HOUSE OF ASSEMBLY

Thursday 17 September 1981

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

PETITION: GYMNASIUM

A petition signed by 86 residents of South Australia praying that the House call upon the Minister of Education to exercise his authority to retain the gymnasium at the Adelaide College of Arts and Education for multiple use was presented by Mr Slater.

Petition received.

PETITION: INTEREST RATES

A petition signed by 367 residents of South Australia praying that the House request the State Government to urge the Federal Government to reduce home loan interest rates; ensure that home buyers with existing loans are not bankrupted or evicted as a result of increased interest rates; provide increased welfare housing and develop a loan programme to allow prospective home builders to obtain adequate finance was presented by Mr O'Neill.

Petition received.

SOUTH AUSTRALIAN URANIUM ENRICHMENT COMMITTEE REPORT

The Hon. E. R. GOLDSWORTHY (Minister of Mines and Energy) laid on the table the annual report for 1980-81 of the South Australian Uranium Enrichment Committee.

MINISTERIAL STATEMENT: PETROL RATIONING

The Hon. E. R. GOLDSWORTHY (Minister of Mines and Energy): I seek leave to make a statement.

Leave granted.

The Hon. E. R. GOLDSWORTHY: I wish to report further to the House on the situation with regard to petrol supplies. This morning, the oil industry advised the South Australian Government that Adelaide is currently the worst affected area in Australia in terms of availability of petrol supplies. Accordingly, I have sent a telegram to the Federal President of the Australian Institute of Marine and Power Engineers, in Sydney, seeking his organisation's dispensation to allow the sailing of two ships.

These are the *Salana,* which is already loaded with product at Geelong ready to sail to Port Stanvac, and the *Esso Gippsland,* which is needed to reduce stocks of fuel oil at Port Stanvac, so that the refinery can resume production as soon as possible after the dispute involving members of the Institute of Marine and Power Engineers has ended. I have asked the institute for urgent and favourable consideration of this proposal. Pending a reply from the institute, and a clearer indication of the future of the industrial dispute, which should be available tomorrow, the Government will maintain the present restrictions on sales of petrol in the Adelaide metropolitan area.

If I may add, with the leave of the House and without having this addition printed in advance (for the member for Mitcham, in particular), the system which is currently operating is operating with a great degree of success.

Mr Millhouse: Not according to the *Advertiser.* It says it is not working very well.

The Hon. E. R. GOLDSWORTHY: I spoke to the Editor of the *Advertiser* this morning—

Mr Millhouse: Did you put him right?

The SPEAKER: Order!

The Hon. E. R. GOLDSWORTHY: It was a friendly discussion and the *Advertiser's* motives were explained to me. The fact is that there is a high degree of co-operation by the public and of course the Government believed that good sense would prevail and indeed it is. The present situation is coping reasonably well but we will continue to monitor developments very closely indeed.

QUESTION TIME

The SPEAKER: Before calling on questions I indicate to members of the House that any questions that would normally be directed to the Minister of Industrial Affairs will be taken this afternoon by the honourable Minister of Transport.

OMBUDSMAN

Mr BANNON: I ask the Premier whether the Government intends to weaken the statutory powers of the Ombudsman. Will the Premier initiate an immediate inquiry into the allegations made by the Ombudsman in his report, and on the A.B.C. programme *Nationwide* last night, that one Minister tried to force him to desist from his statutory responsibilities on an issue of grave importance? Yesterday, the Premier told the House that he did not know which Minister was referred to in the Ombudsman's Report as having failed to understand and appreciate the independence of the Ombudsman's office. He made no further comment or suggestion that he was in any way concerned about it. Last night on *Nationwide* Mr Bakewell confirmed that the Premier and the Attorney-General wanted to 'clip the wings of an over-enthusiastic Ombudsman'. He said that the Premier and the Attorney-General wanted to clarify his guidelines, even though the only guidelines for an Ombudsman are the Ombudsman's Act.

Mr Bakewell said he thought that the Government had a misunderstanding of the true role of the Ombudsman and said, 'Quite frankly, I don't think that they knew what was in the Act.' Mr Bakewell agreed with the interviewer that he believed the Government wanted him to sit out his term, be a good boy, and not rock the boat. However, on Channel 10 News Mr Bakewell said he would name unco-operative Ministers next year. It is significant that the Attorney-General gave a blunt 'no comment' when asked last night whether he thought Mr Bakewell was being over-zealous in pursuing his duties.

Members interjecting:

The SPEAKER: Order!

The Hon. D. O. TONKIN: There is no plan whatever on the part of the Government to weaken the statutory powers of the Ombudsman. I do not think that that has been suggested in any way. I am at something of a loss to understand the basis for the comments that were made on television last night.

Mr Millhouse: Come on! This has been known—

The SPEAKER: Order!

Mr Millhouse: You were trying to sit on him.

The Hon. D. O. TONKIN: I suspect that sometimes particular programmes tend to give a distorted view of the facts.

Mr Millhouse interjecting:

The SPEAKER: I warn the honourable member for Mitcham.

The Hon. D. O. TONKIN: Since the honourable member has referred to the question of the bloke talking (I would prefer to say 'the Ombudsman being interviewed'), I would point out to honourable members opposite that the Ombudsman (Mr Bakewell) is on record, and I heard him saying myself, as saying that he did not believe that there was any inquiry necessary, that he did not believe that he would name the Minister concerned. I can only take what has been happening as a measure of the Opposition's determination to stir up trouble. I was particularly shocked to hear reports yesterday that the Leader of the Opposition was apparently in possession of facts in the Ombudsman's Report before you, Sir, laid it on the table of the House. If this is true it is quite shocking.

Members interjecting:

The SPEAKER: Order!

The Hon. D. O. TONKIN: I also understand the Leader of the Opposition or a member of his staff actually ventured to suggest the name of a Minister involved to members of the media. I found it quite remarkable that there was a piece gouged out of the type obviously in the last 'red spot' edition of yesterday evening's paper where a name would otherwise have appeared. I can only assume that the Leader of the Opposition had second thoughts—and very wisely I should say—about the course of action which he adopted. Our relations with the Ombudsman have always been excellent and, indeed, his report speaks for itself, and I quote:

> My own relationship over the past year with the South Australian Ministry has been excellent, even though some matters may not have been resolved in the way some Ministers, departments or statutory authorities might have desired. Nevertheless, I believe mutual respect has been maintained in most cases.
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> My relationship with the Premier has been most satisfactory. He has never declined to see me, or to discuss a problem of administration. In fact, he has gone out of his way to assist, and so, too, have many other Ministers.

We are doing all we can to assist the Ombudsman. After an interview with him and the Attorney-General, the Attorney-General has now asked Crown Law officers to prepare a simple summary of the Ombudsman Act for the guidance of public servants and employees of Government agencies.

APPRENTICES

Mr MATHWIN: Has the Minister representing the Minister of Industrial Affairs seen an article in today's *Advertiser* headed 'Apprentices Plight'? What is the Government's policy regarding the training of apprentices in Government departments, and how is the Government using this training facility to help alleviate the shortages of skilled trades in some areas? In today's edition of the *Advertiser*, a letter to the Editor, under the heading 'The apprentices' plight', and credited to a Mr Ingham, of Aberfoyle Park, states in part:

> I am writing to you with much concern as to the plight of a large number of apprentices who are employed by the South Australian Government. Last week, 52 final year apprentices employed by the Public Buildings Department received a notice announcing that they will be retrenched as of January 1982.

He suggests that another 140 State Government apprentices have received or will receive the same sort of notice, and he goes on to refer to a total lack of foresight, understanding and compassion by the Government.

The Hon. M. M. WILSON: It has been the policy of Governments in this State for years not to guarantee employment as tradesmen to its apprentices when they complete their indentures. This was the way in which the previous Government carried out the scheme. It was a decision of the previous Government, and this Government has carried on with the same scheme. Indeed, the apprentices referred to in the letter that the honourable member has read to the House would have been given that statement by the previous Government—the advice that they would not necessarily be employed as tradesmen in the Government. This Government has continued the practice of advising apprentices taken on in Government departments that they are not guaranteed post indentive employment. However, we have gone further in a number of areas. The intake of apprentices is well in excess of the current needs of Government departments, and the Government is ensuring that excess training facilities are being used.

In addition to this intake, 46 apprentices were taken on at the beginning of the year with the express condition that they be transferred to suitable private sector employers after the end of their first year of indentures. The Government has transferred the indentures of a number of apprentices to private sector employers, thereby helping them into secure long-term employment, and is about to contact employer organisations to let them know of the availability of completing final-year apprentices and second and subsequent year apprentices whose indentures could be transferred. In that way, the Government is absorbing the cost of the early non-productive years of training a number of apprentices, with a consequence that private sector employers have the attractive proposition of taking on partly trained and productive latter-year apprentices who may have only one or two years to go before they are fully productive tradesmen. These schemes are far in excess of anything done by the previous Government, and reflect the genuine commitment of this Government to doing its part in alleviating skills shortages in a number of areas with shortages of skilled tradesmen.

OMBUDSMAN'S REPORT

The Hon. J. D. WRIGHT: Did the Deputy Premier ask the Ombudsman to halt his investigation into the Sandery hunger strike case at Yatala Labour Prison? Did the Deputy Premier tell the Ombudsman to do what he was told to do, as well as threaten the Ombudsman's job? Is the Deputy Premier the unnamed Minister referred to in the Ombudsman's Report as having some misunderstanding of the statutory responsibility, function and independence of the office of the Ombudsman? This is something the Premier did not bother to read out, although it appears in the report. On the A.B.C. programme *Nationwide* last night, the Ombudsman, Mr Bakewell, went further than he did in his report. He told the reporter, Patrick O'Neill, that he was asked to desist in an inquiry in which he thought a man's life was at stake. He said that this was the Sandery affair and stated. 'I was very concerned about what was going to happen to this particular prisoner, and I was having quite a lot of difficulty getting this through to the Ministry.' He said the Ministry would have preferred him to desist from his inquiries. Mr Bakewell said he had no problems in his personal dealings with the Premier, the Attorney-General, and the Chief Secretary. When asked whether he had a good relationship with the Deputy Premier, he declined to comment. If it was the Deputy Premier who tried to interfere with the independence of the Ombudsman, will he take this opportunity to withdraw and apologise?

The Hon. E. R. GOLDSWORTHY: The unqualified answer to most of the allegations is 'No'. I recollect quite well the interview I had with the Ombudsman on this occasion. I was Acting Premier at the time, as the Premier was overseas. The Ombudsman came to me in a fairly agitated state about the health of the prisoner Sandery. He

exhorted me to let Sandery out of the confinement in which he was at that time confined. I declined, on the advice available to me, on behalf of the Government. The Government had examined the question of Sandery's confinement. The medical officers who were in charge of the prisoner said that he was in no immediate danger. Mr Stewart, the man in charge of the prison, advised strongly against letting him out of confinement. I simply said to Mr Bakewell, 'No', the Government was not prepared to release Sandery at that time.

An honourable member: Release him?

The Hon. E. R. GOLDSWORTHY: Well, put him in another section of the prison. The answer was 'No'. I have a quite clear memory of that interview. At no time did I threaten the Ombudsman. In fact, I remember that the Ombudsman was fairly emotionally involved and was quite emotional during the interview. I recall the Ombudsman saying to me—

An honourable member: Were you a bit blase about—

The Hon. E. R. GOLDSWORTHY: I was firm, but I certainly was not blase. I was certainly concerned about the facts of the case, which Cabinet had discussed. I was firm in saying that we would not transfer Sandery from that part of the prison, because medical advice was against that, as Mr Stewart's advice was clearly against it. For my part, all the Ombudsman got from me during that interview was a clear 'No'. I can recall that the Ombudsman stated that he would hate to see the Government embarrassed if he had to go public on the issue. That was the gravamen of the argument. Actually, it was not an argument: it was a discussion. There was no argument; there was a clear discussion between the Ombudsman and me, during which I made the Government's position perfectly clear, because I did not want there to be any misunderstanding. At no time (and I repeat categorically, at no time) did I threaten the Ombudsman. The Ombudsman did say he would hate to have to go public on this issue. I think he used the words 'because some mud might stick on the Government'.

Mr Hamilton: What did you say to that?

The SPEAKER: Order!

The Hon. E. R. GOLDSWORTHY: I did not respond. I was quite firm. I simply responded by saying 'No', that the Government would not transfer Sandery. I rang the Attorney-General immediately (and he has some notes of that conversation). I outlined to the Attorney-General the substance of the discussion and he agreed entirely with the course of action I had adopted as Acting Premier (and indeed the Cabinet had previously agreed). I think it was at the following Cabinet meeting at the beginning of the next week that the matter was discussed, and Sandery, through the Minister of Health, was eventually transferred and the matter was settled.

I categorically deny that at any stage I threatened the Ombudsman during that interview. In fact, the Ombudsman, later that afternoon, was interviewed by the Attorney-General, I understand. I believe one or two people were present during the afternoon interview and, in essence, the same message was transmitted by the Ombudsman to the Attorney-General. From reports I have received, the Ombudsman was rather more composed on that occasion. When I read that criticism in the report, I knew it could not refer to me. In conclusion, I noted in the Ombudsman's Report that he acknowledges the fact that he is not competent—that it is not within the authority of his Act for him to operate in these matters. I will quote, as the Premier did, from the Ombudsman's Report, as follows:

> There are some areas which I know or believe my jurisdiction does not cover and some of these are—

then, among those areas—

> medical decisions relating to the actual treatment of an inmate who might be a patient.

The Hon. J. D. Wright: That's not the point—

The Hon. E. R. GOLDSWORTHY: I simply reiterate the point that the medical advice available to the Government, which came via the Health Commission, was that Sandery was not in danger of imminent death. Also, Mr Stewart advised strongly against the transfer.

GENETIC DISEASES

Mr BECKER: Can the Minister of Health say what research programmes are being conducted into genetic diseases in South Australia? I have been advised that at the University of Minnesota, Minneapolis, in conjunction with the Minnesota Department of Health, a genetic service programme has been commenced, particularly into genetic diseases known as cystic fibrosis, muscular dystrophy, Downs syndrome, spina bifida and some types of congenital heart disease, some of the hundreds of different genetic diseases that afflict individuals and families. In fact, according to this programme, genetic defects are estimated to occur in one out of every 15 live births in the United States and account for 20 per cent of the national health cost per year. If that figure is related to South Australia, it means that approximately 1 000 children per year in South Australia could be affected. More than half of the people who are mentally retarded are suspected of having a genetic problem, and genetics may play a role in many of our diseases of lifestyle. Some defects are passed on from one or both parents to one or more of their children. Often, however, genetic disease appears out of the blue, with no other family members affected. The Minnesota Genetics Service Programme offers a comprehensive service involving diagnosis, treatment, management, and counselling. I am further advised by the Epilepsy Foundation of America that the only genetic research into hereditary epilepsy is done at the Magill University in Montreal. If no research is being undertaken in South Australia, will the South Australian Health Commission investigate my suggestion as a matter of urgency?

The Hon. JENNIFER ADAMSON: Without being given notice of the question I am not able, as I am sure the honourable member would understand, to reply precisely to his question about the nature of research programmes into genetics currently being undertaken in South Australia. Research programmes in health in the States fall largely into three categories. There would be those approved by the National Health and Medical Research Council, which has as part of its function the examination and approval of such programmes. Also, there are those that are conducted within universities, and those conducted within teaching hospitals. It is often very difficult to separate the teaching function and the research function of a hospital.

The hospital in South Australia that is most active in genetic disease counselling is the Adelaide Children's Hospital. When the honourable member talks about the importance of preventive medicine (and genetic disease counselling is probably the ultimate area of preventive medicine), he may be aware that one of the most outstanding achievements of the Adelaide Children's Hospital is the work that it has done in assisting in the identification of children with phenylketonuria which is a metabolic disorder and is a genetic disease. As a result of that work, which has now been undertaken for nearly 15 years, many children in South Australia have been saved from mental retardation because the disease has been picked up at birth by the Guthrie test, which is universally provided to every baby born in this State.

The honourable member's question gives me the opportunity to pay tribute to the late Dr John Coverton who, as Director of the Mothers and Babies Health Association, was instrumental in ensuring that this test was introduced into South Australia. The very great importance of what the member for Hanson has raised can be understood when one considers that if a similar test as is used to identify p.k.u. children, namely, a simple blood test a few days after birth, could be found for children suffering from other treatable diseases, we would certainly avoid a great deal of the human misery and economic cost associated with intellectual handicap in this State. I shall be very happy to take the question as one on notice and to obtain a report for the honourable member, providing him with any information that might assist him in a cause in which I know he has a personal interest and to which he has committed an enormous amount of his own time and effort, a fact that is well and truly recognised by this House.

OPINION POLL

The Hon. D. J. HOPGOOD: Is the Premier concerned about the further decline in his and his Government's support, as registered in a major opinion poll published in this week's *Bulletin* magazine? Does the Premier agree that the 8 per cent swing on a two-Party preferred basis, recorded by the poll since the 1979 election, would result in the Liberals losing the Districts of Henley Beach, Mawson, Todd, Brighton, Morphett, Mount Gambier, and Newland? The Premier will be aware that the *Bulletin* this week published a Morgan Gallup poll of 1 055 electors throughout South Australia.

Members interjecting:

The Hon. D. J. HOPGOOD: I am grateful for the support of the Government back-benchers. That poll showed that Labor would have 48 per cent support in a State election, compared with the Liberals' 39 per cent. The Premier's approval has slumped to 45 per cent.

The Hon. D. O. TONKIN: I am so glad that this opportunity has arisen, because I must admit that it had slipped my memory earlier on today, but I did wish to extend to members of the Opposition and to the Labor Party a very happy birthday wish for tomorrow because tomorrow is the official birthday, the anniversary of their accession to the Opposition benches. On behalf of the Government I would like to wish them many happy returns to the Opposition benches many many times.

I know that members opposite take a great deal of pleasure and get much reassurance from polls. Let me just repeat what I said to the Deputy Leader of the Opposition a month or so ago and remind him that the polls that he was quoting before the last election, and just before the last election, showed the Liberal Party support at 28 per cent. On the figures which the member for Baudin gives us, if we make the allowance for being able to win the election with an apparent poll support of 28 per cent, quite obviously we are going to increase our majority quite handsomely.

WILPENA POWER SUPPLY

Mr GUNN: Can the Minister of Mines and Energy say what progress has been made towards supplying 240-volt power to Wilpena and areas adjacent to that part of my district? The Minister will know that for a long time negotiations and representations have been made by my constituents in that part of South Australia to see what action can be taken to provide them with a reasonable source of 240-volt power. The Minister would also be aware that during the many years involved costs have escalated considerably, and my constituents are now most concerned that any further delay will cause them considerably greater out-of-pocket expenses.

The Hon. E. R. GOLDSWORTHY: There has been quite a considerable discussion by the groups interested in the supply of power to Wilpena and beyond. I think from memory it was probably while the honourable member was overseas and the Hon. Arthur Whyte brought the deputation to see me. As a result, the matter is being costed and evaluated. I shall be happy to get an up to date report on the progress of those negotiations and costings. I hope that a decision can be made before long.

CYSS

Mr MILLHOUSE: Despite the absence of any provision in the Budget, can the Premier say whether the Government will make money available to alleviate the still growing problem of unemployment, and especially undertake financial responsibility for CYSS in this State after 31 October? My question is, in part, supplementary to the Dorothy Dixer asked a little while ago by the member for Glenelg of the Minister of Transport.

Mr Mathwin: Don't be ridiculous.

The SPEAKER: Order! The member for Mitcham will come to the explanation of the question.

Mr MILLHOUSE: I am starting it now, Sir. The member for Glenelg picked up a letter in the *Advertiser* this morning.

Members interjecting:

The SPEAKER: The honourable member for Glenelg and Ministers on the front bench will assist if they desist from interfering in the honourable member's explanation.

Mr MILLHOUSE: Yes, especially the Minister of Agriculture. When I was interrupted, I was about to say that the member for Glenelg picked up a letter in the *Advertiser* this morning. I had a personal letter from Mr Allan Ingham setting out the figures of 52 apprentices in the Public Buildings Department and 140 State Government apprentices who have received notice that they will be put off. Of course, this is part of the Government's policy. Something has to be done to provide employment for them. How on earth that is going to be done with $44 000 000 from Loan moneys going to Revenue, I do not know.

The SPEAKER: Order! I warn the honourable member for Mitcham that he has been called upon to make an explanation, which does not entitle him to comment.

Mr MILLHOUSE: I had better leave that dangerous area.

The SPEAKER: Very quickly.

Mr MILLHOUSE: Immediately, and I come particularly to CYSS. I tried to raise this matter the other day. I had hoped that we might have had some good news from the Government by now, but we have not. As the Premier knows (indeed the Minister of Industrial Affairs made a Ministerial statement condemning the cessation of CYSS in this State), there has been widespread upset, alarm and disappointment at the cessation of the scheme. I guess that all members have had the same sort of letters as I have had from a number of people interested in the scheme. I propose to quote briefly from one of them to underline the feelings of people in the community. This is one I have had from the Port Adelaide and Woodville committee, dated 11 September, which states in part:

> All participants project officers, committee and community groups involved with Comskil were really quite stunned by the news.

That was the Federal Government decision. The letter continues:

The committee, therefore, has decided to call a public meeting on Monday 21 September at 7.30 p.m. in the Murray Smith Hall, Woodville Council Chambers, Woodville. The purpose of the meeting is to determine ways of obtaining alternative funding after 31 October to enable such an essential service as Comskil to go on existing.

Of course, there are many of them throughout the State, as the Premier should know. Finally, the letter states:

We would be most grateful if you could attend this meeting to see and hear for yourself the advantages the unemployed youth, community groups and amateur sporting clubs etc. in the Woodville area gain from the effective operation of Comskil.

That is just an example of the sort of letters which all members are getting, certainly on this side of the House; I do not know about the other side. It looks, despite our best efforts in the Senate, as though the Federal Government will not go back on its decision. It therefore remains fairly and squarely with the State Government to do something to save a scheme which, after all, its Federal colleagues initiated, and which we know, from the Ministerial statement made by the Minister of Industrial Affairs, this Government supports.

The Hon. D. O. TONKIN: The honourable member's concern does him great credit, as does the concern expressed to me by so many other members of this House about CYSS. Regarding the matter of apprentices, the Government has always made quite clear that it would prefer to continue with apprenticeship training with no prospect of employment at the end of the time, rather than not give that opportunity of training young people. That is a course of action that will continue to be followed.

If the honourable member cares to examine the details in the Budget, he will find our support for the apprenticeship scheme is still high and has been increased. As far as the CYS scheme is concerned, I disagree with the member for Mitcham when he says that it seems that the Federal Government will do nothing. There is nothing I can add to the statements that have been made by the Acting Minister, and by the Minister, as to our concern at the abolition of the CYS scheme. However, the Minister of Labour and Industry is currently attending a meeting with his counterparts, and I understand that this is one of the matters that will be discussed today.

At this stage I do not intend to make any further comment, because this matter is still exercising the attention of the Federal Government. This is properly where it should lie for now. When we have a final decision and know the final outcome, we will be in a position to make further decisions.

DREDGING

Mr OLSEN: Will the Minister of Marine indicate whether the dredge A.D. *Victoria* is capable of dredging limestone and granite in the necessary process of upgrading our port facilities, and will he respond to the criticism by the Opposition contained in a newspaper report today? Recent newspaper articles have drawn attention to the necessary upgrading of our port facilities, which includes dredging of existing channels. At Wallaroo there is a request that the approach channel be deepened, and this includes the removal of limestone.

The Hon. W. A. RODDA: The comments in today's paper by the Opposition spokesman in relation to marine matters certainly warrant clarification. Both the A.D. *Victoria* and the *H.C. Meyer* were designed by the I.H.C. organisation in Holland and built in Australia. The *Victoria* was built in Newcastle, New South Wales, at the State dockyards in 1969; the *Meyer* in Port Adelaide in 1965. Both are well-designed and well-built dredges, and both have given good service over the years.

Regardless of whether the *Meyer* was going to be rebuilt or not, it had to be salvaged from where it sank and secured in a safe condition along the wharf, as it was blocking the shipping lane. It has not been 'rehabilitated' as claimed. A total of $575 000 has been spent on the salvage and dismantling, and, while the salvaged hull and machinery may have some value, no decision has been made regarding their future sale or any conversion possibilities. It was necessary to prepare plans and specifications for calling tenders to enable an accurate comparison to be made between the alternatives of rehabilitating the *Meyer* or buying the *Victoria.* A specialist consultant did this work for $29 000. In assessing the *Victoria,* it was acknowledged that the bucket band operations were noisy and that maintenance of the buckets was expensive. When we made the mentioned comparison we took into account that a completely new and lubricated bucket band would overcome both of those problems.

If the *Meyer* had been rehabilitated, it would have been an efficient dredge with considerable value. Likewise, modifications to the *Victoria* will make it of similar value. However, even though the *Victoria* will cost $960 000 less than the *Meyer,* it will be capable of dredging to 20 metres compared to the 15 metres of the *Meyer.* The I.H.C. organisation prepared plans for extensions to the *Meyer* to enable her to dredge to 20 metres. Estimates of this cost indicate it would add $1 000 000 to the cost of that vessel. The *Meyer* was able to dredge limestone satisfactorily, but has never been able to dredge granite, as reported in this morning's paper. The *Victoria* is currently dredging limestone in the Port Adelaide River. As part of its equipment it has a second bucket band designed particularly for hard rock dredging. That is being looked at and is included in the parameters of the specifications for the purchase of this dredge.

This band will be used when and if dredging conditions make it necessary. Honourable members should be aware that the figures given by the honourable member were obviously taken as a straight lift-out from the Auditor-General's Report, which was laid on yesterday. Students of that document will see that arrangements had been put in train to lease the *Victoria* until March of next year. That agreement has been waived, with the purchase of the *Meyer,* for some seven months, resulting in a saving to the department and the State of some $280 000.

Had we gone on with the rehabilitation of the *Meyer,* we would have been looking at a lead time to complete the refurbishing of the dredge, and we would have had to negotiate the hiring of the A.D. *Victoria* for the 73 weeks, costing the Government about $700 000. We are not hiding anything. We are making considerable savings to the people of this State and promoting the work of rehabilitating our ports, which the member for Rocky River so properly refers to.

There is a plan for work to be done at Wallaroo. The *Victoria* will be doing that in conjunction with work to be done at Port Pirie, and hopefully that will be considered in the programme for 1982. The dredging programme is scheduled to improve the swinging basin and the approach down the shipping lane, to which the honourable member referred. I assure the House that the A.D. *Victoria* will do what is expected of it. The new bucket chain which is being considered in the proposed financing of this project will be cast and the work will be done in this State. When the new bucket band is produced, that will be done under the advice, which is gratis under this scheme of arrangement, of experts from the I.H.C. company. Once it is made it will be fitted

to the dredge, and the dredge will be able to carry on this work. It will overcome the noisiness and the spillage referred to last week by the member for Semaphore.

WHYALLA HOSPITAL

Mr MAX BROWN: Will the Minister of Health explain to the House how the allocation of one hour a day from Monday to Friday to a doctor treating patients with hospital only medical coverage in the Whyalla hospital (or for that matter any other country Government hospital outpatients department) will be workable when Whyalla has a population of about 34 000, 5 000 of whom could be termed underprivileged? Recently, the Medical Director of the Whyalla hospital, Dr D. A. Jacobs, was quoted in a newspaper report, under the heading, 'Limited "outpatient" offer', as follows:

> The Whyalla and District Hospital will provide a limited outpatient medical care to people holding 'hospital only' health cover. Medical director, Dr D. A. Jacobs, said yesterday under this new interim arrangement an hour would be set aside each day, Monday to Friday, for a doctor to see patients who took out health insurance for treatment at hospitals only. This arrangement was separate from the normal emergency and after-hours treatment the hospital had been providing this community for the past several years, said Dr Jacobs. Patients in the 'hospital only' cover classification would be seen by a doctor, but not necessarily on the same day. It was similar to the system of a patient contacting a private surgery and asking for an appointment, said Dr Jacobs.
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> The Whyalla and District Hospital is serviced by private practitioners under a fee-for-service arrangement. Between 9 a.m. and 5 p.m. each five working days of the week, an hour would be nominated by the individual doctor, who is rostered for duty on that particular day, for seeing outpatients. The duty doctor had to divide his time between his surgery patients, his patients in the hospital and the patients who came in under the 'hospital only' classification, Dr Jacobs explained. He said the new outpatient arrangement was only an interim one and the hospital would have to watch how the whole situation developed in the future. It must be pointed out that patients with 'hospital only' cover will have no right to see a doctor of their choice. The new arrangement is a major concession on the part of the hospital board, made possible by the co-operation of the medical staff society.

I say to the Minister that the plan will not work. I hope that the Minister is prepared to provide better and extended hospital only cover facilities than those suggested by Dr Jacobs.

The Hon. JENNIFER ADAMSON: What the member for Whyalla has said needs to be seen in the context of the arrangements which have been established under legislation by the Federal Government. Under those arrangements, all State Governments are obliged to provide medical and hospital services to anyone who has hospital only insurance. I might say that that obligation was present under the former legislation. Not a great deal of attention was drawn to it, simply because there were free services for those who were not insured. Nevertheless, the obligation was there.

In South Australian country hospitals there are no salaried medical officers. Therefore, there will obviously be differences in the level of outpatient services that can be provided as between metropolitan and country areas, and we recognise that. It is not possible at this stage to determine what the demand in country areas will be. I acknowlege that in cities like Whyalla, Port Pirie and Port Augusta, and to a lesser extent Mount Gambier and Port Lincoln, there could be demands which would make the arrangements that the honourable member has just described difficult. All we can do is monitor the situation and continue to seek the co-operation of private practitioners in those provincial cities to treat the patient at the hospital. The alternative is simply that people who have not even got hospital only insurance, and those who have hospital only insurance, can go to general practitioners, seek medical services and either pay cash for them or become a bad debt.

Mr Max Brown: You're talking about 5 000 underprivileged people.

The Hon. JENNIFER ADAMSON: The honourable member refers to 5 000 underprivileged people. I would be very surprised if the honourable member could establish that every one of those people is ineligible for free health care. There would be a large percentage of those people who were eligible for free health care under the new arrangement. Whether those who just fail to achieve eligibility and who cannot afford to pay both hospital and medical insurance will provide an extremely heavy pressure on the outpatients department of the hospitals is impossible to say. I have given the assurance that the Health Commission will monitor the situation very closely. Quite clearly, we will have to make arrangements to ensure that people who are entitled under the law to have those services will receive them.

CRAIGBURN LAND

Mr GLAZBROOK: Will the Minister of Environment and Planning kindly advise the House when the transfer of land from the Craigburn estate to the Department of Environment and Planning is expected to be completed, and how long the anticipated transfer of part of that land to the Department of Education for the Flagstaff Hill Primary School use is likely to take? The Minister would be well aware of my concern and that of residents in Flagstaff Hill and surrounding areas and our desire to see the land transferred with a minimum of delay. Indeed, the Flagstaff Hill Primary School and parents of its students are anxious to see that the adjoining Craigburn land be made available for the much needed soccer pitches and an area for a proposed joint use school community hall for the Flagstaff Hill Primary School, which is one of the largest in the State. Citizens of Flagstaff Hill and surrounding areas are acutely aware of the lack of recreational areas for the approximately 1 000 students at the school, so I seek the Minister's assurance that this land transfer will take place rather quickly.

The Hon. D. C. WOTTON: I am certainly aware that the member for Brighton is anxious for this matter to be finalised. He has spoken to me about the matter on a number of occasions, and I recognise that there is a very real need as far as the primary school is concerned for the matter to be finalised. I am pleased to be able to tell the member for Brighton that the transfer is to take place on 29 September. It is intended that a small ceremony will be conducted in my office, and I am sure that the honourable member will be delighted that this matter is to be concluded.

As far as the further transfer to the primary school is concerned, I can give the member an assurance that the Minister of Education and I will be working together to make sure that it is completed as quickly as possible. As I said earlier, I am very much aware of the need that has been expressed by the honourable member in regard to the primary school in his area, and we will be working to make sure that the transfer takes place as quickly as possible.

KUMANKA HOME

Mr ABBOTT: In view of the drastic number of homeless persons in South Australia and the Commonwealth Government's major cuts in Federal welfare housing grants, which have been strongly criticised by the Minister of

Housing, will the Premier use his good offices to establish negotiations between officers of the Department for Community Welfare and the people who have set up accommodation for homeless persons in the Kumanka home at 206 Childers Street, North Adelaide?

Kumanka, which is owned by the Department for Community Welfare and was previously used as a boys home, had been empty for about 18 months until tent city residents moved into the grounds in May. It contains some 20 very large rooms and would be capable of housing more than 60 people. At the moment, I understand there are eight women, one man and 20 children living there, one woman with nine children. Mrs Wilcox of the Naomi Women's Shelter has stated that the Department for Community Welfare absolutely refuses to talk or negotiate with them and make provisions for homeless persons. In addition, Mrs Willcox has sought the assistance of the Women's Adviser to the Premier, Mrs Rosemary Wighton, by requesting that she endeavour to arrange a meeting between the Department for Community Welfare and herself. However, Mrs Wighton was not hopeful of achieving this, as she told Mrs Willcox that the department would not negotiate with her and was talking of handing the Kumanka premises over to someone else.

What is more disturbing, and something that could develop into a major row, is that the Department for Community Welfare has written to Mrs Willcox stating that it is understood that from 12 May 1981 the Kumanka premises have been and are currently still being used as an annexe to the Naomi Women's Shelter. It is therefore considered reasonable that the charges for gas and electricity for the period since 12 May, amounting to $433, are the responsibility of the shelter.

In a further letter to Mrs Willcox, the department notified her of the receipt of additional accounts for gas and plumbing services totalling $532.79 and advised her that, should a reimbursment cheque for the amounts totalling $965.79 not be received by the department before 30 September, consideration will be given to reducing by those amounts the next advance to the Naomi Women's Shelter on 1 October. I am sure the Premier will agree that, if that happens, all hell will break loose. Will the Premier arrange the necessary negotiations in an attempt to resolve this serious problem, as it can only deepen and grow worse if not rectified in some way.

The Hon. D. O. TONKIN: I would suggest to the honourable member that the best way that the whole problem could be rectified would be that the people who are currently in Kumanka were accommodated elsewhere, because, as the honourable member knows, the occupation of that property is not legally sanctioned. As I recall it, the occupation is as a result of squatting.

In those circumstances and when accounts have been incurred without the approval of the Department for Community Welfare or of the Government, quite obviously the Government can take no responsibility for them. It would be quite ridiculous: anyone in the community could take the law into his own hands, charge accounts to the Government, and expect the Government to pay them, which I am quite certain the honourable member does not advocate. Discussions have been held about finding accommodation for people in similar circumstances. Those discussions are continuing at the present time.

FISH

Mr LEWIS: Has the Minister of Fisheries seen an article in the *Lakelander* of 5 June entitled 'Is Fish Lib Likely?', in which circumstances are outlined wherein people in the United Kingdom were prosecuted ostensibly for being cruel to crustaceans and other vertebrate aquatic animals in the course of obtaining them for human consumption? I seek the assurance of the Minister that no such ridiculous allocation of resources to the prosecution of such spurious causes would detract from the Government's law enforcement agency's capacity to more satisfactorily solve those crimes committed against human persons, such as rape.

The Hon. W. A. RODDA: I have not read the *Lakelander*, and I have not had a word with Aunty Dorothy about it. I find myself in company with the Minister of Health, because I have been forewarned. I had a letter from a dear soul in this fair State drawing my attention to the cruel method of disposal of lobsters by putting them into hot water when preparing them for consumption. I will have to take some advice from my colleague and have a look at these learned pages of the *Lakelander*.

OMBUDSMAN'S STAFF

Mr KENEALLY: Will the Premier take the necessary action to ensure that the career paths of officers employed in the Ombudsman's office are not prejudiced in a similar way as has been the career of the Public Accounts Committee Secretary? I point out to the Premier that my colleagues on the Public Accounts Committee, and more particularly its Secretary, are not aware of my intention to ask this question. I say that advisedly.

On page 17 of his report, the Ombudsman states:

> There is one staffing aspect which concerns me. Unlike the situation in some other States, my officers are all public servants. Unfortunately, promotional opportunities are necessarily limited within this small office, and I am concerned that opportunities for my staff to progress in the greater public sector might be less favourable than normal.
>
> The difficulty facing the career public servant employed in an office such as mine, is quite apparent—the very real possibility of making 'influential enemies'. This has been pointed out by Ombudsmen elsewhere.
>
> For this reason, it seems to me that greater flexibility is necessary in the Ombudsman's office. The introduction of extended ranges should be considered, to allow stability and continuity. The Public Service Board should be prepared to elevate an officer through the various steps comprising an extended range as he or she gains experience. In a vacancy, a new incumbent could commence at the lowest level.

Mr Gunn: Is it correct that you have been told—

The SPEAKER: Order!

Mr KENEALLY: The concern expressed by the Ombudsman is a real one when one realises what has happened to the Public Accounts Committee Secretary, a very competent and conscientious officer, as present and past members of that committee could vouch. I have been told by public servants that it is not wise to be seen speaking to this officer. I have also been told by public servants that if it was necessary to replace this officer, no senior person from the Public Service would risk his career by coming down into Parliament to do the job that Parliament requires of the Public Accounts Committee Secretary. The same risk applies to the officers in the Ombudsman's office, and I do not think this Parliament should be prepared to allow this to happen to good career public servants.

The Hon. D. O. TONKIN: I am surprised that the honourable member should be the one who raises the subject of some disadvantage to an officer of the Public Accounts Committee, considering what occurrences there were during the time of a former Administration. Nevertheless, having made that point, which I am sure is not lost on members opposite, may I say that I am not aware that there has been any hold up in the career path of any officer of the Public Accounts Committee. Indeed, the Secretary of that committee, I think, had promotion soon after we came into

office. I can understand the situation to which the honourable member has referred, and I think it is something which honourable members would recognise must be taken into account by those people wanting to come to work for the Public Accounts Committee, or for the Ombudsman, come to that. Nevertheless, that is something which they accept, and I believe accept as part of the job.

Mr Speaker, you will be aware better than anyone else that one of the services that we provide to the Public Accounts Committee is the provision of seconded officers, who come for a limited time, and they are seconded for the very reason that the honourable member has outlined. I am perfectly willing to examine a situation whereby people are seconded to the Ombudsman's office if I am requested to do so by the Ombudsman. That may be a satisfactory solution to the fears which the honourable member expresses.

SAMCOR

Mr EVANS: Can the Minister of Agriculture state whether workers walked off the job at the Gepps Cross abattoir yesterday? I have been informed that there was a walk-off by employees from the job at the Gepps Cross abattoir yesterday. I think it would be of interest to the House if the Minister could explain the reasons for and the result of that walk-off and why the employees are beefing about the subject about which they were beefing.

The Hon. W. E. CHAPMAN: It is true that all slaughtermen withdrew from their positions at Samcor yesterday afternoon. The reason for their doing so surrounded a matter of payment for slaughtering, in particular for slaughtering bulls. The matter was drawn to the attention of the Industrial Court and accordingly listed, but I am told that apparently it was too far down the list on the docket to satisfy the meatworkers in question, hence their decision to withdraw from duty at the premises yesterday afternoon.

I think it is important to indicate that the situation was resolved this morning and that the men have returned to work. In the meantime, the boning rooms and the distribution of products from that premises have continued undisturbed, and accordingly there has been no disruption in the provision of meat to the consuming public.

PERSONAL EXPLANATION: OMBUDSMAN

Mr BANNON (Leader of the Opposition): I seek leave to make a personal explanation.

Leave granted.

Mr BANNON: In the course of a reply to me in Question Time today concerning the powers of the Ombudsman and whether the Premier would initiate an inquiry into allegations made that one Minister tried to force him to desist from his statutory responsibility, the Premier claimed that I knew in advance the contents of the report and imputed some sort of impropriety on my part in that respect. I would like to put on record firmly that I did not have any advance notice of the contents of the report. Along with other members, a copy of the report was delivered to me at the commencment of Question Time. I opened it and began reading it. I noticed from the table of contents a reference to a section headed 'The Ministry', to which I turned and looked. There, quite clearly set out, was a paragraph involving the behaviour of an unnamed Minister in relation to the Ombudsman. That information was communicated to my colleague, the member for Spence, who rose to ask a question about it. That is precisely how the matter came before this House.

The SPEAKER: Order! In view of the circumstances, I think it should be quite clearly indicated that the Ombudsman's Report was handed by hand by the said gentleman to myself and, to my knowledge, to the honourable President, and was not circulated prior to my tabling it, and the honourable President's tabling it, in the two Houses of Parliament.

At 3.11 p.m., the bells having been rung:

The SPEAKER: Call on the business of the day.

RACING ACT AMENDMENT BILL

The Hon. M. M. WILSON (Minister of Recreation and Sport) obtained leave and introduced a Bill for an Act to amend the Racing Act, 1976-1980. Read a first time.

The Hon. M. M. WILSON: I move:

That this Bill be now read a second time.

This Bill proposes amendments to the principal Act, the Racing Act, 1976-1980, designed to give effect to recommendations of the Committee of Inquiry into the Racing Industry that the Government has accepted but not yet implemented. A number of recommendations of the committee have already been implemented through amendments to the Racing Act, which were introduced into Parliament in November 1980, and brought into operation on 1 January 1981. These earlier amendments were generally related to the provision of additional finances to the racing industry, and the Government introduced them as a matter of urgency. It is now generally agreed that the changes introduced have been of significant benefit to the industry. The amendments now proposed are designed to implement most of the remaining recommendations of the Committee of Inquiry, and cover a number of diverse aspects of racing. The major changes proposed are as follows:

1. The committee has recommended that the Trotting Control Board and the Greyhound Racing Control Board be reconstituted and reduced to a membership of five. The committee has argued that the membership proposed would create boards which are less affected by sectional interests and better equipped to work for the overall development of the codes concerned. Selection of members from a panel, as proposed, would give greater flexibility of appointment. The committee has recommended the enactment of specific provisions designed to ensure that members of controlling bodies and other boards are free to work in the interests of the whole industry without the constraints of representing a club or sectional interest. The Government has accepted this recommendation, and the Bill makes provision accordingly.

2. The Committee of Inquiry has recommended that the Totalisator Agency Board be empowered to pay dividends after each race. It argued that such a service would give cash to customers of TAB the same privileges as enjoyed by telephone betting customers, whose winnings are available after each race. The Government agrees that this step would provide a better service to the public and believes that its introduction would not have any adverse effect on the industry. This service is already available in Queensland, New South Wales, Western Australia, Tasmania and the A.C.T. The Bill includes a provision designed to give effect to this recommendation.

3. The Government has agreed that, as a general principle, the racing industry should be given as much autonomy as possible to make and implement many decisions

which are important to its future. To further this end, the Government has accepted the Committee of Inquiry recommendation that the principal Act be amended to remove the present restriction on the number of meetings which may be conducted by each code in the metropolitan area at which on-course totalisator betting may be conducted.

4. The Committee of Inquiry has recommended that the functions of the Racecourses Development Board be expanded in order to give it the greater flexibility which may be necessary in the future. The committee argued that it may be in the interests of the racing industry to make grants, subsidies or loans for facilities which are not necessarily public in nature in order to improve a racecourse or to benefit the industry. Such an action could include the development of a training facility. Similarly, the committee argued that it may be desirable for the board to make a grant to a person or body, other than a registered racing club, in order to benefit a particular code. For example, a consortium of clubs could be funded to develop a computerised totalisator facility. In accepting this recommendation, the Government has decided that grants made under these additional powers should be subject to the approval of the Minister of Recreation and Sport, in addition to the approval of the Treasurer.

5. The Committee of Inquiry considered that it is an anomaly that South Australia is the only State in which neither bookmakers nor their clients are able to take legal action for the recovery of gambling debts. The Government has already taken action to protect the public by granting a significant increase in the level of bonds payable by bookmakers. A desirable second step will be to ensure that members of the public have the right to take action for the recovery of gambling debts, and in providing for this the Government believes that the right should be available to both parties concerned.

The Bill also proposes amendments to the principal Act to substitute for all references in the Act to dogs references to greyhounds. Greyhounds are the only dogs raced for the purposes of the Act and expression 'greyhound racing' is the expression generally used and preferred by those involved in that form of racing.

As the remainder of the explanation is formal, I seek leave to have it incorporated in *Hansard* without my reading it

Leave granted.

Explanation of Clauses

Clause 1 is formal. Clause 2 provides that the measure is to come into operation on a day to be fixed by proclamation. Under the clause different provisions may be brought into operation at different times. Clause 3 amends section 3 of the principal Act which sets out the arrangement of the principal Act. The clause amends this section by substituting for the term 'dog' the term 'greyhound' in the heading for the division relating to the controlling authority for dog racing. Clause 4 amends section 5 of the principal Act, which sets out definitions of terms used in the Act. The clause amends this section by substituting for all references to dogs references to greyhounds.

Clause 5 amends section 10 which provides for the constitution of the Trotting Control Board. The clause provides for a board of five, instead of seven, members, two being appointed on the recommendation of the Minister and the remaining three being persons nominated by the Minister from panels of three nominated by the South Australian Breeders, Owners, Trainers and Reinsmens Association, the South Australian Trotting Club and a meeting of other trotting club representatives, respectively. The two members appointed on the recommendation of the Minister are, under the clause, to be the Chairman and Deputy Chairman of the board. Clause 6 reduces the maximum term of office for members of the Trotting Control Board from four years to three years. Clause 7 makes a consequential amendment to section 11 reducing the quorum for the Trotting Control Board from four to three members. Clauses 8 and 9 make amendments substituting references to greyhounds for references to dogs.

Clause 10 amends section 25 by providing a definition of the Greyhound Racing Control Board, that is, the board that was the Dog Racing Control Board continued in existence under the name the 'Greyhound Racing Control Board'. Clause 11 provides for the change of the name of the Dog Racing Control Board to the Greyhound Racing Control Board. Clause 12 amends section 27 which provides for the constitution of this board. Under this clause, the board is to be constituted of five members, instead of six members, two being appointed on the recommendation of the Minister and the remaining three being persons nominated by the Minister from panels of three nominated by the Greyhound Owners, Trainers and Breeders' Association of South Australia, the Adelaide Greyhound Racing Club and a meeting of other greyhound racing club representatives, respectively. Clause 13 reduces the maximum term of office of members of the Greyhound Racing Control Board from four years to three years. Clauses 14, 15, 16 and 17 substitute references to greyhounds for references to dogs.

Clause 18 amends section 45 by reducing the maximum term of office of members of the Totalizator Agency Board from four years to three years. Clause 19 amends section 56 which provides for a quarterly distribution of Totalizator Agency Board profits to the controlling authorities for horse racing, trotting and greyhound racing. The clause amends this section to authorise the board to make the distributions on the last day of the board's four-weekly accounting period that last expires before the end of each quarter. Clause 20 amends section 62 which provides at subsection (2) that the dividend on any totalisator bet must not be paid until the end of the race meeting that includes the race on which the bet was placed. The clause amends this section so that, instead, it provides that the dividend on any bet shall be paid as soon as practicable after the race on which the bet was placed, except where the Minister directs otherwise. Clauses 21, 22 and 23 amend sections 63, 64 and 65, respectively, by removing the specific limitations on the conduct of on-course totalisator betting at local horse racing, trotting and greyhound racing meetings. Instead, on-course totalisator betting at such race meetings will be authorised by the Minister, on the recommendation of each controlling authority.

Clauses 24 and 25 substitute references to greyhounds for references to dogs. Clause 26 amends section 128 by providing for a maximum term of office for members of the Racecourses Development Board of three years. Clause 27 changes the name of the Dog Racing Grounds Development Fund to the name the 'Greyhound Racing Grounds Development Fund'. Clause 28 amends section 135 which provides that the function of the Racecourses Development Board is to provide financial assistance for the development of public facilities in the grounds of racecourses. The clause amends this section so that the board may, in addition, with the approval of the Minister, provide financial assistance for the development of other facilities that the board is satisfied will benefit horse racing, trotting or greyhound racing. Clauses 29 inserts a new section 146a providing that a member of a board established under the Act shall not, without the consent of the Minister, be or become the

secretary or an employee of a club or association established for any purposes related to racing. The proposed new section also provides that every member of such a board shall decide every matter that he is required to decide as a member according to his own opinion or belief and not according to the direction of any person or body. Under the section, contravention of either of these provisions is to constitute a breach of the conditions of appointment to the board and render the member liable to be removed from office. Clause 30 inserts a new section 149a which provides that bets made lawfully with and accepted by bookmakers, authorised racing clubs or the Totalizator Agency Board are to be valid and enforceable as contracts notwithstanding any Act or law to the contrary.

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

ADMINISTRATION AND PROBATE ACT AMENDMENT BILL

Second reading.

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

That this Bill be now read a second time.

Where a testator makes provision for the payment of pecuniary legacy, the legacy should be paid either at the time fixed by the testator in his will or, if no such time is fixed, on or before the first anniversary of the testator's death. If the legacy is not paid on or before the due date, then it bears interest at the rate of 4 per cent per annum. This rate was determined by the Courts of Equity in the early nineteenth century, and is now clearly too low in view of current interest rates. The judges of the Supreme Court have recently amended the rules of the Supreme Court to increase the rate of interest payable upon legacies, subject to a judgment or order by the court to 10 per cent per annum. Obviously there should be a corresponding increase in the interest payable generally. The present Bill therefore introduces a new section into the Administration and Probate Act providing that interest shall accrue upon pecuniary legacies at the rate from time to time fixed by regulation.

I seek leave to have the remainder of the explanation dealing with the clauses incorporated in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clauses 1 and 2 are formal. Clause 3 enacts new section 120a of the principal Act. The new section provides that, if a legacy is not paid on or before the proper date, interest accrues at the rate from time to time fixed by regulation. The new section will apply to all unpaid pecuniary legacies, whenever they become payable, but will not, of course, affect the rate of interest payable on a legacy in respect of a period before the commencement of the amending Act. Clause 4 inserts a regulation-making power in the principal Act. This will enable the Governor to make regulations for the purposes of new section 120a.

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

CREMATION ACT AMENDMENT BILL

Second reading.

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

That this Bill be now read a second time.

The purpose of this short Bill is to remove from the Cremation Act the provision that requires a crematorium to obtain the approval of the Governor to any variation of its cremation fees. The Government endorses the views of the Enfield General Cemetery Trust and the Centennial Park Cemetery Trust that the requirement for approval of fee increases is both cumbersome and anomalous, as neither burial nor cremation fees are now subject to price control, and there is no such statutory requirement for approval in relation to cemetery charges, which are at a similar level to cremation fees.

Clause 1 is formal. Clause 2 repeals the section that deals with approval by the Governor of scales of fees fixed by crematoriums.

Mr HEMMINGS secured the adjournment of the debate.

IRRIGATION ACT AMENDMENT BILL (No. 2)

Adjourned debate on second reading.

(Continued from 5 August. Page 293.)

Mr KENEALLY: (Stuart): Over the years, I have noticed that Ministers bring in second reading explanations of their Bills that are rather obscure. This is not peculiar to this Government or this Minister. I expect that this procedure has been practised for as long as there have been Parliaments and as long as this Parliamentary system has been in vogue. This second reading explanation is no exception. I do not dispute that the technical data contained is accurate, but it does not do Parliament the justice of explaining the reasons for introducing the measure. It can be a good discipline placed on Opposition members and other members of Parliament requiring them to research the Bill so that they can themselves find out the reason for the measure's being before Parliament. If that is the motivation—which I expect it is not—then that would be acceptable.

I have discussed this Bill with officers of the Minister's department, and I thank the Minister for allowing me the opportunity to speak with his senior personnel. I have discussed the measure with people in the irrigation industry, and with two previous Ministers of Irrigation (the honourable member for Hartley and the honourable member for Mitchell). Everybody tells me that this is a measure the Opposition should be supporting, and we are doing that today. Until 1978, the responsibility for the supply of water to irrigation areas was vested in the Lands Department, but in 1978 the Engineering and Water Supply Department took over—

The Hon. P. B. Arnold: 1 July was when the Engineering and Water Supply Department took over.

Mr KENEALLY: I thank the Minister for that accurate time: the department took over on 1 July 1978. Accordingly, it was necessary to make the legislative changes, and the Labor Party in Government at that time started the wheel turning to implement the necessary amendments. The Minister has now brought them before Parliament. It was necessary to bring irrigation areas into line with water supply practices that applied under the Waterworks Act.

I understand that, when this Bill is passed, it will streamline administration by doing away with the necessity of arranging a new agreement every time a lease changes hands. When a person wishes to purchase a lease in future, that purchaser will know that a water entitlement is an integral part of the lease. This is essential for people to be aware of in irrigation areas. I have been assured that this administrative action (and that is what the Bill is) will not

change in any way the cost of water supplied to consumers, because it will not give the Minister any powers to change pricing that he does not already have. On all counts the measure is purely an administrative one and one worthy of support.

However, there is always a suspicion in the mind of a member of Parliament when dealing with Bills which have obscure second reading explanations accompanying them, that there might be something you are missing, that there might just be something the Minister and the department are putting through Parliament that ordinary members may not be aware of. This is not happening on this occasion; if it is, then I hope this can be detected elsewhere. I have tried to investigate all aspects of this Bill. From research I have been able to do and from advice I have been given by those people who are expert in the area of irrigation—irrigators, departmental officers, the Minister, and the two previous Ministers—I can only say the Opposition will support this measure.

The Hon. P. B. ARNOLD (Minister of Water Resource): Principally what the member for Stuart has said is correct. The Bill tries to simplify the administrative practices which have been occurring for quite some time. I am sure that, in another place, they will not find any hidden or obscure reasons for the amendment. The Bill clearly formalises what is occurring at this stage. A lot of this has been brought about, as the honourable member said, as a result of rehabilitation of Government irrigation areas. There are a number of categories: non-rated land that is used for vegetable production, whereby the Minister used to enter into an agreement with the lessee for the provision of water; non-rated land, where the Minister is providing a domestic water supply; and rated land, where the Minister is providing a domestic supply which is again separate from the irrigation supply provided, on the basis of its being rated land. The Bill largely simplifies and clarifies the procedure which has been occurring in recent times.

The honourable member suggested that the second reading explanation is somewhat obscure. Anyone who has not lived with the situation all his life could think it was obscure. I do not find it obscure, but I understand what the honourable member is referring to, and I assure him that there are no hidden ulterior motives in this measure. This Bill will clarify the matter for all concerned and lessen the administrative costs involved for the Government.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Provision for recovery of rates.'

The Hon. R. G. PAYNE: Although I am not formally moving the amendment, since the Bill has another vale of tears to transverse after leaving here, I will ask the Minister for some action, after consultation with his officers, to make the change I sugggest. First, I raise a point of information. How will the notice be served? If new subsection (3) of section 75 provides:

> Rates shall become due and payable upon the expiration of thirty days from the day on which the Minister causes to be served . . .

The Minister's reply will be of interest to me and the Opposition. Has the Minister considered whether the 30-day period is a reasonable time for persons to meet the accounts which would be contained in those notices? I draw to his attention that local government notices requiring payment of rates, for example, provide for a 60-day period after the service of the notice, during which no penal provisions apply and persons can pay those accounts due for the rates concerned.

I understand that charges are slowly increasing. There have been increases in the times of previous Governments; I do not suggest that this is the only Government that has ever done anything about it. However, it seems that 60 days might be a fairer time in which to allow people to meet their commitments.

The Hon. P. B. ARNOLD: This relates largely to domestic water supply, and it is the same situation as that which prevails in relation to domestic supplies within the metropolitan area and the town areas. The rate is due and payable within 30 days of the date indicated on the notice. Although it is usually 60 days in relation to council rates, they usually involve significantly higher figures than the amounts involved here. This brings the matter virtually into line with the situation of people in the cities and country towns. It is bringing the people out in the settlements on to the same basis.

The Hon. R. G. PAYNE: Although I thank the Minister for his clarification, I must say that his explanation differs from the one contained in the Bill. New section 75 (3) provides that rates shall become due and payable upon the expiration of 30 days from the day on which the Minister causes the notice to be served. The Minister has said now that there is a date on the notice which will be the date from which the 30 days will apply.

The Hon. P. B. ARNOLD: The notices are sent out by post, and no-one knows what delays will occur with Australia Post from time to time. A date appears on the notice, and the rate will be due and payable as from that date.

The Hon. R. G. PAYNE: Then I think the Minister should look at changing the proposed wording. It is senseless to pass a clause which does not agree with current practice. If rates are due and payable from a date which appears on a notice and within a period of 30 days from that date, that is different from the provision in the clause. I ask the Minister to consider that. I am prepared to leave the matter at that.

The Hon. P. B. ARNOLD: In the view of the draftsperson who prepared the Bill it is a matter of interpretation as to whether the notice is served on the date appearing on it. Probably the date of serving of the notice is the date appearing on it. A person might receive the notice two or three weeks before the date which appears on it, and the rate is required to be paid within 30 days of the date appearing on the notice. The honourable member is referring to a technicality. I believe, and I have accepted, that the time is taken from the day the rate is served on the ratepayer as of the date appearing on the rate notice, not the day on which it arrives in the post.

Mr KENEALLY: We acknowledge that the legal terminology is sometimes fairly complex. For that reason I ask whether the Minister will undertake to speak to the draftsperson, asking that this be looked at to see whether a change might be necessary in view of the comments of the member for Mitchell. If the Minister undertakes to do that we will be quite happy. It may well be that the present wording is legally correct, but it occurs to us that there is some doubt. If the Minister will do that we will not pursue the point further.

The Hon. P. B. ARNOLD: I will give that undertaking.

Clause passed.

Clause 4 passed.

Clause 5—'Repeal of section 78 and substitution of new sections.'

The Hon. R. G. PAYNE: Section 78 of the principal Act is repealed by clause 5, and new sections are to be substituted. What appears in the Act has not been changed since 1930, so the old provision has remained for a long time. The proposed changes seem sensible enough to take care of what applies or should apply. However, I wonder whether

there should not be some appeal provision. Proposed new section 78 (1) provides that the Minister may, on such terms and conditions as he determines, supply water by measure to ratable land where the land constitutes a block and where the water used will be for domestic purposes. I take it that that leaves up to the Minister the possibility of differential charges for domestic supply provided to a block. If that is so, there may be an argument for an appeal provision. I would like to know whether the supposition I have put forward is possible under the proposed new provision and, if it is, whether the Minister believes there should be an appeal provision.

The Hon. P. B. ARNOLD: The supply is from the irrigation distribution system. It is not a chlorinated supply. While it is supplied for domestic purposes, it is not supplied as potable water and, as such, it is supplied at half the ruling rate set in the metropolitan area. I take it that the honourable member is referring to an appeal against a meter reading.

The Hon. R. G. Payne: Against a rate that might be charged.

The Hon. P. B. ARNOLD: Since the rate is only 50 per cent of the ruling rate in the metropolitan area, I do not think there is likely to be any appeal.

The Hon. R. G. PAYNE: One wonders how long it will remain at 50 per cent, but I am happy with the explanation. Clearly, there will not be too many appeals. The Minister will also have the power, on such terms and conditions as he determines, to supply water by measure to land that is not ratable land whether that land is situated in an irrigation area or not. Will the charge be the same in relation to those two different categories?

The Hon. P. B. ARNOLD: The charge will be the same. This comes about by making dry land blocks within the vicinity of the irrigation area available for rural residential living. At the moment there are numerous allotments close by the irrigation areas which are keenly sought after by many people who prefer to live in a rural setting rather than within the confines of a town. Water will be supplied to them. The present policy is that we have extended to half a kilometre the distance that we are prepared to supply an indirect service from an irrigation main from what was previously the policy regarding a dry-land property abutting an irrigation main. We have done this after careful consideration, taking into account the number of allotments that could possibly be served and the effect that those allotments, if they are all taken up, will have on the capacity of the irrigation and distribution system to provide that water effectively in the height of summer without aggravating the situation in relation to the irrigation supply.

So far as the charge of 50 per cent of the normal domestic rate is concerned, the reason for that is principally that it is not a potable supply of water and it is not chlorinated, so I do not believe that Governments, either now or in the future, would be justified in levying the normal domestic charge for that water, because it is clearly identified as not being a potable supply. In fact, it is coming from exactly the same distribution system as provides for irrigation services.

In the main, irrigators, or persons living within the irrigation district, have received their domestic water supply as part of their irrigation supply, so there is quite a dramatic increase in the price that they are paying for their domestic connection today from the rehabilitated scheme as compared to when they were receiving it as part of their irrigation entitlement.

The Hon. R. G. PAYNE: New section 78a states that the Minister may, where in his opinion the payments of interest will cause hardship, remit the whole or part of the interest payable under section 75 or 78. That is where someone has not met the commitments referred to in an earlier clause. What procedure will apply there? Administratively, does that mean that there will be something on the notice stating that people may apply to have interest remitted? One often sees clauses and subclauses like this in legislation and, as a member, one finds in the day-to-day operation of our duties that many of these things are totally unknown to the persons they are supposed to benefit.

The Hon. P. B. ARNOLD: It will not appear on the notice. The honourable member may recall that in past years, under severe conditions, perhaps as a result of rain damage, hail or storm damage, the Government has had discretion to waive or extend the period of time for payment.

The Hon. R. G. Payne: Would an announcement be made?

The Hon. P. B. ARNOLD: Yes. It would be under extreme conditions where there is considerable distress in the community as a result of a natural disaster, which can often occur to the irrigation industry as a result of hail or rain damage. It gives the Minister of the day the opportunity to relieve the pressure at that time. This was done also by the previous Government.

Mr KENEALLY: I have no argument about the 50 per cent charge for the water, because it is not potable or chlorinated, but are consumers warned that this water is not of a quality that one would expect to be using for domestic purposes, such as for drinking? I can recall the Minister telling me on another occasion that people living close to the Murray irrigation area are like people living in the Spencer Gulf area, but that they do not have the benefit of chlorination, so they are careful about the use of Murray water at certain times. Will the recipients of new connections be advised that the water is not of drinking quality or that, if it is of drinking quality, there are other disadvantages in domestic use?

The Hon. P. B. ARNOLD: This is not spelt out in so many words. A domestic supply has always been provided in the irrigation areas for as long as the irrigation areas have been in existence. It has always been the practice of people in the irrigation areas to use rainwater for drinking and cooking purposes. I know of virtually no persons in the irrigation areas who use the irrigation water for drinking or cooking purposes. This has been the case since the irrigation areas began. Many of the townspeople in the Riverland in particular, and along the Murray, use river water for drinking, but they, like Whyalla and Port Pirie people, have chlorinated supplies. I do not see that as a problem, because it has always been that way.

Mr KENEALLY: The Minister has the power under the Bill to recover unpaid charges. Does that mean that the Minister has recourse to the courts to recover those moneys?

The Hon. P. B. ARNOLD: Yes.

Clause passed.

Title passed.

Bill read a third time and passed.

MOTOR VEHICLES ACT AMENDMENT BILL (No. 4)

Adjourned debate on second reading.

(Continued from 27 August. Page 750.)

Mr O'NEILL (Florey): This is a small but important Bill. Members on this side of the House have looked at it, and we appreciate the problems it is designed to correct. As has been pointed out by the Minister, the rules of estoppel are called into play, and, in the way that the Act currently reads, it compounds the problem of withdrawal from the third party insurance business of all of the private enterprise

companies in South Australia, leaving the S.G.I.C. as the only organisation to carry that insurance. As a consequence, we have a situation where, probably in more cases than was the norm previous to that situation, the S.G.I.C. can be the insuring agent in respect of both injury and property damage.

It is one of the anomalies which exist and which can be cleared up by this Bill. It may be recalled that, prior to the change of Government, the Labor Government established an inquiry into third party insurance and the system of damages awarded for injuries sustained in motor vehicle accidents. I believe that late last year the Minister was approached on this matter, and he indicated that the Government had instituted its own inquiry into compulsory no-fault third party insurance schemes for motor vehicle accidents and that it had established an interdepartmental committee. I do not know whether that committee has completed its task or submitted any reports as yet, and I wonder whether the Minister could give us some indication concerning the situation in respect of some of the broader aspects of the motor insurance field, because we know that earlier in the year considerable concern was created when the rates were increased. In fairness to the Government, it must be said that, after the initial announcement, the Government took some action in some areas to reduce certain fees, but a number of sections of the motoring public are not very happy. I presume the Minister is fully aware of that, and in particular I refer to motor cyclists, who feel that there are a number of unfair situations in respect of their position in law. So, in giving the Opposition's support to this necessary amendment to the Motor Vehicles Act, I would ask the Minister whether he will refer to the matters to which I have referred in relation to other aspects of third party insurance.

The Hon. M. M. WILSON (Minister of Transport): I thank the member for Florey and the Opposition for their support for this small but extremely important Bill. As has been said before, the Bill gives a chance for S.G.I.C. to pay claims quickly, especially claims for property damage. Of course, the Bill does not deal with compulsory no-fault third party insurance or, in fact, third party premiums, but it does deal with the rules of estoppel, and I am glad that all the lawyers are out of the House. I do not know whether the member for Florey has had a chance to look up the rules of estoppel in the Parliamentary Library.

Mr Keneally: He didn't have to; he knew them.

The Hon. M. M. WILSON: He knew them—do doubt he was advised by the member for Stuart, as he seems to know everything. However, there are three rules of estoppel, which are very complicated, but we will not go into that at this stage. I thank the Opposition for supporting the measure.

The member for Florey referred to the questions of no-fault insurance and third party premiums. I was considering taking a point of order but my well-known charity and benevolence prevailed. I realise that it is the first Bill that the member for Florey has handled in his capacity as shadow Minister of Transport, for which I congratulate him. However, I can promise him that other Bills that he may have to deal with during this session may not be as uncomplicated as this one, although they may not be lawyers' Bills, and I can promise him a lot of homework.

The question of third party no-fault insurance is very important, and certainly the Government has had a committee looking at this matter. In fact, an enormous amount of work has been done on it. I point out that the previous Government also had done work on it. The basis of the work done until recently had been on the Victorian scheme, but I have been forced, because of some worries about the Victorian scheme, to again reopen the matter and negotiations are taking place once more. The Government does not intend bringing in a third party no-fault insurance scheme until it is certain that it is the best scheme available. We have had a lot of advice on this question and a lot of advice from the committee itself, which is a very expert committee. We have had advice from Tasmania, Victoria, and Northern Territory, which has introduced a no-fault scheme during the past couple of years. The Government has had advice from New Zealand and it has had advice from His Honour Justice Sangster, who is the Chairman of the Third Party Premiums Committee.

It is a very complicated matter, and the big worry (and I know, Mr Deputy Speaker, that you would agree with this) is that we do not want to bring in a scheme which is administratively top heavy. We do not want to bring in a scheme that will cost the taxpayer far more to administer than the present scheme costs, because that means that the question of premiums will have to be addressed and that premiums will have to go up. In any no-fault third party scheme, I hope that the premiums would be indexed to something like the cost of living, the c.p.i., rather than having these big jumps that we have seen over the past years (and I do not just refer to the past year, but to a number of years), when the determinations of the Third Party Premiums Committee have resulted in some rather large increases in third party premiums, which occurred not only during the term of this Government.

I think it would be a very good thing indeed if third party premiums were indexed, but we need to get the basis of those third party premiums. I do not have to tell the member for Florey (in fact, he has already told me) of the dissatisfaction amongst certain groups in the motoring community, especially the motor cyclists, who feel very hard done by indeed. I believe that the Government has acted in good faith as far as motor cyclists are concerned. It is not an easy job to bring in legislation, as the Government did a few months ago, to break the nexus between the decisions of the Third Party Premiums Committee and the premiums that are charged. That was a fairly courageous action by the Government, because it now indicates clearly once and for all that the Government is responsible for third party premiums and one cannot lay the blame on a statutory authority. Members would realise, of course, that one of the reasons why Governments set up statutory authorities is so that Governments can distance themselves from the decisions made by statutory authorities. The member for Stuart is well aware of this. Therefore, the blame can be laid elsewhere, rather than on the shoulders of the Government.

I want to point out to members that the action taken by the Government in really accepting responsibility for third party premiums was a courageous one which was in no small way caused by the dissatisfaction of certain groups in the community, including the motor cyclists. I believe that this Government has done quite a lot for motor cyclists in other items of legislation, such as the Road Traffic Act. I do not think motor cyclists have any reason to be displeased with the administration of this Government.

I hope that those comments satisfy the member for Florey. I cannot really say any more at this stage about when a no-fault third party scheme will be introduced. I hope that the deliberations of my officers and officers of other departments will be completed in the near future. I know that I have said 'in the near future' before; at that stage I was looking towards legislation being introduced within six months. I am now not prepared, having had my fingers burnt once, to give that undertaking at this stage, but I hope very much that the legislation will be with us as soon as possible.

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

SOUTH AUSTRALIAN HEALTH COMMISSION ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 27 August. Page 754.)

Mr HEMMINGS (Napier): There has been a remarkable degree of co-operation this afternoon on two previous Bills, and I hope I can be just as charitable to the Minister of Health in dealing with this Bill. In his opening remarks today, the member for Stuart talked about the lack of clarification in second reading explanations. That was interesting, because that is exactly how I will start my remarks.

The Opposition has come to expect very little clarification of Bills in second reading explanations, but the explanation of this Bill must stand as one of the worst. I do not lay the blame at the feet of the Minister. I think this Bill and its explanation is a mass of legalese. I freely admit that I do not understand parts of the second reading explanation because of legalese. If the Minister is equally as frank, she will say that the same thing applies to her. It has been described by one of my colleagues as being a real can of worms. One of the many criticisms made in the past by the Minister and her Government is that the previous Labor Administration created an empire-building structure when it introduced the Health Commission Act. The Minister has made repeated statements about regionalisation of the health delivery care in this State, but I suspect that these amendments will serve only to retain the power firmly in the hands of the Health Commission.

The previous Government was accused of empire building, and I may well be proved correct when I say that the future may prove that the Minister has created a monster with these amendments in relation to the delivery of health care. In her second reading explanation the Minister said:

> To reflect the concern of the Government and the Health Commission to ensure that health services in this State are delivered in an efficient and economical manner, the Bill amends the functions of the commission to make express reference to this important matter.

That is rather a sick joke. Up to now the Minister's record is that the delivery of health services in this State has been carried out in a most chaotic manner and it has resulted in administrators and boards of management becoming more bewildered and dismayed as the months go by. The Opposition supports certain clauses, but on others the Minister will have to give clear answers before we commit ourselves to supporting them. I will deal first with the clauses to which we give qualified support.

In relation to clause 4, which amends the definition of a health centre, the Minister said that the definition:

> . . . in the opinion of the Crown Solicitor prevents the incorporation of a body under this Act that provides mainly health centre services but also some hospital services. To ensure flexible co-ordinated services, it must be possible to incorporate such hybrid organisations as health centres, and the definition of 'health centre' is amended by the Bill to enable this to take place.

Presumably this is intended for use in non-metropolitan areas and, if that is the case, we support it.

Clause 7, which amends section 21 of the principal Act dealing with the portability of leave rights, also receives our support. This is important, and I congratulate the Government for amending this provision. The clause makes important amendments to the principal Act so that the commission may determine the extent of and regulate portability in the case of officers or employees who come to the commission from prescribed employment within three months, or in cases where there is a gap of not more than three months between the commencement of employment with the commission and cessation of employment in the Public Service. This provision is now more consistent with the Public Service Act and we support it, basically because it does not interfere with the rights of employees transferring from one unit of the health industry to another.

I have already mentioned clause 8, which refers to the efficiency of incorporated hospitals. We agree with the provisions of clause 6. If the commission has to delegate its powers or functions to an officer of the Public Service, then this clause must go through. We support clause 12, which amends section 34 of the principal Act. It seems obvious that the Auditor-General should be given the power to audit reports from incorporated hospitals, and we see that as a step in the right direction.

I will now deal with some of the clauses about which the Opposition has some misgivings. The first is clause 3, which deals with Division IVA relating to by-laws. In her second reading explanation, the Minister said:

> The principal Act enables the boards of incorporated hospitals to make regulations and by-laws, but no similar powers exist in the case of incorporated health centres. This omission arises from the fact that, at the time of drafting the Act, health centres were in early days of development and it was not known whether such powers were necessary. It seems now that health centres will not need the same range of powers to make subordinate legislation, but it is clear that some such powers are necessary. This Bill proposes to provide the power to make by-laws in certain essential areas.

We do not argue with the Minister that in the early days of health centres it was not known whether such powers would be necessary. My colleagues and I are intrigued by the Minister's reference to 'certain essential areas'. What are they? Division IVA, dealing with by-laws, provides:

> The management committee of an incorporated health centre may make, alter and repeal by-laws—
> *(a)* relating to the discharge and performance by the health centre of its functions and duties, or the administration of the health centre;
> *(b)* necessary or expedient for the maintenance of good order, the protection of property of the health centre, or the prevention of hindrance to, or interference with, any activities carried on at the health centre or in any part of its grounds;
> *(c)* prescribing fines not exceeding fifty dollars for contravention of any by-law.

What are these essential areas? That is rather a vague term in the second reading explanation. The clause in question does not give us any idea. Who has the Minister in mind when she says that good order should be maintained? Who is being lined up for a future crackdown as far as these by-laws are concerned? We need to know, because it is vague. We accept that, if the Minister can tell us in her reply where these certain essential areas are, we will give that clause our full support. At present, all we have is those three vague words 'certain essential areas'. We need to know more about this.

I will leave the member for Playford to deal with clauses 9 and 13, because they have some legal implications. Frankly, the explanation in the second reading speech and amendments to the principal Act have caused us some problems. Clause 19 is extremely delicate. It deals, as everyone is aware, with certain specified industrial organisations which have the right to make submissions to the commission and to incorporated hospitals and health centres. The Minister states:

> The clause amends this section by substituting for the reference to the Australian Government Workers Association a reference to the Federated Miscellaneous Workers Union of Australia, South Australian Branch, the latter body having recently amalgamated with the Australian Government Workers Association.

I ask the Minister the following questions in relation to this clause: Were discussions held with the two unions concerned? Is she satisfied that the two unions are happy with

the clause and, perhaps more importantly, has the amalgamation of these two unions been ratified by the Industrial Court to the satisfaction of those unions? If it has, when did it occur? If it has not, will the Minister defer this clause until she can establish whether or not that has happened? I am not saying anything one way or another, but it is something we need to know.

Clause 21 repeals the third schedule. The Crown Solicitor has advised that the listing of health centres in this schedule is a barrier to their integration, where appropriate, with local hospitals and therefore should be repealed. That raises an important matter concerning health centres and other organisations listed in the third schedule. I think my colleague will touch on this area later. The way I read it, incorporated hospitals can, in effect, take over or absorb health centres without the centre's agreement.

The Minister shakes her head. Perhaps when she replies she will be able to put our minds at rest. Nowhere can I see in this Bill where the attitude of the health centre to be absorbed, or amalgamated with an incorporated hospital, is taken into account. We have clauses dealing with property held by a health centre taken over by an incorporated hospital. I can see certain areas offering no protection for a health centre not wanting to amalgamate with an incorporated hospital. Perhaps the position will be that, when the Health Commission and ultimately the Minister decide that a health centre needs to be taken over, amalgamation will take place despite what the health centre thinks. Those are some of the questions needing answers.

We give our clear support to some clauses in the Bill. We congratulate the Government on the provision relating to portability of leave rights, but other areas have not been spelt out clearly. I am pleased that the Minister has her advisers here. Perhaps we can get the answers. We are in an awkward position. Because of the lack of clarification, we are really in no position to decide whether the Opposition needs to put amendments to the Bill; this depends on the Minister's answers to me and my colleagues. I hope that if, as a result of her answers, there is a need for us to put amendments time is made available to us to do so. Because of lack of clarification in the second reading explanation we are in this situation. Also, we are here, in effect, on the last sitting day before we go into the Budget debate and are working to a schedule. I hope that, if the Opposition feels that amendments need to be made, the Minister will make time available to us.

Mr McRAE (Playford): I congratulate the member for Napier on the way in which he has thoroughly canvassed this Bill, and he has left me very little to say except in three areas. In each of the three areas we have quite a complex legal situation. I will go through the areas slowly and give the Minister and her advisers the opportunity to consider their position. I am directing my attention to clauses 4, 9 and 13. In all other respects I adopt what my colleague said.

The second reading explanation said that clause 4 amends section 6 of the principal Act, which provides definitions of expressions used in the Act. The clause amends the section by substituting a new definition of 'Government health centre' as 'any health centre designated as a Government health centre by the regulations'. This definition is consequential on the proposed repeal of the third schedule to the Act. The repeal of the third schedule to the Act simply has this result (as I understand it from the time that I spent on the Select Committee into the Health Commission): the philosophy adopted by the committee was that, in so far as was possible in the various areas of hospitals and centres which provided health services or related services, it was desirable and essential to guarantee—perhaps guarantee is too strong a word to use—I am trying to find the right word—

The Hon. Jennifer Adamson: Undertaking.

Mr McRAE: Yes, to provide an undertaking to the existing organisations that their continuity and existence would not be threatened. This is the only reason why it was felt necessary to incorporate in the third schedule to the original Bill the large and varied number of welfare centres, health centres, rehabilitation centres and so on which are there set out. The effect of clause 4, together with a repeal of the schedule, may have one of two results. It may be that the Minister will say to us, 'Well, the undertaking of the Government is that there is no examination of the continued existence of these organisations. Their existence will go on in the ordinary way provided that they continue to conduct themselves within the law and to provide their services as they should.' I now ask the Minister whether it is implicit in the amendments to clause 4 plus the deletion of the third schedule, that there is a removal of that undertaking. If it is, the Opposition would have to oppose it. The Minister has indicated to me that that is not the case, but I would like her to say that.

Turning to clauses 9 and 13, again it may be that by undertaking we can deal with the matter. This is a peculiar situation. There is a scheme (and I understand the need for it) to provide a situation where an incorporated hospital takes over the function of a health centre, one of the variegated health centres that we have referred to, and in the normal course of events one understands the necessity for subclause (3) *(a)* of clause 9 of the Bill, and basically that is that the incorporated hospital will take over from that other body the relevant function, provided that the governing body of the other body consents to the establishment of the incorporated hospital, and that the commission and governing body have reached mutual agreement upon the terms of the constitution under which the incorporated hospital is to operate. If it stopped there, I do not think anybody could argue about the matter, because each of the bodies involved in the amalgamation—if I can use that phrase—were in agreement, and to protect the public interest the commission was also in agreement. If it stopped there, nobody could dispute it. However, it does not stop there. The critical and most worrying phrase to the Opposition is this: clause 9 (3a) *(b)*, is preceded by the critical word 'or':

> or *(b)* in any other case, unless the commission has approved the terms of the constitution under which the incorporated hospital is to operate.

Does the Minister undertake that paragraph *(b)* is not designed as an alternative to the provisions of paragraph *(a)*? In other words, does the Government intend in any way to use paragraph *(b)* to get around an unsuccessful attempt under paragraph *(a)*? To give a specific example, let us assume there was an incorporated hospital and that there was a health centre. One can pick any of the centres in the existing third schedule—I will not name any one of them. Let us further assume that there were discussions between the Health Commission, the incorporated hospital, and the health centre about a proposed amalgamation; the discussions had reached a fair distance; some agreement had been reached but discussions broke down; and no agreement could be reached. In other words, what I am asking is whether paragraph *(b)* is to be read as a compulsory acquisition alternative to the Government. That is the concern the Opposition has. In terms of drafting, it appears as though it can be read in that way. I find it difficult to understand what else it can mean. I do not profess expertise in this area of health administration, but it may be that there is some other practical situation which the Health Commission has in mind. If it has, we will be delighted to

hear it, together with an assurance that *(b)* will not be used as a compulsory acquisition clause. The Bill will then have our support.

The Hon. JENNIFER ADAMSON (Minister of Health): I thank the member for Playford for his reasoned and reasonable approach to the matters he has raised, together with the member for Napier, as matters of concern to the Opposition. I believe I can give the assurances he seeks, but the time to do that would be in the Committee stage. First, I will deal with the matters raised by the member for Napier. I have grave concerns when I hear the Opposition, notably the member for Napier and more notably an honourable member from another place, Dr Cornwall, making absolutely unfounded allegations about the Health Commission. It is one thing to criticise Government policy on grounds that are well founded. It is quite another to criticise the commission itself, a statutory authority consisting of a full-time chief Executive officer, and seven part-time Commissioners, for acts which they are alleged to have perpetrated, and one of these is empire building. The member for Napier said that I had made a continued reference to regionalisation. I have never to my knowledge referred to regionalisation of the Health Commission; that is something that has never been suggested and has not been undertaken.

Indeed, it would be quite inappropriate, because I agree that regionalisation can be an empire-building exercise and an exercise that enlarges bureaucracies. That is the very reason why we chose not to undertake regionalisation in restructuring the Health Commission. The internal restructuring of the administration of the commission was based on decisions taken by the commission itself. The process that has been carried out is not regionalisation but sectorisation, and I am happy to explain that.

Honourable members would know that the commission, under its original legislation, was structured administratively in such a way that it was a bureaucratic body very difficult to deal with which relied on collegiate decision-making at committee level before a decision of any kind could be made. Administratively it had a planning section, administration section, and finance section, and anyone in a health unit who wanted an answer relating to all these matters had to get on a bureaucratic merry-go-round and travel for quite some weeks, and in some cases months.

The aim of sectorisation is to make the commission more immediately responsive to the health units by dividing the State not in artificial boundaries, but purely for the purposes of commission administration, into three sectors—a central sector, a southern sector, and a western sector. I would be happy for the Chairman of the commission to explain this in some detail to the member for Napier, if he is interested. I have already made that opportunity available to the Opposition spokesman on health. This enables an executive director of each sector to have a high degree of management responsibility and authority over budgets and general administrative decisions so that people have a person, an individual, to whom they can direct inquiries, and who is responsible for seeing that action is taken in response to inquiries. I am happy to tell the House that, in the past couple of months, I have travelled in effect the length and breadth of South Australia—Mount Gambier, Ceduna, Hawker, Port Lincoln, McLaren Vale, Victor Harbor, north, south, east and west.

Mr Hemmings: It sounds like a promotion for Hit the Trail.

The Hon. JENNIFER ADAMSON: I have hit the hospital trail as well as the tourist trail. Everywhere I have been, hospital boards have spontaneously said to me, without my seeking information, 'The commission is working now better than it ever has before. Sectorisation is the system that obviously takes account of the needs of the health units.' I can say, without fear of contradiction, that every board that has expressed an opinion to me—and that has been a number of boards in recent weeks—has expressed an affirmative opinion and indicated full approval for sectorisation.

I would like that to go on the record, because I believe it is important to lay to rest much of the nonsense that has been talked about empire-building by the commission. In fact, the central office of the commission is smaller now in terms of staff numbers and expenditure than it has ever been, and it is the Chairman's wish that it should divest itself of virtually all service delivery responsibilities, and simply fulfil the co-ordinating and rationalising role as foreseen for it under the Act.

I was surprised and disappointed that the member for Napier should refer to clause 5 as a sick joke. Clause 5 inserts in the principal Act a section that requires the commission to ensure that incorporated hospitals, incorporated health centres and any health service established, maintained or operated by or with the assistance of the commission are operated in an efficient and economical manner. That is basic to the function of the commission, and I would have thought that any party that had undergone the rigours of the Public Accounts Committee would, far from questioning that clause, offer it full and absolute support. Not only the Public Accounts Committee, but the Jamieson Report, the Royal Commission of Inquiry into Efficiency of Administration of Hospitals in Australia stressed—

Mr Hemmings: I said your comments on page 3 were a sick joke.

The Hon. JENNIFER ADAMSON: The two are virtually indivisible. Let us say the honourable member meant that was a sick joke. I consider it a sick joke that the Opposition should raise that question. I believe the commission is to be most warmly commended and congratulated on its achievements in responding promptly and responsibly to the recommendations of the Public Accounts Committee. It was a traumatic time for everyone, at a time when the statutory authority was being established, and I think to describe any remarks I might make about the need for cost efficiency as a sick joke is to miss the entire point of the Public Accounts Committee findings. The member for Napier referred to clause 4, which he said was presumably intended for use in non-metropolitan areas. That is not necessarily so, but that can be dealt with—

Mr Hemmings: In all probability—

The Hon. JENNIFER ADAMSON: That is true. It can be dealt with in Committee, and I will indicate that it is essential that we have the capacity to co-ordinate health services and particularly in country areas, but also in some of the metropolitan areas of Adelaide, that co-ordination is best effected if there is a single committee of management with the responsibility for both hospital and health services, and which consequently can perceive the opportunities and potential for rationalisation. Indeed, when a board which has formerly been responsible only for a hospital becomes aware of the potential for saving costs within the hospital by keeping people out of it through extension of community services, one starts to get a rational form of health care in a locality.

The member for Napier referred to clause 19 as being extremely delicate, and sought information as to whether discussions had been held with the respective unions. I am pleased to indicate to the House that I have received a letter dated 9 February on the letterhead of the Federated Miscellaneous Workers Union of Australia, South Australian Branch, incorporating the Australian Government Workers Association, advising me that the Australian Gov-

ernment Workers Association had amalgamated with the Federated Miscellaneous Workers Union of Australia. The letter goes on to say that, on 4 December 1980, the Registrar of the South Australian Industrial Commission, Mr Holland, issued a certificate of amalgamation, which was enclosed, for the new body to be known as the Federated Miscellaneous Workers Union of Australia, South Australian Branch. The letter stated that, pursuant to section 61 of the South Australian Health Commission Act, 1975-1976, the Australian Government Workers Association is a recognised organisation. As a consequence of the amalgamation, the union requested the Minister to give effect to the making of necessary amendments to the Act so as to reflect the name of the newly amalgamated body.

There we have it for the record. I would have thought that the inclusion of the amendment spoke for itself, because it would indeed be a nonsensical act for a Government to proceed to recognise a union that had not amalgamated. I hope that the honourable member is satisfied that the wishes of the union have been observed.

The member for Napier referred to hospitals taking on, absorbing, or amalgamating health centres. I want to make it clear that this concept of amalgamation and absorption is not what the Government or the Health Commission has in mind. What we have in mind is joint management for the benefit of health services as a whole, and we believe that that is best achieved when hospitals become aware of the potential of the community health services. We think that the most effective way in which that influence can be brought to bear is if the two bodies come together by mutual agreement—and I stress those words—in order to manage health services in a given locality.

I give as an example the situation that existed at Port Lincoln when we came to office. I was astounded, when I visited Port Lincoln, to be shown the hospital and then to be taken to the community health centre, to be told by the staff member of the hospital who escorted me there that he had never previously visited the centre. Those who know Port Lincoln will know that the two buildings are barely a couple of blocks apart. That struck me as being a most unsatisfactory state of affairs, for the two health bodies in one city to be so remote that their staffs had not visited each other. I am delighted to say that, as a result of local initiatives taken at the community health centre level at Port Lincoln, a process of joint management is now under way, and already signs can be seen of the rationalisation and the better use of resources that will take place. The community as a whole, I believe, welcomes that process.

It would be quite untenable for a Government to force amalgamation of a community health centre and a hospital if that was against the wishes of the community health centre. I am well aware of the sensitivity within the community health area as regards being swamped by hospital services, but I believe that everything the Government has done by way of economic and health policy should be a clear indication to the community health services that we firmly endorse and support the concept of community health and have, indeed, very much enlarged the resources available to it.

The matters raised by the member for Playford deal with a complex legal situation indeed. He is right in his recall that the third schedule existed in order to provide security to organisations which might have foreseen that they should become incorporated under the South Australian Health Commission Act. I will wait until we come to the Committee stage to discuss the matter that the honourable member raised seeking an assurance. However, I can say that the question of takeover is not in the Government's mind. To be quite pragmatic, one should say that, politically, these things are untenable; one cannot force people to do what is against their wishes or, if one does, one pays the inevitable political penalty. It is certainly not in my mind to force any organisation into joint incorporation or, indeed, for one body to be taken over by another. I believe that we have common ground with the explanations I have given, and I hope that that common ground can be fortified in the Committee stage of the Bill. As the member for Playford indicated, these are largely technical amendments designed to meet needs which have emerged since the last amending Bill.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—'Interpretation.'

Mr McRAE: Will the Minister now give the assurance I sought relating to the Government health centres and the apparent deletion of their recognition under the third schedule?

The Hon. JENNIFER ADAMSON: An assurance can be given in so far as they are Government health centres; they are ours, that is why it is there. One cannot take over something that already belongs, so to speak.

Mr McRAE: Why is it necessary to delete the third schedule at all? I can understand the problems about incorporation, but I find it difficult to see why it is necessary to delete the third schedule.

The Hon. JENNIFER ADAMSON: I am advised that the existence of the third schedule implies that these health units are going to be incorporated, but not all of them will be. We want some flexibility as to which units may wish to be incorporated and which may not wish to be incorporated; also, as to whether some units should become incorporated, not as separate entities but perhaps with already incorporated bodies under joint committees of management. The existence of this schedule inhibits the flexibility needed by the commission in order to implement its policy of co-ordination and rationalisation and also to enable it to be responsive to the wishes of the individual health units.

Mr McRAE: Am I to understand that the bodies mentioned in the third schedule are in agreement with the proposal now embarked on by the Government?

The Hon. JENNIFER ADAMSON: They are the commission's bodies, so they are, in effect, ours already. If I give some examples, perhaps that will clarify the situation. The following bodies—Ceduna Community Health and Welfare Centre, Christies-Noarlunga Community Health Centre, St Agnes Community Health Centre and Loxton Domiciliary Care Services—are all bodies funded by the commission. They are Government centres. Some may be incorporated and others are not.

Mr Hemmings: There is one incorporated body already in that third schedule.

Mr McRae: The Women's Community Health Services Group Inc.

The Hon. JENNIFER ADAMSON: No, that is not the case. Are you talking about the Hindmarsh centre?

Mr Hemmings: The one that was the result of the problem.

The Hon. JENNIFER ADAMSON: The Hindmarsh centre is not incorporated, but a centre has become incorporated at North Adelaide. The Mount Gambier Domiciliary Care Service would be a good example because it embodies several matters to which members opposite were referring. That service is reluctant, as things stand, to become incorporated jointly with the Mount Gambier Hospital Board under joint management. I have given the centre an assurance that no incorporation will be forced upon it but that, if I can provide them with undertakings in the form of policy commitments that will ensure that their services continue to receive the resources which they

need and, indeed, which may be expanded as a result of the transfer of funds from the hospital, then they would become incorporated jointly with the Mount Gambier Hospital Board and probably be called the Mount Gambier Hospital and Health Service Board. I appreciate now what the honourable members have been getting at. They are right in so far as they want to ensure that community health centres are in no way disadvantaged by the repeal of the schedule. I can give the absolute assurance that that is so.

Clause passed.

Clauses 5 to 8 passed.

Clause 9—'Incorporation, etc.'

Mr McRAE: In view of what the Minister has just said in relation to health centres, my question has probably been answered, but I shall put it on record for safety's sake. Is it in any way the intention of the Government or the commission to use paragraph *(b)* of new subsection (3a) as a device to force an unwilling marriage, if I can use that term, between a health centre and an incorporated hospital?

The Hon. JENNIFER ADAMSON: No, that is not the intention of the Government.

Clause passed.

Clauses 10 to 17 passed.

Clause 18—'Insertion of new Division IVA.'

Mr HEMMINGS: In her second reading explanation the Minister referred to 'certain essential areas'. Can the Minister define that? The Opposition sees nothing wrong with clause 18 concerning by-laws in particular areas but the term 'certain essential areas' concerns us.

The Hon. JENNIFER ADAMSON: The answer is very simple, and I regret that the matter was not clarified earlier. Certain essential areas refers to areas such as those for parking and things of that nature. Hospital boards need to cover a variety of contingencies that can occur on their properties; for example, they want to ensure that there are no unleashed dogs, or people using abusive language, or littering, or things of that nature, and parking, particularly, is a problem at some of the health centres that have space for parking.

Clause passed.

Remaining clauses (19 to 21) and title passed.

Bill read a third time and passed.

PUBLIC PARKS ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

COMMUNITY WELFARE ACT AMENDMENT BILL

The Legislative Council intimated that it had agreed to the House of Assembly's admendments.

ADJOURNMENT

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

That the House do now adjourn.

Mr GUNN (Eyre): I appreciate the opportunity in this grievance debate to raise a matter which has caused me some concern and which relates to the predicament in which two constituents of mine found themselves following an unfortunate accident that happened on Highway 32, south of Burra some time ago when a large quantity of sodium cyanide was spilled on the road. I am sure, Mr Speaker, that you are familiar with this matter. The material was spilled on the road, necessitating the closure of the road for some time. The adjoining landholders' assistance was sought to help remove this dangerous material, and as a consequence a considerable amount of their time was taken up. They had to use their equipment to help remove the material. Unfortunately, when it came to the matter of giving them some compensation for their considerable effort, they received about what Paddy shot at, to put it very mildly—that is, absolutely nothing.

This is not a very satisfactory state of affairs because I would think that if that sort of activity occurred again in that area there would be some difficulty getting those people or any other people out of bed in the middle of the night, and getting them to use their equipment in helping to make the area safe for the public. The solicitor who represents these people took up the matter with me because they were claiming only about $600. The two people concerned submitted to the solicitor a schedule of what costs were involved. It is interesting to detail some of the expenses involved. I will not mention the names of the people concerned. One schedule states:

1. Time expended in assisting driver and generally dealing with the problems created by the spillage (including use of a tractor—30 hours) and ploughing and pulling truck out of paddock where it was 'bogged' (3 hours):

(A) Wednesday 30.7.80
9.30 p.m. to 1.30 a.m. (4 hours)
(B) Thursday 31.7.80
7.30 a.m. to 2.00 a.m. (Friday morning) (18½ hours)
(C) Friday 1.8.80
7.30 a.m. to 6.30 p.m. (11 hours)
(D) Saturday 2.8.80
12 noon to 3.00 p.m. (3 hours)
(E) Monday 4.8.80
10.00 a.m. to 5.00 p.m. (7 hours)
(F) Wednesday 6.8.80
11.00 a.m. to 12.30 p.m. (1½ hours)
(G) Monday 11.8.80
10.00 a.m. to 11.30 a.m. (1½ hours)

Claim		$	$
(i) Tractor use			
33 hours at $20.00 per hour		660.00	
(ii) Labour			
46½ hours at $10.00 per hour		465.00	
			1 125.00
2. Phone calls (as per list)		15.71	
3. Damage to tractor (alternator)		38.50	
4. Boots (one pair) (at cost)		27.99	
5. Welding rods and gas		5.00	
6. Respirators (cartridges)		7.00	
7. Petrol (14 litres)		4.54	
8. Fencing Repairs	$		
(a) Material (200 metres)	135.20		
(b) Erection Labour $10.00 per hour for 16 hours	160.00		
		295.20	

Other amounts are listed and the total is about $1 900. The second claim is as follows:

1. Time expended in assisting driver and generally dealing with the problems created by the spillage (including use of tractor for 14 hours):

(A) Wednesday 30.7.80
9.00 p.m. to 1.30 a.m. (4½ hours)
(B) Thursday 31.7.80
8.00 a.m. to 2.00 a.m. (Friday morning) (18 hours)
(C) Friday 1.8.80
7.30 a.m. to 5.00 p.m. (9½ hours)

Claim	$	
(i) Tractor Use		
14 hours at $20.00 per hour	280.00	
(ii) Labour		
32 hours at $10.00 per hour	320.00	
		600.00
2. Clothing, etc.		
(A) 4 Pairs of Rubber Gloves at $3.50 each (at cost)	14.00	
8 Pairs of Leather Gloves at $2.00 each (at cost)	16.00	

(B) Boots (one pair)	22.00	
(C) Burra Hospital Account	26.60	
		78.60
Total		$678.60

Yet, at this stage they have got nothing. I add that the person who drove the truck concerned in the spillage was successfully prosecuted in the courts and rightly convicted on an offence. The solicitor came to me because of the small amounts involved. He advised his clients that, if he was to act for them at any time, they would get nothing out of it at all, because his fees would be such that they would take up all the claim, unless they were successful in claiming damages. At that stage they were having enough trouble without going to the trouble of obtaining costs.

I took up the matter with the Minister of Consumer Affairs and the Chief Secretary. They were quite sympathetic, but it appears they were unable to do anything about it. I received the following reply from Mr Griffin, as the Acting Chief Secretary:

I refer to your letter of 2 April 1981, regarding a recent incident south of Burra when a truck load of sodium cyanide was spilled over the road. The Acting Commissioner of Police has advised that compensation for your constituents is not available under the State Disaster Act, 1980.

The Act provides under section 12 that the Minister may declare a state of disaster and that such declaration may remain in effect for a period of 12 hours. Further, section 13 provides that the Governor may declare a state of disaster and that such declaration would remain in force for a period of four days. No declarations were made under the provisions of this Act which, if fact, was not in effect at the time that the accident occurred and, further, the provisions of section 15 paragraph (4) providing for compensation for injury, loss or damage suffered as a result of a disaster could not apply.

The insurance company refused to accept liability because it said that the insurance policy did not cover the matter. The letter from the insurance company stated:

We refer to your letter dated 30 December 1980, and would advise that any liability arising from this accident has not been accepted . . . We are returning therefore the enclosures forwarded with your letter and request that these be referred direct to—

The letter referred to the truck driver. That was interesting. The solicitor took up the matter with the people who had the contract, the trucking company, which was an interstate company. It refused to do anything about it in a letter, which stated:

We refer to your letter dated 23 October 1980, regarding a sodium cyanide spillage at Black Springs and apologise for our delay in replying to you. May we respectfully advise that the vehicle responsible was not a company owned vehicle, but owned by. . . Insurance on this vehicle was held by . . . and your clients would be entitled to reimbursement under the motor vehicle recovery section. Therefore, may we respectfully suggest that you refer your claim to the owners on this occasion.

The insurance company would not accept responsibility, so we have been in a complete circle. My constituent who carried out a public service with a great deal of inconvenience to himself has received nothing.

I raise this matter in the House because I do not believe that these people have had a fair crack of the whip. I have discussed the matter with a number of people. One of the first persons at the scene was a clerk of a council in my area, and was most perturbed at what he saw. I believe the appropriate Minister should take the necessary action against the driver of the truck. I have a copy of the summons in relation to an offence of which he was convicted and fined $100. I realise that the provisions of the appropriate Act do not allow for action to be taken in relation to this matter, but I ask the appropriate Minister, whether the Chief Secretary or the Treasurer, to consider what I have just said. I am most concerned that this matter has dragged on for far too long. As far as I know, it is not covered by any consumer legislation.

Mr Hemmings: What about the Ombudsman?

Mr GUNN: I do not know whether the Ombudsman would be available, because the matter concerns a private company.

Mr Hemmings: If the Minister does not come across, it might be a good idea to refer it to the Ombudsman.

Mr GUNN: I have raised the matter so that the department concerned will take notice of what has been said. I intend to raise the matter with the Minister again, but I want to suggest that matters of this nature have to be dealt with on the spot. It is too late after an accident has happened to determine who is going to pay and who is going to do what. Obviously the dangerous material had to be shifted. The farmers on the spot were the ones with the equipment. They were requested to do the job and they did so. The police know the full story and they are concerned about it, but they cannot provide any assistance. I request that the appropriate Minister assists my constituents to receive the reasonable amount of expenses they have submitted through their solicitor. I sincerely hope that action will be taken.

Mr LANGLEY (Unley): I thank the other members of the Labor Party for letting me speak on two occasions in two days. Last evening, I was going to speak on a certain matter in the grievance debate but I was interrupted. I intend to speak on that matter today. The Deputy Premier said that he had said something today so that he could get it into *Hansard*. What I am saying is in my department. An advertisement in the *Advertiser* on Tuesday 15 September stated:

A birthday message for the Tonkin Government—Two Wasted Years. Two years ago the Liberals promised to 'get South Australia moving again'. The Liberals promised to create more jobs. But now we have the worst unemployment in Australia.

There is no doubt about the first part of that statement. It is so true it just does not matter. When he was in Opposition, the Premier was the greatest knocker of this State. He never stopped knocking. He promised, and he is still saying it, that his Government would provide 12 000 new jobs. I heard him yesterday, and it sounded to me as if there had been an increase of about 1 200 jobs. That is not the point at issue. How many people have lost their jobs, and why is unemployment so high? The Premier can take that stand, but I can assure him that that is not going down with the public. Unemployment is still rife.

Only today the Government is saying that it needs skilled workers and people like that, and yet in one Government department, the Public Buildings Department, young men will soon be losing their jobs. What jobs will there be in the building industry for them to go to? I want to find out from the Premier how many of those people who moved away were sacked and how many left of their own accord.

Everyone knows we are in trouble. As Mr Fraser and the Premier have said, life was not meant to be easy. We have trouble in this State because we are all sick. I can assure Government members that whatever they say we are going to win the next election. The advertisement in Tuesday's *Advertiser* also said:

The Liberals promised to slash taxation. But now we have massive increases in State charges, including electricity, water, sewerage, hospital bills plus bus, tram and train fares.

I think every Government has had to increase charges at times but the point here is that this Premier promised that charges would not be increased. The Government has increased about 100 charges. I can assure Government members of that, whatever they say.

Of course, there have to be increases in State charges but the Government of the day took some taxes away. It was one of those Robin Hood jobs; they let the rich people

off and they were not worried about the poor people. This was well done by the Government, and now it has itself in a hole. It is not my fault. The taxes that were taken off would have been very helpful.

There was a Budget surplus when the member for Hartley was Treasurer. The economy was recently buoyant, and no-one can say that that was not the case. The member for Hartley did not need a razor gang to help him out; he did the job himself. He was the Treasurer in the real sense of the word. If Government members go out to the people they will know how the Party is going. The member for Morphett might be in a bit of trouble for some of the things he has said.

I will not worry about it now. It is his worry. We have a good candidate there; I think he is a school-teacher. He will be using the communist trick the honourable member tried to put over in that area. The advertisement continues:

> The Liberals promised to get business on its feet. Now we have record business bankruptcies.

The Government was going to do something about small business, but hardly anything has been done. In my own area, along King William Road there is a number of small business premises, and some bigger ones, that are now vacant, and they have not been vacant before. The advertisement continues:

> The Liberals promised to improve health and education, but they've scrapped free hospital care, and school cutbacks threaten our greatest resource, our children.

Recently, in Adelaide, a rally was held by schoolteachers of this State, for the first time. Members opposite should visit schools in their area and find out what teachers think.

Mr Oswald interjecting:

Mr LANGLEY: The member for Morphett will not worry me today; he never really does. Last night he put me a bit offside. I was silly enough to answer some of his interjections; that was my fault. I hope he goes to see his schoolteachers. Even though teachers were told to vote for the Liberal Party at the last election, that Party will have to show general improvement for them to do so again. I saw the strike meeting. I believe people should negotiate at a table, but the Government was not happy to do that. When one meets the schoolteachers, one realises that the Government is not going very well. Parents are worried. I went to a school meeting with the member for Mitcham, who knows well what Education Department people are thinking now.

So many changes have been introduced to health insurance that no-one knows where they are going. Health insurance has been handed to private enterprise, even though we have Medibank. Shareholders must make a profit. The sooner we pay so much each week out of our salaries for health care the better the benefit to Australians. In other countries this has worked well. It has always been said that we are a lucky country, but we are not lucky as far as health is concerned. Many people in my area cannot afford health care, and some cannot understand the system. The advertisement continues:

> Labor left office with a healthy Budget surplus. Now State finances are in a mess. Even Dr Tonkin has been forced to admit that South Australia is 'sick'.

What a statement from a Premier! He was going to lift the State and now we are sick. The advertisement continues:

> Today Dr Tonkin will deliver his black birthday Budget. Make sure there are no more unhappy returns.

That advertisement was paid for by the Labor Party.

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

Mr RANDALL (Henley Beach): I wish to speak about actions on the steps of Parliament House yesterday. I am sorely tempted to reply to some comments made by the previous speaker, but I do not wish to miss the opportunity to put these issues forward. A campaign took place on Parliament House steps by a group calling itself RAID, predominantly concerned about intellectually handicapped people in this community. They define intellectual handicap as applying to people who have:

> . . . a condition arising from a variety of medical/psychological/social causes with impairment to the person's ability to make appropriate adjustments to his physical and social environment.

They define themselves as being concerned for people in that category. I would like to broaden that to include not only intellectually disabled people, but generally disabled people, and look at what we, as a Government, have done. I listened to some of the speakers yesterday, particularly the Leader of the Opposition, who used it as a platform to get across to people statements I believe were not strictly correct. When someone in his capacity, Leader of the Opposition, says that the State Government has cut money for services to people in the community, and that people such as the handicapped will suffer, he gives an inaccurate impression.

I put on record some of the things that the Government has done, but before I do so I quote what RAID sees itself as: a small pressure group who are concerned, and rightly so. All members of Parliament no doubt come across families in their own electorates with handicapped people in them. We see them facing the dilemma of whether to place that person in an institution or battle it out with a child or adult at home. It was clear that most of those people yesterday would love to keep their handicapped people at home. They asked us for support services and extra help. I strongly endorse the family environment as most suitable for these people, provided that the family can be given some back-up services to help cope in times of stress. It is a strenuous exercise in a family when no-one gets paid to look after these people. There are some rewards within the family. The community is beginning to see the benefits of keeping these people within it, instead of institutionalising them.

We see schools beginning to take handicapped people into the classroom, where other students can become involved. In my electorate, at Fulham Gardens Primary School, there is a student in a wheelchair. The school had ramps installed and the students wheel the child at lesson change time from classroom to classroom. The child participates in art and other subjects. It is good for both the non-handicapped and handicapped because they realise that they are all in this world together. As stated in its pamphlet, the purpose of RAID is as follows:

> To publicise the fact that intellectually disabled people of all ages live in our communities, city and country areas, the majority with their families.
>
> To direct attention towards the assistance which families require in providing care and support for the intellectually disadvantaged member who lives at home.
>
> To ensure that more money is given to develop resources in the community, without detriment to those living in institutions.
>
> It is our intention to bring pressure to bear upon Cabinet to make effective changes to the level of funding and staffing and to the overall effectiveness of the organisations charged with the care and support of intellectually disadvantaged people.

That is the basis on which they worked and operated. The comment was made that they may be running a bit late because the State Budget has already been handed down. I want to assure those people that they have not been running late, because if they get together and formulate their ideas and spell it out to politicians, we as politicians can take notice. Looking at page 4 of the pamphlet, it is time to spell out some of the areas where we in the forthcoming Budget will be able to help. As the Minister of Education rightly pointed out to the member for Salisbury

yesterday, funds have been increased from $294 840 last year to $423 000 this year. The Minister said that State Government funding, along with Federal Government funding, will be supplied to the various areas. One area which will be supplied and which was not picked up by the Federal Government was in relation to the handicapped, and that was the problem; the Federal Government did not pick up some areas of funding for the handicapped, but we as a State have pursued and continued to maintain them, even though the State Budget may reflect some cutbacks in monetary terms. St Ann's School for Handicapped Children, Finniss Street, Marion, which caters for 39 handicapped children, will receive a grant of $37 800.

Mr Glazbrook: Because we care.

Mr RANDALL: Because we care, as the member for Brighton says. The South Australian Oral School, Gilbert Street, Gilbertson, which provides education for young hearing impaired children, has been granted $154 000 to meet the increasing costs of salaries and its building programme. Pembroke School's speech and hearing centre, Kensington Park, will receive $5 700 towards its running costs. St Patrick's School for handicapped children, Warwick Avenue, Dulwich, which caters for 37 children, will receive $42 000 to help meet a deficit for increased salaries and running costs not met by the Schools Commission and Federal Government funding. We as a State Government picked these up, because these needs were not met. We recognised the need and have done something about it, even in this time of difficult financial circumstances.

The Autistic Children's Association of South Australia, Fisher Street, Myrtle Bank, which provides special programmes for about 140 children, will receive $122 500, which will help overcome financial problems that the association has had during the year. Suneden, McInerney Avenue, Mitchell Park, which caters for mentally handicapped children, will receive $61 000 to help run its special programmes this year. Also in the area of speech therapists, I point out to these people that since this Government has come to office it has increased from 11 to 19 (almost double) the number of speech therapists in this State. I agree that the number may not be enough, but we have recognised it and are beginning to move towards that area.

Mr Glazbrook: Positive action.

Mr RANDALL: Positive action, again as the member for Brighton says. I refer also to some information provided to me today by the Minister of Health on what we are going to do in the health area. The area of health responsibility towards intellectually disabled people is not quite clear between the Federal and State Governments. Personal assistance to intellectually handicapped persons on pensions and personal care subsidies are provided, and it can be assumed to be provided by the Federal Government. Voluntary organisations providing community-based services will get financial assistance; that is, in areas of sheltered workshops and hostels. An area which concerned me and which I mentioned in my speech is the area of the family with intellectually handicapped children. Often the family needs a rest of a day or maybe a week whereby they can have a break from the stresses and strains of caring for such persons. In addition, the State Government has provided to Minda and community support services the finances for this type of care where these people can be located for care and concern. The Government has also expressed concern, in the area of community based services for the intellectually retarded, that they should be maintained and developed. This has led to its providing special assistance to Barkuma Inc. to ensure its financial viability so that it can continue to provide hostel and workshop facilities. A grant of $100 000 was provided in 1980-81. The South Australian Health Commission again has undertaken to provide for intellectually handicapped persons a project to consider means of rationalising—

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

Motion carried.

At 5.27 p.m. the House adjourned until Tuesday 22 September at 2 p.m.