind being first speaker. Someone must be first, and it might as well be me. I will mumble a little, but I will get through.

Members interjecting:

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

Mr PETERSON: Thank you, Mr Speaker. Progressive undermining of indexation has reduced the effect of workers' pay, and this, mixed with the inflation factor and the cost of living, has eroded the adequate wage that a worker needs today. With regard to the second reading explanation, I notice that the Minister stated:

> Already there are ominous signs that a general wages push has commenced in South Australia. The State Industrial Commission has before it some 19 applications for wage increases, the bulk of which range from $20 to $30 a week. This is over and above the amounts already received this year by all employees of South Australia under wage indexation.

I hope to show shortly that those wage increases will be taken up for the average worker simply in purchasing a house. To illustrate the differences that wage erosion over the years has made, I refer to an item in the *National Times* of 23 August which refers to the changes in the pay-as-you-earn income tax. The article, headed 'Taxpayers lose again', states:

> Judged by its own standards, the Fraser Government record on tax is appalling. Total Government revenues are now at record levels; the tax taken from pay envelopes is due to go up a hefty 22 per cent this year; and new sales taxes have been imposed without any of the offsetting cuts in personal income taxes as promised.
>
> In the run-up to the 1975 election Fraser made huge play of his overriding determination to cut taxes. He promises repeatedly to 'put the money back in the pockets of the people who earned it'. People, not Governments, he insisted, were best able to decide how they should spend their money.
>
> As part of his 'small government' philosophy, Fraser promised to introduce full indexation of income taxes to stop inflation pushing people into higher brackets. He particularly relished the slogan that inflation was leading to 'taxation by stealth'.
>
> Full indexation was never introduced, although a version with various discounts was tried briefly. Other forms of 'partial' and 'half' indexation were put in place only to be whipped away.

To illustrate the differences that have been imposed in the form of pay-as-you-earn tax over the years, I will relate the examples given in that article. In 1975-76 the increase was 11.56 per cent; in 1976-77 it was 12.15 per cent; in 1977-78 it was 11.13 per cent; in 1978-79 it was 10.78 per cent; in 1979-80 it was 11.7 per cent; in 1980-81 it was 16.1 per cent; and in 1981-82 it is 22.2 per cent. That is eroding the usable wage of the workers in this country. My argument about the inroads being made by tax and other types of charge into the wages of the workers in Australia was supported by a recent article in the *Sunday Mail* headed, 'Why we are getting poorer'. The article states:

> Only six of the 18 pay rises awarded by the commission in the past few years have matched the increases in the Consumer Price Index. As a result, a 20 per cent gap has opened between wage and price increases.
>
> Anyone who was earning an average wage of about $155 in 1976 has lost buying power of more than $24 a week in the intervening years because of partial indexation.
>
> And the situation is worse for many families because at least two-thirds of the work force earns less than the national average wage—now $283.90 a week. Coupled with the drop in buying power have been large rises in charges for household essentials. During the past 12 months, increases in home loan interest rates, fuel and light charges, gas and electricity tariffs and insurance premiums have added about $800 a year to the 'essential expenditure' column of family budgets.

An increase of $20 a week would not cover that after tax. One of the factors resulting in this wage decrease and which is causing the action for more earnings for workers has been the impact on home purchase. Obviously, as earnings go down the amount that can be spent on a house is reduced. This situation has also been affected by the serious increase in interest rates.

It has been suggested in some quarters that the explosion in interest rates and the loss of purchasing power for the average worker has now put the possibility of purchasing an average house out of the reach of the average worker. Recent figures show that 72 per cent of all Australians are currently buying or own their own homes. Therefore a substantial amount of the weekly wage of these people must go in home purchase payments. It is recognised that a house is the largest single purchase that most people make. To show the difference in the inroads into the wages of the workers that have occurred over the past few years, I should like to refer to the difference that has occurred in the sum of money that is paid back in total and the amount that comes out of the average worker's weekly wage.

If we compare increases that have been experienced over the past seven or eight years, we see that in the case of bank loans for houses in 1973 a $30 000 loan over 25 years at 7.75 per cent interest would be repaid at $227 a month; this amounted to a total repayment to the bank of $68 123. The same loan taken in 1980 would have been at 11.5 per cent interest, and the total payment, if the interest rate held at that level, would be $91 634, or an increase of $23 511. That illustrates the inroad that has been made into the wage, and that is why people have to try to get more money to survive.

A building society loan of $30 000 taken out in 1973 for the same period would have been at 9 per cent, and the monthly payment would then have been $251.76; the total repayment would have been $75 528. In 1980, the loan interest rate had increased to 11.25 per cent, with a monthly payment of $300.13, and the total payment would have been $90 038, which is an increase of $14 510.

Again, that illustrates to me the need for people to earn more money and to claim more pay. There are continual inroads into wages. I do not intend to speak for much longer, because there have been a lot of previous speakers and there are still some to go. The Minister must accept that workers have the right to process legitimate wage claims. That right cannot be taken away from them, and it should not be subject to governmental interference. If there is governmental interference, that indicates that there might be some doubt as to the efficiency of the court, and I do not believe that that exists.

It is the right of the average worker in this country, and particularly in this State, to regain the losses in real wages incurred because of State and Federal Government decisions without harassment of the organisations and the people concerned. To ignore this right will create industrial havoc. I do not believe that the powers contained in the Bill should be given to the Minister; if the Bill passes in its present form, the Minister will gain more powers than any other industrial Minister in Australia has. I oppose the Bill.

Mr HEMMINGS (Napier): I utterly oppose the Bill: it is the most ferocious piece of industrial legislation that this House has ever had to consider. It might be a good idea to ask why the Minister is so eager to have the Bill go through in such a short time. We sat until 7 o'clock this morning dealing with this Bill, and I see that the Minister has at last deigned to come into the House. The Minister should tell the House why he took such a dogmatic stand and made us sit until 7 o'clock this morning so that the Bill, which gives him such Draconian powers, would go through.

I have read quite a bit of modern Italian history, and this Bill reminds me of the type of legislation that the fascist Mussolini put forward in Italy in the 1930s. It is the type of legislation with which Mussolini and his cohorts used to interfere with the industrial courts and on which they put their stamp. Perhaps the Minister wants to be known as 'Il Duce Brown'.

Mr HAMILTON: I rise on a point of order. The member for Morphett has been interjecting continually while out of his seat and has now walked out of the Chamber. I draw your attention to that, Mr Speaker.

The SPEAKER: I do not take a point of order on a person no longer in the Chamber. If the member for Morphett undertook the action that the member for Albert Park alleges, he was doing so against the Standing Orders, and I will discuss that matter with him in due course.

Mr HEMMINGS: That is the kind of thing that the member for Morphett does—he cuts and runs. It is obvious that this Bill will pass this House, even though we may have to sit again until 7 o'clock in the morning to get it through, but I am sure that members in another place will have better reasoning and will reject the Bill outright. Time and time again the Minister of Industrial Affairs has talked about the industrial strife in the United Kingdom. He has always said that the kinds of wild-cat strikes that occur in the United Kingdom have brought that country to its knees. If this Bill is passed, the Minister will bring exactly the same kind of strife that has occurred in the United Kingdom into this country. We will be back to the picket lines, and 'Il Duce' over there will be responsible.

Let us consider some of the points in the Bill. It provides that any Commissioner hearing any matter before the court will have to consider the state of the economy of the State and the likely effects of the determination on that economy, with particular reference to its likely effects on the level of employment and on inflation. If that happens, we are going to get increased industrial strife in this State. The Full Commission, although hearing all of the economic arguments, will have to say that its basic responsibility was to determine the matter according to industrial principles, as opposed to economic principles. The amendment changes that rule, because the employers and the Government have failed to present reasonable industrial arguments, and they do not like the umpire's decision. The Minister of Industrial Affairs, since he has been a Minister and when he was on the Opposition benches, never recognised the umpire's decision.

In this legislation he wants to have a second bite of the cherry and use his muscle in the Industrial Court. I predict that, if this Bill is passed, the unions will not use the commission, because they will see it loaded against them. If this happens, we will have widespread industrial action. Other sectors of the workforce will never get any chance to present arguments and receive reasonable increases.

The Hon. D. C. Brown: Why don't you think it has occurred in the Federal commission?

Mr Hamilton: The Minister huffs and puffs but doesn't use the legislation that he put on the books.

The SPEAKER: Order!

Mr HEMMINGS: This legislation puts the unions at a disadvantage. They will not be facing the employers; they will be facing the employers and the Minister, and, judging by the Minister's record, he will be favouring the employers. The resources of the employers are greater than those of the unions in presenting economic arguments. This puts the employers in a stronger position than the unions. The commission then becomes a two-edged sword against the unions.

When we look at the legislation before us we find that in one instance the Minister has praised this Liberal Government's attempts to keep South Australia as a low wage State. He is quite proud that under his Ministry workers in this State are paid lower wages than are paid elsewhere. He is really denying workers proper industrial principles of the same rate of pay for the same work. I am not really surprised at that, as it is one of the things the Minister has always tried to do.

Most unions covered under awards have not sought wage levels above the levels in interstate awards. All they ask for is to receive comparative wage justice. I ask the Minister whether he would support claims to catch up with interstate wage levels. Perhaps, if the Minister came out and said he would support unions in their claims to catch up to interstate wage levels, there would be greater industrial harmony in this State.

What the Minister really means is that South Australia's wage increases should never be greater than those interstate. We had the attack by the Minister when he said that there was evidence of a general wage push in South Australia because of 19 applications before the commission. He listed those applications. I will not read them out, because I think my colleague, the member for Price, said that earlier this morning. But that is no real argument that the Minister should seek Draconian powers as far as this legislation is concerned.

The Hon. D. C. Brown: What are you shadow Minister for?

Mr HEMMINGS: That is rather funny, because the Minister is never at his best any time, and after going without sleep for 17 hours he is even worse—and I am looking directly at him. The Minister is being extremely hypocritical when he says that he is creating an avenue by which wage and other claims by South Australian workers can be appropriately processed, in which due regard will be given to equity and fairness, and by which protection will be given to the lowest paid workers and industrially weak unions.

The Hon. R. G. Payne: It depends on what he means by 'appropriate'.

Mr HEMMINGS: That is right. The Minister should spell out in his reply what he calls 'appropriate increases'. In the short time that I have been in this Parliament I have never known the Minister to go out to bat for the weaker unions. In fact, he has made speech after speech in this House attacking the trade union movement, yet in his hypocritical statements he says that he is going to get appropriate wage increases for the lower paid workers and the weaker unions. In reality, the avenues of the commission will be denied and lower paid workers will be kept at the lowest level. That is the reason why this legislation is before us today—to keep the weaker unions down and to keep the lower paid workers at their low level. Let the Minister deny that. I am sure that he will not.

The Minister has stated that the legislation before us is there to stop a wages explosion now that the Federal Commission has abandoned indexation. Yet, it is fairly obvious to members on this side, to the trade union movement, and to those employers who enjoyed good relationships with their workers (they will not admit it openly, but there are employers who do enjoy good working relationships with their workers) that, if the Federal commission has abandoned indexation, there may be a wage push, and that there will be a wage push throughout the Commonwealth, not just in South Australia. The Minister should not just quote the 19 examples that he gave in his second reading speech. There will be a general wage push throughout Australia. In fact, Mr Nolan said that last night when he addressed employer groups, and no-one stood up and criticised him—at least, I have looked at this morning's *Advertiser*, and no-one has attacked Mr Nolan for saying that. It is a general fact of life, but it is not going to happen just in

South Australia—it will be Australia wide. Yet the Minister has seized on the abandonment of wage indexation as a means to give himself Draconian powers.

He sees himself strutting into the court and putting his case so that the workers do not get their just wage increases. What is the Minister trying to do? He is seeking powers to force any industrial agreement to be registered, otherwise it has no force or effect. This has serious implications where many agreements are reached between the parties and abided without recourse to registering in the commission. That bears out what I said earlier. There are employers and unions that can work together in a harmonious situation, but the Minister is trying to wreck that, if this legislation goes through. It may mean that workers would have difficulty in suing for rights under agreements that were not registered.

Is the Minister going to send out his ferrets to every employer and ask, 'What agreement have you reached with your workers?' Is he going to organise a spy force that is going to contact him so that he can have all those agreements registered? It seems that that is the only way that he is going to do it, if this legislation goes through.

The Minister is also seeking power to intervene in any matter before the commission to request a Full Commission hearing. We all know that it is difficult enough when parties to an award have the right to go to the Full Commission. What is the jurisdiction for the Minister's seeking this? Obviously, genuinely reached agreements between unions and employers, whether on wages or shorter hours, will now be subject to the politics of this Minister.

There has been a fair amount of agreement in this State over the past two or three weeks between the metal workers union and employers dealing with the 35-hour week, or shorter working hours, and increases, and both sides have agreed that these companies shall not be named. The unions have not divulged the companies' names and, of course, the companies, wishing to retain harmony with the unions, have reached it after discussion, so no-one knows.

What are we going to have now? Are we going to have Il Duce Brown's ferrets going around trying to find out? Is he going to bring the unions before the court and demand that they tell him with which companies they have reached agreement? That is obviously what he intends to do. He has not said it in the second reading explanation. He has not got that sick smile on his face any more: perhaps we have found out what he is going to do. It is a matter of the Industrial Relations Bureau spies all over again.

Finally (and perhaps this is the most important thing that the Minister is seeking), he is asking this Parliament to give him the power to intervene in any proceedings at all. He is making the commission a political arm of this Government. I think that is the reason why we should oppose this Bill completely. He has given us no reason why the present system is not working. He has given us no reason why the industrial parties concerned, the employers and the unions, should not have the prime responsibility for arguing the industrial merits before the commission. He does not want to tell us that. He is just keen and eager to grab every little power he can if this Bill goes through.

This Bill is an unwarranted attack on the independence, the integrity and the basic function of the Industrial Commission to settle industrial matters in its own right. That is between the employer and the union. It has worked very well in the past in this State and it worked very well under the previous Labor Government. There was not one Minister who was responsible for industrial affairs in the previous Government who ever attempted to exercise powers within the Industrial Court. Yet suddenly on the flimsy evidence that because wage indexation has been abandoned and there are 19 claims before the Industrial Commission the Minister wants the Draconian powers that he is seeking in this Bill. In conclusion, I again ask the Minister to tell us the real reason behind this legislation. What is the haste and what is the point? He failed to answer those questions in the second reading explanation and so far every member on this side who has spoken has exposed the legislation for what it is and has exposed the Minister for what he is.

Mr LYNN ARNOLD (Salisbury): Like other members who have spoken so far in this debate I, too, oppose this Bill. I want to pay particular attention to the manner in which this Bill relates to the Teachers Salaries Board, an area which naturally comes under my shadow Ministerial responsibility. In making points about the Teachers Salaries Board I clearly indicate that I think the Bill in its totality and its effect on the State at large on all industrial awards is quite iniquitous.

In fact, it is nothing more than a very police-State like action in an attempt to control and undermine the fair and appropriate measures of a society to set wage levels for itself. It is an attempt to bypass an arbiter, which it has generally been agreed in our tradition is so important in resolving industrial disputes. That is no less the case in regard to the Teachers Salaries Board. In relation to the Teachers Salaries Board, I draw members' attention, if they are not already aware, to the fact that the board is included as one of the industrial authorities in the Bill before the House. Amongst others, it ranks with the Public Service Board, the Parliamentary Salaries Tribunal, the Industrial Commission, and so on. It is particularly interesting that it is included there.

Even if it were not specifically named it would be implicitly involved, I suppose, through paragraph *(h)* of the definition of 'industrial authority' which states:

> any other authority or person declared by proclamation to be an industrial authority.

What is the significance of that and what is its relevance? Early this morning I mentioned that there is very little relevance because there is already provision within the Education Act for the Government to express its opinion about the manner in which wage claims may affect the state of the economy or the way in which they may impinge upon the state of Government finances.

To draw members' attention to that I refer to two segments of the Education Act. First, section 38 (2) states:

> The Board shall give the Minister, and the Institute of Teachers, reasonable notice of its sittings to enable the Minister or the Institute to make representations upon any matter subject to proceedings before the Board.

The first point is that the Minister of Education must be advised of any matters before the board. Quite clearly, that is to enable the Minister to take an interest in matters that may be before the board and indicate an opinion. One might say that that is not tight enough and does not permit the Minister to refer to matters that go beyond the mere ambit of wages and conditions applying to employees within the Education Department. Section 40 goes one stage further and states:

> In the exercise of its powers the Board may—
>
> *(e)* dismiss any matter or refrain from further hearing of a matter if it is trivial, or if to proceed with it is not in the public interest;

That is a significant point. That is what makes the inclusion of the Teachers Salaries Board segment in the Bill before us quite irrelevant, because that provision already exists. Indeed, I made the point last night that I would have thought that the Minister would exercise his responsibility as the Minister of Education.

An honourable member interjecting:

Mr LYNN ARNOLD: We have a number of areas where everyone wants to dabble their fingers in the Minister of

Education's portfolio (the poor fellow can probably never get a chance to get into his own office, I imagine). The fact is that that capacity already exists.

The Minister, first, is entitled to know when a matter is before the board. In fact, the obligation is that he must be informed when a matter is before the board. That, therefore, indicates that he, through his representatives, can put opinions before the board and those opinions may touch upon matters dealing with public interest. When I raised this matter last night and directly asked (I admit wrongly through interjection) whether the member for Rocky River had bothered to inquire whether the Government had, in fact, done that with regard to the present teachers salaries claim, the member for Rocky River had to acknowledge that he did not know. That is amazing, really amazing. It is particularly amazing because, at the present time, the Government is making so much play about the present salary claim by the Institute of Teachers. Indeed, it is included in the second reading explanation made by the Minister.

It is indicated as one of the reasons why this legislation is before this House at this stage. I would have thought that, if they are so concerned about it and if we are to believe the beating up of this issue that the Government is doing in various public places and in this House, then the Government would at least take the trouble to find out whether or not the Minister of Education, or his representative, had in fact been represented at the Teachers Salaries Board in this matter and was, in fact, not only discussing the specifics of the wages and conditions claimed but was, in fact, putting the public interest argument.

By putting it to the House now, I hope that the Minister will give us an indication whether that is, in fact, happening or not. I understand that the Minister is represented at that Teachers Salaries Board hearing. I do not know, however, whether, in fact, he is arguing the position about the public interest. Therefore, I think we need to know that particular aspect. What we are seeing here is that there will be the capacity for the Teachers Salaries Board to consider a matter and to consider it within the constraints outlined in the Education Act, which includes the constraint of public interest, to hear argument and counter argument, to hear propositions and to hear indications and assessments about how the success or defeat of a claim will affect not only the individual employees of the department but the economy at large; for them to then make their considered decision upon the basis of those arguments provided to them; and then to possibly have that totally overturned by the Minister. In other words, all that proper judicial process, the process of consideration which is so important for industrial peace, can be quite arbitrarily over-ridden by the Minister.

Let us make no mistake about that, because in the Bill we are told that the Governor, by proclamation, may vary or revoke any such declaration, referring to any such finding of any industrial authority. We are also told that in so doing it can be done on the basis of having regard for the current state of the South Australian economy and the effect that the claimed increase in wages or conditions would have on the economy; in other words, a second bite at the cherry. Why is the Government not satisfied that it has the capacity before a tribunal, which it surely must consider is credible and has some degree of integrity (if the Government does not, it ought to disband the tribunal and totally get rid of it). If the Government continues the tribunal's existence the Government obviously believes that the tribunal has some degree of integrity and credibility. I accept that that is a logical conclusion. Why then does the Government want a second right, a second power that over-rides that?

The Hon. J. D. Corcoran: What would be the additional delay as a result of this intervention?

Mr LYNN ARNOLD: The delays in the whole legislation are significant. I refer to the Institute of Teachers claim before the Teachers Salaries Board, because the initial claim was lodged in June 1980—it has been going for over a year. One could imagine a situation where a decision could be made, without my pre-empting what that decision is, because obviously I am not privy to those councils, and it is possible that the matter could be further delayed by the Minister's intervening.

I come back to the point that it is the Minister of Education who has the input with the Teachers Salaries Board, but now we could have a situation where the Minister of Industrial Affairs could also have input. I have in this House on various occasions lamented the fact that the Education Ministry in this State is akin to the many headed hydra, where one particular head (one Minister) is figuratively slain in debate, only to be replaced by another one and, when that one is slain by debate, yet another pops up.

At various times we have had all the top half of the front bench meandering in and out of the Education Department. One can argue why that has been the case, and one can go on at great length about the capacity of the present Minister. I do not suppose that we need to look at that now. What we do need to understand in regard to education is that there is also the impact of teachers salaries and conditions, and that past tradition has had that put under the Minister of Education's responsibility. By virtue of the inclusion here the Government is saying that that is no longer appropriate. If the Government is saying that, it should come out and say so explicitly and publicly and indicate that it wants to remove the Teachers Salaries Board from the responsibility of the Minister of Education.

If it is not of the opinion that it should be removed from his responsibility, then the Government should explain clearly why it wants to have the second axe power, the second bite at the cherry, or the second overview. I do not believe we have had that adequately explained at all. What concerns me a great deal, and the point was made earlier that one of the reasons why some of the similar pieces in Federal legislation have not been enacted, is that the Federal legislation was nothing more than a publicity ploy, that it was just a public relations gimmick attempting to beat up the issue.

I am cynical about the response of the Government in regard to the teachers salaries claim. It is something that is worthy of serious consideration. The board is there to give it that consideration. That is where debate should be taking place. What we are finding is that whatever may be happening in the Teachers Salaries Board is being overridden and pre-empted by the drum banging that is going on in the community.

I refer again to the Minister's second reading explanation, because he places so much emphasis on it. I refer also to the comments by the Premier on various occasions, to the comments of the Minister of Education, and to the comments by the surrogate Minister of Education, the member for Rocky River, who is rapidly and surely trying to edge his way down to the front bench at the expense of the Minister of Education. It has been beaten up by other backbench members of the Government. I am cynical about that. If the Government was genuine, if it does not believe that the Teachers Salaries Board is capable or competent to do this and to take cognisance of the public interest, the Government should be explaining that to the House.

The Hon. J. D. Corcoran: And any other like tribunal.

Mr LYNN ARNOLD: The comments I am making are in relation to my position as shadow Minister of Education on this matter. As I mentioned at the outset, listening

carefully as I have to the other contributions made in this Chamber, I fully accede to many of the points made by my colleagues touching on many of the other areas that one can look at.

There is one other aspect that seriously worries me, and that is with regard to what an industrial agreement can be regarded to be. The Bill proposes that in industrial agreement will have no force or effect unless it is registered. The present Act, the Act to be amended, also provides that an industrial agreement shall be filed in the office of the Registrar, but the Bill makes this point:

> Where an industrial agreement affects remuneration or working conditions, the Registrar shall not register the agreement unless authorised to do so by order of the commission.

In other words, we have added in another process of decision-making, of consideration, of delay. What happens in circumstances where an organisation like a large union, such as the Teachers Institute, dealing on a day-to-day basis with the major employer in this State, the Education Department, on a myriad of individual problems relating to teachers right throughout the State? To what extent are some, or the majority, or even all of those consultations between the union and the Education Department, where they impinge upon working conditions and wages, to be regarded as industrial agreements? They deal with what are termed industrial matters in the Act. Do they then become industrial agreements? If so, one can see that this Government, the Government of deregulation, will in fact be introducing the most incredible mess of regulations that we have ever seen.

If it is to be anticipated that those agreements have first of all to be subject to registration and, secondly, subject to authorisation by the commission, the commission would never get through its work. That seems to me to be the creation of a bureaucratic set-up *par excellence* that we would surely not wish to support. I may be wrong. It may be that somewhere in the Bill or in the Act the Minister can point to the fact that these frequent agreements made by the institute and the Education Department do not in fact amount to industrial agreements. I would appreciate the Minister's advice on that matter at the appropriate time.

The same situation applies to unions themselves and their own internal in-house agreements that they have negotiated with their own employees. Unions are not one-man operations; they are by and large operations that employ people. They therefore have agreements with their employees, and on occasions they have disputes with their employees. What is to happen with all of those cases? What is to happen with small associations? Are they to take up the time of the commission, with the process, first, of registration, and then of authorisation? Surely not.

One of the points that has come through loud and clear was referred to in this morning's *Advertiser*, which we had an opportunity to read hot off the press in the early hours of the morning, and I suppose we should give a little appreciation of that; it is nice to get it so early. We saw the criticism made that little effective consultation had taken place to discuss the impact of this legislation. That should be of great concern to this House. We are giving this matter lengthy consideration, and so we should, because it is a very important matter, but it must be said that an equally important part of the consideration that should have taken place over this Bill is not what happens in this House or the other place, but what happened at the industrial level between the Government and those people in the community who have an interest in the matter.

Therefore, for example, one might ask what consultation took place between the Government and the Industrial Commission, or between all these other bodies which are now grabbed under the title of 'industrial authority'. Was the Teachers Salaries Board consulted; did negotiations take place? It is my understanding that the answer is 'No'. Were there discussions with employers? Were there discussions with employee representatives throughout the State? My understanding is that, in fact, the degree of consultation in this matter has been markedly low, if not non-existent.

Industrial relations, by definition, is a people matter; it is about one group of people making claims of another group of people, the final outcome of which in some circumstances can affect a third group of people, quite independent of the first two. It involves people who are rational human beings. If we did not accept that, if we did not believe that, then we could not support the democratic system. Our support of the democratic system implies, by definition, that we accept that people in society are rational human beings, capable of reasonable action, discussion and consultation. The arbitration system is a testimony to that; it is a testimony to the fact that that does take place for the most part.

The Hon. R. G. Payne: It has got on very well without what the Minister now proposes.

Mr LYNN ARNOLD: It has got on very well without that. Therefore, given that self-evident truth, surely it should also have been self-evident and required that there be extensive consultation between the Government and those sectors of the community that were involved. I repeat the point: we are having the opportunity now in this House to give the matter lengthy consideration, with the dubious prospect that some of the points may be sinking into the minds of members of the Government with a view to answering or discussing the matter reasonably intelligently. But what has taken place outside this House? The information that I have indicates that remarkably little has taken place outside this House. I shall come back to the point I started out on: the point that affects not only the Teachers Salaries Board, but indeed all of the industrial authorities referred to.

The Hon. R. G. Payne: Can the Minister give an idea of the range of those other tribunals, and so on?

Mr LYNN ARNOLD: There is a grab bag there. It refers to 'any other authority or person declared by proclamation'. I imagine that the intent is that an employer in a small workshop somewhere who employs one or two people and who happens to sit down over a cup of coffee and talk about, say, flexitime arrangements, could in a sense be regarded as taking part in an industrial agreement because he is discussing an industrial matter. He would then find that the rest of the week would be taken up running to the commission, first, to register that and then to seek the authorisation for it. That situation is quite ludicrous, but, nevertheless, that is what the legislation certainly provides for.

I have digressed, but the point I was coming to was that if we accept that the arbitration system works in this country, if we accept that it is not just a machine that irrationally makes decisions, that irrationally come out like a random number generator, if we accept that indeed it has the capacity to rationally consider, then we must accept that the proposition is quite valid that arguments can be put before those bodies and argued, considered and responded to logically by other bodies. If we cannot accept that proposition, then indeed we are taking the whole debate to a very basic level, where we should entertain a whole wider series of questions with regard to industrial relations.

If that is the case, surely it is possible and indeed desirable that a Government of the day should seek to argue its propositions and its contentions before and in front of that particular industrial authority, and not over and above it—not as some superior authority. It should be doing it in

the forum of the judicial authority, so that it can be responded to by all bodies in question.

We will see the proof of the pudding in the eating. We will see what happens in times ahead when this Government continues its search desperately for issues that somehow it thinks will extract it from the mess into which it has got itself. This Government has found itself in serious strife. It knows it is in trouble. It knows, as the Premier said, that it is in the rundown to the next election.

Mr Trainer: They are run down all right.

Mr LYNN ARNOLD: And run down they surely will. It is seeking to present to this community any number of beat up issues which somehow might attract a glimmer of response, which might through simple primitive sloganeering attract a few votes, and this is of the same nature as the type of advertising it embarked upon at the last election.

We have had the example of the attempt to demean the education system, to deride, to mock, to undermine what goes on in that system. Now, on the industrial front we have this effort. I put it again that, if the Government was genuine about its concern about, for example, the Teachers Salaries Board, it would have been putting all its efforts and energies into that authority, which is presently considering the matter and which has considered it for some time.

One other point that concerns me is that in consideration of economic matters we may sometimes lose sight of the average citizenry of this State. We may sometimes lose sight of the fact that they, through their participation in the work force, are essential for the operation of this State. Their activities are essential for us. We would not be paid if the community at large was not a productive force producing a product in which we are able to share so that we can exercise our responsibilities of Government. We lose sight of that.

We also lose sight of the fact that the wages and salaries offered to a large number of workers are pitifully low. We have the cruel irony of the average wage that is mooted so many times. The average wage is a cruel irony when quoted in my electorate, because the vast majority of my constituents know nothing of that figure, since they never receive it—they receive a sum much less than that. They are trying to battle, first, on below-average wages—significantly below average in many cases—and at the same time they are having to battle with a Government which is not in its own right taking account of the public interest.

Surely the public interest also involves the impact of Government on society. For example, what is the public interest for the average citizenry of this country of petrol prices increasing at the rate they are increasing? What is the public interest of such things as health costs in this country?

The Hon. D. C. Brown interjecting:

The SPEAKER: Order!

Mr LYNN ARNOLD: What is the public interest of increasing interest rates on home loans? That surely is something that ought to be included in the public interest argument. If we seek to control on behalf of the public interest what is happening at the industrial level, why are we not seeking to control on behalf of the public interest those other areas of public interest over which the Government has some control? In fact, this Government has been intent on minimising all those areas in which it may have had some control on behalf of the public interest on certain of these aspects. We have seen the attitude of this Government to price control. It has sought to destroy whatever price control has ever existed.

The Government argues that its existence is not in the public interest and that regulations, restrictions and unnecessary controls are brought to bear on the free operation of society. Surely the Government would be consistent and take that to the other extreme by saying that, when we are dealing with matters of the type contained in this Bill, the same proposition is involved, that it will all come out in the wash, that it will work itself out, and that a society that is not regulated will find its natural balance.

Mr Lewis: But there is no free market force involved.

Mr LYNN ARNOLD: The honourable member refers to the free market force. I suggest that members opposite should start looking at exactly how far the free market operates in many of the other areas in which they want to remove control. They will find that free market forces do not operate in those areas, either. That does not matter. That structure is providing the super normal profits on which certain elements and supporters of the Liberal Party rely so heavily and on which the Liberal Party relies for its very existence.

An honourable member interjecting:

Mr LYNN ARNOLD: I think that we must note that. The honourable member has economic acumen and he should be listened to on some occasions because his viewpoints are at least worthy of some consideration, although they are not always correct.

An honourable member: That would be the computer.

Mr LYNN ARNOLD: Yes. It is probably the computer.

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

The Hon. PETER DUNCAN (Elizabeth): The contribution of the member for Salisbury was particularly worthwhile, and I am pleased to be able to support many of the comments that he has made.

The Hon. D. C. Brown: Incredible for a lawyer to make a statement like that.

The Hon. PETER DUNCAN: I will say a few things about the law in this matter in a moment. I was amazed to see the Minister a few moments ago trying to goad the member for Unley by saying, 'Have you read the Bill? Have you read the Bill?' in his facetious, cynical-sounding voice. I should be very surprised if the Minister has understood the Bill. He may well have read it, but the difference between reading something and understanding it is something to which the Minister should pay some attention.

This Bill may turn out to be the Minister's political graveyard. The Bill, seeking to do the number of things that the Minister has suggested, is a total failure. I will not give the Minister the benefit of my legal advice on the mistakes and problems he is creating for himself at law in relation to this Bill. Those matters will no doubt come out in due course, and we in this Parliament will be able to rub a bit of egg into the Minister's face.

That is exactly what will happen as a result of this Bill. It is a fool of a thing, because it attacks the very industrial fabric of the State. In the second reading explanation the Minister said that South Australia has had the best industrial record of any State. That has not occurred in the past 18 months to two years: that situation has obtained for a very long time, long before indexation was introduced at the Federal level and flowed to the State level.

Prior to the introduction of indexation, did we have the sort of Draconian measure that this Minister is now seeking for himself? Of course we did not, and we still had the same record of industrial peace and harmony in this State, about which the Minister has the cheek to skite. That is the fact of the matter. The Minister, in promoting this Bill, will destroy our excellent record of industrial harmony, at least in the short term until we get back a reasonable Minister to get some sense into the matter.

This Minister stands condemned as an industrial troublemaker for introducing this Bill. He is nothing but an industrial troublemaker. Not one shred of evidence has been

produced to show why this Bill is necessary. The Minister made the ridiculous claim that South Australia was about to experience an avalanche of disputes, but produced not one skerrick of evidence to indicate the basis of that claim.

I suspect that the reason why this legislation is before us is two-fold. First, the result of the recent State wage case went against the Minister's own Friedmanite economic policies, and he has decided that he will try to interfere with the industrial peace and harmony in this State in a vain attempt, in my view, to force his Friedmanite views on the Industrial Commission in South Australia. It will not work.

The second reason is that this desperate Government believes that the only chance it has of dragging itself back into office at the next election is to introduce measures which will lead to a degree of industrial anarchy. This is what the Minister wants. He is an industrial troublemaker out to cause chaos. There is no getting away from that; that is exactly what he is up to.

I have just referred to the recent State wage case. It is well known throughout the industrial relations community in South Australia that the Government's case was lamentable and pathetic. I am not reflecting on the poor barrister or solicitor, whoever he was, that had to present that case for the Minister. I have great pity for him, having to be the mouthpiece for this fool of a Minister. But that is what he was, and, as a result of promoting this Minister's idiotic industrial views, he was soundly trounced in the decision that the Full Commission brought down. The effect of this was a slap in the face for the Minister.

What has been the Minister's response? His response has been to produce this shambles of a piece of legislation. In responding in that fashion, did the Minister consult with the Industrial Commission? No, he did not. Were there any discussions between the Minister and the Industrial Commission? No, there were not any such discussions, on my information. Understandably, the attitude of the Industrial Commission is that we are an independent organisation that has certain statutory responsibilities, the principle of which is the settlement of industrial disputes. Regardless of the Minister's attitude, we will go about settling disputes in a proper and effective fashion, as we have done in the past, to the best of our ability.

If the Minister wants to stick his nose in and try to intervene, so be it. We will pay due heed to that, just as we will also pay heed to the traditional issues and questions upon which we have settled disputes in the past. That will be their attitude. I predict that this legislation will not be worth the paper on which it is written.

The Minister said that he needed to introduce the provision about economic matters, taking the State's economy into account, to put into the State legislation a provision similar to that which exists in the Conciliation and Arbitration Act of the Australian Parliament. Let me say that the Minister has either been misled by his advisers on this matter or has misunderstood the practice in the Federal Commission.

In the Federal Commission this economic question applies, first, to Full Bench matters only, not to every pipsqueak agreement for tea money or something else that is made between an employer and an individual employee or a group of employees. That is not the case at all. It does not apply to those minor matters; it applies only to Full Bench matters. Secondly, it is recognised by the practitioners in that field that the issue of economic matters is a bit of a rubber stamp, anyway. The commission has a cursory look at such things and, when it brings down its judgments, it says, 'As a matter of course we have taken into account the matters set out in section 39 (1) and (2) of the Act.' That is about as far as it goes.

I do not doubt that the same sort of thing is going to happen here. The commission will simply, in its wisdom, in effect grant a certificate to say, 'We have taken into account the effect of this decision on the State's economy, and we are satisfied that it will not have any adverse effects.' In fact, the Minister might well find that in some respects this section backfires on him, because the economic question is a very two-edged sword. It might be that some commissioners believe, after hearing economic evidence, that a wage increase would put more money into the pockets of wage earners in South Australia (more money which they can distribute and expend), and therefore such an action might be good for the economy of the State because it might increase the consuming power of the people of South Australia.

That sort of economic consideration, I believe, is one which will be quite likely to be put to the commission and one which some of the commissioners at least might find quite attractive. The Minister would not find it as attractive; he would not put up that sort of proposal. He would be arguing that decreases in wages would be useful for the South Australian economy, because we basically know that his attitude to those questions is one of reducing the wage earners of South Australia to economic slavery. That is the sort of thing he wants to see, and he ought to be branded for it. I believe that the argument that a wage increase might be a worthwhile economic stimulus for the State might be an argument that would be found to be very attractive to the commission in South Australia. I believe that for that reason the Minister's attempts to put a clamp on moderate, justified and reasonable wages, conditions, and improvements might be seen as a two-edged sword before he is finished.

There is another aspect to this matter that I believe is a quite grave question, and it is one which the Minister ought to answer in some detail when he concludes the second reading debate. That matter is this: recently, the employers in South Australia applied to the commission for a three-point claim relating to the demise (that being the best word I can find to deal with the issue) of wage indexation. The Minister is aware of the case. He sought to intervene by letter, I understand, seeking an adjournment of those proceedings until a heads of tribunals meeting could be held. I believe that is to be held next Monday—is that right?

The Hon. D. C. Brown: It was last Monday.

The Hon. PETER DUNCAN: I see. He was seeking to have that matter stood over until the heads of tribunals meeting. He did not tell the commission that this piece of legislation was going to be introduced into the Parliament. I say that he misled the South Australian Industrial Commission, because there is no doubt now that the reason why the Minister—this industrial trouble maker, as I have branded him—wanted those proceedings adjourned was quite clearly so that he could rush this piece of legislation through the Parliament and use the additional powers that he believes he is giving himself in those proceedings. It is a disgraceful act for a Minister of the Crown. He should have come clean, gone to the commission with clean hands and explained the reason why he wanted to adjourn the matter. He wanted to undermine any decision making that the commission might have made on that matter prior to this legislation passing the Parliament. What did he do? He engineered an adjournment on the basis that a heads of tribunals meeting was to be held. I believe that that was a quite despicable act.

The Hon. D. C. Brown: Do you think I also engineered the Premiers' Conference that made that request?

The Hon. PETER DUNCAN: No, but I believe that the Minister seized upon the heads of tribunals meeting as a convenient excuse to delay those proceedings while he

rushed this legislation through this Parliament. No-one can deny that this Parliament is being forced and required by the Government to rush this piece of legislation through the Parliament.

The Hon. D. C. Brown: Do you appreciate that, by proclamation, I could have wiped out that hearing at any rate, and surely if I had wanted to do that, that would have been the far simpler method?

The Hon. PETER DUNCAN: I appreciate that the Minister could have done that, but, of course, that would have been seen as a direct interference with a procedure before the commission at the time and would have led to a great political controversy and an outrage, as he knows. Is he suggesting that he gave serious consideration to exercising that power? It would be interesting to know whether he did give consideration to that. The employers as well as the unions in South Australia would be very interested to hear whether the Minister is considering exercising the very considerable powers in his hands to thwart the actions taken in the commission.

Mr Whitten: He must have thought of it; otherwise, he would not have raised it again now.

The Hon. PETER DUNCAN: It is certainly in his mind. That is quite obvious from his interjections. As has been said by the member for Salisbury, there were no consultations with any of the employee bodies in South Australia. There were certainly no consultations, as I am informed, with the Industrial Commission in South Australia. I am informed, however, that there were consultations with representatives of employers before this legislation was brought in, and I think that that is a further particularly despicable act on behalf of this Minister. As I have said, I think this legislation is going to end up as a millstone around his neck.

Undoubtedly, the effect of the measure will be to force the unions and employers to go around the legislation and have it pulled apart legally where that can be done, and I believe that there are some loopholes in it. But undoubtedly the effect will largely be that, in relation to matters where the Minister is obviously going to interfere, stick his nose in and intervene in agreements between employers and employees, those agreements simply will not be taken to the commission.

It will be quite possible for an employee group and an employer group to have a registered industrial agreement in relation to all the general matters that cover their industrial relations, such as wages and general conditions, and, if there is a matter such as the 35-hour week agreement or something of that sort, the agreement containing that particular head of arrangement between them can simply be left outside the commission, because an hours agreement of that sort is not the sort of thing that needs to be enforced within the commission. It is not like a wages claim, where a person 18 months later may need to go to the commission and seek an order enforcing payment for arrears of wages.

That is not the sort of clause in an agreement that you need to enforce in that fashion, so, obviously, it is an empty gesture on the Minister's part. It will be completely ineffective. All it will do is take away further from the commission the confidence of the industrial relations groups in this State, the employers and employees. They simply will not go near the commission on any matters where they believe that the Minister is going to poke his nose in. The Minister will say that, if they cannot go to the commission, the employers will not be under such duress and, therefore, will be able to resist the claims. I do not see it that way. I believe that this legislation may lead to more direct action by employees against their employers, and that is a great pity, in my view.

I believe in industrial peace, unlike the Minister. However, inevitably what the Minister believes will then happen is that, when the situation has developed where he has, by this legislation, caused industrial trouble, he will then be able to resolve that by hammering the unions and their members concerned with his Essential Services Bill, that cognate piece of legislation that he has before Parliament at present.

The Hon. D. C. Brown: That's the Deputy Premier who is responsible for that one.

The Hon. PETER DUNCAN: Well, that the Government has before Parliament. This Minister is well known as being pernickity and a pedant. I cannot help the character faults that pervade him. However, the Government has this legislation before Parliament. No doubt this Minister will be having his five-penneth worth by having this legislation brought into effect. As I have said before in this place on many occasions, I do not believe that strong-arm tactics by Government or any Government agency in industrial disputes have any real impact or effect on the situation. All one does is strengthen the views of the members concerned.

For the Minister's interest, I would like to refer to the struggle by the Heath Government with the railway workers. I do not know whether the Minister is aware of the history of that particular matter, but the House of Commons was called upon by the Heath Government to urgently pass special emergency services legislation which provided that the railway workers who were on strike at that time, and had been on strike for some time, were required to conduct a secret ballot before they could hold a strike. That secret ballot was to be conducted by a Government industrial relations agency. The legislation went through and the railway workers, who previously had held a ballot and voted narrowly in favour of continuing their strike, under the impact of industrial duress from the Government and in a secret ballot (and a postal ballot at that), voted overwhelmingly to continue their strike.

Nearly 90 per cent of members voted to continue their strike. The Heath Government then backed down entirely and agreed to the claim made by the railway workers at that time. The irony of that particular dispute is that the Government had tied the legislation up so tightly that it was not possible for the railway workers to go back to work until they held another damn secret ballot. It took two weeks longer to settle the dispute than would otherwise have been necessary. Not surprisingly, no other examples exist of that particularly brilliant legislative drafting. I think that this Minister is getting himself into the same sort of log jam. I have little doubt that this particularly crazy piece of industrial relations—this legislation—will, together with the essential services legislation proposed by the Government, result in a tremendous industrial confrontation. I might say that I believe this Minister is spoiling for that. The result will eventually be that this legislation will be seen as an empty shell, an empty vessel that they will no longer want to use.

I now turn to a couple of other points before I conclude. I mentioned the fact that there was no consultation in relation to this matter. It would be very interesting to know whether the Minister himself obtained a Crown Law opinion in relation to these matters. I suspect that the Minister, in fact, obtained a Crown Law opinion in relation to the Minister's power to intervene and that that Crown Law opinion was not particularly favourable towards the Minister. He is now busily not prepared to accept the umpire's decision and he is going to change the rules. He is going to do that in relation to his power to intervene and, of course, he is also doing it—

The Hon. D. C. Brown: That's not the case. What happened down at Myers? Do I remember something at Myers at Port Adelaide?

The Hon. PETER DUNCAN: I have no idea what happened at Myers at Port Adelaide. I would be interested to know in this particular matter whether or not a Crown Law opinion was in fact obtained. I would also be very interested to know—

The Hon. D. C. Brown interjecting:

The Hon. PETER DUNCAN: The Minister ought to listen to this particular point instead of yabbering back and forth across the Chamber. I would be particularly interested to know what proposals the Minister has for dealing with the logistical problems that are going to be created by his actions in the Industrial Court and the Industrial Commission. I do not know whether the Minister is aware of it or not, but last Monday, as I understand the situation, when the call-over of the list in the workers compensation jurisdiction occurred one judge was available to hear, I think, 30 cases—it might have been 28 or 29. One judge was available, yet all the parties turned up—lawyers, clients and all of the witnesses, ready to go ahead and only one of them could be heard. If that had occurred whilst I was Attorney-General, whilst the member for Adelaide was the Minister of Labour and Industry, or whilst the Labor Government was in power, this Minister would have been screaming from the rooftops about it. It is an appalling situation and one which is going to be made much worse by his actions in relation to promoting this particular piece of legislation.

Mr Mathwin: You ought to talk to your partner, Terry Groom, about this, Peter; he'd put you straight on this industrial stuff.

The SPEAKER: Order!The honourable member for Glenelg has not received the call.

The Hon. PETER DUNCAN: What is particularly galling is the fact that there are more than 300 industrial agreements in South Australia and there will be no common rule because of the way the Minister has drafted this legislation. In effect, most of those industrial agreements will come up for review because they can last for only two years. I believe that the Industrial Court of South Australia is going to be absolutely jammed as a result of this Minister's actions. What is he going to do about it? We would be very interested to hear the answer to that.

I would not be surprised if this Minister is about to appoint a bundle of industrial commissioners and Industrial Court judges because, given the delays that already exist there, and given the fact that the listings are so far behind, and given the enormous amount of additional work that this particular piece of legislation will generate, how in the heck are those poor commissioners going to deal with the matter? They already have a relatively high rate of industrial illness there (which is putting a kind interpretation on it). There have been heart attacks and various other stress related diseases amongst the commissioners and the judges, as the Minister well knows. The situation is going to get worse and worse as a result of this piece of legislation. There are 300 or more awards and every one of them has to be renegotiated every two years. Given the impact of this particular piece of legislation, that is going to lead to an absolutely disastrous situation. It will undoubtedly slow down the settlement of industrial disputes in this State, and that is going to lead to more strikes, more industrial disputes and more direct action in settling industrial disputes.

I have no doubt that this will add enormously to the cost to the public purse of dealing with these matters and, also, to the costs of the parties concerned. That is a particular matter I want to raise, because I think it is quite ironical. This Minister is often expressing his feigned concern, I might say, for small unions and weak industrial groups. The effect here is that the big unions, the strong unions, will have no difficulty, as they already employ industrial officers. They will have no difficulty in making the grade to ensure that they can meet the inevitable extra costs that will be involved as a result of this legislation. But what about the small unions and the small groups which are industrially weak and about which the Minister is always expressing his feigned concern?

They are the ones that will be dramatically affected by this piece of legislation. The only result that I can see happening as a result of this particularly foolish act by the Minister is that small weaker unions and their members are going to be seriously inconvenienced in the industrial struggle. Talking of small and large unions, the biggest union in this State is the Public Service Association, which happens to have much to do with the Government, for obvious reasons. The Public Service Board and the Minister—

The SPEAKER: Order! The Minister of Industrial Affairs.

The Hon. D. C. BROWN (Minister of Industrial Affairs): I move:

That the sittings of the House be suspended until 2 p.m. today.

Motion carried.

ADDRESS IN REPLY

The SPEAKER: I wish to advise the House that His Excellency the Governor has indicated that he is willing to receive the House for the purpose of accepting the Address in Reply at 2 p.m. today.

[Sitting suspended from 1.2 to 2 p.m.]

The SPEAKER: In accordance with the advice I gave before the luncheon suspension, it is now my intention to proceed to Government House for the purpose of presenting the Address in Reply. I ask the mover and seconder of the Address, and such other members as care to accompany me, to proceed to Government House for the purpose of presenting the Address.

[Sitting suspended from 2.1 to 2.15 p.m.]

The SPEAKER: I have to advise that, accompanied by the mover and seconder of the Address in Reply, I have attended at Government House to present that reply to His Excellency the Governor. In response, His Excellency the Governor addressed the House, as follows:

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

SUSPENSION OF STANDING ORDERS

Mr BANNON (Leader of the Opposition): I move:

That Standing Orders be so far suspended as to permit a time for questioning of Ministers for a period of one hour.

In support of my moving the motion I make clear that the event—

The SPEAKER: Order!

Mr BANNON: Am I safe to sit?

The SPEAKER: The honourable Leader is safe to sit, because he will remain seated. I do not intend to accept the suggested suspension of Standing Orders, for the simple reason that we are still in Tuesday's sitting day. Standing Orders specifically allow for one hour of Question Time, or thereabouts. That period of Question Time having applied to the sittings of Tuesday 25 August, of which this is a

continuation, I am unable to accept a suggestion for a suspension of Standing Orders.

Mr BANNON: I move:

That Standing Orders be so far suspended as to enable the member for Playford to take his place in this House for the remainder of the day's session.

The SPEAKER: Order! I also advise the honourable Leader of the Opposition that the suspension orders contained within the Standing Orders of this House clearly indicate that the member so suspended on the first occasion in a session shall remain suspended for the completion of that day's sittings. As I have already indicated to the honourable Leader, we are still in the sittings of 25 August, the day on which the honourable member for Playford was suspended. Therefore, it would be improper to countenance a motion which called for an alteration of those circumstances so clearly laid down in Standing Orders.

Mr BANNON: On a point of order, Sir, the very reason I am moving for the suspension of Standing Orders is because of the preclusion that you have just referred to. The member for Playford was suspended in the early hours of this morning as part of this day's session, and it was anticipated at that time that he would be taking his place again in this Chamber at 2 o'clock to take part in proceedings, proceedings in which he has a very keen interest. I accept your point that we are in a continuous session, as of 2 p.m. on Tuesday, but it is for that reason that I move that Standing Orders be suspended to allow him to take his place again. In a sense it is asking the Parliament, having suspended the member, his having been absent from the House for a number of hours, to recognise that we have now reached the time of 2 o'clock, the normal sitting time, the expiry time for any such motion, and it would be quite proper to allow that honourable member to take his place.

I point out that he has a particular interest in both the Bills that are to be considered during the rest of today's sitting, and the Opposition really thinks that the cynical measures adopted by the Government to not only deprive us of a Question Time today but also to ensure that the member for Playford cannot be further represented in this Chamber are quite outrageous. Accordingly, I would argue that it is quite proper to move such a suspension, and I would request that you so rule and accept the motion.

The SPEAKER: Order! The honourable Premier will be seen in due course. I intend to accept the point of order that the honourable member has raised. I acknowledge that previously I indicated the Standing Orders. Quite clearly, the Leader has pointed out a set of circumstances that he would like the House to test, and on that basis, and on that basis alone, I intend, subject to the other requirements of a suspension of Standing Orders, to accept the motion.

I also acknowledge that I sat the Leader down part way through an explanation. I believe, under the circumstances, that the explanation had been adequate for the purpose which is to be tested by the House, and it is not my intention to recall the honourable Leader.

The Hon. D. O. TONKIN (Premier and Treasurer): I oppose the suspension of Standing Orders. Quite clearly, despite all the good intentions that the Leader of the Opposition so patently has in this matter in respect of the member for Playford, it would be totally improper for the House at this stage to rescind a decision made in the same sitting. We are asked to rescind a decision which was made after proper argument and the proper procedures had been followed in this House. The Leader referred to the fact that we have now reached the normal sitting time for another day. I would like to point out, in the strongest possible terms, that we have not reached the normal sitting time for another day, because we have been subjected to a series of delaying tactics, including a debate on a formality, the Supply Bill, which has lasted for some 12 hours longer than was expected.

An honourable member: A mere formality.

The Hon. D. O. TONKIN: It is not only a mere formality; it is a traditional formality. Perhaps the Leader and other members of his Party are ignorant of it. I will give them the benefit of the doubt. The fact is that we have wasted some 12 hours of the time of the House in the sitting for Tuesday 25 August. I would go further than that and say that, if the Opposition had not been so slow off the mark and missed its cue, then we would have had another three or four hours of time wasted also. Quite clearly that was the intention of the Opposition. There is no doubt in my mind that there is a concerted move on the part of the Opposition to prevent consideration—

The SPEAKER: Order! I draw the honourable Premier's attention to the fact that the motion for suspension relates to the reintroduction to the House of the honourable member for Playford. I would ask the honourable Premier to address himself to that matter, and to that matter only.

The Hon. D. O. TONKIN: Thank you, Mr Speaker. I certainly will. There is no doubt in my mind that there is a firm intention on the part of the Opposition to delay the debate on which the Leader of the Opposition says that the member for Playford is so well advised.

Mr Bannon: Admit him and we will get on with it.

The Hon. D. O. TONKIN: We are going to get on with it anyway, but there is no way in which we can undermine the authority of the Chair by rescinding a motion properly made and agreed to by this House.

The Hon. R. G. PAYNE: On a point of order, Sir, I ask you to consider, as I am sure you will, the explanation of why Standing Orders should be suspended in this case. Standing Order 465 provides:

After the Orders of the Day have been called on,—

to which you were alluding when you said that in this crazy world we are still in Tuesday—

no motion for suspension, without notice, shall be entertained until the consideration of such orders is concluded, except it be—

I ask your attention to that provision—

for the purpose of expediting the progress of a Bill or otherwise facilitating the Business of the House.

The Leader's motion is based on the premise that it will expedite the progress of a Bill. As has been pointed out, an important speaker on this side, the member for Playford, should be involved in this debate. It is his return to the Chamber that we are attempting to achieve by the suspension of Standing Orders.

The SPEAKER: I do not uphold the point of order. Quite clearly, the expedition of the passage of the Bill relates to the action that would be taken if this measure is accepted by the House, and I believe that there can be no argument with that situation. I put the motion of the Leader of the Opposition. Those of that opinion say 'Aye'; against, 'No'.

Honourable members: No.

The SPEAKER: I hear a dissentient voice. There being present an absolute majority of the whole, there must be a division. Ring the bells.

The House divided on the motion:

Ayes (21)—Messrs Abbott, L. M. F. Arnold, Bannon (teller), M. J. Brown, Corcoran, Crafter, Duncan, Hamilton, Hemmings, Hopgood, Keneally, Langley, Millhouse, O'Neill, Payne, Peterson, Plunkett, Slater, Trainer, Whitten, and Wright.

Noes (24)—Mrs Adamson, Messrs Allison, P. B. Arnold, Ashenden, Becker, Billard, Blacker, D. C. Brown, Chapman, Evans, Glazbrook, Goldsworthy, Gunn, Lewis, Mathwin, Olsen, Oswald, Randall, Rodda, Russack, Schmidt, Tonkin (teller), Wilson, and Wotton.

Majority of 3 for the Noes.

Motion thus negatived.

Mr BANNON: I move:

That Standing Orders be so far suspended as is necessary to allow the following motion to be debated forthwith:

That this House censures the Deputy Premier and Leader of the House for his gross discourtesy in his handling of the business of the House last night and early this morning, his offensive attitude to certain members of the Opposition, and his patent inability to organise Government business in order that reasonable sitting hours can be arranged.

Before we proceed with any other business today, in this part of what has turned out to be a very protracted sitting day, we must deal with the crucial issue, the reason why we are here at 2.30 p.m. without having Question Time, without having a new day's sitting and without the member for Playford in our midst. The reason is the way in which the Leader of the House has abused the forms and privileges of the House and created an atmosphere that has made it very difficult indeed—

Members interjecting:

The SPEAKER: Order!

Mr BANNON: —for the proper courtesies of debate and the proper management of the House. This is a matter of urgency, and Standing Orders should be suspended to allow it to be dealt with. It is outrageous that the situation was allowed to develop as it was.

Members interjecting:

The SPEAKER: Order! I have given the honourable Leader the opportunity to indicate to the House the motion that he wanted to move. I draw the honourable Leader's attention to the very point that the honourable member for Mitchell raised on the previous occasion. Standing Order 465 states:

After the orders of the day have been called on, no motion for suspension, without notice, shall be entertained until the consideration of such orders is concluded, except it be for the purpose of expediting the progress of a Bill or otherwise facilitating the business of the House.

The Leader quite clearly will understand from that requirement that what he is now proposing will not facilitate the business before the House: it would open a debate on issues that are not on the Notice Paper, and on that basis I cannot accept the motion.

Mr BANNON: I rise on a point of order. I ask you, Mr Speaker, to reconsider your ruling. In the light of that Standing Order, I can think of nothing that would more expedite the progress of a Bill or more facilitate the business of the House than the removal of the Leader of the House from his position, and that is precisely what the motion aims to do. We aim by this motion to pass a vote of no-confidence in the Leader. As a result of the no-confidence vote, the Leader would resign and business would indeed be expedited.

The SPEAKER: Order! The Leader sought leave to take a point of order. I will not permit him to debate the issue. There is clearly no point of order on the basis of the interpretation of Standing Order 465, and I suggest to all honourable members that the interpretation I gave on this occasion is specifically the one I gave on the previous occasion, when the opportunity was exhibited that there might have been a means of expediting the passage of a Bill. Quite clearly, what the honourable Leader now seeks to do will not expedite the business before the House, and I do not accept the point of order.

Mr BANNON: With great respect, and with deference to your ruling, I nonetheless must object to the ruling and dissent from it.

The SPEAKER: Bring it up in writing.

Mr BANNON: I disagree with the Speaker's ruling on the grounds that my indicated motion seeks to expedite the progress of the Bill and facilitate the business of the House.

The SPEAKER: Order! The honourable Leader seeks under Standing Order 164 to dissent from the Speaker's ruling.

Mr BANNON: I do this, as I said, with some considerable reluctance and with respect to your ruling, Sir, because we have found very little occasion to disagree with your considered rulings in the course of your occupancy of the Chair of this House. We have seen an extraordinary sequence of events over the past day or so which suggests that we need to look at the Standing Orders very closely, and look at the precise nature of the words contained in those Standing Orders before any ruling is made.

I understand the consistency with which you attempted to establish your rulings, Sir, between that ruling you made previously in relation to the member for Playford and this ruling, which refers to a specific motion of no confidence. If this motion was something in the purview of public affairs, and was, for instance, of the nature of the motion that was moved at the beginning of today's sitting, on Tuesday, a motion of no confidence in a particular Minister of the Crown or of the Government, in relation to their handling of their portfolio, then indeed, I would have to defer to your ruling.

This motion does not do that. This motion does not seek to censure the Deputy Premier in his role as Minister of Mines and Energy, or in any of his other portfolios or administrative responsibilities with the Government. It is aimed specifically at his role as Leader of this House, a role which carries with it enormous responsibilities, one which has the responsibility of ensuring that the business of the House is expedited and facilitated, which are precisely the words used in Standing Order 465, on which you have relied for your ruling, Sir.

Clearly, the Deputy Premier, in that position and in his role of Leader of the House, is plainly unable to do his duty. On the contrary, his action has ensured that this House has had protracted debates at times when these have not been necessary. It has resulted in incidents which ended up with one of our members being suspended from the service of this House. It has resulted in our losing a Question Time and in a lot of puffing and huffing and nonsense from the Government over whether or not its legislation will get through or whether the Opposition has been filibustering on it. The qualities required by the Leader of the House are qualities of fairness, of consultation—

The SPEAKER: Order! I draw the honourable Leader's attention to the fact that it is a dissension to the Speaker's ruling, not a debate relative to the Leader of the House. I ask the honourable Leader to come back to the reason why he has dissented from the Speaker's ruling.

Mr BANNON: I direct your attention and the House's attention specifically to that Standing Order, which states that such a motion for suspension (a motion such as I have moved without notice) shall not be entertained after the Orders of the Day have been called on (and we certainly concede that we are in that situation) except for a particular purpose. The particular purpose is that of expediting the progress of a Bill, or otherwise facilitating the business of the House. I draw particular attention to the second part of that phrase: 'facilitating the business of the House'. The business of the House cannot be facilitated unless there are some agreed ground rules which go beyond Standing Orders in terms of procedure as between the Opposition and the Government.

There are traditions and customs—traditions of speaker's lists, of anticipation of time taken in debate, and of agreement made between Whips and Leaders of the House. All

of those things are aimed at facilitating the business of the House. All of them centre in the actions of the Leader of the House who, in this case, unfortunately for this House and for his Government, is the Deputy Premier. I believe, therefore, that in looking at your ruling we must look at the substance of the motion that I have moved and see how it is on all fours with the words used in this Standing Order.

Unless the Deputy Premier is removed from this post, and removed soon, the business of this House will simply bog down—we will not be able to get things done. We on this side have no confidence in his negotiation or his powers of conciliation. After the dreadful language used against us in the early hours of the morning by him, the offensive behaviour which he displayed while sitting in that chair there at that time, with the Premier in his place (and I must say that I am ashamed that the Premier did not speak to his Deputy and ask him to desist and leave the House), and in the course of that—

Mr MILLHOUSE: I rise on a point of order, Mr Speaker. I can see that you are intent on getting ready your remarks in defence of your ruling.

The SPEAKER: Order! The honourable member should not presume.

Mr MILLHOUSE: It is pretty obvious, with great respect to your person and your exalted position, what you are doing. However, it means that you have not been listening to what the Leader has been saying. The Leader has now strayed absolutely away from the dissent to your ruling to the merits of the motion he wants to move against the Deputy Premier.

The SPEAKER: Order! The point that the honourable member for Mitcham is raising is well taken, and I will consider the words being said by the honourable Leader.

Mr BANNON: I thank the honourable member for Mitcham for his assistance to the Chair and the House, which is quite extraordinary coming from a member who was not even present when these incidents to which I am referring took place.

The SPEAKER: Order! The Leader will come back to the motion.

Mr BANNON: Certainly, Mr Speaker; I accept your ruling. This motion goes to the very core of Standing Order 465, the very core of facilitation of the business of this House. Unless we can dispose of this matter and find a replacement for the Deputy Premier in his handling of the business of this House, it is going to be very difficult indeed in the coming session for members on this side to do their business properly.

The SPEAKER: Order! The honourable Leader will come back to the issue, which is dissent to the ruling of the Speaker.

Mr BANNON: The ruling is wrong, Mr Speaker, and I have directed your attention specifically to the words of the Standing Order. I will not canvass that again in detail, simply because you seem to be ignoring the fact that Standing Order 465 does allow an exception under which a motion of suspension without notice can be moved after we have embarked upon Orders of the Day. That suspension is where we will expedite the progress of a Bill, or otherwise facilitate the business of the House. Clearly, this motion falls within the phrase 'facilitate the business of the House', and it could be argued that it would facilitate the progress of the Bill. Therefore, I believe that your ruling was in error, and I ask you to reconsider and not to maintain that ruling. If, however, you feel you cannot change it, I will naturally proceed with the motion of dissent that I handed to you.

The Hon. D. O. TONKIN (Premier and Treasurer): I cannot in any way agree with the motion which the Leader of the Opposition has put forward for disagreement to your ruling, for the very good reason that I have heard nothing from him that in any way convinces me that there has been any error in it. It is a completely accurate ruling. Indeed, a lot of things have been said by the Leader about the leader of the House, the Deputy Premier, in the course of his remarks.

The Hon. Peter Duncan: Not very honest and honourable last night!

The SPEAKER: Order!

The Hon. D. O. TONKIN: I find the Opposition's attitude today no better than it was last night. The fact is that the Opposition is trying to recover—

Members interjecting:

The Hon. D. O. TONKIN: I think Opposition members would do well to remember what words were used by their member for Playford. There is no point at all in descending to such continual bickering across this Chamber.

The SPEAKER: Order! I ask the Premier to come back to the dissension to the Speaker's ruling.

The Hon. D. O. TONKIN: Your ruling, Sir (and it is an appropriate one), amounts to this: that Orders of the Day have been called on and are under consideration at this point. The question is why are they under consideration now? There is no question at all but that they are. The matter before the House is the Industrial Conciliation and Arbitration Act Amendment Bill (No. 8) of this session. It is before the House at this time. Your ruling cannot in any way be disagreed to.

Just because that matter is still under consideration we can, if we wish, look at the reasons for it. Either through ineptitude or deliberately to filibuster for 12 hours on the Supply Bill, we have wasted some 12 hours. That is why we are still considering it.

The Hon. J. D. WRIGHT: Mr Speaker, I would like to draw your attention to the preamble in the speech the Premier is now making. He is talking about debate last night, which is nothing whatsoever to do with your ruling. I ask you to bring him back to the matter before the Chair.

The SPEAKER: The honourable Deputy Leader will know that I have already drawn the honourable Premier's attention, as I did his own Leader's, to the parameters in which this debate will continue. I uphold the point of order, and ask the honourable Premier to come back to the dissension to the Speaker's ruling.

The Hon. D. O. TONKIN: I accept your ruling, Sir, but I must say that its basis is that the Bill is under consideration as an Order of the Day. It is not the point that it is an unusual time to consider it. The reasons for that unusual time have been canvassed. Everyone in this Chamber knows what they are. I do not have to go through them again, but the point is that we are still considering that Order of the Day, and your ruling is absolutely correct. When the Leader of the Opposition says he wants to facilitate the business of the House, he could have fooled us. We had another example this afternoon of some three-quarters of an hour of time wasting.

Mr MILLHOUSE: I take the point of order, which is the same as I took on the Leader of the Opposition. The Premier is now debating the damn thing. He is not speaking to the motion. The drift of his comments is that he is opposing the motion of dissent, but he has got right away from any opposition to that motion. He is canvassing the same sort of matters as is the Deputy Leader of the Opposition.

The SPEAKER: The member for Mitcham, in seeking to take a point of order, is now also addressing far and wide from the point of order. I ask the Premier to come back specifically to the motion.

The Hon. D. O. TONKIN: Yes, Sir. I totally and absolutely oppose it; I support the ruling that you have given, and I see no reason why you should be the subject of a motion of dissension from an Opposition Leader who is simply trying to recover from a succession of rather naive errors that he has made over the last 24 hours.

The SPEAKER: Standing Order 164 allows for two speakers, one for and one against, and if need be for the Speaker to rise in his own defence. I make the point that to have ruled other than I did would have been inconsistent, a situation in which I do not wittingly or knowingly place myself at any stage.

The House divided on the motion:

Ayes (20)—Messrs Abbott, L. M. F. Arnold, Bannon (teller), M. J. Brown, Corcoran, Crafter, Duncan, Hamilton, Hemmings, Hopgood, Keneally, Langley, O'Neill, Payne, Peterson, Plunkett, Slater, Trainer, Whitten and Wright.

Noes (25)—Mrs Adamson, Messrs Allison, P. B. Arnold, Ashenden, Becker, Billard, Blacker, D. C. Brown, Chapman, Evans, Glazbrook, Goldsworthy, Gunn, Lewis, Mathwin, Millhouse, Olsen, Oswald, Randall, Rodda, Russack, Schmidt, Tonkin (teller), Wilson and Wotton.

Majority of 5 for the Noes.

Motion thus negatived.

INDUSTRIAL CONCILIATION AND ARBITRATION ACT AMENDMENT BILL

Adjourned debate on second reading (resumed on motion).

(Continued from page 628.)

The Hon. PETER DUNCAN: Now that I have been robbed of one minute of time, I have little time left to say the remaining things I wanted to say in relation—

Mr Mathwin interjecting:

The Hon. PETER DUNCAN: Perhaps the member for Glenelg will let me have a fair go. At least this morning I did not have to put up with the carrying on of the Deputy Premier that some of my colleagues had to undergo last evening, and I was able to make some contribution to this debate. The only remaining thing I want to say is that I think this whole piece of legislation is a reflection on the Industrial Court in this State and that I understand that is the way many members of that commission feel about this matter. In light of that, I think the only decent thing the Minister can do with this legislation is withdraw it and go away and reconsider his whole position in relation to this matter. If he then believes it is necessary—

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

The Hon. Peter Duncan: Not entirely, but the clock has raced me.

Mr MAX BROWN (Whyalla): I wish to refer to the interjection that the Minister made when he suggested that the member for Elizabeth and the member for Unley somehow did not understand what this Bill was all about. I have some grave doubts whether the Minister actually knows what this Bill is about, or, if he does, whether he actually knows the repercussions it will bring about.

The Hon. D. C. Brown interjecting:

Mr MAX BROWN: Before the Minister gets into a frenzy about the situation, let me tell him that I am not without some experience in the industrial field, and I am not without some experience in the industrial courts of this land. Among other things, this Bill uses the word 'shall'. Anyone who has had any experience in industrial courts, or with industrial grievances or industrial awards, would know very well that the word 'shall' means exactly what it says, that is, that the court shall take into account whatever that award says. This Bill causes an anomaly, because it says that the tribunal in this instance shall take into effect the economic structure of the State.

Mr Randall: What clause are you talking about?

Mr MAX BROWN: It is all very well for the member for Henley Beach to rave on and profess to be a trade unionist. I suggest to him that he look at what the Bill says. In part, clause 7 provides:

> In arriving at a determination affecting remuneration or working conditions, an industrial authority shall have due regard to the public interest and shall not make a determination unless satisfied . . .

It goes on to deal with the economic structure of this State. I am suggesting to the Minister that invariably, when an application is made before the court to vary a wage award, the court is bound by this provision to take into consideration the economic structure of the State.

The member for Henley Beach is nodding his head. Perhaps he has now woken up to this fact. I wonder whether the Minister has. That is a factor that has never been brought into industrial matters before. That is why the Opposition has been adamant in its opposition to this Bill.

The Hon. D. C. Brown: Absolute rubbish!

Mr MAX BROWN: The Minister can say 'rubbish'. I am telling the Minister that, if this Bill passes, there will be an immediate application by the Minister to make the tribunal take into effect the economic structure of the State, which will absolutely confuse the whole issue.

The Hon. D. C. Brown: Small-minded thoughts.

Mr MAX BROWN: I have some doubt whether the Bill, whether or not it is passed, will ever be used. If it is used, the Minister will buy himself into so much trouble that he will wish to God he had never seen the Bill. The member for Salisbury quite rightly pointed out that, under this Bill, teachers will have to accept a reduction in salary. He based that comment on a situation in which the court has to consider the economics involved. We all know that the economic factor in this State has never been worse for over a decade. If that is taken into consideration (and teachers should be made aware of these facts), they would have to accept a reduction in wages. That is what it is all about.

The Hon. D. C. Brown: Of course it isn't, and you know it.

Mr MAX BROWN: The Minister keeps on saying that. I do not know whether the Minister has had any experience in the court, but I suggest that he has not, because his interjections show that he just does not understand on what factual evidence the court will have to make a decision. The court will have to decide on the economic stability.

Mr O'Neill: He doesn't want to understand. He wants to dictate.

Mr MAX BROWN: Well, I am amazed at what he says, because I am telling the Minister what will, and must, occur.

The Hon. D. C. Brown: Rubbish!

Mr MAX BROWN: Members opposite have a very queer understanding of what the industrial tribunals of this country do.

The Hon. H. Allison: You tell me how much you're going—

Mr MAX BROWN: The Minister of Education is buying into the debate, and he will buy into the situation in the future, there is no doubt about that. He will have trouble on his hands. The member for Salisbury also questioned whether or not the Government recognises the Teachers Salary Board as a credible organisation. That is a reasonable question. If the Government continues its policy of non-acceptance of the umpire's decision (and that is what this

is all about), the credibility of the Teachers Salary Board will be in question. There is no doubt about that.

The member for Salisbury has questioned whether the role of the court is in jeopardy. I have gone on record on numerous occasions as saying that, unfortunately, I believe that the industrial tribunal system as we know it in this country is in very grave jeopardy. My colleagues believe that we cannot do away with the system: we must have it. That may be so, but the industrial tribunal system as we know it in this country, because of interference particularly from conservative Governments, is in very grave jeopardy.

The member for Elizabeth pointed out that, because of the Minister's inability to get to the court so that the court can take notice of his ballyhoo, the industrial disputes that may occur in this State will be strung out. Instead of having proper and reasonable industrial harmony, there will be industrial chaos. There is no question about that. I agree with the member for Elizabeth in that regard.

I am greatly concerned that there have obviously been no discussions with the trade union movement by the Minister or his department. I know from bitter experience that, if there is no discussion with the trade union movement about matters that directly affect it, industrial chaos is invariably the result. That has been proved a million times. Why this Minister is hell bent on doing what other people have continued to do and have proved to be disastrous, I do not know.

The member for Elizabeth also suggested that this Bill will turn out to be a millstone around the Minister's neck. I said earlier that I believed that would happen. There is no doubt about that. We must bear in mind that on numerous occasions conservative Governments have brought this type of legislation into supposed operation, and invariably two things have happened: first, the legislation has never been brought to fruition and used; or, secondly, when it has been used, the nation has invariably been subjected to absolute industrial chaos. That is exactly what will happen in this State.

Secret ballots have been suggested by conservative Governments over the years in their rather inane, stupid attempts to solve disputes, and that is another classic example of the inadequacy of this type of legislation to solve anything. Invariably, legislation of this kind leads not to the solution of industrial disputes but to the continuing and enlargement of disputes. Of all legislation in the industrial arena that has been introduced into either Federal or State Parliament, this Bill could rank high among the worst of all. I am quite serious about that.

I want to point out again the role of the Conciliation and Arbitration Act. I do so because I have been more involved with the Federal conciliation and arbitration courts than I have with the State courts. Initially, as everyone should know, the Conciliation and Arbitration Court was set up by an Act basically to solve industrial disputation. It invariably does that. Perhaps it could be said that a dispute continues for too long or may be prolonged on certain occasions where to all purposes the situation has become cranky, but in the final analysis (and we saw an example of this in the recent transport dispute) the matter still comes back to the conciliation part of the conciliation and arbitration system under which we live. I am annoyed that invariably, when the trade unions and the employer organisations begin to talk about the solutions to their problems in a conciliatory way, the conservative Governments, particularly the Fraser regime, want to interfere with those decisions.

That interference does nothing to improve the industrial climate in this country. On many occasions over the years there have been attempts by outside elements to undermine, sabotage or influence the system of arbitration and conciliation. This Bill is yet another example of those attempts.

I suggest that, if this Bill becomes law, it will simply add to the industrial turmoil being experienced. It will upset the need for a small operation of the court, and will breed discontent with the work force of this State. Government intervention within the industrial tribunals of this nation has invariably created and caused a worsening of the industrial relationship between employer and employee. No-one with any sanity in the industrial field can deny that.

As has been pointed out by the Deputy Leader, the Bill gives the State Minister of Industrial Relations (which could be described as a play on words when we say that he is a Minister of Industrial Relations; I am beginning to wonder what relations) very wide and quite improper powers. I have pointed out on numerous occasions the role of the Industrial Court in respect of wages. The wage structures are decided by a court or a tribunal. Invariably, a union puts in a claim for an additional wage structure based on reasonings of cost of living adjustments and higher cost of living requirements. The unions take the case to court. On the other hand, the employers, quite rightly, put in a claim opposing the application. The case is then heard by the court and a decision is handed down.

In my opinion, what has happened to this machinery, which was set up a long time ago, is that there has been an element for too long whereby Governments, particularly conservative Governments, can play an anti-settlement role, in relation to the settlement of these matters. In all industrial disputations, disputes are best solved by conciliation, not by confrontation.

This Bill brings the question of confrontation to the forefront. It does something that is not a new idea or a new method of intimidation against unions. It tries in its way to have any demand, however unfair that demand may be, upheld by the court, irrespective of the merits or demerits of the argument at that time before the court. In this instance, it would not be illogical for a State union to go to the State Industrial Court following a national wage increase, requesting that consideration be given to a flow-on. This is not unreasonable; it has been part of our system for years. Now, however, a completely new idea has been brought into the arena. The Minister, through the power of this Bill, can immediately go into that tribunal and put a case on the merits or demerits of the very unhealthy economic climate in this State which will sidetrack the whole issue for which the tribunal was set up.

I suggest, as other members on this side have suggested, that this interference will bring a new element into the industrial tribunals of this State. We will see a complete bog-down of economics. I am not an economist, but I have yet to find two economists in this country who think alike. They seem to have the uncanny knack of putting up two different arguments in relation to economics.

This is not the first time that a conservative Government has brought in a system whereby it intends to confuse the whole arbitration system. Years ago the Menzies Government brought in the penalty clauses under the Arbitration Act. Those clauses were certainly an eye-opener to me. Under the penalty clauses at that time it did not matter what argument the unions or workers might have to justify a stoppage or demand. Under the Commonwealth Arbitration Act at that time they had no right to put the merits or demerits of the case. They were automatically final. On more than one occasion I travelled to Melbourne to appear before Justice Dunphy. I think he is dead now.

Mr Millhouse: Mr Justice Dunphy.

Mr MAX BROWN: Mr Justice Dunphy. One trip to Melbourne cost my union $9 000 and I was in court for no more than a quarter of an hour. Under the penalty system

of the Commonwealth Act at that time, there was no argument.

Mr Mathwin: Who got that, the solicitors?

Mr MAX BROWN: The member for Glenelg, in his weird and wonderful way, sits in Government pronouncing that he knows all about the trade union movement. The court got it. Under that system the court had the right not only to dish out the penalty of $9 000, but it would usually automatically decide against the union; the cost factor would be payable by the union, and could cost an additional $9 000.

Mr Mathwin: You don't pay your advocate?

Mr MAX BROWN: Yes.

Mr Mathwin: Well, answer the question.

Mr MAX BROWN: I am saying that the $9 000 was initially a fine imposed by the court, payable to the court. Now that the member for Glenelg wishes to confuse the issue, there is another factor to mention. The court would also decide the cost factor, which would mean that the union would have to pay its own solicitor and also the employer's solicitor. That is a classic example of the humbug brought in by conservative Governments that adds nothing to the industrial peace of this country. What happens under Liberal Governments (and it is happening now) is that they upset the economy, blame everyone else for the upset, and then pursue a policy of wage restraint.

Invariably, a union will put a wage claim before the court based on cost of living adjustments; that is the usual procedure. The Government indirectly taxes not only the work force, but ourselves, as members of Parliament of this country. I cannot see that any union has the right to put in a claim for an increase in wages based on indirect taxation. That is just not acceptable to the court. The grave issues that have been brought about by this legislation simply add to the existing humbugging of the arbitration and conciliation system that we live under. This Bill will provide an additional humbugging.

I would make a suggestion about what the humbugging will do in this issue, based on economics (and I am not a betting man, as the member for Glenelg knows), and what will happen under this legislation. I do not think it will get to first base, because it would cause so much industrial turmoil that the Minister would be only too happy to bale out. If it does hit the base, and if a case is put before the industrial tribunal based on economic ideas, all sorts of arguments, could be put up by a competent advocate; he could go on for hours and days.

I merely refer to this morning's *Advertiser*, or the *Financial Times*, or any other paper, and turn to the shareholding sections showing profits and losses of various companies. For example, this morning's *Advertiser*, in the financial section states:

> ARC Industries Ltd, the BHP steel reinforcing affiliate, has increased annual dividend from 9.5c to 11c a share after a strong rise in 1980-81 earnings. Brisbane-based concrete block and tile group, Besser (Qld) Ltd, has announced a one-for-six bonus issue.
>
> The company has lifted final dividend from 5c to 5.5c a share . . . Repco Ltd, Australia's largest automotive parts group has raised ordinary dividend after a big profit recovery in the year to 30 June.

I do not suggest that that sort of thing would become an argument before the court, but I suggest that it could, because, if this Bill is passed and if the unions are forced to use the economic argument before the tribunal, it would be fair enough, if we were going to argue, for example, the merits and demerits of the uneconomic climate of the State, that we could, when it came to a private company, argue the economics of that company.

I do not know where we would finish up if, on the one hand, a teacher who goes before the teachers' tribunal has to accept a lower wage because of the economic climate of the State, when a private employee in a private company, under a State award could, if the company is doing well, go to the tribunal and put the case that economically that company could afford to pay an increase in wages.

If there is to be a possible decrease, on the one hand, surely it is logical to say that one ought to be able, in turn, to put a case for an increase, on the other. If that is the Government's policy, then God help the State. The time is not right for this sort of legislation to be brought into this State. As I said earlier, God knows we have enough industrial disturbance in the country now.

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

Mr MILLHOUSE (Mitcham): Parliament, at the moment, or certainly this House, is in one of the most ridiculous and demeaning situations that I have know since I became a member. There has been a fillibuster during this debate and in the preceding debate on Supply, lasting now for some 12 or 15 hours—I have not counted it. There has been, as a result, a degree of bad temper which is unusual even in this place, which has been exhibited this afternoon, and which was, I understand (when thank heavens I had enough sense not to be here in the middle of the night), exhibited last night.

Since I have come to the House today there has been allegation and counter allegation from members of the Liberal Party and Labor Party to me about the conduct of the other. We have a childish rule, a most artificial rule, that today is still yesterday, and that has been enforced to the letter this afternoon. Above all, we are debating a Bill which is controversial to the point of being extremely divisive and the Government is trying to insist, even though it was introduced into this place only last Thursday, that it be through Parliament by the end of this week. To cap it all off, we are not sitting next week, when we could sit to consider it at more leisure.

I cannot think of any set of circumstances which will bring Parliament more into disrepute with ordinary people outside than these. I have not read the editorial in this afternoon's paper, but I understand that it is saying much the same sort of thing. If I am right in that understanding, the editorial is absolutely correct. We are supposed to be grown men here, and one girl, the Parliament of this State, and yet we go on in this way. I must say that, from my position, from what I have seen and heard and have been told, the blame lies equally on both the Liberal Party, in Government, and the Labor Party as the principal Opposition Party.

Mr Randall interjecting:

Mr MILLHOUSE: I can tell the honourable member for Henley Beach that this Bill will not go through this week.

Mr Randall: Why?

Mr MILLHOUSE: Because the Democrats are quite against a Bill of this kind being rushed through Parliament in these circumstances; that is why.

Mr Randall: We are not rushing it through.

Mr MILLHOUSE: 'We are not rushing it through', says the member for Henley Beach who is, as I described one of his colleagues yesterday, a political accident in this place, and he will not survive very long, but even he, with two years experience in this place, ought to realise that this is rushing a Bill through. When did Parliament start debating this Bill—about 4 o'clock this morning? The House sat until 7.5 a.m. and started again at 11.30 a.m. We wasted an hour after lunch going over to Government House, and with points of order which had very little substance in them. Now we are going on and on and on. But the Government is insisting on this happening. It is insisting that it has to get the Bill through the Upper House this week.

The Hon. Peter Duncan: He won't even tell us why.

Mr MILLHOUSE: We all know why. The real reason why the Government is so anxious to get this Bill through is because of the associated grocers case that is coming before the commission on 2 October, in five weeks time. As I understand it, and I do not know too much about these things yet, there has been a deal between the Storemen and Packers Union and Associated Wholesalers. Is that their name?

An honourable member: Yes.

Mr MILLHOUSE: Yes. The Government wants to stop it, and it wants to get this Bill through in time. I have discussed this matter with my colleague in another place who is of the same view as I am. I do not believe that a Bill of this gravity and divisiveness should be introduced on one Thursday and pushed through Parliament the next week. If we can stop it, we will.

The Minister might as well accept that now and stop all this demeaning nonsense which will make us, as a Parliament, the laughing stock of the community and of the whole of Australia if they have enough interest in what goes on here. The Bill will not get through in its present form at all, and it will not get through in any form this week. If the Minister wants to get his Bill through and in operation in some form before the hearing on 2 October, Parliament had better come back next week and the week after and deal with it. There is no reason in the wide world why that should not happen.

The Hon. Peter Duncan: What about their holiday for the Royal Show?

Mr MILLHOUSE: I do not give a damn about their holiday. If they regard this Bill as important, Parliament can sit to deal with it in proper time and give sufficient time in the community outside for reaction to it. There has been very little yet.

Let me say one or two things about the Bill. I have said why in my view, and in the view of my colleague in another place, that this Bill should not go through this week. But, let me say why there should be some amendments to it, at the very least, if it is to go through at all, and I have very grave doubts as to whether it should.

First, there is no doubt whatever that as the Bill is drawn it would oblige the commission, on every application for registration, to consider not only the application as such, but also the public interest, which means the State's economy, the likely effects of the determination on that economy, particularly its effects on the employment level and on inflation; that is, if one can define an economy for one State. As I have always understood it, we are part of an Australian economy and there is no such thing as a State economy.

But, if you can get over that, every time there is an application for registration under this Bill the commission is obliged to consider the public interest. That, of course, comes from new proposed subsection (5) to section 108 of the Act:

> Where an industry agreement affects remuneration or working conditions, the Registrar shall not register the agreement unless authorised to do so by order of the commission.

So, it has to go to the commission. Pursuant to the definition which is being put in by new section 146a, the commission is an industrial authority. Then we look at new section 146b and we find that an industrial authority, which includes the commission, must, in arriving at a determination (and a determination includes a determination affecting remuneration or working conditions—section 146a includes an order under Part VIII, in which section 108 is included), consider the public interest. So every time, even though a most trifling agreement has to be registered, the commission is under an obligation, which it cannot avoid, to consider these matters.

An honourable member: The Minister doesn't understand it.

Mr MILLHOUSE: I do not know whether he understands it or not; I do not think he is as dumb as that. He knows what it is. The commission is under an obligation to do it. If it does its job properly it must do it and spend time on each one of these things. As the Minister knows, one of his assistants, that nice chap who is leaving in a fortnight, has discussed this at some length with Mr Milne and with me and it is expected, apparently for reasons which I cannot divine, that the commission will not go through that process each time. That is absurd; it has got to.

If that does not mean an overburdening of the commission, a burgeoning of hangers-on to the commission, staff, advocates, and so on, I do not know what does. The commission is part of the Industrial Court, and the Industrial Court now is scandalously behind with its work. I do not know whether the Minister appreciates this, but twice in the last couple of weeks colleagues of mine at the bar who practice before the Industrial Commission in the workmen's compensation jurisdiction have complained to me about the disgraceful situation of the lists. I do not absolve the Labor Party from this, because it was its silly policy 10 years ago to put all the workmen's compensation matters in the Industrial Court rather than in the Local Court, where we had a system that was working perfectly well. But now the Industrial Court deals with workmen's compensation matters as well as true industrial matters, and the same judges have to deal with both.

Let me tell you what I have been told today about the lists in the Industrial Court. If this Bill goes through, the situation will be much worse because the burden will be heavier. Last Monday, 24 August, 26 workmen's compensation cases were listed for hearing in the Industrial Court and one judge was allocated to hear them. That is one judge for 26 cases. That is a scandal that has been going on week after week in the last few months. The chap who spoke to me this morning—

The Hon. Peter Duncan: The plaintiffs and defendants turned up with their witnesses.

Mr MILLHOUSE: Yes, it is one of the worst reflections one could have on the justice system in this State. Litigants come to court for their case, having been warned for hearing on a day, and it does not go on. It was not only last Monday that this happened. The chap who spoke to me this morning gave me five dates this month on which he has been briefed in matters and has gone to the Industrial Court for their hearings, and they have not been reached. That was on 5 August, 17 August, 19 August and again last Monday. And people throw off at the legal profession, the delays and costs incurred, but every time that happens counsel who has put aside a day for a hearing is entitled to charge a counsel fee for that day, because it is wasted. He has not been able to take anything else. The costs, which are eventually borne, of course, by the taxpayer in one way or another, are added to the process. That is quite apart from the fact that cases are not being dealt with.

The Hon. D. C. Brown: That is when you come down here and also claim your Parliamentary salary.

Mr MILLHOUSE: The Minister may be rather pricked by what I have said. I do not mind his interjecting and taking a rise out of me if he can. Everyone in this House tries to do that, but if he checks the facts he will know that what I am saying is accurate and he will also know that I do not practise in the Industrial Court at all. It is nothing to do with me, but the same system of listing is used in the Supreme Court and in the Local Court, and the same sort of thing does not happen because they do not

list so many cases as not to allow the majority, if not all, of them to be heard on the day they are listed. It is only in the Industrial Court that we have this disgraceful situation. I am glad I have had an opportunity to say that because it needed to be said, and I hope that something will now be done to improve the situation.

However, this Bill would compound the problem by adding more and more work in the court and commission. What is the position at the moment? Perhaps I should give what are understood to be the reasons why the situation is so bad. Mr Justice Olssen, the President, very seldom sits in workers compensation cases; he deals with industrial matters, so he is out. Judge Stanley, as he is entitled to be, is on long service leave, so he is not here. Her Honour, Judge Layton, always sits on the sex discrimination tribunal, so she is not available to sit, either.

The Hon. D. C. Brown: Not always.

Mr MILLHOUSE: Well, practically always. So that reduces the number of judges who are available. During the past six months the best they have ever had for workmens compensation on any listing day has been three judges. I hope the Minister will go away and do something about that situation.

The Hon. Peter Duncan: He doesn't give a damn about it.

Mr MILLHOUSE: Well, I do not say that myself; I will give him the benefit of the doubt. If he does not do anything, maybe the member for Elizabeth will be proved right. This Bill will further add to the burden in the Industrial Court and Commission, and that is why it cannot go through in this way, and it must therefore slow down procedures.

Finally (and I think the member for Whyalla was adverting to this), what will happen if the commission refuses to register an agreement which has been reached between employers and employees? That will lead to the most bitter industrial discontent that we can possibly imagine. Is that what the Government wants? Does it realise that that is the effect that this will have?

The Hon. Peter Duncan: Its only chance of winning the election is industrial disruption on a wide scale, and they know it.

Mr MILLHOUSE: Maybe that is so, I do not know. Certainly that will be the effect of the Bill, and I have very grave doubts indeed whether the risk of that happening should be taken. It seems to me that by and large, if we are going to have collective bargaining (and that seems to be the in-phrase nowadays), then we had better leave the parties to do it and not to interfere in every bargain that is made, as this Bill would allow the Government to do.

That is the guts of what I want to say on this Bill. I would suggest that if it were not for the obstinacy of people in this House this would be the end of the debate, because members on this side of the House now know that the Bill will not go through this week if they stick with what I understand to be their quite strong opposition to the Bill. So, there is no need to filibuster any longer in this House. The Government, if it has any sense at all, and if it is not too stiff-necked to recognise that the Democrats exist, will realise that whatever it does here it will not get the Bill through the Legislative Council this week, and the Government might as well give up, too. The Minister knew this last night, because the Hon. Mr Milne and I had our discussions with his assistant before dinner and that message was conveyed to him. So, the whole of this demeaning spectacle of Parliament sitting right through the night has been absolutely for nothing. It could have been avoided; the money could have been avoided; the ridicule, the tiredness, everything could have been avoided.

Mr Abbott: The Donnybrook—

Mr MILLHOUSE: I do not know anything about the Donnybrook—I was at home in bed asleep, and I am glad I was and every other member should have been, too. I do not give a damn what happened in the Donnybrook—it is irrelevant. It is unfortunate that it occurred, but it is no good making claim and counter-claim about that now. I suspect that there was fault on both sides, from my knowledge of this place and the members in it. The fact is that it was all for nothing; it need not have happened. If the debate goes on now it will all be for nothing, because the Bill will not go through this week. The sooner the Minister accepts that, and accepts that it may not get through at all, unless he is prepared to amend it, the better off we all will be.

Mr MATHWIN (Glenelg): I support the Bill. It is quite obvious from the Opposition speakers that one of their main concerns is the fact that they are worried about a power that is actually already in the Act, anyway, namely the power of the Minister. I am more than surprised that the two lawyers who have already spoken have not mentioned that fact.

Mr Trainer: Here we go—Mathwin Q.C.

Mr MATHWIN: Maybe so, but members opposite should lift their game.

The Hon. D. C. Brown: The member for Glenelg seems to be the first honest speaker on the subject to have admitted that the power is already contained in the Bill.

Mr MATHWIN: The situation is that provisions in the Bill will enable the court to take into consideration the effects of claims for increased wages on the economy of the State. The Minister made quite clear that at the present moment such provision is not available. The Minister explained to members of the House the Full Bench decision of 3 July 1981 which stated in part:

> Nowhere is there any mandate given to the commission in relation to proceedings pursuant to section 36 to look outside industrial questions raised before it, and for example, frame its decision according to general economic considerations touching upon the community at large. Its prime concern must be directed to the determination of the industrial issues arising between the parties subject to its award.

That is plain enough. Members were here when the Minister made those comments, and if members were not here surely they would have read the Minister's comments and surely they can understand that part of it. Having done that, they would appreciate the reason behind the provisions of this Bill. The Minister highlighted a recent case. All of us know what the situation is and what occurs. One must take into consideration the economy of the State. It is cheaper to live in this State and to buy a house.

The Hon. D. C. Brown: The member for Mitcham doesn't think we can have a State economy.

Mr MATHWIN: The member for Mitcham should be brighter than all of us, because he had a good night's sleep that he bragged about. He should know about this, but apparently he does not. However, all those concerned about the community know that it is a damned sight cheaper to live in this State than it is to live in any other State. As I have said, housing is cheaper by many thousands of dollars than is the case in any other State in Australia.

Members of the Government know what has been advocated by members of the Opposition, that we ought to allow sweetheart agreements where deals are done, often forced by industrial muscle in a lot of cases—not all cases. The member for Spence would know as well as I do that in regard to industrial relations it is the muscle men who get the results. It amazes me that members opposite, who say so often that they are here to protect the workers, people in working class areas and the members of trade unions, will in no circumstances have any dealings at all with bonus

schemes or anything that provides incentives to workers to get on and be rewarded for merit. Members opposite do not like that, and we know that some of the more militant unions will oppose that suggestion right to the very end.

We also know (and a number of members opposite have spoken about this) about the happenings in the United Kingdom; we all know the havoc that has been wrought in that country. We all know of the situation that prevails in the United Kingdom in the area of industrial relations. We know of the hardship that is brought to bear on families and the resultant considerable loss of wages.

All members know as well as I do that it takes years to catch up with the loss of wages after workers have been on strike for a week or two. In fact, they never get in front. We all know that in many cases (but not all) the strike is called to the detriment of the workers themselves and the majority of them do not want to go on strike. Certainly their families do not want to be put into the position in which they have been placed recently.

Members opposite have talked a great deal about the great 35-hour week. We know that the Labor Party is bound by the resolution passed at its recent convention. No matter how it was arrived at, it has to stand by it.

Mr O'Neill: Rubbish!

Mr MATHWIN: The member for Florey says it is rubbish. I agree with him; it certainly is rubbish. Of course, the fact remains that the Labor Party is bound by the findings of that convention. Let me remind the honourable member who has been released from his high post at Trades Hall, and who is now a member of this place, that, by a majority, the convention resolved:

That this convention endorses the 35-hour week campaign being conducted by the A.C.T.U. and calls for the State Parliamentary Labor Party and endorsed candidates to conduct a supportive campaign throughout the community.

That is a binding resolution.

Mr Trainer: Why not?

Mr MATHWIN: Why not? As has happened so regularly in this place recently, members opposite are saying that they want to help small businesses. How on earth can they help small businesses and small industries, the ones who count, by introducing a 35-hour week? That would be sounding the death knell for small businesses. Members opposite should know that; if they do not know that they do not deserve to be here. I related to the House only a few days ago the conditions in other countries. It is about time members opposite realised that we are living in the best country in the world and that we have the best conditions in the world. It is easy to talk about the poor workers and to say that what they need is a 35-hour week when in Germany, the richest country in Europe, they work a 48-hour week. By choice in Switzerland they work—

Mr Whitten: You are not telling the truth.

Mr MATHWIN: I am telling the truth, and I gave the authority for my figures when I related them to the House recently.

Mr Whitten: The fact that you related it to the House doesn't make it the truth.

Mr MATHWIN: It is all right for the member for Price to get upset about the 35-hour week. He had a lot to say about it, but he ought to realise what it would mean. The introduction of the 35-hour week would kill small businesses and small industries.

Members interjecting:

The DEPUTY SPEAKER: Order! The honourable member for Florey has had ample opportunity to express his point of view. I wish to hear from the honourable member for Glenelg. I ask him not to incite interjections, but to relate his remarks to the Bill before the House.

Mr MATHWIN: I thank you, Sir, for reminding me not to listen to interjections, which is something I do not usually do, of course. Before I was so rudely interrupted by the member for Florey and some of his friends, I was reminding them about some of the situations obtaining in the United Kingdom and some members opposite have mentioned the problems there.

When there is a strike in the United Kingdom professional picketers are hired, and in most cases the pickets are illegal. Most of the pickets in Australia are illegal, because people are not allowed to be stopped from going into and out of different areas. That is not allowed, and it is illegal to do it. That situation has gone wild in the United Kingdom, and we all should be concerned about the present industrial situation in the United Kingdom. I believe that generally Australian workers do not wish to go on strike. They are conned into it, and in many cases they vote against a strike; the numbers do not count because the person in charge says, 'O.K. that's it, we are on strike'.

An honourable member: Do you really believe that?

Mr MATHWIN: I know it. When he was in full flight on this Bill, the Deputy Leader of the Opposition started off by saying that it was disgraceful that any Government or any Minister could interfere in the proceedings of the Industrial Court. I think he was so good that he convinced us all that there should be no interference and that it is only right that the courts should proceed in their own way. When things are different, they are not the same, and I believe that is how the Deputy Leader was looking at it. That was a strange thing for the Deputy Leader to say. He was removed from office by public opinion, and now sits on the Opposition side as the Deputy Leader, although challenged from time to time by the member for Elizabeth. I recall attending the Industrial Court, where I listened to a case put forward by Minda Home in relation to a dismissed paymaster who was applying for reinstatement. He had been dismissed for many things, and from my memory he was a close friend of some members on the other side. I remember attending that court to see what was going on and to listen to its proceedings. I remember that the Labor Government of the day sent the Crown Solicitor to the Industrial Court to represent the Government and to help and assist that worker who had been dismissed from his appointment as paymaster at Minda. That was a sitting in the Industrial Court before Cawthorne I.M. in the case of *Goldsworthy v. Minda Incorporated,* Tuesday 9 January 1979 at 2.30 p.m. He is no relation to my colleague, friend, and Deputy Leader.

Mr Keneally: How do you know?

Mr MATHWIN: I was there. I know that person and I attended the court to see what was going on and to give some moral support to an organisation that I believed was being victimised by the then Government, since removed. I have a transcript of the proceedings which shows that the Crown was represented by Mr P. Winter, intervening on behalf of the Minister of Labour and Industry in the Industrial Court.

The Hon. D. C. Brown: What year was that?

Mr MATHWIN: It was 9 January 1979.

The Hon. D. C. Brown: Who was the then Minister of Labour and Industry?

Mr MATHWIN: The then Minister, now removed, is the Deputy Leader of the Opposition, by a hair's breadth, Mr Jack Wright.

The DEPUTY SPEAKER: Order! I suggest that the honourable member refer to other honourable members by their district or by the office they hold in the House.

Mr MATHWIN: Thank you, Mr Deputy Speaker. The then Minister is the present Deputy Leader, the member for Adelaide. The transcript states, in part:

His Honour: I will take the appearances.
Mr J. Mahony: I appear for the applicant.
Mr M. David: I appear for the respondent.
Mr P. Winter: In this matter I seek leave to intervene on behalf of the Minister of Labour and Industry. As Your Honour is aware such intervention is facilitated by section 44 of the Industrial Conciliation and Arbitration Act—

That will still remain. I do not believe that the Minister will change that. The transcript continues:

—which enables the Minister to intervene in any case before the court which, in his opinion, concerns a matter of public interest, which may be affected by the decision, and subject to Your Honour's leave to intervene, I intend to address the court after Mr Mahony's opening on behalf of the applicant.
His Honour: Have you anything to say about that application, Mr Mahony?
Mr Mahony: My client consents to it, but I would certainly suggest to Your Honour that in fact it is not a question of the attitude of my client; when one looks at section 44 (1) one can see it is not a matter of discretion, the Minister can intervene as a matter of right.

Mr Trainer: Jack Wright!

Mr MATHWIN: Yes, as my friend from Ascot Park has said, but I am not allowed to say that. The transcript continues:

His Honour: Yes that would be my view on first reading it.
Mr David: That is so. I do not consent, because I fail to see how the effect of this award can have any interest to the community whatsoever in the broad sense.
His Honour: That may well be explained to us later. As I see it the Minister has absolute right to appear in this matter and in the words of the section to make such representations and tender such evidence as he thinks necessary.

The transcript continues later:

At the meeting this morning once again my client was not given the opportunity at all to make out a defence as to his situation, nor was he given the opportunity of making an explanation.

On page 6 of the transcript, Mr Winter, who represented the Minister and the Government, stated:

I am instructed to put before the court a very brief synopsis of the Government's efforts in the area of industrial relations, which of course is a most important subject in these times of inflation and unemployment. The efforts to which I refer may, in Your Honour's entire discretion, perhaps be considered pertinent to the matter presently before the court.

Finally, Mr Winter, representing the Labor Government and the Labor Minister of the day (the present member for Adelaide), stated:

. . . this area of industrial development may possibly weigh with you in assessing what transgression of the employee (if any such transgression is found to exist in the circumstances of this case) and I am suggesting to you that, given the present state of industrial relationships, if you find that there is a transgression (and that of course is within your determination) the present industrial situation may have some bearing upon your consideration as to the extent of that transgression, whether for or against, and the weight to be attributed to it . . .

That was part of Mr Winter's submission on behalf of the Government. It seems rather quaint that the Deputy Leader of the Opposition said that on no account should the Minister or the Government interfere with the affairs of the Industrial Court. The member for Whyalla made great play of the word 'shall'. Clause 7 (2) states:

The Governor may, by proclamation, declare an authority or person to be an industrial authority and may, by subsequent proclamation, vary or revoke any such declaration.

New section 146c (1) states:

The Minister may, where it is in his opinion in the public interest to do so, intervene in any proceedings before an industrial authority, and he may, in that event—
(a) make representations to the authority;
and
(b) if he thinks fit, call or give evidence before the authority.

That is good enough. The member for Whyalla may wish to reassess the situation and his concern. I support the Bill, and I assure honourable members opposite that they have nothing to fear, because the powers contained in this Bill already exist in the Act, as the Minister proved by his remarks when he introduced the Bill, and as I proved by citing the action taken by the Labor Government in the Industrial Court in South Australia.

Mr CRAFTER (Norwood): I join with my colleagues in their comments in strongly opposing the measure before the House. I want to put on record a few points that have become obvious to me and that need to be said in opposing, as vehemently as possible, the passing of this measure into law in this State. I see no necessity for the matter to be rushed through the House; in fact, I think it is a most inopportune time for it to be before the House.

The Minister indicated two reasons in his second reading explanation why it is an inappropriate time for this measure to be before us. First, there is the Cawthorne inquiry. In his second reading explanation the Minister said:

I must stress that the proposals embodied in this Bill will in no way limit the considerations of Mr Cawthorne or of any recommendation he might make to the Government. The amendments now proposed will still be subject to the result of the review. If desirable, further changes will be made to the sections of the Act now amended in the light of his report.

One can only speculate on the reasons why this Bill is being rushed before the House at the present time. It seems there is some short-term political gain to be made out of this measure. The Minister has said that, if Mr Cawthorne recommends otherwise, we will be back to where we presently are if this measure passes in a very short period of time. However, one remembers the comments of the Minister of Industrial Affairs recently when he told the House that he would not be bound by the Cawthorne inquiry report in any way and would make up his own mind regardless of what the report recommended. We are in somewhat of a dilemma as to the meaning of those comments in the Minister's second reading explanation. The Minister, in his explanation, further stated:

It may be, however, that as a result of the consultations now taking place between the parties to the system, both federally and in South Australia, and the Presidents of the various Commonwealth and State tribunals, a new centralised wage fixing system will be proposed. In this event, the Government will consider whether further amendments to the Act are required.

He indicates that the amendments that are before us, if passed, will remain, but there may well be other amendments to the legislation. We hope what I suggest is a most undesirable situation where we have this very temporary measure coming before the House. There are two very important inquiries currently in progress, first, by Mr Cawthorne, the Industrial Magistrate, who has been taken off his normal duties to prepare the report on the matters relating to the Industrial Court and the arbitration process and, secondly, a national inquiry currently before the Presidents of the various Commonwealth and State tribunals. That, to me, is a most important inquiry, and one would not want this State to go out on a limb and have a system different from those in other States in the establishment of industrial matters. The aims that the Minister suggests this measure will achieve, which is a greater degree of industrial development in this State, I suggest will be more harmed by this State's going it alone in that area.

I turn to the first fundamental objection that I have to the substance of the measure before the House. The member for Glenelg has recently alluded to the fact that it is a clear intervention with the judicial process. It is not, as the member for Glenelg tried to explain by giving the example of Mr Winter, a solicitor for the Crown Law Department, going off to intervene in a matter on behalf of the State. No, this is the superimposing of a political philosophy by legislation on that court. It establishes a very dangerous precedent in the meddling of the Government of

the day in the judicial process and the independence of our Judiciary and the confidence in which it is held. The confidence in which it is held in the industrial sphere is very important indeed.

Relating this to other jurisdictions, for example if the Government of the day tells the Children's Court that it shall adopt a different policy with respect to children who come from particular types of families, for example, a family where there is a mother, a father and other children in the family born of those parents, then that is imposing a particular political philosophy of the Government on the administration of that court.

An example in the civil jurisdiction is that we may find that the court must take into consideration and hear argument from the Crown on a judgment that the court is to give in respect of a civil matter. The Crown Law solicitor could come along and argue, in a civil action damages matter, that the degree of damages to be awarded would not be in the community interest. We know that damages are not infrequently awarded in amounts of $1 000 000. Obviously, this will have an effect on the insurance system of the State, especially where there is only one insurance company providing a certain type of insurance. It could have an effect on employment and other matters relating to the economy of the State, if there was a sequence of such claims.

It would be abhorrent, however, to upstanding citizens of this State if the Crown went along and argued that the amount of compensation should be reduced to the victim of a road accident, for example, because it was not in the interests of the economy of the State. That concept is completely alien in the administration of justice in the common law world and yet we find that this is what the Government is trying to do in the industrial sphere. It is an abhorrent concept. It is totally unacceptable to the Opposition and I am sure to workers throughout this State. Indeed, it is a direct political interference with the Judiciary of this State. In the Minister's second reading explanation he talks about the political philosophy of the Government. He says:

> The State Government since its election has placed prime importance on the need to restore the strength of the South Australian economy by encouraging industrial expansion and investment in the State, which thus results in higher employment and greater community confidence.

This is pure political rhetoric. The Minister wants to impose that political rhetoric.

An honourable member: The public didn't think so.

Mr CRAFTER: I am sure the public is having second thoughts about that rhetoric at this stage. He wants to impose that in the administration of one tier of justice in this State and in the resolution of industrial disputes. He quotes a precedent for this in the Commonwealth Conciliation and Arbitration Act. The Minister takes some time in his second reading explanation to tell us that this applies only to the Full Bench matters at the Commonwealth level. He wants to impose this on all tribunals in the State sphere, as outlined in this Bill.

There are cogent reasons why economic issues should be discussed at the Full Bench level in the Federal sphere, because we live predominantly in a country that has one prevailing economy, due to our Federal structure. It is difficult to go to a State tribunal and deduce economic arguments that are sound and are accepted generally in the community. There are so many conflicting reasons, doubts and theories about State economies. However, at the Federal level one can be much more precise, more accurate, and more consensus can be achieved at that level.

Many submissions made in the national wage fixing tribunals in the last decade have been on economic issues. This is not a practical proposition for every tribunal to engage in in this State. It would raise serious practical problems for the organisations that represent workers before the tribunals if, on each occasion where the Crown deemed fit to intervene in the public interest on economic issues or on the enforcement of its own political philosophy, there would have to be a very long drawn out, complicated and inconclusive argument on the State economy and on various components of that economy. This would be a most undesirable, divisive and costly system and would mitigate very strongly against the workers before such tribunals. I can see some justification for this in the national interest at the Federal level, and the Commonwealth submissions are a vital part of the national wage fixing structure.

It is interesting to note that in recent years it has been the lack of submissions by the Commonwealth Government to those tribunals, and the negative attitude taken by the Commonwealth Government, which has brought down the confidence of Australian workers in that system and brought about the chaos we are finding today. I have attended some national wage case hearings, and found the bench, time after time, asking the Commonwealth Government for more information and to comment on factors brought up before the full bench, yet the Commonwealth has reneged on that role. In fact, calculations have been made of the Commonwealth's submissions in the past five years or so before the tribunal, and time after time it has argued that there should be no increase in wages as a result of the increase in the cost of living. We see a very negative and destructive role played and one hardly in the community interest. It is purely imposing its own political philosophy on that tribunal, and it has not worked.

There has, however, been a very constructive process between employers and employees in placing before the tribunal basic and fundamental information about the State of the economy, about the ability of industry to pay for increases in wages and in improving working conditions, and about the needs of workers in this country and their inability to keep up the purchasing power of their wages to match the outrages of inflation and to cope in the pay packet with many of the increases that are brought about by direct Government decisions.

We have seen, and few would dispute this, the very destructive role that the Commonwealth has played in that tribunal. In fact, if the tribunal had accepted the advice of the Commonwealth Government, Australian workers would probably be $50 or $60 a week worse off than they currently are. Clearly, the decisions of the tribunal were being ground down by Government intervention. This does not hold out much hope for that being applied in the very narrow State sphere, for the reasons I have referred to.

I looked with interest at some of the other reasons why the Minister has said that this legislation is so essential at this time to this State. One of these advantages, he says, includes lower wages and other costs. Clearly, that is his view. He will try to impose upon the tribunal some philosophy which will encourage the judge or magistrate to provide lower wages for workers. As I have said previously, one of the factors to which the Minister refers is the need for higher employment and greater community confidence in this State; he must encourage investment here—I suggest that by establishing a system of lower wages for workers we will be encouraging skilled workers, particularly, to leave this State. Already our wages are substantially lower in many of the skilled areas. Clyde Industries is a clear example of some of the industrial disputations that have been evident over a long period of time because of wage structures in that industry. We will find that that now very evident flow of workers out of the State will be accelerated and this clearly is not the answer to the problem of attract-

ing skilled workers to industry in this State and, indeed, providing for the growth of the economy of this State.

Secondly, the Minister says that one of the advantages of this proposal is the greater availability of labour. I am not sure at all what the Minister means by the 'greater availability of labour'. One can speculate that he means that there will be a greater pool of unemployed persons in this State and part-time people who will be available to industry as a result of the effect of this legislation on the industrial scene in this State. That to me is a very gloomy outlook indeed, if that is what the Minister is intending to create. I would sincerely hope that that is not what he means by that statement in his second reading explanation. In his second reading speech, the Minister says that there is generally in the community an expectation that there will be a wages explosion in Australia following the collapse of wage indexation. I think that that was referred to earlier by the Deputy Leader in his speech about the concept of the basic wage. There is considerable discussion in the community at the moment about the need to re-establish some concept of a basic wage in our community. No doubt members can recall the basic wage concept of the cost of a man and his wife and two children and their being able to live their life with a degree of dignity and the assessment of a wage to allow that to occur. Yet we found that conservative Governments abandoned that principle to a national wage concept and to the ability of industry to pay. That brought about a situation that eventually broke down and we found the wage indexation system then established and implemented by the court. That, as a result of the conservative Governments, once again has broken down.

We find that at the moment there is really no philosophy of wage structuring and no policy by either this State Liberal Government or its very close Federal Liberal Government colleagues. This is a matter that is very much at large at the moment and there will, as the Minister has anticipated, be considerable industrial chaos in this community until this matter is resolved. Why is this occurring? Why does the Minister predict that there will be a wages explosion in Australia? It is purely and simply because the ability of Australian workers to live a life with a degree of dignity is becoming more and more difficult for them and for their families. In very simple terms, as I see it, if a man is earning $100 a week and inflation is 8 per cent, then at the end of that year he needs $108 in his pay packet to pursue the same amount as he would have done with his $100 at the beginning of that year. Yet he has found that, with partial indexation, in that scale he has been slowly slipping behind $2, $3 or $5 per year. In fact, as I said before, if the Commonwealth Government's submissions had been accepted he would have been further behind than that.

It seems very important that we now try to re-establish some concept, whether it be around the indexation principles or the basic wage concept, so that Australian workers can have the purchasing power of their wages restored. This legislation is an indication of the short sightedness of this Government and its Federal counterpart in relation to this problem. They are only concerned about worker's wages. It is an easy area to strike, particularly by a piece of legislation of this nature. One can just go off to Parliament, if one has sympathetic members who have a majority of numbers in that Parliament, and pass legislation to deny workers a just wage and do that in terms of the State's interest of the welfare of the State, the economy of the State and growth of industry in the State. No policy is coming forth from either this Government or its Federal counterpart about price control, or about many of the other facets of our economy which would bring about some rationale, balance and confidence in the community in the ability of the Government to cope with these complex matters. It is simply easier to strike out at the workers. The Government knows that this will bring great industrial disputation.

If workers are further denied their just wages, and their ability to work is all they have to offer and bargain with, the further they will be oppressed, which will lead to a politically advantageous situation for conservative Parties. This is the scenario, because the only way in which workers can express their oppression is by striking or by some other industrial dispute, which is not popular in the community.

An honourable member interjecting:

Mr CRAFTER: That is something which the member opposite enjoys exploiting. He and his colleagues, prior to the last election in this State, gave a clear example of the exploitation that the present Government made of that situation, and clearly that is not in society's interests.

This legislation deserves to be set aside. As I have suggested, we should wait and see the outcome of these inquiries, one of which was initiated by this Government, which it obviously intends to ignore, and the other a very proper inquiry at the Federal level. We should not try to become the enforcer State, the State that uses great legislative weapons to oppress our working people, to deny their just wages, however it is disguised.

Finally, I reiterate my great concern about imposition of a political philosphy on the judicial system. I am worried that this is a precedent which, if taken into other jurisdictions, will have disastrous effects on the very foundations of government in this State, and particularly on the independence of the Judiciary.

Dr BILLARD (Newland): I do not want to spend a great deal of time on this, but I think that, because of the rather extraordinary circumstances that surrounded the debate on this Bill, and the debates leading up to the introduction of the debate this week, some comment is called for. When we look at the Supply Bill debate which, in normal circumstances would have taken perhaps eight minutes, but which earlier in this sitting took 12 hours, and at the extraordinary happenings earlier today, the extraordinary series of moves to try to suspend Standing Orders earlier this afternoon, and at some of the rather extreme comments made by Opposition members on this Bill, we must look behind those comments and events and try to see what there is in this Bill that is so extraordinary and that justifies such unusual practices and circumstances that we have seen this week.

The clause that is the genesis of the Bill is clause 7, which amends clause 146b directing that an industrial authority shall consider the state of the economy of the State and the likely effects of the determination on that economy, with particular reference to its likely effects on the level of employment and on inflation. I think that is agreed as the genesis of the Bill, the clause that has caused such an extraordinary reaction. It surprises me.

The clause, as was mentioned by the member for Norwood, really fulfils a similar role to section 39 of the Commonwealth Conciliation and Arbitration Act, as was discussed by the Minister in his second reading explanation. I want to direct the House's attention to events early last year during a debate on quite a different Bill, but which, nevertheless, had elements which called upon the same principles. I refer to the Planning and Development Act Amendment Bill and to debate on that Bill in this House on 2 April 1980.

I want to quote from the member for Mitchell's contribution. If you remember, in the discussion on that Bill some concern was expressed that in approving new shopping developments consideration was not given to the wider economic implications of the proposed developments. I

quote from page 2062 of *Hansard*, where the member for Mitchell said:

I refer to the question of the economic viability of other traders in the area—

and I emphasise 'other'—

a factor that should be taken into account before there is further proliferation of retail development in a given area.

So, in fact, the principle has been accepted by the Opposition that there is a place for consideration of wider economic impacts of decisions which may be taken by an authority which otherwise might have been considered to be simply between two parties.

The Hon. R. G. Payne: I think you will find that the Minister was against that, though.

Dr BILLARD: No, I think the principle was generally accepted, as a result of discussions between the two Houses at that time. I am referring to the debate that occurred after reporting back to this House from that meeting. So, the Opposition has already accepted a very similar principle to the one embodied in this Bill. It is not a new principle; it is not an extraordinary principle, but is an entirely reasonable principle that people affected by a decision should have the right to have their problems and concerns considered.

We have references, such as that made by the member for Napier, to this Bill as having 'Draconian powers'. He went to great length in comparisons to Mussolini and references to Fascism. The member for Napier referred to the Bill as 'police State like action' and 'iniquitous', and other references were made by the member for Norwood. We should look to Opposition members' motives in opposing this Bill.

In opposing the basic principle of this Bill, they are opposing the interests of people of this State, because the way in which clauses are written clearly indicates that the industrial authority must consider the impact of its decisions upon the people of this State, in particular, upon the economic well-being of the people of this State. So, what the Opposition is doing in opposing this principle is not siding with the people of this State. The Opposition is not taking their side and seeing that their rights and well-being are preserved. The Opposition is taking the side of those who may want through their industrial action to damage the economy and job opportunities of others.

The Hon. R. G. Payne: Who are 'they'? Who would want to do this?

Dr BILLARD: By implication, the Opposition, in opposing consideration of these matters, is saying that the well-being of the people of South Australia should not be a consideration.

The Hon. R. G. Payne: You are so terribly intellectual about it all. Give us facts.

Dr BILLARD: Those are the simple facts. If there is a dispute, where the result or settlement of that dispute is between a group of workers and management, it may result in harm being done to other individuals who were not involved in the dispute—

The Hon. R. G. Payne: How many of those sorts of discussions have you attended?

Dr BILLARD: I suggest that there are many situations where that could easily occur, and I rather question the motives of the Opposition in seeking to avoid the situation where those considerations can be made. Obviously, the Opposition is not interested in seeing that the wellbeing of the people in this State is upheld. In fact, one assertion was made by the member for Napier that the A.L.P. in its stand was supporting the weaker unions rather than the stronger unions. I would assert, to the contrary, that in a situation where wider ramifications are not considered, it is the weaker unions that get hurt. It is the more powerful unions that will win, and it is the weaker unions that do not have the industrial muscle and will not have the impact of other decisions considered on their own members.

I simply want to bring home that point as strongly as I can, that in fact the Opposition in its stand is taking a position which is opposed to the interests of the people of this State. It implied as much when it suggested that what the Government is trying to do is set up a situation of industrial strife so that it can go out and win an election. By implication, the Opposition is saying that if that happened the Government would get public support. That is an admission that the Opposition would not have public support on this issue.

Other comments have been made, particularly by the member for Mitcham, about how rapidly this Bill is being considered. He suggested that it is being considered with undue haste. I would suggest, to the contrary, that most Bills that enter this House have their consideration completed in this House in a day. The honourable member suggested that a week is too short a time. I find it extraordinary that he should suggest that the Government should not proceed with this legislation simply because at tea time last night he told the Minister of Industrial Affairs that his Party would oppose it.

The Hon. R. G. Payne: It was pretty courteous of him, really.

Dr BILLARD: I find it extraordinary that he would expect that the decision on whether or not the Bill should be proceeded with in Parliament should hinge on comments made at tea time and not on consideration that occurs in this Chamber.

It is entirely proper that the Government should proceed with this Bill and that it should attempt to have the Bill through this House in reasonable time, given reasonable consideration, which I am sure has been given to all parties interested in it.

I refer to the comments of the member for Norwood. On a couple of occasions he said that a similar clause appeared in section 9 of the Commonwealth Conciliation and Arbitration Act and was in that case all right. He said there was only one economy in Australia—meaning the national economy—and that it was therefore all right for consideration of economic effects to be considered at a national level but not at a State level.

There may well be other inconsistencies in the way that he pursued that line of argument, but I want to point out that there are economic differences in South Australia. Yes, we do have a national economy, but there are differences from State to State. For example, we all recognise that housing costs are substantially different in South Australia. We have the advantage of good cheap housing in South Australia, as has been the case for many years. That is a very significant difference for any worker living and working in this State. Secondly, there are economic considerations resulting from the differences in the structure of the economy in each State. In fact, the Leader of the Opposition last week was seeking to make great play of those differences when he alleged that the Federal Budget had specific impact in South Australia. Obviously, he was alluding to the fact that South Australia was relatively more dependent on the manufacturing industry than other States.

True, there are differences in emphasis in the economy from State to State. As has often been said in this House, we have a much smaller mining industry at present. That has considerable economic consequences for this State, and it means that measures at a national level and that industrial decisions taken at a national level which may be correct or adequate when considering the nation as a whole, may have different effects in South Australia because the emphasis

of our industry is different from that of the nation as a whole.

Therefore, I argue strongly that there are economic differences from State to State and that it is entirely proper that this consideration of economic impact, which the member for Norwood says is quite appropriate at a national level, be also appropriate at a State level. I leave my remarks at this point, and I summarise by saying that the controversy which has surrounded the introduction of this Bill has been quite extraordinary, and I believe that, if we are to understand the reasons for it, we must look beyond the implications of this Bill, which seeks to establish a principle which is entirely reasonable and which has been accepted by the Opposition in earlier forums in other circumstances. We must look perhaps to who influences the Opposition outside this Parliament and perhaps at the influence of unions in this State upon their own attitudes expressed in this House.

Mr ABBOTT (Spence): I rise to oppose this Draconian piece of legislation. I do not intend to speak at any great length, because this Bill is not really worth speaking to. It is regressive, provocative and Draconian, and it is a step backwards in the history of industrial relations in South Australia. It is a very bad Bill, and one that this Government will regret ever having introduced.

The Opposition rejects it, as does the trade union movement. It appears that the Government prefers confrontation with the trade union movement to peaceful harmonious and proper conciliation and arbitration. We can still hear the echoes of the Minister of Industrial Affairs, when he first became the Minister, saying to this House in many speeches that he wanted to work in close harmony with the trade union movement. I think that the introduction of this Bill clearly shows that he was not sincere when he made those remarks in the early days of this Government.

Wages and working conditions are the only fully controlled commodity in Australia today. When workers, through their trade unions, want increased wages, they have to present a case and argument in support of their claims to the Conciliation and Arbitration Commission. If that case, its presentation and its argument are not accepted, or if they are not good enough, then they do not receive anything. That happens quite often. It is not like the situation in supermarkets today which daily jack up the prices of goods. The Minister would do very well if he introduced legislation to control the prices of goods about which housewives and everyone in the community complain every day. When they want to increase their prices they just simply put them up—it is as simple as that. They do not have to present a case or argue for that increase to anyone or any tribunal; they just put the price tags on them and up go the prices. If the Minister would look at legislation to control prices it would be much better than is this legislation.

All the trade unions have ever asked is the right to work in employment, security of employment, and a fair standard of living: no more and no less. That is their right, but it appears that this Minister and this Liberal Government do not want that. The Minister wants the right to step in and intervene in everything, just as he sticks his nose into every other Minister's portfolio. Clause 7 of the Bill refers to industrial authorities paying due regard to the public interest. An article in a journal on industrial relations entitled 'The wages of the strong and the weak' by Barry Hughes, of Flinders University, quotes Mr D. G. Fowler, as follows:

> It follows from the acceptance of 'public interest' as a cornerstone of industrial arbitration that there flows a more even distribution of the fruits of economic progress, and this is the foundation of an egalitarian society in an economic sense.

The Minister says that South Australian wage increases should not be greater than those occurring in other States. The Miscellaneous Workers Union, in most awards, has not sought wage levels above those interstate, and it would be happy to receive comparative wage justice. Would the Minister support claims to catch up to interstate wage levels? If the Minister means that South Australian wage increases should not be greater than interstate increases, then he deliberately hits at the commission guideline that provides that if an award has not received $8 since July 1978, a comparative wage justice can be mounted, which, on proper principles may mean more than $8; for example, this happened with the Government hospitals ($14.30), fairly argued through the system. In the same article, by Barry Hughes he quoted comments of Professor J. E. Isaac, as follows:

> The criteria on which wages are fixed are substantially the same under both collective bargaining and compulsory arbitration. The interpretation of these criteria and the relative weights attached to them, however, vary from one situation to another under both systems. It is likely that in most cases the compromise reached under one system would not be very different from the compromise under the other system.

In that article, Mr Hughes went on to say:

> It is frequently asserted that the existence of a national arbitration system has imparted to Australian wage fixation a more egalitarian flavour than found elsewhere. Unlike collective bargaining systems it is sad that wages are not determined in proportion to the power of the unions concerned, but in terms of what is fair having regard to the particular work done and the wages being paid for work which is comparable. Like most national myths this proposition is often treated as a self-evident truth for which empirical confirmation would be superfluous.

It would appear that the State Government has not learnt from the mistakes of the Fraser Government in the industrial relations arena. The introduction of regressive legislation by the Federal Government has done nothing to improve good industrial relations on a Federal level, and it will not help in South Australia either. The Industrial Relations Bureau, for example, is a complete flop—it has not worked and is not likely to work. Also, the threats of the Fraser Government to deregister a number of unions and the threats of very heavy fines have not worked and they will solve nothing. The same will apply to this legislation; it will not work, and the Minister may well find that he is forced to back down, as Mr Fraser and his colleagues have been forced to do on many occasions in Canberra.

Let us look at the record of industrial disputation in South Australia. For almost 10 years under the Labor Government we had the best industrial relations record, with fewer days lost through industrial disputes than any other State in the Commonwealth, and this was due in the main to the former Labor Ministers, particularly the Hon. Jack Wright, who worked on the basis of negotiation and conciliation. He sat around the table and talked to the trade unions, and that system worked very well indeed. There has been a lack of consultation by the present Minister, and this could very well mean the beginning of a worsening position of that excellent record under Labor—that is, of course, assuming that it is not already worse. Take last night in this House, for example, and the way in which the Parliamentary staff were treated, the *Hansard* staff, for example, and the refreshment room staff, where one female employee started work at 8 a.m. yesterday and had to work through until 8 a.m. today.

Mr Lewis: She's got you to thank for that.

Mr ABBOTT: The staff have not got the Opposition to thank for that at all, and the member for Mallee knows it. It was the fault of the Government, which broke the agreement that was made with the Deputy Leader on this side of the Chamber.

The SPEAKER: Order! The honourable member will come back to the Bill now before the House.

Mr ABBOTT: Thank you, Mr Speaker. The point that I wanted to make was that if anyone else was asked to work those conditions that the Parliamentary staff were required to work last night they would strike immediately—including Government members.

The Minister is now seeking powers to force any industrial agreement to be registered; otherwise, it would have no force or effect. This has serious implications where many agreements are reached between the parties and abided by without recourse to registration in the commission. It may mean that workers would have difficulty in suing for rights under agreements which are not registered.

In my experience as Secretary of the Vehicle Builders Union in this State for a period of some five years, we had a number of agreements working in the vehicle industry with General Motors-Holden's in all their plants in South Australia; we had agreements in operation with Mitsubishi, formerly Chrysler Australia Limited, and we had agreements in the retail repair motor industry in something like 90 per cent of the areas covered by that union. Many of those agreements that have been in operation were introduced in the early 1930's and they are still in operation and they are working very well indeed.

Mr Becker: Were they registered agreements?

Mr ABBOTT: Some of them are registered and some of them are not, but that is beside the point. Those agreements were negotiated with the employers; the employers wanted them; they are very happy with them and they work very well, for the simple reason that, when those agreements are in existence, there is less industrial strife in the industry, and we should not take any action that would bring about the loss of those agreements.

Since I entered this House in 1975, I have never ceased to be amazed at the attacks that the Liberal members of Parliament continually make on the trade unions. They do nothing to assist harmonious industrial relations, and this is always most notable at elections. It is pure union bashing. It is about time that the Minister got off the workers' backs and gave them a fair go. It is all very well for the Minister and his Cabinet colleagues, whose salaries are all around $50 000 a year, but the workers in factories are struggling to survive, struggling to meet the Government's increased charges and increased interest rates, etc. I hope that this Bill will be defeated and I urge members of the House to vote against it.

Mr LEWIS (Mallee): I rise on this occasion to rebut in substance the arguments put by most of the members opposite which, to any economist, are quite patently absurd.

Mr Slater: Are you an economist?

Mr LEWIS: I will leave the honourable member to judge that. Quite clearly members opposite want it both ways and they have conned the labour force of this country as those people emerging from the metamorphosis of the trade union representative system and advocacy system into Parliamentary ranks. They have a vested interest in retaining the kind of structure that presently exists. They have a vested interest in ensuring the survival of the confrontation system of adversary advocacy that produces disputes, not avoids them.

They have a vested interest in doing that, and clearly, whenever they find the opportunity to do that they do it here, as they did last night and they have done it throughout their past lives, and their whole careers have been built around successful confrontation and advocacy in that situation. Witness the kind of things that happen in the industrial relations area, where unions stand up after having served a log of claims on employers and immediately indulge in strike action to soften them up. That happens constantly; we see report after report. I do not have the time, nor would I waste the time of the House to give a chapter, book and verse list of the number of occasions on which that has occurred even during the past 12 months.

The militant unions in this country certainly do it, and they were aided and abetted in their turn and their time by people such as the member for Florey. Regrettably, that kind of behaviour produces two things. First, it produces a real wage overhang from which this country suffered for about eight years—from the time of the industrial unrest in the term of the McMahon Government right up until last year. In fact, because of the technological change that has taken place since then it is not possible to be certain (although I rather suspect) that there is not still a real wage overhang and that those people who have jobs enjoy the kind of prosperity that the conditions and wages of those jobs produce for them and their families, and they do it at the expense of those who do not have jobs.

Mr Lynn Arnold: On $160 a week.

Mr LEWIS: Indeed, the dole is less than half of that. Nevertheless, it is possible to survive and live with dignity on the dole.

Mr Lynn Arnold: On $160 a week?

Mr LEWIS: Yes. That is a much better figure than what those people on the dole have. The member for Salisbury knows what I mean when I speak of the real wage overhang. What all honourable members need to recall is that the money spent by wage earners calls up goods and services from suppliers and, depending on the kind of demand, the supply for those goods and services will be expanded to the point where it can supply the demand. However, just because some people are being paid more than others who are in jobs compared with those on the dole, it does not mean that it will automatically, by pushing up wages, increase the number of job opportunities. In fact, the economy can be balanced where a situation of considerable unemployment exists and in which there is no excess demand nor excess supply.

Mr O'Neill: Tell us how to do it.

Mr LEWIS: Very simply. If honourable members do not believe me they can read a book written by the Labor Party's top economic adviser, none other than Professor Harcourt. There are two chapters in the book which explain how that phenomenon arises. It is regrettable—

Members interjecting:

The SPEAKER: Order! The honourable member for Mallee has the call.

Mr LEWIS: I should like to point out, particularly for the benefit of members opposite and for anyone who may care to listen, that one thing has never been properly brought to account in determining the price of anything, (whether it is labour or any other commodity) is brought to account whenever investment decisions are made; whether in a log of claims by a trade union, or in a factory by a corporation; the one thing that is never brought to account at that point in time is the social consequences of that decision. That is the reason why people feel alienated from the system. Clearly, this Government has made a move in the right direction if we are to ensure that the boat will remain afloat: the boat being the society upon which we all depend, and in which we all live with other people upon whom we therefore have to depend for their respect for the same laws and order that enable us to daily go about our business in peace and safety.

I put it to members opposite that it is that lack of respect growing daily that will produce the kind of violence in this country that we have seen recently in England. It is an alienation of those people who are denied social justice by a wage fixing system which relies on those people within that system having a closed shop access to all jobs available

and fixing the price for those jobs to preclude the possibility of any entry of a greater number of unemployed into any of those jobs. A closed shop union is no different from a monopoly corporation. It has absolute and total control of the price it charges for the commodity (the labour of its members) and the amount of that labour that it will supply. It does not give a damn for the social consequences of its advocacy before the arbitration and conciliation system. This Bill produces a situation in which that can occur, and that is some improvement. As has been pointed out, existing provisions of the State Industrial Conciliation and Arbitration Act do not require or indeed allow the commission to have any regard for the current state of the South Australian economy and the effect that the claimed increase in wages or conditions would have on the economy.

Again, I mention that, if we ignore the social implications, then we ignore the real needs of people overall. It is not good enough to say, 'I'm all right Jack, to hell with you'—

Mr Abbott: They never say that.

Mr LEWIS: They always say that by inference when they go for a wage increase in any log of claims which precludes the possibility of the employer extending the number of hours worked in the industry, therefore expanding the number of jobs available.

Mr Abbott: They help with productivity and they help make—

Mr LEWIS: That is not so, and the honourable member knows it. If they are happy to do it, all members opposite should be applauding the introduction of this measure, and not seeing it, in their paranoic manner at this time, as being in any way a big stick with which to beat them. It indeed cannot be by virtue of the kind of Conciliation and Arbitration Commission system into which it has been injected. Employers cannot use it to beat unions. In commenting on the commission's lack of jurisdiction in this respect the Full Budget on 3 July last stated:

> Nowhere is any mandate given to the commission, in relation to proceedings pursuant to section 36, to look outside of the industrial questions raised before it and, for example, frame its decision according to general economic considerations touching upon the community at large. Its prime concern must be directed to the determination of the industrial issues arising between the parties—

not the wider community, the Commissioner said—

> subject to its awards.
>
> We agree with a submission put to us that the South Australian tribunal is not constituted as 'some form of economic committee of inquiry'. Under the Industrial Act our approach must principally be the product of industrial relations considerations. At best general macro and micro economic aspects arise only as peripheral, or background facets to the extent that they can fairly be said to be inextricably intertwined or at least closely connected with industrial relations considerations and attitudes.

Thus, these economic considerations are not central to the consequences of the decision. There is nothing in it to do with the social consequences of the decision, or anything to do with the development of the economy that could produce a far greater number of jobs if there was not a monopoly in the trade union movement. That is what closed shop unions are. I repeat that they are monopolies, just like the single suppliers in any market place.

An honourable member: The multi-nationals.

Mr LEWIS: Yes indeed.

Mr Abbott: What a lot of rubbish.

Mr LEWIS: Members opposite have got it whipped at the moment, and they perpetrate that kind of inane stupidity and illogical statement on all members of the trade union movement so that they will ensure the survival of the system which provides a career structure ladder from shop floor representative to union secretary to Parliament. That is the way it goes. That is why the system must be preserved. Would honourable members believe that research reveals what the Labor advocacy proved in the economy whilst it succeeded in misleading people—

Members interjecting:

The SPEAKER: Order! The honourable member for Mallee has the floor and he is the only member that I wish to hear.

Mr LEWIS: What needs to be remembered is that it is said that you can fool most of the people most of the time. Presently market research reveals that more people are beginning to understand.

Members interjecting:

The SPEAKER: Order! The honourable member for Price and the honourable member for Florey have had the same warning as have all other members. I do not want to hear them again.

Mr LEWIS: I refer now to a production of opinion research entitled 'A National Opinion Research Study, Perspectives on Productivity: Australia', which was conducted by a respectable Australian firm, McNair Anderson and Associates Pty Ltd. The survey was conducted this year and late last year, almost simultaneously in many countries around the world. The information it contains is very enlightening and reveals the attitudes of people in the work place. These attitudes are not entirely consistent with the myths that have been perpetrated on those people since the rise of the labour advocacy through the organised trade unions as a phenomena such as we have seen it develop in our Western civilisation this century. In the first place, chapter 1, point 6, states:

> The work force saw many more advantages than disadvantages for themselves in increased productivity.

In other words, if there is increased productivity there is increased welfare. There is more to go around. It was further stated:

> The main advantages were related to job opportunities.

Thus, the relationship was seen. Lower prices and an improvement in the standard of living result. A concern was shown in that attitude for the need to consider the social implications of the decisions that are to be made when the price of labour is fixed by an arbitration and conciliation commission. In that case, no supermarket chain or one supermarket shop would have a monopoly. Competition between the individual suppliers determines that none of them can ask an unreasonably high price according to the way in which the consumer assesses fairness in each case. The kids learn to work in those circumstances and perform tasks that are not too difficult for them. They acquire good, healthy and thrifty habits. It is work experience for them. Do not tell me I was a scab when I went out and trapped rabbits, cut mushrooms, collected wattle gum, cut bamboos, stripped wattle bark, picked apples or shore sheep before I joined a union.

Members interjecting:

Mr LEWIS: The A.W.U. Just ask the member for Peake. Another matter I would like to bring to the attention of members opposite, since it relates to the considerations that this Bill determines should be introduced into the arbitration and conciliation system, is point 4 of chapter 3, which states:

> Of various steps the Government could take to improve Australia's economic growth—

that is social welfare, benefits for everyone, so that the bigger the cake the more we all get—

> the ones seen by the work force and the leadership groups—

whether in public administration or whether they are business executives—

> with a fair degree of unanimity were: the encouragement of greater co-operation among business, labour, government and special interest groups—

and that includes the entire community. At present, that system precludes everyone else except the advocate for the closed shop monopolistic trade unions supplying the labour and the advocate for the employers. Other points with which there was accord were as follows:

. . . provision of Government funding to retrain and relocate workers in failing industries; the provision of financial incentives to business for more spending on research and development; and the institution of an across-the-board tax cut.

Those kinds of things are the nub of the question of producing greater welfare for the entire community. Those attitudes are already present in the communities that were surveyed, including the Australian community. Members opposite will be interested to know that they do not have the support of the Australian work force in their attitude that this measure will not succeed. The underlying, subconscious attitude of the work force, clearly spelt out, is that it wants a greater measure of social accountability in the decisions that are made and the way in which they will affect the broader community, in comparison to a narrow preoccupation with the views put by the advocates on each side, as though it were a gladiatorial contest.

Mr Whitten: What does all that mean?

Mr LEWIS: I will tell the honourable member later if he does not understand. I have only 13 minutes left. Chapter 3, point 10, states:

Union leaders (88 per cent) and public administrators (62 per cent) believe that the very best way to achieve economic growth is for government, business and labour to agree on a desirable national economic plan and work together to achieve it.

In other words, it was believed that there should be a consideration of the social consequences whenever any awards were made in response to a log of claims. Members can read this booklet, which is available in the Parliamentary Library. Chapter 5, point 1, states:

Both the work force and the leadership groups were asked the extent to which a series of possible measures would improve overall productivity. Better relations between management and workers was the most effective measure according to all respondent groups. The next two most important items overall were employees getting financial rewards for productivity gains and the use of better equipment and tools.

That does not mean straight-out productivity; it means increasing productivity. Therefore, they are concerned to ensure that the business for which they work is able to expand its work force and improve its technological base. I put to members opposite that that is part of the social contract that must be considered whenever we decide to increase the cost of labour, because by increasing the cost of labour we increase the cost of, say, pies. If we increase the cost of pies, fewer people can afford to buy them, and thus fewer pies will be required by the population at large. The work force needed to make those pies will thus shrink; it will not expand.

Mr O'Neill: Your mob puts horse meat into them.

Mr LEWIS: I would have thought a unionist might be involved somewhere. Such an inane interjection deserves to be highlighted, because of its irrelevance to the Bill. Chapter 6, point 6, states:

If productivity increases were to become a basis for wage increases, then company executives would prefer the increases to occur mainly in those industries where the productivity increases occur. . .

That opinion was shared by the union secretary of the work force, who was also interviewed. Chapter 6, point 9, states:

There was almost no support for higher rates of pay—

and members should remember this—

if a person worked flexible hours in the sense of a 7 a.m. start and a corresponding two hours earlier finish to the day.

In other words, the workers wanted to do away with penalty rates, because they understood that the social consequences would be to price their labour further out of reach of a greater share of the market that might otherwise be able to afford their labour.

Mr Whitten: Surely you must be joking now?

Mr LEWIS: I am merely quoting scientifically valid, sound survey results.

Mr Hemmings: But you're still joking.

Mr LEWIS: I am not joking. I am deadly serious. Point 11 states:

All respondents were asked to think about rates of pay in industries such as tourism, hotels and retail shops, where individuals are frequently required to work on evenings and weekends as part of their normal 40-hour week. There is little support from the work force, or other groups except union leaders . . . for a two or three times penalty rate.

So, it seems that the union leaders, and their confreres, the people we are hearing so ardently defended by members opposite today in this debate, are isolated from their workforce. The workers do not share those views. This survey clearly shows that.

I believe that this Bill goes some way towards producing a more desirable, responsible and responsive environment to the sociological and economic consequences of any wage claim decision made by the Arbitration Commission. It does not go far enough. There needs to be a greater measure of participation by the workforce in responsible decisions made by employers, in the same way as might otherwise arise if workers were encouraged to take shares in the firms for which they work, and if tax incentives were deliberately provided for them.

I refer particularly to the plan which is commonly known amongst those people widely read on this subject as the Scanlon Plan, introduced in recent years by a man called Kelso in the United States, with great success and great effect. What is more, I believe that we should address those issues and find for ourselves an environment of consultation where both sides of the coin are looked at before prices of any item 'including labour' are put up. Consultation is better than a simple narrow confrontation which produces continuously a greater loss in productivity than would otherwise be the case.

We should examine the structure of the conciliation and arbitration organisations in Australian society at least, if not elsewhere, to enable consultation to be undertaken, because if we persist with the confrontation system of adversary advocacy, all we are really doing is rearranging the deck chairs on the *Titanic*.

Mr LANGLEY (Unley): I admit one thing concerning the member for Mallee. Towards the end of his speech he at least got somewhere near the point. The rest of his speech was poor. We went to Point McLeay recently, and he interfered with the ballot up there.

Mr LEWIS: Mr Speaker, I take exception to those words 'interfered with the ballot' and I ask that they be withdrawn.

The SPEAKER: Order! The honourable member has an opportunity in another sphere to have such words removed from the record. I do not take it from what the honourable member said that he was personally impugned by the words, but that he was concerned. They are not words that have been required to be taken out of the record in debates in this House, in the same manner as other words which have previously been listed.

Mr LANGLEY: I am not very perturbed about the statement I made.

The Hon. D. C. Brown: I'll bet you would not make that statement outside the House.

An honourable member: He wouldn't have the guts.

Mr LANGLEY: I have a bit of a gut. The Minister interfered—the Minister would not have the guts to say outside some of the things he said in this House, either.

The SPEAKER: I ask the honourable member for Unley to come back to the matter before the House.

Mr LANGLEY: During the course of this debate I have come to the opinion that the Minister would never take over as an umpire. Umpires are sacrosanct. The member wants to take away something that has never been in the history books of South Australia.

The Bill will not be for the betterment of anyone: there will be more strikes. The Minister thinks he is a Gee Whiz: he is a whiz. I give an assurance to the Minister and to the members for Todd and Newland. Many big companies in South Australia are a closed shop, where everyone joins the union.

Mr Ashenden: Only because they are forced to.

An honourable member: You're joking!

Mr LANGLEY: The member tells me that he comes from the motor trade.

The SPEAKER: Order! The honourable member for Todd is not assisting the debate, and the honourable member for Unley is further straying from the content of the Bill. I ask the honourable member for Unley to come back to that. Otherwise, it will be necessary to withdraw his leave to speak.

Mr LANGLEY: I will go by your wishes, Mr Speaker.

The Hon. D. C. Brown: Have you read the Bill?

Mr LANGLEY: Has the Minister read the Bill? I am sure he does not know what will happen about it. It will affect a lot of people throughout my district. The Minister wants to do one thing that has never been done before. Can the Minister tell us that he is not jeopardising the workers of this State? He wants to be able to go to the one who adjudicates and tell that adjudicator what he is allowed to do and what he is not allowed to do. Recently the Minister had a bit of trouble. He opposed something and, instead of some of our workers getting an increase of about 3.7 per cent, they got about 4.5 per cent. If the Minister continues that way, he will be doing a very good job.

The member for Mitcham has said today that the Bill will not go through the House this week, and the Minister could not get down to another place quickly enough to speak to a person there. That shows how well the Minister thinks he is going. I do not want to delay the House, but I assure the Minister that, whatever he may do, the legislation will not go down. He is getting to the stage where he does not know where he is going. He spent half an hour trying to con someone, but members on this side and the people in my district cannot be conned. My constituents are workers. Some may be Greeks and Italians, but most are Australians.

The most successful thing that happened so far as the union movement was concerned was when that movement got closed shops, and the Minister knows that. He will reply to the debate in his usual adamant manner. I will bet that members opposite will not go out in their districts with my speech. I do not want them to do that, but I assure them that the workers in their districts will make it difficult for those members to retain their seats. The member for Todd always laughs. He was one of the great admirers of the worker. Now there is an opportunity for him to vote as he pleases, because the Bill will prevent people from getting employment. South Australia has the worst unemployment figures.

Mr Ashenden: Who made it that way?

Mr LANGLEY: I assure members opposite that the worst unemployment in this State has been brought about by the present Government. The Premier said that he had 10 000 new jobs, but he does not speculate on how many persons have lost their jobs. The matter is reported in the newspapers on many occasions. I assure members opposite that they can go out into the districts—

Mr Ashenden: I don't see you out there.

Mr LANGLEY: I have door-knocked in my district.

Mr Ashenden: And so have we.

The SPEAKER: Order! I warn the honourable member for Todd. The honourable member for Unley will come back to the Bill.

Mr LANGLEY: I think I have said all that I want to say. The member for Mitcham has said that the Bill will not go through this week, and I assure members opposite that the people in my district will not be happy about the measure.

The Hon. D. C. BROWN (Minister of Industrial Affairs): As I close the second reading debate, I suppose it is normal and traditional for Ministers at this time to thank honourable members for their contributions. I find that hard to do on this occasion. I think that what we have heard for the past seven hours of second reading debate must go down as some of the most inaccurate and ignorant debate that I have heard in this House. Much of it has been piffling and fantasy. There has been a certain hollowness in the words spoken, and I think that what I will say will highlight that. What is more important is that there has been a great deal of hypocrisy, starting from the first speaker from the Opposition and continuing through the Opposition speakers this morning and this afternoon. I will deal with the broad principles of what this Bill is all about.

The Hon. J. D. Wright: It's about intervention, and you know it.

The SPEAKER: The honourable Deputy Leader of the Opposition will assist if he makes no further comment while the Minister is replying.

The Hon. D. C. BROWN: If we look at the general principles of what this Bill is all about, I think that will highlight the absolute rubbish to which this House has been subjected in the past seven hours. The first point is that, under the Industrial Conciliation and Arbitration Act of 1972, there was a power for the Minister to intervene in the public interest, and that power was put there by a Labor Government, some of the members of which are sitting opposite.

The key factor in the debate for the past seven hours, that this Bill is going to give the Minister a significant new power of intervention, is absolute rubbish, because the power has been in section 44 of the Act for the past eight or nine years, and was put there by a Labor Government. I think that fact highlights the shallowness, hollowness, and hypocrisy of most of what has been said in the second reading debate.

The Hon. J. D. Wright: Well, why do you want this legislation?

The Hon. D. C. BROWN: I will explain that soon. It is a pity that members opposite did not have the common sense to read the second reading explanation and to try to understand what it is all about, or to read what the Bill does. The second point is that the Minister has power under section 44 of the Act to intervene in the public interest, and that public interest is not defined in the Act. The legislation refers in very general terms to public interest. The same public interest is picked up in the Education Act when dealing with the Teachers Salaries Board, and soon I will deal with the piffling argument brought forward by the member for Salisbury on that matter.

I highlight the fact that, as Minister of Industrial Affairs, I have always had that power, and I think the history of the past 18 or 22 months has shown that it has been used to the benefit of the State. It has been used on very few

occasions and has not had an adverse effect on industrial relations in South Australia.

The accusation has been made constantly that this Government wants to become an interventionist Government. It was the former Minister of Labour and Industry, the now Deputy Leader of the Opposition, the man who led the Opposition in this debate, who in fact used that same power to intervene in the public interest as Minister of Labour and Industry. This was highlighted so well by the member for Glenelg. If that is the case, as he no doubt knows, because he was the one who had to originate it, then all the points raised about this significant new power of intervention have absolutely no substance whatsoever.

The next point is that the Industrial Commission of South Australia has had the power to sit down and look at the industrial relations implications and its decisions. It has not had the power to sit down and look at the economic consequences of its decisions. This was taken up by the President of the commission in handing down his decision on the recent State wage case. I repeat to the House what he said in the Full Bench decision on 3 July 1981, as follows:

> Nowhere is any mandate given to the commission in relation to proceedings pursuant to section 36 to look outside the industrial questions raised before it and, for example, frame its decision according to general economic considerations touching upon the community at large. Its prime concern must be directed at the determination of the industrial issues arising between the parties subject to the awards.

We have in this State a State wage case which went on for many weeks with the United Trades and Labor Council, the various employer associations, and the Government, putting various economic arguments. We find that at the end of that case the Full Bench had to admit to all of the parties involved that it did not have the power to take into account as a prime concern the economic arguments offered.

Irrespective of whether it went against the Government or for the Government, against the employers or in favour of the unions, or vice versa, it just did not have that power. The President of the Industrial Commission highlighted that in his decision. It is not, as has been suggested, that the Government is going to step in and take the place of the President of the Industrial Commission. Under this Bill we are asking only that the Industrial Commission, in its decisions, at least has the power to look at the economic arguments being put as well as the industrial issues.

Mr Hamilton: You said, 'shall'.

The Hon. D. C. BROWN: All right. 'Shall have the power'; 'will' and 'shall' to me are exactly the same thing. Whether it be 'will' or whether it be 'shall', they shall take account of the economic arguments as well as the industrial issues involved. Arguments have been raised about the introduction of this broad new principle. After all, it is the responsibility of the Government to lay down the principles by which the Industrial Commission should operate. The Government is the body which formulates the policies and the Industrial Commission carries out those policies. It is the responsibility of this Government to make sure the principles by which the commission and the Industrial Court must abide are reasonable principles. One would have thought, according to the debate, that we were introducing for the first time a most significant new concept in Australia's industrial relations and yet I point out to honourable members opposite that this principle has applied within Australia under the Commonwealth Conciliation and Arbitration Act for many, many years and it has operated under both Labor and Liberal Governments. I ask honourable members present who have heard the argument; how does that fact relate to the type of arguments being put forward? They used the most extreme language, from the first speaker who got up to speak, the Deputy Leader of the Opposition. I will cover some of his points.

The Hon. J. D. Wright: I know you didn't like my speech.

The SPEAKER: Order! The honourable Deputy Leader of the Opposition will assist the debate if he says no more. This is the last warning I will issue to him.

The Hon. D. C. BROWN: This is not a new industrial principle for Australia and yet the suggestion has been put throughout that this is going to cause significant new disputation throughout the State and that it is going to break down (and I quote from one of the members opposite) 'the whole fabric of our industrial relations, as it applies in this State'.

An honourable member: That's right; it will, too.

The Hon. D. C. BROWN: That is piffle, to say the least.

Members interjecting:

The SPEAKER: Order! The honourable Minister of Industrial Affairs will please resume his seat. I warn the honourable member for Albert Park.

The Hon. D. C. BROWN: The principle has been there, it has been used and accepted by Liberal and Labor Governments and also by the trade union movement throughout Australia. The trade union movement has put forward strong economic arguments at a national level, and asked that that be taken into account. It is the trade union movement which has argued that the Australian economy is in such a position at present that it can afford to pay significant increases in wages and for this country to have a reduction in working hours. It is exactly the same principle that we are asking the commission to have the power to consider here under the State Act.

Other significant statements have been made and I deal initially with the general thrust of all the speakers, which is that this will lead to a destruction of the Industrial Commission. The final speaker of the Opposition, the member for Unley, said that the Minister of Industrial Affairs wants to take over as umpire. The truth is that the present Act has given the Minister of Industrial Affairs the power to intervene and put a case. It is not a new power under this Bill; that power has always been there. The way in which that power is there and the way in which it has operated is that the Minister of Industrial Affairs is just one of the parties before the Industrial Commission. He does not become the umpire. I have the same status and rights to put an argument in exactly the same way as do the employer associations and the trade unions involved. It is up to the Industrial Commission, the umpire, to take my arguments, consider them along with the arguments put by the employers and the trade unions, and decide what the final arbitration should be. Despite the constant claims made by members opposite, no-one could produce any evidence, and nowhere is there any suggestion that the Minister of Industrial Relations is about to become the new arbitrator of industrial disputes for wage determinations here in South Australia. It is interesting—

An honourable member: Not yet.

The Hon. D. C. BROWN: The power is not there. This Bill did not give that power, and it does not in any way enhance that power for the Minister to intervene, because that power is there under section 44. The whole thrust of the Opposition's argument in that case is hollow. I introduce a significant new point at this stage, and it highlights the hypocrisy of the arguments used by the Labor Party members in this House. The constant accusation to me has been that I am directing the commission to do certain things, and, in particular, that I am going to start deciding what the wage increases will be. This is wrong. Let us look at the resolutions passed by the Australian Labor Party, South Australian Branch, in its 1981 Annual State Convention.

Let us look at the standards decided on there and see whether they stand up to the arguments contained in Opposition speeches today. One resolution in relation to full wage indexation states:

> Labor will legislate to ensure that all employees under State awards and all employees of the State Government, Public Service and statutory authorities shall receive full quarterly indexation of wages in accordance with the cost price index, as well as annual productivity increases.

Members opposite have been abusing me for seven hours for apparently interfering in and trying to take over wage determination, when I am only trying to put an argument before the Industrial Commission. Yet members opposite have adopted as policy for their Party that they will legislate to require the Industrial Commission to have full wage indexation. That is the sort of double standards they have applied.

That is not the only motion in which they have said they will do certain things. In relation to legislation, a motion states:

> Labor will legislate to provide for the following minimum conditions for all employees under State awards. Those matters deal with redundancy.

I will not go through all the points of that motion. Again, it highlights the fact that it is members opposite who want to become the industrial dictators of this State, not the Liberal Government. It is members of the Labor Party—the hypocrites who have been standing in this House for the past seven hours saying that no Government should tell the commission what to do. However, in a policy adopted this year by their central policy formulating body of this State they say that they will legislate to require the commission to do certain things.

Another issue is the 35-hour week. The Labor Party will support the 35-hour week campaign and will force it throughout State Government bodies. They will not leave it up to the independent arbitrator or umpire, the Industrial Commission. The evidence I am presenting is beginning to suggest just who are the real industrial dictators of this State. Who is it that wants to screw the Industrial Commission to break down completely the principles of our wage and working condition determinations?

Mr Hemmings: Dean Brown.

The Hon. D. C. BROWN: It is the Labor Party of this State.

The SPEAKER: Order! On two recent occasions the member for Napier objected in this House to the naming of a member on the opposite side by his Christian or surname. The member for Napier has done the self-same thing this afternoon, and I ask him to desist.

The Hon. D. C. BROWN: Speakers opposite have said this was the most Draconian, oppressive piece of legislation that they had seen. However, the evidence shows that their Party, members opposite themselves, who sat at their annual conference this year and were prepared to adopt policies which were Draconian and oppressive and which took over the independent role of the Industrial Commission. The Liberal Government of this State is prepared to abide by the industrial principles that have applied so long under conciliation and arbitration both in this State and nationally.

The next main argument taken up by the Labor Party was that there had been no consultation, especially with the Industrial Commission. I am sure that the President of the Industrial Commission would not mind my indicating that, in fact, there had been consultations, that he himself made a number of suggestions, and that those suggestions were adopted in the Bill that was prepared and presented to this House. I raise that matter because I think that almost every speaker opposite accused me of not consulting with the Industrial Commission. They know that there was absolutely no truth in that allegation. However, they made that allegation not once, not twice, but persistently, speaker after speaker.

The next point raised was that this Bill will lead to significant new long-term delays within the Industrial Commission. This matter was raised particularly by the member for Elizabeth and the member for Mitcham. In making their speeches, they did not deal with industrial relations cases or wage determinations; they dealt specifically with workers compensation delays. I do not deny for a moment that, because of a number of judges being unavailable, there have been certain problems with hearings for workers compensation matters. That has nothing to do with this piece of legislation at all.

The point is that the number of occasions on which the Minister would intervene would be absolutely minimal. I believe that history has shown that. I have not used that power on every occasion, as has been suggested, on every trifling little case that is brought forward. Every time someone wants an additional five minutes for a tea break or something else, I have not used that existing power of intervention. I do not see why any member should fear that it will be used differently in the future, because that power has not been significantly changed. No evidence was brought forward by members opposite, although there were plenty of allegations that there would be delays. However, there was no evidence to substantiate why there should be significant new delays.

The sort of basis on which the economic arguments are being heard have already been presented in a State wage case. Sure, it delayed that case by a number of weeks, but it was the trade union movement which decided to proceed on economic grounds. They brought in the economic advisers at the beginning. We simply brought ours in to counter the arguments that they brought forward. The delays were not considerable. They were accepted by all parties involved, just as one would accept for a major wage determination affecting the whole of this State. One cannot accuse this Bill of being a mechanism for suddenly substantially increasing delays within the Industrial Commission and adding to such delays.

The suggestion has been made persistently by members opposite that under this new provision the employees of this State would no longer get any wage increases under State industrial awards. That is absolute rubbish. In fact, I point out to the House that, as Minister of Industrial Affairs, I supported the 3.5 per cent flow-on at the last State wage case hearing. Thus, I have supported wage increases. Of course, it would be ludicrous and unrealistic for any Government to argue that there should be no increase in wages.

The final general point that has been made is that this Bill has cut entirely across the Cawthorne inquiry. If members took the time to at least read the second reading speech, which is not a lengthy speech but which adequately covers the matter, it indicates that the Cawthorne inquiry will continue. It has exactly the same powers as it had before except that it will be able to take into account the amendments that have been drafted in relation to this Bill. Through my staff, I have spoken to Mr Cawthorne and he fully understands the circumstances. He acknowledged the Government's right to introduce such an amendment. He was quite happy that his inquiry would encompass any public comment that parties wished to make on the operation of these amendments, if they are passed. By then, we will have some chance. If the fears of members opposite come to fruition, they will be able to go to Mr Cawthorne and ask for amendments to be made. I indicate to the House that, if the fears of members opposite come to fruition, as spelled out over the past seven hours, I would

want to see these amendments changed. However, that is not going to occur. As the member for Mallee said, members opposite have been crying wolf and it has been a pretty loud and hollow cry at that.

I would now like to deal specifically with points raised by some members opposite. Initially, I refer to the lead Speaker, the Deputy Leader of the Opposition. To begin with, he asked why this was a matter of urgency. I would not say that it was a matter of urgency any more than any other important legislation that comes before this House. I point out that this Bill was introduced last week. Wage indexation has finished nationally, and we are in a period of trying to formulate the new principles for wage determination throughout Australia. There have been consultations between the State Premiers and the Prime Minister, and certain responsibilities have been put on State Ministers for Industrial Affairs. The President of the Industrial Commission has also been asked to help determine what those principles should be for future wage determination in Australia. As a result of that, we are making sure that we have the same power in South Australia as the Commonwealth commission has under its Act to consider economic matters.

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

The Hon. D. C. BROWN: Before dinner I was covering a number of points raised by individual speakers on this Bill. To recap briefly, I covered the main points raised by all members opposite. During the break I did some sums on the hours of this debate so far, and I found that it has now proceeded for 8½ hours. Without exaggerating, I think I can say that in that 8½ hours about two or three minor legitimate points were raised, but at least 95 per cent of all matters raised were simply grand, bland statements suggesting that this Bill would lead to hysteria within the community. Of course, that is not the case at all.

Before dinner I was covering the fact that the Deputy Leader of the Opposition asked what was the urgency about this Bill. I think I have adequately covered that.

The Hon. J. D. Wright: Not to me you haven't.

The Hon. D. C. BROWN: Well, I think the main point is that the Deputy Leader of the Opposition was not even in the Chamber at the time I was covering it. I think he left because he found that he could not control himself and, having been warned, he found that he was in a position of having to leave the Chamber, so naturally he could not have heard the argument. The main point I raised was that wage indexation is finished and that the Premiers' Conference has asked for new wage determining principles to be drawn up as quickly as possible. The Presidents of the industrial tribunal have been asked to meet, which I understand they have done. We are looking forward to some sort of test case nationally, if need be, to establish new principles for wage determination. It is important that here in South Australia we have an Act which is at least compatible with the Federal Act. After all, that is the main objective and the main purpose of the amendment we are putting forward.

The other key question asked by the Deputy Leader of the Opposition is: why was this matter being debated at 5 o'clock in the morning? I think we all know the answer to that. The reason is that the Labor Opposition of this State had just effectively wasted 12 hours of the time of this House debating a Supply Bill. We all know that a Supply Bill is a Bill that is normally processed literally within minutes. One of my colleagues took out some facts and found that Supply Bills in general were—

The SPEAKER: Order! The honourable member for Napier.

Mr HEMMINGS: Are we talking about the Bill before the House at the moment, or the Supply Bill?

The SPEAKER: The honourable Minister of Industrial Affairs is addressing himself to the Industrial Conciliation and Arbitration Act and is simply, at this juncture, as I heard the debate, indicating the reason for its coming on late, but I am sure that he is coming back to the debate in question.

The Hon. D. C. BROWN: Thank you, Mr Speaker. Yes, I am coming back to it. I am simply answering one of the questions asked during the second reading debate about why it was being debated at 5 o'clock in the morning. That was being done because we had just wasted 12 hours of our time sitting around waiting for the Supply Bill to get through this House, when normally it should have taken eight minutes. I will now look at some of the other arguments. I have covered all the other arguments raised by the Deputy Leader of the Opposition. Whilst he is in here, as he missed some of the other points, I point out that he suggested that we would be intervening in the public interest, looking at economic issues, when an application was forwarded for tea money, or some such trivial issue. I must stress that is not the case at all. I again point out to the honourable member that history shows that the way in which that power under section 44 of the Act, which allows the Minister of Industrial Affairs to intervene, has been used over the last 18 months suggests that it is used only rarely, and it is used in the key important cases which are likely to establish principles.

Running through the individual points that were raised by honourable members, I come to the member for Florey, who said that the unions were not breaching the wage indexation guidelines. I bring to the honourable member's attention (because frankly that is an untrue statement) that the entire campaign for a 35-hour week was against the wage indexation guidelines. The T.W.U. dispute, the Telecom claim, and the general industrial disputation were all against the general wage indexation guidelines.

I was also fascinated by the honourable member's saying that a claim for a 35-hour week was not unreasonable and that it could be achieved (to quote his words) without damaging industry. I point out to honourable members that the introduction of a 35-hour week from a 40-hour week is equivalent to the Industrial Commission's giving those workers an additional six weeks annual leave each year. I ask members to think about that, because what Industrial Commission would grant an additional six weeks annual leave each year and then turn around and say that it will have no economic consequences whatsoever and cause no damage to industry? Of course it would. We all know that it would. Although five hours a week does not sound great, if one looks at the effects of that, particularly where 24-hour service industries must be manned, one sees that the economic consequences are enormous. One company alone in South Australia, if it was forced to go to a 35-hour week from a 40-hour week, would incur an additional cost of $6 000 000 a year. It is a process plant, which must be manned for operations on a 24-hour basis.

It would cost the State Government, if it changed from a 40-hour week to a 35-hour week in those areas where we supply a 24-hour service, between $45 000 000 and $60 000 000 a year extra to take on the shorter working week. Who could claim that serious economic consequences were not involved in such a decision? That is why it is absolutely essential that the Minister of Industrial Affairs has the right to put an argument and, furthermore, that the commission should be required, when handing down its decision, to look at the economic consequences as well as the industrial relations aspects.

I then move on to the argument advanced by the member for Price. He picked up the A.C.W. and storemen and packers agreement for a 35-hour week. I was surprised to

hear the honourable member say that there was a threat of industrial action and that that threat, if the agreement was in any way interfered with by the Government, was being made by Mr Apap. It would concern me if, because a union did not like a decision that was handed down by the Industrial Commission, it decided to go outside and take significant industrial action, particularly when, according to the member for Price, that threat was made by Mr Apap, the President of the United Trades and Labor Council.

Mr Gunn: A very democratic gentleman.

The Hon. J. D. Wright: He is much more democratic than you. After your performance last night, you're not democratic.

Mr Gunn: You're reflecting on the Chair.

The SPEAKER: Order! The Deputy Leader will recognise that this is the same session as the period before dinner.

The Hon. J. D. WRIGHT: I want to take a point of order and to clear up exactly how long a warning on an honourable member lasts, because one of your own members, Sir, asked the same question tonight. I know that you warned me before the dinner adjournment, and that you also warned the member for Todd, who was on that occasion quite concerned that he had been warned and about how long that warning lasted. I now ask you, Sir, how long that warning stays on. Surely, the session finishes at the dinner adjournment, and we must now have a clearance for the next session. I point out—

The SPEAKER: Order! The honourable Deputy Leader has risen on a point of order and is not making a speech.

The Hon. J. D. WRIGHT: My other point of order is to ask whether I am to be enticed by the member for Eyre and his interjections and allegations across the Chamber and be expected not to answer him?

The SPEAKER: In relation to the period of time, a warning is for that sitting of the Parliament which commenced at 2 p.m. yesterday afternoon. If the honourable member has been warned on more than one occasion since 2 p.m. yesterday afternoon, he is fortunate that he is still with us. The second point is that the honourable member for Eyre will be dealt with in the same way as was the Deputy Leader if he is caught persistently interjecting or causing problems. The third point I make to the honourable Deputy Leader is that the importance of Parliamentary duty is to remain composed and not be incited.

The Hon. PETER DUNCAN: I rise on a point of order, Mr Speaker.

The SPEAKER: The honourable member for Elizabeth.

The Hon. PETER DUNCAN: Mr Speaker, if that ruling by you is indeed correct, and the Government continues to sit in permanent session, as it has been doing, there will be no members left before long.

The SPEAKER: Order! There is no point of order. I ask the member for Elizabeth not to be facetious. The honourable Minister of Industrial Affairs.

The Hon. D. C. BROWN: There has been a series of speakers from the other side—the member for Albert Park, the member for Peake and the member for Napier. I think it is fair to say that none of those members added any significant new material to the debate at all. I was somewhat amused by the point raised by the member for Napier, who claimed that there had been an industrial agreement reached, apparently on an agreeable and friendly basis, about a 35-hour week. In fact, I think it is a longer week than that, but over a shorter working week with both Clydes and Connors last week. I point out to the House that, in fact, there had been significant industrial action taken. Take the case of Clyde: there had been industrial disputes; in fact, a strike ensued for some 14 weeks. I think it was more a case of industrial blackmail and industrial sabotage rather than industrial agreement.

The member for Salisbury did raise some new material. He raised the issue of teachers and, although the first 10 speakers raised no new material at all, at least he brought a slightly different tone to the debate because he talked about a different subject. However, his points are just as unfounded as the points raised by previous Opposition speakers. He pointed out to the House that under section 34 of the Education Act dealing with the Teachers Salaries Board there was a power for the Minister to be informed that a claim had been lodged and, furthermore, that there was a power for the Minister to put a case and for that case to be dismissed in the public interest. He was trying to suggest that there was a conflict with the Minister of Education, who in this case is the employer of the teachers involved, and the Minister of Industrial Affairs. The whole tone of his debate was that the Minister of Industrial Affairs was trying to take over the supervision and role of the Teachers Salaries Board. Of course, that is not the case at all. That is laid down by legislation, and this Act does not change that.

I point out that the Minister of Education is the employer, and it is right and proper that he should be notified if a claim is lodged against him. How can he possibly act in the Industrial Commission unless he knows what claims have been lodged against him under that jurisdiction? I point out, as the honourable member did, that there is a power there for the Commission to reject any claim in the public interest. All the current Bill does to alter that is spell out what aspects can be considered in the public interest. It gives power for the Teachers Salaries Board to take in, in the public interest, the economic consequences of its decision.

Mr Lynn Arnold: But that is implicit in the public interest.

The Hon. D. C. BROWN: It is not, and that is the whole fallacy of the argument advanced by members opposite. In fact, the whole purpose of the Bill we have brought forward is to spell this out clearly, and if the member wants me to read new section 146b in the amending Bill to him, it clearly indicates what the public interest is all about. The important thing is that, if the teachers are going to make a demand on the Government of this State for a salary increase of between 12 per cent and 20 per cent over and above wage indexation, that demand by itself, without the wage indexation aspect, is likely to cost between $40 000 000 and $60 000 000.

If it is likely to lead to significant new levels of unemployment amongst teachers (because that is the only consequence it could have), I believe that the Teachers Salaries Board has a responsibility to take into account when making that decision the effect on the overall public interest of this State, and particularly on the level of employment of teachers in this State. Already 3 500 teachers are unemployed in this State. If the honourable member wants to simply increase that number by allowing a rather greedy claim by the South Australian Institute of Teachers for a 12 per cent to 20 per cent salary increase over and above what teachers have received under wage indexation, and if we as a Government cannot step in in the public interest, there is something wrong with our system.

If 'public interest' cannot take into account the economic consequences, again there is something wrong, and the Bill that we have before us simply gives that power to the Government to step in and put an economic argument to the tribunal. I stress the point that the member for Salisbury obviously did not understand—

Mr Mathwin interjecting:

The SPEAKER: Order! The member for Glenelg is not assisting.

The Hon. D. C. BROWN: Despite the fact that the member for Salisbury is shadow Minister of Education, he obviously had not bothered to read the Act and work out how the principal Act related to this Bill. The member for Elizabeth claimed that this Bill attacks the industrial fabric of this State. That highlights the sort of outrageous and untrue statements that have been made persistently for 8½ hours by members opposite in their debate on the Bill.

The Hon. Peter Duncan: Time will tell about that.

The Hon. D. C. BROWN: As I pointed out earlier, this Bill picks up the principle which has already applied for many years under the Federal Act. It does not pick up a new principle in terms of intervention. The power of intervention is already there for the Minister of Industrial Affairs under section 44 of the principal Act.

The entire case put by the member for Elizabeth is on exactly the same basis as the Deputy Leader's case. Perhaps it is pleasing to see that there is at least some unity between them in that area. That argument suffered from exactly the same weaknesses, and I have covered them adequately tonight. I do highlight one point raised by the member for Elizabeth. His case was that the Government was stepping in and altering the rules part way through certain hearings. We have looked at that and, because of the nature of industrial cases, when one always has cases before the Industrial Commission, and because it is impossible to suddenly wait off until there are no cases, because that never occurs, there was no way around it but for the Government to introduce legislation that took effect immediately.

The Hon. Peter Duncan: Of course you could—

The SPEAKER: Order!

The Hon. D. C. BROWN: I refer to the principles of the Labor Party when it had similar cases, cases which I suggest are quite different but which show how hollow and hypocritical the statement from the member for Elizabeth was, because he was a member of their Party and a member of this House at this time. Honourable members will recall the Myer's case at Port Adelaide. That case was before the Supreme Court of this State and the then Dunstan Labor Government was going particularly poorly in the case that was being heard. It was obvious that it was about to lose the case.

So what did they do? They rushed legislation through this Parliament to alter the ground rules so that they were certain to win the case. I find it incredible that the member for Elizabeth should stand up and throw any accusation against the Government when in fact his own Party and the Government of which he was a member acted in a far worse manner than anything that the Government of today could be accused of.

The Hon. D. J. Hopgood: Was that in the Industrial Court?

The Hon. D. C. BROWN: No, it was dealt with in the highest court in this State. Any such principle should apply whether it be in the Industrial Court or in fact in the Supreme Court. The fact that it was in the Supreme Court is even more relevant to the argument that I have put. The member for Whyalla raised only one significant point. He said that for the first time ever under the Industrial Conciliation and Arbitration Act we have put in the word 'shall', and he said that that is an entirely new principle under that Act.

The Hon. Peter Duncan: Who said that?

The Hon. D. C. BROWN: The member for Whyalla. I was also staggered to hear the sort of argument put forward, as no doubt the member for Elizabeth was. I point out to the member for Whyalla that section 28 (1) of the Act states 'the commission shall . . .'; there is no new principle here. The direction to the commission that it 'shall' do something has been well established in the Act. Again, I stress the point that that was written into the Act by a Labor Government in 1972.

The member for Mitcham raised two or three minor points, and I shall pick up one of those minor points. I think he raised only three relevant issues: one was that the Bill would not go through this week—we will have to wait and see on that; the second concerned delays in workmen's compensation in the Industrial Commission—I have already covered that point; and the third point was 'Could a State have an economy, and therefore could the commission take into account economic issues that relate to this State?' I think that shows how naive the member for Mitcham is on economic aspects. Of course the State can have an economy; a nation can have an economy, a company can have an economy, or a region can have an economy. There are macro and micro economies and any economist and, in fact, any layman would realise that. For the member for Mitcham to raise the point as to whether there is any such thing as a State economy I think shows the extent to which even the member for Mitcham was scratching for any points to bring up concerning this Bill. The final speaker from the Opposition was the member for Unley. His contribution was lengthy as most of his speeches are, but short on material. The only point that he really made was that the Minister of Industrial Affairs is taking over as umpire for wage determination here in South Australia. Of course, nothing is further from the truth, and again I stress the point—

The Hon. Peter Duncan: He is taking over as the dictator.

The Hon. D. C. BROWN: The member for Elizabeth says that 'he is taking over as the dictator'.

The Hon. Peter Duncan: Or the enforcer.

The Hon. D. C. BROWN: Or the enforcer! That is the tone of the argument throughout. The only power that the Minister of Industrial Affairs has is to put an argument before the various tribunals, and such tribunals have the power to take into account the arguments put forward by the employer, by the employees through their trade unions, and the arguments put forward by the Minister of Industrial Affairs acting on behalf of the public interest. I believe that for too long the public interest has been ignored when dealing with wage determination within Australia. It is fine for those people who have a job, a secure job, and who can use their industrial muscle to enforce even higher wages to go ahead and do it with no regard whatsoever for the level of employment within our economy or the flow-on effects to other areas of the economy.

I thought the member for Mallee made an outstanding speech in highlighting the importance of the public interest. It is an issue which we raised as part of a significant policy on industrial matters before the last election. This Bill reflects that policy. That is a policy I am proud of. I think there are three important parties that must be dealt with by the Industrial Commission: those parties are the employers, the employees and their trade unions, and the public interest. There is a major deficiency in any tribunal system that totally ignores the public interest. After all, the whole thrust of the Bill before Parliament at present is to make sure that the industrial tribunals in this State when handing down decisions have the power to look at not only the industrial relations issues but also the economic ones.

Thus, I would ask that all members in this Chamber, particularly members opposite, reassess their attitude towards the Bill. The attitude has been one of creating hysteria and the feeling that this Bill will destroy industrial relations in this State. Nothing could be further from the truth.

Mr O'Neill: Time will tell.

The Hon. D. C. BROWN: Yes, time will tell. I am certain that in six, 12 or 18 months time I will be able to show in

this House that it was a responsible move which has not come up with the disaster and devastation that has been predicted by members opposite. I therefore urge all members to support the Bill both through the second and third reading stages.

The House divided on the second reading:

Ayes—(19)—Mrs Adamson, Messrs Allison, P. B. Arnold, Ashenden, Billard, Blacker, D. C. Brown (teller), Chapman, Glazbrook, Goldsworthy, Gunn, Lewis, Mathwin, Oswald, Rodda, Russack, Schmidt, Wilson, and Wotton.

Noes—(15)—Messrs Abbott, L. M. F. Arnold, Bannon, M. J. Brown, Duncan, Hamilton, Hemmings, Hopgood, O'Neill, Payne, Peterson, Plunkett, Slater, Whitten, and Wright (teller).

Pairs—Ayes—Messrs Becker, Evans, Olsen, Randall and Tonkin. Noes—Messrs Corcoran, Crafter, Keneally, Langley, and Trainer.

Majority of 4 for the Ayes.

Second reading thus carried.

Mr LEWIS (Mallee): During the course of the second reading debate, I claim to have been misrepresented by the member for Unley. In his remarks at the outset he said, so far as my memory serves me, 'We went to Point McLeay recently and he interfered with a ballot up there.' Immediately at the time, not knowing whether or not it was in those terms, my right to take exception (as I did personally) apparently was not within the constraints of Standing Orders. I claimed that I had been impugned. I attempted to rectify what I considered to be a personal injustice of that nature. However, with your direction, I now seek to set the record quite straight on that matter. At no time have I ever been present when a ballot has been conducted at Point McLeay or Narrung or within a distance of several miles, to my certain knowledge, and the member for Unley grossly misrepresented me and grossly misrepresented, therefore, the position of truth when he made that allegation.

In Committee.

Clause 1 passed.

Clause 2—'Commencement.'

The Hon. R. G. PAYNE: In the second reading explanation and also during the rather long summing up that we were subjected to by the Minister, I think it would be fair to say that he made great play of the fact that there was considerable need for the measures contained in the Bill. I ask him whether he has a specific plan for proclamation should the Bill pass the necessary stages. Is he intending to urgently proclaim it? Will he proclaim it in whole or in part? The Opposition would appreciate any information he can give on the matter.

The Hon. D. C. BROWN: It is rather difficult to give any indication here, seeing that the Bill still has not been through this Parliament. Certain claims have been made by the member for Mitcham as to significant delays to which the Australian Democrats are apparently going to subject the Bill. Therefore, I am not able to give any immediate indication, except to say that I would expect that once the Bill is passed, it will be proclaimed. That is the logical thing, and that is why the Bill is before the House.

The CHAIRMAN: Order! There is too much audible conversation.

Mr Hemmings: Hear, hear!

The CHAIRMAN: Order! The honourable member for Napier is not assisting by interjecting.

Mr Hemmings: I can't hear, Mr Chairman.

The CHAIRMAN: I would suggest that the member for Napier should keep quiet.

Mr O'Neill: You're not allowed to hear what is going on here.

Mr Hemmings: Unless the Chairman hears.

The CHAIRMAN: Order! I warn the member for Napier for the first time. The Chair has endeavoured to be tolerant today. This is an important Committee debate, and I intend to see that the normal rules of debate are observed. The Chair will not issue any more warnings than are absolutely necessary.

The Hon. R. G. PAYNE: I appreciate the candour with which the Minister expressed—

Mr WHITTEN: Mr Chairman, I am having grave difficulty in hearing. The three Ministers on your right are making it impossible for me to hear.

The CHAIRMAN: Order! Is the honourable member raising a point of order?

Mr WHITTEN: Yes, Mr Chairman. I am asking you to control the three Ministers that are sitting on your right. I am having grave difficulty in hearing what the member for Mitchell has to say.

The CHAIRMAN: Order! I would suggest that all conversation be kept to a minimum, or that members engaged in conversation please go to a more suitable venue.

The Hon. R. G. PAYNE: I appreciate the candour which was contained in the answer given by the Minister previously. I think it was fair of him to tell us that the passage of the Bill is by no means the sinecure that he would have liked us to believe earlier. The explanation he gave was that the matter was a very simple, desirable and necessary Bill, and he could not understand why there was any delay involved at all. He seemed to be asking why the Opposition was looking at the matter. The Bill was supposed to be so crystal clear and pristine it would go through both Houses without any problem whatsoever. He has been honest enough to admit that its passage is by no means assured in the way he wished to suggest earlier.

This is a fairly routine clause, as we all know. I take it that what the Minister said was that, assuming the measure does pass, it is his intention to proclaim it as soon as possible, taking into account the normal circumstances which apply, such as time for Executive consideration and so on.

The Hon. D. C. BROWN: I have answered the question. I do not intend to allow the member for Mitchell to start putting my answers in his words. I have given the answer; it was clear enough and that is it.

The Hon. R. G. PAYNE: Sometimes it is very difficult in Opposition to be able to find the necessary humble and meek attitude demanded by the particular Minister opposite, in order to do the job for which we are placed in the Chamber, by the people we represent. We do represent a sizeable slice of the population of this State, notwithstanding that the Minister is in Government for the present. If there is anything offensive in the way I frame my questions, then I apologise to the Minister. I want him to know there is no damn way he will get out of giving a sensible answer to a sensible question. That was a sensible question. I ask him now to state clearly (since he has already indicated to us in his summing up, how masterly he is in these matters, how he has everything at his fingertips) his plans in respect of the proclamation.

The Minister will have some difficulty in gainsaying that fact, or else he has been posturing earlier and not giving us a true impression in relation to this legislation. Come clean, is what the Opposition is saying. When do you intend as the Minister to proclaim this Bill? If (the Minister has pointed out that the Bill may not go through as quickly as he had hoped) the Bill passes through the processes of this Parliament, does he intend to proclaim it as soon as is normally possible in the circumstances, taking into account the machinery that is associated with the processes?

The Hon. D. C. BROWN: I thought I made that quite clear the first time. I am prepared to spell it out again; I ask the honourable member to listen this time. I expect the Bill to be proclaimed shortly after the Bill has been passed. The actual date depends on when the Bill is passed and a number of other factors, but I expect it to be proclaimed shortly after the Bill has been passed.

The CHAIRMAN: The honourable member for Mitchell has spoken three times.

The Hon. R. G. PAYNE: Thank you, Mr Chairman.

The Hon. J. D. WRIGHT: I do not think the answer from the Minister is at all satisfactory. The Minister now puts it into the hypothetical situation. He ways 'if the Bill is passed', or 'maybe if the Bill is passed', or 'when the Bill is passed'. I have had no indication of the Bill's not being passed. The Minister came into the House quite confidently, quite belligerently and quite arrogantly, telling us how good this legislation is and was, and he is still telling us about that fact. What now brings the Minister to the point where, so far as he is concerned, there is some doubt about the legislation?

I have heard on the grapevine, and not from the Minister, that an allegation was made in the House tonight by the member for Mitcham that, even as early as last night, the Minister and his sycophants, were informed that the Democrats were not going to support this piece of legislation, and yet the Minister, at that stage, kept this House sitting all night, because he had an ambition in the first place to get this legislation through both Houses of Parliament this week. It now appears that, because of the stand by the Democrats, for which I congratulate them, it is not now apparent that the legislation will go through. What is in the Minister's mind? Why are we now still contemplating this piece of legislation? Is the Minister still trying to get it up to the Legislative Council? What is he dubious about? Why is he not now able to give us an absolute answer?

Was he informed last night by the Democrats, or by those people from his side of politics who talk to the Democrats, that the legislation was not going to be accepted by them? If he was, the Minister kept us up all last night for nothing, because it is quite clear that the Minister's only ambition this week has been to force this legislation through both Houses, force it through by numbers and force it through by fatigue. I want to know from the Minister why he cannot identify at this stage exactly when that proclamation will occur, and I want to know whether or not he was informed last night by the Democrats that this legislation would not survive both Houses of Parliament.

The Hon. D. C. BROWN: It would appear that, if the current line of questioning continues, we are going to be up all tonight, too, and we are going to get about the same standard of trivia as last night. If I gave a specific period as to when this Bill was to be proclaimed, the first accusation that would be levelled at me would be that I was obviously taking out of the hands of the Upper House its democratic right to consider this Bill and decide whether or when it was going to pass it. The two members opposite who questioned me have both been Ministers. They know only too well that I cannot indicate when a Bill is going to be proclaimed when it still has not gone through the Lower House and is yet to go to the Upper House. We are dealing with a clause of proclamation, and I suggest we stick to that clause.

The Hon. R. G. PAYNE: On a point of order, Mr Acting Chairman, the member opposite clearly identified me as a former Minister, which is perfectly in order. He then imputed to me improper motives. I refuse to accept those improper motives, and I ask you, under the Standing Orders, to ask him to withdraw.

The ACTING CHAIRMAN (Mr Russack): I ask the honourable member for Mitchell what were the improper motives?

The Hon. R. G. PAYNE: The words I wish to be withdrawn are those which were used by the Minister when he said that, clearly, as a former Minister, I know when this Bill will be proclaimed. How could I know when this Bill would be proclaimed? That is what I am seeking from him.

The ACTING CHAIRMAN: I cannot uphold the point of order. There was nothing of an unparliamentary nature, as I see it, and the honourable member may have misunderstood the Minister in his terminology.

The Hon. PETER DUNCAN: I have listened with some interest, if depression, to the reply that the Minister has failed to tender in this debate or Committee stage relating to clause 2. If the matter is as urgent as he has indicated, is he proposing to proclaim the legislation at the first available opportunity once it passes the Parliament?

The Hon. D. C. BROWN: It depends what the first available opportunity is. I have indicated the Government's intention to proclaim the legislation shortly after it has been passed. I do not know what the circumstances will be. It might be that it is passed on a Friday night and it would be inappropriate to take any action for a while. It might be that it sits around for a couple of days, or something like that.

The Hon. R. G. Payne: Why didn't you say that at the beginning?

The Hon. D. C. BROWN: I did. I said that it would be proclaimed shortly after the Bill has been passed. What clearer, more logical answer could one give? I have given it for the third time.

The Hon. PETER DUNCAN: I suppose that takes the matter slightly further. We now have some indication that the Minister apparently sees proclamation as a matter of relatively high priority. Does the Minister intend to proclaim the legislation at the earliest possible opportunity to enable him to intervene, using all of the powers of this Bill, in the Associated Co-operative Wholesalers and the storemen and packers case involving the industrial agreement made between those two organisations?

The Hon. D. C. BROWN: We are dealing with the proclamation of the Bill. I do not know when it is likely to be proclaimed, because I do not yet know when it is likely to be passed. I also point out to the honourable member that we still do not know what powers the Bill will have. As yet the Bill has not been through the Committee stages of the Lower House, and it has not even been to the Upper House. It is quite inappropriate for me to pre-empt what this Parliament will decide. Let us get through the lines and find out what is in it. At this stage, we are only up to clause 2, so it is inappropriate to speculate on what might occur in Committee.

Mr HEMMINGS: In the early hours of this morning when we discussed this Bill was the Minister aware that the Australian Democrats were going to oppose it in this House and in another place?

The ACTING CHAIRMAN: Order! I rule the question out of order as irrelevant to this clause.

The Hon. PETER DUNCAN: I am not getting very far with this obstructive Minister. However, there is one further question that I wish to put to him in relation to this clause.

Mr Mathwin interjecting:

The Hon. PETER DUNCAN: The member for Glenelg has the same opportunity—

Mr Mathwin: Remember when you were a Minister—one of the worst ones, too.

The Hon. PETER DUNCAN: I would have thought that the member for Glenelg could have softened his tone a little after dinner and been a little more charitable with his

interjections. However, it seems that in the circumstances he is unable to do that.

The ACTING CHAIRMAN: Order! I ask the member for Elizabeth to ask his question.

The Hon. PETER DUNCAN: Thank you, Mr Acting Chairman, I appreciate the opportunity to do so. The question relates entirely to the date of the proclamation. I appreciate that the Minister can say he does not know what powers will be in the Bill and that he does not know what amendments will be made, so I will make it a hypothetical question. If we are not going to make a complete mockery out of the Committee stage of this Bill, let us just assume, as a hypothesis, that the Bill now before us actually passes both Houses of Parliament. It is not a wild hypothesis, but a hypothesis based on the piece of legislation that the Minister has placed before this House.

I want to know whether, if this legislation passes, the Minister intends intervening in the Associated Co-operative Wholesalers case and the storemen and packers matter. Also, does the Minister intend to intervene in the 19 matters that he has listed in the second reading explanation as applications for amendments to awards or industrial agreements that he has indicated (quite erroneously and incorrectly, I might say) are the evidence, as he claims, of ominous signs of a wages explosion in South Australia?

The Hon. D. C. BROWN: I am happy to answer that question. It shows the substantive degree of ignorance with which honourable members opposite have stood up and debated this whole Bill. The fact is that the Minister has already intervened in the Associated Co-operative Wholesalers case.

The Hon. Peter Duncan: Come on. You've been thrown out.

The Hon. D. C. BROWN: We have not been thrown out. The Minister of Industrial Affairs has already intervened, and the question was whether I intended to intervene. We have already done so. Regarding the other matter, I can honestly answer that I do not know.

The Hon. J. D. WRIGHT: I was quite surprised at the last reply given by the Minister, in which he tried completely to brush off the member for Elizabeth by saying that the question was erroneous, simply because the Minister had interfered or intervened (I suppose, although 'interfered' is a better word in the circumstances I should, for the sake of the record, say 'intervene') in attacking the agreement that was made between the Associated Co-operative Wholesalers and the Storemen and Packers Union.

I am of the opinion (and I should like the Minister to answer this question with some honesty, and not brush it off), and I suppose I have as much ability to check situations in the courts as has the Minister, although I do not have the staff to do so, that the Minister's right to intervene in that case has not been recognised by the court.

The ACTING CHAIRMAN (Mr Russack): Order! I remind the honourable member that the clause now before the Committee concerns the commencement. I hope that the honourable member can link up his remarks with that clause.

The Hon. J. D. WRIGHT: Thank you for that advice, Sir. I did not intend to ask this question now; rather, I intended to ask it later. However, as the Minister tried to demolish the question asked by the member for Elizabeth by brushing off the fact that he had had some success in making this application—

The ACTING CHAIRMAN: Order! To be consistent, as I disallowed a comment from the member for Napier, it would be more appropriate if the honourable member deferred his question until the Committee considers a later clause.

The Hon. J. D. WRIGHT: I want you, Sir, to be consistent, just as you are asking me to be. If you are going to allow the Minister to answer questions in any way that he sees fit and to divert from the question that the member for Elizabeth asked him—

The Hon. D. C. Brown: That's my right.

The Hon. J. D. WRIGHT: The Minister says that that is his right. If the Minister has a right to divert, the Opposition also has a right to come back at the Minister in those circumstances and ask him questions on what he has said.

The ACTING CHAIRMAN: Order!

The Hon. J. D. WRIGHT: Just a minute, Sir. That is all that I am trying to do. I am merely asking the Minister a question on the basis of what he said.

The ACTING CHAIRMAN: Order! I ask the honourable member to resume his seat.

The Hon. R. G. PAYNE: I rise on a point of order.

The ACTING CHAIRMAN: Order! I am speaking, and I ask the member for Mitchell to resume his seat. We have had rather a strenuous sitting, and we are all fairly tired. I remind the Deputy Leader that I said that I must be consistent; I did not refer to the honourable member. However, I should like the honourable member, if he continues with this line of comment, to relate it to the clause. If he does not do so, I will have to withdraw the honourable member's leave, and he can then ask the question on a more appropriate clause.

The Hon. J. D. WRIGHT: Mr Acting Chairman, in those circumstances I do not want to have a dispute with you and disagree to your ruling, but I want you to place on record the liberties that I and any other member of this Committee have in relation to a question asked and then the Minister responding to that question by going outside the parameters of the question in the first place. Does that mean that we are then still bound within the parameters of the actual line, or is the Committee as a whole permitted to question the Minister on what he said within those parameters?

The ACTING CHAIRMAN: The question is 'That the clause stand as printed'.

The Hon. J. D. WRIGHT: You are not answering my question, Sir. I put to you a fair question which you are not answering.

The ACTING CHAIRMAN: I point out to the honourable member that I have given my ruling on the question he asked. I said that it would be more appropriate to ask the question under another clause, because as yet the honourable member has not linked that question with the clause entitled 'Commencement'.

The Hon. J. D. WRIGHT: Mr Chairman, this Committee as a whole can probably debate these seven or eight clauses for quite a long time. I want to be absolutely sure what my rights are when questioning the Minister. If some other member of this Committee interferes with my line of questioning (and I use that word advisedly), that is, if I am following a line of questioning and somebody comes in and asks a question which I had pinpointed for a later stage and the Minister answers a question I am concerned about, on the basis of your ruling at the moment I then cannot question the Minister about what he has said, which surely allows the Minister to evade a question I had intended to ask at some stage. I ask you to reconsider your decision on this matter, because surely, if the Minister introduces the subject, surely it is the right of the committee to debate that question at that time.

The ACTING CHAIRMAN: I point out again to the Deputy Leader that any comment must relate to the clause being considered before the Chair. If a question had been asked earlier, it could have been a similar type of question,

but it could have been clothed in different comments and could have related to that particular clause. I am suggesting that, in the way in which the honourable member has asked the question, he has not made any remarks relating to this particular clause, and that is why my ruling is that the question be reserved until an appropriate clause later in the Bill.

The Hon. J. D. WRIGHT: So the clear enunciation of what you have said—

The ACTING CHAIRMAN: Order! I ask the honourable member to resume his seat.

The Hon. J. D. WRIGHT: I rise on a point of order, Sir. The clear enunciation of what you have just said is that, irrespective of the question asked by any member of this Committee, the Minister has the right to divert as far away from that question as he wants, involve any other part of the clauses, and then the Committee as a whole is restricted to asking questions on the statements made by the Minister. I put to you that that is quite wrong and that, if the Minister diverts from the original question and changes the basis of debate, surely members of the Committee have the right to ask questions of the Minister to qualify what he has said in reply to that question.

The ACTING CHAIRMAN: I do not uphold the point of order. I have given my ruling. If the honourable member does not agree with my ruling and intends to move dissent, I suggest that he brings up his objection in writing.

The Hon. J. D. Wright: I'm not going to dissent.

Mr HEMMINGS: I refer to clause 2. The Committee has not obtained a firm or clear answer on the day to be fixed by proclamation. Members on this side have questioned the fact that this Bill has been rushed through. We sat here all night yesterday and if, in light of the Minister's reply regarding the date to be fixed by proclamation his answer is 'as soon as possible', can the Minister give a clear answer to the Committee about what awards or claims before the commission he would be seeking to intervene in, in the following categories: the Bread Carters' Award, which is seeking $20 a week—

The ACTING CHAIRMAN: Order! I point out to the honourable member that the clause deals with the commencement. As far as I can see, the honourable member has used the commencement day and is raising unrelated matters into his questions to the Minister. I point out to members that some of the questions that are now being asked are bordering on being repetitive questions.

Mr HEMMINGS: We are talking about the date to be fixed by proclamation. As we sat until 7 a.m. this morning and reconvened at 11.30 a.m., and as we are now still sitting—

Mr MATHWIN: I rise on a point of order, Mr Acting Chairman, and I seek your ruling. The fact that we sat here until 7 a.m. or reconvened at 11.30 a.m. and that we are still sitting now has nothing to do with the clause.

The ACTING CHAIRMAN: I uphold the point of order. As I have explained, this clause deals simply with commencement. A certain latitude has been allowed by the Chair in comments and questions from other members, but I now come to the point that this clause deals specifically with the commencement or the proclamation of this Act.

The Hon. R. G. PAYNE: On a point of order, Mr Acting Chairman, so that members on my side can clearly understand the restrictions and restraints which apply to us in Committee. I understand that you just gave a ruling on a point of order relating to the fact that reference to the length of last night's debate was out of order. However, I also recall distinctly that the Minister in replying earlier referred directly to that same matter in no uncertain terms. Just so that we do not get in trouble with your ruling, I take it that the Minister may refer to last night's debate times freely, but that the Opposition is not able to do so. Is that the ruling we have been given?

The ACTING CHAIRMAN: I do not uphold the point of order. I am sure that, from the long experiece that the honourable member has had in this Chamber, he will know that in the true debate reference can be made only to the particular clause, but in those years of experience he would have understood that latitude is allowed. When that latitude comes to a point where it has to be restricted, that is done. That is what the Chair has done tonight. I have permitted a latitude, and now it has reached the point where many of the comments are becoming repetitious. I must come back to the point that the Chair is now asking that any comments must relate specifically to clause 2, which particularly or specifically mentions the commencement.

Mr HEMMINGS: Thank you, Mr Acting Chairman. I think you have clearly summed up the point that members on this side are trying to establish. We are trying to establish from the Minister the date to be fixed by proclamation. The Minister said 'as soon as possible'. Members on this side have been approached by members of the trade union movement who are worried about this Bill. There are 19 awards going before the Industrial Court. What I am trying to establish from the Minister is whether he can give us some indication of when this Bill will be proclaimed and how many of these awards will be affected by the Minister's intervening. I consider that this is relevant to what we are talking about.

Mr MATHWIN: On a point of order, Mr Acting Chairman.

The ACTING CHAIRMAN: I ask the member for Napier to resume his seat.

Mr MATHWIN: On a point of order, Sir, the member for Napier is straying well away from the clause. The clause deals with the date of operation to be fixed by proclamation. With due respect, Mr Acting Chairman, I would say that has nothing to do with any award.

The ACTING CHAIRMAN: I uphold the point of order. The member for Napier's question was very similar to that which he asked a little while ago. The member for Spence.

Mr ABBOTT: I agree with your remarks, Sir, that this has been a quite a testing time for members on both sides of the Chamber. It is quite obvious that the passing of this Bill will have some effect on the proclamation and, since it is quite a controversial Bill so far as trade unions and the Opposition are concerned, I think it is reasonable that the trade unions know as soon as possible after the passing of this Bill the time of its commencement date. I ask the Minister to give some clear indication of how long after the passing of the Bill that is likely to be.

The ACTING CHAIRMAN: I must rule the question out of order because the Minister has been asked a similar question by several members on several occasions, and has given an answer.

Clause passed.

Clause 3—'Arrangement of Act'.

The Hon. R. G. PAYNE: This clause provides that section 3 of the principal Act is amended by inserting a further division in the Act. Reference to the parent Act shows that that Act is clearly laid out in parts, and parts are divided into divisions. So that there will not be a big deal over this matter (because the Minister gets so upset so easily, apparently, over fairly ordinary questions), I simply indicate to the Minister that nothing is going to happen, but I ask him

to consider that, in conjunction with his officers, he consider that where an Act is laid out in parts it might be a better guide in indicating an amendment to use the definition 'part' rather than selecting the word 'division', which appears seven times in that very table before one discerns the word 'general'.

Mr O'NEILL: I seek your guidance in relation to division 1A in relation to this clause. Am I in order in doing that?

The ACTING CHAIRMAN: No, clause 7 is the appropriate clause under which to raise that matter.

Mr O'NEILL: I am referring to division 1A, and I want to ask a question in respect of that.

The ACTING CHAIRMAN: I ask the honourable member to look at clause 7. That would be the appropriate time, and I ask him to reserve his question until we get to that clause.

Clause passed.

Clause 4—'Interpretation.'

The Hon. PETER DUNCAN: I have been trying to wrestle with this problem all day. Before the Minister gets a rush of blood about all the progress that is being made this evening I would like to try to ascertain from him what the situation is in relation to the definition on the one hand and how it now relates to Part VIII. The definition states: 'An "industrial agreement" means "an industrial agreement . . . under Part VIII." ' When we get to Part VIII and look at the way it will be amended by section 6, it seems that we have a *non sequitur*. We say that an industrial agreement is an industrial agreement registered under Part VIII, and we then go on and say that an industrial agreement has no force or effect unless it is registered. That seems to be a ridiculous piece of drafting and one which I do not understand at all.

Mr Millhouse interjecting:

The Hon. PETER DUNCAN: It is complete gobbledegook.

The ACTING CHAIRMAN: The question is that clause 4 stand as printed.

The Hon. PETER DUNCAN: Surely the Minister is going to answer my question.

Mr Mathwin: Why should he?

The Hon. PETER DUNCAN: Yes, why should he? If he was a competent Minister he would. Possibly he cannot answer. However, I do want an answer. Is the Minister happy with that circuitous definition (I thank the member for Mitcham for his recommendation of the language). Surely the Parliament is not going to put on the Statute Book a meaningless piece of definition such as that?

The Hon. D. C. BROWN: Yes, I am happy.

The Hon. R. G. PAYNE: More than one member has indicated what appears to be the asininity of asking the House to agree to put in such a definition arrangement and enshrine it in Statute. If the Minister does not quite follow the matter, we will understand. I have been a Minister and I can understand the position that he might be in. One does not have every little nuance at one's fingertips always in these matters. There is no need to feel embarrassed about consulting with departmental officers.

The Hon. D. C. Brown: He asked if I was happy and I answered him.

Mr Mathwin: Do you want him to sing you a song?

The Hon. R. G. PAYNE: How much longer are we expected to put up with that sort of nonsense? Some of us are trying to conduct an examination of an amending Bill in Committee in which we are very strictly constrained, and rightly so, by requirements.

Mr Millhouse: A very severe Chairman.

The Hon. R. G. PAYNE: Yes. I am not complaining about the Chairman. I am trying to draw to his attention that in a time of stress the kind of remarks which came from opposite are not conducive to the good conduct of the business of this House.

The Hon. D. C. BROWN: The question I was asked was whether I was happy, and the answer is 'Yes', but if members want some clarification—

The Hon. J. D. Wright: Why didn't you explain that it was a machinery matter?

The Hon. D. C. BROWN: It is a machinery matter, for the purpose of—

The Hon. J. D. Wright: You are just making it more difficult for the Committee.

The ACTING CHAIRMAN (Mr Russack): Order! I appeal to honourable members to refrain from making interjections. They are out of order. The Minister of Industrial Affairs has the floor.

The Hon. D. C. BROWN: The purpose of clause 4 is to facilitate the change of procedure from one of filing an agreement to one of registering an agreement. The agreement is made under Part VIII but it has no effect until it is registered.

The Hon. J. D. WRIGHT: I want to appeal to you, Mr Acting Chairman, to ask the Minister to be a little more affable about his responses. I took the trouble to walk across the Chamber and ask the officers whether it was a machinery matter and they informed me that it was. I accepted that. I believe that that is all that the Minister had to do for the member for Elizabeth in the first place.

The Hon. D. C. Brown interjecting:

The Hon. J. D. WRIGHT: Look, in my view you can make it much easier for members of the Committee if you do not make it so tough and hard and if you do not put all that great veneer on your face. Just tell the Committee what is happening. That is all the member for Elizabeth wanted to know. If you only exercised that sort of activity in the House, there would be no trouble.

Mr Mathwin: Oh, come on!

The Hon. J. D. WRIGHT: As for the member for Glenelg, his interjections across the Chamber are not helping the Committee, either.

The ACTING CHAIRMAN: I ask the Deputy Leader to come back to clause 4.

The Hon. J. D. WRIGHT: The only point I want to make about it is that we have all had a long hard night.

Mr Lewis interjecting:

The Hon. J. D. WRIGHT: It is the first time I have said it. We can facilitate the activities of this Committee if the Minister is a little more reasonable. At the moment he is being quite unreasonable in his responses to questions. All that he had to do was advise the member for Elizabeth that it was simply a machinery matter.

The ACTING CHAIRMAN: I point out to the Deputy Leader that he is making comment and has not related the matter to clause 4.

Clause passed.

Clause 5—'Reference of matters to the Full Commission.'

The Hon. J. D. WRIGHT: As I understand this clause, it amends section 101 of the principal Act by enabling the Minister to exert an influence on Commissioners to have matters referred to the Full Commission. At present such a course can be undertaken if the Commissioner or any party to the application desires it. The amendment allows the Minister to seek such a referral. I want to know from the Minister in what circumstances he anticipates that he will desire those referrals.

The Hon. D. C. BROWN: I think I would have to correct the impression created by the Deputy Leader that it allows me to interfere with the commission. It does not. It allows me to put a point or case to the commission and it is up to the commission to make its own judgment. I have stressed this throughout and I raise it because the Opposition tried

to suggest that I will be making the decisions, not the commission, and that is an unfortunate reflection on the commission.

I think the Deputy Leader realises that the commission is an independent body and makes its own decisions on arguments presented to it. Regarding the circumstances, without trying to be difficult, it is not possible for me to spell out the conditions under which I would use that power. If I thought there was a need to put a case in the public interest, I cannot cover all the areas where there may be a need to take that action in the public interest.

The sort of grounds we have used in the past I expect to using in the future, and we will take the sort of precedent which is established as to the type of case where I intervene in the public interest.

The Hon. J. D. WRIGHT: I point out to the Minister that he was not listening to what I said. I did not use the word 'interfered'; I used the word 'influence on commissioners'. There is a big difference. I used the word 'influence' quite deliberately. I still would like to know from the Minister some examples and some analogies of exactly what the Minister's intention, and therefore the Government's intention, is in regard to the intervening they will do under this clause. I also would like to know from the Minister what methods will be used to determine at just what stage the Minister should intervene.

Mr Millhouse: There is no Government member sitting on the Government benches at all. Isn't that extraordinary? Not one.

The ACTING CHAIRMAN: Order!

The Hon. J. D. WRIGHT: It is a two-part question. I deliberated for a moment so that the Minister could consult with officers, and I do not criticise him for this; I did it myself many times. I would like to know the answer to both those questions. The second question I would like answered is this: what method will be used by the Minister to determine at what stage the intervention will take place? In other words, are you going to have spies in the Industrial Court?

The Hon. D. C. BROWN: I find it difficult to give a specific answer because you are dealing with a multitude of different cases and circumstances. I can try to specify it by saying those cases which I think are key issues and may establish a principle or are significant test cases within the community or the Industrial Commission. I cannot go beyond saying significant test cases. Regarding the terms of the methods to be used, this depends on the circumstances surrounding each case. In some cases I am notified before it goes to the Commission. At other times I might find out about it after it has gone to the Commission. In some cases the parties notify me of cases that are coming up before they actually get to the Commission. Again, I cannot answer specifically, and I would ask the member to look at how we have applied that in practice in the past.

The Hon. J. D. WRIGHT: There is a feeling around Adelaide at the moment that the Minister intends—

Mr PLUNKETT: Mr Acting Chairman, I draw your attention to the state of the House.

A quorum having been formed:

The Hon. J. D. WRIGHT: The attendance by the Liberal Party tonight on this piece of legislation is indicative of what they think about the legislation. I put to the Minister honestly, squarely, and fairly, that there is a feeling at the moment amongst the trade unions that because of the way this legislation has been framed it is the Minister's intention to intervene in almost all cases irrespective of the importance of those cases. It has been put to me by some trade union officials that these are sweeping powers that the Minister has now gained or will gain if this legislation is successful. Following the member for Mitcham's speech tonight, I have some reservations about that matter at the moment.

The Minister could even intervene in a case for increased meal allowance. I do not know whether or not that is the Minister's intention. That has been put to me, and I used it in my second reading speech. I have asked the Minister for some examples of his intentions in this matter. So far, he has refrained from giving any examples except on a very broad spectrum by referring to a major case, or passing it off in that way. I honestly think that the Committee, the public, the trade unions and the employers of this State are entitled to much more than that. The Minister is responsible for this legislation, so he must have had in mind what he intended to do in relation to his intervening rights in relation to this piece of legislation. I think it is properly incumbent on the Minister to give some analogy so that we can then make our own comparisons about what may or may not happen in the future.

The Hon. D. C. BROWN: I can assure the honourable member that the rumour or fear that he has picked up around Adelaide is not well founded. I do not intend to intervene in most or almost all cases that will come before the commission. That would be inappropriate. I particularly referred to, say, a meal allowance or something like that. I do not believe that that is a significant test case. I have said that I would intervene in significant test cases, cases of major significance to this State. Meal allowances will not have devastating economic consequences on the economy of this State, and I think that the honourable member knows that. I suggest that the way in which I will use this power to intervene in the future will very much be based on how I have intervened in the past. I think that is the best way to look at specific cases. Those cases are there, and clearly established before the commission.

The Hon. J. D. WRIGHT: We are still not getting specific answers from the Minister, so I will put a hypothetical case to him.

The Hon. D. C. Brown: I'm not—

The Hon. J. D. WRIGHT: Wait until you have heard the question and then make your decision, instead of having your usual arrogant manner and refusing to answer the question before you even hear it. If the meal allowance at the moment is $4 for lunch—and I am not quite sure what it is because I have not checked it—and an ambit claim is put in by some union or organisation in this State to increase that meal allowance to, say, $10 a day, does the Minister think that that would be an appropriate case?

I raise that question quite sincerely, because the Minister is not prepared to give the analogies he has referred to. It covers a very wide spectrum. Here is the absolute case of an increase in meal allowance of over 100 per cent. That could have very drastic economic effects if it was given to every worker in South Australia. Would the Minister intervene in such applications, and I would like a 'Yes' or 'No' answer to this question?

The Hon. D. C. BROWN: I do not intend to answer hypothetical cases. I appreciate the nature of an ambit claim. I am sure that an industrial commissioner would have the common sense to make sure that any increase in the meal allowance is a reasonable one. I do not believe I would be intervening in that type of case.

Mr O'NEILL: I ask the Minister to clear up a matter for me. He keeps using the words 'intervene' and 'intervention'. Earlier in the evening, he made the point, in replying to the second reading debate, that Ministers have had this power for some years under section 44, and that is right. Section 44 states:

(1) The Minister may, where, in his opinion the public interest is or would be likely to be affected by the award, order, decision, or determination of the court or commission, intervene in any

proceedings before the court or commission and make such representations and tender such evidence as he thinks necessary.

(2) Any other person or registered association who or which can show an interest may, with the leave of the court or commission, intervene in any proceedings.

That power has existed for some time in the Act under section 44, but we are not talking about intervention in that sense. We are talking about reference of matters to the Full Commission. Section 101 (1) states:

Whenever the commission, comprised of a single member, is exercising any jurisdiction under this Act, and whenever a commissioner is dealing with a matter as the chairman of a committee, the commission or the commissioner may, upon its or his own motion and shall, if so requested by any party or a member of the committee, consult with the President of the commission as to whether such matter should be dealt with by the Full Commission, and the President after having been so consulted, shall determine whether or not the matter shall be so dealt with and direct accordingly.

I will not go on to read the next subsection, because I do not think it is particularly relevant. What the Minister is talking about is not intervention before the various benches of the commission but, rather, appropriating the right to refer matters to the Full Commission. If I am correct in that assertion, will the Minister say why he believes it necessary for the Minister to appropriate to himself this power?

The Hon. D. C. BROWN: I can understand why the honourable member has raised this point. I have dealt with the question by saying the basis on which I would intervene. I did that, because, first, there is precedent in that area, even though in this clause there is reference from a particular commissioner to the Full Bench. I hope the honourable member appreciates that I have to intervene before I would want it referred from a commissioner to the Full Bench, so I have used the intervention as a basis on which to make the judgment, because that is the best way of making assessment. I have to intervene before I can even ask for the referral. I have pointed out that I have intervened on very few occasions and on significant matters, the test cases. I would not even intervene until they were of that particular class. I would refer it to a Full Bench only if I felt it was a significant test case and a matter important enough for the Full Bench to hear.

I would again stress that the last thing I want to do is to burden the Industrial Commission with a series of trivial cases going to the Full Bench. That is not my intention. If that is the way anyone tried to apply it, the system would break down. In that case, there would be no point in having commissioners. I do not intend to use it that way, and the honourable member knows that the sort of cases in which I have intervened in the past have been very few.

There have been fewer than 10 cases since I have been Minister. Although I could not be absolutely certain on that, it is about that number. Therefore, it does not have a significant slowing-down process on the Industrial Commission, or even, in using this power, in relation to individual commissioners.

Mr HEMMINGS: I accept what the Minister has said in reply to the questions asked by the previous two honourable members. I think he would be well aware that sections of the trade union movement are fearful of this legislation. The Minister said that he has intervened 10 times.

The Hon. D. C. Brown: I think that it is about 10 times; it is very few.

Mr HEMMINGS: Perhaps, in order to allay the fears of the trade union movement in this State, the Minister could outline to the Committee (after all, this is a serious question, and I think that the Minister should treat it as such) what he sees as a significant point at which he would have to intervene. Some trade union members see the Minister, in effect, intervening more and more. If the Minister could tell the Committee—

Mr Mathwin: How could he do that?

Mr HEMMINGS: I am speaking to the Minister, who is a very intelligent man and who knows the legislation. I do not need to address his back-benchers.

The ACTING CHAIRMAN: Order! I ask the honourable member to continue with his comments on the clause.

Mr HEMMINGS: Would the Minister outline to the Committee what he sees as a significant area in which he would need to intervene and to refer.

The Hon. D. C. BROWN: I have been trying genuinely for the past 15 or 20 minutes to give some indication of the type of case involved. However, I cannot, as I think the honourable member realises, get down to specifics. I have said that the honourable member should go back and take the precedent that has been set in those cases in which I have already intervened. I have been using the precedent as the best example of this sort of case. There are about 10 cases that the honourable member could use as a basis. I expect that those cases have had a significant influence on the State's economy, and that they are the test cases that might establish a new principle.

It is hard to say exactly what sort of case might be involved. To take a recent example, we might have wage indexation, and there might be a significant case that I believe is clearly outside the wage indexation guidelines. However, there may be some arguments in that respect and, in order to clarify the guidelines (because it will become a test case), that might be the sort of case in which I might intervene in order to try to clarify any principle involved in the wage indexation guidelines. That is the sort of case to which I am referring. That is clearly understood, as that sort of case has already been referred to the Full Bench on other occasions without the Minister's interference. However, the Minister may feel that in some cases the guideline or principle that applies across the board and to other areas needs to be clarified, and that a certain case relates to it.

Mr HEMMINGS: Will the Minister elaborate on this point? I said that he was an intelligent Minister, but perhaps I will have to withdraw that remark, because the fundamental part of this legislation that is worrying the trade union movement is where and when—

Mr MATHWIN: I rise on a point of order, Mr Acting Chairman. The honourable member is deliberately delaying the Committee with repetitious questions on these clauses. I ask for your ruling about this matter.

The ACTING CHAIRMAN: I have been listening intently to the honourable member, and I will require him to relate his comments to the clause. Also, the question is not to be repetitious.

Mr HEMMINGS: I do not think that my line of questioning has been repetitious. I am saying that the Minister did not answer my question. The one point worrying the trade union movement is where and when the Minister is going to intervene. The Minister said, quite correctly, that in his term as Minister he has intervened on only nine or 10 occasions. However, it is significant that this Committee is told by the Minister where and when he feels it may be significant in the State's interest that he will intervene. We are not asking him to say that if the storemen and packers reach agreement with a certain company that that company will grant an increase he will act; we are not asking for that type of specific case. We are asking the Minister to outline, bearing in mind his previous powers which are already in the Act, where and when he feels he can intervene under this legislation. I do not want generalities, I want an idea, so that we can go back to the trade union movement and say, 'this is what the Minister said.' Up to

now the Minister has not given that answer. We cannot have generalities; we need to know.

Mr Lewis: He doesn't need—

Mr HEMMINGS: We do not need the member for Mallee.

The Hon. D. C. BROWN: This is about the fifth or sixth time I have risen to answer this question.

Mr Lewis: He is not even listening, he is grinning.

Mr HEMMINGS: I rise on a point of order. I see that this is degenerating into the usual type of debate that the member for Mallee enjoys. I was listening intently to the Minister, and was not grinning. I ask that the member for Mallee withdraw that remark.

The CHAIRMAN: I cannot uphold that point of order. The honourable member for Mallee has not uttered unparliamentary comments, so there is no point of order.

The Hon. D. C. BROWN: I have tried to give the sort of case, and I gave an example, and this is what concerns me. I spent several minutes the last time I got up replying to an example such as the guidelines or one of the principles of wage indexation. That is the sort of example I gave. I think the trade unions understand that. Certainly, in my discussions with trade unions they understand it.

Mr Hemmings: What about shorter working hours?

The Hon. D. C. BROWN: The honourable member asked for an example and I have given one. If a matter came up which I thought was against the principles of, say, wage indexation, and it was appropriate that that be used as a test case, because there was some doubt about it, then that is the sort of case that one would want to have referred to the Full Bench. In any case, Full Benches deal with cases of principle which will have a flow-on effect to other awards or across the board. That is the sort of case I would expect. Members of certain trade unions seem to understand what is meant when one says that. That is exactly what our history has shown. That is how I have used the power.

The Hon. PETER DUNCAN: I point out for your edification, Mr Chairman, that this is my first question on this clause.

The CHAIRMAN: The honourable member can be assured that the Chair is keeping a diligent record of how often members rise in their places.

Members interjecting:

The Hon. PETER DUNCAN: Surely, we are not going about our business in this place as if it were a funeral. What does the honourable member expect?

The CHAIRMAN: Order! I suggest that the honourable member should raise with the Minister the matter that he wishes to raise.

The Hon. PETER DUNCAN: I do not want to be as bold as the Deputy Leader was a few moments ago, when he asked the Minister to extend his language to include the words 'Yes' or 'No' in an answer, but I would be interested to ask the Minister when I can get his attention—

The CHAIRMAN: Order! I ask the member for Elizabeth to continue.

The Hon. PETER DUNCAN: Given that this clause is to do with the Minister's interventions, can he envisage any circumstances which would be so out of the ordinary and so extraordinary and so unusual as to cause him to intervene on the side of a trade union in any of these matters?

Mr WHITTEN: I would like to follow up the question asked by the member for Napier, who tried to ascertain a specific case where the Minister would intervene. I raise a hypothetical situation of a company with workers working a 40-hour week. If that company decided in its own interests and those of the employees that it would pay workers for a meal break, and if the hours are from 8 a.m. to 4 p.m., five days a week, a 40-hour week, would that be such a case? If that matter went to court seeking ratification or registration, would the Minister intervene?

The Hon. D. C. BROWN: Can we have some reasonable sort of base for dealing with individual cases? The Deputy Leader has raised the meal allowance twice, and I have answered it twice already. I appreciate that the member for Price may not have been in the Chamber. I covered the meal allowance in closing the second reading debate. The Deputy Leader missed that, and raised it again specifically, and I have covered it again. As I understand it, it is similar to the case concerning meal allowances raised by the Deputy Leader, and the answer is that I would not intervene. If we are going to raise individual cases, honourable members should be present and listen to the cases, because at least five or six of the questions asked have been answered on two or three occasions, and that is wasting the time of the Committee.

Mr Whitten: If that is the way you want to be—

The CHAIRMAN: Order! I would suggest that the honourable member not carry on in that fashion.

The Hon. R. G. PAYNE: On a point of order, Mr Chairman, I must say that at least in fairness to the honourable member—

The CHAIRMAN: Order! The honourable member wishes to raise a point of order.

The Hon. R. G. PAYNE: I did preface my remarks with 'On a point of order, Mr Chairman'. The remarks by the Minister were quite unnecessary. Before you came into the Chair, I believe we had reached a good understanding that there was no need for the exacerbation that arises at this time of the night, but, lo and behold, away goes the Minister again and busts it up.

The CHAIRMAN: I cannot uphold the point of order. The honourable member has been in the Chamber long enough to know that however provoked the member for Price may feel he cannot make those comments when he is out of his seat. I think the honourable member would be aware of that.

Mr O'NEILL: The Minister mentioned some occasions when he had intervened in the commission's proceedings. I believe he said that it was something like 10 or 12 times. Can he indicate to the Committee on how many occasions out of that 10 or 12 times he has intervened in support of trade union cases before the commission?

The Hon. D. C. BROWN: When I intervene I do not intervene in support of or against a trade union, or in support of or against an employer. I intervened to put a case in the public interest and in the cases in which the Government intervenes it is done as an independent body. So, I do not think it is fair to try to classify them one way or another.

The Hon. R. G. PAYNE: I listened with great interest to that answer, because I think that is the crux of the whole matter. I believe it would be of some help, certainly to my understanding of the type of intervention that occurs in these matters if the Minister could tell me whether, of those cases in which he has intervened, there was more than one definition of public interest that he used at the time of making those necessary interventions and, if that is so, can he indicate to the Committee what the kind of parameters were?

The Hon. D. C. BROWN: I do not have the cases before me, but there is a recent case that I am certainly willing to use as an example. That is the case where the employers, I think, moved for the abolition of the wage indexation guidelines under the Industrial Commission Jurisdiction (Temporary Provisions) Act, which was passed to set up wage indexation. The employers had brought in an application to abolish the guidelines: I intervened together with the trade unions coming into the case, because it was a

significant case in terms of trying to decide the principles of wage determination to apply here in South Australia.

From memory that case was deferred until two or three weeks off. After going to the Premiers' Conference, after knowing that certain requests had been made by the trade union movement, and after discussions with the employer bodies and trying to facilitate those discussions to take place in the public interest, I intervened to bring that case on and bring it forward. That is a classic case of where it was in the interests of the employers, and the employees, through their trade unions, and the Industrial Commission was willing to do that, so that that case could be heard.

The Hon. J. D. Wright: What was achieved by bringing it on? The commissions can do that.

The Hon. D. C. BROWN: As I understand it, the trade union movement wanted to hold talks with the employers on wage determination and, before they held those talks, they wanted some decision made on that case, on whether it was going to proceed or not.

The Hon. J. D. Wright: But there was no need for you to intervene for them to have talks, surely?

The Hon. D. C. BROWN: We were before the commission and I had already intervened because it dealt with wage determination.

The Hon. J. D. Wright: You used the basis of the President's Conference, the President can do nothing anyway.

The Hon. D. C. BROWN: I used the basis of the Prime Minister's conference.

I raised the point as to what principles of wage determination we were going to have, and I thought it important that those talks between the trade unions and the employers take place as soon as possible. It was a classic case of where I intervened to the advantage of sound industrial relations in this State and where it was requested by both employers and trade unions involved.

The Hon. R. G. PAYNE: I am pleased to commend the Minister on the answer that I just received. I am damned if I know why he does not respond in a similar way to other equally valid questions. If he had done so, we would have made a great deal more headway.

Clause passed.

Clause 6—'Form and registration of agreement.'

The Hon. J. D. WRIGHT: As I understand this clause, it amends section 108 of the principal Act dealing with industrial agreements. It seems, in my view, to be aimed principally to allow the Minister of Industrial Affairs to appear in the commission and put arguments in order to influence decisions in the present Federated Storeman and Packers Union Associated Co-operative Agreement. One aspect is a shorter working time.

The Minister has attempted to intervene in this matter, the intervention has been referred to the Full Bench, and as yet there has been no decision from the Full Bench as to whether the Minister has the right to intervene in such an agreement. This legislation will obviously guarantee him that right. It does not mean that the Minister will necessarily be successful in putting a public interest argument to stop the agreement proceeding, but in any event the employers and the union want the agreement to proceed, and such interference from the Minister would certainly be mischievous.

The Minister is charged under section 25 of the Industrial Conciliation and Arbitration Act to do all such things as to it appear to be right and proper for affecting conciliation between parties, for preventing and settling disputes and settling claims by amicable agreement between parties. In this instance, and no doubt in any others to which this legislation will apply in future, a dispute has been settled amicably and agreement reached between the parties. Any interference by the Minister that would upset that agreement is certain to result in industrial disputation and, in this instance, Associated Co-operative Wholesalers supply over 70 per cent of grocers and supermarkets in Adelaide, and the effects would be quite widespread.

It seems that clause 6 is a new departure from what the industrial movement has been acclimatised to over the years, and it seems to give the Minister very sweeping powers. It is the voice of Adelaide at the moment that the sole purpose of these amendments and this legislation, particularly clause 6, is that the Minister believes that there is some doubt as to his intervention rights under the present legislation. I want to know from the Minister whether or not he is of the opinion that there is some doubt about the present intervention, which I understand is still before the Full Bench, and whether or not the Minister is so concerned about the agreement between the Storeman and Packers Union and Associated Wholesalers that he sees it as proper from his philosophical standpoint to introduce this legislation. Also, does the Minister really consider that, if he gets those intervention rights either in this agreement or others, that will stop organisations from making agreements outside the Industrial Commission with employers?

The Hon. D. C. BROWN: I think the Deputy Leader should appreciate that the power granted here is probably no different from the power that I currently have, using different provisions. If I used section 44 of the principal Act and section 8 of the temporary provisions Act, I could use exactly the same power as I have here, but this tidies up the matter and puts it into the Act, rather than using the two sections under separate Acts. I must stress, regarding the power of the Minister, that there is no real difference between this and the powers I currently have. I must stress that, because I got the impression from what the Deputy Leader was saying that he saw this as a whole new principle. That is not the case at all.

The Hon. J. D. Wright: It is exerting the principle.

The Hon. D. C. BROWN: It takes the principle that applied under two different sections in two different Acts and puts it in one Act, which is probably a neater and tidier relationship, and also it is appropriate because we do not know exactly what may happen to the guidelines under the temporary provisions Act. They are involved in a case at present and, although that case has been deferred, it is important that we try to preserve the position that applies at present and try to be more flexible, because we do not know what may ultimately occur regarding the guidelines. I think that answers the question. The Deputy Leader asked specific questions, but I think his specific questions were framed because he had a misunderstanding about what powers already existed. I think we need to appreciate that there are powers there that I can use at present.

The Hon. J. D. WRIGHT: Having been the Minister for some 4½ years, I was quite aware that section 44 was available to the Minister, and it seemed to me to be fruitless introducing this legislation, unless the Minister had some ulterior motive or was trying to tighten his powers, about which I understand there is some doubt. I deliberately asked the Minister to tell me whether or not he had sought advice from Crown Law, from his officers, or from wherever else, in relation to the current application before the Full Bench, which has to do with the agreement that I have mentioned.

The Minister has not directly given me an answer in that regard but has merely reiterated my own opinions of what any Minister's powers are under the old section 44. I have always been aware of that but, if the Minister's assessment is correct (and I think that to a large degree it probably is), why is it necessary by a new clause to reinforce those powers that the Minister thought he had? I do not want to get into a great debate on whether the powers in section 44

are consistent with the powers in the new clause. I have wondered about this since I looked at the legislation, but what concerns me is why the Minister, if he is of that opinion, with the application before the Full Bench, needs to reinforce what he believes he has always had. Is it because he has been given advice that the application currently before the Full Bench will not be successful?

The Hon. D. C. BROWN: No, that is not the advice I have been given. I think the fact that it has been referred to the Full Bench indicates that the Industrial Court sees merit in the argument that the Government has put forward, and, if it did not see merit in the argument, it would not have gone to the Full Bench, so it suggests that the Industrial Court at least initially sees that the Government may have that power. We are not dealing with just section 44, and that section does not give the Minister power to intervene in an agreement. However, section 44, taken with section 8 of the temporary provisions Act, does. Section 8 (1) provides:

> Notwithstanding anything in the principal Act contained, no agreement providing for an increase in remuneration payable to employees and entered into on or after the commencement of this Act shall be registered as an industrial agreement pursuant to that Act until the commission upon application made to it by any person in that regard certifies that the agreement is not against the public interest.

I stress that the public interest aspect is covered under section 8 of the temporary provisions Act, and I could intervene in any agreement under that Act. We see the reference to the Full Bench as quite a legitimate one, with that agreement.

Mr O'NEILL: Clause 6 (6) provides:

> Where a copy of an industrial agreement had been filed in the office of the Registrar before the commencement of the Industrial Conciliation and Arbitration Act Amendment Act, 1981, that agreement shall be deemed to have been registered under this section unless the agreement is one in respect of which provision for certification was made, but at the commencement of the amending Act had not yet been granted, under section 8 of the Industrial Commission Jurisdiction (Temporary Provisions) Act, 1975-1977, in which case any uncompleted proceedings in which the certification was sought may be continued and completed under this section as if they were proceedings for an order authorising registration of the agreement.

This means that, even though the application has been sought under pre-existing legislation, halfway through the proceedings it will be changed and be dealt with and subsequently authorised under the amended Act, if the amended Act is passed and proclaimed.

The Hon. D. C. BROWN: As I understood what the honourable member said, that is a correct interpretation. It is dangerous trying to take someone else's words and say whether or not it is a correct interpretation. I think that he is right in his interpretation from what I understand he was trying to imply. I raised this during the response on the second reading debate. I pointed out that it is very difficult to establish a cut-off point, because there are always cases before the commission, and that is the reason why it has been done in that way.

The Hon. PETER DUNCAN: Mr Chairman, as there are only two Government members in the House, which is lamentable, I call your attention to the state of the House.

A quorum having been formed:

The Hon. J. D. WRIGHT: Under clause 6 (2), the Minister has provided that 'an industrial agreement has no force or effect unless it is registered'. I would like the Minister to explain exactly what he means. He has not given us much explanation in his second reading speech in regard to that particular subclause. There could be 500 employees working in a factory who chose to make an agreement with their employer, and they could all be parties to the agreement. Would that, in the Minister's opinion, have force in law under common law?

Mr Lewis: No.

The Hon. J. D. WRIGHT: I am not asking the member for Mallee. I would not expect him to know and I would prefer that he does not interject while I am speaking. The other example is where possibly a farmer could enter into a contract or arrangement with an employee.

An honourable member: A rabbit farmer.

The Hon. J. D. WRIGHT: Not necessarily a rabbit farmer, but any type of farmer. He could enter into a contractual arrangement with an employee. Because this Bill provides that an industrial agreement has no force or effect unless it is registered, those two analogies I have given would not have any direct coverage and, therefore, in both those instances the employer could renegue from the responsibilities and the contractual arrangement, irrespective of whether it was consistent with award rates, above or below award rates. It seems to me the Minister is either going far beyond the powers which I think he is entitled to have; or the question arises whether or not the common law arrangements would apply to those people in those circumstances I raised. I would like a direct answer from the Minister on this question, because it is one that is concerning me greatly. If the Minister passes this legislation, no industrial agreement has any force or power whatsoever—

Mr Mathwin interjecting:

The Hon. J. D. WRIGHT: Did you want to say something? Stop that idiot over there interjecting while I am speaking.

The CHAIRMAN: I would suggest to the Deputy Leader that he not carry on in this fashion.

The Hon. J. D. WRIGHT: I suggest you keep the House in order.

The CHAIRMAN: Order! The Chair will make that determination.

Members interjecting:

The CHAIRMAN: Order! The Committee is not being assisted by the continuing interjections on my right.

The Hon. J. D. WRIGHT: The circumstances under which I have related it are quite fair and proper and I know that the Minister, with his understanding and experience, understands clearly what I am saying, even if the member for Mallee does not. I expect from the Minister a responsible answer as to whether those people would still have protection, or whether the passing of this legislation leaves them without any protection whatsoever.

The Hon. D. C. BROWN: First, the copy of the Bill from which the member read had a printing error in it and, I think, if the honourable member looks at the Bill on file, he will find that that printing error has been corrected. That 'Not' should in fact be 'No'. It should read, 'An industrial agreement has no force or effect unless it is registered.'

The Hon. J. D. Wright: It is still the same amendment?

The Hon. D. C. BROWN: Yes, but you read out 'Not' and I acknowledge the fact that the initial drafting of the Bill had that printing error in it, but the one on file is correct. The point is that any agreement that is not registered has no legal effect under this Act. It does not say it does not have any legal effect under some other Act, or common law, or whatever. It has no legal standing under this Act, and that is all we are referring to here. I hope that is quite clear. We are referring to the Industrial Conciliation and Arbitration Act and any agreements, and the honourable member would appreciate that elsewhere in the legislation agreements are dealt with. The clause relates to agreements under this Act.

Mr HEMMINGS: This clause provides for the registration of industrial agreements where an industrial agreement affects remuneration or worker conditions. The agreement must be registered only under the authority of the com-

mission. The Minister in his second reading explanation stated that some companies had made secret agreements with unions, such as the Amalgamated Metal Workers Union, about wage conditions and working hours. I spoke at length at the second reading stage about this matter. Will the Minister say how the agreements can be policed under clause 6 when both parties are bound to secrecy?

The Hon. D. C. BROWN: I have checked the technicalities of how it is done in the commission. Under new subsection (5), the agreement is stamped 'certified'. Secret agreements are not registered industrial agreements: they are secret agreements between the company and the trade union and have nothing to do with this area. The parties do not apply for registration. In effect, they are secret deals, in which we cannot interfere. If the agreements are to be registered before the commission, they must go through the normal procedures.

Mr HEMMINGS: If the secret agreements are not registered before the commission (and the whole thrust of the Minister's second reading explanation was that this Bill would be a means of correcting the wholesale wage push in South Australia) and if the Minister says that this Bill will have no control over secret agreements between employers and the unions, surely the whole message that we have been putting that there is harmony between the employers and the trade union movement is justified?

The Hon. D. C. BROWN: That is a ridiculous argument for any member to put forward. Once again, I refer to the answers that I gave during the second reading debate. Once again, I hate being repetitious on these matters but I must be if I am to answer the questions raised by the honourable member. Just because a trade union imposes its industrial muscle and uses industrial blackmail against a company to force it to reach some secret deal—and I will refer to them as 'deals' not 'agreements' so that there is no confusion with the agreements referred to in the Act and the secret deals done elsewhere under the threat of industrial action—

Mr Mathwin: Sweetheart deals.

The Hon. D. C. BROWN: Yes, they are no more than sweetheart deals. Let us be quite clear: they have no standing under this Act. We would not want them to have any standing under this Act, and they are quite illegal under this Act. Therefore, if it is a deal between the companies they cannot come along and use the protection of the Industrial Conciliation and Arbitration Act to make sure that that deal is upheld. That is one of the reasons why we have brought it in in this way. If people want the protection of the Industrial Conciliation and Arbitration Act they must have responsible agreements.

Mr O'NEILL: I am a little concerned about the last answer given by the Minister. He has made some rather disparaging remarks about some of the larger trade unions which have made arrangements with employer organisations in industry. Reference has been made to secret arrangements, secret deals, sweetheart agreements, industrial muscle, and industrial blackmail. I raise this point because it concerns me somewhat.

I indicated earlier that in respect of the next clause I hope I will get an opportunity to ask a question, because I was told that I would. It comes down to the public interest. I will not go into that at this stage, but this is why I rise to speak on this point. When a couple of major financial groups in South Australia or some other large commercial enterprises engage in a struggle which has been referred to on the financial pages of the local newspapers as a contest or struggle taking place under the laws of the jungle, they get stuck into one another. They are absolutely ruthless and do everything in the book to get an advantage over one another. These propositions are then looked upon, when some sort of an arrangement has finally been reached, as confidential arrangements; or quite often they have the force in law. They go through certain legal procedures and they are considered to be perfectly legitimate and quite respectable. There is some mystique.

The CHAIRMAN: Order! Is the honourable member going to link his remarks?

Mr O'NEILL: I certainly am, Mr Chairman. Does the Minister of Industrial Affairs think that maybe he and members opposite could be a little fairer in relation to the negotiations that go on outside the commission between a large trade union and a large employer group. It is generally conceded in the history books, in respect to industrial relations, that the employers, since the beginning of the industrial revolution, and indeed up to the present day (and there are some employers in this present day, in this State and in this city who think they are still operating under the terms that existed at the beginning of the industrial revolution), involve themselves in negotiations, for want of a better term.

Certainly, they may get a little rugged at times. The employers may use certain tactics against employees to try to get them to toe the line, and the employees, through their organisation, will use certain tactics against the employer to try to achieve their ends. Finally, whether it takes three days, three weeks or three months, an accommodation is reached.

Mr Lewis: Outside the umbrella of the Arbitration Commission.

Mr O'NEILL: We are plagued with the unintelligent remarks of the idiot member for Mallee.

The CHAIRMAN: Order! I ask the member for Florey to withdraw the unparliamentary remark that he has made in relation to the member for Mallee.

Mr O'NEILL: I did not realise that 'idiot' was an unparliamentary term. However, I withdraw it.

The CHAIRMAN: Order! I ask the honourable to withdraw the remark without any qualification whatsoever.

Mr O'NEILL: I withdraw it without qualification. I was merely explaining that I did not realise that that remark was unparliamentary.

The CHAIRMAN: I suggest that the honourable member not pursue the matter in this vein, as the Chair wishes what it considers unparliamentary remarks to be withdrawn at all times and without qualification or explanation.

Mr O'NEILL: I withdraw. I was trying to conduct an intelligent conversation—

Mr HEMMINGS: I rise on a point of order. I have understood that since 1979 in this place the Speaker has always ruled that an unparliamentary comment should be requested to be withdrawn by the member to whom it has referred, and not by the Speaker or, in your case, Sir, the Chairman.

In many cases, I have had unparliamentary remarks made against me that I have chosen to ignore because of the ignorance of the members who have made them. I have therefore let them go, and neither the Speaker nor you, Sir, has asked Government members to withdraw those remarks. I therefore ask for your ruling. In line with that, the member who is being impugned should make the request for withdrawal, rather than your being the umbrella protector.

The CHAIRMAN: Order! I cannot uphold the point of order. In conformity with the Speaker's ruling, I point out that, where a member considers a remark to be offensive, he has the right to seek the protection of the Chair to have that remark withdrawn. Where a comment is clearly unparliamentary, the Chair has the right at all times to intervene, and that is what I did on this occasion.

Mr O'NEILL: As I said, I was trying to conduct an intelligent conversation with the Minister, and I may have

been a little sharp with the member for Mallee. I should have said 'inane remarks', or something of that nature. Nevertheless, it was a complete *non sequitur* as far as I am concerned. I was trying to say that I believe that the Minister takes his portfolio seriously, and that it is in his own best interests to try to achieve some industrial peace in South Australia, as the situation is deteriorating from the long peaceful record that existed under the former Government.

I was making the point that there is a tendency when commercial interests engage in struggles for some advantage to use terms to accord a charismatic mystique to the whole thing. When it involves a trade union and an employer, the tendency is to make uncomplimentary remarks about the nature of the thing. That will not do any good in the long-term interests of industrial peace.

I ask the Minister whether he does not agree that we could adopt some more moderate terms in respect of descriptions of arrangements made outside the commission. The commission is not the only avenue of achieving agreements between employers and employees. I do not want to read a lecture on the development of the Conciliation and Arbitration Commission in Australia, and particularly in South Australia.

Nevertheless, I think it would be in the best interests of everybody concerned in the industrial movement, employers, employees and the State, if we moderated our language somewhat.

The Hon. D. C. BROWN: I must take up the point as to the nature of these various deals which are done outside the commission. Some of the deals done outside the commission are probably reasonable sorts of agreements. Those cases can be brought before the commission and tested. If they pass the test, and are not against the public interest, they can be registered and can share in the benefits of the Industrial Conciliation and Arbitration Act. I will highlight what one or two of those benefits are.

For instance, the South Australian Government does not recognise a wage increase unless that increase has been recognised under the appropriate award. It cannot be recognised unless it is a recognised agreement under the Industrial Conciliation and Arbitration Act. There might be a case where on a particular building site there is an agreement between the employer and employee. We know how some of those agreements are made. By interrupting concrete pours and by certain people walking off the job, people can wield tremendous industrial pressure. They can say that it is a Government job and that they will screw the South Australian Government and reach an agreement for an extra $200 a week. It would clearly be outside the interests of the State, because the taxpayer would be paying for that and it would be an unreasonable sort of deal.

That sort of deal, which would never get recognition under the Act, will certainly not get recognition once this amendment is passed. That sort of deal is not recognised by the Government, so the people involved cannot share in the benefits they would get in any agreement under the Act. That sort of case is a classic example. I am sure that the South Australian public would want to ensure that they were not being taken just because of a deal outside, and that they were paying two or three times as much for a certain construction job to be finished just because an arrangement had been made.

Mr HEMMINGS: The member for Florey, in response to an answer I received under clause 6, suggested to the Minister that perhaps, in the interests of industrial harmony, he could use better language than 'sweetheart deals' and 'industrial muscle', and the phrases that the Minister used. In his reply the Minister gave us an example in which he said that employees of the South Australian Government, or the P.B.D.—

The Hon. D. C. Brown: They were employees of contractors—

Mr HEMMINGS: The Minister said the exact opposite. This is the whole point that we have been trying to get through to the Minister, who said that employees would 'screw the employers', which is not the kind of language we would expect from the Minister, who tells us that we have the best industrial relations in this State and in the next breath tells us we are expecting the worst industrial unrest in the whole of Australia. I repeat the request made by the member for Florey that the Minister temper his remarks in answering questions. Perhaps the Minister could note that the whole trade union movement in South Australia will be reading the report of this debate, and it may improve the Minister's image if he tempered his language in regard to employees.

Clause passed.

Clause 7—'Insertion of new Division.'

Mr O'NEILL: I attempted to raise this matter in regard to clause 3, and was told that I would have an opportunity to raise it in connection with this clause. One matter about which I am concerned (and I cannot blame the present Government for this situation) is that the term 'public interest' has been bandied about in the past 48 or 24 hours—I forget exactly how long. It is still Tuesday so far as Parliament is concerned. There have been continuing references to the public interest. In the definitions in the principal Act, reference is made to 'public holiday', 'Public Service Board' and 'Public Service employee', but there is no definition of 'public interest'. One can wax lyrical about the public interest, but what is it?

Members on this side of the Committee may have a different conception of the public interest than do members on the other side. Public interest probably equals the policies of the Government of the day. The Government will interpret legislation in terms of what it sees as being in the best interests of the public. We had a demonstration a few minutes ago of the different approaches to agreements within and without the Conciliation and Arbitration Commission.

It is probably incumbent upon the Minister to be a little more definite about what he means in his use of that term. It is often quite wrongly assumed that, when one talks of union members being in dispute, one is talking about people actually involved in the action going on. Emanting from that, like rings in a pool after a stone has been thrown in, are large numbers of other people involved, including families. Also, people may not be involved in the particular dispute but may be involved in the resulting ramifications. 'Public interest' is an ambiguous term, and I seek from the Minister a more definite statement about how he defines it.

The ACTING CHAIRMAN (Mr Mathwin): Order! Order!

The Hon. D. C. BROWN: I will answer the question. We were just trying to facilitate the movement of amendments, because there are a number of them. I think it is important that we do that so that we do not waste too much time, because there are some three or four different amendments to be put. In answer to the honourable member, I appreciate that the public interest is a broad issue. I think that is why the power is given to the Minister of Industrial Affairs, why he is there representing, if you like, the broadest interests of South Australians, and that is why I see it as being so important.

As the member for Mallee so clearly put it in his second reading speech, I think that there is a broader implication of industrial agreements which must be taken into account: for instance, the effects of unemployment, the effects of

inflation, the flow-on effects to other areas, and whether or not they are limited agreements, whether or not they restrict the human rights of other people. They are the sort of issues that can be taken up under the public interest. The other point that we are stressing here is that there are economic arguments that can be taken into account as part of that public interest, and I specifically picked up this point from the Federal Act.

The principle of the provisions contained in proposed new section 146(2) is established under the Federal Act. Again, I would stress to honourable members that the principle is not new to industrial relations within Australia, and I think it has served the trade union movement, the community and the employers extremely well under the Federal Act. The unions have used it, and they have put forward similar sorts of argument here in South Australia. I am not against them being able to put forward those sorts of argument, and I am not against the commission having the right to take those arguments into consideration in making its determination. In fact, I am saying here that they should do so. I think it is fair and legitimate, when one looks at the broader implications of industrial agreements, and particularly the economic ones, that one does not deal only with the problems in industrial relations terms.

Mr O'NEILL: In the Minister's second reading explanation, he made reference to examining wages claims which will have an effect on the State's economy. The Minister said:

> Yet we must rely on an Act which has no mandate to the Industrial Commission and have regard to the prevailing economic circumstances, even though there is a moral responsibility on the Full Bench and individual Commissioners when making awards to ensure that their decisions do not have significant adverse effects on the South Australian economy.

Having regard to those statements, does the Minister have any reason to consider that the judges and the commissioners of the South Australian Industrial Commission have abrogated that moral responsibility or been remiss in carrying out their duties, given the responsibility that he refers to?

The Hon. D. C. BROWN: The very point that I made throughout my second reading explanation was that they have no power to take those matters into account. It is not a matter of whether they have been negligent in not carrying out their obligation; they have no power to take those matters into account, so I cannot answer the honourable member. They would be breaching their powers if they suddenly started to hand down decisions based on the economic argument. I think that matter is clearly covered in the decision handed down by the President in the Industrial Commission on 3 July, when he handed down his judgment on the State wage case. I move:

Page 2, after line 32—Insert definition as follows:
'the Commonwealth Commission' means the Australian Conciliation and Arbitration Commission;

Amendment carried

The Hon. D. C. BROWN: I move:

Page 3, after line 30—Insert paragraphs as follows:
(ab) shall give effect to principles enunciated by the Commonwealth Commission (as they apply from time to time) that flow from consideration by that Commission of the state of the national economy and the likely effects of determinations of that Commission on the national economy;
(ac) where there is a nexus between the proposed determination and a determination of the Commonwealth Commission—shall consider the desirability of achieving or maintaining uniformity between rates of remuneration payable under the respective determinations;

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

To delete the word 'shall' in the first line of paragraph *(ab)* of the Minister's amendment and insert the word 'may'.

I believe that this should be a voluntary exercise. If one wants to give some freedom and accommodation to the State Commission, I do not believe that this Parliament should be making it mandatory for it to accept the principles enunciated by the Commonwealth commission. However, I have no objection if, in their wisdom, they see fit to do so. I believe that by taking out the word 'shall' and inserting 'may', it gives some rights to the commission itself to determine whether or not the principles as enunciated by the Federal commission are acceptable in the circumstances.

In relation to paragraph *(ac)* of the Minister's amendment, I have no objection to it; it is perfectly reasonable. I did consider taking out the word 'shall' in that instance and inserting 'may', but I think that, without going into great consideration it is perfectly proper and should work. The only opposition we have to the amendment is the Minister's word 'shall', which is making the situation mandatory. I believe that he should insert 'may' and give the commission the opportunity to decide otherwise.

The Hon. D. C. BROWN: I am not prepared to accept the Deputy Leader's amendment, particularly in light of the fact that we are in somewhat of a void in terms of wage determination in Australia at present. It is extremely important at this stage that we try to establish national principles that would apply both through State tribunals and the Federal tribunal. Not for one moment am I saying that the sole rights should apply with the Federal commission because I think the important thing is that there is an input to be made by State commissions in how that should be determined.

If there is a need, and if agreement is reached where 'shall' becomes a problem, then I am prepared to look at amending it. However, I believe that in the void that we have at present, particularly as Ministers of Industrial Relations for some time have been trying to stress throughout Australia to all of the tribunals, both Federal and State, the need for uniformity as far as possible, we believe that this is a fundamental principle.

One problem is that wage indexation broke down because there was not consensus between the different tribunals on what the guidelines should be and how they should apply. We had the commission in New South Wales making decisions which were completely counter to the Federal guidelines. In fact, the T.W.U. dispute blew into the proportions it did because they received the $20 a week in New South Wales, even though the New South Wales Industrial Commission was purportedly acting under the wage indexation guidelines, whereas that was rejected under Federal guidelines. We cannot have a uniform system of wage determination throughout Australia where we have one tribunal granting $20 and, under exactly the same sort of principles, another tribunal rejecting the $20 a week claim.

The Hon. J. D. Wright: That is taken into consideration in the second part of the amendment, not the first part.

The Hon. D. C. BROWN: We had three different tribunals varying the application of the guidelines for wage indexation. We had a variation in South Australia, a variation in Western Australia, and a variation in New South Wales. It was little wonder, and it was to my disappointment, that wage indexation was abandoned, because I think that wage indexation was operating with an adjustment of the guidelines and, no doubt, an alteration to the guidelines was needed, but wage indexation was at least constraining the wage increases that applied in Australia and, at the same time, it gave an assurance to the workers that they would get a wage increase approximately in proportion to the increase in the inflation rate.

I think the entire Australian community benefited from that, especially those people in the weaker unions who otherwise would not be able to use the same pressure to obtain a wage increase. If we get some uniform national system of wage determination, I think it would be unfortunate if, because of the independence of different tribunals, this problem arose. I do not put the blame on South Australian tribunals, because it is a problem throughout Australia; different tribunals applied the principles in different ways. I think at this stage that it is important to attempt to strive for uniformity on the principles that are going to apply to post wage indexation.

I appreciate that talks are taking place in South Australia between employer bodies and the trade union movement on what wage determining system should apply in this State. If they do present a system which is acceptable to the employers, to the trade unions and to the Government, I am prepared (and I have given this undertaking to the President of the Industrial Commission) to look at making suitable amendments, provided that all those parties are happy with the proposed wage determining system.

I cannot go beyond that. I think that is a very reasonable undertaking to give, and I give it in this House, because I think it is important, when considering the amendment proposed by the Deputy Leader of the Opposition. I have had discussions with the President on this matter, and the Government would not want to place a statutory impediment in the way of some wage-fixing system in South Australia which was for the benefit of the whole community, provided that all those parties I mentioned agreed to it. I mentioned to the President that, if that is the case, after the system has been worked out, if necessary, the Government would look at the possibility of amending the Industrial Conciliation and Arbitration Act, or the temporary provisions legislation. I raise that matter, and that is the basis upon which I oppose the amendment of the Deputy Leader of the Opposition.

The Hon. J. D. WRIGHT: I now find myself in a difficult position, because I do not disagree with much of the amendment. I was hoping the Minister would give some consideration to deleting the word 'shall' and inserting in lieu thereof the word 'may'. As I said, it clearly tightens up the commission under that provision, to act strictly in accordance with what is happening in the Federal commission. I do not believe (and the Minister has not said to the contrary) that the President of the court, the commissioners and judges of the court would adhere to such stringent regulations as the Minister is trying to impose with this particular resolution. I do not disagree with a great deal of it, but I now find that although I can accommodate myself, as the Opposition can, with the second part of the amendment, because the amendment is moved in two parts, I now have to oppose the whole of the amendment if the Minister insists on the word 'shall' remaining.

I was hoping that he would consider deleting 'shall' and inserting 'may'. However, he has refused to do that. The Minister brought wage indexation into the debate at this late stage, and I disagree with him on why wage indexation in Australia failed. It failed clearly because Liberal Governments, both State and Federal, throughout Australia put submissions to the Federal Arbitration Commission for something less than full indexation up to the plateau.

I supported full indexation right throughout the wage indexation period. I do not think anyone, on my side of politics anyway, has been a stronger advocate of the retention of wage indexation. In fact, I made a speech about it in this House only a couple of weeks ago. Let us be clear about who is at fault in relation to the failing of wage indexation in Australia. There is no question about it.

Once the courts found that Liberal Governments throughout Australia were arguing, and arguing very strongly, along with the employers, in some cases that no increase should be granted and in other caes that there should be a partial increase, clearly from that moment on indexation was doomed to failure. It could not succeed while workers were not being compensated fully up to the c.p.i. increases. Clearly, I could see this coming 12 to 18 months ago, and I am sorry it has come to pass.

However, once it occurred, unions felt quite obligated (and, I believe, quite properly) to go outside the Federal Arbitration Commission to obtain what they considered to be the catch-up, to which they were justly entitled in my view, and which should have been awarded under the wage indexation system. Had that system operated consistently throughout Australia, I believe that the Australian nation still would have had a wage fixing policy that would have been a proper one. We at the moment are left without any policy in Australia.

There is no wage fixing determination in this nation now, and the sooner we get back to one and the sooner there is some lead from the Federal Liberal Government and State Liberal Governments throughout Australia the better for the nation. If we do not do that quickly we will go back into the jungle, back to the days before 1974, when all sorts of industrial disputation occurred in this country. The thing that I am very worried about in these circumstances is that clearly we find the strong getting stronger and the weak getting weaker. I believe that the blame for those circumstances clearly lies with the Liberal Governments of Australia because of their attitude to wage indexation.

The Committee divided on the Hon. J. D. Wright's amendment:

Ayes (14)—Messrs Abbott, L. M. F. Arnold, Bannon, M. J. Brown, Duncan, Hamilton, Hemmings, Hopgood, O'Neill, Payne, Plunkett, Slater, Whitten, and Wright (teller).

Noes (18)—Mrs Adamson, Messrs Ashenden, Becker, Billard, D. C. Brown (teller), Eastick, Glazbrook, Goldsworthy, Lewis, Olsen, Oswald, Randall, Rodda, Russack, Schmidt, Tonkin, Wilson, and Wotton.

Pairs—Ayes—Messrs Corcoran, Crafter, Keneally, Langley, Peterson, and Trainer. Noes—Messrs Allison, P. B. Arnold, Blacker, Chapman, Evans, and Mathwin.

Majority of 4 for the Noes.

Amendment thus negatived.

The Committee divided on the Hon. D. C. Brown's amendment:

Ayes (18)—Mrs Adamson, Messrs Ashenden, Becker, Billard, D. C. Brown (teller), Eastick, Glazbrook, Goldsworthy, Lewis, Olsen, Oswald, Randall, Rodda, Russack, Schmidt, Tonkin, Wilson, and Wotton.

Noes (14)—Messrs Abbott, L. M. F. Arnold, Bannon, M. J. Brown, Duncan, Hamilton, Hemmings, Hopgood, O'Neill, Payne, Plunkett, Slater, Whitten, and Wright (teller).

Pairs—Ayes—Messrs Allison, P. B. Arnold, Blacker, Chapman, Evans, and Mathwin. Noes—Messrs Corcoran, Crafter, Keneally, Langley, Peterson, and Trainer.

Majority of 4 for the Ayes.

Amendment thus carried.

The Hon. R. G. PAYNE: New section 146c gives the Minister power to intervene. As the Minister so aptly said earlier, he already has that power and it has been used, yet he is still legislating to provide for that power. It is a bit of a conundrum. I have studied the Bill further and I now see that there is a difference between section 44 and new section 146c to the extent that the power of the Minister to intervene is before an industrial authority. I am intrigued as to why this power is included in the Bill when the

Minister already has the power to intervene before the court and the commission: he is giving himself that power again, but by virtue of the definition of 'industrial authority'. Will the Minister say whether there is some special reason for this provision?

The Hon. D. C. BROWN: The words 'industrial authority' have been used, because it is a broader concept than the Industrial Court and Commission. Although the power applied previously in the court and commission, we saw a need to apply it in other areas that could have just as large a public interest.

The Hon. R. G. Payne: It is already in existence in relation to the commission, that's all.

The Hon. D. C. BROWN: I assure the honourable member that no additional power is granted. It is only the definition of an industrial authority that is picked up.

Mr LYNN ARNOLD: Earlier this afternoon, this morning or some long time ago I raised a question about the Teachers Salaries Board with the Minister. To his credit the Minister listened to that part of the Opposition's contribution and gave a few points. Unfortunately, in giving some of those points to the House he failed to indicate exactly how he interpreted the term 'in the public interest' as it appears in the Education Act. I was making the point that there are provisions in the Education Act for the Minister of the day to put to the Teachers Salaries Board, in its deliberations on matters of salary claims before it, aspects involving the public interest quite within the ambit of what I would have thought comes within this present Act.

As a consequence, it seemed quite irrelevant that the Bill before us was treating with the Teachers Salaries Board. When I asked, even by interjection—and I apologised to the House for that—what he meant by 'in the public interest', the Minister would still not say exactly what that term meant to him and why in its definition in the Education Act it is somehow more restrictive than it appears to be in the Bill before us.

The Hon. D. C. BROWN: 'Public interest' in the Education Act is up to that Act to define. We are dealing here with public interest under the Industrial Conciliation and Arbitration Act. I do not think that it is appropriate to confuse the two, although they are probably closely related. The point is that we are here only dealing with the legal provisions that the Minister of Industrial Affairs has and on what grounds he can intervene in the public interest. There may be occasions where the Minister of Education has certain responsibilities as an employer when looking after educational interests.

The Minister of Industrial Affairs has quite different responsibilities, and he might intervene in the public interest on a specific industrial matter which would have enormous ramifications on the industrial scene, but would have less effect in the education area. It is quite appropriate that the Minister of Industrial Affairs should have the same power. I point out that he also has that power to intervene before, for instance, the Parliamentary Salaries Tribunal and other cases as well. We are not picking on any one group—we are applying it across the board. We are ensuring that there are no exceptions. In doing so, I think that we are taking a responsible stand. Certainly, if we had exempted the Parliamentary Salaries Tribunal we would have been exposed to some criticism, but that will not happen.

Mr LYNN ARNOLD: I thank the Minister for his answer. I also thank him for his reassurance in relation to the Parliamentary Salaries Tribunal, except that I was not asking about that. The point I was making related to the Teachers Salaries Board. Obviously the Minister is a member of Cabinet and in consultation with Cabinet he would be making an interpretation about what the term 'public interest' meant. I would have thought that the Minister as the responsible officer in Cabinet would take that interpretation before the Teachers Salaries Board. I am concerned about the duplication that this seems to be establishing.

By having two avenues of input in relation to teachers salaries applications before the Teachers Salaries Board, it seems to me that, if we are trying to simplify Government, we are not getting very far with this approach, which is duplicating rather than simplifying. It would be a different matter perhaps if the two Ministers had no consultation together. I would have though that in the ordinary course of Government in Australia today it is quite logical for Cabinet Ministers to liaise and that it would not be expected that the Minister of Education in all his work before the board would only be looking at simple matters relating to educational quality, and so on. He would be regarded as able, capable and obliged to treat with matters in the public interest which went beyond that. That is the point that I am making in that regard.

I also raised another point to which I referred this morning and on which I should like the Minister's comment. I refer to the many industrial matters in relation to which the relevant unions involved may treat with the Education Department and reach some agreement in regard to either working conditions or salaries and, therefore, perhaps involve themselves in an industrial agreement. I asked the question this morning, because I did not know exactly how this would come out in the wash.

To what extent could this myriad of consultation processes in regard to a large number of individuals or small groups of people each be required to be registered and to receive an authorisation under clause 6 (5)? The answer may be simple. It may be that a clause that I have not seen or understood in the Bill exempts all these industrial matters. However, I cannot see such a clause in the Bill.

The Hon. D. C. BROWN: I again repeat the point that not only the Minister of Education can put a case in the public interest. If one looks carefully at the Education Act, one can see that it does not provide that the Minister of Education must put a point in the public interest. It merely says that any agreement that is not in the public interest may be rejected. Section 40 provides that, in the exercise of its powers, the board may dismiss any matter or refrain from further hearing of a matter if it is trivial or if to proceed with it is not in the public interest. That does not mean that the Minister of Education must take up that matter in the public interest. It is for the board to make that judgment. The board has power to dismiss it if the matter is not in the public interest, and I have power, as Minister of Industrial Affairs, under the Bill to take up a matter as being against the public interest.

There are some classic examples where a matter may have little relevance or significance to the Education Department and, therefore, the Minister of Education would not appreciate it and, correctly, would not raise it, even if he realised that it existed. However, it could have enormous ramifications in the industrial area if it flowed on to all other State awards. The honourable member needs to appreciate where the public interest is related in the Education Act and in relation to the Teachers Salaries Board.

Regarding the honourable member's final point, I regret that he apparently was not in the Chamber when we spent three quarters of an hour dealing with that specific issue. About seven or eight questions clearly covered the sort of question that the honourable member raised. I will cover the matter quickly. Again, it annoys me that we need to be so repetitious this evening in answering questions.

The CHAIRMAN: Order! I ask the Minister to be very brief, because repetition is completely out of order.

The Hon. D. C. BROWN: This is a classic problem. If honourable members opposite want to take an interest in the Bill, they should come in here, sit through the clauses and listen to the answers that are given to the questions that are raised. We have found time after time tonight that members have wandered out, probably to watch television or something else, and have then returned and asked a question that has already been asked several times.

However, I will answer the honourable member's specific point. Previously we were calling agreements deals, as they are not really registered industrial agreements until they are dealt with and accepted under the Industrial Conciliation and Arbitration Act. It does not limit the right of the Education Department to sit down and talk to the union and to reach a deal on any aspect. However, that deal has no recognition or authority under the Industrial Conciliation and Arbitration Act unless it is a registered agreement.

Mr Lynn Arnold: It isn't binding.

The Hon. D. C. BROWN: That is right. They can do deals, but they are not binding and do not have the benefits of the Act. Certainly, it does not impose any limitations on the ability of the parties to talk outside the scope of this Act.

Mr LYNN ARNOLD: I think that the answer the Minister has given indicates that a great deal more thought will have to be put into that matter, because I think that that does raise the possibility of quite a few problems in time to come, especially related to the binding nature of these industrial matters. I think that it is unreasonable of the Minister to cast the aspersion that I was flitting in and out at whim to take part in this debate. The Minister knows full well that I was in the Chamber during most of the proceedings of this debate. I have been involved for the past couple of hours in a meeting in this building and have come into the Chamber when possible. It is unfair for the Minister to suggest that I was watching television, or doing something else of a frivolous nature. I come back to the point that the Minister indicated that time will tell how reasonable and successful this legislation is going to be, not only with regard to the Teachers Salaries Board but to the thousands and thousands of day-by-day agreements that are reached in the employment sphere. We will find out whether or not this is going to create a bureaucratic morass, or whether in fact it actually stops any constructive work in the industrial relations field, full stop.

The Hon. D. C. BROWN: I point out that in terms of the legitimate legal standing of any agreement or deal reached between the Education Department, say, and teachers there is no change whatsoever because of this amendment, or any change to the Industrial Conciliation and Arbitration Act. If a deal was not registered before, it had no legal standing. If it is not registered now, it still has no legal standing. For the honourable member to say that we will have to look at these serious industrial difficulties which might develop out of this is unnecessary, because there has been no change. That is the area about which there has been much ignorance, much misunderstanding, or about which the Opposition is trying to whip up ghosts that just do not exist. The honourable member said that he has been in the House during most of the discussion about the clauses of the Bill but that he has been out of the House at a meeting for the last two hours. I can appreciate that he has other responsibilities. However, I point out that we have been dealing with this for almost three hours and that, if one is to follow the debate, one cannot be out of the Chamber for two-thirds of the time taken for the debate on the clauses, as the honourable member has.

Clause passed.

Clause 8 and title passed.

The Hon. D. C. BROWN (Minister of Industrial Affairs): I move:

That this Bill be now read a third time.

I ask the community, and particularly members of the trade union movement (because apparently that is where fears are held about this Bill as it comes out of Committee), to carefully consider both the way in which the Government has used this power before and what the actual powers granted under this Bill will mean.

Again, I emphasise the point that the power for the Minister of Industrial Affairs to intervene is already established under the Industrial Conciliation and Arbitration Act. Also, I point out that the principle of the commission's taking into account matters of the economy, particularly unemployment and inflation, is already a principle established under the Federal Act. It has been in operation and used by both the trade union movement and employers for many years. There has been a grave anomoly in South Australia, where the Industrial Commission, particularly on cases such as the State wage case, has not been able to take into account economic issues.

It is important, when looking at the future of wage determination in this State, that significant decisions handed down are not against the interests of this State, and particularly do not lead to increased unemployment. I believe that the Bill as it comes out of Committee is a reasonable Bill. It will not have the Draconian, disruptive effects as suggested by members in the second reading debate. I believe it is in the interests of both the economy of this State and having wage stability in this State that all members support the Bill's passage.

The Hon. J. D. WRIGHT (Adelaide): I indicate on behalf of the Opposition that we still oppose the Bill in its entirety. It has not improved, although we have had about eleven and a half hours debate on it.

The Hon. D. C. Brown: You didn't put up any amendments to improve it.

The Hon. J. D. WRIGHT: We did not want to improve it, actually. We wanted to vote it out. It could not be improved, it is so bad. In fact, it is an outrageous Bill, as the Minister is well aware. There was nothing that could be amended. As I said in my second reading speech, it was not a Committee Bill: it was a Bill one either supported or did not support.

I do not want to hold up the House much longer, because we have been on this Bill for a long time, but the Minister has said that he hopes the trade union movement will consider the workings and effects of this legislation. I believe the Minister has acted outrageously with the introduction of this Bill. To the best of my knowledge, I cannot find anyone he consulted who has any effect in the trade union movement in South Australia.

The SPEAKER: Order. The honourable Deputy Leader fully appreciates that the debate on the third reading is very narrow, and relates to the Bill as it has left Committee.

The Hon. J. D. WRIGHT: I appreciate that. I made those comments earlier and I reiterate them. The Bill is virtually the same as it comes out of Committee as it was when it came into the House initially. The Opposition could not support it then and it certainly cannot support it now. I sincerely hope that it has a rough passage in another place.

The House divided on the third reading:

Ayes (18)—Mrs Adamson, Messrs Allison, D. C. Brown (teller), Eastick, Glazbrook, Goldsworthy, Gunn, Lewis, Mathwin, Olsen, Oswald, Randall, Rodda, Russack, Schmidt, Tonkin, Wilson, and Wotton.

Noes (14)—Messrs Abbott, L. M. F. Arnold, Bannon, M. J. Brown, Duncan, Hamilton, Hemmings, Hopgood, O'Neill, Payne, Plunkett, Slater, Whitten, and Wright (teller).

Pairs—Ayes—Messrs P. B. Arnold, Ashenden, Becker, Billard, Blacker, and Chapman. Noes—Messrs Corcoran, Crafter, Keneally, Langley, Trainer, and Peterson.

Majority of 4 for the Ayes.

Third reading thus carried.

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

That the Standing Orders be so far suspended as to enable the Clerk to deliver messages to the Legislative Council when this House is not sitting.

Motion carried.

STANDING ORDERS COMMITTEE REPORT

Mr GUNN (Eyre): I move:

That the report of the Standing Orders Committee be adopted.

I draw to the attention of the House paragraph 32 of the Standing Orders Report for 1980-1981 which states:

The committee strongly recommends the retention of the Estimates Committees with the changes outlined above. Appendix B sets out proposed Sessional Orders (with last year's contrasted) and your committee recommends that, on adoption of this report, they be agreed to.

The committee held a number of meetings, advertised in the daily newspapers, and advised honourable members and other interested persons that it would be prepared to invite submissions and receive comments. Basically, the comments the committee received came under the following headings: first, venue. There was the point of view put that the House of Assembly and the Legislative Council Chambers were not the most appropriate forums in which the committees should sit. However, after consideration, the committee was of the view that it was best for all concerned if the two Chambers were used. It was simpler for *Hansard,* and it provided a better opportunity for the public and for members.

The next matter concerned the use of advisers. On reading the report, I believe that members would agree that the comments in relation to that matter need little explanation. Also, there were the matters of policy matters versus factual information, powers of chairmen, rights of members not elected to committees, and sitting times. The problem that was caused last year when certain members felt that, because they were not official members of the committee they did not receive a fair go, attracted a great deal of attention of the committee. The committee sincerely hopes that the approach that it has recommended will solve this problem. In paragraph 27, the committee states:

While not wanting to limit the flexibility of the working of the committees, it is your committee's view that if the voluntary restraints on time do not succeed they should be fixed in the Sessional Orders for future committees. If the non-members of the committees consult privately each day with the Chairmen as to their wishes the difficulties they experienced last year should be largely overcome.

Clause 20 again referred to this matter and explained that, as in the House or Committee the Chairman has the prerogative to determine who gets the call. Committee members were of the view that the approach normally used in Committee should be used by the Chairmen; that is, after some debate has taken place, the Chairmen should see members other than the official members of the committee.

I believe that the recommendations will go a long way to overcoming some of the difficulties that were experienced in the first year's operation of the committee system. I am of the view that some problems will arise after this year's experience, and the best way to solve those problems is for the Standing Orders Committee again to view the operation during the course of the year. I do not believe that it is necessary for me to speak at any length, because the committee was unanimous in its support of these recommendations. We gave the matter a great deal of consideration. I commend the report to the House.

Mr BANNON (Leader of the Opposition): The Opposition supports this report from the Standing Orders Committee with some reservations, which I will place on record, reservations that relate not so much to the Standing Orders Committee Report, which I think is a very well thought out and well researched document (and I commend you, Sir, and members of the committee on the presentation of it and on the detailed investigations you made in arriving at your findings), but, as has been stressed on many occasions, to the fact that we are in an area of experiment. Whether or not the report and the amendments suggested to Standing Orders and procedures governing the Estimates work will depend on practice. We will have to assess this procedure at the end of the exercise.

I think it has been generally conceded that it was important that an investigation of this kind take place. It may be recalled that the Opposition advocated very strongly that a special Select Committee of this House should be established to undertake just such an exercise as the Standing Orders Committee eventually did. I believe there would have been some advantages to the Select Committee procedure in terms of the ways in which it could have approached its task. It could have gone beyond the exact procedures of Estimates in the House. Nonetheless, I readily concede that the Standing Orders Committee attempted to garner opinions and give thorough attention to the various issues raised.

In putting on the record some reservations, I refer to the submissions made by the Opposition to the Standing Orders Committee and comment on the response of the committee to those decisions as embodied in the report. We made very strongly the preliminary point that we were not satisfied with the new procedures as they were undertaken last year. Our view was that, unless a review came up with some fairly substantial recommendations for change, we would favour a return to the former system and indeed move to attempt to have that instituted. I believe that the committee's report that we have before us does respond to those items of disagreement and, as such, we are prepared to enter into this exercise again in a co-operative fashion in an attempt to make the Estimates Committees procedures work.

The procedures were definitely oversold last year and I think that a sense of failure and frustration felt by members on both sides of the House was partly occasioned by that. It failed to provide the benefits claimed for it in most cases. The information we were meant to get in many cases was inadequate. The degree of advice and assistance from Public Service advisers was often not forthcoming—not through any desire of those advisers to withhold information, nor because they did not have such information, but because of the role that some Ministers played before the committees. We certainly learned a lot from that experience.

I believe that it is unfortunate that the Premier, as part of this selling process, has coupled with the Estimates procedure his concept on programme and performance budgeting; something of almost a fixation on the part of the Premier, which has consumed a lot of time, energy and expense in the Public Service this year. It is one of the reasons, I suspect, that the State Budget is being delayed and will be so late in appearing this year. It is one that the Premier certainly does not want to mention, because the

programme performance budgeting is in fact meant to streamline and improve the efficiency of the Budget preparation. This year I believe that it has not done so. It has consumed enormous time and effort in all departments at all levels which could have well been spent in this difficult financial year in getting on with the more straight-forward task of administering.

The Hon. D. J. Hopgood: I wonder whether his colleagues share his enthusiasm.

Mr BANNON: I suspect that the Premier is very much a one-man band in this instance. He certainly put a lot of his own time and energy into this process, but the programme and performance budgeting should not be linked so closely to the Estimates procedure as the Premier has attempted to link it. It should be looked at on its own merits as a means by which this House and, in particular, the Opposition can probe, question and pursue the Government's financial policies and budgetary strategy.

We raised before the committee a number of matters: first, we suggested that the information provided particularly by way of the so-called yellow book which, while it was more comprehensive than in the previous years, was still less than satisfactory. In many cases it added to the confusion rather than clarifying the issues. There were some inaccuracies and contradictions between the yellow book and the official Budget papers, and in some cases it was clearly most unhelpful. We believe that more basic detailed and accurate information should be provided, and that that information should be made available at the same time as the Budget is presented to the House by the Premier.

The committee did not really address itself to that point in its deliberations, but I would hope that some attempt will be made to provide that more detailed information earlier, because I think it will definitely improve the performance of the Estimates Committees. In relation to the meetings of the committees, we supported the concept of two committees meeting simultaneously, although we recognised that there were some disadvantages. I note that the Standing Orders Committee has maintained the concept of the two committees (A and B) meeting at the same time.

We were very firmly committed to meetings being held in the formal setting of the two Chambers. We felt that this had the advantage of emphasising the importance of those proceedings and, while certainly it retained an element of the adversary system, nonetheless that is fundmental to our Parliamentary traditions, and is something that we should not back away from.

It is useful to note that the committee addressed itself to the question of the venue, the advantages and disadvantages, and came down in favour of continuing to meet in the Chambers. There is an addendum to that, I think. The committee has approached the formality of the proceedings and some of the confusion over procedures and Standing Orders by suggesting that we adopt the procedures of the Committee of the Whole. I think that now gives us some clear guidelines on the matter.

The question of the time allowed was another matter that concerned us. We were aware of the problem of opportunities for Independent members and other members of Parliament not on the committees to question a Minister, and we felt that it was difficult to organise a 'fair go' in the sense of time for these members to intervene, without the total time available being extended. We proposed that an extra week be made available. The committee has not gone quite that far but, by extending the sitting times each day, it has provided a considerable number of extra hours. I think the number has gone from something like 80 to 105 hours, and that will be an advantage, not just to committee members but also to Independent and other back-bench members.

The formula that the committee has adopted to try to solve the problem of Independent members (that is, by guaranteeing them a certain minimum amount of time for questioning) does seem to us at this stage to be the only way in which the matter can be handled. It certainly has some clumsiness. I think it is a great pity that this debate is not being attended by the member for Mitcham, who doubtless will loudly and vociferously complain about this aspect when we come to the Committee stage. This is the time for him to put on record any objections or suggested variations he may have, and it is a pity that he is not in the Chamber, but I think he can only have himself to blame for that. It is certainly not my job to carry a brief for him.

I simply say that we support the recommendation that the committee has brought down, recognising that it may not be fully adequate but that it is worth seeing what will eventuate in practice. As to sitting times, we believe that these should be more flexible, and the committee has come to some terms with that. There is the extension of time allowed, which partly overcomes that question of flexibility, and written into the Standing Orders is the possibility of the time-tabling of votes day by day, which can overcome wasted time and ensure that the time table is adhered to and that maximum time is allowed. We believe that, while the committee again did not go as far as we would like in introducing flexibility, at least some improvement has been made, and we will see how that works in practice.

On the question of substitution of members on committees, the report deals with this in paragraph 21. The committee acknowledged the point we made very strongly, namely, that the method of substitution was somewhat inflexible and that some changes should be made. It recommended that the present system of substitution be retained but with a further right of substitution when the sittings of the committees are suspended for the luncheon or dinner breaks.

That certainly introduces another element to this matter, which is welcome, but I fail to understand why this has caused such a problem for the committee. I understand that there are administrative difficulties in recording who is a member of a committee at any particular time, and it certainly helps the job of the Clerks and others administering committees if they have something in writing before them.

We do have the *Hansard* record of these committees. We felt that a system whereby substitution could take place at any time, providing proper notification was given to the Chair, would be quite adequate. The committee did not go along with that. It is a pity, because this does mean that there will be a lot more paperwork and a lot less flexibility in the matter of substitution, which discriminates against those members who are not members of the official committee. This is one of the reservations I have about the report, the question of substitution, but again we must see how it works.

I referred earlier to the programme and time table in more general terms. I will not go into the submissions we made to the committee. The committee has attended to that problem and proposed certain procedures which I think will assist. The question of the Chairmen's rulings was one that caused considerable problems both within committees and as between committees. We argued strongly that these should be standardised in consultation with you, Sir. We believe that the Chair should have the ability to keep Ministers on the point at issues when replying to questions, and that the committee should not be the same as at Question Time, where the Minister can simply range in any direction over any subject matter and answer as he sees fit. Because they are specific questions in committee they

should be answered very relevantly and to the point, and the Chair should have some power to enforce it.

I think that the committee's suggested solution to this problem, the adoption of the rules of the Committees of the Whole, rather than that of a Select Committee, and giving the Chairmen greater authority to control the proceedings by allowing them the discretion as to whom they see for their call, reinforced by suggested time limits to keep the flow of debate moving, will be a great help.

This passage is contained in the conclusions and recommendations of the committee, particularly paragraph 26. The committee takes this a step further than our submission envisaged by providing a procedure for disciplining of members of the committee when such disciplinary powers are necessary. This will certainly overcome many of the objections that were raised on the last occasion and will certainly help members, whether they are on Committee A or Committee B, to operate in a fixed set of rules that they understand.

Finally, there is the question of public servants, their advisers, and their roles. We strongly supported the concept that Ministers should be responsible for answering the policy questions and that public servants and advisers should be confined to matters of factual information; indeed, I go further and say that in many cases it should be their job to provide it, because they have that information at their finger tips, and that is the reason for their attendance before the committee. Last year too often we had cases where a Minister would insist on answering all questions put to him by the committee, and we had to go through the tedious process of information being transmitted to the Minister in whispered tones by the adviser sitting by the table, and then retranslated for the benefit of committee. I am not talking here about policy matters, but about factual matters. The committee did address itself to this and its recommendation and discussion are contained in paragraph 10 and 11 of its report.

The committee agreed with the principle that does distinguish between the seeking of factual information and policy questions. It suggested that it is difficult to draw a distinction between these two in terms of actual rules. It went on to say that it believed that the Estimates Committees time is not appropriate for lengthy speeches and a time limit should be established. The committee could have gone further in relation to this by requiring some sort of standardised procedure.

In paragraphs 7, 8 and 9 of the report, the committee deals with the use of advisers and acknowledges the different approaches that can be taken. It is pointed out that the Premier in evidence also acknowledged that no standard approach was adopted last year, that Ministers had learned a great deal from that experience, and that Cabinet was now aware of the need for a consistent approach. One would hope that Cabinet decides on some common and standardised approach from Ministers and that the role of Public Service officers and advisers can be made quite clear to them. The advisers will provide the background details and will answer factual questions when the Minister is not able to answer those questions directly, but in matters of policy the Minister will answer questions. We do not want to see the same sort of situation that obtained last time whereby the Chief Secretary, when specific matters of Government policy were put to him, asked his advisers, people such as the Police Commissioner and so on, to answer. That is not good enough.

If Cabinet has standardised procedures, the method will work. If it does not, we must write in something to Standing Orders, however difficult that may be. Let us see whether on this occasion the matter can be dealt with on the informal basis suggested by the committee.

The overall summation of the points raised is that the committee dealt seriously and constructively with all matters. In some cases, it went a little further than required, and in other cases it was not prepared to accept the totality of our submission. In balance, I believe the committee has done a very good job. It has given us the confidence to approach the Estimates Committees in a constructive frame of mind, knowing that some of the problems that occurred last year will not recur this year. We will see what happens.

Finally, I stress that this being the second year in which the procedure has been adopted, we must consider it on an experimental basis. The Standing Orders Committee, as the appropriate body, following the exercise should conduct a similar inquiry, invite submissions and review its procedures in the light of that experience. One would hope that not too many variations are required, but one never knows the course of these proceedings. The Opposition supports the Standing Orders Committee report and its recommendations.

Mr RUSSACK (Goyder): I, too, support the adoption of the report. The Leader of the Opposition said that he had moved that a Select Committee should be established to consider this matter. I believe that the Standing Orders Committee went about its task in a manner very similar to the way in which a Select Committee would operate. Advertisements were inserted in newspapers, and every endeavour was made to attract those people who were interested to present evidence. There was no restriction on the evidence that was presented, and quite a number of members, including the Premier and the Leader of the Opposition, gave evidence to the committee. The committee was constituted of members from both sides of the House who have had quite a number of years experience, and particularly because you, Mr Speaker, were the Chairman, and Mr Mitchell, Clerk of the Assembly, was Secretary, expert knowledge of Parliamentary procedure was available to the committee. The Parliamentary experience of members of the committee was an added advantage. The Leader said he was concerned about the use of advisers in answering questions about policy and fact. Paragraph 7 states:

> The variation in the way that Ministers made use of their advisers has resulted in considerable discussion in a number of forums. The Premier, in evidence, acknowledged that no standardising of approach was adopted last year but that Ministers learned a great deal from that experience and Cabinet is now aware of the need for a consistent approach.

I suggest that we will see much improvement and an approach by the Ministers' in concert. Paragraph 12 states:

> It was generally agreed amongst witnesses that the chairmen and the authority available to them hold the key to the success of Estimates Committees.

I do not want to reiterate what has already been said, but a very appropriate change has been made. Paragraph 13 states:

> At the same time it must be clearly recognised that the committees are subordinate to the House itself. They cannot have powers of action which the house itself does not have nor would grant to other committees.

I feel that the changes that have been made to the Sessional Orders and the authority that has been given to the Chairmen is quite adequate and will overcome and abolish many of the problems experienced by the committees last year. I commend the report and the suggested amendments to the Sessional Orders to members of the House. I consider that the recommendations contained in the report are a true and accurate assessment of the evidence given to the committee by those who presented evidence. I have much pleasure in supporting the adoption of this report.

Mr BLACKER (Flinders): I would like to add my coments to those of the Leader of the Opposition and the member

for Goyder, and to add my support to their remarks. To a lesser degree I think I can speak on behalf of the member for Semaphore and the member for Mitcham in relation to some of the difficulties we experienced as independent members in being able to have a say during last year's Estimates Committee hearings. I am very pleased to see that the report now before us, the subject of this debate, has taken those views into consideration.

I believe that a very real attempt has been made to rectify that and to give all members of the House, not just Independents but members other than those directly involved on the committees, a fair and reasonable opportunity to take part in the debate. To that end I think it augurs well for the forthcoming Estimates Committees. I support the report that has been tabled, and I am sure that we have improved the situation from last year.

Motion carried.

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

That the Sessional Orders recommended by the Standing Orders Committee be agreed to.

With the concurrence of the House I will not read them.

Motion carried.

ESSENTIAL SERVICES BILL

Adjourned debate on second reading.

(Continued from 20 August. Page 502.)

Mr BANNON (Leader of the Opposition): It is quite remarkable to find this Government introducing a measure of this kind. The Opposition supports the principle behind this Bill.

Indeed, on a number of occasions we have introduced Bills which were directed particularly to petroleum and liquid fuel rationing and which embodied some of the provisions contained in this Bill. In 1974, we introduced a specific measure that provided general provisions for the peace, order and good government of the State in cases of emergency. In this respect, I refer to the Emergency Powers Bill of 1974. Again, in some respects, certainly in its general principle and thrust, this Bill embodies some of the matters contained in that 1974 Bill, which was introduced by a former Government. That 1974 Bill passed all stages in this place, but was laid aside in another place. So, it never came into operation. We do not have a permanent measure of this kind on the Statute Book.

I am so surprised to see this Government introducing this Bill because, on every occasion that we introduced such Bills, there was continued and very strong opposition thereto by the Opposition of the day, or the present Government. During the course of my address, I will refer to some of the objections that were raised so strenuously previously by the then Opposition.

The Opposition supports the principle behind such a measure. Although in the past we have tried to secure some measures on the Statute Book, we are not totally or irreconcilably opposed to it. However, we believe that the Bill requires substantial amendment in principle, and that an amendment as far-reaching as this needs to have a number of safeguards built into it before it can in any way become acceptable.

Also, we are addressing our attention to this Bill in circumstances very different from those relating to previous emergency measures or, indeed, from the 1974 provisions. We now have on the Statute Book (and we did not have it then) a permanent Act providing for powers to ration petrol during petroleum shortages, and we also have an Act which provides for procedures governing natural disasters. So, two important areas that earlier emergency legislation covered are, in fact, now provided for by other permanent measures on the Statute Book.

So, in considering the need for or the desirability of this Bill to protect, as the Bill says, the community against the interruption or dislocation of essential services, we should look at the other two measures and see whether they do not provide for much of what is embodied in this Bill. I would concede from the outset that gaps are left by those two other measures. However, that does not suggest that the Bill *prima facie* is a good thing. It must be looked at closely indeed.

The Opposition is absolutely opposed to any measure that seeks to circumvent the established processes of negotiation, conciliation and arbitration as a means of solving industrial disputes. A lot of public money and a lot of skills and expertise are invested in our conciliation and arbitration systems, both State and Federal. That has been done with good purpose, to provide a recognised machinery whereby industrial disputes can be solved and where employers and trade unions (workers' representatives) can come together to argue their case before an independent referee or arbitrator and have it resolved.

In many cases the industrial process breaks down. We have situations of industrial unrest, strikes, lock-outs, and so on. The conciliation and arbitration system and the experts who run it are given power by Statute, funded from the public purse, to do their best to ensure that whatever dispute or break-down occurs is fixed up. While we have that machinery, framework of Acts and arbitral system, there should be no need at all for measures that duplicate or give to a Government or Ministers powers that they should be exercising.

That is why consistently, on every such measure that we have introduced in this House when in Government, and on every measure that has been introduced by the present Government, we have attempted to draw that important distinction between the rationing of fuel in an emergency, the steps necessary in the case of a natural disaster or, in this case, steps necessary in the interruption or dislocation of essential services, distinguishing between those steps and the industrial process and the rights that are embodied in it; the right to strike, withdrawal of labour, one of the great rights of a democratic nation. Anything which seeks to undermine the processes that have already been established to deal with that should be rejected by this House and will certainly be rejected by the Opposition.

Consequently, we will support this Bill to the second reading stage and we will move amendments during the consideration by Committee. We certainly reserve our right to oppose the Bill at the third reading, if such amendments are not made because, in an unammended form, the Draconian powers, the authoritarian structure of this measure, is something which I believe this Parliament should not countenance and, as I say, it is amazing to find the current Government, with all its protestations and statements made in Opposition, sponsoring such a measure.

The members of the Government Parties in another place have, in some respects, a little more independence of mind than their counterparts in this Chamber. I know that some of the provisions in this Bill will get very short shrift indeed from them, but let us try to fix it up here, because I think that in this Chamber we can do a lot to improve this Bill before it goes to another place. I believe that the Bill, as it stands, does not draw that distinction that I believe is important between dealing with an emergency situation and dealing with the industrial conciliation and arbitration processes.

I have amendments drawn up. Amendments in my name will be circulated and, obviously, I will speak to them at

the appropriate stage but, broadly speaking, the criticism of the Bill I have is that those distinctions are not adequately shown. I am not at all happy with the definition and one or two other aspects of the Bill relating to the powers of the Minister, the powers of the Parliament and, further, the actions which can be taken by persons who feel themselves aggrieved by these decisions. They are all canvassed in amendments that I will move in due course.

I believe that the Bill can stand considerable improvement and that, as it stands, it is not a genuine measure to protect the essentials of life in the community; in fact, it becomes, whether actually it would be used in this way, a potential weapon to attack certain sections of the workforce in certain situations. If the Government feels it needs more time to consider the amendments to this Bill, we would certainly be happy to see progress reported early in the Committee considerations. I notice that the Premier outside this House today has tried to argue that there is some urgency associated with the passage of this legislation. This is obviously not the case. There is no indication in the Minister's second reading explanation that this was the case.

In fact, it was stressed at the time of the Petroleum Shortages Bill that it is very important indeed to consider these permanent measures detached from a particular situation and from the heat and emotion that that engenders, and to take it slowly and consider it carefully. If we do not do that, we are likely to put on to the Statute Book powers that go far beyond accepted powers in a democratic State, and powers that we will regret having given to an elected Government at some future date.

Obviously, we must consider this very carefully. I think that we need time to do that. There is no current emergency—there was one which prompted the Government to draft a Bill such as this, but that emergency was coped with and is long over. There is no indication of an emergency being immediately on the horizon and I think it would do well if the House's deliberations on this Bill and in the Committee stage are taken slowly, and that the Government is given ample time to consider the propositions the Opposition is putting forward. In the unlikely event that some emergency should arise, the Parliament could easily be called together to consider necessary action. Parliament is rising this week for a short break, but it will be virtually in continuous session between now and the end of the year, so it is not as if Parliament is not readily available to deal with any specific emergency that may arise. As I said before, there is certainly not one on the horizon at the moment.

I am very surprised indeed that the Premier is saying that this matter is one of urgency. I suspect that he is simply using that argument to try to justify in some way the extraordinary events of the past couple of days in this place. I do not think that that adds any weight to his argument; it certainly does not help our consideration of this measure. The Premier also said outside the House today that he believes there is strong community support and demand for this Bill. We have seen no evidence of that whatsoever. The way in which this Bill is being introduced, I suggest, has allowed absolutely no opportunity for consultation with community members to take place.

It seems to me extraordinary that the Premier is able to refer to some sort of community demand for a measure that was only introduced in this House on 20 August, less than a week ago, and that is only being debated today (debated today, incidentally, at a late hour and under some sort of apparent time pressure to get the measure through).

I think that that is a pretty irresponsible statement by the Premier. What is definitely needed with a measure such as this is for us to ascertain what community reaction will be. I have not heard, and there is nothing in the second reading explanation to suggest, that the provisions of the Bill have been canvassed with community groups, organisations or with the public at large. I have referred to the industrial implications in the Bill as it is presented to the House, yet I think that I can confidently state that the trade union movement was not given any notice of it or any opportunity to comment prior to the Bill coming before the House. There is no evidence of community demand for this measure, which I believe requires considerable community consultation and publicity.

Again, I think that that lays stress on the fact that we must not pass and debate this measure in haste. The Government needs more time for consideration of this Bill outside the House. Certainly, the Opposition would be prepared to support any action that allowed for it to be more widely disseminated in the community and for some sort of feedback to be given. I have already referred to the fact that legislation of this kind which provides emergency powers has given members opposite a number of problems over the years. When the 1974 Bill came before the House members opposite caused it to be laid aside in another place, even though that measure went nowhere near as far as this Bill does. In 1977 and 1978 they rejected legislation for emergency powers to ration fuel in times of shortages. Now, we have a permanent measure on that. Many of the provisions and general principles contained in emergency fuel rationing Bills are embodied in this Essential Services Bill.

In 1975 similar treatment was given to a fuel rating Bill. It is worth recalling what the Premier said on those past occassions. Incidentally, it does not surprise me that the Deputy Premier, rather than the Premier, is handling this measure, because that could be somewhat of an embarassing measure for the Premier to handle in the light of the very strong comments he made on such measures in the past.

In 1977, when a temporary measure to ration fuel was passed, he talked about a black day for South Australian Parliamentary democracy, a travesty of what we know as Parliamentary democracy, yet here in a non-emergency situation we have a far-reaching Bill with Draconian and authoritarian powers in it being introduced by his very Government. At least the Premier has enough sense of shame to remain in the background and allow another of his Ministers to present the Bill and steer it through this place.

In the course of that debate he said that he did not think such legislation with those sorts of emergency powers should be on the Statute Book any longer than is necessary. He was not even sure that two weeks was necessary. He said then that he was quite prepared to have Parliament resume as often as necessary rather than have legislation which gave emergency powers to the government on the Statute Book. I refer to his speech at page 374 and following of *Hansard* of 3 August 1977, when he stated:

> Emergency legislation comes into a category, because it deals with the future and with a hypothetical situation, and sets out reserve powers that can be initiated without the specific approval of Parliament. In other words, Parliament is . . . being asked to accept legislation for a hypothetical situation that may arise in the future.

That is definitely the case in this measure today. He remarked how difficult it was to deal with the measure on that basis, and stated:

> It is necessary that we be prepared for an emergency at any time. The fact that we are prepared to deal with an emergency should never be used as an excuse to keep the subject or the cause of the emergency, direct set of circumstances, out of Parliament and away from Parliamentary debate and examination. Emergency legislation is no substitute for specific consideration of a specific matter, or a specific set of circumstances . . . For that reason, emergency legislation, when it is passed, must be of a transient nature only.

I am afraid that this Bill is not transitory.

The Hon. E. R. Goldsworthy: Was that in 1974?

Mr BANNON: It is 1977, four years ago. The Premier, the then Leader of the Opposition, said those strong words. I break off at that point to say that here we have a permanent measure, which is certainly inconsistent with the Premier's philosophy at that time—a permanent measure that goes well beyond the week or two weeks he was referring to before Parliamentary consideration should take place. In fact, it allows up to 28 days before Parliament need be called together—a whole month—well beyond any period contemplated by the Premier in his objections then.

Reference has been made in the second reading explanation to the fact that Petroleum Shortages Act, which is on the Statute Book, does provide for a 28-day period. True, and the opposition, whilst not being happy about that, allowed that measure to go through at that time. One could argue that there is a distinction between that measure and this one. That measure dealt with an emergency that arose out of a specific problem of a shortage of fuel. It involved rationing provisions and did not talk about danger to life and limb and various other factors that arise under this Essential Services Bill.

The rationing procedure then was not as drastic in its effect or implications on people as the powers that are provided in this Bill. While one could suggest that 28 days might be appropriate in that case, it is certainly far too long a time in the case of the present measure, in our view. We draw support for that point of view from the Premier's own words, as the then Leader of the opposition, the words that I have just quoted, that emergency legislation must be of a transient nature only.

In his speech, the Premier went on to deal with the fundamental right to speak on behalf of the people, and with what could be a most important matter affecting almost every aspect of our lives. He said:

> I am not prepared as an individual member to give away that right and I do not believe that any member of Parliament should be prepared to give away the right and responsibility.

This Bill certainly gives away for 28 days far-reaching rights and responsibilities of the Parliament and its members. It completely fails the tests laid down for it by the Premier that we must have specific sets of circumstances debated on a specific issue before the House. The Premier said later in his address:

> I for one cannot stomach the thought of having this legislation held over us for 3 months at a time when Parliament is virtually signing away to the Government its responsibility for 3 months.

In effect, this clause not only signs away powers in a specific instance for 28 days, but signs away general powers, powers that can be exercised by proclamation on a recurring basis. This would not be coming up for renewal as a measure before the House but would be signed away for all time unless there is a repeal of the provision. I suggest that that is completely inconsistent with the tests that the Premier applied during his debate on that legislation. Mind you, he was dealing then with temporary legislation; his remarks would have been far stronger and more colourful had he been dealing with a permanent measure, such as this.

The member for Davenport, now Minister of Industrial Affairs, and obviously a member of the Cabinet that approved this measure coming before us, also joined his Leader in that debate, saying among other things:

> I do not see any real necessity for such legislation until we have a strike on our hands when we could assess the severity of this strike and assess what action was necessary to ensure the continued supply of essential services to the State.

So, the member for Davenport advocated very srongly that on each occasion specific matters should be brought before Parliament—a complete rejection of a permanent measure such as this.

That is the attitude that the Liberal Party took when in Opposition—total opposition to these things, and the passing of such legislation representing a black day for democracy. Now that the Liberal Party is in Government, as in so many other areas, the Premier and his Ministers have found that things are a little more difficult than that.

The Opposition has always recognised the realities and our position on this matter has been quite consistent. We have recongnised the need for emergency legislation; we have recognised that safeguards must be built into it, and we have argued that consistently. However, it seems that the Government has completely changed its position since it was in Opposition. Bearing in mind its attitude when in Opposition, I suspect that Government members will find our amendments fairly acceptable, because they try to get rid of some of the repugnant parts of this Bill.

The first occasion on which we saw members opposite bring in a Bill in many ways identical to those which in earlier days they had so strongly opposed was in 1980. Their attitude to legislation of this type and the inconsistencies of their approach over the years do not give the Opposition much confidence that its motives now are as clear and as uncomplicated as the Deputy Premier would have us believe in his second reading explanation.

Given the attitude of the Government to the trade union movement, we have every reason to believe that this Bill is more concerned with giving the Government the means to do further damage to the conciliation and arbitration system and interfere with industrial disputes than it is with the preservation of the essentials of life in our community. Unfortunately, this is not fair dinkum legislation from the Government. It has an ulterior motive, which is to provide an extra weapon for the Government to use against the trade union movement, against democratic rights such as the right to strike, and the right to take industrial process. It is a further means by which the Government can take industrial matters and their settlement out of the hands of the proper tribunals. We believe it is intolerable for this legislation to be passed in any form that allows it to be used for that purpose.

[Midnight]

That, I am afraid, is the only explanation we can give for the Government's apparent about-face on the matter. The Deputy Premier made clear in his second reading explanation that this Bill had been brought in because of the experience of the recent transport workers dispute. The possibility that interruptions to essential services may result from causes other than industrial disputes was clearly a secondary consideration. It is all about getting the unions and getting the workers. The nature of the legislation that this House had just finished debating reinforces our view that this Bill, purporting to protect the community in relation to essential services, is in fact simply an anti-union industrially directed Bill.

The Government seems intent on vesting itself with powers far in excess of that allowed by other States. No doubt we will hear in the course of this debate about Mr Wran and the New South Wales legislation. We have rejected consistently, both in Government and in opposition, the approach taken in that New South Wales measure. I point out that those provisions have never been used. Premier Wran has indicated that he has no intention of so using them. They were put through in an earlier situation, and we would suggest, a little too hastily. That is why we need more time on this measure.

This Bill goes far beyond the powers held by Victoria and other States in relation to essential services. This Bill, and the measure that we have just finished debating, are inconsistent with the whole spirit of the Industrial Conciliation and Arbitration Act. They raise the possibility of conflict with the Industrial Commission, which has successfully operated for over half a century. What consultation has there been with that body? What discussions of the industrial implications have taken place with the Arbitration Commission, the Industrial Commission or the trade union movement? The answer is 'absolutely none'.

So, we do not disagree with the principals of the legislation if it is to protect the essentials of community life, but we will not hear a bar of legislation which is designed to interfere with industrial relations. Not only is it bypassing the appropriate methods of dispute settling, but also it is ineffective when invoked (and it is invoked very rarely as the fraudulent legislation of the Fraser Liberal Government suggests.) When it is invoked, all it does is prolong, and exacerbate the dispute that it was meant to solve.

So, the Government seized the opportunity of a recent dispute to rush legislation into Parliament to put great pressure on us to pass it without consideration. It has introduced legislation without consultation. During that dispute the Government was able to gain credit in the community for its willingness to negotiate and deal with the unions in dispute. It is very significant to notice that those unions were prepared to negotiate with the Government and were prepared, while pursuing their legitimate industrial aims, to ensure that essential services were protected and preserved. I think that that indicates the attitude of mind taken by the trade union movement. Members opposite, who do not understand the motivation, the organisation or the basis of trade union activity, see trade unions and their members as some sort of ogre organisation aimed at doing maximum damage to the community. They forget that they are comprised of human beings—members of our community—and that in themselves they are important and vital community institutions which should be dealt with seriously as responsible institutions, which indeed they are.

They will not hold communities to ransom in a fashion that will endanger life, limb or property in fundamental ways. They are responsible in their approach and they demonstrated that even in that dispute operating under flagrant provocation by the Federal Government. They demonstrated that they were prepared to talk to the State Government and come to some arrangements that would preserve the essentials of life. I confidently prophesy that the responsible trade union movement will always come to the party in this way.

However, it will not be able to do so if it is treated with hostility, aggression, and confrontation. It will not do so if the proper procedures for settling industrial disputes are by-passed or overridden by Draconian legislation. That is not our system in South Australia. We have a great record in the industrial area and the only way in which we will keep it is by dealing frankly, fearlessly and with respect with our trade union insitituions, not trying to beat them around the head with aribtrary measures such as this Bill that is before us.

The motives behind this legislation are quite shabby. The reality for its need in terms of industrial disruption is quite bogus, and heaven help us in future emergencies if the Government decides at the drop of a hat to use measures such as this, instead of doing the hard work required, which is getting down and talking to people and fixing up some sort of solution. That is the only way in which the wheels of this community can be kept revoloving and justice can be done to all.

The odd thing is that, in doing this, the Government is even ignoring its own Party policy. At last State election, the Government's own Minister of Industrial Affairs released the policy of his Party, which stated:

A Liberal Government will legislate to establish a dispute solving procedure within essential services. Negotiation will be the basis for solving disputes.

The Liberal Government has been in office for nearly two years and we have already had one or two emergencies relating to essential services. Where is the dispute-solving procedure? Where is the negotiated basis for solving disputes? The facts are that it has not been done. It is in the too-hard basket for the Government. That element of its policy has simply been left. Rather than try to implement that, the Government has turned to this sort of measure, these permanent powers on the Statute Book, these authoritarian procedures with which to beat the unions over the head.

Oddly enough, we on this side are in the position of drawing the Government's attention to its own stated policy and its promise that, when essential services are involved, a dispute-solving procedure based on negotiation must be devised. Where is it? I hope that the Deputy Premier will explain what steps were taken to implement that promise to the people of South Australia and what concrete results have come from it. This is certainly no evidence of it. It is evidence of a totally different philosophy and one that we should reject.

This Bill gives the Minister power to direct labour. It gives him power to take over provision of any service that he deems essential. It is a measure which, in effect, allows industrial conscription. So much for a dispute-solving procedure based on conciliation. I believe that our amendments will ensure that this legislation does have some value in relation to the purpose stated on its face, the provision of essential services to the community, but legislation such as this is no alternative to negotiation, to proper procedures, and to treating those involved in industrial affairs and disputes with the respect, understanding and frankness that they demand.

Surely we have seen enough union bashing around this country at the Federal level. We have seen its total failure and I believe that, unless we can expunge those repugnant aspects of this legislation from it, it must be opposed. At this stage, we support the second reading but we will be working very hard to get our amendments accepted, and we hope that the Government will give them full, clear and objective consideration.

Mr PLUNKETT (Peake): The most important feature of this Bill is that it is what is commonly referred to as an enabling Act. The Bill enables the Governor and the Minister to exercise certain powers. First, of course, one must appreciate that the initiation of the powers which are contained in the Bill is provided by clause 3 (1), the words 'where, in the opinion of the Governor, circumstances have arisen or are likely to arise', in particular. So, it is a question of the opinion of the Governor. Such opinion, as with opinions formed by the Governor on matters of State, will be on the advice of his Ministers, so that what is here proposed is to enable the Minister to take into his hands certain powers where he and Executive Council take it upon themselves to deem it appropriate. There is no meditation provided for at the outset of this legislation or throughout it. The absolute discretion to assume the powers contained in the Act is vested in the Minister and Executive Council.

This is of particular importance when one later considers the general scope as opposed to the specific provisions of the legislation. That is to say, the legislation itself is cast

in such general terms that the width of the power is considerable. The powers are not confined to specific circumstances other than those related to the definition of 'essential services' in clause 2.

The definition of 'essential services' is notably extended to private undertakings, so that the Government intends to enable itself to exercise power over private relationships between individuals or between private corporate bodies, and not simply over services provided by the State or by statutory corporations.

Furthermore, the Bill intends that the Minister be enabled to carry out the powers vested in him under the Act on suspicion that something is likely to happen; the words are 'circumstances have arisen . . . that are likely to cause interruption or dislocation of essential services'.

The definition of 'essential services', therefore, should possibly be read as being something provided either by the State, by individuals, or by private companies which may be interrupted or dislocated, without which the health of the community would be in danger or the economic or social life of the community would be seriously prejudiced.

For the Minister to have such power as is contained in the various provisions of the Bill, the services must be one in respect of which the definition applies. The definition has been deliberately drafted in general terms so as to create the widest possible power for the Minister. However, this provides a difficulty, that is, that in order for any of the powers provided by the Bill to be exercised lawfully, they must be exercised on the basis of the definition and could be challenged on the basis of that definition. That is to say that an individual or a corporation may well argue that the service in respect of which the powers are exercised by the Minister are not essential services within the meaning of the definition contained in the Bill.

Whilst it may be possible to demonstrate clearly situations which might affect the health of the community, situations which affect its economic or social life in a prejudicial sense are much more problematic. This is a flaw in the Bill which has been brought about by the Minister's hunger for power.

The real intention is clearly to gather into the hands of a Minister for State the ability to apply punitive sanctions against people of whom he disapproves in a particular situation. In seeking to provide this enormous discretion for himself, he has drafted a vague and general definition which will ultimately lead to the Act's becoming unworkable. The reason for this is that the tenor of the Bill is so contrary to the democratic fabric of our society that it is incompatible with its normal functioning. If, on the other hand, the Minister had been at pains to specify the types of services to which the Act applied, its enforcement would have been much more readily available.

To demonstrate the authoritarian inclination behind this Bill, one need only turn to some of the more colourful language applied in the drafting of this legislation, which is totally out of character with the real situation obtaining in the State of South Australia. The use of the words 'emergency' and 'period of emergency' is supposedly directed towards some situation which has obtained and which now requires the remedy of this legislation. The Minister may be kind enough to inform the house when the last period of emergency descended upon the State of South Australia.

Clearly, the Minister has no confidence in the existing mechanisms of social regulation provided for by the Parliament. In particular, the Minister has no confidence in the Industrial Commission of South Australia or in the Conciliation and Arbitration Commission of the Commonwealth. It is clear that the circumstances which gave rise to this irrational and reactionary Bill were in relation to the recent transport workers dispute. Those circumstances were clearly not historically such that they could be referred to as an emergency.

Elsewhere in the Bill, in further demonstration of the authoritarian characteristic of this Bill, is the right to commandeer not only property but also information. This is a gestapo measure. One can almost see a hapless citizen under interrogation, with bright lights and rubber hoses being raised under the authority of this Bill. This appears in clause 6.

The penalties provided by this Act under the circumstances of its introduction to this Parliament of relative peace and quiet in the State are extraordinary. They all run into thousands of dollars. Fines of from $1 000 to $5 000 are provided for an individual and from $5 000 to $10 000 for a corporate body, such as a union. Perhaps most damning of all is clause 11 of the Bill, which states that 'no action to compel the Minister or delegate of the Minister to take or to restrain him from taking any action in pursuance of this Act shall be entertained by any court.' Clearly, it is the intention of the Minister and the Government to completely relegate the proper course of justice to the dust bin. Citizens of this State who might be severely affected by the seizure of their property, compulsion of providing information or fines of enormous consequence arising out of an action of the Minister taken pursuant to this legislation, have no right whatever to attempt to prevent that action being taken by the proper course of law. This Bill strikes at the heart of the independence of the Judiciary and it substantially detracts from the legal entitlements of all citizens of the State.

It may not be well known to some members of the House that the most despotic power in the history of the twentieth century has been assumed by Acts of Parliament. The very procedure by which Adolph Hitler became dictator of Germany was by an enabling Act of the German Reichstag. That Act provided power to be exercised by the councillor. It was not an Act for a specific measure to provide for the peace and good government of people, but it was an Act to transfer into the hands of an individual office holder extensive and ultimately disastrous powers.

This is enabling legislation which places in the hands of the Minister extensive and frightening powers. It will be a blight on the democratic history of the State of South Australia. It will be remembered as one of the darkest measures ever introduced into the House. History will record the name of the Minister who reads this Bill as being a person of no moral conscience, anti-democratic, authoritarian, and with the darkest passion for unlimited power. This House should have more sense than to submit to the irrational cravings of a megalomaniac.

I have been approached by colleagues from the trade unions and they have expressed to me their fears of this legislation, and it has been brought to my attention in relation to milk workers, who have their award looked at each year. It would mean that, if there is a stoppage of one or two days, these people can be penalised under this legislation. It could also affect security guards or other blue-collar workers, either in Government or private sectors. These are people covered under the F.M.W.U. They could be engaged in pursuing logs of claims for an increase in wages, catching up with price rises such as the 2.4 per cent indirect tax, health levies up, food prices, increased State charges, etc., or to catch up with wages interstate, and these people could also be brought under this Bill.

Normally, negotiations take place over a number of months with employers, who at some stage usually act provocatively against the unions. At the same time, it is very difficult to proceed with a case through the Industrial Commission. Work-value cases can take months, with

employers delaying and with the technical and legal application of the guidelines being frustrated. In these disputes, democratic meetings of union members, not union leaders, can decide to put pressure on the employer by taking industrial action, with bans or walk-offs, normally for very short periods, just to show the boss that the workers seriously want wage justice. These are the people who may be severely affected by this amendment.

The normal procedure in this type of dispute is a compulsory conference before a commissioner and bargaining in this environment. The traditional disputes settling procedure is through the commissioner. Although the employer plays the game hard, there is no recourse to the tactics that can now be thrown at the work force, now under the essential services legislation. The proper avenue of the Industrial Commission could be bypassed. The employers, through their unions, the Employers Federation and the Chamber of Commerce, after whipping up hysteria in the Murdoch press, could ring the Minister and say that a dispute is pending and ask him to declare that industry as being essential, and that could cover nearly all industries.

We have seen a little bit of this by the Murdoch press and the way they treated us prior to the Liberals winning the election and since they won it. They declare it an emergency irrespective of the facts. The unions are always said to be responsible in the event of being forced into a strike. There have been instances where the milk industry has gone out on strike, but the members have acted responsibly in relation to the sick, and the hospitals have always been supplied with milk. The ill have always received milk, and no real hardship has ever been imposed by members of that industry.

The Minister has very wide powers. An employer could invite the Minister to bring strike breakers to run the factory. That is one of my big fears in this legislation. I have been placed in a situation where I have been on a picket line when men have had to jump very quickly off the road or they would be run over by some of the people they were picketing against. The document continues:

> The Minister can make any direction to any person involved in such industry with heavy fines as a penalty; peaceful picketers could be intimidated by being ordered off the picket line; the Minister could give directions normally the province of the Industrial Commission; and under section 5 the Minister can take over the provision of essential services. All those actions can be paid for out of the public purse. Even if the employer or owner of the premises did not want the Minister to intervene, he has power to requisition property.
>
> There are very threatening penalities applicable throughout the legislation. The basis thrust of the legislation is thus to stamp down on the basic rights of the workforce to at least try to better their working conditions. The real danger is also that the employers can provoke strikes, create a fake crisis, and then attempt to club the unions. And will this big stick approach work? Could it have worked against the prison guards strike? Who could run the prisons, etc? And really isn't the provision of talking and conciliation really the answer. This approach will be more likely to solve any crisis or emergency rather than semi-fascist legislation.
>
> One need only add that unions have faced tough legislation and tough times before. We will not be intimidated. The normal decent citizens will stick together to defend basic rights.

As I indicated earlier, that document was given to me by a research officer of the F.M.W.U. I told him that I would be speaking to this debate tonight and I would make sure that their views were brought before this House. I will not hold up the House any longer.

Mr CRAFTER secured the adjournment of the debate.

ADJOURNMENT

At 12.30 a.m. on Thursday 27 August the House adjourned until Thursday 27 August at 2 p.m.

HOUSE OF ASSEMBLY

Tuesday 25 August 1981

QUESTIONS ON NOTICE

FISHERIES LAW

18. **Mr MILLHOUSE** (on notice) asked the Minister of Fisheries: Does the Department of Fisheries offer rewards to persons supplying information to its officers concerning possible breaches of the law and, if so—

(a) on whose authority;

(b) why;

(c) on what terms; and

(d) how many such rewards have been paid, for what information, to whom, when and what is the total amount thus paid?

The Hon. W A. RODDA: A letter dated 15 July 1981, provided the information requested.

MEMBER'S STUDY TOUR

19. **Mr MILLHOUSE** (on notice) asked the Minister of health representing the Minister of Community Welfare:

1. What consideration, if any, has the Government given to the paper by Mr J. Mathwin, M.P., entitled 'Overseas Study Tour on Juvenile Crime, Juvenile Delinquency and Methods Used to Combat the Problem, 7 April-28 July 1980'?

2. Which of the recommendations therein, if any, does the Government—

(a) accept and why; and

(b) reject and why?

3. When does it propose to take action on each of those it accepts and what action will be taken?

4. How much did Mr Mathwin's trip cost the Government and how is this sum made up?

The Hon. JENNIFER ADAMSON: The replies are as follows:

1. Mr Mathwin's report has been read by officers of the Department for Community Welfare.

2. The recommendations in the report are being considered in relation to their practicality as far as Department for Community Welfare programs are concerned. No decision has been made on acceptance or rejection.

3. The Department's programmes are constantly being improved according to Government policy and the recommendations will be taken into consideration over a period of time.

4. The study tour was undertaken on the normal terms applying to such tours.

EDWARDSTOWN FIRE

23. **Mr TRAINER** (on notice) asked the Chief Secretary:

1. Is the Minister aware of the circumstances associated with a fire early on Sunday morning 29 March in one block of the large complex of flats at 383 Cross Road, Edwardstown and, if so, is it a fact that—

(a) due to the 'overhang' from the first floor of flats located above the driveway entrance, the fire unit was unable to enter the property to fight the fire and found it necessary to demolish a fence next door so that the unit could be driven into the neighbour's backyard in order to get close enough to the fire, which was 66 metres from the roadway;

(b) the restricted access problems at 383 Cross Road are such that the premises would not meet the requirements of current building regulations if they were being erected today; and

(c) the spread of the fire from the ceiling of flat 6 to flats 7, 8 and 9 could have been prevented or slowed if the appropriate building regulation now in existence had been in force at the time of construction, or had been enforced at the time the units were given strata title status?

2. Does the Government intend to review the applicability of building regulations related to fire safety when premises constructed prior to those regulations coming into existence are given strata title status?

The Hon. W. A. RODDA: The replies are as follows:

1. Yes, I am aware of the circumstances associated with a fire which occurred in a block of flats at 383 Cross Road, Edwardstown on 29 March 1981.

(a) Yes.

(b) Yes.

(c) Yes.

2. The Building Regulations, 1973-1980 require that in all new flats (class II buildings) there be at least one hour fire resistance between adjoining flats achieved either by division walls extending to the underside of the roof, or by ceilings a capability to resist the passage of fire from a flat into the roof space above.

Existing buildings prior to January 1974, are, however, 'deemed to comply' with the regulations and, therefore, can have the roof space interconnected with minimal fire resistance between any flat and the roof space.

When existing buildings are given strata title status by councils under the Real Property Act, all that is required is that councils be satisfied that each unit is suitable for separate occupation and complies with the set out delineation requirements. Councils may or may not require the fire resisting separation required by the present regulations.

GLEN OSMOND LAND

29. **The Hon. D. J. HOPGOOD** (on notice) asked the Minister of Lands:

1. Was surplus Government land at Sherwood Terrace, Glen Osmond, on which there is a concrete water storage tower, advertised for sale by auction on Wednesday 15 July in the *Government Gazette* of 2 July withdrawn by order of the Minister about 10 days before the advertised date of the sale and, if so, why did the auction not proceed?

2. To whom was the land sold and for what sum and why was this information not supplied to a reporter from the *Advertiser*?

3. How did the sum obtained from the private sale compare with the expectations of the auctioneers?

The Hon. P. B. ARNOLD: The replies are as follows:

1. *(a)* Yes.

(b) Withdrawn from sale due to negotiations proceeding with an adjoining owner who was offering a price more than any price previously offered.

2. The land has not yet been sold. Negotiations are proceeding.

3. See 1. *(b)*.

BINGO

32. **Mr MAX BROWN** (on notice) asked the Minister of Recreation and Sport: Will the Minister alter the regulations governing the game of bingo to allow the proprietors of bingo to initiate and manage a controlled jackpot system within the bingo sessions operating in this State?

The Hon. M. M. WILSON: No.

ILLEGAL FISHING

39. **Mr KENEALLY** (on notice) asked the Minister of Fisheries: How many fishermen were apprehended for illegal fishing activities during the year 1980-81, how many were charged, how many were found guilty, what were the penalties imposed, and what fisheries did the offenders operate within?

The Hon. W. A. RODDA: It is not possible, without excessive administrative work, to determine the number of fishermen, both commercial and recreational, who were apprehended for alleged illegal fishing activities during the year 1980-81. To determine the number charged from the various fisheries and the results of those charges would also require excessive administrative work.

GARDEN ADVICE

45. **Mr MILLHOUSE** (on notice) asked the Minister of Water Resources: Does the Government provide advice on the establishment of low water use gardens and, if so, what is the nature of that advice and where is it available and, if not, will the Government provide it?

The Hon. P. B. ARNOLD: Yes. Whilst verbal inquiries can be directed to either the Home Gardens Advisory Service of the Department of Agriculture or the Botanic Gardens Advisory Service, written information in the form of 'Fact Sheets' and a C.S.I.R.O. booklet entitled 'When should I Water?' is also available from the Home Gardens Advisory Service of the Department of Agriculture. Advice is also available in this regard from officers of the Woods and Forests Department when purchasing plants froim their native plant nurseries.

HOMELESS PEOPLE

52. **Mr ABBOTT** (on notice) asked the Minister of Health representing the Minister of Community Welfare:

1. What plans have been introduced by the Department for Community Welfare to assist homeless young people and, if any, what are the details?

2. What relief housing has been provided jointly by the department and the Federal Government?

3. How many houses have been bought for homeless and jobless young people and in what areas are they situated?

4. How many homeless young people are being accommodated at the present time?

5. How long are the terms of accommodation and how much rent or board is being paid?

6. What other projects, if any, are being planned for homeless young people, and if none, why not?

The Hon. JENNIFER ADAMSON: The replies are as follows:

1. The department will train staff for agencies willing to run accommodation for homeless young people.

2. Two emergency youth shelters and two emergency youth accommodation schemes.

3. No houses have been bought by the department.

4. 34.

5. In services funded under the Youth Services Programme (referred to in 2. above), accommodation is available for a maximum of three months. In other services, no time limit applies. Board contributions from residents range from nil to $30 per week according to the young person's individual circumstances. Subsidy from the department may be paid in respect of young people who have no income and are not eligible for benefits or pensions.

6. The department is currently considering one application to establish a youth shelter.

BOWDEN-BROMPTON PROPERTIES

53. **Mr ABBOTT** (on notice) asked the Minister of Transport:

1. What price did the Highways Department receive from C. P. Detmold Pty Ltd for each of the following properties and houses in East Street, Brompton; Nos. 38, 40, 42, 44, 46, 47, 47A, 48, 50, 51, 52 and 53; and Nos 86, 88, 90 and 92 in Drayton Street, Bowden?

2. Who are the present owners of the property occupied by Mary Martin Book Shop Warehouses at No. 39A Chief Street, Brompton, and No. 36 East Street, Brompton, occupied by the Offenders Aid and Rehabilitation Services of S.A. Inc., and have these properties been sold and, if so, to whom and at what price?

The Hon. M. M. WILSON: The replies are as follows:

1. The Highways Department received $301 600 for these properties as a lump sum purchase. Individual property prices were not negotiated.

2. The present owner of both properties is Mary Martin Bookshop which has purchased them from the Highways Department for the sum of $95 000.

COMMUNITY WORK PROJECTS

56. **Mr ABBOTT** (on notice) asked the Minister of Health representing the Minister of Community Welfare: How many juvenile offenders have been offered community work projects since the introduction of this provision under the Children's Protection and Young Offenders Act, how many have refused consent to serve the period of detention on a periodic, non-residential basis and how many have accepted work projects and then failed to appear on the job?

The Hon. JENNIFER ADAMSON: The replies are as follows:

1. 1 035.

2. 866 youths refused consent. Of this number, 803 offered to pay the fine.

3. 88.

DRIVING EXAMINERS

67. **Mr TRAINER** (on notice) asked the Minister of Transport: How many driving licence examiners are employed by the Motor Registration Division—

(a) overall; and

(b) in testing drivers over 70 years of age,

and how many examiners in each category are female?

The Hon. M. M. WILSON: The replies are as follows:

(a) 36 licence examiners plus a senior and assistant licence examiner.

(b) All examiners conduct driving tests for drivers aged 70 years and over.

There are no females currently employed as licence examiners. Only two applications have been received from women since the division took over the responsibility for driver testing. One was considered unsuitable and the other was nominated for the position but subsequently declined the appointment.

GOVERNMENT CARS

71. **Mr TRAINER** (on notice) asked the Deputy Premier:

1. Has Mobil approached the Government in relation to its contract to supply Government cars with petrol, pointing out that it is uneconomic for some of their dealers to seek reimbursement from the Government by a method which

can involve overhead costs of up to 50 cents or more per transaction?

2. Did Mobil, on behalf of the dealers, suggest a method of consolidating transactions with several Government departments on to one invoice to reduce these overhead costs, and, if so, what was the Government's response and why?

The Hon. E. R. GOLDSWORTHY: The replies are as follows:

1. No.
2. No.

DRINK-DRIVING

74. **Mr O'NEILL** (on notice) asked the Chief Secretary: since 1 July 1981 how many drivers have been apprehended for drink-driving offences by breath analysis in the Port Adelaide area?

The Hon. W. A. RODDA: In the Port Adelaide Police Division, which commences at Outer Harbor in the north and extends to West Beach in the south, and has its eastern boundary as far inland as a line drawn between Dry Creek and Brompton, there have been, between 1 July and 9 August 1981, 159 persons detected by police patrols and subsequently tested by a breathalyser.

KEROSENE

75. **Mr O'NEILL** (on notice) asked the Premier: During the first half of the year when petrol prices increased as a result of measures taken by the Government, did the price of kerosene also increase and, if so, as the Government took steps to reduce the price of petrol, did it also take the same steps in respect of the price of kerosene and, if not, why not?

The Hon. D. O. TONKIN: Kerosene retail prices have not increased due to the action taken by the Government in respect to petrol prices. Kerosene sales are not subject to discriminatory pricing practices by oil companies, and Government intervention in the market has not been necessary.

Wholesale price increases of kerosene are approved by the Petroleum Product Pricing Authority and have been in proportion with other petroleum products, such as power kerosene, heating oil and diesel fuel. Kerosene retail margins charged by petrol resellers range from 20 to 22½ per cent (6 to 7 cents per litre) and are not considered excessive as sales are seasonal, decreasing and turnovers generally low. These margins have not changed for a number of years.