HOUSE OF ASSEMBLY

Wednesday 18 November 1981

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

PETITION: CASINO

A petition signed by 54 residents of South Australia praying that the House urge the Federal Government to set up a committee to study the social effects of gambling and reject the proposals currently before the House to legalise casino gambling in South Australia and establish a Select Committee on casino operations in this State was presented by the Hon. D. O. Tonkin.

Petition received.

PETITIONS: PRE-SCHOOL OPERATING COSTS

Petitions signed by 130 concerned residents of South Australia praying that the House urge the Government to provide sufficient funds to cover all pre-school operating costs were presented by Messrs Glazbrook and Hemmings.

Petitions received.

PETITION: FIRE STATION

A petition signed by 4 298 residents of South Australia praying that the House urge the Government to retain a fire station on LeFevre Peninsula was presented by Mr Peterson.

Petition received.

PUBLIC WORKS COMMITTEE REPORTS

The SPEAKER laid on the table the following reports by the Parliamentary Standing Committee on Public Works, together with minutes of evidence:

Beetaloo Dam and Spillway Rehabilitation,

Elizabeth Community College—Stage IV.

Ordered that reports be printed.

QUESTION TIME

The SPEAKER: Before calling on questions, I indicate that any questions relative to the Minister of Tourism or the Minister of Health will go to the Minister of Transport.

FROZEN FOOD FACTORY

Mr BANNON: I ask the Premier whether the Government will now exercise its rights under the agreement with Henry Jones (IXL) Ltd to repurchase the Frozen Food Factory at Dudley Park on advantageous terms, as it is clear that activity at the factory is being curtailed. If not, why not? On 1 October, the Premier boasted in the press statement that the sale of the Frozen Food Factory was a 'very good deal for South Australia'. The Premier also said:

Detailed safeguards for the work force have been negotiated with Henry Jones (IXL) Limited including long service leave, recreation leave and continuity of employment.

The statement continued:

People employed at the plant have been informed of the safeguards which have been negotiated to preserve their employment.

In a Ministerial statement to this House on the same day, the Premier said:

The Chairman of Henry Jones (IXL) Ltd (Sir Ian McLennan) has written to me stating his company's plans to expand the work force and install new equipment to produce products for a much wider market.

The Premier said that the Government's agreement with Henry Jones involved the holding of extensive securities from Henry Jones, including the right to repurchase the factory on advantageous terms should frozen food production ever be curtailed. At the time of sale, the factory was producing food products under contract for commercial interests, as well as for hospitals.

Since the take-over, about 20 employees have been transferred from the factory, and have not been replaced. I have been informed that Henry Jones' officers from Melbourne yesterday told worker representatives that the company intends to retrench a further 27 employees from tonight; that is, about two-thirds of the production staff are to go. There is now to be no food production at the factory other than meals for hospitals and institutions; and only 20 to 30 employees will remain. There is grave concern about the security of their employment.

The Hon. D. O. TONKIN: The matter that the Leader of the Opposition has raised has given the Government some concern, of course. I think that the position, as he painted it, is not quite the accurate story. That story ought to be told. It is unfortunate that one of the contractors or food firms for which the Frozen Food Factory was doing work was the Honourable Chinese Food Company. That company, in preparing prepacked Chinese dishes (which received, as honourable members may know a considerable amount of publicity some little time ago), accounted for some 37 per cent of the throughput of the Frozen Food Factory.

It is most unfortunate that, because the Honourable Chinese Food Company in making its projected demands, was, to put it mildly, rather over-optimistic, it now has supplies of its products not only in supermarkets but also in warehouses throughout Australia, and that the market for those products is extremely low. This is very unfortunate indeed, but it is a situation that has been growing ever since the Frozen Food Factory began to process food for the Honourable Chinese Food Company. It has nothing whatever to do with the sale of SAFFO. It is a situation that would have arisen regardless of whether or not SAFFO had been sold to Henry Jones or whether it had remained in operation as it was.

To say that it is the sale of SAFFO to Henry Jones I.X.L. which is responsible for the present situation is quite inaccurate. I understand that the people who are to be laid off will be given every assistance to find alternative occupations.

An honourable member: Like what?

The Hon. D. O. TONKIN: I must point out that all 27 were on short-term contract appointments, so in fact there was no continuity, and there is no suggestion at all that the conditions of the sale have been broken in any way. They were not part of that agreement. I think it is fair to say that the agreement has been stuck to quite firmly. The management of Henry Jones I.X.L. has informed me that it intends to carry on with its original plans to expand production. It regrets that this situation occurred, but unfortunately it will happen until other arrangements can be made to take up the 37 per cent production which, up until now, has been taken up by the Honourable Chinese Food Company and replace it with other initiatives, plans for which are already in the pipeline.

URANIUM INDUSTRY

Mr SCHMIDT: Can the Minister of Mines and Energy give any further information in relation to the uranium industry, following the question asked yesterday by the Deputy Leader of the Opposition? Members will recall that yesterday the Deputy Leader raised a question which related to a *Wall Street Journal* article. In quoting from that article the Deputy Leader tried to imply that there was no future in a uranium industry here because of the costs of uranium overseas.

The Hon. E. R. GOLDSWORTHY: I read the *Hansard* extract yesterday and I could see that the Opposition was still running true to form and that we had had another dose of gloom from the Deputy Leader on this occasion, seeking to support his Leader's efforts to undermine any optimism that there may be in the State.

An honourable member interjecting:

The Hon. E. R. GOLDSWORTHY: It is quite clear that members of the Opposition's staff are busy hunting through the papers of the world to find any comments with which they can undermine the Government in South Australia. It would have been far more profitable if the Deputy Leader had sought to quote to the House some of the other comments made locally in some of the local press, which I am quite sure could not have escaped his attention. Let me just round out the picture for the Deputy Leader. I must say I read the Premier's answer and that it was an excellent answer, but obviously the Premier did not have time to refer to all the quotes—

An honourable member: He was not clever enough.

The Hon. E. R. GOLDSWORTHY: I do not think anyone in this House memorises the newspapers from start to finish. I will just round out the picture, as the Premier suggested he would invite me to do, and give some quotes that might help the Leader and his Deputy in their thinking. I guess the Opposition knows that Pancontinental have uranium interests in the Northern Territory. The Pancontinental report refers to a strengthening in the world markets for uranium. The Chairman of Pancontinental, Mr Tony Gray, has given a different perspective from the position the Deputy Leader tried to paint yesterday in the House.

The Hon. J. D. Wright: I quoted the *Wall Street Journal.*

The Hon. E. R. GOLDSWORTHY: I have already suggested that the Leader's staff is obviously busy searching the papers of the world to seize on any comment which will help the Opposition to undermine the efforts of this Government to improve the economy of this State. I cannot escape the conclusion that they deliberately neglect any counter-view which is expressed in the local press or by local business leaders. This is what Mr Tony Gray, of Pancontinental, had to say recently, and I quote:

> Due to the decline in uranium prices over recent years and increases in production costs, many producers with lower grade ore bodies, particularly in the U.S., are curtailing production. Plans for expanding capacity or starting production on new ore bodies are being deferred for the same reasons. There is a growing realisation that, if new lower cost ore bodies are not developed soon in order to replace the shrinking production capacity, the eventual demand push that will follow a resurgence in nuclear power will create undue pressure in the market.

Another article appearing in today's *Financial Review* refers to an increasing demand for uranium. In that article the Chairman of Ampol, Mr Tristan Antico states that Ampol is quite optimistic and that it has opened up prospects for new uranium contracts in Japan. What the Leader and the Deputy Leader do not understand, or deliberately ignore, is that it is not the present state of the market that companies interested in undertaking development are considering. They have to base their decisions on future projections. If members of the Opposition had taken the time to listen to Sir Arvi Parbo, when he was interviewed in the past week or two, after having briefed the Opposition, I understand, on all these points—

Mr Millhouse: But Roger, the House was sitting when he—

The SPEAKER: Order! The honourable Deputy Premier will please resume his seat. Earlier this afternoon I heard the honourable member for Napier refer to somebody by the name of 'David'. Subsequent to that, I heard the honourable member for Stuart talk of somebody called 'Roger'. I have now heard the member for Mitcham talk of a 'Roger'. In Parliamentary parlance there are no persons of those names in this place. I ask all honourable members to recall that Standing Orders require that reference to a member, whether on the same side or on the other side of the House, will be by that honourable member's title or by his electorate.

The Hon. E. R. GOLDSWORTHY: Sir Arvi Parbo, on, I think, *Nationwide* (which I did not see, although I saw a transcript of the programme), in answer to a question about whether current world prices for copper and uranium had altered his enthusiasm for the project, replied in the following terms:

> No, not really, because today's market really has no relevance to these long-term projects.

Of course, members of the Opposition are trying to deny the expenditure of another $200 000 000 on further exploratory and feasibility studies. The Opposition will use any device it can and quote selectively from papers from somewhere else to try to make a point. I do not want to go over the ground so well covered by the Premier yesterday in his reply. The only other point I make is that the decision will be a commercial one made by hard-headed business men who are not prepared to spend $200 000 000 at the drop of a hat to chase a mirage in the desert.

BUILDING INDUSTRY

The Hon. J. D. WRIGHT: Will the Premier consider revising the answer he gave yesterday to the member for Napier concerning the building industry in South Australia in the light of the decision by C.S.R. Building Materials Division yesterday to close the Wunderlich terra cotta roofing tile manufacturing operation? Yesterday, the member for Napier asked the Premier a question concerning the serious decline in the number of new dwellings completed in South Australia in the last financial year. I would advise the Premier to listen to this.

The SPEAKER: Order!

The Hon. J. D. WRIGHT: You will recall, Mr Speaker, that the Premier dismissed the fact that 400 families have been unable to build homes as a 'marginal decline'; and those were his words. Ironically, at the very time the Premier was giving his reply, C.S.R. delivered to a number of members on this side of the House a copy of a letter that the Premier had received which told him that the Wunderlich roofing tile factory would be closed on 23 December—a nice Christmas present, I might say.

The SPEAKER: Order! The honourable Deputy Leader has been warned previously about commenting when giving an explanation of a question. I ask him not to transgress again.

The Hon. J. D. WRIGHT: I understand that the letter was hand delivered during Question Time yesterday to the member for Ascot Park, in whose electorate the factory is situated. Also, this week the Australian Bureau of Statistics released new information on dwelling commencements. I quote:

Only 1 680 dwellings were commenced in this State in the June quarter of 1981, a 15.2 per cent reduction on the June quarter of last year. At that rate South Australia will be fortunate to complete 7 000 dwellings this financial year.

The decision by C.S.R. is very much at odds with what the Premier said yesterday. I quote the final part of his answer to the member for Napier, as follows:

I am happy to say that the building industry, while still in a very difficult position in South Australia, is beginning to report some increased interest and upturn. Just in the past few weeks reports that have been coming back are much more favourable than they have been for some considerable time.

The Hon. D. O. TONKIN: I see no reason to revise my answer. Once again, the Deputy Leader of the Opposition is distorting the real facts of the matter, as did the Leader in relation to another matter.

Mr Hemmings: There are 49 people losing their jobs.

The Hon. D. O. TONKIN: Yes; perhaps we can get down to the reasons for it. If the member for Elizabeth is really concerned—

Mr Hemmings: The district is Napier.

The Hon. D. O. TONKIN: I am sorry. I am sure that the member for Elizabeth, if he ever bothered to come into the Chamber, would be concerned. Let us have a look at the whole situation applying to Wunderlich. Wunderlich has been making terra cotta tiles at the Edwardstown factory for many years. I am told by the company that the final decision to close the factory was made four years ago after help had been refused by the former Labor Government of this State.

Members interjecting:

The SPEAKER: Order!

The Hon. D. O. TONKIN: The Opposition does not seem to like that, Mr Speaker, for one reason or another. The long and short of it is that terra cotta tiles have been replaced by other materials in South Australia quite steadily over the last few years. Indeed, it was some four years ago that the company came to a point where it decided that to be economic it would have to increase its throughput from roughly 2 000 000 tiles to 20 000 000 tiles a year, 20 000 000 tiles a year being the break-even point. At present it is making 2 000 000 tiles a year. So, it was either a question of closing down and seeking some form of Government assistance or finding some way of increasing the use of tiles tenfold.

The company approached the previous Government and put the proposition to that Government, saying that the company would be forced to close down and that it was not going to take this decision lightly or implement it quickly, but that if the former Government was prepared to give assistance to the company it would remain open. Apparently, that assistance was denied. The decision was taken effectively four years ago during the time of the previous Government and because of a decision of that Government. It is far too late, as the Deputy Leader would well know, the decision having been taken and there being no upturn in the use of terra cotta tiles, certainly not to the extent that would be necessary to make it a viable proposition. Unfortunately, the company has had to go through and complete the decision that was taken some four or five years ago.

I believe that the company has been extremely helpful to the people who are losing their jobs. The way that the Deputy Leader of the Opposition talks about it—what a wonderful Christmas present it is for them!—would give the impression that they are being cut off on Christmas eve without any consideration or help at all, but that is a totally wrong situation. The people are being given three months notice, and most of them are being paid until February 1982. Redundancy payments, holiday and long-service pay will also be provided in accordance with customary practice, and they are doing the best they can to help those people find alternative employment. It just goes to show to what lengths the Opposition will go to try to put the worst possible construction on everything that is happening. I suggest that members opposite look up their own records and see where they stood on this issue. A commercial decision had to be taken, and in this case the Opposition when in Government totally supported it.

MAGILL HOME

Mr BECKER: Can the Premier report on the attitude of the residents of Magill Home to their proposed transfer to Windana? Late last evening I heard on one of the radio stations that what I understand to be unsubstantiated comments were still being made by certain persons that residents at Magill Home do not want to transfer.

The Hon. D. O. TONKIN: Yes, I think it is important that some of the attitudes being expressed by residents at the Magill Home are put firmly on record, particularly in this House. I have received a number of reports on the matter. Notes that I have received demonstrate a very, very disturbing manipulation by the trade union members involved at the home to make political capital out of what is in fact a move which should be of considerable benefit to the residents and one which the residents can now see for themselves is likely to be of considerable benefit to them. I can simply say that the attitude of certain union members involved there is of no credit to them whatever. They are causing concern and unnecessary fear among the residents of Magill.

It has been said that Magill Home has patients who come from the eastern suburbs and who are very keen indeed to stay at the home within the area in which they have been living. Of the 63 residents in the infirmary, only four in fact came from the Magill Hostel; 59 came from outside the home. Of the 63 residents, six lived in the eastern areas around Magill, and the remainder (a substantial number—18 to 20 of them) have next of kin living in or around the Glandore area. In other words, there is a great deal to be said for keeping those people within their own communities, and their own communities are much more closely aligned with Windana than they are with Magill.

The other thing is that members of the Residents Club have visited Windana. They accompanied the matron, the senior sister and Dr Lippett, and the professional staff were satisfied with the facilities at Windana, and the mobile residents who attended also appreciated the modern and comfortable amenities, and the Windana staff's outline of how the home would operate. I would say that they have every reason to be totally dissatisfied with the enormously disgraceful amount of politicking and manipulation currently going on on the part of some people out there.

I may say that there are thousands of car stickers now being distributed. I think one says 'Evict the Liberals, not the aged'. There are T-shirts with the same message printed on them—these messages are from people who maintain that they are not playing politics, who simply say they are trying to do the best they can for the residents. There is a sign at the front of Magill which states 'Mrs Adamson's Christmas present—Magill Home get out'. The union has placed a ban on removing signs around Magill, and I understand that the P.S.A. has placed a ban on D.C.W. social worker members from undertaking family and social assessments in preparation for decisions on transfer.

The President of the Residents Club, Mr Barney, has in fact been to see the Acting Director of Community and Planning Services to discuss a number of issues concerning him about the entire handling of the matter by the unions.

I understand that the Residents Club has severed its connection with the unions because it believes that it is being manipulated for the union's own purposes.

The assessment, which the President reported, together with the 18 residential care workers who met with Mr Barney, indicated that the physical amenities are very favourable indeed. No amount of upgrading at Magill could provide accommodation equal to that at Windana. His view is that there is no concern for the welfare of residents who would be living at Windana expressed by members of the union currently agitating at Magill.

Mr Trainer: Tell us what happens to the waiting list for people at Windana.

The Hon. D. O. TONKIN: I think the member for Ascot Park would do well to examine his colleagues in the trade union movement and their actions, and see whether he really believes that such actions are in the best interests of the residents at Magill. The residential care workers staff at Magill are very concerned and supportive of the Residents Club. They are disgusted with the actions of their trade union leaders otherwise, but unfortunately their numbers are not sufficient to influence decisions or actions taken at union meetings. Nevertheless they, and I pay due credit to them and congratulate them, have the true welfare or the residents of Magill at heart, which is more than can be said for either the Opposition or some of the union leaders who are trying to manipulate this situation for their own purposes.

BEVERAGE CONTAINERS

The Hon. D. J. HOPGOOD: Is the Minister of Environment and Planning concerned by reports that the voluntary industry-organised aspects of the beverage container re-use and recycling system in this State is coming apart at the seams and, in any case, will he give a full report to the House at an appropriate time on the health or otherwise of the scheme? There are really two major aspects of the scheme; first, non-reusable but possibly recyclable containers are subject to a deposit provided for in the legislation; and, secondly, reuseable containers operate under a voluntary deposit system organised by the industry. It has been put to me that it is rather ironical that, at a time when this Government has expanded the ambit of the administration of the legislation bringing in containers that were not previously covered by it, the voluntary aspects of the scheme are not working well.

My colleagues and I have had reports from people about the reluctance or outright refusal on the part of owners of delicatessens and other retail outlets either to take back bottles or to charge some sort of handling fee and therefore not return the full deposit to the customer, hence my question.

The Hon. D. C. WOTTON: I thank the honourble member for the question. It would be rather interesting if I could reverse the question and ask the Opposition exactly where it stands in regard to the beverage container legislation, and particularly the voluntary side of the deposit system. The Opposition has refused to indicate where it stands in regard to the deposit on beer bottles, but I will not go into that subject.

The voluntary system is working very well, and it would be our aim in Government to ensure that that happens. I think the situation relating to deposits on beer bottles, for example, is a good indication of just how the voluntary system is working. As I pointed out recently in this House, that is an example of the voluntary system working well and having worked well for a long time. We have indicated many times that we would prefer this whole matter of deposits in regard to the beverage container legislation to be on a voluntary basis. The breweries, for example, have done just that and they have been able to achieve a high return rate, the highest of any State in Australia, on a voluntary basis.

The system in the soft drink industry is working satisfactorily. I am not aware of the point made by the honourable member relating to problems occurring in shops that will not take back bottles. I think the honourable member suggested that the system is falling apart at the seams. I am not aware of that. I believe that the voluntary system is working well, and I will continue to ensure that that happens.

ABORTIONS

Mr RANDALL: Will the Minister of Transport obtain from the Minister of Health clarification regarding the annual report on abortions which was tabled in this House yesterday? Will the Minister define in this House the role of other medical practitioners listed in that report? I refer to the annual report, tabled in this House, concerning abortions notified in South Australia. That report concerns the definition of medical practitioner and clearly states that 681 abortions were performed in this State last year by other than medical practitioners, by people in training or those trained to perform abortions. This has been clearly put to me, and one wonders—

An honourable member: By whom?

Mr RANDALL: It was raised by those who are concerned about the abortion rate in this State. It was stated that people are being trained in this State to perform nothing more than abortions. That needs to be clarified.

The Hon. M. M. WILSON: I understand that the only people who can legally perform abortions are qualified medical practitioners. I will certainly refer the matter to my colleague, the Minister of Health, and get a reply for the honourable member.

POLICE FORCE

The SPEAKER: The honourable member for Mitcham.

Mr MILLHOUSE: Mitch-ham—yes, not Mitchell.

An honourable member: We all know what a ham you are.

The SPEAKER: Order!

Mr MILLHOUSE: When I can get a word in—

The SPEAKER: Order! The honourable member will come to the question.

Mr MILLHOUSE: Will the Premier say whether the Government will have the present farcical internal inquiry into allegations against the police brought to an end and have appointed instead a Royal Commission consisting of the Ombudsman and a member of the legal profession, preferably a Queen's Counsel?

Members interjecting:

Mr MILLHOUSE: I will not be a candidate. May I now seek your permission, Sir, and the concurrence of the House briefly to explain that question?

The SPEAKER: I would have the honourable member come to that point very quickly.

Mr MILLHOUSE: In the question I asked the Premier last week, I drew attention to how farcical the present inquiry has become now that Mr Cramond, the only inquirer not a police officer, has gone away. I remind the Premier that the inquiry started towards the end of August. Many weeks later, when the Attorney-General announced it, there is no doubt that he said that the report would be completed

within two weeks or a fortnight of that time; in fact, he said it on television. So, the inquiry has now been going on for about three months.

I understand that last Friday it was decided to announce the termination of the inquiry a few days after we get up for Christmas when everyone is busy with shopping and general Christmas cheer. Parliament will not then be meeting for many weeks. It will be announced that the allegations have been diligently inquired into and that there is nothing in them. I have heard that that is the plan, and that it was decided on last Friday. I draw attention, finally, to the Ombudsman's Report for 1980-81, at page 14, in which he says, under the heading 'Police':

> During the past year, 40 complaints regarding police (as distinct from the Police Department) have been made to this office. In all cases, the complainants were told that I have no jurisdiction over the police.

Then he goes on to explain the system of referring them to the police for an inquiry and that he gets a letter back from either the Commissioner or the deputy. He says this:

> The efficacy of the practice is obviously questionable, because there is no real investigation by this office, but it is, perhaps, useful that such a system exists, because at least complaints to the Ombudsman on police matters are seen by the Commissioner or his deputy.

I followed that up with Mr Bakewell by telephone, and he tells me that in many cases, when that system is explained to people and when they know that their names have to be disclosed to the police, they will not be in it; it is not gone on with at all.

I remind the Premier that that is in line with the letter that was signed by a number of people asking for a Royal Commission, saying that they would not give the information to the police but would give it to a Royal Commission. I find from Mr Bakewell that that is precisely what happens with many citizens of all sorts who get in touch with him, complaining about individual police officers. It seems to me that under his Act the Ombudsman cannot disclose information to others, but, if he were a Royal Commissioner himself, he could use the information that has come to him in his officer of Ombudsman, and that would be a reconciliation of the matter. Quite obviously, he would be the inquirer in that case, but it is desirable, as you, Mr Speaker, will concede, I am sure, that there should be someone with legal training also as a Commissioner. It does not necessarily have to be a judge; we do not have to have judges all the time, because they are busy. However, it could be quite easily a silk who sat with the Ombudsman as a Royal Commissioner. That is the suggestion I make, and I put it to the Government in the pretty confident expectation that it is going to whitewash—

The SPEAKER: Order!

Mr MILLHOUSE: —the present inquiry.

The SPEAKER: Order! The member for Mitcham is now debating the question by virtue of putting a proposal and not simply explaining the question.

Mr MILLHOUSE: Perhaps I had better end my explanation at that point.

The Hon. D. O. TONKIN: It was, I think, the member for Mitcham himself who emphasised the 'ham'. There is no question but that under ordinary circumstances his hamming does draw the honourable member a lot of attention. However, I believe that his continual trial of the Police Force by innuendo in this House is doing no credit to the honourable member and certainly no service to the community or to the members of a very fine Police Force indeed.

Mr Millhouse: Get on with it and answer the question.

The Hon. D. O. TONKIN: The member for Mitcham may not like what I have to say, but I am prepared to stand up here and defend members of our Police Force from what I believe is a disgraceful series of attacks from the honourable member.

Mr Hamilton: Well, clear it up, then, and have a Royal Commission.

The Hon. D. O. TONKIN: I am interested to know exactly where the honourable member stands in this matter now and where members generally stand. I personally support the views that have been put to me very strongly indeed by members of the Police Association, who have nothing but contempt and a total lack of regard and respect for those who have been engaged in this vicious campaign.

There will be no change in the inquiry. I understand that the member for 'Mitch-ham's' dropping of some funny decision or plan which he has invented was, he says, decided on last Friday (if one can put a time table on it); it gives some degree of verisimilitude to what he has to say. The honourable member knows, as I know, that there is no truth whatever in such a ridiculous story.

Mr Millhouse: When will the inquiry be finished?

The Hon. D. O. TONKIN: The inquiry will conclude when it has been finished, and it will be reported at that time. That is about the sort of answer that the question put by the member for Mitcham deserves. The inquiry is being carried on. No time limit has been put on it by the Attorney-General, but I can assure the honourable member that we all want to see that inquiry finished and bought to a proper conclusion as soon as possible. However, as I pointed out to the honourable members the other day, I am quite certain that if the inquiry had been rushed he would have been the first person in this House jumping up and down saying, 'We want a Royal Commission. It has been finished too quickly. You obviously have swept things under the carpet and it obviously has not been complete.' Now, because it is going on in a very complete way, he finds fault on the other side of the argument. We all know that the honourable member was a champion debater at school and a champion State debater, but that does not necessarily make him the fount of all wisdom.

ANDAMOOKA WATER SUPPLY

Mr GUNN: I ask the Minister of Water Resources whether he is in a position to inform me what is the latest situation in relation to providing a dam or other facilities to give a reasonably assured supply of water at Andamooka.

The Minister will recall that during a visit he made to the area some time ago he inspected a site which it was anticipated would be the site for a new dam. I received a letter from the Andamooka Progress and Opal Miners Association on 29 October expressing concern at what appeared to be a delay in the construction of the dam. Then, in the latest edition of the local newspaper, a report under the heading 'Not a drop' stated:

> We have been put off again, no new dam. We are told that the State Government's funds for this financial year are spent. 'Wait until next year,' they say.

I would be pleased if the Minister could inform me of the current position in his department regarding this matter.

The Hon. P. B. ARNOLD: The preliminary design work for the project has been completed. It is for the construction of a dam on, I think they call it, Opal Creek, in the Andamooka area. The honourable member would be well aware of the site that has been chosen. It will be an earth-filled dam similar to another large dam constructed in the area; it will be of the same style. It is estimated that the dam will cost approximately $150 000. It is hoped that financial provision can be made to enable this project to proceed in the next financial year.

URANIUM

The Hon. R. G. PAYNE: Will the Minister of Mines and Energy tell the House why he is apparently satisfied with the arrangements that he observed overseas for the control of uranium exported overseas and for the ultimate storage of high level waste when the National Regulatory Commission in the United States and the Department of National Development and Energy in Australia are apparently not? The September issue of the Uranium Information Centre (UIC) newsletter (which, I stress, is a local Australian production that is generally accepted as being for disseminating information by the pro-uranium lobby in Australia) contained the following two statements at page 5 of that issue, the first, under the heading 'AAEC Awarded Research Contracts', being as follows:

The Minister for National Development and Energy, Senator Carrick, recently announced that the Australian Atomic Energy Commission had been awarded a research contract by the United States Nuclear Regulatory Commission to investigate the migration of uranium and its daughter products leached by ground water from uranium ore bodies. The research contract follows the promising results of earlier work by the A.A.E.C. done over the past several years in the Alligator Rivers area of the Northern Territory. The A.A.E.C. study will provide basic knowledge for application in the development overseas of waste disposal facilities.

The article continues later, referring to the Australian Minister, as follows:

The Minister said that the project would make an important contribution to international research on safety in radioactive waste management and that the award of the contract by the N.R.C. reflected well on the international standing of the A.A.E.C.

A second statement, on the same page, under the heading 'Computer to monitor uranium', is as follows:

According to the recent press reports, the Department of National Development and Energy has purchased a computer to trace overseas movements of Australian uranium ore through its various processes. The Australian Safeguards Office programme aims to track Australian uranium in an effort to ensure it is not used for nuclear weapons purposes.

The Hon. E. R. GOLDSWORTHY: I shall be perfectly happy to answer the honourable member's question. Those are the two issues which, I think, were highlighted by the Labor Party members and certainly by the Democrat in the report of the Legislative Council Select Committee on uranium. I think it is fairly clear from those reports that there has been a shift in view in the Australian Labor Party, certainly, and it was refreshing to know precisely what the Democrats, stand was, because it is now generally conceded that it is safe to mine, mill, transport, and enrich uranium. The only problem that is concerning the Democrats in particular, and members of the Labor Party, is the question of proliferation and final disposal of waste disposal.

The Hon. R. G. Payne: This is the Uranium Information Centre: this is where that came from.

The Hon. E. R. GOLDSWORTHY: That is all right, I will deal with that. Let me make a couple of points in relation to the arrangements for control. Australia is a signatory to the non-proliferation treaty. I have never heard any member of the Opposition, the Labor Party or any other group suggest that we should not be a signatory to the non-proliferation treaty. One of the clauses in that treaty is that member nations have an obligation to provide nuclear materials. That reinforces the point which I have made to this House and which the Opposition does not seem to have grasped, that if Australia is to have any say in relation to the non-proliferation of uranium it is no good adopting the attitude of members opposite, that is, 'Let the world stop and let us get off,' because events will take their due course without there being any contribution to or influence on this scene from Australia. In other words, nothing that the Opposition can do or say will stop an increase in the generation of electricity from nuclear power. If the fuel is not obtained from Australia it will be obtained from somewhere else—

An honourable member: Where?

The Hon. E. R. GOLDSWORTHY: Canada, Africa and other sources of supply. It would certainly be, even arguing at that level—

The Hon. J. D. Wright: That doesn't make it right.

The Hon. E. R. GOLDSWORTHY: Let me complete the answer. Even at that level, there is not much point in basking in the sort of moral glow in which the Opposition thinks it can bask, when one of its leading spokesmen, Mr Bob Hawke, said publicly, before he was muzzled, that that warm moral glow will do damn all (I think he used a coarser phrase than that) to affect the world scene. All it means is that uranium will be dearer to the undeveloped countries, and effectively that Australia has no input at all in respect of non-proliferation. That is point 1. All that the trade union movement can do by opting out is make sure that Australia has no input into non-proliferation matters, and this will be in denial of an obligation under that treaty, to which they believe we should be a party.

In relation to final disposal, all I can say is that it behoves (and I exhort) any member who possibly can, who does not indulge in wide reading and try to get a balanced view, to go overseas and visit Sweden and France, as indeed a former Premier did when he wanted to change the attitude of the Labor Party in relation to the uranium cycle. Unfortunately, he was undermined by the member for Elizabeth, particularly, and one or two others in his Cabinet. When he got home the numbers were not there, so he had to change the report. That is a fact of life. I refer members opposite to the reports written by his advisers, Messrs Wilmshurst and Dickinson. The former Premier and Opposition members did not take apart the reports of their technical advisers, who came out clearly stating—I think from memory the last paragraph of Mr Wilmshurst's report stated that the problem of waste disposal had been solved. I went to Sweden last year—

The Hon. R. G. Payne interjecting:

The Hon. E. R. GOLDSWORTHY: The honourable member should just be patient. I will refer to the Uranium Information Centre in a moment, but I want to make these points. It would certainly be beneficial to members opposite if they possibly could to go and have a look because they do not believe what they read, or do not believe the bits that do not suit them. If they went to Sweden, for instance, where the Premier went and said that there were quite spectacular advances, I recall—

Mr Keneally interjecting:

The Hon. E. R. GOLDSWORTHY: Let me enlighten the honourable member. We interviewed the people who were the advisers to the Swedish Government, and they have in places stipulations law. That stipulations law says, effectively, that no nuclear reactors shall be commissioned until the Government is convinced that the whole of the nuclear cycle has been solved. We were told by these technical advisers to the Swedish Government, Dr Sven, I remember was the name of one of them, that the Government was going ahead and commissioning new nuclear reactors because it was convinced by what its technical advisers had told and shown it, as they showed me and the Government's party, in relation to final disposal. The fact is that they are currently building in Sweden an intermediate storage in granite because they do not wish to finally dispose of this material—

Members interjecting:

The Hon. E. R. GOLDSWORTHY: If the Opposition asks a question and wants to be educated and informed,

perhaps they should shut up and listen. I went and had a look.

Members interjecting:

The SPEAKER: Order!

The Hon. E. R. GOLDSWORTHY: I am simply talking in language that I think they will understand. The fact is that I went, and I am advising members opposite to go and have a look also.

Members interjecting:

The Hon. E. R. GOLDSWORTHY: Now members opposite are starting to fool around in an attempt to divert me. If they go to Sweden and talk to the people who are the advisers to the Swedish Government, the engineers and scientists involved in the storage of nuclear waste, Opposition members will find that the plans to the finest detail are in place for the final disposal of nuclear waste. They have opted not to implement those plans until at least the turn of the century because of the fact that, in relation to the nuclear industry, only a fraction of the energy is extracted in a nuclear reactor in a conventional uranium nuclear power plant, and they believe that only about 2 per cent (I think that is the figure) of the energy is extracted, and that by the turn of the century methods will be developed for extracting a lot more of that energy, by means of using fast breeder reactors, for example. However, they are entirely satisfied (and I saw the drawings and plans for this) with the plans for the final disposal that the Swedes have developed.

Mr Trainer: Aha, the final solution!

The Hon. E. R. GOLDSWORTHY: I know what the final solution from that honourable member would be, bearing in mind the view of him and his contribution to the workings of Parliament held by members on this side of the House.

Members interjecting:

The SPEAKER: Order!

The Hon. E. R. GOLDSWORTHY: That fact is that the Swedes have developed and tested granitic rock in which the final disposal will take place, if they decide to dispose of this material. The radioactive waste will be immobilised in glass or in some such substance and, placed into a copper capsule, and finally deposited in drill holes.

Mr Keneally interjecting:

The SPEAKER: Order!

The Hon. E. R. GOLDSWORTHY: Obviously there are things that the Opposition members do not wish to hear.

Members interjecting:

The SPEAKER: Order! Will the Deputy Premier please resume his seat? The member for Stuart, among other members, has interjected too often, and I want to hear no further interjections.

The Hon. E. R. GOLDSWORTHY: Thank you, Mr Speaker. Members opposite do not like hearing the truth, which is uncomfortable. The Swedes intend to deposit these copper encased capsules in deep vaults, enclosed in bentonite, which is clay. I saw the working drawings, and that is the technology that the Swedes have developed. There are three methods of containment: first of all, the radioactive waste is immobilised in glass, which means that it cannot be leached; secondly, it is contained in copper capsules, which they suggest will not be eroded; and, thirdly, it is deposited in granitic rock, which has been stable for not millions, but billions, of years. So, there are three containments in this process. If members opposite care to refresh their memories about what Mr Wilmshurst wrote, they will see that that is explained.

Likewise, I went to France, as did the Premier, and as did former Premier Dunstan, and there I actually stood over the place where the intermediate—

Mr Trainer: Well, you're a stand-over merchant.

The Hon. E. R. GOLDSWORTHY: There is the smart honourable member again. I stood on the spot where the former Premier stood, where the intermediate storage is being used in France. I saw the radioactive waste being calcined; that means evaporated to dryness, heated strongly, and made into glass, so that the radioactive waste is incorporated into glass and then stored by remote control in concrete vaults on which the lid is put. We walked over the top of this intermediate storage.

Members interjecting:

The SPEAKER: Order!

The Hon. E. R. GOLDSWORTHY: Likewise, the French will finally decide whether they can retrieve further energy from that waste or whether they will finally dispose of it. In regard to the grant to the Australian Atomic Energy Commission, it simply highlights the point, which obviously the member for Mitchell has not grasped, that radioactive material is at present being leached from naturally occurring radioactive ores.

This provides, from the natural background radiation, one of the hazards to which man is subjected and, if one drank groundwater in certain parts of the world or Australia, one would receive a dose of radiation. I am saying that that hazard already exists but, by immobilising this waste, it will not exist. In fact, the world will be that much safer, because the material will be deposited in rock formations that have been stable for billions of years.

Obviously the Uranium Information Centre, in the interests of further knowledge on the hazards of background radiation to which the public is currently subjected, is interested in finding out as much as it can about the migration of uranium via groundwater leaching. There is nothing inconsistent in what the member has said to the House and the views of the Uranium Information Centre, which is at all times trying to keep the public honestly informed on the developments in the uranium industry. In no way does that quotation negate any of the developments that have been made to render safe the final deposition of radioactive waste. I can only repeat my plea: if members opposite go on a study tour, they will be able to see for themselves.

HOUSEHOLD TANKS

Mr BLACKER: Will the Minister of Water Resources say what Government incentives are being, or are to be, offered to encourage householders to install rainwater tanks for domestic use and, if so, what benefits can be expected from the widespread use of those tanks?

Yesterday, the Minister of Water Resources said that water reserves in South Australian reservoirs were approximately 93 per cent of capacity and that that was a good position to be in. I understand that further storage in privately owned tanks would further improve the situation in relation to water-holding capacity and water quality for domestic use. I am further advised that wider use of domestic tanks would give a boost to the sheetmetal work, plumbing, fibreglass, and plastic industries.

The Hon. P. B. ARNOLD: There is no doubt that the greater use of rainwater tanks would increase the potential work in the metal industries. However, it must be realised also that the cost per kilolitre of storing rainwater in rainwater tanks is about six or seven times that of providing water through the reticulation system from reservoirs. So, from a sheer economic point of view, it is far better economics for the Government to spend the taxpayers' dollar on general water storage in reservoirs or in pumping water from the Murray River.

I have at all times advocated the installation of rainwater tanks, and I think the honourable member would certainly agree that the vast majority of country people have relied heavily over the years, and will continue to do so, on rainwater tanks for their domestic use. I certainly do so myself. I do not use Murray water for household requirements. The Government must get the absolute maximum value for the taxpayers' dollar.

The Government has provided a detailed brochure on the installation of rainwater tanks, setting out the various rainfall zones in South Australia. This clearly indicates to householders, whether they are in the metropolitan area or in the country, the catchment areas on their roofs and the rainfall of the area in which their property or home is situated. That brochure gives a clear indication of the size of tank or tanks to install to give the optimum storage that can be achieved in their area of South Australia. The brochure also gives details on installation and the various designs of traps to stop the rubbish such as dust, dirt, leaves, and other foreign bodies from entering the rainwater tank.

The Engineering and Water Supply Department has prepared a worthwhile brochure on this subject which is distributed widely throughout South Australia. It is certainly available through all the department's regional offices, and it can be readily made available to any other body or to councils. They need only to make a request, and the Engineering and Water Supply Department will be more than happy to provide any number of brochures. In fact, there was a strong demand for the rainwater tank brochure when concern was expressed about nitrates being in the South-East water supply.

An honourable member interjecting:

The Hon. P. B. ARNOLD: Yes, the brochures are free, and they are readily available to the member as well.

At 3.6 p.m., the bells having been rung:

The SPEAKER: Call on the business of the day.

GOVERNMENT PUBLICITY

Mr MILLHOUSE (Mitcham): I move:

That this House is of the opinion that no Government should use public moneys to promote itself for Party political purposes such as did a previous Labor Government in 1977 with its 'information films' on television, described by the then Leader of the Opposition, now Premier, as 'blatantly political' and as the present Liberal Government has done with its supplements of Thursday 9 July in the *Advertiser* and the *News*; and calls upon the Government to give an assurance that it will not again abuse its position by spending public moneys in this way.

I put this motion on the Notice Paper when I was very angry about the supplement that appeared in the *Advertiser* and the *News* on Thursday 9 July. Now that supplement has been largely forgotten, and I doubt whether it got even one extra vote for the Liberal Party. So, the heat has gone out of my motion somewhat. However, the principle still stands, and it is remarkable how, when things are different, they are not quite the same.

When the present Premier was the Leader of the Opposition, as I have reminded the House in the terms of the motion, he waxed most indignant about the films which the then Labor Government put out and which were quite obviously Party political propaganda. They even took the advantage of the present member for Rocky River, and I have been looking today in preparing for this debate at a photograph of the honourable gentleman presiding genially over a meeting at Kadina, as he appeared in the film. He appears to have just a little bit more hair then than he has now; otherwise it is a perfectly identifiable representation of the member for Rocky River.

The Liberals then waxed absolutely indignant about the films. Let us be quite fair about it: they were a far more expensive exercise in political propaganda than were the supplements in either the *Advertiser* or the *News*. Nevertheless, let us see what the honourable gentleman, the present Premier, said as Leader of the Opposition. It is in *Hansard* of 27 April 1977 at page 3787, where he was explaining a question in which he expressed his indignation. He said:

Will the Premier say how many of the Government's propaganda films have now been shown on television and at what total cost; what guidelines are given to the film producers by the Government; and how the Government justifies the use of taxpayers' money to promote its activities in this deceptive and biased way?

Sir, you can say exactly the same about the supplements that have been put in the paper. He went on to say this:

With a Labor Party identification and authorisation, they could well pass for or be used as electioneering publicity.

What he said then he apparently forgot when he became the Premier. As I say, quite diligently, with the use of taxpayers' money, in this supplement the Government is promoting itself under the guise of what has been happening in South Australia. There we have the photograph of the honourable gentleman, balding, perhaps a little overweight, but certainly showing that avuncular image which he is trying to—

Members interjecting:

Mr MILLHOUSE: I am all right, you see, so far, anyway.

Mr Trainer: It is what is inside that counts.

Mr MILLHOUSE: Of course, a bald man is meant to be emotionally mature, or is it sexually mature? I cannot remember. It is one or the other, anyway. It is not necessarily bad.

Members interjecting:

The SPEAKER: Order! I trust that the debate is going to continue having a degree of relevance to the motion before the Chair.

Mr MILLHOUSE: Emotionally mature: that is what I was after.

The Hon. D. J. Hopgood: Who wants to be that?

Mr MILLHOUSE: The member for Baudin has plenty of hair.

Mr Mathwin: You've got a pretty good head of hair.

Mr MILLHOUSE: I think I have done pretty well so far; receding at the temples a bit. Let me come back to the motion, as the Speaker wishes me to do. There he is, and it says:

A report from the Premier, David Tonkin.

Inside we get a lot of blurb about the good things that have been happening in the State, but nothing else. We see nothing about unemployment or any of the difficulties we have been having in this State. It was blatant Party political propaganda. The principle is that no Government should spend public moneys for mere Party political purposes. I admit that sometimes it is a fine line, but there is no doubt that, in the case of those films and this supplement, the Governments of the day, the present Government and the previous Government, were well on the wrong side of the line.

Mr Max Brown: Does that cover Bjelke-Petersen in Queensland, too?

Mr MILLHOUSE: I do not care about the honourable gentleman in Queensland. I am talking only about South Australia. The real point of this motion is to try to get an undertaking from the Government (and I will bet we will not) that it will not again abuse its position by spending

public moneys in this way. Therefore, I commend the motion to the House.

The SPEAKER: Is the motion seconded?

Mr Millhouse: Yes, Sir.

The SPEAKER: The honourable member for Fisher.

Members interjecting:

The SPEAKER: Order!

Mr Millhouse: The honourable member for Semaphore seconded it.

The SPEAKER: Order! The Chair will make the final decision. Is the motion seconded?

Mr Millhouse: Yes, Sir.

The SPEAKER: The motion is not seconded; therefore, it lapses.

Mr MILLHOUSE: I rise on a point of order, Sir. The member for Semaphore has seconded the motion. He was out of his seat at the time and he tried to speak. He is there now and is prepared, as I understand it, to second the motion.

The SPEAKER: Order! I do not uphold the point of order. The honourable member for Semaphore did not attempt to second the motion from the position that he occupied in the House. It was only when he was urged by the member for Mitcham that the opportunity may have arisen for him to comply, and that after the motion had been declined by the Chair for want of a seconder.

Mr PETERSON: I rise on a point of order, Sir. I was out of my seat at the time when I should have been here to complete the seconding of the motion. In deference to the Chair, I did stop at the top of the Chamber because you were speaking, Sir. I would have been back in my seat if I had not stood at the top of the Chamber to allow you to finish your statement, and I would have seconded the motion. I ask you to take that into consideration.

The SPEAKER: Order! The decision of the Chair is not to alter.

ADELAIDE FESTIVAL CENTRE TRUST

Mr MILLHOUSE (Mitcham): I move:

That the final report of the Adelaide Festival Centre Trust inquiry (P.P. No. 164 of 1980-81) be noted.

I hope I will do better with this motion, and I hope Norm will stay here. I must not call him Norm in your presence, Sir, but the member for Semaphore.

The SPEAKER: If the member for Mitcham desires to continue with the business that stands in his name, he will get on with it.

Mr MILLHOUSE: I will get on with it straight away. This is a very much more substantial motion than was the first one. It is not, I have to admit straight away, a subject with which I deal very well. I say that despite the fact that last Thursday I made my debut on the stage, if it is a stage, of the Space in the Festival Centre.

An honourable member: What part did you play?

Mr MILLHOUSE: As a barrister, of course, a role I know so well, and I did extremely well. I was only junior counsel, so I was playing a role. But I did it very well and I repeated my triumph last Saturday night in the same production of *Witness for the Prosecution.* But I have to tell honourable members that, if they want to see the play, which continues until next Saturday, they will have to be content with one of my stand-ins, because I am not in it again during this week.

Mr Max Brown: Is that unfair advertising?

Mr MILLHOUSE: I do not think so. Even though I have been blooded on the stage now in that way I concede that this is not an area with which I can deal very well. I got into this question of the Festival Centre Trust because a dear friend of mine, Juliet Moncrieff, invited my wife (and I do not know if I can call her Ann in your presence, Mr Speaker, in this place)—

The SPEAKER: Order! The honourable member for Mitcham will resume his seat. If he believes that he is going to poke fun at the directions of the Chair, I can assure him that he will come off second best.

Mr MILLHOUSE: Ann and I were invited to lunch by Mrs Moncrieff and we there met Shirley Despoja, who is the theatrical editor and arts critic (no, she has some better title than that), Mr Alan Roberts, who is the chief drama critic of the *Advertiser,* and Mr Edward Caddick. That was after the report had come out, but before there had been a seminar on the subject in which I took part in April. I used the term stand-in before, and I was a stand-in at the seminar. I was asked at the last moment to take part in it. I am afraid that I did not do that very well, either and I got a pretty poor critique afterwards for my part in that seminar.

But it was a seminar to discuss the final report on the Adelaide Festival Centre Trust. I must say that I had never heard of the chap who wrote the critique, Alan Atkinson, I wish to quote from the article which he had in the *Advertiser* on 16 April, in which he said that the seminar was a near farce, and pointed out that no-one in the arts world was prepared to take part in it. The Leader of the Opposition and I were in it, but very few other people. Alan Atkinson said:

The one constructive thing that did emerge from the evening was that we might just get something like that in Parliament.

That is a full debate on it, because one of the few things that had any merit in it, apparently, that I said was that I would sponsor or initiate a debate on that report here in Parliament. The Leader of the Opposition backed me up. So, here we are. This was one of the things that this chap Atkinson said. He gave some report of what Mr Anthony Steel, who came over especially to take part in the seminar, had said. He decried the use of the word 'prudence' and said it was a grey, grey report, and he criticised the recommendation that there should not be an artistic director. That is one of the things that I wish to talk about. Then Mr Atkinson went on:

Mr Robin Millhouse confessed that he was an uninformed layman and then elaborated on that for 10 minutes. But at least he set the stage—

and let me go on, because this is something the Labor Party will like—

for Mr Bannon, who managed to ground things deftly, but not too heavily, after Mr Steel's flight of rhetoric.

Then—and the member for Elizabeth will be pleased about this—there was some criticism of the Leader of the Opposition because, having said that we have to be prudent, he then threw prudence to the winds and made a few suggestions which were not very prudent. Then it ends in this way:

But, importantly, Mr Bannon had reiterated the point of layman Millhouse that there was not enough debate about the arts. The whole question, he said, of the working of the centre, of the Amadio Report—

that is the shorthand name for this Parliamentary Paper—

had to be thrashed out, in Parliament, brought to the attention of the public, properly argued, given more publicity. On the evidence of Friday's seminar—true, Mr Bannon. So over to you.

In fact, it is not over to Mr Bannon at all, but over to me, because it was my suggestion, and when I wrote to the Leader of the Opposition he said that he would support me in this debate. So, I do not think I will have too much trouble this time getting a seconder for the motion.

That was the seminar. It was, of course, on a very important matter. We have to the north of this building a

complex of buildings—the Festival Centre—which is perhaps the pride of Adelaide at the present time: extremely expensive to build, extremely expensive to run, and losing money, but my view and the view which I expressed at the seminar (and I do think this is worth while) is that we have got it. It was a joint effort by all political Parties at the time, contributed to by Labor, the L.C.L., the Liberal Party, and so on. Now we ought to make the best possible use of it, and we have to acknowledge that it is going to cost the community (that is, the Government) money to run and to make the best of it. Nevertheless, we ought to give ungrudgingly, in my view, for this purpose, and not try to pinch pennies, as I am afraid the present Government may be trying to do.

The Amadio Report was tabled on 10 February of this year, and it contains a number of recommendations. So far, there has been no debate in either House of Parliament on a matter of importance, on a matter which will cost and has cost the community many millions of dollars. In my view, the least we could do is to look at the report and pay some attention to it. Indeed, it was not until May that the Government made any announcement at all about what it proposed to do. Then it said it would accept most of the recommendations in the report. I have here an extract from the *Advertiser* of 26 May, in which the Minister of Arts said that the Government had accepted 53 of the recommendations, rejected two, and deferred decisions on another six pending further investigation. There was a bit of a ripple in the papers at the time, but nothing else, and no attempt by the Government or anybody else to have these matters debated.

If honourable members like to look at this paper—it is not on the present file, because it was in the last session of Parliament—they will see the recommendations set out in summary from page 3. Let me just refer to a couple of them, and these were the ones that caused controversy at the seminar. The recommendations state, in part:

3. The Minister give consideration to wider representation when appointing trustees and that trustees with general artistic, as well as management, skills be sought.

4. The Adelaide Festival Centre Trust Act be amended to increase the number of trustees from six to eight, to allow for wider community representation, including official representation from the Adelaide Festival of Arts.

That is one which the Government has accepted, but we jolly well have not seen any sign of a Bill to amend the Act to put that into effect. Why on earth, from May until November, we have not seen a Bill I do not know, and I cannot even guess at it. Perhaps the Minister, or whoever replies to this debate (if ever we get as far as that), will tell us when we are going to get something to put that recommendation into effect. Recommendation 9 caused a lot of trouble. It said:

The trust continue to operate as an entrepreneur, but that it take a more prudent approach to investing its entrepreneurial funds and that preference be given to investment in joint venture with commercial entrepreneurs.

That was where Anthony Steel started to explode and talk about prudence, and so on. Recommendation 29 is as follows:

There is no need for an artistic director of the trust at this time, but that the trust should seek advice from outside consultants, including the Artistic Director of the Adelaide Festival of Arts, if available, as and when required.

I propose to say a bit about that one because, as I say, that is the one that has outraged that part of the community which is interested in these matters and knows something about them. Recommendation 30 states:

The trust negotiates with the Board of Governors of the Adelaide Festival from time to time to obtain artistic advice from the Artistic Director of the festival if it is required.

That goes with the preceding one. One which those members who are not at all artistic but who have some regard for parking privileges will be interested in—and I know I must not refer to yesterday's debate on this matter, but these recommendations are very relevant to the debate we had yesterday about car parking for members of Parliament—is recommendation 51. Recommendations 51 and 52 are as follows:

51. Market rates be charged against the Government for the use by members of Parliament of reserved car-parking spaces.

52. The number of car-parking spaces reserved for members of Parliament be reviewed.

I do not know how many members know the history of the car parking available in the Festival car park. As I understand it, the Presiding Officers of the day—one of your predecessors, Mr Speaker, and his colleague in the other place—lent very heavily on the trust for this car-parking space. There was a bit of land on which we had the Parliamentary incinerator down in the north-western corner of the land on which Parliament House is built. The Festival Centre had to have that land if its plans were to go ahead, and the Presiding Officers, who apparently were the spearhead of the matter, said, 'Not on your life. Unless you give us our car-parking spaces you are not going to have that bit of land.' That is how it came about that now one-quarter of the car-parking spaces on that level in the Festival Centre car park are reserved free of cost for members of Parliament, and it should not be, and there are the recommendations to say it should not be. If honourable members are not particularly interested in the artistic side of it, as I warned the seminar, they are likely to be interested in the practical side of it, because it is to their convenience. If the Government does pay an economic rent for these things, it may be that they will be more interested in allowing members to park in front of the House, as we always have.

Let me now go on to some comments given to me by the three people whom I have mentioned: Ms Despoja, Mr Caddick, and then Alan Roberts, talking on the question of the trust and the recommendations that have been made. This is what Ms Despoja wrote to me in May, in part:

If my commitment to the idea of an artistic director for the Adelaide Festival Centre Trust appears to you too dogmatic as the only possible solution to the problems of the arts at the centre, then I suggest you might prefer to consider as a more objective approach my suggestion that the Government find, and declare a rationale of public subsidy of the arts. I believe that the process of propounding such a rationale would show the illogicality of the report and the Government's decision about a once-only, commercially orientated entrepreneurial fund.

I have to say that I am going pretty fast on these matters and I cannot possibly deal with all the recommendations in the report, even those that are controversial; nor can I deal with all the material I have been given in this matter. She goes on, in her long and helpful memorandum to me about this matter, to say:

. . . no steps were taken to give the trust artistic direction, during Mr Hunt's term or after his departure.

That is Mr Christopher Hunt, who some of us may remember. She continues:

This means that one of the great arts complexes of the world functions without an artistic director. Mr Kevin Earle is an accountant with no claim to specialist artistic knowledge.

I know Kevin Earle, who used to travel on the train from Blackwood when I lived in the hills. I have known him for many years. He is a good chap, but he is an accountant and has no background whatever in the arts, except what he has been able to pick up during his time as accountant for the trust. She continues:

The artistic decisions of the trust appear to be made by informal input by members of the upper echelons of trust management. Mr Earle claims this is a desirable situation and has further added in an interview with me that he would not tolerate the appointment

of an artistic director while the programming manager, Mr Tony Frewin, is employed by the centre, though Mr Earle has not, so far as is known, put forward Mr Frewin as a possible artistic director, with powers equal to his own.

Then, later:

It must be considered that the trust makes artistic decisions, but the pattern of these artistic decisions has been commercial in flavour. In other words, the trust acts as a commercial entrepreneur in direct—and because of its control of the venues—unfair competition with private entrepreneurs. To some it simply appears that the State Government is funding a group of men in the trust to act as commercial entrepreneurs without risk to themselves.

And it is no wonder, when one sees the people who wrote this report: two of them are public servants and two of them business men. Mr Bernie Leverington is a quarry man, and Mr Brian Sallis a senior man at the *Advertiser*. I have to be careful what I say about him, otherwise I might not get any space at all for this matter. The only member of that committee with any artistic background was Mr Amadio, the Chairman, so it is not surprising that we got the report we did. Ms Despoja goes on later to talk about the appointment of an artistic director, and says:

Noses will be put out of joint by the appointment of an artistic director. There are people who, without qualifications, have enjoyed the power of decision over what we see and hear at the centre who will not easily give up a concerted campaign to exclude an artistic director. The Adelaide Festival is now an isolated biennial event because there is no artistic direction at the trust to carry the artistic messages through from one festival to another. Thus the festival is robbed of one of its major purposes; of influencing tastes and urging people to follow new trends in the arts throughout the year. There is very little if anything at the centre which enables people to do this by intention, though the happenstance of national companies or private entrepreneurial ventures may sometimes fill the breach. In the United States, institutions receiving public funding are enjoined to cater for every single citizen by policy and by environment. Theatres which do not, for example, offer a hearing system for the partially deaf stand to lose their funding.

Finally, she states:

State funding of the Festival Centre should be contingent upon the trust carrying out an artistic policy with the best personnel available to do this. As I've said, an arts complex without an artistic director is like a restaurant without a cook.

That appeared in one of her articles in the *Advertiser*. She goes on:

More often, in the dark period of non-events at the centre, it is like a funeral without an undertaker.

So there we are.

Mr Mathwin: It is not a very good description, though, is it?

Mr MILLHOUSE: It is a good description of a festival centre at night when there is nothing on. If the member for Glenelg has ever noticed, a theatre that is dark is a miserable place indeed. There is more than one area there; there is the Space, the amphitheatre, and so on. When there is nothing on there it is a dead loss, and that does happen from time to time.

Mr Mathwin interjecting:

Mr MILLHOUSE: I hope that the honourable member for Glenelg will not try to distract me because I want to get on with my speech, and I doubt that his interjections are worth noting. I now leave Shirley Despoja. Incidentally, the trust does not like her and does not like the *Advertiser* much; it has taken away all its advertising. There was a nice little piece which appeared in the centre's advertisement of 29 August saying that it was not going to advertise in the *Advertiser* any more. It states:

This service will cease as of today. The trust considers this paper's coverage of arts activities is presently too negative to warrant further directory advertisements of this kind. From tomorrow, a fortnightly diary of forthcoming Festival Centre attractions will appear at the foot of the first page of *The Sunday Mail's* weekly magazine section.

The trust does not like the criticism that has been made. It does not like the way in which the *Advertiser* has gone about the critiques which have been appearing in it of things on at the Festival Centre, but that is by the by.

Mr Trainer: It was good of the *Advertiser* to carry that last ad.

Mr MILLHOUSE: Indeed. Mr Caddick said this, in part, in answer to my request that he should tell me his thoughts:

I am, of course, broadly in accord with the views of Alan Roberts and Shirley Despoja on the subject of an artistic director for the Festival Centre. To refrain from making such an appointment is virtually to guarantee that any money spent on the centre is wasted. I also think that great care needs to be taken in the selection of an appointments committee to call for and examine applications for the position, in order to ensure that those responsible for the selection have true expertise, and in order to avoid conflicts of interest.

He wrote me a long and very helpful memorandum from which I will read a couple more passages, as follows:

I do not know whether more money needs to be spent. I suspect that there is enough being spent already, but it is being spent foolishly. There is, I suspect, excessive expenditure on administration. Perhaps one way to find out, and at the same time get some guidance as to what is actually needed, would be to look at how a really large commercial theatrical producer runs his business then to look at an established European or American festival management, and the management of, say, for example, The Royal Shakespeare Company, and then, in consultation with a sound commercial theatre manager, work out a likely budget and the most economical method of administration—which must be that which allows maximum expenditure on people directly participating in performance. I do not believe any improvement can come about until the dead hand of the Public Service empire builders is removed from the Festival Centre and State Theatre Company.

Finally, he said:

It is, perhaps, salutary to remember that when London had a population of not much more than 300 000 it supported, to our knowledge, four leading companies in addition to a larger number of 'fringe' companies, and the playwrights included Shakespeare, Jonson and Marlowe. Without wishing to be simplistic, or to gloss over the differences created by the passage of 400 years, it seems to me that we should be doing a little better than we are.

Mr Mathwin: They had free shows though.

Members interjecting:

Mr MILLHOUSE: By gum, the Liberals came in on that, especially the member for Glenelg!

The ACTING DEPUTY SPEAKER (Mr McRae): Order! I trust that nobody will be coming in with interjections.

Mr MILLHOUSE: I hope not, Mr Acting Deputy Speaker, if I am to get on with this quickly.

The ACTING DEPUTY SPEAKER: The honourable member can rest assured that that will be so.

Mr MILLHOUSE: Finally, I quote from an article of Alan Roberts (and this is exactly what he has said to me) which appeared in the *Advertiser* last week in which he was quoting Martin Esslin. He states:

Why should one be so concerned with the theatre, with drama at all? Is it worth while in an age of great and tragic happenings to take so seriously what might well be regarded as a mere pastime?

One approach to an answer is that any examination in depth of any manifestation of the human spirit of any form of life in any society, should ultimately be worth while, simply because each part contains and sheds light on the whole. The arts express the collective consciousness—and conceal the collective subconscious—of our society. A constant awareness of its state therefore clearly must be a matter of considerable importance.

In the personal sphere, rational control of our own actions depends on our degree of self-knowledge, the same is true in the social sphere. The process of critical evaluation of current output in the arts therefore is merely society's struggle for self-awareness of its own mental and emotional state at any given moment.

I certainly could not improve on that. That sums up why this is a matter of great significance and a matter to which Parliament should give some attention. I think it is a pretty poor show that it has been left to a private member to initiate a debate on this in the unsatisfactory circumstances of private members' time on a Wednesday, when it is a matter which the Government should have allowed in its own time to be debated.

That is really all that I want to say about this. I have tried to initiate a debate on this matter, because I consider that we should have a debate on it. Even in the short time we will have, I hope that other members will take up this matter and that there will be opportunities given by the Government, either in this debate or otherwise, for Parliament to debate the future of the Festival Centre Trust, debate the recommendations, particularly the burning ones such as the lack of an artistic director, the question of whether or not it should be a business venture without any artistic inspiration, and just what we want to see. As I say, we have this complex, we are proud of it, and we should make the most of it. I hope members will give their thoughts on this matter to see that we do.

The ACTING DEPUTY SPEAKER: Is the honourable member's motion seconded?

Mr PETERSON: Very definitely, Sir.

Mr MATHWIN secured the adjournment of the debate.

SALES TAX

Mr LYNN ARNOLD (Salisbury): I move:

That this House decries the proposal by the Federal Government to impose sales tax on books and related materials and calls for the abandonment of that proposal forthwith.

This item is connected with one of a series of sales tax impositions which have been imposed by the Federal Government and which to this day are still a matter of some considerable opposition and activity in another place in another city. I do not wish it to be taken that I am opposed only to the sales tax on books; in fact, I believe that the sales tax legislation that has been introduced right across the gamut of activities deserves considerable criticism, and I hope the Opposition ultimately seeks to succeed in having these proposals withdrawn.

My main point of interest in this motion is in my capacity as the shadow Minister of Education and in the impact that books have on society at large, schools in particular, students and anybody who wishes to further their own education. One can think of education in the most general of terms, being that ongoing process whereby we learn things throughout life. Books are a fundamental part of that ongoing learning. This sales tax imposition is to an extent an attempt to undermine that. Naturally, anyone who is concerned must therefore oppose it.

The implication of the sales tax imposition on books and related materials are quite numerous. I will go through those in a few moments. We do not at this stage have adequate information as to what categories will be exempt from the legislation; there are some broad statements, but they are nowhere near satisfactory in their coverage. At this stage we understand that exemptions will be available to State and local government libraries, some educational bodies and the like, but we do not have a clear spelling out of what an educational body is.

Does an ordinary school library amount to an educational body? Does a collection of books which have been gathered together by a teacher for use in his or her own classroom and which he or she has paid for amount to an exempt category? There is no information available on that at all. Does it apply in the educational context to parents who buy their children sets of books to help them further their studies for a specific purpose, being the education of their children? Does it apply to ethnic community clubs that purchase books and want to have a library to help their own members get a better facility with the English language? All these things indicate so many areas where we need to know a lot more than is presently the case.

It seems to me that the proposal is a half-baked one. The Government merely decided that here was a quick and easy way to rake in some more money by simply putting an impost on sales right across the board and ripping money off the people of this country, without too much serious thought about how it would be done or what problems it would cause. I have highlighted this problem concerning the exemptions. This makes extra difficult the question of collecting the money, because it means that not every book will have sales tax applied to it; only some books will have it. So the collecting of revenue will become very complex indeed and a very costly exercise.

As people who sell books sort out which books are liable to the tax and which are not—as people come in to buy a book and are asked to state whether they fit into one of the exempt categories, then get a form A filled out, or if not one of the exempt categories, a form B is filled out, and the paperwork becomes an absolute morass, not forgetting that the paperwork itself is subject to a 2½ per cent impost.

It has been suggested that the costs will be quite monumental, both the Government's costs of gathering this money together and the costs that the book-selling industry in this country will have to meet. What will be the return? I might quote from an article that appears in the October issue of the *Australian Book Review* under the title 'The Premium of Ignorance', the author of which, Mr G. J. Munster, gives an analysis of how it will go. He says:

If all of the wholesale market [for books]—about $250 000 000 a year—were taxed, the yield would be $6 250 000.

He makes an assumption then that up to 40 per cent of book sales may, in fact, be exempt. He says that if you take off that 40 per cent the Government revenue is $3 750 000. That is a trifling amount from the point of view of how much the Government will be collecting, but it is not so trifling from the point of view of everyone else having to labour under the imposition of that. One of the points that worries me about such a trifling amount is that you can very quickly sort out the high cost problems of collecting that money for the low return by increasing your return, namely, by putting up the tax.

There have been a number of people protesting about the sales tax on books who have already pointed to the fact that 2½ per cent may be nothing more than the foot in the door, and that we may yet get to the stage of 5 per cent or 7½ per cent, 10 per cent and the like, so that at those times, from the Government's point of view, the tax does become a worthwhile exercise. Surely for those who are genuinely concerned about this issue, rather than allow that foot in the door to start us on that unhappy path, it would be better to knock out this aspect of the legislation totally as soon as possible.

It is ironic that on the one hand Federal Governments in this country have over recent years sought to offer some assistance to the Australian book industry, because they have been rightly concerned about the flow of the industry off shore—about the number of publications that are no longer printed in this country but are printed in Hong Kong, Taiwan, Singapore or any one of a number of places which can do it more cheaply than here.

In an attempt to resist that trend, Federal Governments have provided for the payment of a book bounty to those companies which print their books within Australia. That is a commendable move, to help stem the flow of publications overseas. Yet, here on the one hand we have this assistance being given to the book industry, only to be taken away on the other hand by Government intent on slicing off 2½ per cent in sales tax, and adding on, from the point of view of companies, the extra costs that they must bear in administering that sales tax collection. It should be remembered that they are dealing with many items; each

item must involve a sales tax process. Every time that a book is sold it becomes an item of processing. What false economics—on the one hand to offer the bounty, but on the other hand to impose yet again extra costs on the industry.

Of course, the response of those in Australia connected with the book industry has been unanimous. I know of no-one in Australia who is connected with the manufacture, production, publishing, or purchasing of books on a large scale who supports this legislation. No doubt the Prime Minister does (and I have no doubt that he occasionally buys a book), but those whose businesses relate to the buying and selling of books have been unanimous in their opposition. I might read out some of the names of organisations that have indicated their opposition to date. There is the Library Promotion Council, the Australian Society of Authors, the Library Association of Australia, the Australian Book Publishers Association, the Australian Library Promotional Council, the Newsagents Association, the Children's Book Council, the Australian Booksellers Association, and the Christian Booksellers Association. One could go on and on with the names of organisations that have joined together in protest about this. They have found that indeed there is a large amount of public opinion equally as opposed to it. Information that I have available to me is that, whenever petitions are circulated by those organisations, they are very quickly filled by people who are prepared to put their names down to register their opposition to this imposition. So, the readers of this country—the people who are taking advantage of books—likewise are opposed to these moves.

We are not dealing with small sums of money in many instances, because, indeed, students who must purchase books at various levels of education must spend considerable sums of money on books for their studies, particularly in the tertiary area. One should look at the cost of some books. I know that you, Mr Acting Speaker, would know in your area of legal affairs just how expensive for tertiary students many books are. It is no longer uncommon to find books costing $50 or more. I have come across books which have cost in excess of $100 and which are necessary acquisitions for students in certain areas of study. Now, such books will cost $102.50, because of the impost. This constant addition of extra cost, which is making life more difficult, is being seen yet again in this sphere.

Surely, if a Government is concerned about the quality of life of the citizens of its country, it must be concerned about assisting those citizens in the gaining of that quality of life. There is something about books that has always made a vital contribution to the quality of life. It is not something in the most material sense that merely adds to one's quality of life, except that one can line the walls with bookshelves and books, making it look rather pretty. However, it has a much more powerful impact than that. Books provide mental stimulation, and activity that is beyond compare. It is one of the most edifying parts of the media, yet we have here an attempt to tax it. Here we have an attempt, by virtue of taxing it, to say that it does not really count that much, that it is not really that important, and that it does not really matter if we make life a little more difficult for people in their attempts to self improve themselves. That is a very dangerous statement, by implication, by the Federal Government in introducing this legislation.

This relates not only the impact that it will have on the book industry or to the extra cost that will be put on it in the promotion and distribution of its books, although that is quite significant. Indeed, I point out another aspect of false economy, namely, that the costs will reduce profitability, and the impact of that reduced profitability will take away 47c in every $1 of company tax paid to the Federal Government. So, of that $3 750 000 that I talked about some moments ago, one must now deduct an amount equivalent to the tax losses to the Federal Government. Therefore, it affects the book industry.

It will affect the libraries by implication, because the cost of books must increase across the board. If the Government is to impose on the publishers of this country this 2½ per cent sales tax, and impose upon them that collection, or the administrative costs associated with it, and then impose upon them the task of having to sort out who is and who is not exempt, and have those added costs thrown in, publishers could be forgiven for adding those costs on to the end price of the book.

The publishers may say that they expect the customers to pay that extra cost of administration. So, not only would the customer be paying the extra 2½ per cent sales tax, but also the hapless customer would be paying the extra costs caused by the collection process. Those extra costs, of course, naturally flow on to State and local libraries, and also to educational institutions, and the like, which are apparently to be exempt. So, even the exempt will now have to pay increased costs. Surely that makes a mockery of the Government's intention by having these exemptions. The publishers are the second group that suffers.

The third group that suffers is individuals. Their right of access to information is not removed, admittedly, but it is further constrained. The very big dangers, I repeat, are that this could well be the foot in the door. Anyone who could so foolishly entertain a proposal that would gain $3 750 000 at great cost could equally foolishly suggest that they could make that return more profitable by increasing the tax rate later from 2½ per cent to 5 per cent or 7 per cent, or whatever. That is a very real danger to the book industry in this country, in which case the constraints on individuals would become still more significant.

I hope that members will concur in my feelings on this matter and pass this resolution. I hope that it will be possible to pass it in the very near future, so that we can join that body of protest already mounting around the country, asking the Federal Government to reconsider its position. I hope that no member in this House could not support this motion and that no-one here thinks that it is a good and reasonable thing to impose sales tax on books and related materials.

The ACTING DEPUTY SPEAKER (Mr McRae): Is the honourable member's motion seconded?

The Hon. J. D. WRIGHT: Yes, Sir.

Mr EVANS secured the adjournment of the debate.

A.L.P. CONVENTION

Adjourned debate on the motion of Mr Mathwin:

That this House condemns resolution passed by the Annual State Convention of the Australian Labor Party which reads: 'That this convention endorses the 35-hour week campaign being conducted by the ACTU and calls for the State Parliamentary Labor Party and endorsed Labor candidates to conduct a supportive campaign throughout the community.'

(Continued from 16 September. Page 935.)

Mr OSWALD (Morphett): At the last annual State conference of the Australian Labor Party in South Australia, the following motion was passed:

That the convention endorses the 35-hour week campaign being conducted by the A.C.T.U. and calls on the State Parliamentary Labor Party and endorsed Labor candidates to conduct a supportive campaign throughout the community.

On 16 September the member for Glenelg moved:

That this House condemns the resolution passed by the Annual State Convention of the Australian Labor Party.

Since the convention, the Labor Party, on behalf of the unions, has been pressing ahead for a 35-hour week. I, amongst others, recognise that one day the shorter working hour week will be with us. It will be inevitable, and anyone with any knowledge of the history of industrial relations in Australia over the past 50 years would have to agree with that. Eventually, everyone in our work force will enjoy shorter working hours. The question that should be on the minds of all those responsible decision-makers in this community is when the 35-hour week should be implemented, and when and how quickly the hours should be reduced.

We must ask ourselves what effect the reduced hours will have on businesses in the community, what effect the reduced hours will have on the margins of those industries, and what effect this will have on the ability of businesses to employ labour. I acknowledge that the 35-hour week was granted to the coal-mining, oil and stevedoring industries as early as the 1970s. I acknowledge, too, that since 1974 there has been a reduction in working hours for the employees of Australia Post, Telecom, O.T.C., the Reserve Bank, and the power generation industry. In fact, Federal public servants in the clerical, administrative and professional staff-related areas have worked a 36¾-hour week since about 1902, and State public servants in the same category have enjoyed a working hour week of somewhere between 35 and 38 hours a week. I also acknowledge that many large companies such as Johnson and Johnson, Colgate Palmolive, the oil companies, and other smaller companies have been pressured into joining the growing number of enterprises that have granted a shorter working hour week without the approval of the Arbitration Commission or its State equivalents.

The Commonwealth Government estimated this year that 36 per cent of all full-time non-managerial employees were currently working less than 40 hours a week. A.B.S. statistics show that in August 1980, 41.5 per cent of all employed persons worked less than 40 hours. The 40-hour week was adopted by the courts in 1947-48, and has been with us for 33 years. The discounting of hours worked against this figure has taken place against a background of post-war growth in the Australian economy that has been unparalleled in our history. Employers then were able to absorb the additional costs brought about by the shorter hours being worked. This is why the timing of the unions push for reduced working hours could not be more critical when viewed against Australia's economic position with its trading partners overseas today.

We are not looking at our ability to hold our own in the world trading scene of the 1960s and the early pre-Whitlam years, the early 1970s: we are looking to compare our ability to trade with the world economic scene in the 1980s, when interest rates and inflation figures of countries with which we trade play such an important and significant part and have an effect on us and our ability to be competitive and to employ in this country.

The Labor Party, on behalf of the unions, argues that in times of high unemployment the shorter working week will create more jobs and limit retrenchments. I question this line of logic. It is simplistic and does not stand up in the real economic world. That line of argument might have been all right back in the boom years, but the economy at present just cannot afford it.

If imposed at the coercion of the unions before an industry is ready for it, unit labour costs will rise between 12 per cent and 22 per cent, to say nothing of the indirect costs of pay-roll tax, workers compensation, paid leave, annual leave loadings, and so on. The question therefore arises as to what an employer does with these production costs. Does he pass them on in higher prices for his product, thereby increasing the inflation rate? Does he allow the Australian-made good therefore to become more expensive than imports, thus opening the gate for the sale of cheaper imported products? To do this will result in the loss of sales of the Australian product and the loss of jobs for those who are producing the goods.

The Labor Party also argues that increased productivity by the worker as a result of reduced working hours will offset the increased costs to the employer. It says that shorter hours will result in lower sickness and accident rates, less absenteeism, and a smaller turnover in staff. It says that this will result in higher production figures, fewer mistakes, better quality output, and less wastage. This perhaps has some evidence of fact, but the fact is that the ability of a company to absorb these costs by equating them against productivity will vary from company to company. Those companies that are labour intensive will find it harder to absorb costs than those that are highly automated and, because of this, there is a great uncertainty about the extent to which wages will rise across the board following a reduction in working hours. One thing is absolutely certain, namely, that if all the increased costs are balanced by an increase in productivity, any cut in working hours will not create any new jobs. This then shoots a hole right through the basic Labor Party argument and leaves us with increased costs, marginally more production, a higher inflation rate, and the same number of people being employed in the community.

The unions also argue for shorter hours for increased leisure time. I have no argument with that, provided that the individual industry can stand the reduction in output and does not put itself in a position where it must pass on to the consumer the increased cost of goods. An employee and the firm for which he works will not last long if the increase in costs of goods and the costs of production result in the firm being put out of business and its employees having to go on the dole. In the interests of rational debate on the appalling timing of the campaign spearheaded by the metal industry unions, I would like to make a few points to members opposite that they should discuss with their union masters at Trades Hall before they start writing off those jobs that they are trying to create.

Whether we like it or not, the union campaign will mean that production costs will increase and result in higher prices for the Australian product. The cheaper import will be purchased by the Australian consumer, making Australian-made goods more expensive, while its production rate is reduced through lack of local domestic sales.

The snowball effect will be a drop in demand for Australian goods, thus forcing many local Australian manufacturers out of business. Is this really what the Labor Party wants to see in Australia? Of course it is not. If the Labor Party wishes to add some credibility to its alleged concern for small businesses and our industrial base in South Australia, it would be wise to acknowledge that the hasty implementation of the 35-hour week across the board, at a time of national and international financial restraint, will result in the closure of businesses and a drop in output. The 35-hour week will destroy many of those jobs that the campaign has been designed to increase. The shorter-hour week will simply mean an increase in the amount of overtime worked by those who already hold jobs.

Another aspect about which I would have thought the A.L.P. would be very conscious is that the 35-hour week will force industry into automation at a greater rate to make use of labour-saving technology that is available today. The Labor Party cannot get away from the fact that, if unit labour costs in a large number of businesses rise as a result of a 35-hour week, we will see a reduction in output

and a rise in prices. This will result in an increase in inflation and a lowering in demand, particularly for Australian-produced goods. The Labor Party would be wise to look to other job creation schemes to put our unemployed back in the work force, rather than relying entirely on the 35-hour week and hanging its hat completely on that scheme to create jobs for the unemployed.

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

INDUSTRIES ASSISTANCE COMMISSION

Adjourned debate on motion of Mr Ashenden:

That this House urges all members to study and consider the serious ramifications of the recommendations of the Industries Assistance Commission on assistance to the motor vehicle industry after 1984, in view of the danger to South Australian employment and industrial development should the recommendations be adopted,

which Mr Bannon had moved to amend by adding the words 'and directs Mr Speaker to convey the concern of the House to the Prime Minister and further requests that South Australian Senators meet the Prime Minister as a group to support South Australia's case'.

(Continued from 21 October. Page 1474.)

Mr ASHENDEN (Todd): I will speak briefly on the Leader of the Opposition's amendment, with which I cannot agree, because it is so similar to a debate in this House on 29 September on a motion moved by the Minister of Industrial Affairs. That motion and the Leader's amendment are virtually identical. Both seek to advise the Federal Government of the South Australian Parliament's stand on this matter. This has already been done. Therefore, I regard the Leader's amendment as unnecessary. Accordingly, I cannot support it, because of duplication.

The House divided on the amendment:

Ayes (22)—Messrs Abbott, L. M. F. Arnold, Bannon (teller), Blacker, M. J. Brown, Corcoran, Crafter, Duncan, Hamilton, Hemmings, Keneally, Langley, McRae, Millhouse, O'Neill, Payne, Peterson, Plunkett, Slater, Trainer, Whitten, and Wright.

Noes (22)—Messrs Allison, P. B. Arnold, Ashenden (teller), Becker, Billard, D. C. Brown, Chapman, Evans, Glazbrook, Goldsworthy, Gunn, Lewis, Mathwin, Olsen, Oswald, Randall, Rodda, Russack, Schmidt, Tonkin, Wilson, and Wotton.

The SPEAKER: There being an equality of votes, it is necessary for a casting vote to be made. I give my vote to the Noes, as the action sought to be taken by the Speaker is beyond the competence of the House.

Amendment thus negatived.

Motion carried.

WRONGS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 28 October. Page 1678.)

Mr CRAFTER (Norwood): I wish to make some comments about this matter, which I support very strongly. It is disappointing when we see that the Government, which, as I understand it, intends to introduce legislation of its own which is unlikely to depart in any material way from that legislation which is currently before the House, is not prepared to address itself to this Bill.

The Government saw fit to put one speaker up on this matter. I thought it would have been treated with some degree of seriousness by the Government, that there would have been a speaker from the front bench addressing himself or herself to this matter, and that we could have gained some agreement between the parties on a matter which is not contentious. I would have thought that it was in the interests not just of the passage of measures through this Parliament but of the community itself, which is suffering a great deal of injustice as a result of the lack of law reform in this area.

The member for Playford, in introducing this measure, has told the House the very sad history of the law in this area. It is in need of urgent reform. It has been recommended by the Law Reform Committee of this State and it has been the subject of law reform in many other jurisdictions using the common law. I would have thought that this was an opportunity where the Government would have seen fit to accept this measure, and if need be amend it in some way, and in so doing bring about some resolution of this matter which has been dragging on for many years in a most unsatisfactory manner.

The member for Playford, in expressing his reasons for law reform, referred to one very tragic case where much hardship was caused to parties. I would have thought that the end result was perhaps an unfair decision with respect to the insurer of one of those parties. It is obvious that the insurance industry itself would have wanted the law to be clarified in this matter. It is just not satisfactory to have the law as it was expressed in the eighteenth century still applying today to the roads of this State.

Mr Mathwin: What about the law on unsworn statements? That was in that century, too, was it not? You will not support that, will you?

Mr CRAFTER: And obviously needs some reform as well. If we cannot between the parties get agreement as to how we will carry out these reforms, it is a very sad reflection on the state of Government of this State. We need, and it has been expressed, I think, by the Hon. Mr DeGaris in another place in debate some months ago, some structure within the Parliament so that that law, which is probably known as 'lawyers' law', can be passed through without so many of the frustrations and the hold-ups experienced in bringing about law reforms in this State and in other Parliaments as well. We seem to find that law of this type is put at the bottom of the legislative programme, and it stays there for Government after Government, and the harm it has caused to the community is often not realised by the Parliament until individual members of the community are able to express themselves in such a way as to bring that point home.

The Attorney-General, in the Estimates Committees, told the committee that he was currently examining the law needing reform in this area and that he had his officers consulting with members of the community, particularly those with special interests in this area. I would have thought that the most interested groups would have been members of the legal profession, the insurers in this State, and no doubt, the Judiciary as well. There have been many, many caustic comments from the Judiciary about the tardiness of the Legislature in reforming the law in this area. I was involved in a case several years ago on this point of law. It was mentioned from the bench to me on a number of occasions that this was a matter which the Legislature ought to attend to, and we should not have to continually bring this matter to the court asking the court to act in accordance with justice, because there was no justice to be obtained in the current expression of the law.

The law, as the member for Playford has said, as expressed in the Privy Council decision of *Searle v Wallbank* is entirely unsatisfactory. If the member for Glenelg in his speech, which I must admit I have not read, had

addressed himself to this point he would well have realised the need for a current expression of a duty of care that is owed by property owners who have stock or animals on their property; when those animals stray from their property and escape the owners must be accountable for the damage that they do. They must have an expression of that duty of care towards others firmly established and clarified in the law.

If the Government took this opportunity that we have today to accept this measure and to debate it fully, and with the full force of the Government, then there would be flowing a great service to the whole community, and this matter could be clarified once and for all. There would be, I suggest to the House, acclamation to both sides of Parliament then due, and it would be received from, as I have said, those interested groups and those many people over the years who have suffered injustice as a result of this very ancient law that is completely out of date.

Often when this matter is litigated before the courts neither party is satisfied with the result. There is always a party left with the problem of its conscience, knowing that the law did not address itself properly to the matter. Often the party at fault was told that they were at fault by the judge or the judges who heard the matter. The judges have told them that, often in no uncertain terms, yet they say, 'We cannot find against you because our hands are tied by the law and because the Legislature will not do anything about this.' We have the opportunity today to do something about it, without waiting for the Government to bring in its own measure, which undoubtedly will be in identical terms. There will just then be further delay, further cost to the Parliament and further cost to the community, particularly to those people who will suffer economic loss as a result of the indecision of this Legislature in this matter.

This matter deserves a bipartisan approach, and I see no reason why the Government should have taken the stand that it has not to debate this matter more properly, more fully, and to see it pass through the various stages that would result in its passing to another place and, hopefully, eventually into law. That could be done and it could be proclaimed as law prior to Christmas if the Government saw fit. This is a case where one can only speculate as to the reasons why the Government will not allow this matter to take that course.

Of course, there is time for the Government to change its mind. However, I suggest that that will not happen. I can only speculate as to the reasons why that series of events will not occur. When one speculates, it is indeed distressing to think of the reasons why it would not happen. It would further, I suggest, bring the role of the private member and this period of the Parliamentary week known as private members' time into disrepute with members of the public, because they can see how powerless in many ways the private member is to bring about a law reform, however widely accepted that reform is and however urgently it is needed in the community. This is an opportunity for the Parliament to re-express the role and work of the private member and, in particular, his ability to bring about law reform in the interests of all in this State.

Mr McRAE (Playford): I want to express my utter contempt for the Government and its Attorney-General for this disgraceful waste of public money. Here is a measure prepared by the Parliamentary Counsel which would be greatly to the benefit of the ordinary citizen of the State, yet we have here the disgraceful situation where, purely out of personal pique, the Attorney has decided to instruct his colleagues here not to agree to this Bill, not to consult and not to have any amendments. All I can say is that if we have our average of one shocking accident every year, in circumstances like those I have described occurred on the road to Lyndoch, then let the blood of those people be on those who are opposing this measure.

The House divided on the second reading:

Ayes (21)—Messrs Abbott, L. M. F. Arnold, Bannon, M. J. Brown, Corcoran, Crafter, Duncan, Hamilton, Hemmings, Hopgood, Langley, McRae (teller), Millhouse, O'Neill, Payne, Peterson, Plunkett, Slater, Trainer, Whitten, and Wright.

Noes (23)—Messrs Allison, P. B. Arnold, Ashenden, Becker, Billard, Blacker, D. C. Brown, Chapman, Evans, Glazbrook, Goldsworthy, Gunn, Lewis, Mathwin, Olsen, Oswald, Randall, Rodda, Russack, Schmidt, Tonkin (teller), Wilson, and Wotton.

Pair—Aye—Mr Keneally. No—Mrs Adamson.

Majority of 2 for the Noes.

Second reading thus negatived.

CASINO BILL

Adjourned debate on second reading.

(Continued from 28 October. Page 1680.)

Mr MAX BROWN (Whyalla): I want to speak about this matter knowing full well that this is the first time that the question of the establishment of a casino in this State has been brought into this House. I am not sure how many more times it will have to be brought into this House before we get away from the apparent concept that we have in this building of inbred conservatism that we seem always to exhibit when the question of gambling is brought before us.

I suggest that this Bill was brought into this House by the member for Semaphore (and maybe I am wrong), as a political gimmick, to see exactly where we might go on this question. I am not sure that sufficient homework was done on the Bill by the member who brought if forward. For that reason, I support the concept that my learned colleague, the member for Gilles, put forward, that we ought to do our homework regarding the possible establishment of a casino. I was rather intrigued by the attitude now adopted by the Premier on the question of a casino. When this proposal was first initiated, the Premier, like many of his colleagues, adopted the attitude that we did not want a casino at any cost.

It seems to me to be rather an intriguing situation when we find that many people attending a recent Liberal conference supported the concept of a casino. So, in the first instance, with the inception of this Bill, the Premier like so many of his colleagues immediately stated that there was to be no casino, and now we find a complete about-face on the whole issue, the Premier now saying that the Government may look at the situation. I am rather intrigued as to how Government members may eventually vote on this matter, and as to whether lobbying within the Liberal Party itself may force the Government, if it wants to toss this Bill out, to introduce an alternative measure.

The headline in today's *News*, reporting the Premier as saying that there will be 'no pokies for South Australia', is also an intriguing piece of information. If the Premier and his colleagues have done a complete about-face on the merits or demerits of establishing a casino, and if they are now suggesting in any way that there may be some form of casino in this State, legalising poker machines becomes a real possibility.

Anybody knows that if we are going to establish a casino poker machines within such a concept will have to be legalised. Indeed, I suggest that if we contemplate establishing a casino to operate in a proper manner financially,

and if we contemplate also establishing poker machines within that concept, we have to be realistic and consider providing poker machines not only in the casino but also in licensed clubs in this State.

The last paragraph of the *News* article to which I have referred states (quoting Mr Beck, Chairman of the licensed clubs organisation):

> It was regrettable politicians were taking such a firm stand against the machines. They might have to change their minds.

Let me tell Mr Beck and the House that at no stage have I taken a firm stand on the question of the establishment or non-establishment of poker machines.

The DEPUTY SPEAKER: Order! I ask the honourable member to relate his remarks to the Bill. I suggest that we are dealing with a casino and not with poker machines.

Mr MAX BROWN: I take your point, Mr Deputy Speaker. Whether we like it or not, however, poker machines go hand in glove with a casino, and if on the one hand, certain people emphatically oppose the establishment of a casino and then do a complete about-face on that question, we can expect them likewise to do a complete somersault on the question of poker machines. Because of the conservative attitude adopted in this place on so many occasions in the past, the attitude towards establishing a casino in this State may be well behind the times, as it were. Casinos have been established in other States, and there are some positive moves even in the banana republic, I understand, to establish a casino in that State.

Mr Slater: There could be two.

Mr MAX BROWN: My learned colleague says there is the possibility of two; I would not doubt that for one moment. I saw a television programme recently on the A.B.C. involving a tourist resort in the northern part of New South Wales on the Queensland border that was taking tourist trade from the Gold Coast simply on that basis. It seems to me that this State is losing out by not considering the establishment of a casino. Let me say—

Dr Billard: The Gold Coast still got the tourist trade, though, didn't it?

Mr MAX BROWN: That is the point I am making. The programme showed the Queensland Government's real concern about losing tourist trade. That was the basis of the programme. It was demonstrated quite well in that television programme that the northern New South Wales tourist area posed a direct threat to the Gold Coast. I would not agree with the honourable member—

Dr Billard: All the development was on the Gold Coast and there was virtually no development in Queensland.

Mr MAX BROWN: That is not true. Obviously the honourable member—

Dr Billard: I saw the programme; I used to live there.

Mr MAX BROWN: Obviously, the honourable member did not look at the programme, because if he had he could not have made that rather stupid remark. What he says it showed did not come out in the programme at all. In this debate, the member for Mallee has strongly opposed the establishment of a casino, as has the member for Goyder. With the decision made by the Liberal Party a few weeks ago, I am wondering whether Liberal members are not regretting what they said, or whether they will be, because of circumstances, made to reappraise the way they may vote on this question.

I put it to them, as I put it to anyone who is not prepared to vote now for the casino, that they ought to look at my colleagues resolution in the next item of business, because that would give them the opportunity of doing their homework, of looking at what people want to do, and then coming back into this House to make a decision on the proper basis. I do not want to take up any more time on this question; there are other matters that I want to raise in this debate, but before seeking leave to continue my remarks—

Mr Evans: I am sorry. You are not seeking leave to continue; you have to finish if the agreement is to be adhered to.

Mr MAX BROWN: At this point of time, because of other parts of the business that I want to deal with, I seek leave to continue my remarks.

Honourable members: No.

The DEPUTY SPEAKER: Order!

Mr MAX BROWN: I am sorry; I was not aware of the agreement. I will finish on the basis that I believe quite seriously that the question of the establishment of a casino in this State ought to be taken out of the hands of this establishment and given to the rights of the ordinary people for them to give us an idea of what they want. I think that would be the fairest and the most logical way around the whole matter. It would certainly give those people who have committed themselves to their being no casino, but who are now unfortunately, from their point of view, having to reconsider their stand, a certain path by which to get out from under. On that basis, I oppose the Bill as it stands.

Mr EVANS (Fisher): I wish to speak on this matter for some time, but there is an agreement with the House that another matter of some community interest should come on no later than 5.25 p.m., and I will conform to that agreement so that that point is reached earlier than the stated time. I want to speak for some time on the subject because I believe that it is proper that I do, as the Parliament paid my way overseas to study casinos in certain countries as part of my tour and to report back to Parliament.

At that time I did not put the Parliament or the State to the expense of having my report printed. I agreed that it should not be printed because I thought that it was an unnecessary waste of money. It is worth noting that it is the only report that has been treated in that way. What disappoints me is that very few people have bothered to read that report even if they wished to challenge the detail in it before debating the issue in this Parliament. I still stand with the point of view that I previously expressed; I oppose the concept of a casino for the State. I oppose it not on moral grounds, because I have gambled in casinos and have visited them, although it has not been in any great way and they would never be rich from my little contribution. However it is not on a moral basis that I oppose it. I oppose it because I believe action impulse gambling is an addictive form of gambling, and that is what I oppose.

Mr Peterson: So is race horse gambling.

Mr EVANS: The member needs to listen to the words I use. One is an impulse action form of gambling, where one is involved in the action. One does not have to wait until the end of the race, or to walk up a considerable distance to collect one's money; one is at the scene. It has been proven world wide that that is the worst form of gambling. Some establishments that have had poker machines, roulette, and that type of operation, have gone out of the system and given it away.

Mr Slater: Who are they?

Mr EVANS: Perhaps I should make the point to the member for Gilles that recently we had some visitors from America, particularly from Nevada. It might have been only one couple's point of view, but they live in the States and I believe that their figures could be checked. They said that 70 per cent of the inmates in Nevada gaols were people who had lived in that State for less than six months, most of them having been picked up for activities involving casinos or the associated scene, where gambling takes place and business houses operate. Whether we like to accept

that or not, a member of their Parliament is not going to make such a statement, knowing that we can check it, if it is not true. He made the statement that they have a tiger by the tail in Nevada, but cannot get rid of it.

The casino was put there originally for the same reason that casinos were put at Alice Springs and Darwin, and for the same reason that some people in this State believe that a casino should be built; that is, to bring in revenue. I would argue that the benefit of a casino to a community is virtually nil, except if the community happens to have the only casino for some vast distance around, as was the case in Hobart. Hobart had few hotels or motels, and virtually no first-class restaurants. Tasmania had nothing more than the 'Apple Isle' concept to attract people. It was the first State in Australia to have a casino, which was built by a group with interests inside and outside Australia, that is, Federal Hotels.

A licence was allowed for Launceston, although it was not proceeded with, but I believe that another licence has been issued which will be proceeded with. The hotel was quite happy to pay 25 per cent at the time that it wanted the licence and it got it. Immediately, the hotel argued that it could not pay it and wanted it back to 21 per cent and then it argued that it wanted it back to a figure the same as the Vegas, at 6 per cent. In other words, once established the hotel put the pressure on the Government.

We all know that, in a country like ours with 14 000 000 people, a country which is a vast distance away from other countries, to argue that people will come to this country to play our casinos, when they are in many other parts of the world, is just not on. Let us now look at why they became established in some other countries. I was interested to read an editorial in the *News* of 4 November, and I mention only the last point that the editorial made, which was this:

> Monte Carlo has now managed to survive 120 years of casino life without quite becoming Sodom or Gomorrah.

On the same day, I wrote a letter to the *News*, as follows:

> Congratulations on the last point made in your editorial of 4 November. Of course Monte Carlo casino has not caused Monaco to become Sodom and Gomorrah, because the locals are not allowed to gamble in their casino. So, what chance of survival in South Australia if locals are not to patronise the casino? It may be of further interest for your readers to note that in several European countries where casinos operate no public servant or person who handles other peoples' money in trust accounts, etc., are allowed to enter casinos. Even that regulation in this State would reduce the likely patronage quite considerably.

I wrote that to the *News*, but it was not published. Of course the casino in Monte Carlo would not have any effect on Monaco, because the local people of Monaco are not allowed to enter the casino, and every person in that country has to carry an identity card. We do not have to do that in this country. In Greece or Italy, no public servant, no member of the Armed Forces, no lawyer, no accountant who runs a trust account for other people, is allowed to enter a casino. I took note of the reply of the Italian Minister for Finance to a question I put to him; I asked, 'What is your Government's attitude to gambling?' He replied, 'The same as every other country in the world; we think it is bad, but we legalise it in some areas where we think we may be able to control it, mainly to get some revenue.' That was his response.

I believe that is the case with casinos in many other countries. When the Monte Carlo casino was established, France felt the pinch, because the French people were going over the border and spending money in Monte Carlo. Since 1907, France has licensed 144 casinos in France and three in its West Indies territories. France does not control the casino in Noumea, even though it is a French colony. In 1928 Mussolini licensed, from a film festival, the first casino in Italy, and later on it was licensed for private purposes, and now the local government authority controls its licence. Most casinos have been established on the borders of countries in the hope of picking up some money from the neighbouring country, and they were put in to try to combat the casinos over the border. In Switzerland two casinos have failed to survive within the past five years because of competition.

Millions of people live in Europe, and 220 000 000 live in America. So, with only 14 000 000 in Australia, we can see that no great fortune can be made if we have a massive number of casinos in this country. At the moment Darwin, Alice Springs and Tasmania all have casinos, Queensland is thinking about establishing two, New South Wales is thinking about having one, and Tasmania is considering establishing a second casino. So, where is the great fortune in it? Who will travel from Queensland to South Australia in order to play the casino if there is a casino in Queensland, or who will travel from the Northern Territory or Tasmania to South Australia? It will not be on. We know that the argument that a casino will help tourism bears little relationship to any real benefit to the people of the State.

A casino is non-productive; it does not produce anything for us. I draw the comparison again with Tasmania, and make the point that Tasmania did not have many restaurants, motels or hotels. However, we in this State have more restaurants per capita than any other State in Australia. Similarly, more than 600 hotels are licensed in this State. People who go to a casino to play are not likely to dine in a small restaurant first, although perhaps some will. However, many will not. So, we centralise the activity for dining more than it is centralised at present. At the moment we have a diversity of eating places, but we tend to centralise it for a lot more people. The same thing could well apply in relation to drinking habits. People are encouraged to go to one spot.

The member for Semaphore has not suggested who will run the casino. I know that he supports the Government's running it. I say quite clearly that in no way in the world will I ever support a casino licence being given to private operators. I believe that, if a casino is ever established in this State, it will be detrimental to small business, anyway. I believe that many small businesses will feel the pinch, and it can be proven that it will not produce anything whatsoever for the city. If the Government is to run the casino, good luck to it. I do not want to support it but, if I must do so, I will accept it.

I return to the point regarding gambling. It is strange that we have an age of majority of 18 in many countries of the world, yet some of the countries, like Austria, have a lot of freedoms. One thinks that the age at which one can enter a casino should be the same as the age of majority. In fact, it is not. Although 18 years is the age of majority, persons are not allowed to enter a casino until they are 21 years of age.

The same provision obtains in Germany. If there is nothing wrong with a casino operation, why do we say that a person is an adult and old enough to sign contracts and do all the other things in life at 18 years, yet we deny that same person the right of entering a casino until he is 21 years of age? If there is nothing wrong with gambling in a casino, why does that law exist in those countries? I ask members to ponder that question. Why is it that, when a licence is issued by a local government authority in France, no member of that local government authority can enter a casino for which the licence has been issued, if they believe that nothing is wrong with it? What is the reason for that? This applies in Germany, and it is easy to enforce because German people have to carry identity cards. If there is no problem with casinos, why does the casino management in

Austria have a ruling that, if one is dealing with a person or living in a home situation with a person, and it is believed that that person is over-spending in a casino, one is able to report to the casino? All the casinos are hooked up by computer, and a local person has to show his identity card before he can enter a casino. They do not give a hang if one comes from another country and has a passport. One can spend what one likes. After the incident has been reported, the casino management carries out a credit check on the person. If the result of the inquiry is that the person is gambling too much, the management can decide to limit that person to entering the casino to a certain number of times a year, according to the person's credit rating. Then those involved keep an eye on how the person gambles.

If the person says that his credit rating is better than that, he must produce a financial statement, the same as he would supply in relation to taxation. That is kept private to that casino operation. If one can prove that one's income or credit rating is better than that mentioned by the management, one will be allowed to enter the casino more often. Would we accept that sort of condition in this country? If there is nothing wrong with a casino, why does a country like Austria, which had a new Consitution in 1948, have such a ruling?

In England the bases for the legislation were that, first, for many, it is basic human nature to gamble, and to prohibit gambling forces it underground with all the other undesirable elements, such as protection rackets. Secondly, it should not have any connection with raising money as a form of taxation. Casinos cannot be used in England for raising money for the Government. The board says that that cannot be done, except for the initial licence fee for the machines, or to encourage tourism. Casinos should not be used to encourage tourism. Thirdly, a casino should cater only for the unstimulated demands of society. Enough places should be available to cater for this, but all advertising of gambling should be prohibited.

In England, it is not possible to read about lotteries and casinos. They are not advertised in the press, on television or on radio. The board will now allow it. If one wants to establish a casino on the basis of catering for the people who wish to gamble, who wish to seek them and find them for themselves and have a legal operation, perhaps it could be argued that there is some merit in that. I do not accept that, but at least I believe that the English took a practical approach to it. Indeed, they went even further than that. They said that, if a person changed a cheque in a casino and used that money for gambling purposes, he could not go back and claim that cheque back again. If a person entered his local casino and cashed a cheque because he ran out of money and subsequently won money, although he wanted to buy back the cheque because his wife or bank might check on it, he could not do so. The rule is clear: the casino operation must retain the cheque and present it to the bank within two clear banking days. That means that the bank manager or any person handling a person's business would know that he had used the cheque within that operation, and there is no way of destroying the butt or the cheque and taking the transaction out of circulation.

In other words, they were concerned about people who may gamble too much if it was made too easy for such people to gain credit by using a cheque. In fact, a cheque is only a promise to pay on presentation. But, they went further than that. Sir Stanley Raymond, to whom I spoke, pointed out that the Mafia is in Las Vegas, Nevada; there is no doubt about that. Even he, living in England, knew that the poker machine inquiry in New South Wales was never completed, and that the Mafia was, and still is, tied up in that operation.

Sir Stanley pointed out that a rule was made in England that no person who had an interest in a business outside the United Kingdom could have an interest or become involved in any casino or gambling operation. Unfortunately, the problem with casinos, especially, and other forms of gambling, is that people can use them to launder money and, the more casinos there are, the more people can do that. In Austria, authorities told me that research had found that 70 per cent of money that comes from local people through the casino operation had never been declared in taxation, or had been obtained by other unlawful means.

We need to be aware of that. We do not need a system that gives people a greater opportunity to launder money, to get it back into the system, and to cheat the rest of society. Another point made in England was that, if gambling debts are built up in Nevada, the thugs will travel anywhere in the world to collect them, if the sum is big enough. One would have to raise the matter of the recent New South Wales incident, where a person left this country, and ask what was behind it all. I say no more than that, except that the person was involved in that area of gambling in the United States. I am concerned that we so readily think that a casino in Adelaide would will a lot of business overnight and help society.

If we vote for a casino, who will get the licence? I am sure that the international hotel up the street is already talking to someone in high circles, hoping that it will go there. Also, I am sure that the Morphettville racecourse people would like to have it there, and that Gobe Derby would like it, as would Football Park. The brewery project in Hindley Street, which should go ahead, would be another place. In other words, those people who have a vested interest will be very keen to get that licence.

If we talk about casinos, do we have one big operation or do we say, 'All right, if we are going to have them, why not one in Mt Gambier, where we might pick up some Victorian money, and one at Pt Lincoln, for the people there?' I know that the member for Whyalla was talking earlier about a casino there. Why should it be said that we should have just one in Adelaide? If it is for tourism, I offer a challenge to the Government and others that may support it. If the Government is forced into a position, by a vote of this Parliament, let us make a condition of the casino operation that it be Government-operated, but not to raise money. If we are to use it to attract tourists, let us make it the best paying casino for the gambler in the world. Let us say that we will not seek to make money from it at all: we will set the machines and odds so that, when they are played and worked, we will get back operating costs only, and gamblers will know that this is the best place to which to go. If we are to do it for tourism, that would test the honesty of those who support it. We would not be doing it to raise money at all: we would be doing it because people have an inherent desire to gamble and, if they did gamble at the casino, they would not lose as much.

One should think about that and about what the Government's attitude is likely to be if those are the conditions of opertion of a casino, regardless of what Government is in office. We are attempting to use it as a money-raising measure. Once we establish a casino, if that occurs, we return to my point about action impulse gambling within our society. Will the people who now go to the Norwood bingo, Trades Hall (if it has bingo—although not for the Trades Hall movement; it used to have bingo there), or wherever it may be, go to those places to spend the few dollars that they have, or would some of them then start patronising the casino? Will they play the beer tickets machines in sporting and social clubs that rely on them so much now for revenue to enable them to maintain their facilities? Will those machines be played as much?

Mr Slater: What about soccer pools?

Mr EVANS: I will come to that in a moment. Will people play about all those machines, or will they tend to drift to the casino because they have a gambling habit? If that occurs, what will happen to those clubs? What will our attitude to poker machines be then? Clearly, if Parliament decides to bring in action impulse gambling by supporting a casino, it cannot reject the concept of poker machines. It is as hard and cold as that. I do not support either, and I never have done so. However, if a casino comes, every club that is struggling to survive and provide facilities for young people to play sport and buy equipment for sporting teams has the right to say, 'All right, we want poker machines.'

If the principle is set by this Parliament, any member has a right to back that course of action. I may be one of them. If one section has it, the other should have it, and poker machines would be a reality in our society. Some of us may have said a couple of years ago that we would not even talk about this. But, once the principle has been established and Parliament decides in that manner, that would be the case.

Regarding soccer pools, lotteries and all those things, it is worth noting that in the United States of America approximately 50 per cent of the States have banned gambling altogether. Many people do not realise that. They get by all right. Some illegal gambling may be going on; I am sure there would be. We have brought in soccer pools in this State. No doubt, it has had an effect on lotteries, clubs, the T.A.B. and other areas. I do not deny that. Do we make the same error again, if that was an error? Do we chase other States? Just because someone puts in soccer pools, do we put them in? If someone brings in a lottery, starting with Tatslotto in Tasmania, it speads to Victoria and then all over Australia. Do we do this for the sake of following others, or does it bring a real benefit to us?

I hope that we can encourage people to use their money better than for gambling. I hope that they gamble on Australia's resources, start to save and buy, take a punt on some of the resources, and not complain about the multinationals buying them. People should start buying the resources themselves. As a Government and Parliament, we might encourage people to do that in lieu of giving them another encouragement to spend their money. When we, as a Parliament, take the easy road, we encourage our society to become slaves to interest rates and working agents for money lenders. I hope that people reject the member's Bill and ensure that we go on without a casino. I do not believe that we will be any worse off than those States that happen to have one. I oppose the measure.

Mr CRAFTER secured the adjournment of the debate.

MOTOR FUEL (REGULATION OF MARKETING) BILL

Adjourned debate on second reading.

(Continued from 11 November. Page 1849.)

Mr BANNON (Leader of the Opposition): Let me say at the outset that I think we should be very appreciative of the sponsors of those various motions which my colleague the member for Baudin has moved be deferred.

Mr Slater: That is right—No. 6.

Mr BANNON: The member for Gilles mentions No. 6, the Select Committee which I imagine the member for Fisher will probably support on this casino question, so that the questions he raised can be answered. In doing that, those members have done two things. They have recognised the need to get this measure progressed as much as possible through the House, because of its great importance to the community, and in particular to a section of the industry involved in petrol reselling. Secondly, they recognise that if this matter is not processed in this way we simply will not get anything in concrete form from the Government.

Unfortunately, the speech made last week by the Minister gives us no hope of any concrete action being taken. I think that the speech itself set up a considerable smokescreen around the issue. We were certainly told very quickly when the Minister rose to her feet that the Government would oppose the Bill at the second reading. In other words, it would be chucked right out without the opportunity to consider it any further. Therefore, there is no support in principle for the measure, and certainly no attempt to do something constructive if there were objections to certain clauses.

Having dismissed that very briefly, the speech then continued on with, I suggest, very little relevance to the precise issue that is before us today. It was very hard to tell until well into the Minister's speech what the Government's actual position was on this measure and why it was taking that stand. It was only late in the speech that the Minister addressed herself to the principles in the Bill, and then, I suggest, not with the thoroughness or the detail that we had a right to expect.

The speech itself included just about everything that could be gathered around the matter—a long historical passage, which really did not add very much and which I suggest is fairly inaccurate, too (I will illustrate how in a minute), and a turgid reading of the Fife package. Everyone who is involved and interested in this legislation knows what the Fife package says. We do not have to have it read at great length clause by clause into the record of the House. We understand that. It is the application in practice of the Fife package, whether at national or State level, that is the issue in this Bill. We had a long reading of the Hon. Mr Burdett's press release of his working party. It is interesting that the Minister was reading a speech by the Minister which also included the Minister's press release—a sort of self-quotation that went on at great length.

The main burden of that, of course, was reference to this working party. The working party certainly is an exercise that in itself has some value. The issues to which it is addressing itself are important. The people involved in that (in other words, all the State and Federal Ministers) all should be involved in those issues. However, the point is that, for the resellers here today facing the current economic climate, it is really too late to see that as some sort of solution. That sort of exercise should have been undertaken constructively a long time ago. Where were Minister Burdett and the group of Ministers when the Government was playing around with the Fife package before last year's Federal election? They were not apparent. This sort of exercise will go on, and it is probably a good thing that it is being carried out. However, it should have happened a long time ago. It has taken yet another crisis, yet another demonstration of real concern by the industry itself, by the people working in the industry, for the thing to get off the ground.

Good heavens, we have been living with this situation for a long time. Certainly we were living with it at the time of the previous Labor Government. We had our problems with it, and we do not deny it; it has been very interesting to see that some of the problems with which we were grappling then and which were dismissed by the then Opposition as being irrelevant and easily solved have re-emerged. Now, in Government, the Liberals find that they are not so easy to solve. Nonetheless the problem has been around with us for a while, but it has become really acute in, if one likes, periods, waves, or cycles over the past two or three years.

On each occasion, particularly the petrol resellers right up front, right in the front line of this issue and in the economic squeeze of it, had been promised action. Temporary action has been taken on occasions. Alleviating action has been taken in a crisis situation, usually after long delays. We saw, for instance, early in 1980 that the Government was being congratulated on the hard line stand that it was taking. Then, about two months later, when that stand had led to nothing, there was a severe let down and a feeling of disenchantment. So, again the arguments were put. Again the deputations went this time to Canberra. In an election context, in Canberra the Government finally got off its backside and started doing something about the re-worked Fife package (the so-called Garland proposal). Then it became apparent that they were inadequate. Again, attention was focused, and this time the consumers were up in arms because of the petrol pricing situation here.

Again, attention was focused at the State level, and after months and months of dilly-dallying, and chopping and changing, some sort of temporary solution appeared—a solution of a type which led the petrol resellers to place an advetisement saying, 'Bravo, Mr Tonkin.' The petrol retailers of South Australia say 'bravo' to the Premier because of his action in reducing the wholesale price of petrol, which should ensure market stability and cheaper petrol. Unfortunately, that proved to be premature. It was not the solution. The problem has recurred, and really the time is long overdue for some sort of permanent action to be taken. So, that frustration should be well understood by all members of Parliament.

The Minister began by talking about free market forces. That is the way, she said, in which the Government would like the industry to be governed. The problem is that this market is not free. It never has been, and there is no way it can be, either as to supply, price, distribution, or margin. Certainly, there is room for manoeuvre. Certainly, any administrative or legislative framework should provide as much room for manoeuvre as possible. But, the facts are that it is not a free market and never has been. To approach it from that direction, I believe and my Party believes, is to misunderstand the problems with which the petrol resellers and the consumers are grappling.

Either the Government or the petrol companies are in a position of power at any one time. When we have national and State problems, and when we have the sort of problems that we have with this legislation, one wonders whether the Government can be in control. The facts are at the moment that the market is not free. This is not because of the consumers or the resellers, the retailers of fuel: it is because of the power that lies in the oil companies to dictate to the market, despite every attempt that has been made to force them into some sort of competition. That is the feeling of helplessness that pervades the industry. That is why we have those who own their own sites or who are lessees of their own sites in real trouble in the current instance.

Again, we agree with the Minister that this is a national problem. I do not think anyone in the industry disagrees that the long-term solution for stabilisation in this industry must ultimately reside at the national level. We have always said so. We have said so in Government and we have said so in Opposition.

As I mentioned earlier, we were chided when in Government for taking that view. We were told that a State Government could act, and the present Minister of Industrial Affairs accused my colleague, the Deputy Leader, of duck shoving when Minister because he tried to suggest that there was some need for national action on the matter. We recognise that problem, but, to the extent that national action has been taken, it has proved inadequate. What has happened nationally has not been satisfactory; it has not solved the problem and sometime, somewhere, the nettle has to be grasped. We have to attempt, obviously, to involve other States, to ensure that there is concerted action. However, if we see an industry in real trouble, or groups within that industry dependent on it for their livelihood in real trouble, then it is up to the State to try to find, by whatever means it can, a solution in that State to that problem.

That is the situation that we are faced with today, which has resulted in the action being taken by petrol retailers, and which has resulted in the honourable member for Mitcham introducing this private member's Bill into the House. I would be the last to say that the Bill might not have some problems in its practical application. There may be difficulties in achieving the desired result, in terms of the stability of the industry and the protection of retailers, margins and the various things it seeks, by this means, but we have to examine that. The Bill has a number of clauses, and we have to look at them and see how they can be made to work. We have doubts about them. Doubts have been thrown on the legality of the whole exercise. That is fine, but, as the member for Mitcham says, let us get some workable legislation on the Statute Book and then let us test its legality, because the question is doubtful enough, is arguable enough (and let us face it, most legal questions are) to give the Parliament some confidence that, by taking this action, it can produce a workable formula.

If, indeed, it is struck out because it is illegal, then that, at least, will highlight the problem. That, at least, will put very much greater pressure on the Federal Government to do something, but apparently the Government does not want to place us in that position. The national solutions that the Minister talked about in the implementation of these Garland proposals include the partial divorcement provision. Clearly, as has been pointed out by representatives of the retailers and by individuals writing to us as members of Parliament, partial divorcement is not working and it cannot really work.

It cannot work because it does not take account of the different site locations and the turnover that can be generated because of that. It is in the nature of the retail industry, and in fact all the oil companies need do is dispense with those sites which do not maximise their turnover and hang on to those where they can be sure that they will create or be able to maintain the right sort of volume, and divorcement becomes totally unreal in terms of protection to the retailer and stability in the market. On the contrary, in fact partial divorcement may exacerbate the problems rather than solve them. It is to that point that this legislation addresses itself. I believe it is to that point that we expect from the Government some concrete, some precise response.

Many objections were raised to the legislation by the Minister. I think that they have been well dealt with in correspondence received by members. There is the objection that, under this Bill, petrol resellers could not afford to purchase their sites. However, that pays no regard, as many resellers have pointed out, to the very high rents or lease amounts being paid currently for no return. There is no equity created by those large payments. What this Bill would mean is that those payments could be transferred into actual purchase payments to pay off the site, and loans could be raised on them. The Minister just made the sweeping statement 'They just can't afford them,' plainly without looking at the industry and looking at the financial capacity, and the evidence we are getting back is that that is not really an issue. It may be in some cases, but for many there will be that capacity to purchase sites and the Minister pays no regard to that argument.

The question of consumers being faced with higher prices for petrol if this Bill is introduced was raised. Again, the

Minister did not address herself to the arguments which had been raised and the question which has been posed by the resellers that at the moment, as far as their margins are concerned, they are dictated in large part by the oil companies and by wholesale prices. If one divorces that and if one creates two markets, the competitive market for the wholesale price and the competitive market at the retail price, within certain boundaries, then there is every reason why the prices would come down rather than go up. Apparently that argument is to be dismissed without too much examination.

Coupled with all these criticisms about the legislation, there was no really concrete attempt to try to make the legislation work, or to suggest that it could be made to work. I think that, if one must level a prime criticism at the Minister's speech, it is that it was totally negative in its approach to the legislation. All the right sorts of mouthings were made about sympathy for the resellers and the problems in the industry. All the suggestions about working parties, national problems and representations here and there, all of that lip service, was made. However, when we get down to actual legislation, we were simply told that it is so full of problems that there is really nothing we can do about it. In her speech the Minister said something which well illustrates the point I am making:

> The Government is very much aware that problems exist in the industry. The Government is and has been demonstrably sympathetic to the problems of dealers. The Government believes in the creation and maintenance of an appropriate national statutory frame-work within which . . . competitive market forces can operate.
>
> The present Bill simply fails to achieve a satisfactory balance. It fails to draw on the major issues being expressed elsewhere in Australia; it overlooks the national nature of the industry and balance . . . represents an ill-conceived, piecemeal approach . . .

If that is so, why does the Government not allow us to get into Committee and, if there are ill-conceived clauses, if there is a piecemeal approach, try to fix it up? It is not good enough to say, 'We will chuck it out at this stage because it is not worth pursuing.' Let us try it and constructively pursue it.

Bearing in mind the agreement we have on times of speaking on this Bill, let me finalise my remarks by saying—

Members interjecting:

Mr BANNON: Yes, we will keep to our agreement. Let me summarise by saying that our ultimate aim is some form of market stabilisation. If this is not occurring at the national level, then we have to try to do something about it at the State level. We support this Bill to the second reading stage, because we believe that the principle embodied in it is a sound one indeed; it is one that our Party nationally has vigorously stood up for in the Federal Parliament and in public forums. We support that all the way. We believe that it has to be looked at closely and constructively at the State level, because there is a failure at the national level in this area, and because many people in our community are being affected right here and now.

The Bill might not be the long-term solution that everyone wants, and it might not achieve the final result, but at least it is a constructive move to draw attention to the problem and to try to provide some immediate State Government response, or State Government legislative framework. If that turns out to be unconstitutional or illegal, so be it; at least that is highlighting the problem, highlighting a constructive approach to it, and putting pressure on the Federal Government. We appeal to the Government and Government members to at least get this Bill into Committee so that the issue can be further processed and to not throw it out at this stage. The principle is good and it deserves the fullest consideration and support of this House.

Mr ASHENDEN (Todd): I do not intend to address myself immediately to the remarks of the Leader, many of which I agree with and some of which I do not agree with. I prefer to cover them after making my stand clear about how I see the Bill as it has been brought forward by the member for Mitcham. Unfortunately, the member for Mitcham and some Opposition members, while interjecting, referred to a so-called broken promise of last week. I think it is only fair to point out to those who do not know it at this stage that the Whip from this side of the House went to the Leader of the Opposition last week and offered to extend the sitting of the House beyond 6 p.m., to which the Leader replied to our Whip 'Forget it.'

Therefore, I believe that we must make it quite clear to all that there were no promises broken from this side of the House. An offer was made to the Leader of the Opposition to speak last week at 6 p.m., and it was an offer that he rejected.

Before I respond specifically to points which the Leader of the Opposition made, with some of which I agree, I would like to set out where I stand on this issue. First, I completely agree with what the South Australian Automobile Chamber of Commerce is seeking to achieve, that is, to obtain a better deal for a most important section of the small business community, namely, the dealers in our service stations. There is no doubt that the present system is not only not ideal but far from ideal.

Many dealers are at a severe disadvantage regarding their rights and negotiations with oil companies, and some oil companies can and do wield their very great power completely unfairly. I would like to see the major aims of the S.A.A.C.C. achieved, but for reasons that I will outline I do not believe (neither does the Government believe) that the Millhouse Bill, as it has come to be known, will achieve those ends. I believe that there are some very good reasons why it will not. One is that it is an extremely ill prepared Bill, and if the honourable member was sincere he would have brought in a Bill more along the lines of the Bill presently before the Victorian Parliament which is much more detailed and offers a much better deal to the small business men in the oil company service stations than his Bill will achieve.

Members interjecting:

Mr ASHENDEN: If members will only contain their impatience, they will hear the suggestions I have to put forward. I have some constructive suggestions on this matter, and I am a member of the Government Party, for goodness sake. We sat and listened to the Leader of the Opposition in silence: I wonder whether the same courtesy could be extended here. I believe he had legitimate points to make, I believe I have legitimate points, and I would like all members to be able to share them.

I have very real sympathy with the aims of the S.A.A.C.C., but I cannot see those aims being achieved through the Bill that the member for Mitcham has brought forward. I very much want to see a better deal for the small business men in the service stations throughout South Australia, but I cannot see that this Bill will achieve that, and I would now like to outline a number of reasons why I believe this to be the case. Much has been said to the affect that this Bill will bring about implementation of the Fife package. The member for Mitcham knows full well that his Bill does not implement the Fife package: it goes much further, because the Fife package only spoke of divorcement, whereas the Millhouse Bill wants to bring about disinvestment, and they are two totally different concepts. Therefore, the Millhouse Bill does not implement the Fife package.

Mr Millhouse: You tell me how it doesn't.

Mr ASHENDEN: As I said, if the honourable member could contain himself, he will hear. I would have thought that he, being supposedly an astute legal man, would know the difference between the term disinvestment and divorcement. If he does not, perhaps I had better explain it to him. Divorcement, of course, means that which the Fife package was seeking to achieve, namely, the removal of the oil companies from the retail field. What disinvestment would bring about is to disallow the oil companies to have anything to do whatsoever with service stations; they could not even own them. That is far more than divorcement and, as members opposite have indicated, they wish to support the Fife package. I point out that the Millhouse Bill is not in line with the Fife package.

I would like to compare the arguments I am going to bring forward with what I think is one of the best systems I ever came across, when I was in private enterprise, of problem solving and decision-making. One of the things that has to be looked at very carefully is what we want to achieve at the end by making any change in business operations (and that is what the member for Mitcham is seeking) and what can go wrong if we make that change and we do not make that change carefully. In other words, we must consider the adverse consequences of any action we take.

The points that I make will show clearly that divorcement will not achieve the aims that the S.A.A.C.C. seeks, for one simple reason: there are still far too many loopholes for the oil companies to use to still influence the price of petrol in South Australia. In other words, divorcement will not bring about the market place that the dealers are rightly seeking, that is, a competitive market enabling fuel to be purchased at the best possible price. That is what they want to achieve. Divorcement will not achieve it for a number of reasons, that I will outline shortly.

Make no mistake: the oil companies can be ruthless in their approach to their dealers. If this divorcement is brought about, there are many other ways that those companies will still influence the market price. Therefore, any action which this Parliament or the Federal Parliament takes must be such that it closes all the loopholes, so that the dealers can buy the fuel they are seeking at a truly competitive rate. That is what I would like to see for the small business man in South Australia.

Let us have a look at some of the things the oil companies could do if divorcement came in. First, if divorcement or the Millhouse Bill were to be brought in and disinvestment came about, I believe that one thing to be immediately created is a new set of landlords because, although some of the dealers would be able to purchase the site which they presently have—

An honourable member: Most.

Mr ASHENDEN: —the majority of dealers—I prefer that to most—could probably afford to buy their service stations. However, there would still be a number of service stations whose price would be so high that no small business man could possibly entertain the idea of purchasing it. I take one site, for example: the outlet owned by the Shell Company on West Terrace, which I believe would cost conservatively $1 000 000 for a dealer to buy. I believe that if disinvestment was to be brought about very few dealers would be able to buy that service station, and there are other big outlets like that. Therefore, the key sites, the most expensive sites, would not return to dealers' hands. If the oil companies were forced out, other companies would be purchasing those outlets and become the new landlord.

Let us have a look at what some landlords already do in other areas of business, for example, in the ordinary retail market, companies like Myer, when they purchase a place and lease some of the smaller shops out to small business men. If you concede that the system that could be set up for those dealers is fair when you consider actions of Myer and other such companies, I am sorry I do not agree. At the moment, many dealers do not like the way oil companies interfere with the way in which they operate. Let us have a look, for example, at what companies like Myer do with a small business man renting their premises. Such companies have the tills connected to a computer, so that the companies owning those premises know every cent that goes through each lessee business.

They then not only charge a rental based on the site itself but also a precentage of the turnover. When that business comes to be sold half the goodwill goes to the company owning the premises. This is the sort of thing that can happen with landlords in some circumstances. The oil companies in some instances are poor landlords, but the Bill will merely remove one set of landlords for another set of landlords, and they will be able to charge unreasonable rents to people operating in those premises if they wish.

If divorcement were to occur and the oil companies were to be removed from direct retailing, let us look at some of the ways they could still influence the price in the market and the price at which they would sell their fuel to the dealers. Let us take a look at just two of them. First, one thing they already do and undoubtedly would continue to do, and I think would increase their activities in, is make even greater re-signing rebates available to those dealers who own their service stations.

Therefore, there would then be two sets of dealers, as there are now, but the companies would still influence, even more, through the customer-owned (as it is called) outlet, the price of fuel available to the public, because they could go to a certain dealer and say to him, 'If you re-sign to use our fuels then we will give you a rebate of such and such', which would provide a figure well below the price at which they were selling their fuel to dealers in other service stations, and so the oil companies would still be able to influence the market in that way.

I refer to another point, namely, that the rentals which dealers are paying at the moment to some of the companies are very high indeed: $2 000 or $2 500 a month, and I have been given figures even higher than that. Have members thought of what the oil companies could do with those rentals if they decided to offer a deal to service stations to influence the price? Instead of giving a differential price on the wholesale price of fuel going out to dealers, what they will do is say, 'We will let you have that outlet free of charge', or for a peppercorn rental or all sorts of deals and that would then give one dealer a tremendous advantage over other dealers who were not being offered that sort of arrangement.

Let us face it; one of the major aims of the S.A.A.C.C., one of the major aims of the dealers, is to be able to purchase fuel competitively, on an even basis with their compatriots or their competitors, but if the oil companies were still able to offer re-signing rebates, if the oil companies were able to offer deals through rental reductions, and so on, they will still, as they are now, be able to influence the price of fuel. They are two of the key reasons why I believe divorcement will not bring about the aims which I totally agree with. There is no doubt that what the S.A.A.C.C. and its dealers want is right, but I do not believe that divorcement is going to get it. We must look for something far more than divorcement, and I shall come back to that point a little later.

The next point I want to make is in relation to the constitutional aspects of the moves presently being proposed by the member for Mitcham. I state here and now that I have obtained legal advice on this matter from a number of sources, and the best advice that I have received on this

matter, in relation to achieving what the dealers want to achieve, is that there is doubt. That adviser believes that possibly it would stand up, but there is doubt. That is the best I have heard. Opinion goes through to the other extreme, and I refer to opinion that has come from certainly very competent legal advisers. They have indicated that there is no way that this Bill would stand up. I cannot agree with the Leader of the Opposition when he says 'Let's do it, let's test it', because it will cost a heck of a lot of money, and I think that any Government must look very carefully at money that it spends, especially money which would be spent to defend a Bill that has gone through this Parliament but which would not meet with success. The oil companies would use Q.C. after Q.C. (perhaps the member for Mitcham would be delighted about that) fighting their case, and the Government would have to do the same; the fighting of this Bill through the courts would cost a fortune.

Mr Millhouse: Don't be silly.

Mr ASHENDEN: The honourable member says 'Don't be silly.' He may regard a Q.C.'s fee of $1 500 a day as peanuts, but I do not. To me that is a lot of money: perhaps if I were a Q.C. as well as a member of Parliament I could throw $1 500 a day around, but I cannot. I take the point from the inane interjection from the member opposite that of course he knows more about the law than I do, but I talked to eminent legal sources to obtain their opinions.

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

The SPEAKER: Order!

Mr ASHENDEN: I am not going to divulge their names. The implication of that interjection is that I am not telling the truth and have not obtained legal advice. Unlike the member for Mitcham who is his own source, I have gone to a number of sources to obtain the information about that which I am speaking. If members opposite were honest they would do the same. The reason why I cannot divulge the names is that I did not ask those people if I could use their names in this place.

Mr O'Neill: Was the Shell Company one?

Mr ASHENDEN: I resent that remark completely.

Mr O'Neill: I just asked a question.

Mr ASHENDEN: Of course the Shell Company was not one source that I went to to obtain legal advice. This is obviously part of the ploy of members opposite. It has already come back to me; that their ploy is the one that is going around at the moment, namely, that I do not support the S.A.A.C.C., that I support the oil companies. Let me scotch that one here and now; that is completely false, and it is noticeable that it was raised by exactly the same member who accused me of taking a Mercedes-Benz car as a bribe so that we could have the O'Bahn system going through to the north-east suburbs.

Members interjecting:

The SPEAKER: Order!

Mr ASHENDEN: I have had various advice from a number of sources which indicated to me that on two grounds the Bill that the member for Mitcham wishes to bring in would not stand up legally. I shall outline the reasons. The first concerns section 92. Members opposite may or may not know that the Shell Company imports into South Australia more than 90 per cent of its fuel, and so therefore, under section 92, the Shell Company would almost certainly win a case in court against the proposed Bill. Let us look at the other oil companies.

The Hon. J. D. Wright: Whose advice is that? It is important.

Mr ASHENDEN: Whose advice is what?

The Hon. J. D. Wright: Whose advice are you acting on? It is very important to know that.

Members interjecting:

The SPEAKER: Order! The House will come to order. It is the member for Todd who has the call of the Chair.

Mr ASHENDEN: The next point I wish to make is that the other companies would probably be successful in their appeal under section 109, because there is an inconsistency in relation to section 10 of the Petroleum Retail Marketing Sites Act, 1980, which states that, if oil companies comply with that Act, they are able to retail. It would be very easy indeed for the oil companies in this State to show that they quite clearly comply with that Act, and that therefore they should be able to retail in this State.

If the Bill were introduced immediately, maybe even the very next day it would be challenged in the courts by the oil companies, and as soon as that happened, the situation would be back to the *status quo,* anyway, and then we would go on for months and months in an extremely costly legal case which, on the advice that I have been given and which the Government has received, would not be successful.

Again, let us come back to problem and decision analysis. We have come up with a likely action which is likely to be most unpalatable, so, therefore, let us now see whether we can find a better alternative. Why build up the hopes of small business men out there in the community who are slaving their hearts out to earn an income but who would only have their hopes completely dashed again, as has happened so many times before. I believe that members opposite are dangling a carrot, which I think, if they were honest, they would have to admit is more than likely not to be successful in court. Let us look for an alternative which will give these people what they want, rather than something up in the sky which could crash all around them.

This would be challenged in court; the challenge would go on, and it would be successful. Because I now have to cease my remarks, I conclude by making two things clear, because members opposite are very thick obviously and do not pick things up. First, I totally support the aims of the S.A.A.C.C. However, the Bill brought in by the member for Mitcham will not achieve those aims and therefore I want to make sure that we develop actions that will give those business men what they seek to achieve. I seek leave to continue my remarks.

Leave granted; debate adjourned.

[Sitting suspended from 6.00 to 7.30 p.m.]

INDUSTRIAL CONCILIATION AND ARBITRATION ACT AMENDMENT BILL (No. 3)

The Hon. D. C. BROWN (Minister of Industrial Affairs) obtained leave and introduced a Bill for an Act to amend the Industrial Conciliation and Arbitration Act, 1972-1981; and to repeal the Industrial Commission Jurisdiction (Temporary Provisions) Act, 1975-1981. Read a first time.

The Hon. D. C. BROWN: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

It is to give effect to a number of the original intentions of the Government in relation to Bill No. 8 of 1981, which was introduced on 20 August 1981. Also, the Bill seeks to amend section 133 of the Industrial Conciliation and Arbitration Act, 1972-1981, to extend for a further three years the period under which certain actions are barred in relation

to the operation of registered associations, and to repeal the Industrial Commission Jurisdiction (Temporary Provision) Act, 1975-1981.

One of the main thrusts of the original Bill was to bring the jurisdiction of industrial tribunals in South Australia more into line with that of the Australian Conciliation and Arbitration Commission so that with the abandonment of the wage indexation system our State tribunals would be required to apply similar principles of wage fixation as those currently being applied by the Australian commission. As was stated in the second reading speech on the original Bill:

> No single factor will be a greater constraint to industrial expansion in South Australia than wage increases greater than those applying elsewhere.

Since that time, all Governments in Australia have indicated that they are firmly committed to a uniform approach to wage fixation in Australia. In this regard a statement was issued by all Governments at the August 1981 Premiers' Conference, and Premiers committed themselves to seeking common principles so that there can be orderly processing of claims and consistency of treatment in both Commonwealth and State tribunals. They agreed that they would ask the Presidents of their various tribunals to meet as soon as possible in order to assist in this process. They also commissioned the Ministers for Labour to work towards the establishment of agreed principles of wage fixation with a view to putting these principles to the national wage case, scheduled for February 1982.

Against that background the Government has decided that, in the case of decisions of the Australian commission made after a consideration of the national economy and which affect the wages and working conditions of employees generally under Federal awards, the South Australian Industrial Commission shall not exceed the effect of those decisions when making determinations on economic grounds affecting employees generally under State awards. There can be no argument that this is not a responsible approach to wage fixation in Australia; it is supported by all Governments in Australia. However, in the absence of Legisative action to give effect to that intention, industrial tribunals will not be required to recognise the pre-eminence which Governments have given to the formulation of a uniform wages policy for Australia. Under section 36 of the Industrial Conciliation and Arbitration Act as it now stands, the South Australian commission is unable to grant increases in wages on economic grounds to employees generally under State awards unless similar increases have been granted by the Australian commission to employees under Federal awards. The Government does not seek to change that intention. However, it does seek to restrict the South Australian commission from exceeding the effect of relevant decisions of the Australian commission and to bring within the umbrella of the section changes in working conditions based on economic grounds. The Government challenges anybody to argue against the reasonableness of such an approach. To do so would be to put South Australia's industry and commerce in jeopardy.

Accordingly, the Government has decided that section 36 should be amended so as to restrict the South Australian Industrial Commission, when considering the wages and working conditions of employees generally under State awards, from exceeding the effect of those decisions of the Australian commission which are made after a consideration of the national economy and which affect the wages and working conditions of employees generally under Federal awards.

As an adjunct to the firm intention of the Government to support a uniform wages policy for Australia based on decisions and principles of the Australian commission, it has been decided to rearrange the provisions of section 146b which came into operation following the introduction of the original Bill on this topic in August last. As a result, tribunals in South Australia, when considering the public interest, will be required to first consider the principles of wage fixation of the Australian commission, and where the question is not wholly governed by those principles, then to consider the state of the South Australian economy and other relevant factors. Also, as part of the Government's intention that there be a consistent approach to wage fixation in South Australia, the Bill requires the Industrial Commission to certify that any agreed matter before a conciliation committee is not inconsistent with the public interest. This will bring agreed matters before conciliation committees into line with the procedures that already apply in relation to industrial agreements.

Other matters covered by the Bill include an extension of the definition of 'industrial authorities' in Division 1a to include those authorities which were deleted on the last occasion that this matter was before the House. The extension of this definition will mean that each authority concerned, including the Parliamentary Salaries Tribunal, will be required to ensure that its decisions are not inconsistent with the public interest. In addition, the Government wishes to regularise the situation with regard to industrial agreements—also, as originally intended by the Government. Following the promulgation of the aforementioned amendments, the Industrial Commission Jurisdiction (Temporary Provisions) Act, 1975-1981 would serve no useful purpose. Consequently, as mentioned earlier, the Bill seeks the repeal of that Act.

As far as the amendment to section 133 is concerned, it is necessary, until such time as the inconsistencies between the registration of associations in Federal and State jurisdictions are solved, to prevent legal challenges to the rules, office holders, or membership of associations registered under the Act. It is proposed that the moratorium period concerned be extended for a further three years. For the protection of the associations concerned, it is imperative that this amendment be promulgated before the end of this year.

Clause 1 is formal. Clause 2 provides that the measure is to come into operation on a day to be fixed by proclamation. Clause 3 amends section 6 of the principal Act which sets out definitions of terms used in the Act. The clause makes an amendment to the definition of 'industrial agreement' that is consequential to the amendment to section 108 made by clause 6 of the Bill.

Clause 4 repeals section 36 of the principal Act which provides that the Full Commission may order a general variation in rates of remuneration fixed by all awards of the Commission where the Australian Conciliation and Arbitration Commission makes a decision affecting the rates of remuneration payable generally under the awards of that commission. The clause replaces this section with a new section under which the Full Commission is required, whenever the Australian commission makes a decision affecting generally the remuneration or working conditions of employees subject to its awards, of its own motion, to consider the decision of the Australian commission and, unless it is satisfied that there are good reason not to do so, to apply the decision in such manner and to such extent as it considers appropriate to State awards. Under proposed new subsection (2), the Full Commission is required to afford the Minister and the major employer and employee organisations an opportunity to make representations relevant to the making of such an order.

Clause 5 inserts a new section 77 in Part V dealing with awards of conciliation committees. Proposed new section 77 provides that an award of a conciliation committee has no

effect unless the commission has, by order, determined that it is consistent with the public interest in accordance with section 146b of the Act.

Clause 6 amends section 108 of the principal Act which provides for the operation of industrial agreements. Under the amendments, an industrial agreement will be required to be registered before it has any force or effect and, before it may be registered, it will be necessary for the commission to declare, by order, that the agreement is consistent with the public interest in accordance with section 146b.

Clause 7 amends section 133 of the principal Act which protects the registration of any association from challenge on certain grounds. The clause amends this section so that it will continue to operate until the end of 1984.

Clause 8 amends section 146a which provides definitions of terms used in Division IA of Part X (the Division requiring certain industrial authorities to pay due regard to the public interest before making any determination relating to remuneration or working conditions). The clause amends the definition of 'determination' so that the Division does not apply to the proposed new section 36 which limits any general variation of State awards to one which applies in whole or in part a decision of the Australian commission giving rise to a general variation in Commonwealth awards. The clause also amends the definition of 'industrial authority' so that the Division applies to all industrial authorities in the State.

Clause 9 amends section 146b of the principal Act which provides thay any industrial authority must, before making a determination affecting remuneration or working conditions, satisfy itself that the determination is consistent with the public interest. The clause makes amendments to the section that are designed to make it clear that the overriding test of whether a proposed determination is to be regarded as being consistent with the public interest is to be that it must give effect to principles enunciated by the Commonwealth commission that flow from that commission's consideration of the national economy. Subject to that requirement being met, an industrial authority will, under the section as amended, then be required, in determining consistency with the public interest, to consider the likely effects of the determination on the economy of the State, the desirability of retaining a nexus with Commonwealth awards and other relevant matters. Clause 10 makes a consequential amendment to section 146c. Clause 11 provides for the repeal of the Industrial Commission Jurisdiction (Temporary Provisions) Act, 1975-1981.

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

SOUTH AUSTRALIAN COUNCIL FOR EDUCATIONAL PLANNING AND RESEARCH REPEAL BILL

The Hon. H. ALLISON (Minister of Education) obtained leave and introduced a Bill for an Act to Repeal the South Australian Council for Educational Planning and Research Act, 1974-1975. Read a first time.

The Hon. H. ALLISON: I move:

That this Bill be now read a second time.

The Bill provides for the repeal of the South Australian Council for Educational Planning and Research Act, 1974-1975. The South Australian Council for Educational Planning and Research ceased to function when the previous Government withheld funds for the body. This Government is also of the view that the council is no longer required and should be disbanded and, accordingly, this Bill provides for the repeal of the Act establishing the body.

Clause 1 is formal. Clause 2 provides for the repeal of the South Australian Council for Educational Planning and Research Act, 1974-1975.

Mr LYNN ARNOLD secured the adjournment of the debate.

ADMINISTRATION AND PROBATE ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 17 September. Page 999.)

Mr McRAE (Playford): The Opposition supports this measure. It is one of the rare occasions on which the Council and in particular the Attorney-General have been prepared to favour this House with a second reading explanation that actually accords with the Bill we have received, and that is somewhat different from the ordinary. However, I will simply extrapolate from the second reading explanation and then comment on it, because I accept that it is a statement of fact. It indicates that, where a testator makes provision for the payment of a pecuniary legacy, the legacy should be paid either at the time fixed by the testator in his will or, if no 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, it bears interest at the rate of 4 per cent per annum.

Clearly, this rate of interest, having been determined in the early years of the nineteenth century, is quite out of tune with the current time, and is clearly too low. There should be an equitable adjustment, and the Opposition takes the view that this Bill secures such an adjustment. We therefore support the Bill.

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

CORONERS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 11 November. Page 1854.)

Mr McRAE (Playford): The presentation of this Bill is an absolute affront to the House of Assembly. It represents the usual disgraceful situation. The Minister, in his second reading explanation, dealt with clauses that do not exist in the Bill before us. I can see what has happened: clauses have been deleted in the other House (I was almost going to grace that place with the distinction of being called the Upper House, but I would consign it to the nether regions if I had any chance to do so or any say in the matter).

It is an example of the usual disgraceful way in which this House is treated. This is an important Bill. It deals with the powers of the Coroner, and it affects the South Australian community at large. I notice that no law officers are present, and that the second reading speech is totally misleading. The first notice that I had of any amendments, apart from a very quick conversation that I had with the Minister of Education, representing his colleague in another place, at the dinner adjournment, was when those amendments were very quickly circulated about two or three minutes ago.

That places the Opposition in a most difficult position indeed. I think that the Minister of Education should first get his colleague to get his act together and, secondly, tell him on behalf of everybody in this place that we have had enough of his treating us with contempt. Being used to being treated with contempt, and knowing that the public

is used to being treated with contempt by that Minister in another place, and knowing also that the public is used to the trick of rolling a Bill through or trying to roll it through the Council and then getting it through on the numbers in the Assembly, and then having a double shuffle back into a conference, I suppose that I will just have to deal with the situation as it stands.

I should like to get it quite clear on the record that it is an unparalleled situation. I stand up to talk on a Bill. As I stand, I am handed a revised second reading speech. What an affront to the House of Assembly! What an affront to Her Majesty's Opposition! Even Mr Bjelke-Petersen would be hard put to get away with that. Perhaps I should revise that statement and say that he would not normally get away with that. That is the standard to which this debate has been dragged, but I shall endeavour to do my best to summarise the whole matter.

Let me begin by saying, therefore, that total confusion obviously prevails between the Attorney-General in another place and the Minister of Education, representing him here. Obviously, there is no communication, because the honourable gentleman here was not aware that very considerable amendments had been made in the other place, and made a second reading speech that was totally out of context with the Bill that he was presenting. Then, very late in the day there have been hasty efforts to distribute amendments or proposed amendments and to distribute a revised second reading speech.

If you, Sir, will pardon me, I will have to ask your patience while I now look at the revised second reading speech, because I am not sure what it says. I have read the original one, but I would like to read the second one just to make sure that everything is all right. It is not my fault that I am holding up the House. This was given to me literally only one minute ago. It is an absolute disgrace, but I will have to deal with the second reading explanation paragraph by paragraph as it now has been handed to me. This shows the contempt with which this arrogant Government treats the people of this State. It begins by saying:

> This Bill gathers together various amendments to the principal Act, the Coroners Act, 1975, which are conveniently dealt with in one Bill.

It goes on to say:

> The Bill proposes an amendment designed to provide flexibility in fixing the salary of the State Coroner. Under the present provision, the salary of the State Coroner is a fixed percentage of the salary of a Local Court judge.

I hope that the Minister will have explanations for my many questions when we get into Committee on this Bill. I notice that there are still no law officers present: that is another example of the contempt with which we are treated in this place by that arrogant man in the other place. I understand that the Coroner gets 80 per cent of a District Court judge's salary.

An honourable member: What arrogant man?

Mr McRAE: Griffin. I am sorry; the honourable the Attorney-General, I will withdraw that. My intensive researches show that the office of Coroner is one of the most ancient offices in British law. If one pays regard to volume 9 of Halsbury's *Laws of England*, one finds that the office of Coroner was certainly provably extant in the reign of Henry I. It is, however, arguable that it was even extant in the reign of Edward the Confessor, so it is a very important role.

The function of the Coroner (as can be shown by reference to works such as *Coronership*, by Gavin Thurston (published by Barry Rose in 1976) *Enclopeadia Britanica*, and Jowett's *Digest of English Law*) is a very important one indeed. I shall take Jowett as giving a simple explanation of the whole thing. He says:

> Coroners orginated about 1194. They were at first keepers of the pleas of the Crown who recorded all that concerned the administration of criminal justice. Their duties were laid down in the Statute, *De Officio Coronatoris*, 1276. They were officers below the rank of Sheriff elected in the county court, and there were four in each county. Their duty to hold inquests on sudden death commenced in the thirteenth century.

Then, quite a large section of that digest is given over to the duties of Coroner. I think it is entirely proper that the duties of the Coroner be recognised and that an appropriate salary be paid to that official. For the life of me, I cannot see why the office of Coroner cannot rotate, for instance, among the judges of the District Court. Why, for instance, could not the existing Coroner be appointed a judge of the District Court, and then the office rotate throughout the year? To me, that seems a far more sensible way of approaching the matter.

It must be recognised that the office of Coroner is a very onerous one, and the office of Coroner's Sergeant an even more onerous one. I can recall a client of mine who was the Coroner's Sergeant. He was driven into a state of nervous breakdown by continually having to deal with quite gruesome fatalities. It is a heavy office, and I believe that it should be treated accordingly.

However, according to this revised second reading speech, which I have now had, I suppose, 5½ minutes to consider, flexibility will be provided. I hope that the Minister of Education will be able to tell me exactly what 'flexibility' means and exactly what his colleague proposes to do. The revised second reading speech then goes on to say:

> The Bill proposes an amendment expanding the jurisdiction of the Coroner to hold inquests so that it includes cases where a person dies outside the State but there is reason to believe that the cause of death arose within the State.

I believe that that is a very reasonable proposition. I must interrupt again to say that it is incredible that, with a Bill of this importance, in a State like South Australia, which has prided itself in the past on its fairness in its way of approaching things, a representative of Her Majesty's Opposition should be placed in this invidious situation of trying to deal with this important matter on his feet. It is very poor indeed. Indeed, it is inexcusable. However, I will continue, as follows:

> The principal Act presently provides that a coroner may hold an inquest where a person dies while detained or accommodated in a Government institution. 'Government institution' is defined in terms of the expressions used to describe the various bodies by the Acts under which they were established. This definition is now significantly out of date. The approach of listing appropriate institutions in this way has the defect that the list will inevitably require frequent revision.

The explanation then goes on to say that amendments are proposed that would replace this provision. With that, the Opposition would agree.

I hope that the Minister of Education will duly apologise to the Opposition for this disgraceful behaviour. I am now told that the Bill proposed an amendment designed to make clear that a member of the Police Force has the power when in possession of a warrant from the Coroner to force entry to premises to enable the body of a dead person to be removed. Again, the Opposition would agreed with that. It is then noted that the principal Act provides that the Coroner may reopen an inquest if the Attorney-General directs him to do so.

The Bill provides an amendment to this section under which the Coroner may reopen an inquest at any time according to his own discretion. In relation to that matter, too, the Opposition would have no objection. I understand that I am not to canvass the proposed amendment circulated and, therefore, I will not. I can only indicate that in Committee the Opposition will vigorously pursue a number of lines of approach.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Appointment of State Coroner.'

Mr McRAE: I would like to ascertain why the Coroner, unlike other judicial or *quasi* judicial officers, will have his salary determined by the Government.

The Hon. H. ALLISON: The salary at present is not that of a judge. It has been pegged at a certain percentage below the salary of a judge. I believe that it is 80 per cent of the normal salary of a Local and District Criminal Court judge. There has been some variation as a result of salary awards over the past 6 months to 12 months which have placed the salary of the Coroner possibly slightly below that of even a magistrate. Because of the differential, we feel that it is not appropriate for a Coroner, who is not appointed a judge, to be awarded the salary of a judge, but that it would be more appropriate if the salary could be awarded at a higher level than the present salary.

Mr McRAE: Why is it necessary that Executive Council should, in the case of this one judicial or *quasi* judicial officer, determine his salary, whereas the salaries of all other judges and magistrates are determined by other means?

The Hon. H. ALLISON: This is one means of establishing it. Other means could be devised, but this is the means that the Attorney-General has deemed most appropriate for his needs.

Mr McRAE: I regard this whole matter as another farce and fiasco, where the Attorney is wheeling things through the other place, and then sending them down to his colleagues (usually the Minister of Education or the Minister of Health) who do not know what is going on. They have no background for the matter, and are not in a position to give an explanation.

The Hon. W. E. Chapman: It doesn't sound as though you do either, Terry, or you wouldn't be asking so many questions.

Mr McRAE: For once the Minister of Agriculture is perfectly correct. He was not here when I was handed, after I had begun my speech, the revised second reading explanation plus the amendments. I suggest that the Minister for Agriculture retire to his agricultural haunts while we deal with the legal matters. I think it is very sad and humiliating for the Minister of Education to be confronted with this situation. I find it quite extraordinary—

The Hon. W. E. Chapman interjecting:

Mr McRAE: Mr Acting Chairman, I hope you will protect me from the honourable Minister of Agriculture.

The ACTING CHAIRMAN (Mr Mathwin): I hope that the honourable member for Playford is not reflecting on the Chair.

Mr McRAE: No, Sir, I am asking for your support. I do not know of any other judicial office anywhere where the salary is determined by Executive Council. I want to know what officers anywhere have their salaries determined by Executive Council, why it is necessary, and why we cannot be straight forward in this matter and set a salary for this judicial or *quasi* judicial person.

Clause paused.

Clauses 4 to 6 passed.

New Clause 6a—'Inquests and other legal proceedings.'

The Hon. H. ALLISON: I move:

Page 2, after line 14—Insert new clause as follows:

6a. Section 26 of the principal Act is amended—

(a) by striking out subsection (2); and

(b) by striking out from subsection (3) the passage 'Except as provided by subsection (2) of this section, a' and substiting the word 'A'.

I interpose here by saying that we do extend an apology to the honourable member, but it is an apology with reservations. It is quite true that on the evening of the introduction of this Bill the incorrect second reading speech was taken from my folder, which is a comprehensive one. I remind the House that that was simply one stage during the introduction of a number of Bills in very rapid succession. It was my quite clear intention, as indeed it always has been in the past and was again this evening when I read a short Bill, not simply to insert the second reading explanation into *Hansard* without my reading it but at least to read out preamble and have the clauses inserted.

On that particular evening, members seemed to be in some relative haste to get rid of at least the introduction of new Bills and to debate a number of more urgent matters that were before them. I remind the house (and I am quite sure it will be shown somewhere in *Hansard*) that it was at the invitation of the honourable member for Mitchell that I simply inserted the explanation in *Hansard* without its having been read. Of course, the correct Bill was brought in, and there were in fact a number of second reading speeches, one of which was marked 'Revised'. However, it was an old revised speech, and the more recently and correctly revised copy remained on the file.

I have had a whole number of these reprinted with yesterday's date on them and that is what I handed to the honourable member who is taking this matter on behalf of the Opposition. So, certainly an apology is in order, but I do not think that this has been an arrogant move on the part of the Attorney-General. It was an innocent and quite unintentional mistake that was compounded simply by the haste of the House on that evening. If honourable members would prefer that the correct second reading speech be inserted in *Hansard*, I will have no hesitation in reading it out.

That may not be necessary, because the revised second reading explanation simply errs on the side of omission. The references to clauses 7 and 9 are left out, so that the explanation is a little shorter than the original which was inserted in *Hansard*. The honourable member also pointed out that he had only a little while ago received notice of the amendments I am moving. There, again, perhaps an apology is due, but I strongly suspect that the honourable member, shrewd and professional as he is, would no doubt have anticipated long ago the fact that the Minister in this House would simply be reinstating the clauses deleted in the other House. That is precisely what we are attempting to do. Apologies are tendered, and I hope that they are accepted. It was not arrogance on the part of the Attorney-General; it was an innocent mistake, and I think that from the tenor of the honourable member's speech already he was well and truly prepared for the issues before him.

Mr HEMMINGS: Why are these new amendments being moved? The Minister moved the amendments and then proceeded to give an explanation about the revised second reading speech, but he did not give the Committee an opportunity to hear why the amendments were being moved.

The Hon. H. ALLISON: The obvious intention of the Government is that the principle of the Bill as originally presented in the Upper House should be adhered to. We are reinstating original clauses which were deleted by members in the Upper House.

Mr McRAE: First, I thank the Minister for his apology, noting the reservation that he made with that apology. Secondly, I note the extraordinary situation we have that, in all truth, the Minister has in one case positively and in the other case tactily admitted the very failings I was pointing out. He does not know what amendment he is moving. In fact, he is moving an amendment to prevent the

Coroner from committing for trial, but he did not manage to explain that to the member for Napier.

I thought that the Minister's most endearing quality was that he thought that I, in all my shrewdness, should work out the racket which the Government runs in this place, that is, if you can get it through the Upper House and dance the Hon. Lance Milne—that poor old chap in the other House—into your corner, good luck. If you cannot do it that way, then bring it down here, get the numbers down here and then push it back upstairs again and push poor old Lance (sorry, the Hon. Lance Milne) on to the conference so that Government Ministers, in particular the Attorney, can browbeat him into submission. That is exactly what they did last week with the Essential Services Bill. Consistently they have made a fool of the poor fellow.

The Opposition is opposed to and will divide on this measure. I would like to explain what it is all about, because nobody else has managed to do so. If the Minister cannot explain it to the House, I will. The Coroner has a power to commit for trial; he has exercised that power, I believe, only once in the last six years. We admit that. It is a power that should be exercised only rarely, because the rules which apply in a coronial inquiry would not apply, for instance, in a committal procedure. Nonetheless, the Opposition believes that there may well be many cases in which the evidence is so ample that the Coroner could reach the same conclusion as that of a magistrate at a committal proceeding.

The only conclusion that a magistrate has to reach at a committal proceeding is that there is evidence fit to go to the jury which it believed could lead to the conviction of the accused. It in no way of itself proves anything. It merely indicates to the District Court, or to the Supreme Court in its criminal jurisdiction, that there is a case fit to go before it. Therefore, we believe that it is wrong to remove this power, which is sparingly used but which in certain circumstances could be used so as to save money.

In the Eastern States it is very common for Coroners to commit for trial. In that fashion there is a saving between a double hearing, that is, one before the Coroner and one before a magistrate or other judicial officer in a committal proceeding. It may well be that a Coroner in the future would use the power more often than the current Coroner does. I forgot to mention that the current Coroner should be congratulated for the excellent work that he has done in this State. It is a jurisdiction I rarely appear in, but my colleagues in the profession tell me he does exercise that jurisdiction very well and very graciously. Also, I understand from them that he takes the view that it is a power that should be used very sparingly indeed. It could be that a Coroner in the future would see on the evidence before him proper cause to commit, and in so doing would save money all round. I would have thought that a Government intent on saving duplication and money would pay attention to that.

The Hon. H. ALLISON: Prior to 1975 I do not believe that South Australian Coroners had the power that we are currently removing, in any case, so that the power was given to Coroners in 1975; it has been used only once in the last six years, and is now recommended for removal in this clause.

Mr McRAE: I am very well aware of that. In fact, I think it was in the time that the now Chief Justice, Mr King, was Attorney that the provision was made, but that is the very point I am making: it seems to me that the current Coroner has adopted a particular attitude which may not be adopted by other Coroners, and quite clearly in the Council it was accepted that there ought to be a certain amount of flexibility. The Government cannot have it both ways. One wonders why it is removing this power. I will not go through the farce of asking the Minister of Education why his Government is, in fact, moving this amendment, because either he will say, 'I don't know', or alternatively he will read from a prepared statement which his colleagues have given him, which is a disgrace to the community, the legal profession and the whole of the Lower House of Parliament—an absolute disgrace.

The Committee divided on the new clause:

Ayes (22)—Messrs Allison (teller), P. B. Arnold, Ashenden, Becker, Billard, Blacker, D. C. Brown, Chapman, Eastick, Glazbrook, Goldsworthy, Lewis, Mathwin, Olsen, Oswald, Randall, Rodda, Russack, Schmidt, Tonkin, Wilson, and Wotton.

Noes (16)—Messrs Abbott, L. M. F. Arnold, Bannon, M. J. Brown, Duncan, Hamilton, Hemmings, Hopgood, Keneally, McRae (teller), O'Neill, Payne, Peterson, Plunkett, Whitten, and Wright.

Pairs—Ayes—Mrs Adamson and Mr Evans. Noes—Messrs Corcoran and Slater.

Majority of 6 for the Ayes.

New clause thus inserted.

Clause 7—'Re-opening of inquests.'

Mr McRAE: I congratulate the Government on the proposed amendment. This is the very problem that has confronted the Northern Territory Government, and in particular its principal Minister, because there has been great difficulty in the Northern Territory in determining who (either the Coroner or the Attorney-General) has the right to do so, and if so, at what time an inquest should be re-opened. I believe that the responsibility for re-opening an inquest should lie squarely in the hands of the judicial officer. I realise that in many senses the Coroner is a *quasi*-judicial officer, or a judicial officer of another kind, but I think that the move taken by the Government on this occasion is wise, and I congratulate it for it.

Clause passed.

New clause 7a—'Rules.'

The Hon. H. ALLISON: I move:

Page 2, after line 17—Insert new clause as follows:

7a. Section 35 of the principal Act is amended by inserting after paragraph (a) of subsection (2) the following paragraph:

(ab) empower coroners to order the payment of costs in respect of inquests and provide for the recovery of such costs;

Mr McRAE: The Opposition is totally opposed to this amendment. I am quite aware that there are many circumstances in which those who are well able to pay make use of the service provided by the Coroner and his officers, and there are circumstances in which they should be made to pay. However, on balance it is very difficult to determine what those circumstances are. In no way do I believe it is right that a person who wishes a proper inquiry to be held into the death of a loved one, a near relative, should be prevented the right of having that inquiry without cost. For instance, the obvious case is that of a widow who wishes to know the circumstances of the death of her husband. That may be so for any number of reasons. It may simply be that a mystery surrounds the death of her husband; he may have been a victim of foul play; he may have been a victim of an accident; or who knows what. It may simply be to alleviate that mystery that a widow seeks the inquiry.

I can see no justice at all in loading that widow down with costs. There is, however, a second circumstance, which is the more disgraceful, namely, that the widow may well know the general circumstances of the death of her husband; it may be that he was working in a heavy industrial plant and, as a result of some break-down in machinery, he was killed. That widow quite properly would demand the correct inquiry to determine whether the death was caused by the employer's negligence. If such is the case, that would

help establish her rights to proper compensation for the death of her husband. In either of those circumstances, it is the right of the widow to have those circumstances determined.

There are also circumstances that may involve not a widow but the parent or parents of young children, or any child for that matter, who may wish to know the truth surrounding the circumstances of the death of a child. Again, the Opposition cannot see why those persons should be loaded down with costs. I note that the amendment moved by the Minister simply empowers the Coroner to order the payment of costs in respect of inquests and provide for the recovery of such costs.

However, it is the Opposition's belief that that is the thin edge of the wedge. For instance, how is the Coroner to determine the following cases? I refer to case one, where a widow appears at the Coroner's jurisdiction and asks for an inquiry into the circumstances of her husband's death. She has nothing to do with any insurance company, and no insurance company is behind her, prodding for what is commonly known in the legal profession and in the insurance game as a fishing expedition. Alternatively, it could be that another lady arrives on what is purely a fishing expedition, which sometimes is not just at the promotion of an insurance company, but actually under the terms of a policy that may be held at the direction of the insurance company. Why should the woman in the second case be in any worse position than the first one? On both those grounds, the Opposition objects to this power being granted, even though we recognise that it is a discretionary power.

We know, as members of the Government know, that as soon as the wedge is opened for Governments to create fees, they will go on creating fees and they will go on increasing those fees. Anyone who has been a member of the Joint Committee on Subordinate Legislation (and a few of the members who are present in the House have been on that committee) knows that it is an ever increasing function of government to widen its ambit and to jack up the fees. We believe that that is totally unjust. We do not know that any injustices are caused under the present system, and we do not see why the gates should be opened now for new injustices.

The Hon. H. ALLISON: I appreciate the honourable member's concern in the instances that he cited. When the Bill was debated in another place, the Attorney-General made quite clear that the Government simply did not intend to inconvenience people, such as widows, who are already undergoing tremendous trauma as a result of bereavement. The Attorney-General empowered the Coroner to charge fees in cases where, for example, a large insurance company initiates a coronial inquiry to ascertain a whole range of facts, which may run into a very expensive coronial inquiry, and generally where the result of that inquiry would be in the interests of the company.

I am quite sure that the honourable member would be aware of instances where coronial inquiries were sought and were held at State expense, with the ultimate benefit being to the large company that sought the inquiry. The provision relates to instances such as that, where the Coroner is authorised to collect a whole range of fees, other than legal fees, and certainly not to tackle people who are already suffering from shock in cases of close bereavement.

Mr McRAE: If that is the case, the Opposition would appreciate an adjournment of the debate so that the Minister can amend his amendment to provide that Coroners shall be empowered to order the payment of costs in respect of inquests and provide for the recovery of such costs from bodies corporate and not from natural persons.

The Hon. H. ALLISON: I have no intention of further amending the amendment.

Mr McRAE: That again is an appalling affront to the Opposition. About nine months ago I asked the same Minister (and I know that he is in a humiliating position, because of his colleague in another place) whether any amendment, no matter how good or valid, would be accepted, and he said, 'No.' As I have said before, the Minister is a very honest man, as Ministers of Education should be honest, but what an extraordinary situation! The Minister has told the House of Assembly that his amendment is aimed at bodies corporate and large insurance companies out on fishing expeditions. If that is the case, why is the Minister not prepared to adopt the proposal I put forward? There is nothing to prevent him from doing it.

The Hon. H. ALLISON: The honourable member has placed an unfair connotation on my remarks. He gave two examples that were extremes, and in response I gave a similar single example, in which we believed that a coronial inquiry might well justify the subsequent imposition of charges upon the corporate body which had asked for an inquiry. No doubt a number of other circumstances could be brought to the attention of the Committee. I have no intention of going through a whole range of examples simply to make quite evident that we will not introduce further amendments to the amendment.

The Committee divided on the new clause:

Ayes (22)—Messrs Allison (teller), P. B. Arnold, Ashenden, Becker, Billard, Blacker, D. C. Brown, Chapman, Eastick, Glazbrook, Goldsworthy, Lewis, Mathwin, Olsen, Oswald, Randall, Rodda, Russack, Schmidt, Tonkin, Wilson, and Wotton.

Noes (18)—Messrs Abbott, L. M. F. Arnold, Bannon, M. J. Brown, Crafter, Duncan, Hamilton, Hemmings, Hopgood, Keneally, Langley, McRae (teller), O'Neill, Payne, Peterson, Plunkett, Whitten, and Wright.

Pairs—Ayes—Mrs Adamson and Mr Evans. Noes—Messrs Corcoran and Slater.

Majority of 4 for the Ayes.

New clause thus inserted.

Title passed.

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

That this Bill be now read a third time.

Mr McRAE (Playford): This Bill, as it leaves the House of Assembly, is an utter disgrace in the way in which it has been presented to the Opposition and to the community. I trust that it gets its due reward in the other place.

Bill read a third time and passed.

LOCAL GOVERNMENT ACT AMENDMENT BILL (No. 3)

Second reading.

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

That this Bill be now read a second time.

Legislation was enacted by Parliament in 1948 to establish a Levi Park Trust to provide for the management of Levi House and surrounding areas donated to the town of Walkerville by Mrs Constance Belt (*nee* Levi). The legislation was required as the area at that time was within the Corporation of the City of Enfield and on the boundary of the town of Walkerville. The trust has a membership of five, two from the town of Walkerville, one from the city of Enfield, and two appointed by the Governor.

Some years ago the Vale Park area of the city of Enfield was ceded to the town of Walkerville, thereby overcoming the geographic problem which created the need for the trust in the first place. In 1978 the Government of the time attempted to amend the Levi Park Act to remove the city

of Enfield membership. The amendment was not proceeded with because of strong representations from the town of Walkerville that the Act should be repealed altogether.

The Government has had discussions with the trust and the councils involved with a view to making arrangements that will allow for repeal of the Act. The two principal bodies, the trust and the town of Walkerville, have negotiated an agreement. Under the terms of the agreement the council will establish a management committee in pursuance of section 666c of the Local Government Act whose membership will be drawn from the present trust. Agreement has also been reached on operational and financial procedures. The present Bill therefore repeals the Levi Park Act, vests the park in the corporation of the town of Walkerville and give statutory recognition to the principal terms of the agreement.

Clauses 1 and 2 are formal. Clause 3 enacts new section 886d. Subsections (1) and (2) provide for vesting of the park in the Walkerville council. Subsection (3) requires the council to maintain the park in perpetuity as a public park. It also provides for the preservation of Vale House and the historic Moreton Bay fig tree growing in the park and also the present caravan park and camping ground. Subsection (4) provides for the establishment of a controlling body under section 666c of the principal Act to undertake the care, control and management of the park. Subsections (5) and (6) are transitional provisions maintaining in office the present Chairman, members and secretary of the trust as Chairman, members and secretary of the controlling body. Subsection (7) provides that the council is not to alter the use to which the park or any part of the park is put without the consent of the Minister. Clause 4 repeals the Levi Park Act, 1948.

Mr HEMMINGS secured the adjournment of the debate.

MOTOR VEHICLES ACT AMENDMENT BILL (No. 5)

Adjourned debate on second reading.
(Continued from 12 November. Page 1911.)

Mr O'NEILL (Florey): The history of this Bill goes back a long way. I do not propose to go right back to the beginning, but I think that I should say a little bit about it. The previous Government, in response to representations from many and various quarters in the community and the industry, did look for quite a long time into problems besetting the motor vehicle towing and repair area.

On 14 February 1979, the then Minister of Transport introduced into the Parliament the Motor Body Repair Industry Bill. The Bill was for an Act to provide for the licensing and control of motor-body repairers and painters, tow-truck operators and drivers, and motor vehicle loss assessors; to amend the Motor Vehicles Act 1959-1978; and for other purposes. In explaining the Bill at the time it was stated that the Bill gave effect to the recommendations of a Steering Committee appointed to inquire into and make recommendations for the control of the motor body repair industry. The Bill, among other things, provided for amendments to the Motor Vehicles Act (tow-trucks), and certain clauses of that Act were to be re-enacted in the new Act.

In summary, the Bill provided for the constitution of a board to licence and control the activities of the motor body repair industry, the towing industry, and the motor vehicle loss assessing industry, these three groups being integral parts of the one industry, and for that reason it could be considered at the time that they should all be subject to licence and control. The industry that the Bill was intended to cover was a multi-million dollar industry within the State and had reached a stage where operational controls were necessary.

The steering committee that was established found that a number of dubious and even illegal practices were carried out in the industry, and there was a necessity, for the protection of the public and the industry itself, for these to be curtailed. This evidence before the Steering Committee came from members of the public, members of the industry itself, and from the Steering Committee's own investigations.

It is now a matter of history that the Opposition of the day did oppose the Bill. The then Opposition spokesman for transport, the member for Alexandra, stated among other things that there were wild allegations fed to the public and to the industry, that scare tactics had been cultivated, and that there was no demand publicly to have licences or a Government board of control in the industry. The Opposition in another place saw fit to refer the matter to a Select Committee in March 1979. That indeed took place.

In the press of the day the member for Alexandra, to whom I previously referred following the referral of the Bill to a Select Committee, said that the South Australian Automobile Chamber of Commerce had acted irresponsibly in supporting the Government of the day to move to force the Bill through Parliament with indecent haste. He went on to say that the Chamber was clearly out of touch with many members of the motor vehicle crash repair and tow-truck industry on this issue.

It seems a pity that all the work done by that Select Committee is now lost to the Parliament because, as is well known, prior to the presentation of the report Parliament was prorogued, an election took place, and the Government was changed. Of course, my understanding is that all that valuable evidence now resposes in the vaults.

I presume that only those people who took part in that committee had a complete knowledge and understanding of what happened. I do not know whether the Minister is aware of the contents of that evidence, but I would imagine that he has made his own inquiries into the circumstances and has concluded, as did the previous Government, that there is some necessity for control. The Minister indicated in his second reading explanation, when referring to the industry, that it is an industry which has had problems over the years with illegal and unethical practices and that a number of legislative changes have been made to deal with those matters. Obviously, it is the Minister's opinion that those legislative changes have not had the desired effect and that there is need for still more change or we would not be dealing with this Bill.

In his second reading speech the Minister acknowledged some of the problems, such as the dangerous practice of tow trucks speeding to the scenes of accidents, commonly known, he says, as 'accident chasing', and the problem of excessive numbers of tow trucks and drivers congregating at the scenes of accidents and subjecting accident victims to harassment. He indicated that there is a need of professional standards for personnel, vehicles, business premises and practices of those who attend accidents, in accordance with organised procedure. Certainly, I would not disagree with him.

It is, of course, a fact of human nature that there are people in the industry who do not want any change. I imagine that the people who are operating profitably under the *status quo* do not want to change things. People who may see themselves as disadvantaged under the *status quo* do want change. It is the responsibility of the Government and the Opposition, the Parliament, to weigh the arguments and come up with the best possible legislation in an attempt to provide the maximum good for the community. It is a

pity, however, that the Government has seen it necessary to restrict its legislation only to the towing side of the industry, because I believe, from what information I have been able to glean in a relatively short time, that people are of the opinion that there are fairly strong arguments for trying to cover the three component areas (the towing, assessing, and repairing and painting sides of the industry), because it is alleged that there are malpractices in all areas.

The Opposition believes that this is at least a start in the right direction. We do not intend to oppose it, but we will be looking more deeply into the provisions of the Bill with a view to perhaps proposing some amendments which the Minister may or may not be prepared to accept. Probably, one of the most interesting aspects of the Bill will be to observe the contribution of the Minister of Agriculture, if he speaks to the Bill, and to hear how he rationalises his change of heart, his political somersault, or his metamorphosis (whatever one would like to call it). On 21 February he put up a marathon performance in this House (which one can see if one consults the *Hansard* of the day) and managed to spray aspersions on the integrity of many people. He had quite a lot to say in a rather derogatory fashion about R.A.A. contractors. I do not intend to quote from the debate on that day or to go into those allegations in depth, but I assume that the Minister of Agriculture must have been persuaded by the Minister in charge of this Bill to take a more rational view of the situation and to calm down a little.

The present Deputy Premier, during that same debate, had a bit to say in his own inimitable fashion about the policies of the then Government. He also may have suffered a change of heart, because he referred to that legislation in the following words:

> This type of measure is very dear to the hearts of socialists and bureaucrats.

I can only welcome him to the ranks if he is supporting the Minister on that line.

The Hon. M. M. Wilson: You see, we are not doing the whole thing.

Mr O'NEILL: The Minister rarely does the whole thing. Nevertheless, the Minister is acquiring wisdom as time goes by, and we look forward to the day when he gets around to recognising (and obviously members of the Government are a little slow thinking and a little slow in coming to terms with reality, although they have arrived at that conclusion rather belatedly) that there is a need for some control in the tow-truck industry. The Minister may consider that his legislation is not socialistic. He could probably get some argument from people within the tow-truck industry who have approached me and said that it is communistic, that what the present Government is doing is a communistic act, which just shows how some people get carried away with the pressures of debate and how they make rather irrational statements, such as the one the Deputy Premier made when he said that this type of legislation is dear to the hearts of socialists.

I do not think that this is socialist legislation. I think it is quite clear from the Minister's second reading explanation that problems still exist in the industry that need to be cleaned up, and that is what we set out to do. I have not had the advantage of reading the material presented to the Select Committee, and I think it is a pity that the House cannot have access to the collective wisdom of that Select Committee. I do not know why this is so; it may be that the incoming Government is precluded from making that evidence available, or that it does not want to make it available. Perhaps contained in that information by the committee are very good arguments for controlling the rest of the industry. That is a matter that is clearly in the hands of the Government. As a result, there is little that the Opposition can do about it.

Members on this side of the House are not inclined to oppose the introduction of the Bill. On looking through it one sees that there are some matters on which we will need to elicit further information and perhaps propose amendments to. One such area relates to new section 98(pc) which appears on page 15 of the Bill and which deals with the establishment of the tow-truck tribunal. It states that the tribunal shall consist of three members, and provides that:

> *(a)* one, who shall be the chairman of the Tribunal, shall be a person holding judicial office under the Local and District Criminal Courts Act, 1926-1981, a special magistrate or a legal practitioner of not less that seven years' standing;

I do not think we would argue with that. The clause continues:

> One shall be a person nominated by the Minister from a panel of three persons nominated by the South Australian Automobile Chamber of Commerce, Incorporated;
>
> and one shall be a person nominated by the Minister, being a person who, in the opinion of the Minister, has appropriate knowledge of the tow-truck industry.

We believe there should be a nominee from the United Trades and Labor Council of South Australia, who obviously would be a person who in the view of that body had an appropriate knowledge of the industry. I hope that the trade union movement can be represented, because I am sure that the Minister will agree that, despite the rhetoric sometimes engaged in this place and in other places, the trade union movement fulfils a very important function indeed throughout the industry and in commerce and, the main, provides responsible representation and puts up responsible arguments on all relevant matters. That is one thing that we would be looking at.

The other matter involves a problem of which I confess I have no great knowledge but it has been raised quite recently with me. I refer to the proposal to set up a roster method of allocating tow-trucks to accident scenes through the agency of the Police Force. It has been suggested to me there may be entrepreneurial intervention in the industry, if indeed it has not already happened, and that some smart operators may wish to introduce a large number of trucks with a view to playing the odds and trying to obtain some advantage by having a large number of trucks operating in the various zones so that they will pick up the bulk of the work. The Minister may already be looking at this matter, and I would imagine that he is aware of the problem.

I hope that some ingenuity could be brought to bear so that perhaps in a zone it is the establishment that gets the call in rotation and not numbered trucks. I do not know how the matter will operate. Later in the debate, I will be seeking some information from the Minister on how the roster system is proposed to operate, but rather than having numbered trucks and calling them on a roster system it might be that the operators could be listed so that, if one person had four trucks and another had 24, they would be called out and the one with the larger number of trucks would still have an advantage, but nevertheless it would perhaps give the smaller operator a better chance. A number of matters in the Bill appear to bear a close relationship to the earlier Bill introduced by the previous Government, and we have no argument with them.

The Hon. M. M. Wilson: You have no trouble supporting them.

Mr O'NEILL: I have indicated at this stage that we are not opposing them. I hope in the final analysis that we will reach a level of amicability which will allow us to do that. I am sure that, quite the contrary to some previous utterances from Government members when they were on this side of the House, the Minister has probably put a lot of

work into this measure and that it is aimed at solving a very serious problem. We look forward to studying the Bill as it progresses through the House.

Mr ASHENDEN secured the adjournment of the debate.

ADJOURNMENT

The Hon. M. M. WILSON (Minister of Transport): I move:

That the House do now adjourn.

Mr SCHMIDT (Mawson): There are a couple of matters to which I want to address myself tonight. The first relates to a question I asked in the House yesterday involving the South Coast Boating Association's claim to have a boat ramp built in the southern area. It was with interest that I read from a letter given to me by that association, which has campaigned, it has said, for some four years now to have such a facility provided in the southern area.

I first came into contact with this issue during the last election campaign, when I was approached by a Mr Tupper, who asked me what our Party's policy would be on recreational boating. I told Mr Tupper at that time, early in the campaign, that the Liberal Party at that stage had not reached its policy and that as soon as that policy was released he would certainly know about it. In due time during the campaign the policy was released, and quite to my amusement I was telephoned by Mr Tupper two nights after it was released, and he asked what we were going to do about this boat ramp now that we had released our policy that we would support boating.

I said, 'We are not in Government yet. As soon as we are, we will certainly look at that matter and give it the due attention it deserves'. I was very surprised two nights later—actually the night before the election, on the Friday night, when I was canvassing in one of the shopping centres, and lo and behold there was Mr Tupper handing out pamphlets on behalf of the sitting Labor member. It turned out that he was a close supporter of the Labor Party. He approached me there and said, 'What are you doing about boating?' I said 'You must be kidding. You are handing out pamphlets for your good buddy here who's been in office for two years. Absolutely nothing has been done about a boat ramp in the south, and now you expect me within a matter of two weeks to reverse the whole policy and provide you with a boat ramp.' He said, 'Yes', that was basically what he required, and he has been campaigning strongly ever since.

Of course, now I know his political preference, and he has taken every opportunity to try to say that we have done nothing since we have come into power. I find that ironic, because as I said to him the night before the election his good friend, who was then the Labor member, had been there for two years, and absolutely nothing had been done about the provision of a boat ramp in the southern area. The Noarlunga City Council itself had undertaken a basic study of the problem and had come up with a number of possible sites conceptual in nature. The council has not had detailed studies undertaken on those sites as to their accessibility, the cost and engineering and environmental factors, and a host of other things we would have to look at in determining a suitable site.

After we came to office, we were then approached by the Noarlunga council seeking our help, and we were happy to hear last year that some decisions had been made in regard to the whole aspect of recreational boating. A statement was made, as we know, that any recreational boating facility up to a cost of $540 000 would be handled by the department of the Minister of Water Resources, and anything above that would be handled by the Department of Marine and Harbors.

During part of the campaign by Mr Tupper to try to get this boat ramp for the southern area, he came out with these grandiose statements about what Labor was going to do, but there was nothing in writing, and quite surprisingly a year after the election an honourable member from the other House, I think Mr Cornwall, sent a letter to the association.

I find it quite amazing that 12 months after the occasion the Labor Party could say that if it had still been in power it would have provided that programme out of Coast Protection Board funding, that it would have given $300 000 this year, and $300 000 the next, or something of that nature. It is all very well and good to say what they would have done, but what it actually did is a different thing. It is interesting to look at the Auditor-General's report for 1979, which is, of course, the year that government changed hands. If we follow the guidelines as set down by the honourable member in the other House who maintained that money would be made available from the Coast Protection Board funds, we note that the Coast Protection Board, for the year ended 30 June 1979, received $1 540 705. It actually spent $1 696 356; in effect, it had spent $155 651 more than it had received. So, where on earth the Coast Protection Board was suddenly going to find an additional $300 000 to begin works and maintain that programme for the next few years to try to build an adequate facility, I do not know.

This is a prime example of how the Labor Party does everything by word of mouth: big promises, but no action. Since the Liberal Party has been in office, a study has been initiated. I can assure members opposite that a lot of detailed work has been done by those undertaking the study. A number of bodies have been consulted, contrary to what had been done before, because in any such endeavour we must consider the aspirations of a whole range of persons, not just one set body. Therefore, negotiations had to be undertaken with the local council, with local members, local residents, and also with the local environment group, the Southern Districts Environmental Group. I can assure members that a great deal of consultation has occurred.

When the consultants undertook their study, a gentleman came and asked whether I could give them a list of all the persons that I knew of in the area who should be consulted on this entire matter. I gave this gentleman quite a comprehensive list of various groups, organisations, clubs, sporting clubs, and other community interest groups. I gave the consultants a list of various people with whom they should discuss this whole matter. At least the Government has not just given verbal adage or verbal diarrhoea towards something or other that was in the wind, but which might never have eventuated. The Government has done something positive, a study of potential sites, so that in any further negotiation we can look at something concrete rather than just a purely conceptual thing, something on which we can work but which was before a pie in the sky.

In the last few moments remaining, I will refer quickly to comments made by the member for Baudin in this House yesterday in his contribution on the development occurring in the southern area. I am pleased that the Government has given its endorsement to a study of the Hallett Cove to Hackham railway line and that this has been done in conjunction with the announcement that future planning will be made available for the Morphett Vale East area. Therefore, any future planning would be done on a comprehensive basis to utilise all the existing services in the area, knowing that those services will be fully supported by a wider community.

It is interesting that the member for Baudin yesterday said that at possibly some little extra cost we could have continued the line further across the river, down towards Seaford. Interestingly enough, during the last election campaign the honourable member circulated in his own area, particularly in the area around Honeypot Road, a letter giving support to persons down there, indicating that he would not support a railway line following the route of Honeypot Road. However, any conceptual drawings done prior to that indicated that such a railway line would have to go very near to that area, in order to meet the existing railway bridge near Old Noarlunga.

Therefore, on the one hand, as we have seen before, the honourable member endorses a conceptual plan, but, on the other hand, does quite the contrary with the Hallett Cove to Hackham railway line. They endorsed, as the member said yesterday, the concept of such a line, but approved of a school being built right alongside it, with its playground across the right-of-way of a future railway line. Yet, again the member said yesterday that they endorsed the railway proceeding to Seaford, yet he himself, in his own electioneering, supported the local residents, saying 'No, we will not put a railway line along here.' The honourable member cannot have his cake and eat it too.

Mr HAMILTON (Albert Park): I refer to a problem that I know concerns all members of Parliament in the north-western suburbs, namely, the problem of vandalism and associated crimes of burglary. The latest episode concerned the shooting of a youth within the north-western suburbs. Shortly after coming to office three well attended public meetings were held in the Semaphore Park area at which there were inspectors from the C.1 division of the Port Adelaide police. I pointed out that there was no doubt in my mind that there was a nexus between unemployment and vandalism and crime in the area, and that it would be easy to clean up the problems of vandalism and burgulary in the area, but that it would only shift them to some other area; this eventuated. The police did a very good job down there, and cleaned up the vandalism and petty crime in the area, only to find recently that it has recently broken out in the West Lakes area, within my electorate.

Unfortunately, at 7.15 a.m. on Saturday 17 October I reveived a telephone call requesting me to come and have a look at the vandalism that had occurred at the West Lakes Shopping Centre. The press was invited to come, but unfortunately the response from the media was illustrated by an article on 18 October in the *Sunday Mail* which referred to a vigilante threat on vandalism. In my view, that was irresponsible reporting, but it may have prompted the person who made the comment to the *Sunday Mail* to do so in the heat of the moment.

The story drew immediate response from the local police inspector, Inspector Peter Mildren, on 21 October in the *Weekly Times,* where he called the threat stupid. I can understand the people in that area wanting to have vandalism cleaned up, but once again I point out that I though that the reporting was irresponsible. I recall talking to the lass from the media and pointing out the positive aspects that were required in that area, for example, the need for more recreation and sporting facilities to take teenagers away from the area. I referred also to the need for unemployment centres to assist youth.

When I went home briefly tonight I read in the *Weekly Times* that the Mayor of Woodville is calling for a committee meeting with the Port Adelaide police in the hope that there will be more than just a cosmetic approach to this problem. I certainly share the views of the Mayor, John Dyer, about the needs in the area. Below the article by Mayor Dyer in the *Weekly Times,* there is another article entitled 'No more night tennis because of vandals', which refers to tennis courts in the Kidman Park area where coin-operated meter boxes controlling the lighting have been damaged repeatedly. It concerns me that not only the constituents in my area but also those in other areas are subjected to this. One can reflect back to 1979: I still feel outraged about some of the advertisements placed in the press by supporters of the Liberal Party concerning the incidence of crime in South Australia. Unfortunately, I did not bring it with me today, but there was a Question on Notice about the incidence of vandalism in metropolitan Adelaide, the answer to which shows it is on the increase.

Unfortunately, I did not bring this with me, because I would have liked to incorporate it in *Hansard.* Vandalism is certainly on the increase, and there is a clear indication, based on statistical information, that there is a nexus between unemployment and the increase in the crime rate in South Australia. I applaud the efforts of the police in that area, particularly Inspectors Cornish and Peter Mildren, for the terrific job that they are doing to overcome those problems.

Some time ago, as reported in the *News,* I expressed concern about an incident involving the over-prescription of drugs for an elderly lady who lived in my district. I was approached by representatives from the Health Commission who wanted to ascertain the types of drugs that were left at that woman's flat. About 81 bottles containing 29 various types of drugs were left there. Quite clearly, there was an over-prescription of drugs. It rather surprised me that in one instance nine bottles of fungilin, which had been supplied by the Queen Elizabeth Hospital pharmacy, had not been used. The Minister now has that information after representatives from the Health Commission approached me.

I am also concerned that the Federal Government has decided not to provide $150 000 for the printing of the journal the *Australian Prescriber.* That journal points out to dentists, pharmacists, doctors, and students not only in South Australia but throughout Australia and overseas the problems of prescribing drugs.

The Hon. M. M. Wilson: Drug interaction.

Mr HAMILTON: That is so. I gained that information from a programme on radio 5DN on 20 October, which I heard as I was coming to the House. On that programme Professor Don Burkett stated that the journal was funded by the Commonwealth Government at an annual cost of $150 000, and that two Department of Health officers were involved in its production. Members of the editorial board had been told that the journal had been scrapped. There may be one more issue of that journal, or there may be no more issues.

I understand that approaches were made to the Minister of Health to see whether she would put some pressure on her Federal colleague. From speaking to a representative last week, I understand that the Minister has made no representation to Canberra for money for the printing of that journal. Professor Burkett also pointed out (from a booklet called *Drug Promotions)* that drug manufacturers spend some $44 000 000 per annum on promotion, and that the pharmaceutical benefits scheme cost nearly $500 000 000 in 1979. That sum does not include the cost of drugs administered in hospitals, nor of over-the-counter drugs under the P.B.S. The Senate Standing Committee firmly recommended (at page 96 of the report) continuation of the journal *Australian Prescriber.*

I am concerned that the Minister of Health, according to the information that I have received, has applied no pressure on or has had no correspondence with her Federal colleague in Canberra. One would argue that there is a need for education, and, from my recollection, the Minister on many occasions has pointed out the need for greater

drug education in South Australia. One hopes that this journal is given that $150 000 so that it can continue publication. I understand from Professor Burkett that this magazine is available overseas: it is well known that on a number of occasions requests have been made, particularly from Sweden, for the reprinting of various articles from that magazine. I point out, too, that this magazine is a good ambassador for Australia.

Mr LEWIS (Mallee): I intend to canvass further the matter that I raised in the grievance debate on 10 November, when I outlined the beginning of, or at least the background to, the problems of the Point McLeay community. As I stated previously, it gives me no pleasure whatever and no comfort to have to do this, but I can see no other course open to me in what I consider to be my limited responsibility in attempting to settle forever, I hope, the problems from which that community presently suffers and to which it has been unable to find any solution.

Mr Abbott: Would you like to say them outside the House?

Mr LEWIS: They have been referred to outside the House. Should the necessity arise to satisfy the spleen or whatever else that provoked the honourable member to make that interjection, I will state them. It is not with any pleasure that I do this. At the conclusion of my remarks on 10 November, I pointed out that Mr Hillock had been dismissed by the agricultural consultative company A.A.C.M., shortly after his appointment to the position of Manager responsible to one of the Directors of that company, Mr Ted Bullough. Mr Bullough found it impossible to communicate with or get along with Mr Hillock.

Some time thereafter, the Commonwealth Ombudsman was requested by the Ralkon Agricultural Co. Pty Ltd to investigate problems that the company alleged that it faced in its dealings with the Commonwealth Government. We all know that Ombudsmen are appointed specifically to investigate grievances of individuals and companies.

Mr Abbott: But the report was never made public.

Mr LEWIS: Whatever may have happened to that report, without my soliciting it and from sources unknown to me, I have received a copy. I intend to use the contents of that report, because I believe that they are sustainable in fact. Every inquiry that I have made has produced no-one who is prepared to deny the substance of any of the facts contained in that report. The Ombudsman wrote to the late Mr Koolmatrie, who was at that time the Chairman of the Ralkon Agricultural Company.

Mr Abbott interjecting:

Mr LEWIS: I did not hear that interjection. Mr Crotty, the Deputy Ombudsman, replied in writing to Mr Koolmatrie's written request and outlined the general gist of his findings, having made some sensitive investigations. He referred to his letter of 24 August 1978 in which he advised that the Secretary of the department had complied, at his request, and had provided him with the relevant papers and documents for his enquiry. Those papers and documents consisted of 16 files and, obligingly, he included a copy of the booklet *Financial Rules for the Guidance of Aboriginal Organisations and the Communities Receiving Australian Government Funds.*

It was pointed out in his letter that that was effective until June 1977. Another booklet, entitled *Rules Governing the Provision and Use of Grants to Communities and Organisations,* was introduced at the time that the preceding publication ceased to be effective, namely, June 1977. He said that he carefully considered all the material, and that he prepared a history of the company's operations and its dispute with the department. He sent a copy of that to Mr Koolmatrie. He said in his letter that it seemed to him that the central issue was that the company received extensive financial assistance from the Commonwealth Government through the Department of Aboriginal Affairs and that that assistance was subject to certain agreed conditions. The Directors and the Manager of the company had since that time refused to observe those conditions.

Mr Abbott: What was said at the Rotary Club meeting?

Mr LEWIS: The Manager (referring to Mr Hillock) refused to accept the competent professional advice and appears to have wanted to run the property according to his own inclinations. I find the honourable member's interjection curious because, as far as I am aware, nothing was said at a Rotary meeting. I do not know to which Rotary meeting the honourable member is referring. Perhaps he could enlighten me on that.

Mr Abbott: The manager of Ralkon offered to resign on no less than three occasions, and his resignation was not accepted by the Board of Directors, all of whom are Aborigines.

Mr LEWIS: Was that said at a Rotary meeting? I cannot imagine how on earth that is relevant to a Rotary meeting.

Mr Abbott: How many speeches will you require to develop this matter to its fullest?

Mr LEWIS: About 10. As I have said, the Manager refused to accept competent professional advice and appeared to want to run down the property according to his (Mr Hillock's) own inclinations. I am quoting the substance of Mr Crotty's letter. He was at that time the Deputy Ombudsman. The Directors at that time had done what the Manager had asked and, in doing so, had breached the terms of their agreement with the department and the provisions of the South Australian Companies Act. I think that they are fairly serious breaches.

In the circumstances, the department could hardly be expected to allow the company to obtain further financial assistance, and the department, in the opinion of the Deputy Ombudsman, was most forbearing in allowing the company to remain on the lands which it was then farming, and of which, until this present time, so far as I am aware, it is still currently in possession, even though it is in breach of the agreements under which the land, plant and stock were made available. Mr Crotty said in his letter:

> Certainly I do not see anything unjust or unreasonable in the department refusing to make money available while the company will not observe the normal conditions, nor in its asking that the Manager, Mr Hillock, the cause of so much trouble and dissension, leave the property. The department's concern is for the welfare of the Aboriginal community at Point McLeay, which it sees as threatened by the pride and obstinancy of a few individuals.

Mr O'Neill: Why haven't they made the Ombudsman's report public?

Mr LEWIS: I will come to that.

Mr O'Neill: You'll have to hurry up.

Mr LEWIS: There is plenty of time. This thing has been going on for seven years now. Another couple of months will not hurt. Mr Crotty goes on:

> On the other hand, I am concerned that the department has not taken firmer steps to ensure that assets funded by the Government are protected against irresponsible and unsupervised usage which threatens the eventual success of the project—that is the Ralkon farm project. Accordingly, I shall be writing to the department and suggesting that they take early steps to ensure that the Ralkon company's operations are supervised and monitored to normal standards. To allow your project to continue using Commonwealth funds just as you like while other projects are required to observe the department's rules would be unfair and unreasonable.

An honourable member: Which Commonwealth department?

Mr LEWIS: The Commonwealth Department of Aboriginal Affairs. The Commonwealth Government was providing this money. Mr Crotty continued:

> Against this background, I feel I should give you an explanation of the role of the Ombudsman.

He then outlined the Ombudsman's function in this letter, so that members of the board at that time and the late Mr Koolmatrie, who was then Chairman of the board, might understand more clearly. He continues:

> Should, however, some maladministration be evident, the Ombudsman can recommend remedial action to the department concerned, and, if his recommendations are not adopted, he can then report to the Prime Minister and to the Parliament.

So, Mr Koolmatrie knew clearly, and so did other members of the board, exactly why, and what the Ombudsman can do. That is the nub of it, because then, on receipt of this letter and on receipt of that full report called 'The history of the Ralkon operation in the dispute', dealing with events leading up to complaint to the Commonwealth Ombudsman, which covered several pages—

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

Motion carried.

At 9.26 p.m. the House adjourned until Thursday 19 November at 2 p.m.