HOUSE OF ASSEMBLY

Tuesday 1 December 1981

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

ASSENT TO BILLS

His Excellency the Governor, by message, intimated his assent to the following Bills:

Coober Pedy (Local Government Extension),
Cremation Act Amendment,
Essential Services,
Historic Shipwrecks,
Industrial Safety, Health and Welfare Act Amendment,
Prices Act Amendment,
River Torrens (Linear Park),
State Transport Authority Act Amendment (No. 2).

HIGHWAYS ACT AMENDMENT BILL

His Excellency the Governor, by message, recommended to the House of Assembly the appropriation of such amounts of money as might be required for the purposes mentioned in the Bill.

RACING ACT AMENDMENT BILL

At 2.3 p.m. the following recommendations of the conference were reported to the House:

As to Amendments Nos. 1 to 6:

That the Legislative Council do not further insist on its amendments, but makes the following amendments in lieu of:

No. 1. Page 2 (clause 5), after line 45—insert the following subsection:

(1a) Notwithstanding the provisions of subsection (1), the Minister shall, before making a nomination under that subsection from a panel of nominees, consult with the body or persons that nominated that panel.

No. 2. Page 3 (clause 12), after line 40—insert the following subsection:

(1a) Notwithstanding the provisions of subsection (1), the Minister shall, before making a nomination under that subsection from a panel of nominees, consult with the body or persons that nominated that panel.

and that the House of Assembly agree thereto.

As to Amendment No. 8:

That the House of Assembly do not further insist on its disagreement thereto.

PETITION: MASLINS BEACH BUS SERVICE

A petition signed by 174 residents of Maslins Beach praying that the House urge the Minister of Transport to extend bus services to the Maslins Beach area was presented by the Hon. W. E. Chapman.

Petition received.

PETITION: PRE-SCHOOL OPERATING COSTS

A petition signed by 78 concerned residents of South Australia praying that the House urge the Government to provide sufficient funds to cover all pre-school operating costs was presented by Mr O'Neill.

Petition received.

PETITION: MAGILL HOME FOR THE AGED

A petition signed by 1 979 residents of South Australia praying that the House urge the Government to retain the full range of activities at Magill Home for the Aged was presented by Mr Trainer.

Petition received.

PETITION: CASINO

A petition signed by 34 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 Mr Whitten.

Petition received.

QUESTIONS

The SPEAKER: I direct that the written answers to questions, as detailed in the schedule that I now table, be distributed and printed in *Hansard:* Nos. 73, 152, 191, 195, 196, 232, 239, 242, 244, 247, 248, 252 to 254, 256 to 258, 261, 263, 269, 272, 274, 279 to 281, 288, 290 to 296, 301, 304, 308, 309 and 312.

FIRE BRIGADE VEHICLES

In reply to **Mr RANDALL** (15 October).

The Hon. W. A. RODDA: In reply to the honourable member's questions during the Estimates Committee meeting regarding use of Fire Brigade vehicles, the following have access to a vehicle: Acting Chief Officer; Acting Deputy Chief Officer; Senior Superintendent (Fire Suppression); Senior Superintendent (Support Services); Divisional Superintendent (Southern Division); Divisional Superintendent (Northern Division); Divisional Superintendent (Fire Prevention Division); Board Chairman and Members (part-time use); Acting Secretary; Industrial Officer (after office hours only); Acting Officer-in-Charge of Engineering; Chief Mechanic, Engineering Division; Acting Chief Electrician; Country Inspecting Officer; Country Inspecting Officer.

O'HALLORAN HILL AND NOARLUNGA COLLEGES

In reply to **Mr SCHMIDT** (7 October).

The Hon. H. ALLISON:

1. What courses are provided at O'Halloran Hill College of Further Education? The college's full programme is shown in the attachment. It is important to realise that, as with any college of further education, the programme is flexible and intended to change with changing community needs. This applies especially to short courses, post-trade courses, enrichment courses and the like, but this is not necessarily so for basic trade courses for apprentices, and para-professional courses. Important courses in O'Halloran Hill college's programme which have not changed for several years are: Basic trade course for motor mechanic apprentices; Basic trade course for electrical mechanics and electrical fitter apprentices; Basic trade course for fitting and turning apprentices; Basic trade course for carpentry and joinery apprentices; Basic trade course for cabinetmaking apprentices; Basic trade course for hairdressing appren-

tices; Art/Craft certificate; Business studies certificates; Adult Matriculation.

2. What courses will be provided at Noarlunga Community College? For the same reasons as set out in (1) above, the total shape of the programme for the college when it opens in 1983 cannot be predicted as yet. A Principal will take up duty in 1982 to continue detailed planning. However, provision for substantial courses which require high capital cost or purpose-built buildings has already been made and the following courses of this nature will be provided: Basic trade course for carpentry and joinery apprentices; Basic trade course for cabinetmaking apprentices; Basic trade course for fitting and turning apprentices; Basic trade course for hairdressing apprentices. It is also anticipated that courses will be provided in commercial studies, rural studies and various aspects of general studies.

3. Courses which will be transferred from O'Halloran Hill College of Further Education to Noarlunga Community College are the basic trade courses for carpentry and joinery apprentices, cabinetmaking apprentices, fitting and turning apprentices, and hairdressing apprentices.

NOARLUNGA COMMUNITY COLLEGE

In reply to **Mr LYNN ARNOLD** (7 October).

The Hon. H. ALLISON: The total estimated cost of providing car-parking facilities, including access roads, for the Noarlunga Community College is $239 000.

DENTAL SERVICES

In reply to **Mr HEMMINGS** (14 October).

The Hon. JENNIFER ADAMSON: The following minor inacurracies have been discovered in statements made during questioning on Dental Health Services under the Minister of Health Miscellaneous lines.

1. The statements made by the Member for Napier (page 397 of *Hansard*) referring to 4 per cent or more than 50 000 people in South Australia with no natural or false teeth are incorrect. As pointed out previously in response to a similar comment by Dr Cornwall, the reference on page 26 of the report of the Committee of Inquiry into Dental Services should read 0.4 per cent (or about 3 700 people) with no natural or false teeth.

2. Expenditure on the new dental clinics at Flinders Medical Centre, Gilles Plains and The Parks was $330 000 in 1980-81, not $303 000 as listed on page 397 of *Hansard*.

3. The reference on page 399 of *Hansard* to the cost of training dental technicians who would be eligible for 'grandfather clause' registration should read about $350 000 to $500 000 not somewhere between $250 000 to $500 000. The 1980 Committee of Inquiry into Dental Services made reference to the amount on page 64 of its report.

TOURISM FIGURES

In reply to **Mr SLATER** (17 November).

The Hon. JENNIFER ADAMSON: The honourable member referred to the room occupancy rate of hotels and motels in South Australia for the June 1980 and June 1981 quarters. The actual number of rooms sold in South Australia's motels and hotels in the June quarter of 1981 increased by 1.2 per cent over the June quarter of 1980. It is correct that for the same two periods the room occupancies declined slightly from 53.6 per cent to 53.5 per cent. However, this was due to the fact that there was a greater than proportional increase in new rooms available.

For the whole of the 1980-81 financial year the number of rooms sold in South Australia grew by 5.1 per cent compared to national average growth of 5.3 per cent. Growth in South Australia exceeded that in New South Wales, Victoria, Tasmania and the A.C.T. Up to the end of March 1981, South Australia's growth in rooms sold stood at 6.4 per cent. However this has been reduced by the slower growth in the June quarter.

It is believed that the slower growth in the latest quarter is largely due to the extremely adverse weather conditions during that period. Many operators reported visitors departing halfway through their planned stay due to the inclement weather. Had the weather been kinder it is likely that June quarter results would have continued the very positive trends of the first nine months of the year. The occupancy of all motel and hotel accommodation in South Australia for the whole of the 1980-81 financial year was 54.0 per cent. This is an increase on the 52.6 per cent recorded in 1979-80. Occupancy levels in South Australia are in excess of those recorded in Tasmania and Western Australia.

PUBLIC PARKS

In reply to **Mr PETERSON** (28 November).

The Hon. D. C. WOTTON: The provisions of clause 3 of the Public Parks Amendment Bill will apply to all future disposals of land funded or acquired under the Act, regardless whether the acquisition was before or after the commencement of the Act.

With regard to land which can be transferred to a council or money advanced to a council for the purchase of land for parks, there are several possibilities available.

(1) Where the council wishes to exchange the reserve for another piece of more suitable land or equivalent value; or

(2) Where a council wishes to dispose of a reserve and to acquire a parcel of land of equivalent value which is contiguous to another reserve to provide a larger area with greater potential for the development of recreational activities.

In cases (1) and (2) no difficulty arises as the council in disposing of the land is applying the proceeds to the acquisition of another parcel of land of equivalent value for recreational purposes.

(3) The council is disposing of a parcel of land purchased under the Act which for a variety of reasons it finds is now surplus to its requirements. These cases and the treatment of the proceeds of sale have been of concern because in many instances the capital gain on sale is substantial. The following approaches to this situation are possible.

(a) The council be required to set the funds aside in a reserve established under section 290ca of the Local Government Act which permits the funds to be applied only in a manner approved by the Minister; or

(b) The council be required at the Minister's direction to refund to the Public Parks Fund an amount not exceeding an amount which represents the same proportion of the net proceeds of sale as the committee's grant to the original cost of acquisition.

RED HILL SCHOOLHOUSE

In reply to **Mr OLSEN** (22 October).

The Hon. D. O. TONKIN: With reference to the member for Rocky River's question of 22 October 1981, concerning the Red Hill schoolhouse, I would like to inform the member that the demolition of the schoolhouse was completed on 15 November 1981.

PAPERS TABLED

The following papers were laid on the table:

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

By Command—

I. Report of the Hon. David Stirling Hogarth, Q.C., made pursuant to Order-in-Council intituled 'Police Regulation Act, 1952-1978—Directions to the Commissioner of Police', made on 20 November 1980.

Pursuant to Statute—

I. Public Service Board Report, 1980-81.
II. State Clothing Corporation—Report, 1980-81.

By the Minister of Mines and Energy (Hon. E. R. Goldsworthy):

Pursuant to Statute—

I. Mines and Energy, Department of—Report, 1980-81.

By the Minister of Industrial Affairs (Hon. D. C. Brown):

Pursuant to Statute—

I. Boilers and Pressure Vessels Act, 1968-1978— Regulations—Licences.
II. Dangerous Substances Act, 1979-1980— Regulations—Licences.
III. Industrial and Commercial Training Act, 1981— General Regulations.
IV. Shop Trading Hours Act, 1977-1980—Regulations—Licences.

By the Minister of Education (Hon. H. Allison):

Pursuant to Statute—

I. Classification of Publications Board—Report, 1980-81.
II. Rules of Court—Supreme Court—Criminal Law Consolidation Act—Appeals.

By the Chief Secretary (Hon. W. A. Rodda):

Pursuant to Statute—

I. Police Offences Act, 1953-1981—Regulations—On the Spot Fines.
II. Prisons Act, 1936-1981—Regulations—Payments to Prisoners.

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

Pursuant to Statute—

I. State Planning Authority—Report, 1980-81.
Planning and Development Act, 1966-1981—Regulations—
II. Hills Face Zone.
III. Interim Development Control—City of Port Pirie.
IV. Planning, Director of—Report, 1980-81.
V. City of Henley and Grange—By-law No. 7—Vehicle Movement.
VI. District Council of Kadina—By-law No. 4—Petrol Pumps.
VII. District Council of Port Broughton—By-law No. 25—Bathing and Controlling the Foreshore.
VIII. District Council of Willunga—By-law No. 36—Amendment to Existing By-laws.

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

Pursuant to Statute—

I. Metropolitan Taxi-Cab Act, 1956-1978— Regulations—Fares.

By the Minister of Water Resources on behalf of the Minister of Health (Hon. Jennifer Adamson):

Pursuant to Statute—

I. Health Act,, 1935-1980—Regulations—Licensing of Private Hospitals, Nursing and Rest Homes.
II. Opticians Act, 1920-1974—Regulations—Registration Fee.
III. South Australian Psychological Board—Report, 1980-81.

By the Minister of Water Resources (Hon. P. B. Arnold):

Pursuant to Statute—

Sewerage Act, 1929-1981—Regulations—
I. Fees.
II. Plumbers Fees.
Waterworks Act, 1932-1981—Regulations—
III. Fees.
IV. Plumbers Fees.

By the Minister of Lands (Hon. P. B. Arnold):

Pursuant to Statute—

I. Lands, Department of—Report, 1980-81.

QUESTIONS

The SPEAKER: The House is advised that any questions that would normally be answered by the honourable Minister of Health and the honourable Minister of Tourism will be taken this afternoon by the honourable Minister of Water Resources.

ECONOMIC DEVELOPMENT

Mr BANNON (Leader of the Opposition): I move:

That Standing Orders be so far suspended as to allow me to move the following motion without notice:

That this House censures the Government for its failure to maintain economic development in South Australia and for its failure after two years in office to present a realistic plan for the development of South Australia for the rest of the decade, and calls on it to resign.

The moving of a no-confidence motion in the Government is one of the supreme rights that an Opposition Party can have in the Parliament. I think in saying those words that I am probably echoing words that have been said at some stage by all Parties at various times in this House. It is the ultimate test of the Government's confidence, of the House's confidence in that Government, and if that confidence fails the result of the passing of a no-confidence motion is for the Government to resign forthwith and for an election to be held. That is intrinsic. That is basic to our constitutional system. It stands to reason, therefore, that when such motions are moved it is incumbent on the Government to allow itself to be so tested.

I think it is fair to say that, unlike the Government when it was in Opposition, we have not used the no-confidence motion lightly nor frequently. We have not had the series of week-by-week, frivolous motions that were moved and accepted by the Government of the day. We have been very careful as to the occasion, the means, and the subject matter of such motions.

The SPEAKER: Order! I draw to the attention of the honourable Leader of the Opposition the subject matter of the motion currently before the Chair, which is that Standing Orders be suspended, and I ask him to come quickly to that subject matter.

Mr BANNON: Mr Speaker, the reason why I wish Standing Orders to be suspended is to move a no-confidence motion and I am arguing as to the importance of no-confidence motions in the Westminster system of Government and the need for the Government to allow itself to be tested in this way. It is for that reason that I am directing these remarks, and you will know, Sir, because you have been advised just as we have been, that on this occasion the Government is going to announce its decision to refuse to

accept the no-confidence motion. The Government is going to shelter behind some spurious reasons as to why it will not stand up and argue, in this House, for its economic record.

That, I believe, illustrates the ultimate bankruptcy that this Government has reached. It is not even prepared to be tested in this House on its record. It is quite extraordinary that the Government could even contemplate rejecting a no-confidence motion. After all, surely if it has anything in its record and if it has anything to stand on in terms of development, it would be proud to tell the House. The fact is that the Government's record is one of sterility, non-achievement and indecisiveness. It is being said around town that this is a Government that takes too—

The SPEAKER: Order! I draw the honourable Leader's attention to the fact that he is now straying from the motion which is before the Chair, namely, that Standing Orders be suspended. If suspension is permitted in due course, the Leader will have the opportunity to develop his argument.

Mr BANNON: Thank you, Mr Speaker. I will not further develop the argument of indecisiveness in that case, or of the seven-hour Cabinet meetings that yield nothing. Let me turn to the reason why this motion must be dealt with today, which surely is relevant to the question of whether Standing Orders should be suspended. Since this House last met, a number of things have happened. For one, a report called 'South Australia—A Strategy for the Future' setting out a detailed analysis of the South Australian economy (intended, it is said, to be a catalyst for the systematic development of policies which will stimulate growth in South Australia) has been released by the Government amid great fanfare.

More than that: the Premier has gone further and said that in a sense this report was not necessary, because the Government was already doing everything that was embodied in it. If that report has significance and if it is meant to act as a catalyst for community discussion, surely the Parliament must debate it in detail and must debate it in the framework that I am suggesting, a framework that demands a response from the Government on the question of confidence. This morning we heard reports that the Roxby Downs Indenture Bill, this vital centrepiece of the Government's strategy, which the Premier promised on 7 October to intoduce in mid-November, while somewhat later a promise was made by the Deputy Premier for introduction by 1 December, for some reason is not going to be presented; the Parliament cannot consider it because the Government cannot get agreement. Very grave problems have been raised in the context of that indenture.

The Hon. D. O. TONKIN: I rise on a point of order, Mr Speaker. I point out that it seems to me awfully much that the Leader has lapsed again into his carefully prepared speech on the substantive motion while your attention has been diverted by the Deputy Leader.

Members interjecting:

The SPEAKER: Order! I ask the honourable Premier not to reflect upon the Chair, even though it was a sideways swipe. The situation is that the Chair is able to monitor the affairs of the House both officially and in proper form in giving advice to members other than the member on his or her feet. The point of order which the honourable Premier sought to take is correct for a person who is straying from the reason for the subject matter before the House. I have already advised the honourable Leader of the Opposition of my attitude to that matter. I have called him to order on two occasions, and if I am of the belief that he needs to be called back again, I will take that course.

The Hon. D. O. TONKIN: I would like to make a point, Mr Speaker. I in no way intended to reflect on the Chair.

The SPEAKER: Order! The acknowledgment is accepted.

Mr BANNON: If that buffoonery is the sort of thing we are going to have from the Government in an attempt to justify—

Members interjecting:

The SPEAKER: Order!

Mr BANNON:—if that is the level to which political debate on the state of the South Australian economy is to be conducted, so be it. Let the Government carry on like that, let it make a laughing stock of itself and we will see, when the people come to vote, just what is going on. The whole crux of the motion that I am moving today is that there is a vital matter of confidence to be discussed, that there is vital new evidence of the Government's total incapacity in this area to be discussed in this House, and the Government will not face us. It will not let this matter be debated. It would spoil its stage management of certain public events it has arranged today and it does not want the parliamentary system to interfere with that. If that is the Premier's contempt for Parliament, and if that is his attitude, not to the Opposition, it does not matter to us, but it matters to the people of South Australia. You rest on that. The Premier stands and takes points of order, interrupts and tries to cut down speeches. The Government uses its numbers in that way, but when the ultimate test comes before the people we will see how that is treated.

The Government was given notice at 12.45 p.m. today that this motion was going to be moved. The Government is unprepared and unable to defend its record. It takes recourse in this shabby expedient of saying that this is not proper time, that the Parliament has no case to debate. A Government that has not the guts to accept a no-confidence motion is a Government in which no-one should have confidence. It should be out tomorrow. If it is not prepared to debate on this floor, if it is not prepared to take the debate in this Chamber, where do we turn? Obviously, as an Opposition, we have no other rights. We must go outside this Chamber, we must go to the people directly. The Government is totally undermining the whole basis of the Westminster system. This is extraordinary behaviour; it shows total gutlessness on the part of the Government, which, instead of dealing with the serious attitudes and issues that we are trying to move, takes recourse in buffoonery and in the sort of jovial huffing, puffing, and carrying on that we have seen from the Premier.

The SPEAKER: Order! The honourable Leader will come back to the subject matter of the debate, which is the reason for suspension of Standing Orders.

Mr BANNON: The Premier says that I am getting carried away. Indeed, I am, and indeed, any serious citizen in this State who is concerned about our economic future would be getting carried away. Those citizens would like an opportunity to sweep this Government away, to sweep it out of office, because it will not face up to its responsibilities.

The Hon. D. O. TONKIN (Premier and Treasurer): Mr Speaker, there are two matters I would like to take up in response to this extraordinary and hysterical outburst.

The SPEAKER: Order! I ask the honourable Premier to resume his seat. I have counted the House, and, there being present an absolute majority of the whole number of members, I accept the motion.

The Hon. D. O. TONKIN: There are two basic matters I take up in response to this rather hysterical outburst we have just heard from the Leader. There certainly is, I agree with him, a vital matter of confidence to be discussed. However, I would have thought that that might have better been discussed in the Caucus room, in relation to the Leader's position. It was, again, a long time before members of the Labor Party made their presence felt at lunch time, Mr Speaker.

The Hon. J. D. WRIGHT: I rise on a point of order, Mr Speaker—

The SPEAKER: I do not believe that there is any need for a point of order. The honourable Premier is required to come to the motion before the Chair; that is, the suspension of Standing Orders.

The Hon. D. O. TONKIN: Having said that, let me say that the Government is quite prepared to accept a motion of no-confidence and will do so at any time, provided the normal conventions are complied with. I am perfectly happy, since members of the Opposition did not comply with the long-accepted conventions of this House in bringing forward a motion (and I will go into that in a moment), to accept the no-confidence motion, if the Opposition cares to bring it on tomorrow and gives the Government proper notice and goes through the appropriate conventions. I do not mind a scrap, so let us have the Leader go through the appropriate motions, abide by the normal conventions of this House and let us have the no-confidence motion tomorrow. I am perfectly happy about that.

Members interjecting:

Apparently members of the Opposition are not very happy about this. I cannot understand why they should not be; I have just acceeded to their request.

Mr Millhouse: You know very well that that would mean cutting out—

The SPEAKER: Order!

Mr Millhouse: —private members' business.

The SPEAKER: Order! I warn the honourable member for Mitcham.

The Hon. D. O. TONKIN: I am perfectly happy, if this is upsetting members opposite, to let them have time at 7.30 tomorrow evening to debate the no-confidence motion, which is a lot more than a former Premier, Mr Dunstan, used to do in this Chamber on a number of occasions. There was a total lack of courtesy involved in this matter. I suggest that the Leader could do a great deal better if he were to consult with his former Leader, the member for Hartley, a little more frequently about the niceties and proprieties of this place.

Let us go through the events of today, because I believe that they have been quite deliberately engineered. First, I intend to oppose the suspension of Standing Orders simply because the long established conventions of this House have not been followed. We first heard about the possibility of a no-confidence motion at about 1 o'clock—I am not sure whether it was just before or just after.

The Hon. J. D. Wright: It was a quarter to 1 and you told me once that one o'clock would suit you.

The Hon. D. O. TONKIN: I am very pleased to hear the Deputy Leader confirm the fact that 1 o'clock is the accepted time. Although 12 o'clock has been accepted in the past, we have accepted 1 o'clock on more than one occasion. The convention is that the requests are made before 1 o'clock. They have been considered after that time, but urgency requires 1 o'clock in the Standing Orders; we will accept 1 o'clock as the time. The accepted convention is that the request for the suspension of Standing Orders is made by the Leader or his Deputy direct to the Deputy Premier or to me. It has always been done by conversation, by a telephone call; it has never been done in any other way in my time in this House, and I suspect not even in the member for Mitcham's time in this House. It is not done by leaving a message in the Minister's office on the off chance that he might get it.

Mr Abbott: Did he get it?

The Hon. D. O. TONKIN: No, he did not get it until well after 1 o'clock. Surely it is not too much to ask the Deputy Leader of the Opposition, who after all has done this quite often in his position as Deputy Leader, to abide by the normal conventions. Apparently it is. There is no way that this Government will support the breaking of that long established convention. The Opposition knows that, and I give clear notice yet again to the Opposition that the Government will not be a party to the breaking of that convention.

The Hon. J. D. Wright: That means we will ring—

The SPEAKER: Order!

The HON. D. O. TONKIN: Normally, the Deputy Premier happens to be spoken to in the Party room, because that is where he is as a general rule when the Opposition decides to move its no-confidence motions. A deeper question is involved. I accept the importance to the Opposition of a no-confidence motion, and I am perfectly prepared to accept it tomorrow in Government time, provided the normal conventions are complied with. That is the invitation which is now open to members of the Opposition—if they are serious, but I do not think that they are being serious. I do not think that their reason for moving for the suspension, that is, to move a motion of no confidence, stands up in the slightest degree. Perhaps they hope to divert attention away from the weekend's disastrous performance at the A.L.P. conference.

Members interjecting:

The SPEAKER: Order!

The Hon. D. O. TONKIN: I can understand their wanting to move to suspend Standing Orders to try to take the heat off. Certainly there was a great deal to take the heat away from, but I think that even this sort of technique will not in any way divert public attention away from what went on over the weekend. That was a disgraceful performance.

Members interjecting:

The SPEAKER: Order! The honourable Premier will please come back to the subject matter, or I will have to withdraw his leave.

The Hon. D. O. TONKIN: Yes, Mr Speaker, I could wonder why a suspension of Standing Orders to debate this particular subject should come on now, until I see that notice of the introduction of the Cooper Basin Indenture Bill makes that a matter of great importance.

The Hon. R. G. PAYNE: I rise on a point of order, Mr Speaker. I distinctly heard you remind the Premier about the parameters that apply to a debate for the suspension of Standing Orders. Within moments he went well outside those parameters, again.

The SPEAKER: I can assure members on both my left and my right that I will uphold their rights. I have been listening to the debate, by both the Leader of the Opposition and the Premier. They both have strayed on a number of occasions and both have been advised that the Chair is not satisfied with their course of action. I advise the honourable member for Mitchell that, if the honourable Premier continues in the vein in which he was proceeding immediately prior to the honourable member's standing, he will be called to order again.

The Hon. D. O. TONKIN: The Leader of the Opposition has already conceded during the course of his speech that

he wants to take the limelight away from what is a most significant day for South Australia—the day of the introduction of the Cooper Basin indenture. I must say that I find this whole move a very cynical one in the extreme. It is obviously no bipartisan approach to the whole matter of the Cooper Basin and I can only say that I find the behaviour of the Opposition and the Leader quite disgraceful. I find it even more disgraceful when I understand that there has been a concerted programme arranged to follow the motion for the suspension of Standing Orders and I understand there is to be an orchestrated walk-out by the Opposition. That is not a bipartisan approach; that is a disgraceful situation.

Members interjecting:

The SPEAKER: Order!

The Hon. D. O. TONKIN: If by making this public I can avoid that walk-out and that mockery of the Parliamentary procedure, I will have at least achieved something in maintaining the dignity of this Parliament. We will see what we shall see, but I find this a particularly disgraceful, cynical and totally negative attitude that has been adopted by the Opposition. All I can say is that, if this is their concern for the people and the future of South Australia, then their action is absolutely disgraceful.

The SPEAKER: The question before the Chair is that the motion be agreed to. Those of that opinion say 'Aye', those against say 'No'. As I hear a dissentient voice, it is necessary to have a division. Ring the bells.

The House divided on the motion:

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

Noes (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 McRae. No—Mrs Adamson.

Majority of 2 for the Noes.

Motion thus negatived.

QUESTIONS

MINING ROYALTIES

Mr BANNON: Will the Premier explain the factual basis for his claim that this State could be receiving $100 000 000 annually in royalties during the 1990s? Did the Premier calculate on the basis that royalties would be set at 10 per cent of the value of the production from the Olympic Dam mine, and can it be assumed that this will be the royalty rate set by the Government for that mine?

Queensland and Western Australia have had many large mines in production for a number of years, with a wide range of output, including bauxite, copper, gold, nickel, silver, lead, zinc, mineral sands, iron ore and petroleum. Despite this vast production, up to and including 1980-81, neither State had reached the Premier's figure of $100 000 000 annually from royalties. In 1980-81, Queensland received $80 100 000 and Western Australia $88 700 000 from mining royalties. I believe that $30 000 000 or $40 000 000 of the Premier's $100 000 000 is assumed to come from existing mines, such as Iron Knob and other resource projects, including the Cooper Basin.

The only way that the calculation has been made so that the Premier could reach $100 000 000 is to assume that South Australia would receive 10 per cent royalties from an annual production that would total, at the highest possible estimate, $700 000 000 at Olympic Dam. This approach would assume that all the prognostications of a mine the size of Mount Isa, operating at full production in the 1990s, would be undertaken. In relation to Mount Isa, this was discovered in 1923. Almost 60 years development occurred before it reached the current level of production. The company paid $22 000 000 in royalties in 1980-81, including royalties from coal mines located elsewhere.

For 1979-80, the Western Australian Government royalties of about 3 per cent can be estimated from production and Government revenue figures. Based on Queensland and Western Australian experience, even if the Olympic Dam mine were as large as Mount Isa, there would be no way in which it could generate $60 000 000 or $70 000 000 annually in royalties, unless a royalty rate in excess of 10 per cent were levied. In suggesting that annual copper production at Olympic Dam would total 100 000 tonnes, the Western Mining Company signalled a significantly smaller mine than that at Mount Isa, which produced 143 000 tonnes. What is the basis of those figures?

The Hon. D. O. TONKIN: I must say that I am rather surprised at the nature of the question that has been asked. I would have thought that, in the bringing forward of all this terrible new information in relation to the State's economy, the Leader might have been able to enlighten the House during Question Time. However, apparently he has not seen fit to do that.

Members interjecting:

The SPEAKER: Order!

The Hon. D. O. TONKIN: They are touchy today. In relation to the question asked by the honourable Leader, I believe that it is very likely that South Australia will be handling royalties at the same level as those in Queensland and Western Australia in the 1990s. I think of the projects that have been put forward so far, and they are the Cooper Basin Indenture Bill, which we will be looking at later today, the Roxby Downs project, off-shore drilling, oil exploration—

Mr Keneally: When will we be looking at that?

The Hon. D. O. TONKIN: I am amazed that the member for Stuart is so ill-informed that he does not know that the first off-shore well was spudded in I think only a few days ago. I am not too sure which way the Labor Party is going at the present time. It does not seem to know whether it wants the Roxby Downs indenture legislation or not. The moderate view seems to be that when it comes in (which it will) it will be looked at very carefully. There is another point of view which is expressed very forcibly by the member for Elizabeth and his supporters, that they do not care what is in the Roxby Downs indenture; they will not have a bar of it anyway. In other words, there seems to be the voice of reason and the voice of commitment, and almost radicalism.

Members interjecting:

The Hon. D. O. TONKIN: I can understand how sore honourable members opposite must be feeling. After all, it was a disastrous weekend for them, and all we can say is that the policies brought forward at that convention will ensure that no royalties and no income from any industrial development is going to come to South Australia if ever the Labor Party comes to office.

Mr McRae: What about Stony Point? Will you tell us that?

The Hon. D. O. TONKIN: I think we have done a very good job with Stony Point. I am sure that now the Leader has had an advance copy of the indenture Bill, so that he knows what a good deal it is, he will be man enough to stand in this House and admit that the Government is going very well, indeed. The Leader of the Opposition knows full

well that there is no way that I or any of my Ministers will stand in this House and give details of the negotiations that have been taking place. If he is patient and waits until the indenture Bills come in, as they will (and they will not be limited to these projects; there will be others over the next few years), he will learn all of the details of the royalty negotiations that have been taking place. Then, if he is prepared to be a little humble and to examine the situation, he may learn something and be proud of what South Australia can achieve, just as is this Government.

CRITICISM OF MINISTER

Mr MATHWIN: Is the Minister of Industrial Affairs aware that last night the Leader of the Opposition publicly criticised him for legislating to restrict the powers of the South Australian Industrial Commission and, if so, can he indicate to the House whether that criticism was correct?

Mr McRAE: I rise on a point of order, Mr Speaker. This matter is directly before the House in the Industrial Conciliation and Arbitration Act Amendment Bill (No. 3), which is Bill No. 60. Specific provisions in that Bill in fact restrict the powers of the South Australian Industrial Commission. I take the point that this question is totally out of order.

The SPEAKER: The honourable member for Playford takes a point of order which in substance is correct. However, the question asked of the Minister of Industrial Affairs was whether in fact he was aware of the criticism of himself in his portfolio area. Whilst the Minister of Industrial Affairs maintains an answer relative to the criticism levelled at him, he will be in order. If he starts to undertake details that would otherwise be the matter of debate when the issue comes on, he will be out of order. The honourable Minister of Industrial Affairs.

Mr O'Neill: He would be pretty dumb if he was not aware of the criticism—there is plenty of it.

The SPEAKER: Order!

The Hon. D. C. BROWN: Yes, I am aware of the criticism. In fact, 5DN telephoned me with a series of accusations made by the Leader of the Opposition. I found his accusations very interesting, because on reading through the list of motions debated by the A.L.P. at its convention during the weekend, I was fascinated by the extent to which the A.L.P. was going to legislate to force the Industrial Commission to do this, that and everything else, and to completely remove any power for the Industrial Commission to have any say. In fact, one could go so far as to say that the Labor Party, over the weekend, was prepared to put the Industrial Commission in a complete straitjacket and to remove any right of judgment of the commission on a whole series of industrial matters.

The Hon. E. R. Goldsworthy: Peter Duncan had a good weekend.

The Hon. D. C. BROWN: I know he had a very good weekend; all of the left-wing members had a very good weekend.

Members interjecting:

The SPEAKER: Order! The honourable member for Glenelg, like the honourable Deputy Premier, has strayed in referring to a member in this place by his Christian name, when it is quite obvious from Standing Orders and from the warnings already given to members in this House that that course of action will not be tolerated.

The Hon. D. C. BROWN: I also find it interesting that, in fact, the Opposition today should try to move a no-confidence motion in the Government on the issue of the State's economy.

The Hon. E. R. Goldsworthy: Without notice.

The Hon. D. C. BROWN: Without notice. The very substance of the resolutions adopted now as A.L.P. policy in this State would place the greatest threat to jobs and industrial development in South Australia that this State has ever seen, and the A.L.P. will do it by way of legislation, if it happens by some chance to win the next election, which it will not do. I indicate the substance of some of that direction to the Industrial Commission. I am fascinated by the extent to which some members opposite are obviously very sensitive on these issues. Their industrial relations policy states:

> A State Labor Government will—
> 2 (1) *(b)* legislate to enable the Industrial Court and Industrial Commission to ensure that all employees under State awards and all employees in the State Government Public Service and statutory authorities shall receive full quarterly indexation of wages in accordance with the cost-price index as well as annual productivity increase.

Mr McRAE: On a point of order, Mr Speaker. Bill No. 60 contains a clause which deals—

Members interjecting:

The SPEAKER: Order!

An honourable member: What fools you are!

The SPEAKER: Order!

Mr McRAE: Mr Speaker, I draw your attention to clause 9 in Bill No. 60, which provides for the amendment of section 146b of the principal Act, and which deals precisely with the subject matter with which the Minister is now dealing.

The SPEAKER: Does the honourable member care to indicate in what way he believes the answer of the Minister of Industrial Affairs is transgressing clause 9?

Mr McRAE: Yes, I do, with respect, because, in giving his answer in the way he is, he is debating the merits or otherwise of a clause which makes it mandatory or discretionary for the State commission to follow or not follow certain factors. Included among those are the state of the national economy, the State economy, national employment, State employment, national inflation and State inflation. All of those matters are directly the subject of clause 9 of Bill No. 60.

The SPEAKER: Order! I asked the honourable member to fully explain the situation so that we can take a little of the unnecessary heat out of the activities of the House, and so that we can get the matter into true perspective. I do not uphold the point of order made by the honourable member for Playford. The honourable Minister was answering in relation to an action taken over the weekend outside the House. I particularly call to members' attention Standing Order 230, which states:

> No motion shall seek to anticipate debate upon any matter which appears upon the Notice Paper.

There is no word there at all relative to a question. Although the Chair has used discretion in the past, and will continue to do so in the future, where there is an obvious attempt to transgress, or presume what the debate might be on a particular issue, the Chair will call the matter to order. The honourable Minister of Industrial Affairs.

The Hon. D. C. BROWN: Thank you, Mr Speaker. I draw to your attention, Sir (and I appreciate your ruling on this matter), the fact that I am commenting on some remarks made on 5DN last night by the Leader. It is unfortunate that the Leader is not here to hear the answer. I understand that he is outside this Chamber at present.

The Hon. R. G. PAYNE: I rise on a point of order, Mr Speaker. It is my recollection that, within the past two weeks, you said in this House that, although a Minister has fairly wide licence in responding to a question, he ought not to make comments upon comments.

The SPEAKER: The honourable member for Mitchell is correct about the directions which have been given from

the Chair, but the comments upon comments that have been referred to have been in relation to the posing of a question, and a member who has, by virtue of putting a question, asked for comments upon comments, has been called to order. The honourable Minister of Industrial Affairs is in a different position, but no different from that of any other member called upon to answer a question relating to matters which were not directly the point of the question itself. I will go into further explanation for the honourable member, if he wishes.

The Hon. D. C. BROWN: I take up the point that over the weekend the A.L.P., of which the Leader happens to be the Leader in this House (and he was the person who made these comments last night), passed a whole series of motions whereby, as a political Party, it was going to put the Industrial Commission of South Australia in the greatest straitjacket ever seen under a democratic government in Australia, while at the same time destroying any chance of the Industrial Commission's having the right of its judgment on such matters.

Members interjecting:

The Hon. J. D. Wright: You ought to talk.

The SPEAKER: Order! The Chair would be pleased if the honourable Deputy Leader was not talking.

The Hon. D. C. BROWN: In addition, in one fell swoop it would not only dictate to the Industrial Commission but destroy this State's economy, as well. I take from the resolutions passed by the A.L.P. on the weekend resolution 3, referring to industrial relations, which talks about redundancy, and states:

> Labor will legislate to provide for the following minimum conditions for all employees under State awards.

It then goes on to talk about how at least six months notice must be given before a person can be made redundant, and that he must receive at least four weeks pay for every year of service.

These are the very issues on which the Industrial Commission has normally exercised its own judgment. Now we have the Opposition in this State, despite the Leader's comments last night, which one could only describe as the greatest piece of hypocrisy (especially in the light of what he had done in the previous two days with his entire Party), prepared to arbitrate through legislation on all these matters that normally come before the Industrial Commission. So, I found the comments and the criticism of the Leader of the Opposition last night amusing, to say the least. I suppose, taken in a serious vein, though, it shows how double-faced he can be in his comments in, first, trying to criticise the Government, and then turning around and doing something 10 times worse than anything the Government has ever contemplated doing in this State. I think his actions speak for themselves: he is a double talker.

UNEMPLOYMENT

The Hon. J. D. WRIGHT: My question is directed to the Premier. Is the following statement in the document *South Australia—A Strategy for the Future* a correct statement, and, if not, why not:

> There were months in 1966 when South Australia had 13.5 per cent of Australia's unemployment and in 1972 when it had 13 per cent of it. These proportions have not been approached in the current downturn.

I have raised this matter because the latest unemployment figures for October 1981 indicate that South Australia now has 13.3 per cent of the national unemployed, compared with 8.9 per cent of the population—quite a disgrace. It would appear that the State Development Council report has understated the seriousness of the economic position in South Australia. I refer the Premier to page 11 of that document.

The Hon. D. O. TONKIN: I am not able to say whether or not the statement is correct; it has not been analysed. However, I am certainly not in a position to answer the question if not why not: that is a question which I think the Deputy Leader should properly pass to the members of the State Development Council.

The Hon. J. D. Wright: You authorised it.

The Hon. D. O. TONKIN: They, after all, are the body which produced that report. This is the first opportunity I have had to put on record in this House the fact that I believe that the report is a very fine one; it sets forward a direction for the future, which is extraordinarily good. I was both surprised and angry at the weekend to hear, after a specific approach had been made to the Leader of the Opposition personally at that meeting that there should be a bipartisan and consistent approach by Governments of all persuasions, that he sat by and said nothing while a whole series of anti-business motions were passed at the conference of the Australian Labor Party. I am absolutely amazed that the Leader, having expressed his opinion, as I understand it—

The Hon. J. D. WRIGHT: I rise on a point of order. I have asked the Premier a question which he refuses to answer and—

Members interjecting:

The SPEAKER: Order! There is no point of order; the Deputy Leader is fully aware of that. The honourable Premier.

The Hon. D. O. TONKIN: Thank you, Mr Speaker. I thought I was answering the question particularly well, but obviously not in a form that suits the Deputy Leader. Now that the Leader is back in the Chamber, having explained to the television cameras why it did not happen, perhaps he is interested, too. As I have said, that report sets out quite specifically the directions for South Australia's recovery and continued expansion and long-term prosperity, and it is a fine report, indeed. The Government is undertaking many of the recommendations which already exist in that report, and it will be taking up other recommendations, too. At a time when the members of the business community in a bipartisan fashion directly requested the Leader of the Opposition, who was present on that occasion, that one of the major requirements was one of consistency of policies, of a bipartisan approach, to hear what went on at the A.L.P. conference at the weekend was absolutely appalling.

It is yet another example of double talk, the transparent plan of a Party that professes to be the business man's friend but at the same time is controlled by binding policies that will mitigate against small business and, indeed, industry generally in this State. It is a problem that the member for Hartley faced and it is a problem that his predecessor faced also, and it is an underlying fault of the Australian Labor Party that the leaders of that Party have to toe the line, or else. I notice that the member for Salisbury is being very quiet at the present time. There is no doubt at all—

Members interjecting:

Mr Keneally: Jack Slater hasn't said anything, either.

The Hon. D. O. TONKIN: The member for Gilles very rarely says anything.

The SPEAKER: Order!

The Hon. D. O. TONKIN: As far as the unemployment situation is concerned, the Deputy Leader, do what he will, cannot get away from the fact that the trend has completely reversed since this Government took office and that jobs are being created in the private sector at a steady rate. The figure varies from month to month, but the long and short of it is that the loss of 20 000 jobs in the two years before

September 1979 has been reversed and jobs are being created very rapidly indeed.

As far as the A.L.P. is concerned, it seems to me that its motto as far as business is concerned is keep them small, if at all, because everything it is doing mitigates against them all. I am not going to go into the various resolutions that were passed in any particular detail, but I do have a summary of the various anti-business resolutions which were passed at that conference. I very much hope that they are going to be publicised throughout the community, because I believe that the people of South Australia deserve to know exactly for what their Opposition Party stands. I note the Leader has his head bowed, and I do not blame him one little bit.

Let us go through this package of doom and destruction. The convention resolved that employees would have to give retrenched workers at least six months notice, with considerably higher benefits for long-term employees. I wonder how many of the business men attending the lunches that the Leader gives from time to time know that that is his policy. The convention resolved that employers would have to pay the fares and removal costs for retrenched workers, and make up any loss incurred if the retrenched worker sold his or her home. I wonder how many of the business men in South Australia know that that is the Labor Party's policy. The conference also resolved that Labor would encourage the introduction of a 35-hour week for all workers and Labor would examine the establishment of a consumer claims tribunal to examine complaints from consumers, and impose restrictive new consumer protection schemes.

The Hon. J. D. Wright: Thank God for the A.L.P. conference. Otherwise you would have nothing to talk about.

The Hon. D. O. TONKIN: I note that members opposite seem to have been taking every opportunity to limit our chance to answer questions today. The conference also resolved that Labor would insist on companies making full and regular disclosures to shareholders, creditors and employees about business activities. Labor would force firms to disclose all donations made for political purposes. Labor would investigate the establishment of a State-run newspaper. Does that mean that we will see the current Labor Party *Herald* published under a new banner at taxpayers' expense? That is obviously what it means.

The official Labor Party attitude is to put a stop to the development of the Roxby Downs copper project, an investment that has enormous potential for the future of this State. Those are just a few examples of the matters that are now an acute embarrassment to the Leader of the Opposition, that is, the present Leader, and the members of his Party. Other policies are clearly set out in the convention agenda that have yet to be considered by the Labor Party executive. When things are getting too hot, you put them away. You say, 'We will get the executive to look at them and they will not be debated in public.' Some of the matters to be referred to the executive relate to worker participation policies in a form even stronger than those proposed under the Dunstan Government and the demand that firms disclose to union representatives all details of company activities, including profits, costs, pricing and future investment plans. In the area of taxation Labor would—I again quote from the agenda items that are yet to be considered by the executive—regulate its financial position by raising tax rates rather than by cutting public expenditure programmes.

What concerns me more than anything else about these policies is that they have been tried before and they have failed. If we look at the experience of the Whitlam years, if we look at what we inherited in the latter part of the Dunstan era and what we inherited when we came to office in 1979, the events speak for themselves. We have had to clean up the results of expensive socialist experiments like Monarto, the Land Commission, the Frozen Food Factory debacle, the Riverland Cannery, and other things.

Those very crude and costly excursions into what were socialistic State enterprises have cost South Australians dearly. Only last weekend a motion was put forward that the State Government under Labor would acquire the Cooper Basin resource. It was only the cost (and the former Minister of Mines and Energy, Mr Hugh Hudson, was fortunately on hand to point out that the cost would be about $3 000 000 000 from the public funds) which prevented that policy from being adopted by the Australian Labor Party.

I believe that all of these and other matters have to be widely publicised within the community so that people know exactly where a Labor Government in South Australia would take them. Fortunately, quite apart from anything else, and the progress that has been made for the development of this State by this Government, the very existence of those policies and their adoption by the A.L.P. State convention make it almost impossible that the Labor Party will ever get back to the Treasury benches, and the people of South Australia can be grateful indeed for that.

URANIUM

Mr ASHENDEN: Will the Minister of Mines and Energy say whether he agrees with statements made by Mr Walter Patterson in the November edition of the *Herald* in relation to uranium mining and treatment in South Australia? I have been approached by a constituent who has read an article entitled 'World Expert Talks on South Australian Uranium'. The article contains a record of answers to various questions put to Mr Patterson (a person the article alleges is 'one of the world's leading nuclear authorities') by a Mr Rann. My constituent believes the article contains a number of misleading statements. For example, in relation to a uranium enrichment plant, Mr Patterson states:

> I think the likelihood is that in the first place, the enrichment plant will be surplus to world requirements . . . the impact on small local economies of this type of short-term, large construction project has long since been demonstrated to be detrimental in the long term. There may be a brief boom period for some parts of the local economy but that boom will be followed by a very rapid collapse as the construction phase ends.

Other quotes from that article are:

> The local community will undoubtedly suffer severe dislocation . . . The community will be left to pick up the remains of the shambles.

I am advised that in the article Mr Patterson then goes on to state that he very much doubts that there will ever be a market for the products of a South Australian uranium enrichment plant and alleges that South Australia would be landed with a 'white elephant which, once in place, will be a white elephant that will be difficult to get rid of'. He then goes on to make a number of other statements, all of which I am advised are anti uranium processing and anti uranium mining. He then continues by saying:

> As far as the rest of the world is concerned, this is not an exercise that Australia wants to get involved in.

He concludes by stating that Australia 'may well have to hand over uranium free because I do not think anybody will buy it'. My constituent is most concerned that such misleading allegations and many others are contained in that article.

The Hon. E. R. GOLDSWORTHY: The member did draw my attention to the article in the *Herald*, which I understand has some official status as the Labor Party rag. Having perused the statements, I find that they are, of course, quite absurd, and until last weekend would not have

found favour with a significant section of the Labor Party, because prior to then, when they sought to come to some consensus on the uranium policy and toughen it up a bit for the waverers, a significant number of A.L.P. members would have found that article wanting. The fact is that it is nonsense. How that gentleman can be called an expert, heaven only knows; I do not.

Let me deal with his statements. In relation to markets for enrichment, of course, the decision will be a commercial one, made by people who are prepared to put upwards of one billion dollars into uranium enrichment. I have not found business men who are yet eager to embark on that sort of exercise unless they see sound commercial reasons for so doing. In relation to mining safety, the expert is at loggerheads with members of the A.L.P. who served on the Select Committee. In fact, it seems that there has been a change of heart as late as last weekend during the course of the conference by A.L.P. members who served on that committee, because they found, along with the Democrat member, that up to and including the enrichment stage, mining, milling and enrichment were safe. In fact, the Leader of the Opposition concurred with that view until quite recently, when he said:

> It was now possible the mining of uranium could be placed in the safe category. There were machinery techniques and technologies which allowed it to be seen this way.

That was a statement by Mr Bannon on 21 February, but events have overtaken him since then. Dr Cornwall said:

> I believe on masses of evidence that I have been able to examine over the last 15 months that we have probably reached a stage with the equipment that is available, the more sophisticated monitoring equipment and so forth, that you can say that it is relatively safe to mine and to process and to enrich uranium.

That is what the Select Committee told us, but at the weekend events changed. In relation to safety of waste disposal, I have already outlined in some detail to the House, in answer to a question from the member for Mitchell, what I observed at first hand in Sweden and France, where technology is developed and accepted by Government for the disposal, both intermediate and final, of waste material. The other point made by the so-called 'expert', the concluding statement in regard to sales quoted by the member, was that Australia may well have to hand over the uranium free because he did not think anybody would buy it. That is, of course, quite ludicrous. The fact is that about 55 000 short tonnes of Australian uranium, with an overall value close to $4 000 000 000, has now been firmly committed.

I repeat that the A.L.P. is in a bind. We know it is divided. The division was apparent until the weekend, when obviously the member for Elizabeth and his cohorts were able to satisfactorily stand on the necks of those who were wavering so that they have come up with a policy that they believe will be seen as unanimous, which is absolute nonsense.

At 3.14 p.m., the bells having been rung:

The SPEAKER: Call on the business of the day.

INDUSTRIES DEVELOPMENT ACT AMENDMENT BILL

The Hon. D. O. TONKIN (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the Industries Development Act, 1941-1978. Read a first time.

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This short Bill proposes a revision of the method by which financial assistance is made to industry. Considerable attention has been given in the past two years to the needs of developing industries and the problems encountered in attaining sound financial structuring. The South Australian Development Corporation, formerly known as the Industries Assistance Corporation, was established by amendment to the Industries Development Act in 1971. Its major role was the provision of loans to industry but it could also recommend the making of grants and the purchase of equity. In recent years former Governments requested the corporation to handle a number of difficult and politically sensitive financial assignments. The board accepted these additional responsibilities, even though the possibility of success was remote, in the understanding that this was in the public interest. As a result large amounts of Government money have been loaned and invested but significant sums subsequently have been classed as irrecoverable.

A committee, comprised of officers from the Department of Trade and Industry and from my own department, has examined the types of assistance possible for the development of industry with a view to determining the most effective way of providing finance. The committee considers that the provision of Government guarantees for loans from the private banking sector is the most efficient and commercially prudent method of providing support and reinforces the relationship between the proprietor of a company and his banker. This type of financial assistance comes within the existing scope of the Industries Development Committee. The Minister of Industrial Affairs has recently announced substantial boosts in lending to small business through funds made available by the State Bank and the Savings Bank of South Australia. The banks had agreed to set aside up to $5 000 000 for small business and tourism ventures and this money would be in addition to funds the banks would normally lend to these sections of business. This initiative is designed to overcome the disincentives for banks to lend to small business occasioned by the interest rate ceiling. The Government realises the need for venture finance with flexibility of repayment terms for so-called 'seed bid' industry and a number of proposals were being examined to encourage small companies with special technology to expand rapidly commercial development.

The S.A.D.C. has been providing assistance by way of loans and guarantees for loans. This assistance will still be available through either the State Bank or S.B.S.A., as outlined above, for loans and through the Department of Trade and Industry for guarantees upon approval of the Industries Development Committee. The effect of this Bill is therefore to terminate the life of the South Australian Development Corporation. Some of the powers held by the corporation have been retained for the Industries Development Committee for use in exceptional circumstances. My Government would wish to place on record its appreciation of the work done by members of the board of the corporation who have worked hard on many projects, some of which have been difficult and unrewarding. In particular, the board has had considerable success in reducing the very heavy financial losses of the South Australian Frozen Foods Operations Pty Ltd.

The involvement by a previous Government of the board of the South Australian Development Corporation in the hazardous problems of Riverland Fruit Products Co-operative Ltd has, however, been an unhappy episode and it is not my Government's philosophy that it should become enmeshed in the affairs of the manufacturing sector in such a complicated manner. The problems of the fruit canning industry will not easily be laid to rest. The staff of the South Australian Development Corporation will be transferred to the Department of Trade and Industry, where they will be engaged in new initiatives for assisting industry.

Clauses 1 and 2 are formal. Clauses 3, 4, 6 and 7 make amendments to the principal Act that are consequential upon the abolition of the South Australian Development Corporation. Clause 5 repeals the provisions of the principal Act under which the South Australian Development Corporation is established. New section 16a invests the Treasurer with certain functions formerly exercisable by the corporation. Under this new provision the Treasurer may, on the recommendation of the Industries Development Committee:

(a) make loans for the purpose of assisting in the establishment or development of industry within the State;

(b) acquire land and equipment and make it available for use in industry; and

(c) make non-repayable monetary grants for the purpose of assisting in the establishment or development of industry in the State.

Clause 8 vests all property rights, powers and liabilities of the South Australian Development Corporation in the Crown. The property that vests in the Crown under this clause is to be administered by a Minister nominated by the Governor and that Minister is empowered to exercise the rights and powers that vest in the Crown under this clause.

Mr BANNON secured the adjournment of the debate.

STONY POINT (LIQUIDS PROJECT) RATIFICATION BILL

The Hon. E. R. GOLDSWORTHY (Minister of Mines and Energy) obtained leave and introduced a Bill for an Act to ratify and approve the Stony Point (Liquids Project) indenture; to amend the Cooper Basin (Ratification) Act, 1975; and for other purposes. Read a first time.

The Hon. E. R. GOLDSWORTHY: I move:

That this Bill be now read a second time.

It seeks to ratify the Stony Point indenture, pipeline licence No. 2 and the PASA and producers right of way agreement. The indenture reflects the agreement between the State and the producers regarding the overall conduct of the development. Pipeline licence No. 2 specifically empowers the producers to construct and operate a pipeline between Moomba and Stony Point. The PASA and producers right of way agreement provides for the use by the producers of a right of way to be obtained by PASA for the purpose of their pipeline. The first two of these documents are schedules to the ratification Bill.

The background to the agreement is that, at the beginning of this year, the Cooper Basin Producers advised the Government that they had selected Stony Point, which is situated close to Whyalla, as the site for a scheme for the shipment of crude oil from 1983 and l.p.g. from 1984. As well as the development of the site itself, the scheme would involve the construction of a pipeline to transport the liquids from Moomba to Stony Point. Since the announcement was made the producers have pursued their design, cost and environmental studies. In the case of the pipeline, these were undertaken by the Pipelines Authority of South Australia, which will be supervising the construction and operation of the pipeline and maintaining it (notwithstanding the producers' ownership of it) on behalf of the producers and providing the easement in which it will be located.

The producers' and PASA's studies progressed to the point where environmental impact statements for the Stony Point site development and the pipeline were able to be released in the middle of the year. The Department of the Environment's assessment of those statements, which was generally favourable, was released last month. In August overall planning reached the point where the producers felt able to approach the Government for an indenture so that, if the environmental assessments were favourable, ratification of the agreement could be sought from Parliament without delay. In the event, the environmental assessments were favourable and negotiations with the producers were completed last week, enabling this agreement to be brought before Parliament today. In passing, I point out that these negotiations involved a large number of departments, including Mines and Energy, Treasury, Attorney-General's, Lands, Engineering and Water Supply, Marine and Harbors, Highways, Environment and Planning and Trade and Industry, as well as ETSA and PASA.

Before turning to details of the arrangement, I believe I should remind the House of the broad outlines of the project. It is the largest resource development project ever undertaken in this State. The 659-km pipeline for the transport of the liquids from Moomba to Stony Point is expected to cost $150 000 000. The construction of facilities at Moomba and the fractionation plant at Stony Point is expected to cost over $600 000 000. The wharf and associated facilities are expected to cost at least $40 000 000. As I mentioned earlier, shipment of crude oil is expected to commence in 1983 and shipment of l.p.g. in 1984. The reserves that will be available from the Cooper Basin, as estimated by the producers, comprise 3.47 trillion cubic feet of sales gas, 138 000 000 barrels of ethane, 95 000 000 barrels of l.p.g. and 99 000 000 barrels of crude oil and condensate. At present world market prices, they are valued at over five billion dollars. Already, the producers have announced the negotiation of a five-year contract for the sale of l.p.g. to Idemitsu Kosan, expected to be worth over $50 000 000 per annum from 1984.

I now turn to the agreement which this Bill seeks to ratify. In negotiating this agreement, the State has sought to obtain an appropriate return for the resources it is making available to the producers. In this context, the word 'resources' has been broadly construed and includes not only the liquids themselves (which have been discovered only as a result of the substantial investment by the producers in exploration) but also such elements as the port site, which is one of only two deep-water sites in the Upper Spencer Gulf. The State has also been concerned to minimise its involvement in the provision of infra-structure at the present time. The producers, for their part, sought to ensure that State charges in the circumstances were reasonable and non-discriminatory and that there was sufficient certainty as to the impact of State taxes such as royalties and pipeline licence fees, particularly during the financing period of the project.

Negotiations between the State and the producers recognised the need to provide for access to the pipeline and wharf, as well as water at the Stony Point site by third parties on reasonable terms. These approaches by the State and the producers are reflected in the financial provisions of the agreement to which I now turn.

Capital funding:

The arrangements which have been agreed between the State and the producers in relation to the financing of

capital facilities can be summarised very simply. With only one exception, all the capital expenditure necessary for this project, estimated to total something of the order of $800 000 000 in today's prices, will be met by the producers. They will, of course, be directly responsible for the gathering, storage and processing works in the Cooper Basin and for the plant at Stony Point. They will also own and finance the pipeline from Moomba to Stony Point, the estimated cost of which is around $150 000 000. Clause 22 of pipeline licence No. 2 provides that PASA will have an option to purchase this pipeline at a price to be agreed at the time when it is no longer operated by the licensees for the purpose of transmitting their product from the Cooper Basin region in accordance with the project referred to in the indenture. The exception to which I have referred is that the Pipelines Authority of South Australia will be providing the easements on which the pipeline will be built and may be involved in the financing of a communications system in connection with the pipeline. The latter of these is subject to further discussion.

The reason that PASA is acquiring the pipeline easement is to facilitate the construction of further pipelines by the State in the pipeline corridor, should that be considered appropriate in the future to enable, for instance, ethane to be supplied to a petro-chemical plant.

Road, water supply and port facilities at Stony Point will be owned by the State, but will be financed through security deposits to be lodged by the producers. These security deposits will be returned to the producers over specified periods as they or third parties pay offsetting charges for the use of the facilities in question. The capital costs in these three areas are estimated at about $45 000 000 in today's prices, the bulk of which is represented by the jetty and other port facilities. The producers are making separate arrangements with ETSA for the financing of new transmission lines into Stony Point; again, the capital costs will be met by the producers.

In addition, costs will be incurred by the State in making land at Stony Point available and suitable for the producers' operations, including fencing, surveying, exchange of land with the Commonwealth, and construction of an access track to Fitzgerald Bay. These costs, which could amount to $480 000, will also be reimbursed by the producers. In addition, the State's costs of resuming shack leases are to be borne by the producers.

The fact that the capital financing will fall almost entirely on the producers is in line with the political and economic philosophies of this Government. We believe that Governments should become involved in such activity only when the private sector is unable to carry the full financing load or where there are other clear grounds for Government involvement. There are, however, other practical benefits which flow from private sector financing. The project will proceed without the Government exposing itself to any financial risk and without reducing the Government's capacity to finance other priority works. These arrangements also mean that the State is not giving any subsidy to the project, whether direct or indirect. They also mean that the State's ability to raise finance for other major development purposes in the future has not been unnecessarily diminished.

As Chairman of the Budget Review Committee, I believe that we have reason to be well satisfied with these arrangements, a view I know is supported by the Treasurer.

Royalty (schedule 5):

Because royalties are fixed by the existing Cooper Basin indenture and the Cooper Basin (Ratification) Act, 1975, royalties regarding the liquids project are dealt with by amendments to that indenture and Act, set out in schedule 5 of the Stony Point indenture. Under the existing Cooper Basin indenture, royalty is fixed on both gas and liquids, at 10 per cent of well-head value until the end of 1987. The indenture now before the House makes no provision with respect to royalty on gas which, at this stage, remains open after 1987 and on which we will be having separate negotiations with the producers.

So far as liquids are concerned, the indenture gives the State power to request discussions with the producers to review royalty arrangements to apply over the period 1988 to 1992 if royalty rates, pipeline licence fees or other similar charges have increased significantly interstate and the indenture lists matters which will be taken into account in such discussions, including royalty and like arrangements in other States. If agreement is not reached in such discussions, the State will have the right unilaterally to increase the royalty rate to 12½ per cent. I believe this to be a reasonable arrangement as the State is given flexibility to increase the rate over the five-year period 1988 to 1992 should that seem appropriate, having regard to the position in other States and other relevant circumstances.

It is estimated that, in today's prices and without allowing for any major new discoveries, the existing 10 per cent royalty rate will yield about $20 000 000 per annum from the liquids project. Should the State decide to take advantage of the power to increase the rate to 12½ per cent, this would yield a further $5 000 000 per annum between 1988 and 1992, again in today's prices and before any major new discoveries. These figures compare with estimated total mining royalties of $9 000 000 in the present financial year. The project will thus result in a major boost to State revenues.

Pipeline licence fee:

The Petroleum Act provides for a nominal licence fee amounting at most to approximately $16 000. The indenture provides for an annual pipeline licence fee of $500 000, indexed by the c.p.i. This represents a significant addition to State revenue.

Charges for State services and facilities:

Charges for electricity and water will be on the normal basis applicable to other users, subject to additional charges to reflect the new capital facilities to be installed by the State.

The indenture specifies in some detail the charges to be levied in respect of marine facilities over the first 20 years of the project. These are based on a tariff of $1.50 per tonne for the first 1 000 000 tonnes and 70 cents per tonne thereafter. As is the normal case, these charges are halved in the event of shipment to another port in the State. Under the arrangements agreed to, the Department of Marine and Harbors will receive a guaranteed minimum income for operating expenditure of $1 500 000 per year. These charges and the guaranteed minimum income will be indexed in accordance with the c.p.i. and, after operating expenses, the department should obtain a significant surplus.

Protection from discriminatory State taxes or imposts:

Clause 29 of the indenture protects the producers from discriminatory State taxes or imposts. I would draw attention especially to subclause (2) of this clause, which, in effect, means that the State cannot, before 1992, apply any new State impost on the producers' operations unless it also applies to others. This reflects our firm belief that, if resource developments of this magnitude are to be facilitated and encouraged, they should be able to operate in a predictable economic climate during the initial financing phase.

At this stage of South Australia's development, I believe it is vital that the Government make clear to resource developers that it recognises their legitimate need for reasonable financial security.

Stamp duty:

The indenture provides exemption from stamp duty in relation to documents related to transfers or financing of matters dealt with in the indenture. This is in recognition of the fact that the producers are providing items of infrastructure that would, if funds were readily available to the State, be provided by the State in some circumstances and therefore would not attract stamp duty.

I believe that the financial provisions of this indenture represent a sound and fair balance. On the one hand, the State's financial commitments are minimal and it can expect a sizeable addition to annual revenue. On the other hand, the producers will be able to operate within a known financial environment for a reasonable period in the future.

There are other features of this agreement which are of importance and which I would like to emphasise.

Future development:

The Government is anxious to encourage downstream processing of the Cooper Basin liquids which will be extracted as a result of this indenture. This is facilitated in a number of ways by the arrangements agreed to by the State and the producers. First, there is adequate land being acquired for expansion at Stony Point. This will provide for future integrated development by the producers or a third party such as a separate proponent of a petro-chemical plant or refinery or other compatible industries.

Secondly, the producers have agreed to undertake, on an ongoing basis, studies regarding the storage and processing of ethane as a petro-chemical feedstock in the State and the practicability of the construction and operation of a refinery in the region of Stony Point. The basis of these studies will be agreed with the Government.

Thirdly, the producers have agreed that they will give preference to a purchaser of feedstock in South Australia if such is technically and economically feasible, although, quite properly, this undertaking will not oblige them to sell product on other than commercial terms.

Fourthly, the indenture makes provision in the case of water, wharf and the pipeline for the use of these facilities by third parties subject to priority for the producers and compatibility with their operations. Provisions with regard to the pipeline are contained in clause 58 of the indenture. In the event of a third party seeking to use the wharf, the State and the producers will in the first instance confer with a view to setting an appropriate charge, having regard to the value and profitability of the commodity to be shipped, current interest rates (because of their impact on the amortisation of the original cost) and the provisions in the indenture regarding further processing. In the event that agreement cannot be reached, arrangements for calculating the tariff are set out in clause 72 (3) of the indenture.

State preference:

The Government is anxious to ensure that the benefits of this development are retained as far as possible in South Australia. In this regard the producers have undertaken, as far as reasonably practicable, to give preference to services, labour, suppliers, manufacturers and contractors located within the State. From time to time, the Minister can seek a report from the producers on the performance of their obligations under this clause.

Environment protection:

It is essential, if resource development projects are to be accepted by the widest cross-section of the community, for proper environmental standards to be observed. The producers have undertaken to comply with all environmental laws of the State and Commonwealth, standards set thereunder, the undertakings contained in the environmental impact statements for the pipeline and Stony Point development and other standards determined during the development of the project and agreed in consultation with the producers. The State acknowledges that the decision by the producers to proceed with the project has been undertaken in the context of present day environmental standards and has undertaken to sympathetically consider any request by the producers to reconsider its charges and levies in the event that changes in the State's environmental requirements lead to substantial additional costs being imposed on the producers. The producers and the State have agreed to establish the 'Stony Point Environmental Consultative Group' to consult on matters relating to the protection of the environment in the Stony Point region.

Protection of gas supply:

Some of the liquids for the purpose of this project will be extracted from wells that are also producing natural gas. It will be necessary for appropriate steps to be taken to ensure natural gas supply in the event that liquids production is hindered for any reason. Accordingly, the producers have agreed that in carrying out their activities, they will have regard to their obligations under existing and future sales agreements with PASA. This is apart from the obligations contained in the relevant contracts.

Land at Stony Point:

The exact location of the 100-hectare development site is indicated in schedule 3 to the indenture. The cost of this land to the producers includes the costs associated with making Stony Point a suitable site for a project of this kind. An additional 40 hectares, not yet precisely defined but to be adjacent to the 100-hectare development site, will be made available to the producers in the event that they can demonstrate the need for it. As I mentioned in regard to 'Future development', the balance of the 2 000 hectares suitable for development at Stony Point will be available in the event that other projects are proposed that would use feedstock from the producer's liquids project.

Shacks:

There are a number of shacks on and in the vicinity of the proposed development site. The agreement sets out the arrangements between the producers and the State to cover the State's costs, including any compensation for the premature termination of holiday accommodation leases in the case of shacks removed as a result of the resumption of the proposed development site for the purposes contemplated by the indenture. In the event that other shacks require to be removed at some later time because of changed circumstances affecting the safety of the plant, the producers will reimburse the State for the cost it incurs for the removal of the shacks.

Services corrider:

Provision is made for a 20-km services corridor to accommodate the pipeline and utilities, particularly ETSA and E. & W.S. Details are shown in schedules 2 and 3 of the Stony Point indenture. The producers have undertaken to remove any unexploded military ordnance from this corridor as a result of the former use of the area as a military reserve. The producers provide an indemnity to the State for loss, injury or damage to persons arising out of any unexploded military ordnance where they are on the services corridor engaged on business or activity or a course of conduct related to the operation of the producers pursuant to this indenture. This indemnity is supplemented by a broader indemnity of the State by Santos which matches an indemnity given by the State to the Commonwealth in relation to land made available for the purposes of this project.

Area of coverage at Moomba:

The benefits of the existing Cooper Basin indenture extend to what is known as the subject area. In order to enable the benefits of this indenture to be extended to encompass known discoveries of liquids contiguous to the

subject area as presently defined, two additional areas have been granted the benefits of the Cooper Basin indenture. These are to be known as area 1 and area 2 and are defined in amendments to clause 6 of that indenture set out in schedule 5 of the Stony Point indenture. These areas comprise the discoveries made by the Beanbush No. 1, Coonatie No. 1, Cuttapirrie No. 1, Kanowana No. 1 and Paning No. 1 wells. In these additional areas clauses 6 (1) and 6 (4) of the Cooper Basin indenture, which prohibit any action by the Government which would restrict or prevent the producers from giving effect to their rights and obligations under sales contracts will not apply. This will ensure that the provisions of the Petroleum Act relating to conservation and management will apply in those areas.

The Government believes that the arrangements to be confirmed by this Bill are of great importance and benefit to the State. The producers will be able to proceed with the profitable extraction and processing of the major resource comprised within the Cooper Basin on terms satisfactory to them. The State will receive a satisfactory return from the development of a resource which is owned by the Crown on behalf of the people of the State. Commitment of public funds to infrastructure for the project will be absolutely minimal, thus ensuring that the Government's priorities elsewhere are not affected. There is provision for future development, State preference and environmental protection, which reflects the Government's determination to ensure maximum development in South Australia.

The provisions of the Bill are as follows. Clause 1 is formal. Clause 2 contains definitions required for the purposes of the new Act. Clause 3 ratifies the relevant instruments and provides for their implementation by the Crown. Clause 4 makes the necessary consequential amendments to the Cooper Basin Act and indenture.

Clause 5 amends the law of the State to accommodate the provisions of the indenture. Clause 6 enables regulations to be made for implementing the indenture. Clause 7 provides that the new Act will operate in respect of land registered under the Real Property Act. I commend the Bill to the House.

The Hon. R. G. PAYNE (Mitchell): The Minister, in his second reading explanation, has related to the House what is contained, from the Government's viewpoint anyway, within the Bill and the indenture which forms the major part of that Bill. The consortium, or the group concerned in this indenture legislation consists of 11 proponents; the operator (I think that is the correct term) for those proponents is Santos. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

BRANDS ACT AMENDMENT BILL

The Hon. W. E. CHAPMAN (Minister of Agriculture) obtained leave and introduced a Bill for an Act to amend the Brands Act, 1933-1976. Read a first time.

The Hon. W. E. CHAPMAN: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This Bill amends the Brands Act on a number of different subjects. Presently, the principal Act provides that livestock are not to be branded except with a brand approved by the Registrar. The primary purpose of such branding is to facilitate the ready identification of an animal's owner. However, the Bill proposes an amendment to the Act which will enable the State's horse racing authorities and approved breed societies to require their respective members' stock to be branded in accordance with the appropriate registration rules of the authority or society. Such a brand will be for the express purpose of identifying the animal rather than its owner.

The amendment originates from a long-standing request by the Australian Trotting Council and, more recently, the South Australian Trotting Control Board, to allow the trotting industry in this State to introduce the 'alpha angle' system of branding for animal identification purposes. The amendment will also permit approved breed societies to brand stud stock according to society specifications. Such branding will accord societies a higher degree of protection in maintaining stock blood lines.

Due to the progress of the national eradication of bovine tuberculosis and brucellosis, it is intended that all cattle moving from tuberculosis and disease infected properties be permanently identified. The Bill provides for the use of appropriate distinctive brands. The Bill will also enable departmental officers or an authorised officer of a breed society to brand cattle indicating that such cattle have undergone a herd test as, for example, is required by the Angus Breeds Society in relation to Mannosidosis.

The Australian Wool Corporation and all organisations of coloured sheep breeders have unanimously agreed that a standard ear mark to identify heterozygous sheep should be adopted. This will enable responsible breeders to identify sheep for sale which are heterozygous so that a buyer may be warned of the risks in their use.

Clauses 1, 2 and 3 are formal. Clause 4 provides that where an animal is registered with an approved authority the owner may brand the animal with a brand which has been approved by the authority and in a position and manner approved by the authority. Where an authority is approved for the purposes of the new provision it is required to keep records of approved brands and is required to allow the registrar to examine and make copies of or take extracts from those records. Clause 5 provides that a sheep that carries the colour pattern gene ω may be earmarked with the distinctive earmark identifying it as such a sheep. Clause 6 amends section 62 of the principal Act. This section relates to the branding of diseased stock. The amendment expands the form of the brand that may be used in relation to such stock and provides that the brand may be either a fire brand, a freeze brand or an acid brand. Clause 7 amends section 63 of the principal Act by removing the reference to the body known as the Advisory Committee for the Improvement of Dairying. Clause 8 is a consequential amendment.

Mr ABBOTT secured the adjournment of the debate.

SEEDS ACT AMENDMENT BILL

The Hon. W. E. CHAPMAN (Minister of Agriculture) obtained leave and introduced a Bill for an Act to amend the Seeds Act, 1979. Read a first time.

The Hon. W. E. CHAPMAN: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

The principal Act to which this amending Bill refers, namely, the Seeds Act, 1979, was passed by Parliament in

March 1979 but has not yet come into operation. The concept of the Seeds Act, 1979, is new to the area of seed merchandising in Australia. It is designed to ensure that transactions involving the sale of seed take place on a fair and informed basis. The Act requires detailed information to be given by the vendor of seeds to the purchaser at the time that the sale takes place. In this way the purchaser will be able to purchase seed of the exact quality required. Previously, under the Agricultural Seeds Act, 1938-1975, seed could be sold if it met specified minimum standards of germination and purity which were often quite low. The purchaser did not have direct access to information as to the content of undesirable weed seeds. In practice, trade in substandard seed was possible and difficult to detect.

The amendments presented in this amending Bill concern two areas. First, some changes have been made to the form and content of information required to facilitate uniform labelling between States. Since the passing of the Seeds Act in 1979 other States of the Commonwealth have decided to enact this type of legislation. After considerable dialogue between States, and for the sake of uniformity, it was considered necessary to make minor amendments to the Seeds Act, 1979, before the Act is brought into effect. Uniformity in the form of information required at the point of sale is very important to the seed industry of South Australia as this State is primarily a seed exporter.

Secondly, further definition is given to exemptions from the labelling provisions for genuine farmer-to-farmer transactions of the main high volume, low cost field crops. It is the intention that sales of the major field crops between farmers in close proximity should not be restricted, provided these transactions do not form a regular seed sales business but are conducted on an *ad hoc,* incidental basis.

Clauses 1 and 2 are formal. Clause 3 amends section 7 of the principal Act. The amendment made by paragraph *(a)* will require a seller to provide the buyer of seeds with a written statement instead of a statement 'in the prescribed form'. The prescription of a detailed form will, in its application to some sellers, be too restrictive. Paragraph *(b)* inserts new paragraphs *(ab)* and *(ac)* into section 7 (3). the new paragraphs make a distinction between the seeds that constitute the bulk of the parcel sold and those seeds that are included unintentionally in small quantities. The statement must show the proportion by mass of the principal species and the proportion by number of the other species. The latter proportion will be expressed in the prescribed manner. This will usually take the form of the number of seeds for every specified unit quantity of the material sold.

Paragraph *(c)* makes an amendment the effect of which will be that the information as to the germination of seeds will apply only to the principal species. Paragraph *(d)* inserts a new paragraph *(d)* into section 7 (3) of the principal Act. The new paragraph relates the proportion of inert matter to the mass of all the material sold. The terminology is changed from 'extraneous matter' to 'inert matter'. The latter term is used internationally and its use is desirable for reasons of conformity. Paragraph *(e)* replaces paragraph *(e)* of section 7 (3). The effect of the change is to relate the information required to chemical treatment during processing of the seeds. Paragraph *(f)* makes an alteration of a drafting nature. Paragraph *(g)* inserts new subsection (5a) into section 7. In many cases it will not be possible to provide information required by section 7 that is precisely accurate. This subsection will enable limits of accuracy of a realistic standard to be set in accordance with international standards and to be varied from time to time as required.

Paragraph *(h)* replaces paragraph *(b)* of subsection (6) with a provision that requires the vendor of seeds to have a reasonable expectation that they will not be used for germination or propogation if the sale is to escape the requirement of section 7. Paragraph *(i)* inserts a provision consequential on new subsection (7). New subsections (7) and (8) are inserted by paragraph *(j)*. Subsection (7) allows for exemption by regulation and subsection (8) provides definition of terms used in section 7. It is desirable that the percentage that determines whether a species is classed as a principal species should be prescribed so that uniformity with other Australian States and with other countries can be maintained.

Clause 4 amends section 8 of the principal Act. Paragraph *(a)* replaces paragraph *(b)* of section 8 with a provision that requires the purchaser to have given certain undertakings if the defence under that paragraph is to be established. Paragraph *(b)* replaces subparagraphs (ii) and (iii) of paragraph *(c)* with new subparagraph (ii). Paragraph *(c)* increases the distance referred to in subparagraph (iv) from 30 to 50 kilometres. Clause 5 amends section 12 of the principal Act so that the maximum penalty that can be imposed by regulation is increased to $500.

Mr ABBOTT secured the adjournment of the debate.

RACING ACT AMENDMENT BILL

Later:

The Legislative Council intimated that it agreed to the recommendations of the conference.

Consideration in Committee of the recommendations of the conference.

The Hon. M. M. WILSON (Minister of Recreation and Sport): I move:

That the recommendations of the conference be agreed to.

There has been enough debate on this matter already, both in this and the other place. Amendments Nos. 1 to 6 of the Legislative Council were not insisted upon by Council representatives at the conference, providing that a compromise was reached which, in fact, refers to the nominations by various organisations of persons to be appointed to the controlling bodies, particularly as regards greyhound racing and trotting. You will remember, Sir, that the original legislation required the nomination to be put to the Government in a panel of three, and the Legislative Council's amendment was that that should be reduced to one person only. After the deliberations of the conference, it was agreed that the nomination should be in the form of a panel of three names, provided that the Minister concerned (which, in this case, would be me) would consult with the body of persons who nominated that panel. I do not think that I need say more about that at this stage, because it is self-explanatory. It did allow for the Government to maintain its policy of having nominations for panels of three presented to it and also covered many of the objections (90 per cent, I think the member for Gilles said at some stage) of the nominating bodies.

After much debate and a deal of careful consideration, the conference agreed that the House of Assembly would no longer insist upon amendment No. 8, which gave the right for bookmakers to sue and be sued. Much consideration was given to that matter in this place, the other place, and at the conference. I want to pay a tribute to the contribution made to the conference by all members there, particularly to the member for Gilles, who made a couple of suggestions that, in the end, did help to resolve the situation. I do not think I need say anything more at this stage, other than to commend this motion to the Committee.

Mr SLATER: I support the motion. The Minister has covered the major aspects of the determination made by

the conference regarding amendments Nos. 1 to 6. I did say that I believed it went most of the way toward resolving the difficulties I foresaw with regard to a panel being appointed rather than there being a nomination of one person. The matter regarding bookmakers being sued and being able to sue was canvassed fairly extensively, in debate in this House, and the Legislative Council, and at the conference. The determination made, of course, was that the House of Assembly did not further insist on its disagreement to the Legislative Council's amendment, so the matter was resolved in that way.

The Minister made a comment regarding a suggestion made by me during the course of the conference with respect to amendments Nos. 1 to 6, and I take that as a compliment. However, I was rather concerned at the Minister's reminder to me early during the conference when he chided me and pointed out that I was representing the House of Assembly. I was well aware of that, and it was my intention to do exactly that, although it does put a member at a disadvantage at a conference if that member has supported the original amendments before the matter went to that conference. I remind the Minister that I was well aware that I was representing the Lower House, and I was endeavouring to assist him. No thought was in my mind at that time other than the determination of the matter. As I said, that was one matter about which I was not particularly pleased.

We did break for some considerable time to allow a discussion to take place between the respective Parties. I know that my colleague from another place, the Hon. Dr Cornwall, was not pleased about that, and made the point when we reassembled that the Minister had been in conference with some of his colleagues from the Upper House, which it was claimed did not help the spirit of the conference. I was quite upset about that matter, too. I say, with some respect to the Minister, that there are times when we all portray, in different circumstances, certain personal characteristics.

I believe that on this occasion the Minister could have been less dogged, if I could use that word without being insulting. I think he was a bit smug in his approach to the matter. I feel that we could have compromised much more quickly if perhaps his attitude had not been quite that particular way.

The Hon. M. M. Wilson: That's a new one; smug, now, is it?

Mr SLATER: I use that word not in an insulting or a derogatory way, but the Minister's attitude was not consistent with the spirit of the conference. However, I support the Minister in regard to accepting the recommendations of the Legislative Council.

Mr EVANS: I support the recommendations, also. I think it is important to ensure that we understand whether complaints are justified in the area in which parties are involved and what they discuss when a conference breaks to consider any compromises that may be achieved. During my 14 years here, I have attended many conferences between both Houses, and the majority of these I have attended were under the previous Administration. The practice has always been that, when the break comes to discuss matters before the conference to attempt to reach a compromise, or to discuss propositions that are put forward as a compromise, the political Parties' delegates move into a group and discuss what their attitude to the compromise will be, even though, once they walk back into the conference, the House point of view is supported by each group of delegates from either House. That has happened for as long as I can remember.

I believe that the complaint made in this case is unjustified unless we agree that this practice as it has applied to all the previous conferences has also been unjustified. Otherwise, there is no way that a compromise can be reached, because some of the delicate points that need to be considered cannot be discussed while both political Parties have delegates sitting around the table talking about those points. In fact, at times people have been brought in from outside bodies, I think perhaps wisely but not necessarily according to the rules, to discuss certain matters, although that did not occur on this occasion. I believe that legal advisers, other than the Parliamentary Counsel, have been brought in at different times to advise delegates and to discuss various matters in an attempt to reach a compromise. That is the sole objective of the conference.

I believe that this conference worked very well. I am not pleased that the right or the opportunity for a bookmaker to sue over a debt has been eliminated. That does not cheer me up at all, seeing that it is supposed to be a legitimate business, but it is part of the compromise, and I accept the overall proposition. I believe that the Minister's attitude at all times was one of compromise. A Minister who does not go to a conference showing some form of strength for the argument he is putting would have no show at that conference. We all know that. Every Minister who has chaired a conference has had to take a hard line to win any point, because politicians with political philosophies or House points of view are strong in their desire to win; if they are not, they will not be successful in that area in which they participate. I congratulate the Minister on his attitude and on the way he handled the conference. I believe that he achieved the only compromise possible.

Mr MAX BROWN: I believe that the best possible arrangement available to solve the deadlock between the other place and this Chamber was achieved. In support of the member for Gilles, I believe that the Minister was very quick at the conference to indicate, particularly to me, that I was there representing this House. I accepted his criticism, knowing that reasonable compromise had to be reached, and my remarks at the conference were made on that basis. Bearing in mind that discussions between the two Houses looked like producing no agreement, I was rather surprised, in the initial stages at least, that the representatives of the House of Assembly did not go to the conference seeking a reasonable compromise. I point out to the Minister that it was the member for Gilles who passed him a suggestion (and we were asked to leave the room), which in my opinion led to the compromise that we reached. I can understand the point made by the member for Fisher, that at some stage during the discussions the Government wished to have its own members from both Houses in conference. However, I certainly support the decisions that have been made.

The Hon. M. M. WILSON: I was not going to reply, but it seems to me that it is 'chide the Minister day'. Here, I am being chided in some respects like a schoolboy by members opposite. I have been called a lot of things in this House; notably, after the last conference I was called 'intransigent' by members opposite. The member for Stuart had much to say then; he waxed lyrical on the subject. Now I am smug. Whatever I am or happen to be, the important thing is that we achieved a result at the conference by dint of some hard talking and some compromise, which to quote the idiom of the day is the name of the game.

Motion carried.

SAVINGS BANK OF SOUTH AUSTRALIA ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

MOTOR VEHICLES ACT AMENDMENT BILL (No. 5)

Adjourned debate on second reading.

(Continued from 19 November. Page 2109.)

Mr WHITTEN (Price): It is not my intention to unduly delay the House on this matter. I did have quite a deal to say when it was last before the House. However, I should remind the House of some of the things said when this legislation was introduced by the previous Government.

Some of the clauses in this Bill are almost identical with those of the Bill introduced in 1979. At that time the Liberal Party, then in Opposition, bitterly opposed them. I think it is to the credit of the Minister that he did not involve himself in the debate at that time. The present Minister of Agriculture had the carriage of that Bill for the then Opposition and he spoke for 1½ hours. He said many words but in fact they did not mean much, except that the Opposition opposed the Bill. He said he thought it would be of no use to South Australia.

One of the clauses deals with towtruck drivers and the police. It is interesting to note that, when the Bill was introduced in 1979, the member for Coles (now the Minister of Health) was very bitter about this aspect. She said that it would lead to corruption and bribery in the Police Force if the police had anything to do with the rostering of tow truck drivers, and she did not want to see that happen. You, Mr Deputy Speaker, as the member for Eyre, bitterly opposed the Bill. You said that you would not have a bar of it and that it should be thrown out without any amendment whatsoever. The members of the Party that opposed this Bill when in Opposition are taking a different view in Government. I feel sure that they must be taking a different view, because I think the member for Todd would have been reflecting the views not only of his Minister, but also of other Government members. I was impressed with what the member for Todd had to say. It was surprising, I suppose, to some of us to hear me say these things but I believe that—

The DEPUTY SPEAKER: Order! I remind the honourable member that repetition is out of order.

Mr WHITTEN: What did I repeat, Sir?

The DEPUTY SPEAKER: The honourable member may continue.

Mr WHITTEN: I am sorry, Sir; you did throw me a bit. You will not do it again, I can assure you. The member for Todd talked about all the terrible things that this Bill will put right. He said that previously there had been criminal activities and a ruthless element in the tow truck industry, and he felt the Bill would put that right.

I recall that in 1979 the then Minister was saying exactly the same thing but it is strange that it has taken 2½ years for sense to prevail. It has been said that the industry has not been able to control itself. I can recall, Mr Deputy Speaker, you saying that any industry that cannot control itself should not exist, and you believed that the industry could control itself. Now we have the member for Todd, in an impassioned speech, supporting the Bill.

The Hon. M. M. Wilson: And an excellent speech it was.

Mr WHITTEN: I am complimenting him. He is new blood in the place and he has not yet been contaminated, but I doubt whether that will save his skin at the next election. I think he had sown his seeds for his trouble before he made his speech a week or so ago. He said that it has been necessary for the Bill to be brought forward because of all the corruption in the industry. He said that it is necessary for Government regulation to be introduced, even though he does not like Government regulation. He can certainly see some merits in some things.

He also talked about the evidence the Government had of tow truck drivers fighting to obtain the tows and totally ignoring the plight of the injured victims. I think that in this case the Liberal Minister of Transport is on the right track. The main problem with this Bill is that it does not go far enough. I have said previously that I believe the total repair industry should be included in this Bill, and that the dent knockers, the painters and the insurance assessors should all be brought under control.

I am pleased to see that in the second reading explanation the Minister said that the tribunal must be representative of the industry. His actual words were these:

> . . . creation of a tribunal to hear and determine matters arising out of the new legislative framework, with the tribunal being industry based so as to ensure that matters unique to this industry are judged by a body equipped to understand the problems;

I quite agree with that. This Minister often shows quite a bit of sense. I feel sure he will not oppose an Opposition amendment in this regard. I believe that, to be fully representative of the industry, there must be a representative of the trade union movement. After all, all the tow truck drivers are members of the Transport Workers Union. To be totally representative of the industry, the tribunal must include a representative of the drivers as well as of the Chamber of Commerce.

The Hon. M. M. Wilson: It is an appeal tribunal.

Mr WHITTEN: If it is to be totally representative of the industry, surely those working in the industry must have some representation on the tribunal panel. I will leave further debate on that matter until the amendment is moved. I believe I am not entitled now to speak to the amendment, but the point should be made that the clause that sets up the tribunal is not wide enough and should be widened. I hope that the Minister will see reason and will increase to four the number of members of the tribunal, so that the trade union movement is involved.

The second reading explanation referred to the establishment of the accident towing roster, to provide for the rostering of qualified tow truck operators to attend accidents in sequence, as supervised by the police, but retaining the right of an individual to request that a certain tow truck operator of his choice be summoned. That is a good measure and it should gain the support of all Opposition members. I hope that the Minister will take notice of what I have had to say concerning the tribunal, give it consideration and, when the amendment is moved by the shadow Minister, support it, so that we can have representatives on the tribunal of a body that is vitally involved in the industry.

The Hon. M. M. WILSON (Minister of Transport): I am pleased that honourable members opposite are supporting the second reading and I understand that there may be some—

Mr Keneally: Not one of your members defended the charges made against them as to their changed attitude.

The Hon. M. M. WILSON: They do not need to, because I am going to do it for them. The member for Stuart should take note of that and contain his impatience.

Mr Keneally: Are you the elected apologist?

The Hon. M. M. WILSON: Are you going to call me intransigent?

Mr Keneally interjecting:

The Hon. M. M. WILSON: I will be paying due heed to the remarks of the member for Price. Questions were asked by the member for Florey, the member for Albert Park, and the member for Todd, and I will deal with these matters in Committee.

I want to say a little about what honourable members opposite have said regarding members of the Liberal Party who opposed the former tow-truck legislation introduced

some 3½ years ago, and will tell the Opposition why we opposed it. I believe, Mr Deputy Speaker, that you and the Minister of Agriculture, in his former role, were mentioned in this debate. The Motor Body Repair Industry Bill, the legislation to which members opposite have referred, contained 113 provisions. This Bill has 12.

The member was trying to put through this House and the Parliament a most incredible piece of legislation that sought to regulate almost everyone out of business. Not only did it deal with the tow-truck industry, but, as you would be well aware, it also dealt with the licensing of crash repair shops and loss assessors; not only that: it would have contained a most monstrous set of regulations. Do not let me mislead the House. The regulations in this Bill will be large enough in number, but those in the Motor Body Repair Industry Bill were as big as the pile of documents Dr Cornwall had in front of him in the photograph in the *Advertiser* a few weeks ago. It would have been an enormous piece of legislation. Another factor that members opposite have forgotten is that the Motor Body Repair Industry Bill sought to set up a controlling body, a licensing authority.

Mr Keneally: I have never heard you speak with less conviction.

The Hon. M. M. WILSON: That was to cost the taxpayer—

The DEPUTY SPEAKER: If the honourable member for Stuart continues to interject, he may be evicted. I do not know about 'conviction'.

The Hon. M. M. WILSON: It was to be chaired by Mr Lean, and, in 1979, it was going to cost $260 000 a year to run. In today's values, that would be well over $300 000 a year. This piece of legislation will, in its first year, cost something like $40 000, of which $25 000 will be initial costs, and all of that money will be recouped. That is the difference between this legislation, brought in by the Liberal Party in this State, and the legislation brought in by the former Government. It is no wonder that you, Mr Deputy Speaker, and other members now on this side of the House opposed the former legislation so forcibly. I congratulate you and those other members for so doing.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Interpretation.'

Mr O'NEILL: I want to ask about the definition of accident towing roster schemes, which means accident towing rosters provided by regulation. Some operators have told me that they are concerned about the matter I raised in my second reading speech, namely, the possibility of an influx of a large number of trucks by people not really concerned with the tow-truck industry, but who are entrepreneurs and who hope, by getting in on the act with a large number of trucks, that they may be able to get some unfair advantage. Can the Minister indicate how the Government intends to protect those operators who have provided a service in the metropolitan area for a number of years, so that they will not be unfairly disadvantaged by any rostering regulations that may be brought in?

The Hon. M. M. WILSON: To put the member's mind at rest, first, there has been no influx of tow trucks into this State, nor an influx of new vehicles. Certainly, this was feared at one stage. In any case, the roster position will be allocated on the basis of statistics compiled over the past three years, as opposed to the number of tow trucks to which an operator has access. It does not matter whether anyone has brought in a lot of tow trucks. It will not affect their position on the roster or whether they get more places than they should.

Mr O'NEILL: A fear has been expressed that some smaller operators may be unfairly disadvantaged against those who have more trucks by such a roster system, in that a man operating one or two trucks, whereas another is operating four, may not get a fair proportion of calls compared to the one who has a larger number of trucks.

The Hon. M. M. WILSON: There has to be some equity in allocation. I can only repeat that it will be on the basis of what happened over the past three years. If that is changed in any way, going to the specific case the member has mentioned, it would have to be opened right up, which would be worse than doing it this way, which is the fairest method. We see no real problem in what the member has said. Regarding the towing roster, fine tuning and details have not yet been accomplished. Certainly, we have a draft roster, about which most tow-truck operators know. They know how it will work. I have promised further consultation with parties involved before the regulations are brought in, which I will do.

Mr HAMILTON: Regarding the roster system, in the event of there being a serious accident, and a tow-truck operator returning from a call was at the scene when it occurred, it would be desirable that he assist in pulling apart vehicles, particularly to help injured persons. Would the Minister elaborate on how that would affect the overall rostering system, particularly regarding his next call?

The Hon. M. M. WILSON: Several matters arise from that. It is a difficult question to answer at this stage. Each time we talk to people about the tow-truck roster, especially some operators, they bring up such instances. They bring up instances such as the ability of tow-truck drivers to give first aid at an accident, and things like that. I cannot give the member an unequivocal assurance that a tow-truck driver returning from a previous job would necessarily get the tow. Certainly, it would have to be in his zone, anyway, but I also say to the member for Albert Park that the police have the power to override the roster in cases of emergency. This is what I mean by saying that the fine tuning, the fine detail, has yet to be thrashed out.

I would be very upset if somebody sustained more serious injury because help was available and could not be given. I think that would be terrible, and I am sure that all members will agree with me. I would also be upset if damaged vehicles blocked the road and could not be moved while we were waiting for someone who was supposed to be called from the roster and was on his way to remove them. So, we would have the power of override in those sorts of circumstances. I do not want to go further on that because I cannot give the member much more detail. What I was really saying when I said I would be upset if these things occurred was that it really meant that it was a matter of common sense. We will have to administer that roster in a commonsense way. Those sorts of things have to be taken into account.

Mr HAMILTON: Could you look at, say, an averaging system for those areas where situations like that are averaged out?

The Hon. M. M. WILSON: I know what the member refers to. Obviously, we will bring in the roster at some stage in the next few months when the regulations are ready, and I hope as soon as we can. No-one is going to pretend that it will be perfect. There will be anomalies and there will have to be changes made. What we should be able to do is get it into fairly good shape before it is brought in, because this particular roster system has been out in the community for discussion for some four years now, starting with the Motor Body Industry Repair Bill that was brought in by Mr Virgo. Then there were the deliberations of a Select Committee, of which we cannot get the evidence, unfortunately. Then I released details of this in May 1980

to the community for discussion. We now have all these points, objections, and worries, that people have about the operation of the roster at our disposal. It is our job to make sure that we get it into as perfect a condition as possible, but I am not saying that there will not be need for further amendments to the regulations at a later stage. We are not supermen.

Mr O'NEILL: There was one other point that I wanted to raise. It is a fairly long clause, and I think that the Minister will have the situation covered. The definition of 'tow truck' concerns me a little, and I would just like it clarified by the Minister. There are trailers available with a winching device on the front of them which can be hired. I hope that that definition would not compromise the owner of a vehicle that was involved in a collision who got a friend or somebody to hire one of these trailers to go out and pick up his own vehicle. I hope that the definition of a trailer would not place a person doing that in breach of the law under this Act.

The Hon. M. M. WILSON: No, it will not.

Mr WHITTEN: I know that the Minister advised us earlier in response to the member for Florey that he was not able to give any concrete details of the tow-truck roster. What I am interested in is whether he can give us any indication of whether the trucks will be zoned. Will there be so many in the Port Adelaide area and will they attend accidents in the Port Adelaide area, and so many in the north-east, or what arrangements does he intend in that respect?

The Hon. M. M. WILSON: I was expecting to talk about this under the regulatory power, but no doubt we can talk about it under the definitions. The metropolitan area will be zoned. There will be 16 zones. They will be the same as the present police zones, so they will match exactly the police zones. The rosters will be prepared for each zone. That roster (I suppose it is all one roster) will be run by the police operations centre. A telephone number will be widely advertised by the Government. Everyone who wishes the services of a tow truck will telephone that number—no other number, just that one. They will not telephone other premises—crash repair premises, or anything like that.

The police officer will then allocate to that person the next vacant tow truck off the roster for that zone, that is, the zone where the accident occurred, unless the person wishes to exercise freedom of choice. That can be done, and we would not tolerate a roster where freedom of choice were not exercised. In itself, that is a complication, but still we are determined that freedom of choice will apply. I want to add one more thing, because I think the member for Price mentioned when he was discussing the remarks my colleague, who is now the Minister of Health, made referring to the former legislation, that there was a chance of police corruption—

Mr Whitten: I don't think there will be.

The Hon. M. M. WILSON: No, there is no chance of police corruption on this because the tow-truck roster that will be operated by the police will be audited against tow-truck certificates, which will be returned to the Department of Transport. The operation of the roster will be audited by the Registrar of Motor Vehicles. That is the inbuilt safeguard. I do not believe there will be any corruption, but that is an inbuilt safeguard in case there were. Let me be quite frank: a tow-truck roster, albeit a voluntary type of roster, was tried interstate and it failed, and it failed only because of police corruption.

Mr HAMILTON: There is one question that I would like to ask the Minister. Having had some involvement in rostering, myself, through my previous occupation, it is one that does concern me. That is the interchangeability of those various companies on the rosters. For the sake of clarification, I ask whether the Minister can advise me whether it would be possible for various firms to change their rosters around by agreement.

The Hon. M. M. WILSON: Yes. The new roster will be issued every month after the auditing process has gone through. The new roster will be issued by the Registrar of Motor Vehicles to the police every month. If changes are made, they will be made at that stage. I do not know whether that really answers the member's question, but that is the best I can do for him. Is he saying that we can interchange a person on the roster for someone not on the roster?

Mr HAMILTON: No. What I am saying is this: where, for example, it is one particular firm's number on the roster to be involved in that particular period, is it possible, because of social events, or unforeseen circumstances, that they can be changed around on that particular roster for that particular period?

The Hon. M. M. WILSON: Yes, that is possible. It is a commonsense requirement, really.

Clause passed.

Clause 4—'Repeal of sections 98c to 98m and substitution of new sections.'

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

Page 3, line 44—After 'vehicle' insert 'damaged in an accident occurring'.

The reason for this amendment is that it was found that by leaving the clause as it presently reads the provision would prevent an operator in the country bringing a damaged vehicle to the city for repair. Such a vehicle would not have been involved in an accident in a particular tow truck zone, but may have been involved in an accident, say, at Venus Bay, Burra, or Peterborough.

Mr Keneally: All in the Chairman's district. Why did you pick the Chairman's district particularly? Because it covers 80 per cent of the State, I guess.

The Hon. M. M. WILSON: The member for Stuart would know that no-one fights harder for his area than you do, Mr Chairman. There was an oversight involved with the clause as it stands, which I regret, because I think it is ridiculous that a person who has a vehicle damaged in a country area, and who then commissions the local garage or crash-repair shop to have the vehicle brought to the city for major repairs should not be able to do so without being issued with a permit to travel in the tow truck zones.

Amendment carried.

Mr O'NEILL: New section 98me (15) provides:

Where a tow truck operator removes a motor vehicle from the scene of an accident in accordance with an authority to tow to the place specified in the authority and leaves the vehicle at that place, the tow truck operator shall be entitled to recover from the owner of the vehicle, by action in a court of competent jurisdiction, as a debt due to him, a fee for so removing the vehicle determined according to the prescribed scale of fees.

Does that mean that, in effect, there will be price control on the towing industry, that there will be a statutory charge that can be made, and can the Minister give us an idea of how that will be evaluated?

The Hon. M. M. WILSON: As I understand it (and I am quite sure that I am right, in fact), there is price control in the industry now. There is certainly some under-cutting, but there is certainly price control now and that will remain. This provision gives the operator power to legally recover the money owing to him for the job. This is one of the clauses in the Bill that protects the tow truck drivers and operators themselves.

The member may realise that in the past some members of the public (and I am not saying that this happens a lot) have sustained an accident, had a tow, and then their insurance company, say, has directed that the tow be directed elsewhere, and has refused to pay for the first tow.

This provision makes it beyond doubt that the operators themselves have an avenue for recovery at law for that particular debt.

Clause as amended passed.

Clauses 5 to 7 passed.

Clause 8—'Insertion of new sections 98pa to 98pg.'

Mr O'NEILL: I move:

Page 15—
Line 15—Leave out 'three' and insert 'four'.
After line 23—Insert paragraph as follows:
(ba) one shall be a person nominated by the United Trades and Labor Council of South Australia;

I do not want to hold up the business, but the fact is that the Opposition considers (and keeping in mind that it is an appeals tribunal) that the people who actually are doing the work, and who undoubtedly will be those appearing before the tribunal, should be in a position of at least having a representative on the tribunal. I am sure that the Minister will concede that the Trades and Labor Council is a responsible body in this State; it has representatives on any number of Government agencies, and I would hope that the Minister can see fit to accept this proposition.

The Hon. M. M. WILSON: I appreciate the amendment and I was well aware, well before the legislation was introduced, that it was to be brought forward because the T.W.U. approached me as, of course, I had made sure that they all had copies of the draft legislation before it came into this place. Also, the United Trades and Labor Council and Mr Gregory made representations as well as the T.W.U. as to whether I would consider this, and I certainly did. I gave it a great deal of consideration.

I want to point out that I am going to oppose the amendment, but I want to explain why. This is not an administrative tribunal; it is not like the tribunal that was to be set up by the previous legislation, which was a motor body repair, crash repair industry committee to oversee the whole industry—the conditions of the whole industry and the conditions of the employees—and quite rightly there was a representative of the Trades and Labor Council on that committee, and so there ought to have been. However, this is an appeals tribunal and I simply tell the member for Florey that most of the appeals before this tribunal will be concerning appeals by tow truck operators because they have not been placed on a roster.

In other words, the Registrar has not placed them on the roster because he has found that, perhaps, they are not a fit and proper person under the terms of this legislation, or for some other reason, and then they have recourse to the appeal tribunal. Most of the appeals will be for that reason, although I must be honest with the honourable member; there is a chance that a disciplinary action could be held before the tribunal, as well.

The other important aspect is this: we must have a tribunal of three; we cannot really have a tribunal of four, because that is asking for a split judgment and would make matters very difficult, indeed. If there is a split judgment with a tribunal of three, the legal practitioner, judge, or whoever is Chairman of that tribunal, obviously will decide which way the verdict will go. However, with a tribunal of four people we could have (pardon the pun) a hung tribunal, and that would be completely unworkable. With some regret, therefore, I reject the amendment.

Mr O'NEILL: Maybe we are remiss in not seeking to expand the tribunal to five. The people who operate the machinery are part of the industry. I can see the argument for having on such a tribunal a person nominated by the South Australian Automotive Chamber of Commerce Incorporated, because that is a responsible body of people involved in the industry which happens to be employers or self-employed people in the industry. Nevertheless, I think that, in this day and age, it is fair to argue that the trade union movement is an important part of industry and, undoubtedly, the transport drivers and others affiliated with the Trades and Labor Council are capable of taking a reasoned and important judgment relating to many things, including the industry in which they are employed. I feel that the legislation is deficient in that it does not provide for a position on that tribunal.

Mr WHITTEN: The Minister has said that he has no intention of agreeing to this amendment, so I appeal to him to give us an assurance under 98pc (2) *(c)*, which states:

One shall be a person nominated by the Minister, being a person who, in the opinion of the Minister, has appropriate knowledge of the towtruck industry.

Would the Minister consider the appointment of a person to the tribunal as a nominee from the Trades and Labor Council? It is logical to assume that these operators would be members of the Transport Workers Union, and that most of them would have a good knowledge of the industry: that is necessary before they get a certificate. Will the Minister consider, if he will not accept an extra member, the third person on the tribunal being somebody from the United Trades and Labor Council?

The Hon. M. M. WILSON: I certainly will. I was going to say that when I rose to reply. The member for Price was quick to pick up that point. I will certainly give the matter some consideration—not necessarily a present member of the Trades and Labor Council but perhaps a retired T.W.U. worker, or someone with qualifications in that area. Although I will consider the matter, I make no commitment.

Amendment negatived; clause passed.

Remaining clauses (9 to 20) and title passed.

Bill read a third time and passed.

STONY POINT (LIQUIDS PROJECT) RATIFICATION BILL

Adjourned debate on second reading (resumed on motion).

(Continued from page 2155.)

The Hon. R. G. PAYNE (Mitchell): Prior to seeking leave to continue my remarks, I had reached the stage of pointing out that the operator for the group of companies and organisations concerned with this project was Santos. In that sense, it was interesting to note that, in a press release from Santos dated 26 November last, the following statement was made:

The Cooper Basin producers, of which Santos is the operating partner, have reached agreement with the South Australian Government on the terms of an indenture agreement. The indenture must now be ratified by the South Australian Parliament. The Chairman of Santos, Mr Alex Carmichael, said it was essential that Parliament approved the indenture as soon as possible.

He continued, later:

We cannot finalise loans for the project until the indenture is passed by Parliament.

He went on to say that the South Australian Government had negotiated a hard but fair agreement and said that it had ensured maximum benefits for the State. The Chairman of Santos said that, under the terms of the indenture, the producers had not received preferred treatment with regard to rates, taxes and other matters of that nature. No doubt it is somewhat reassuring to hear the Chairman of Santos say that, and that may well be his view. Of course, it is the job of this Parliament to examine what is contained in the indenture and the Bill to ensure that the interests of South Australians have been properly looked after during the preparations of this agreement, and that the same

interests that I have spoken of are protected in the terms of the indenture.

The interesting thing to me about the whole matter is that the Bill itself would not be before this House today but for a series of events occurring over a fairly long period. In 1954 Santos, in effect, having been formed in Adelaide to explore for oil in various tenements in South Australia, went off on virtually what might be described today as a wildcat operation to the Far North of this State, where it meets Queensland in the area known as the Cooper Basin, and commenced a modest drilling programme. In very little time there was a need for more funds. It is interesting to note that after a very short time inadequate funds led to farm-out arrangements, so Delhi Taylor Corporation of Dallas, Texas, came into the act securing a 50 per cent interest in Santos, as it then was, by undertaking to drill one test hole to 14 000 feet and spending $2 000 000 over four years (a very small sum by today's standards when we contemplate the project contained within the indenture now before the House). The farm-out arrangements allowed for various overriding royalties to be considered.

So, from 1954 through to 1963 seven deep wells had been drilled with the assistance of those farm-out arrangements, but no commercial discoveries had been made. On new year's eve in 1963 a drill stem test on Gidgealpa No. 2 at the Cooper Basin revealed a potentially economic gas flow. Evaluation drilling continued during 1964, proving to be a significant discovery but too small by itself to supply Adelaide. Nevertheless, Santos and Delhi determined that an intensive search should be made for further gas reserves to enable gas to be marketed, hopefully thereby generating funds to finance further oil search. This is the key point that comes through in the whole matter: the need for funds.

In 1965 six dry holes were drilled, but in 1966 the Moomba field was discovered, and in 1967 evaluation drilling proved that, together with Gidgealpa, Moomba was large enough to supply Adelaide. By that time this small consortium had a product, as it were, but it was a product a long way from any potential market and one that was not all that much in demand in those times. The Electricity Trust of South Australia was critical of the development of any scheme to get the commodity from its location to the nearest potential market in Adelaide.

In 1967 ETSA was in the final planning stages for the Torrens Island power station, a 1 280 megawatt station to be fuelled by oil. ETSA agreed to Torrens Island being fuelled by oil or gas, together with a contract with the South Australian Gas Company as the other major potential purchaser. This would mean that enough throughput could be justified to ensure that a pipeline could be built. As a result of the gas contract, ETSA seized the opportunity to construct another smaller generating plant at Dry Creek to operate on gas. It is important to note that at that time other minor not major customers were also arranged by Delhi and Santos. In each case, to capture the market, prices had to be pitched at a level competitive with alternative fuels; of course, oil was not then at its present high cost as an energy source. So, we can see that the project that we are contemplating today in this indenture has evolved over a considerable period, and it began as quite a small enterprise.

During 1967 the then South Australian Government (a Labor Government, it must be noted) legislated for the establishment of the Natural Gas Pipelines Authority of South Australia, and at that time managed to get an additional borrowing authority from the Australian Loan Council to finance construction of a pipeline. I brought that topic up with the Minister on an earlier occasion and pointed out that it was rather disappointing that the present Government, in my view, anyway, did not attempt to adopt that approach, and to say that they were not successful in receiving approval does not really answer the question I put to the Minister then, because it could well be argued that insufficiently vigorous efforts were made to adopt that solution in respect of the construction of the pipelines we are now considering.

Looking at the chronology of the whole thing, I note that the cash flow problem raised its ugly head again. Santos, in addition to its arrangement with Delhi, arranged for further associations with Frome Broken Hill Pty Ltd, although they subsequently withdrew. The arrangements concerned permitted exploration at no cost to Santos for four years. We can see that already it is clear that Santos had a lot of problems along the way in financing its operations and it was the State Government which came to the rescue on more than one occasion in those early days. Some credit would be due to Santos for its business acumen in managing to stay afloat while organising farm-out arrangements.

When the first discoveries were made they were relatively low in gas liquids and ethane. There was the prospect of gas being discovered; however, the temperatures at the relevant depths made this more likely than oil discoveries. I suppose you could put that argument in exactly the opposite way: the latest holes drilled in the area and the strikes that have been made seem to indicate that oil is coming up as often as gas is being found. If enough further gas could be discovered to supply Sydney there was a prospect of sufficient gas being produced to provide for enough ethane and gas liquids to justify a petro-chemical scheme.

Of course, the then Labor Government was interested in that possibility. Also, the short-term Liberal Government in power in the State between 1968 and 1970 had the same interests. This has been shown by the long-standing argument, referred to in *Hansard* and elsewhere, as to who was the instigator of the New South Wales gas contracts and the fact that they were of somewhat longer duration than the contracts which applied in South Australia. What is more important to consider in that area, surely, is why it happened, and I believe from what I have just outlined that this is clear: there was a genuine desire by the State Government (Labor for the majority of the time, but it did include for a short period a Liberal Government, the Steele Hall Government) to assist in every way in the development of this State and to secure for the State, if possible, a major project and at the same time make sure, looking back at earlier exploration times, that whatever assistance possible could be given to Santos and its various partners over the years.

I think it has been wrong and remiss of the Minister, in the last two years, to try to peddle only a partial story to the people of South Australia, and to suggest that the Dunstan Labor Government was somehow remiss in its actions in respect of the lengths of the contracts negotiated for the supply of gas to Adelaide and to Sydney. That was not the scene at all. There was a necessity to assist the company. The needs of this State had to be met and possible developmental strides, such as a petro-chemical scheme, had to be considered; that was why those actions were taken. The Minister, of course, is in effect damned by his own second reading explanation, in which it was pointed out that there is still consideration by the present Government to provide for ethane storage, and that this indenture will allow for Santos and the partners to investigate this possibility, with the purpose of providing for a petro-chemical plant in the State. So, there has been no change whatsoever in the thinking.

The Minister ought to drop those stories as soon as possible. He began to realise this himself after I demon-

strated to the House from a public letter and a press release made by Jim Burnside, of the South Australian Gas Company, that South Australia's gas supplies will not cease in 1987 as is being peddled by the Minister. On the contrary, the Gas Company has no fears in this direction and exhorted employees of the Gas Company and consumers in this State to have no fears in that direction because continuing steps are being taken to ensure a supply of gas to South Australia. There is a multitude of ways in which this matter can be handled and, very properly, the present Government is exploring some of them. Contrast my attitude in this matter to the attitude of the Minister, who is always seeking to score cheap political points.

The Hon. E. R. Goldsworthy: You can't leave it alone, can you? You do it every time.

The Hon. R. G. PAYNE: The Minister says that I cannot leave it alone. He was the one who found that he had better start leaving it alone when a responsible person such as Mr Burnside, of Sagasco, was prepared to go into print, in the media, and also in a letter to the employees of the Gas Company, saying that the story peddled by the Minister was incorrect. That is what the statements said. There will not be an end to the gas supply and the Gas Company is not doomed, nor for that matter is ETSA, because there are contractual arrangements which provide for a renegotiation of these arrangements. The Minister in the House today pointed out that the royalty arrangements in respect of the supply to New South Wales are due for review in 1987, the same year that allegedly the big tap will get turned off from South Australian consumers of gas. The story the Minister has been putting around is not true, and in the interests of the State he ought to desist from that line and try—

The Hon. E. R. Goldsworthy: You ought to read the contracts, I think.

The Hon. R. G. PAYNE: The Minister says that I ought to read the contracts. I asked to read the contracts and the Minister would not give me permission. Let the Minister research that in his office. Since I have been Opposition spokesman, I have applied for permission and the Minister advised that they were not available for my perusal.

The Hon. E. R. Goldsworthy: You ought to talk to the fellow who wrote them.

The Hon. R. G. PAYNE: Is the Minister saying that he will now make them available for my perusal? I will take him up on that offer immediately.

The Hon. E. R. Goldsworthy: I am saying that you wrote them.

The Hon. R. G. PAYNE: Now the Minister is avoiding that issue: when you are on a crook horse, get off it! The facts are that, as far back as the late Sir Thomas Playford, the Government has had an interest in this matter. What about the Minister giving some credit to Mr Bonython, who had the guts to go out to the field in those days and to pin his faith on what he believed to be a suitable area? As I pointed out earlier, he got hold of some money and started drilling. No-one on this side has ever decried that action. No-one has ever blamed the Minister in any way, in the two years that he has been responsible, for the fact that he has negotiated in respect of further gas supplies with Queensland and that he has talked to Victoria and also had some discussions with New South Wales, I understand. Those are responsible steps to take and the previous Governments (Labor and Liberal) during the period I have outlined were just as responsible in that sense. They did what was the correct thing at the time. Anyone can be smart after the event.

The Minister comes along, a Johnny-come-lately (he has been around only two years), has a look right through the history of the matter and asks why they did not do that then and why they are not doing this now. The Minister was never in a position to know what was going to happen to oil prices, for example, nor did many other people. There was some suggestion that that situation needed to be watched carefully and suitable steps were being taken. What about the Minister's responding to this line of thinking? The Labor Governments of the time, and the Liberal Government for its part in it, in 1968-70, ought to be commended for their attitude, which was one of concern about development in the State and in relation to the provision of a suitable supply of ethane, so that a petrochemical plant might be set up in this State with the attendant expenditure for the benefit of South Australia and the employment contained therein. Those were responsible things to be doing, and I do not understand the attitude of a Minister who tries, for cheap political reasons, to attach the blame to actions taken before he was ever involved, and certainly when all the wisdom that he puts forward on a matter is based on hindsight.

I look forward, because of a recent statement from the Minister, to a changed attitude by him in the short time he still has to hold the responsibility he now has as Minister of Mines and Energy. I think that was a sensible move by the Minister recently and I hope he does not spoil it today, because I pointed out to him the error of his ways when he went public and said that the people of South Australia need have no fears. For 22 months we were told that we were in dire straits and we should all be fearing, and when Mr Burnside of the Gas Company nailed the story for the rubbish it was, within a couple of days there was a little report in the *Advertiser* and the *News* saying that the Minister had said that South Australia need have no worries about future gas supplies.

Is the Minister suggesting that, within one week, he fixed it up? Come on; it is not possible. That was the scene all the time. Some of the business men got through to him and said that what he was peddling was not true. The Minister and I know this, because I have spoken to the principals of Santos, and everyone else concerned in that area, such as the Gas Company, ETSA and so on, as to what were the facts relating to this long period from 1967 onwards, and in relation to the contracts, and they are not in accordance with the story that the Minister tried to sell.

Nevertheless, let us get off that point, because he has had to some extent the courage to reverse his previous stand and to state in the newspapers that we need have no worries, because alternative arrangements can be made. They were there all the time, but he did not want to refer to them. I ask him to stop denigrating the memory of some of those people, in Government and outside, who did what they believed to be the best thing for the State and its future development at that time.

I refer also to what is contained in the indenture, which is the end result of the vision and foresight of the people to whom I referred, many of whom have been denigrated in the past by the Minister in his reckless and untrue statements about the gas scene. We find in the indenture a rather important clause, headed 'Ratification', which states:

> As soon as practicable after the due execution of this indenture the Government of the State will sponsor and introduce into the Parliament of the State a Bill for an Act to be intituled 'the Stony Point (Liquids Project) Ratification Bill, 1981,'—

I ask you to consider those words very carefully, Sir—

> and endeavour to secure its passage and have it come into operation as an Act prior to 31 December 1981 for the purposes (amongst other things) . . .

It goes on to set out what will follow if it is enacted by then. Is it reasonable to expect the passage of such a measure in such a short time? It was described today by

the Minister as the largest resource development project ever undertaken in this State. Those were his words, yet we are asked to sign, seal, stamp and deliver it by 31 December this year. We have, in effect, only five more sitting days remaining in the session, as promulgated by the Government. That is not a reasonable requirement.

This is what we all know as a hybrid Bill, meaning that normally it would be referred to a Select Committee, which would hear from people and organisations who have every right to have an input to its deliberations. How can this be done in the time allowed? Would any member, in his or her right senses, suggest that this a reasonable course of action for the Minister to follow? Let us be clear about this before the Minister gets up and does his other song on this topic about the Opposition's being opposed to development. In this instance there is no way that the Minister could even attempt to make that stick. A previous Minister of Mines and Energy in this State, the Hon. Hugh Hudson, in our election policy in 1979 announced that it was his desire, and that of the Party, to foster in every way the institution of a Cooper Basin liquids scheme. As I have pointed out earlier in this House, there was not one word in the Minister's policy speech on that topic. If we want to look at *bona fides* in the matter, the Party that I represent starts off from the No. 1 position in this case.

Mr Keneally: And in most others, too.

The Hon. R. G. PAYNE: I am trying to be relevant to the Bill. I am sure, Sir, that you would remind me if I strayed, particularly in this case. I suppose that I need say no more on this topic, except that the Leader was asked whether, if the Bill came in today, we would co-operate in assisting its passage. Our *bona fides* are again clear. As soon as the Minister finished speaking today (and that is not the normal order of things in this House), I rose immediately and began to speak. The short delay, at the Deputy Premier's request, was for certain machinery of the House to function, and I had no quarrel with that.

The Hon. E. R. Goldsworthy: The House wanted time to read it; to accommodate all members.

The Hon. R. G. PAYNE: That is fair enough. The Minister was very accommodating on that occasion. The times when he is accommodating are so few that we will chalk it up. That has been noted. Let us make no mistake about this.

Mr Keneally: It is a very technical document.

The Hon. R. G. PAYNE: Yes, I point out—

The Hon. E. R. Goldsworthy: It is well phrased.

The Hon. R. G. PAYNE: If the Minister judges that any member of this House is able to fully absorb this document in less than a few days, he is possessed of an extremely high intellect, which has not been made apparent in over 12 years.

Mr Keneally: You do not have a 30-year-old science degree.

The Hon. R. G. PAYNE: I do not have a science degree. I was in the only science that matters, electronics, as the Minister would probably know, but I can read documents. I have read it, and I find it reasonably clear.

The Hon. E. R. Goldsworthy: It is well drafted.

The Hon. R. G. PAYNE: Yes, certainly. It sets out, in a reasonable way, many of the things that we, as members, would be concerned with in respect of the interests of South Australian people. Looking at the advance copy at page 32, clause 30, we see the following reference to the supply of water and electric power to the site used by the producers:

> Nothing in this indenture contained shall relieve the producers from liability to pay to the State or any instrumentality of the Crown by measure for the volumes of water or electric power supplied to the producers, at the appropriate tariff charge as published from time to time by the Engineering and Water Supply Department of the State and ETSA, together with an additional charge based upon the reasonable costs incurred by the State or instrumentality of the Crown after consultation with the producers whether for capital or recurrent operating costs or otherwise incurred in relation to the delivery to the producers of water or electric power in accordance with the succeeding clauses of this indenture.

I read that passage, particularly, because it contains no punctuation, other than a comma or two, until the full stop, where I paused. I do not quarrel with that. I understand that it is necessary for wording to appear in that way, but to suggest that members can read and fully understand a document containing many clauses like that is a denigration of every lawyer in South Australia, and perhaps in the world. They seemed to take considerably longer to get it together in a form to come into the House.

If my memory serves me correctly, the l.p.g. contract was signed in September with Idemitsu, and one would have thought that that was a key factor in the producers' thinking that an assured market was needed to dispose of a product overseas by contract. The Minister, in his speech today, described that as being worth $50 000 000 a year. One would have thought that the Government might have moved a little earlier if this needs to be signed, sealed and delivered by 31 December. Perhaps the Minister has been so tied up in trying to flog the uranium bonanza allegedly facing this State that he has directed less than his full energies to the task in which he should have been involved and to those officers whom he is required to direct in this matter, which is the one genuine development scheme readily available to South Australia providing for a proper return to this State, if the words of both the Minister and Mr Carmichael are confirmed during any examination of the contents of the indenture by the Select Committee, to which I have referred. It is certainly a handsome and useful development for South Australia. The Opposition recognised this long ago, as I pointed out. If the Minister is wondering why I complain about its meaning, it says, in effect, that the producers will pay for water and power that they use on site by measure, which is how it is described in the relevant Statutes.

He says, however, that it is to be together with an additional charge based upon the reasonable cost incurred by the State or instrumentality of the Crown after consultation with the producers. We all know what that could lead to—12 months of argument, followed by 42 dockets and reference perhaps to an arbitrator. So, this very simple document that we could knock off in a couple of weeks might need much more understanding and study than the Minister has been prepared to admit so far. If we turn to page 38 in his advance document and look at clause 42, it states:

> The producers after consultation and agreement with the State (which agreement shall not unreasonably be withheld)—

there is a nice curly one to throw in—

> at their expense may draw water from underground aquifers in the vicinity of Stony Point for use for activities contemplated pursuant to the provisions of this Indenture and the State shall grant and continue in force without payment of any discriminatory rental, royalty or other charge such licences as may be necessary to ensure the continued rights of the producers or their nominee to draw water from the underground aquifers.

The Minister will know that that is not a usual provision in these matters. It has been done before, once to my knowledge, but certainly not in legislation with which I was concerned; it was before my time, but I think a not dissimilar provision relates to Apcel, in the South-East, and its use of underground water. We could turn to page 39 and look at clause 43, as follows:

> The producers shall pay water rates as provided for by agreement between the producers and the State. In setting such rates, account will be taken of normal water rates charged to users in the State

and of the additional costs incurred by the State in supplying water to the producers.

The document states that, in setting such rates, account will be taken. What does that mean? If the producers say, 'Yes, we took it into account but we are not going to pay any more than that', does that mean that they will be satisfied?

The Hon. E. R. Goldsworthy: No, the State raises the rate.

The Hon. R. G. PAYNE: Well, it would seem that there is room at least for argument. That is the point I am trying to make at the moment: that there is some work for any Select Committee which is set up and any person who wishes to come before that committee and put submissions. It might well be cutting across the provisions that we now have in the indenture.

If we look at page 47, we see that we have an annual pipeline licence fee, for which the figure is fixed at $500 000, indexed, as provided in subclause (2), which relates to the changes of c.p.i., and it shall not be subject to any variations other than movements in the c.p.i. The argument may be raised that that figure may not be large enough to start with. The Minister just laughs. That amount is $500 000! I tried to show earlier that $2 000 000 got a 50 per cent interest in Santos back in the starter years. I suppose there would be quite a few people who would not mind getting in now for $2 000 000 to get a 50 per cent interest. Yet, we are being told here that $500 000, suitably indexed, is a suitable licensing fee.

As I understand, there is provision for some remission on that licence fee, anyway. It does not apply in the first year, or until oil is actually being delivered down the pipeline and received at the terminal. That may be reasonable, but surely the matter needs examination. If the Minister says that I have misunderstood the document, I have amply illustrated to him that it is such a document that it is capable of being misunderstood.

We come to one of the clauses, which I think is an absolute ripper. It is on page 50, clause 62. The Minister made some point about this. He is very keen on this gas area, and he has now started to come around and is not trying to tell that shonky story that he has put up for a long time. It even gets a mention now in the indenture. Clause 62 is as follows:

PROTECTION OF GAS SUPPLY

In carrying out the activities contemplated under this indenture the producers shall have regard to their obligations under existing and future sales agreements with PASA.

What does 'shall have regard' mean? Is that a legal phrase?

The Hon. E. R. Goldsworthy: A lawyer has drafted it.

Mr Keneally: But you told us that you did it. Are you backing off now?

The Hon. R. G. PAYNE: I can recall the Minister's telling the House that he had been having many discussions on this matter.

Mr Keneally: He is very selective.

The ACTING DEPUTY SPEAKER: I think that the member for Mitchell does not need the assistance of the member for Stuart.

The Hon. R. G. PAYNE: Thank you, Sir. I did appreciate that little assistance I got.

The ACTING DEPUTY SPEAKER: The member for Stuart will have his opportunity to speak later.

The Hon. R. G. PAYNE: 'Protection of Gas Supply' is the heading. I have to put it before members in case it was not grasped and my explanation was deficient in any way. So you get ready: this ought to be worthwhile. What we find is that in carrying out the activities contemplated under this indenture, the producers shall have regard to their obligations. When would they not have regard to their obligations? If they have signed a contract, they are going to know that they at least have some responsibilities in the matter if there is a contract existing with PASA or anyone else. What additional protection is written into the indenture? Nothing, at least on a quick examination. I stress that. It may be, when more time is available for examination in conjunction with other clauses, that there is a degree of protection greater than that which I can see in the clause at this stage. I believe I have indicated clearly how I feel about some of the provisions of the indenture on a first reading.

The Opposition clearly supports the proposal. It has been on public record for quite a long time in this matter. My Leader has made statements on the matter during this year that provide support. The Opposition sees it as the major feasible development project, within reach, not subject to, as far as can be seen on recent history, deleterious market movements and, on the contrary, likely to benefit from the movements in oil prices, and so on. The Minister may not laugh after I put this point: it might well be subject to Commonwealth action overall.

I understand from speaking to people from the Australian Petroleum Exploration Association that they have some worries in this area as to whether the Commonwealth is going to come up with another tax bite in some way in relation to hydrocarbons and exploration generally. We clearly agree with the Minister that there is a need for this project and that it ought to be expedited as far as is possible on our part. We are proving our *bona fides* here today by going on straight away with the necessary debate before the Bill goes to a Select Committee. I understand the difficulties of the company, the consortium, and so on, but I do trust that the Minister will take into account the very short time that is being allowed for the activities of any Select Committee. He may have an answer for that. I look forward to hearing from him in due course if he has. I support the Bill.

Mr BANNON (Leader of the Opposition): I do not intend to speak at any great length, but simply place on the record my support for the remarks made by my colleague, the member for Mitchell, and indicate by speaking in this debate the very strong commitment that we in the Opposition have to this project. As the member for Mitchell outlined in his historical survey of developments in the Cooper Basin from the time of its discovery some 25 years ago until today, both in Government and in Opposition the Party that I represent and lead has been very much involved with and supportive of those developments.

It was in the time of the Walsh Government, as has been pointed out, that the actual decision and work were undertaken to get that pipeline here. Much has followed since then. Throughout the 1970s the Cooper Basin and the level of exploration in it has varied, and at every point when things became difficult the Government of the day, the Government of the Party that I represent, indicated by its prompt action the importance that it placed on that development and the importance that it placed on Government involvement on behalf of the community, which ultimately owns those resources, in assisting the companies with exploiting and exploring them.

It has been interesting, in fact, to see the way in which these projects develop. They are long-term; they certainly outlast Governments, particularly Ministers, and other matters of a political nature that ebb and flow. They are very much bound up with the world economy and its state at any particular time, and so it was that in the early 1970s we saw the need to encourage exploration in the basin, to get some contracts signed, and that, of course, was the time in which negotiations took place with A.G.L., and a contract

was signed, which has had very important ramifications for the activity in the Cooper Basin since then. Equally, it was only during the second half of the 1970s, when the price of energy rose so very steeply as a result of the lift in oil prices by the action of the OPEC countries, that the resources of the Cooper Basin have become extraordinarily valuable. They have always been valuable potentially. They have always been of great value, but, in terms of the price that can be obtained and whether they can be exploited and used, it is only in recent years that one could see a possibility of some immediate return, an immediate benefit for the community and for the companies concerned. I think that that is at the root of a lot of the political argument that we have had over the past few years in relation to Cooper Basin resources.

The facts are that the previous Government, as I have said, was very much identified with that project, and when exploration was flagging, when it was felt that the so-called market forces or commercial interests were not prepared to put the money up to get in and do further exploration, whether the Commonwealth Government was bowing out of any kind of commitment or involvement, the State intervened actively, and, through the establishment of South Australian Oil and Gas, has been an active partner in the Cooper Basin. As has been pointed out, the price of our participation in commercial terms in the Cooper Basin was a very low one because of the time at which we bought in and the purpose for which we bought in. It has now become an extraordinarily valuable asset and it has also, I think, been of great importance in this development.

I think it is a good illustration of why participation is important in these ventures, because, by being a direct participant, the Government can really approach the question of the best use of this resource from two directions: one as a Government on behalf of the community concerning what the community can expect to get in terms of royalty payments and other shares of the value of the resource, and the other as an active partner in the operation to be, as it were, at the centre of the commercial transactions and dealings that are to take place. I think that greatly aids the bargaining powers of the Government, the information that it has in terms of reaching agreement with the partners, and that it is one element obviously that gives us some confidence that an agreement drawn up in this way will be an agreement that is fair and just to all of the parties involved.

I do not think I can go any further than that, because as my colleague has pointed out, this Bill must be referred to a Select Committee; during that process it will be subjected to fairly exhaustive questioning and analysis. Its technicality and the complicated nature of some of its financial provisions mean that the Select Committee process is probably the best way to ensure that a good deal is being done on behalf of the people of the State, and that we are ensuring that this extremely valuable non-renewable resource will return some great benefits to our community, benefits, of course, that are shared by all of those who are operating in the field.

I do not think that this second reading debate is the appropriate or relevant time to explore that. We need a lot more information; we need more time to digest that information, and then we can make an assessment and decide whether the indenture in this form should or should not be passed. I would certainly indicate and reiterate very strongly, as my colleague has done, that in principle the Opposition is as determined as the Government is that this development should go ahead. It is vital for the economics of the State that we should exploit those resources that are of real, immediate and tangible value, and the resources of the Cooper Basin are such, and therefore, any activity and action that is taken to advance this venture and to encourage the various spin-off assets and facilities that may come from it is to be encouraged, and the Opposition is certainly fully behind the Government in that respect.

We believe that the Government is, in fact, reaping the benefit of a lot of solid groundwork and good work that was done by the previous Government, and quite rightly it has advanced that work. I am not detracting from that work, although the Deputy Premier might have thought I was. I am not detracting in any way from the Government's determination to ensure that something would happen in the Cooper Basin. I am simply pointing out that this is something about which the Parties can be truly bipartisan, with both adequate recognition of the groundwork laid under the previous Government and the fact that the world market has now made those developments possible much more quickly than we believed some years ago. There is also the fact that the present Government has been prepared to get in there and ensure that this happens. I certainly am quite happy, and indeed I think it is important that I do so, to pay a tribute to the Government for getting on with this development.

Therefore, it is the detail that I am not prepared to comment on at this stage, but in terms of the principle and the development itself, that is something that we support very strongly. I want to make a comment on one aspect. I believe that the State has a greater responsibility in terms of infrastructure provision than is contemplated in this project. It is all very well for the Government to say that the fact that the companies are to provide the front end capital for the marine facilities, the pipeline, and so on, is consistent with the Government's ideology as to the role that the private sector should play, but I disagree with that.

I believe that the basic infra-structure provision is something that should be provided by the State, and that those companies seeking to use it should be paying adequate fees, licences, or whatever, for its use. The facts are that without this front-end finance being provided by the companies, the project probably would not be able to go ahead, certainly not as rapidly as it has done, because the Government has severe problems in terms of the capital that it has available for projects such as this. Those problems relate in part to the Federal Government and its attitude and its financial provisions and in part to the financial mismanagement by this Government, which we have explored during other debates on other occasions.

However, I think it is very fortunate indeed that the value of the project is such that the companies are prepared to put up the front-end capital. The question that is raised is what sort of price the State is having to pay for that facility, for that provision by the operating companies. Again, that is another matter that can be explored in the course of the Select Committee debate.

I conclude on the note on which I began and say that we are very pleased to see the rapid advancement of this project. We are prepared to assist and facilitate the Government in trying to keep to some sort of time table, although, as my colleague has pointed out, very little time that has been allowed for proper Select Committee deliberation. Let us not rush this through, bearing in mind that it is a long-term project, and that this indenture does commit us for a long time ahead in terms of what value can be derived from it. Let us ensure that there is the fullest possible consideration but, consistent with that proper consideration, we are certainly very keen to get on with this job and to see the pipeline and its facilities established. We look forward to the enormous value of the Cooper Basin, so much of which is now potential, being turned into a reality for our community.

Mr MAX BROWN (Whyalla): I do not want to speak at length on this Bill. I think that the member for Mitchell, as spokesman for the Opposition on this matter, quite rightly has outlined the complete history of the development and the findings as they have happened in the Cooper Basin area. I point out that I believe, quite sincerely, that the present Government has been placed in the very happy position of currently being very much more aware than the Labor Party was when in office of the potential of the Cooper Basin area. For that reason, and that reason alone in my opinion, the Government is placed in the happy position that it can now come forward with this indenture Bill to place the State in the reasonably fortunate situation that we appear at this time to be able to go ahead with this project with Santos.

I point out to the Minister that I wonder whether, if the previous Labor Government, back in 1978-79, was as aware of the potential of the Cooper Basin as we are now, the Santos project we are now discussing in this House and the petro-chemical project would not have come to fruition. There are a few aspects of this matter I want to bring to the attention of the Minister. I point out that this project is going ahead without the complete agreement of the masses of people it will affect, particularly people in my district. I, for one, in my own district have publicly answered critics of this project and have gone on record in support of it. I do not want that publicity to be construed as meaning that I am not prepared to consider the various particular environmental aspects involved in this project. Because this Bill will go to a Select Committee, I do not believe that we should unduly delay the machinery necessary to examine the matter in more detail and to examine the various important ingredients of this proposed development.

I point out that the Opposition would want to carefully examine the various aspects incorporated in the Bill. The Opposition is bearing in mind that we have considerable (I have, certainly) suspicions raised because of experience with the B.H.P. indenture legislation that a conservative Government brought into fruition many years ago. I can assure you, Sir, that that Act brought into being a great number of problems but I hope this indenture will not bring about that type of problem. Although I strongly support the development proposed in this Bill, I am not unmindful of three possible major issues. There is clear opposition environmentally in my district to the proposed development. If members do not believe what I am saying is correct, I refer to a press article which appeared in the *Whyalla News* headed 'Stony Point EIS a farce'. I believe that the Select Committee we are setting up should take into consideration seriously this particular group's statement, because it is reported as follows:

> Whyalla Action Group says the assessment procedure for the environmental impact of the Stony Point project was a total farce.
>
> The group says the whole procedure was a waste of time and public money. The group's response to the approving of the Santos project has been quite naturally bitter.
>
> It says submissions from Whyalla citizens have been ignored.

I pause there because I think it is important to answer that. The fact is that the setting up of a Select Committee in that particular area does answer that particular criticism, because the Select Commmittee would be placed in a situation where it must at least listen to that opposition and come down with some sort of finding. The article went on to make this important statement:

> The marine environment of Spencer Gulf, already the source of a multi-million dollar fishing industry, employing some 10 000 people, will continue to deteriorate and could reach crisis proportion in the event of a major spill or chemical release.

I am not going to stand in this House and say I agree entirely with the so-called facts that that statement is alleging, but let me say that it is important that the environment of the gulf waters is protected.

The second issue I take up is that I believe that there is a real need to consider the project in the very unhealthy employment climate we are experiencing at present. We want to look at what this may mean for that unhealthy climate. In the long run, the project is not labour-intensive, but in the short term it gives a breathing spell from the high unemployment climate, particularly in my district. I believe, for that reason, that the project should be given reasonable support. I have said that publicly and I say it again in this House.

The third point I make is probably the most important issue and one with which I am personally involved. That issue evolves around the very important safeguards that must be adhered to if and when the project proceeds. As an example, the proposed indenture deals with the procurement of land. We must ensure that reasonable costs are met in this respect. The proposal deals with disposal of shacks in the area and the payment of compensation to people who, because of the proposed development, will lose their holiday outlet.

On the surface, this aspect of the indenture appears to be reasonable but, because of the loss to some people in my electorate of a recreational privilege, I am pleased it is intended that through the Select Committee those people vitally concerned with the disappearance of that privilege will be given the opportunity to put their point of view. In my mind, an alternative site or the alternative development of holiday shacks does not appear to be taken into consideration by the indenture. I hope that the Minister will give that some consideration, and I am sure that the matter will be raised in the Select Committee.

I want to go a little bit further with the Minister. I want to point out that there are currently two homes established at Point Lowly, and there is no clear understanding that I can see in the proposed indenture of what will happen regarding those homes. I also point out to the Minister that the area designated to the project will, I believe, come under rateable requirements to the Whyalla City Council. It does not say this in the indenture, but I believe that ultimately, if not now, that land will become a rateable proposition as far as the Whyalla City Council is concerned. Certainly no comparison should be given to the rates payable by Santos with those which are not payable under the B.H.P. indenture Act. Under the B.H.P. indenture Act, which was enacted by the Minister's Party and which provides no rateable assessment at all; for many years right up until now an *ex gratia* payment has simply been made.

Mr Keneally: The Minister ought to reply to that.

Mr MAX BROWN: I am pointing this out to him, and I want to know from the Minister whether a reasonable rating solution will be provided for the Whyalla City Council.

Mr Keneally: What about the Stanvac indenture Bill?

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

Mr MAX BROWN: I am pleased that you are there, Sir, and I appreciate your protection. As I was saying, we want to know from the Minister exactly what is envisaged concerning this area. Similarly, in respect of safeguards for the Engineering and Water Supply Department and the Electricity Trust, we wish to know what provisions are contemplated in regard to Santos paying what I would term a subsidised rate for electricity and water. I understand, for example, that under a measure implemented by the Labor Government the Port Stanvac oil refinery pays rates amounting to about $230 000 to local government. I think

the present Government should seriously look at this matter in the context of that indenture.

As regards environmental impact, this development will, in my opinion, cause concern. I believe that there is a very great need to immediately proceed with an environmental study of the waters of the Spencer Gulf, particularly the northern part of the gulf, to ascertain what marine life and marine growth currently exist. Further, there is a real need for a continuing environmental study to be established to ascertain what detrimental effect, if any, the Santos project may cause. I believe that this is of the utmost importance, and there is nothing in this indenture that I can see to provide for such a study. I believe that it ought to provide one and that, in fact, this will come out in evidence presented to the Select Committee.

I do not want to delay the Bill unduly: I think it is a very important Bill. It is going to a Select Committee, and I hope that the Government will consider all the aspects raised before that committee. I have dealt with only a few aspects, in which I personally am interested and concerned. I express my general support for the Bill, and I have supported such a project all along the line, with those sorts of conditions that I have outlined.

The Hon. D. J. HOPGOOD (Baudin): I support this Bill, which is to go to a Select Committee. The Minister and I have exchanged pleasantries on this matter before. I wish to take a little time to revive one or two aspects of that. Not only the Minister but also the Premier have had a piece of me in relation to this matter. Because I suggested that an alternative route for the pipeline should be considered (indeed, adopted) by the Government, and I made the suggestion at a time when the Government was supposed to be consulting the community generally on this matter, I was accused by the Premier in this place of trying to delay the project. I do not think the Minister at the table went along with that viewpoint, but certainly it was something said in here by the Minister. I deny that.

There has never been any intention on my part to delay the project. I put what I thought was a proper suggestion at the time. It was a route for the pipeline which had not been considered by the Bechtel-Kinhill joint venture. At least, if it had been considered, it was not one of the options set out in the environmental impact study prepared by those people. I have yet to find anybody who is prepared to deny that what I put up was a reasonable suggestion, not only environmentally but also possibly from an engineering point of view. Certainly, we have never had from the Premier or from either Minister, be it the Minister of Mines and Energy or his colleague the Minister of Environment and Planning any real justification as to why my suggestion was rejected in favour of the route recommended by those people and finally adopted by this Government.

So, I really do not know what the Premier was going on about, except that maybe he was trying to make some sort of debating point. It seemed to me that the Premier, at any rate, if not the whole of the Government, has been very anxious to hang on the Labor Party some suggestion that we are trying to delay the project. Nothing could be further from the truth. A Bill came before this House a short time ago which also related to this project. At that time, in supporting the Minister, who is with us right now and who is sponsoring this Bill, because I made what I thought was the quite unremarkable statement that l.p.g. was, from an environmental point of view, preferable to petroleum as a fuel for motor vehicles, the Minister got quite apoplectic about it. He went off his head about how if you burn l.p.g. carbon dioxide is created and people are awfully concerned about a build-up of carbon dioxide in the atmosphere.

It was not necessary for the Minister to give me some sort of chemistry lecture on the properties of the various gases which together come under the label of liquefied petroleum gas. I believe that I know as much organic chemistry as the Minister does. It seemed to me that that was quite an unremarkable statement to make, yet it brought the wrath of the Minister down on my head. What is the Minister really getting at here? Does the Government have certain contingency plans for the use of hydrogen as a fuel—certainly, that does not produce carbon dioxide—or does the Government have plans for nuclear-fuelled motor vehicles or something like that (that does not involve combustion in the conventional sense at all)? Of course, it does not have either. So we are really back to the use of some sort of mixture of hydrocarbons as a fuel supply, which gets me back—

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

The Hon. D. J. HOPGOOD:—(to return exactly to the point in mid sentence that I was at at 6 o'clock) to the use of hydrocarbons as a fuel for motor vehicles for many years to come. Against that background, of course, it is obvious that environmentally l.p.g. has big advantages on petroleum. For that reason and for many other reasons this project, or one very much like it, should be supported.

The products of our Cooper Basin thus far have been used largely as a fuel and that is of course the methane, the lightest fraction in the hydrocarbon deposits. As the wet wells increasingly have to be brought into use, it is necessary that something happen to the heavier, the wet fractions, in those wells. This is a sensible use of those wet fractions which otherwise quite possibly would have to be flared. I would hope that the State of South Australia has not given away altogether the concept of the use of at least part of the hydrocarbon fractions as a petro-chemical feed stock. It would seem to me that that is the best possible use of particularly the ethane that is available to us in those wells. However, at this stage this seems to be a sensible use of the l.p.g.

I am not concerned with the haste with which this project is proceeding. I support that. What I do take issue with, however, is one of the by-products of that haste, and that is the way in which certain decisions have in effect been taken for granted. I do not think there is any doubt that certain things have happened in advance of the decision that was required properly for them to happen. When I last spoke in this place in relation to this matter I highlighted the matter of the pipe. I mentioned that in fact a contract or contracts had been let in relation to the pipe at a time when there was no finality, certainly in the public mind or formally, in relation to the route of the pipeline.

We knew what the favoured route was so far as this Government was concerned. It put its imprimatur on a report which had been released, the Bechtel-Kinhill Report, which had plumped for one of a series of options. Other options had been raised in the ensuing debate and I had raised one of them and the Minister said that that contract had been let conditionally; it rather took the wind out of my sails that in a venture of this kind it really was realistic to assume that there had been a conditional contract let and that, should the Government agree to an alternative route and the contractor had decided, as a result of that decision, that he had to do his sums again, and if they did not come out right, he would be able to walk away from that contract.

I never really believed that that was a realistic sketch of what the situation was, and in fact we found, when the decision finally was taken, that, yes, after meaningful consultations, the Government had agreed on the preferred option in the Bechtel-Kinhill Report. We were really given no justification as to why that decision had been taken, or

on what grounds my suggestion and other alternative suggestions had been rejected by this Government. We were given no indication in any public statement. Where is the report?

Let me remind the Minister that, in relation to the choice of the site, what happened there was that (a) an environmental impact study was prepared; (b) it was put out to public consultation; and (c) a further report was made available to the public in which the various comments that had been made were listed and certain answers were given to that, and then, of course, there was a discussion paper prepared by the Department for the Environment on that, or an assessment, or if we want to go further, there were certain specific studies which were also a matter of public record. The oil spill trajectory study is one that was made available to me by the Minister of Environment and Planning. So what we have there is not only a very clear spelling out of the environmental problems or constraints associated with this site, but we also have the feed-back from the public and further comment on that feed-back. None of that appears to have occurred in relation to the pipeline route. What we have is the original Bechtel Kinhill Report and then a few public statements by the Minister of Mines and Energy or the Minister of Environment and Planning and that is all. We do not really know whether or not proper consideration was given to these further decisions that came up. It simply illustrates what I am trying to get over.

I believe that one unfortunate by-product of the haste with which we are proceeding—and I do not disagree with that haste *per se*—has been that certain decisions have been taken for granted, decisions which should be decisions of great gravity indeed. I have been told in the last 24 hours that in recent times there has been a good deal of clearing of the site, and yet at this stage this Parliament has not given its approval for the project to go ahead. That is what we are doing how, and that is why the thing is going to a Select Committee. I am given to understand that the Minister expects that the Select Committee will be able to do its work in time for this legislation to pass by the end of next week.

The Hon. E. R. Goldsworthy: Maybe we will sit another week if it suits you better.

The Hon. D. J. HOPGOOD: That is interesting information for us. If that is what the Minister is saying, then that goes part-way towards satisfying me, because it may well be that once we get into the Select Committee—and I cannot anticipate what the House will decide in respect to this, but I understand there is a fair chance I will be a member of that Select Committee—we cannot anticipate what will happen. It may need only a meeting or two, but I very much doubt it. I am prepared to sit right through December and January if need be; that is not my decision and I am simply saying to the Minister that I and my colleagues on the Select Committee will perform our proper function as Parliamentarians. We will not seek to delay but we will seek to do that which this House would require of us, and if any member of this Government or those who support it in this place should, commenting on what will be our proper functioning, suggest that we are deliberately trying to delay, I will take that as being a breach of privilege, and I will report it as such.

Mr Gunn interjecting:

The Hon. D. J. HOPGOOD: The member for Eyre has already, by interjection, suggested that all I am trying to do is to delay the whole matter, suggesting that either he has not understood all of the remarks I have made in this matter or else simply he has not been listening. I know perfectly well where I am in the matter: I support the project. I support, on the basis of the evidence that has been placed before us thus far, the site. I do not support the pipeline route.

I now have the task of entering a Select Committee, with a completely open mind, as a juror; I will listen to the evidence placed before that Select Committee and I will ask those questions which are proper to ask. I make the point that, as Parliamentarians, we have a responsibility to this Parliament and the people of South Australia to ensure that what is being done in this legislation is in the interests of South Australia, and that we will do. I am concerned, against a background of approval for this measure, that certain decisions appear to have been taken well in advance of when they should have been taken, well in advance of the formal decision-making process. I instance the matter of the pipe as a classic example of that. Against that background, I support the Bill to the second reading and look forward to a very interesting Select Committee.

The SPEAKER: The honourable member for Mitcham.

Mr MILLHOUSE (Mitcham): Thank you, Sir, for that tardiness on your part. I greatly appreciate that. I must start by thanking the Minister of Mines and Energy for his unaccustomed courtesy this morning in telephoning me at 8.55 to ask whether I would mind if this Bill were referred to a Select Committee, because that entailed a suspension of Standing Orders. I told him that I certainly did not mind its being referred today to a Select Committee, because I did not want to hold up the matter, but if I got the drift of what the member for Baudin was saying a few minutes ago, and indeed I think the Minister mentioned this to me this morning, the idea is to try to get this through before Christmas.

The Hon. R. G. Payne: It is in the Bill.

Mr MILLHOUSE: Is it? It may have to be—

The Hon. R. G. Payne: The indenture—

Mr MILLHOUSE: It cannot really be taken out of the indenture, I suppose, but I would have thought that the chances of getting the matter through before Christmas, if the Select Committee is to be other than just a farce, are not very good. I hope that it will not be just a farce. If I understood correctly what the member for Baudin was saying, then I support him in that. I think there is more to this than a mere form of a Select Committee.

The Hon. R. G. Payne: You were not here, but I said along the same lines.

Mr MILLHOUSE: I am in good company. If the member for Mitchell has already said it, that is good, but I am going to say it again. I have said it now, so that is that. I say it not only because I do not want to see something pushed through with undue haste, and without giving everybody an opportunity to speak, but because I have had a number of representations from people at Whyalla and other places complaining about certain things, particularly the site of Stony Point. I do not know whether the Labor Party takes this view or not, but there are a number of people in the electorate of the member for Whyalla who are very much up in arms about losing what they say is the only beach in the area.

Mr Max Brown: I pointed that out.

Mr MILLHOUSE: The member for Whyalla has pointed it out, and he will be pleased that I am supporting him. I am sure of that. I used that beach myself when we camped at Cultana, in the Army. We used to swim—

Mr Becker: Not skinny-dipping, I hope.

Mr MILLHOUSE: I am not making any admissions. I remember one sergeant coming up to me when I was supine on my back in the water, and saying, 'Sir, do you realise that there are ladies over there?' or words to that effect, so I was very careful.

The Hon. R. G. Payne: Even in the water—

The SPEAKER: Order! The honourable member for Mitcham does not require any assistance.

Mr. MILLHOUSE: It is a good place to swim. It is a very pleasant area and it will be a pity if, in such an arid region as that, which is really such a joyless place to live in many ways, one of the few pleasant spots is lost. I hope that those at Whyalla who are of that view will be given an adequate chance to express their views and, also, not just as a form, but to influence the Select Committee.

Perhaps more seriously, but not for them, I have also been told that Stony Point is not really a good spot to have this, because of the currents in the gulf. A former constituent of mine, Professor Radok, who has now gone to Bangkok to some institute of technology there, told me before he left it really was not a good spot and that the fishing industry would be endangered. That may be a view that can be contradicted by others.

Mr Max Brown: You support my contention on that, too.

Mr MILLHOUSE: I do not think I have even been so in tune with the member for Whyalla. He is not often right, but he is this time. I have a great respect for Professor Radok and his views, and that was the view he expressed to me, so that is something that the Select Committee will have to look at very carefully and, also, as I say, the recreation area, of which the people of Whyalla and others will be deprived if Stony Point is closed.

There are a number of other things. I have documents here. I have not looked at them all yet, but this is all about it. I received it only today. There are some pictures of Stony Point and of people cavorting about, and so on. There is also a letter from the member for Flinders and a petition, which I have pleasure in presenting, and a lot of other material. I need not go through it all. There is going to be plenty for the Select Committee to consider and, let us face it, we know that it is quite impossible for a Select Committee to do its job and to report within a week and then for the Bill to get through the other House, so there is no way, unless this is to be merely a form (and I hope it is not merely to be a form) in which this Bill can get through before Christmas and that means not before February.

The Hon. R. G. Payne interjecting:

Mr MILLHOUSE: I do not care too much what the honourable Minister says. He has said a lot of things in days gone by and nobody has been any the worse for them, so he can say what he likes, but there is obviously no way, when we do our sums, that this Bill will get through before some time in February, either in its present form or amended. If anybody is under any other impression, they had better be disabused of it. I support this second reading of it and I support its going to the Select Committee. I wish the members luck. I do not suppose I will be invited to serve on it. I never am these days. I will be interested to know what the Select Committee reports, and I shall be looking carefully to make sure that they have not hurried and they have taken into account particularly the matters that I have mentioned.

Mr GUNN (Eyre): I wish to strongly support the Bill before the House. As the Stony Point development is situated within the electorate of Eyre—

The Hon. R. G. Payne interjecting:

Mr GUNN: May I say to the member for Mitchell that on this occasion he is correct; the people of South Australia are going to benefit greatly from this project and many other projects situated within the electorate of Eyre, thanks to the wise counsel of the honourable the Deputy Premier and this Government. I believe that the Government has acted in its usual efficient and effective manner in bringing this matter to the House as soon as possible, and I am rather concerned about the attitude expressed by the member for Baudin, from which it would appear that he is going to engage in an exercise of delaying this vital project which will do so much for the future of the citizens of this State.

For months we have listened to the crocodile tears of the honourable the Leader of the Opposition, calling for projects which will assist the people. We have now before us one of the most significant developments this State has seen in its history, and we have the member for Baudin getting up and making comments, indicating that he has doubts about it. The honourable gentleman's geography is so good that a few weeks ago when I was in the northern half of my electorate some of my constituents said, 'That fellow, Hopgood, the honourable member for Baudin—what does he know about the North of South Australia?'. I said, 'Unfortunately, probably very little'. They said, 'He was talking about this gully here saying where the pipeline is going to go. Unfortunately, he was only a few kilometres out, because it is going over the hill. It will have no effect on the environment he is talking about. It is a pity he does not get his facts straight.' I advised them that the facts were of a minor nature to the Labor Party, and that geography of its members was very limited.

An honourable member: What did your brother say then?

Mr GUNN: For the benefit of the honourable gentleman, it is many hundreds of kilometres away from where he lives. May I, Sir, make one or two very brief comments? On this occasion I support basically what the member for Whyalla had to say. True, a minority of people in Whyalla have been expressing some concern about this matter. I find their attitude rather amazing when theirs is a city where, unfortunately, a very large number of people are desperately looking for work. In that section of Whyalla contained in my electorate I have not received one complaint about this project. I have discussed the matter with a number of people in that part of Whyalla; every one of them has said 'Get the project going, because it will create some work for people.' I believe many people who are in good positions, in employment, themselves, with security, have really adopted a very selfish attitude to this project. They want to deny not only the people of this State, but particularly those people in Whyalla who will gain an advantage with this project, the opportunity to get a decent job. I take strong exception to that attitude.

I believe that the Minister who has negotiated this deal will be able to look back, in the future, with some pride concerning the benefits that will flow to the people of this State. I hope that, with the conclusion of this indenture Bill, he will be in a position to bring forward another Bill which will be of equal importance and which will be able to pass through Parliament in a way similar to that in which this measure will be passed.

The Hon. E. R. GOLDSWORTHY (Minister of Mines and Energy): In the main, it has been a fairly light-weight debate. The excuse, of course, mounted by the Labor Party is that it has not had much time to study the Bill, but, if Labor members had listened to the second reading explanation, they would know that in fact a most significant agreement has been reached for the benefit of the people of this State. Of course, the Labor Party had not seen fit to acknowledge that fact. We had an interesting bit of history from the member for Mitchell, and I would be the first to acknowledge the tremendous foresight shown by Mr John Bonython, in particular, and by Sir Thomas Playford, who encouraged him and made resources available.

The Hon. R. G. Payne: How about Steele Hall—does he get a guernsey?

The Hon. E. R. GOLDSWORTHY: I am paying a tribute to the people whom the member for Mitchell suggested that I tended to overlook, but what he is suggesting is

absurd. I would be the first to admit that, if it were not for the tenacity of people John Bonython, the gas and hydrocarbons would not have been found. In fact, I went to the testimonial dinner that was given for John Bonython when he retired quite recently as Chairman of Santos.

The honourable member wonders why I am not always particularly kind in my response to speeches made by members of the Opposition; if they persist in leading with their chin, they must expect to get a blow or two. The honourable member persists in bringing up this question of the gas contracts. The gas contracts are sorely deficient in regard to the security of the South Australian gas supplies. This Government has been active from the day that it was elected in trying to come to grips with this and has made considerable progress, and we can now say that we believe that the problem will be overcome, which is certainly not to the credit of the Labor Government which initially went against advice. I pointed this out to the honourable member and when I mentioned that, they said 'By whom?' I said 'Mr Blair of Delhi for one.' It is only since I have been in office that I have had access to the records, the letters and the correspondence and minutes of meetings. The fact is that his Government was warned, but the honourable member keeps bringing up this subject. The contract we are considering today is far superior to anything that the Labor Party negotiated in relation to the Cooper Basin. The honourable member then bemoaned the fact that the Hon. Hugh Hudson was no longer with us.

The Hon. R. G. Payne: That was in a previous speech—I did not even mention it.

The Hon. E. R. GOLDSWORTHY: The Hon. Hugh Hudson got a mention. He said that the time scale was unreasonable, and went on to say that it was in the Labor Party's policy statement at the last State election. I have already reminded him of the fact that I made a statement to this House within a month of the election of the Government—

The Hon. R. G. Payne: After the election.

The SPEAKER: Order!

The Hon. E. R. GOLDSWORTHY:—outlining the aims of the Government in relation to this project, and I said that we wished to accelerate it, and a firm project became possible only at the beginning of this year, when the Cooper Basin producers came to the Government and said that they wished to get on with the business of developing these liquids; they had a site selected, and today's indenture before the House is the culmination of an enormous amount of effort by a number of people on both sides of the negotiating table.

One of the later contributors to the debate suggested that maybe I had been a bit dilatory in my attention to this matter. I am not sure whether it was the member for Mitchell or one of his fellow members; someone suggested that the Government may have been dilatory. I suggest that the honourable member would not want to consult with some of the officers who were working on both sides of the negotiating table, or indeed with Mr Carmichael, who headed up the team for the producers. They would find that his suggestion was as absurd as some of the other things that he sought to put before the House today, because on one night, for instance, the negotiating team worked all night until 6 o'clock in the morning in order to sort out some of the details, and Mr Carmichael paid a very handsome tribute to the Government and to the negotiating team for the efforts put in in an attempt to facilitate this matter as quickly as possible. In fact, he described the bargain struck for the State as being hard but fair.

So, perhaps the honourable member is not satisfied with that sort of comment, which indicates to me that Mr Carmichael believed that the Government had struck a hard bargain on behalf of the people of this State, for whom we were negotiating, but a fair bargain. I do not think he could have paid us a higher compliment, and he certainly paid a very high compliment to the negotiating teams on both sides who sought to implement the agreements which he and I reached and to get it into the form that could come before this House. As I said, the officers on both sides were prepared to work all night to achieve that.

The member for Mitcham is in the House; let me make some comments, because he is not here often and he disappears like a will-o'-the-wisp, but while he is in here let me comment on his threat that this would not pass the House before February. He complained bitterly that we were sitting into December. However, we believe that this indenture is important. The producers requested the Government this year to help them with their financing arrangements, and the Government has bent over backwards to facilitate the bringing of this on stream as quickly as possible, because, the sooner the development is up and running, the sooner we can get on with further developments, and the sooner the benefits will flow to the people of the State, yet here is the member for Mitcham seeking to inhibit that.

Mr Millhouse interjecting:

The Hon. E. R. GOLDSWORTHY: I do not care if we have to come back for a third week: it will not suit the member for Mitcham, who has already complained bitterly that his convenience has been interfered with and that he could not go for his annual holidays, because we were to sit until 10 December. He seems to think that he runs this place. I did not make an interjection entirely in jest, when I suggested that he might have walked on the water at Stony Point. The member for Mitcham seems to think that the place will not run without him. He thinks that he is in charge of the business of the House and that, if he says so, we will not pass the Bill until February, but we will see about that in the fullness of time. Members of the Labor Party suggested that many people might want to appear before the Select Committee. We will see what happens.

The Hon. R. G. Payne interjecting:

The Hon. E. R. GOLDSWORTHY: Maybe the Labor Party is going to dragoon people to come along.

The Hon. R. G. Payne: Come on, who said that?

The Hon. E. R. GOLDSWORTHY: We will wait and see; we are prepared to sit Thursday morning, all day on Friday, and on Monday if we have to, because the Government is seeking to accommodate the producers in their wish to have their financing arrangements in place, so that they can get on with this development with all due speed.

If members are not capable of reading the terms of that indenture, and if the member for Mitcham (a Queens Counsel) is incapable of coming to grips with what is in that indenture within the next week, then it is not wonder he has been losing a few cases lately. In fact, I offered him a copy of the indenture this morning and he turned it down; I guess he was too busy with his legal practice. Anyway, he tossed that off, although he suggested in a pleasant conversation that he would be all right, that if he had an hour to look at it this afternoon all would be well, we could send it off to a Select Committee. Now he throws into this debate the threat that in no way will it get through this Parliament before February. We will see. The fact is that the producers have asked the Government if the indenture can be passed this year and we will do our best to accommodate that request, because it is a legitimate one and because they require it for their financing arrangements.

Let me deal with one or two other matters raised by members of the Opposition. The Opposition complains, as I have said, about the time allocated to this matter. We will allocate enough time to satisfactorily complete the proper procedures of the Parliament. The reason, of course,

why it goes to a Select Committee, as I understand, is that a transfer of land is involved. That does not mean to say that members of Parliament do not do their own homework, that they do not sit down and come to grips with what is in the indenture. If members opposite think that they can sweat off and hope to learn all about the indenture at the Select Committee, they have a quite erroneous idea of what a Select Committee is about. They have the indenture, and it behoves them to get home, read the thing through a couple of times, and find out what it is all about. Then they will find out what a good deal it is for the public of South Australia.

The Hon. R. G. Payne: I promise to do it tonight, Roger. I only got it today, but I will do my best.

The Hon. E. R. GOLDSWORTHY: The Opposition was given a copy of the indenture yesterday at lunch time. That was to facilitate its examination of the matter. I appreciate the co-operation of the Opposition thus far. It has agreed that it is quite happy to go on with the matter today, so really the Opposition does not quite know where to jump in this matter. It does not want to put the producers off side too much, it does not want to give the Government credit for what is a first-class deal, and it does not want to be seen to be impeding it too much, so members opposite really are in a bind. We had the stage play this afternoon of a no-confidence motion simply to detract from the significance of what was happening in the House today.

The Hon. J. D. Wright: You're going well to get co-operation.

The Hon. E. R. GOLDSWORTHY: If I am supposed to pull my punches during debate in this House simply to toady to the Deputy Leader, he has no idea of the way this place should properly work. If he cannot stand up to good, firm debate, then he has the wrong temperament to have the job that he has.

The Hon. J. D. Wright: Rubbish!

The Hon. E. R. GOLDSWORTHY: That is all very well. He expects me to come in here and crawl to the Opposition just so it will co-operate. How pathetic! Opposition members got up today and made a series of speeches to which I am entitled to reply and to which I intend to reply, because they made half-baked political statements that are just simply not going to go unchallenged. One of the matters raised was that the water and power clauses were not readily understood. I think that they are readily understood. The water and power clauses mean that the producers will pay full tote odds for water and power.

The Hon. R. G. Payne: 'After discussions with the producers', it states.

The Hon. E. R. GOLDSWORTHY: Of course it is after discussions, but the clause indicates quite clearly that they will pay for any necessary infra-structure.

The Hon. R. G. Payne: It doesn't say that. It says 'after discussions'.

The Hon. E. R. GOLDSWORTHY: It is quite civilised to have discussions, let us face it. The clause indicates quite clearly (and the member read it to the House) that, if there are capital works to be constructed, there will be a capital component reflected in the rate. I have already mentioned that it was suggested that we have given less than full attention to the indenture. If Mr Carmichael read that comment, he would consider it quite insulting to his side of the negotiations.

There is nothing sinister, I may say, in the clauses in relation to underground waters. It is not unusual for people who are seeking to spend sums of money of this magnitude to seek some security in relation to water supply, just as a fruitgrower has the right to draw water from underground water tables. Of course, the Government is concerned to see that the resource is not depleted, but there is nothing sinister at all in that clause of the indenture. Then we have the comment from the honourable member for Mitcham—

The Hon. R. G. Payne: How are you going?

The Hon. E. R. GOLDSWORTHY: Very well.

The Hon. J. D. Wright: When will it be in?

The Hon. E. R. GOLDSWORTHY: We always know when the Labor Party is uncomfortable, because when its members seek to divert attention away from the matter in hand, so we know they do not want to hear about it. The point was then raised about the pipeline licence fee and Opposition members asked, 'Why $500 000?' The answer is: because it is a damn sight better than what is in the current legislation, which would net the State $16 000. That is why. We were able to negotiate with the producers a figure of $500 000 in lieu of that $16 000.

The Hon. R. G. Payne: Why not $1 000 000?

The Hon. E. R. GOLDSWORTHY: I think that was a quite significant effort. I suppose that, if we follow the argument of the honourable member opposite, why not $1 000 000? That would not be entertained. The fact is that we have agreed with the producers that for the privilege of having a licence the fee for a pipeline they are building themselves that would be an appropriate licence fee. When we take this, together with all the other benefits we have negotiated at no expense to the Government, I believe it is a significant contribution to be made to the coffers of the State. I think that the Petroleum Act was brought in by my predecessor. That dictated that the company would pay $16 000. As a result of the agreement we have reached with the producers, the figure will now be $500 000. That is a fact, it is in the indenture.

The Hon. R. G. Payne: How much has oil gone up in that time? You don't even know.

The Hon. E. R. GOLDSWORTHY: The fact is that the matter of oil revenues is mainly addressed via the mechanism of royalties. The honourable member seeks to divert attention from the point I make by suggesting that oil has become much more expensive and that, therefore, this figure could be much higher. However, the fact is that the normal method by which the State takes revenue as a recompense for the fact that producers are extracting a commodity which is the property of the Crown is via the mechanism of royalties. The Labor Party saw fit to fix the royalties for oil and gas over a long period at 10 per cent, so this Government's hands are tied until 1987.

That is the normal mechanism, if the member would like to examine these matters, by which the Government seeks to get a fair share of development for the public. If the member looks at the indenture, he will see that the Government can, if there is a significant movement in relation to either pipeline licence fees, royalties or similar charges interstate, initiate discussions in 1987 with a view to an adjustment of the royalties. Notwithstanding those discussions, the Government will have the unilateral right to increase those rates to 12.5 per cent.

The Hon. R. G. Payne: By 25 per cent.

The Hon. E. R. GOLDSWORTHY: Well, that is rather better than what the Labor Party negotiated, where the ability to increase royalties was by nought per cent. So much for the point in relation to the fees. Again, there were some attempts to hint at the Roxby Downs development. The member talked about the Federal tax bite and said that there might be a significant increase in Federal imposts. We know perfectly well what will happen if tragedy befalls this country and the Labor Party is elected federally. We know that the bite will be in the form of a resource rental tax and we do not have to reflect on past history very far back to remember what happened to all efforts in Australia under the previous Federal Labor administration.

The honourable member, again, may recall that I mentioned the fact that Minister Connor was the one who effectively frightened away oil exploration from this State and this country, which is only now recovering from that. Again, I remind him that we now have record levels of exploration and incentive in this State by any standards. We have record levels both in areas committed to exploration and expenditure of moneys. So, he does not want to talk about the impost that a Federal Liberal Government would make. He wants to keep a tight rein on his own Federal Labor colleagues, because we know what they are going to do, and if the results are as disastrous as they were previously it will bode ill for the future of this State and country in relation to the matters we are discussing tonight.

The Leader of the Opposition supported his colleague and wandered back through history. He is desperately trying to get the Labor Party into the act. They do not want to admit that the Government has negotiated a very good deal in relation to this development, but he still wants to be hanging around there and suggesting it was their contracts that made this possible. He talks about the A.G.L. contract and about what they were doing. Of course, what they were doing back in 1974 was to sell gas to Sydney so that they could have a petro-chemical plant. That is what that was all about. That was the Dunstan dream. I do not read his books, but I understand he gave an interview the other night and said that his big regret was that he did not bring the petrochemical plant to fruition.

That is why we sold our gas off to Sydney—so that the Labor Party could announce *ad nauseam* a petrochemical plant, and it got trotted out election after election until in the end the *News* described the now departed former Minister, Hugh Hudson (I may have forgotten the exact phraseology), as that tired old strutter on the stage trotting out this petrochemical programme again. Even the public was fed up.

The Hon. D. O. Tonkin: The tiredest old hoofer.

The Hon. E. R. GOLDSWORTHY: Yes, the tiredest old hoofer. That is why they sold off our gas to Sydney. That is why they gave Sydney gas until 2006 and South Australia until 1987, for a petrochemical plant. They did not even have a letter of intent. They had to rush around during the 1974 election campaign and get a letter of intent—

The Hon. D. O. Tonkin: They said they had a letter of intent.

The Hon. E. R. GOLDSWORTHY: Yes, and then they had to go and have a look for it. We know why they wrote those brilliant gas contracts. The Leader of the Opposition talks in wishful terms about SAOG and about the great deal his Party had done in relation to SAOG. We believe SAOG is a valuable asset; that is perfectly obvious. There was an interesting motion at the weekend to socialise the whole of the Cooper Basin but, again, Mr Hudson came to the rescue and reminded them that it would cost X billions of dollars and they could not afford it, so they decided to back off on that one—about the only thing they did back off on.

We have had repeated *ad nauseam* tonight the fact that the Labor Party is not prepared to comment on any detail, but I repeat that the function of the Select Committee is not so that the Labor Party can find out what this is all about; the prime responsibility on members of the Labor Party is to read the indenture and to find out what it is all about, as happens with any normal legislation. The Select Committee is to inquire from the public in relation to the fact that Crown land is being made available to the producers for this project. If members opposite are going to rest on their laurels and hope that the Select Committee will tell them what it is all about, they are particularly lazy, and that is not the function of the Select Committee. Bearing in mind what I said in the second reading explanation, even the Labor Party must admit that the financial arrangements of this indenture are highly favourable to the people of this State. The Leader of the Opposition said that we should be paying for some of the infrastructure, because philosophically he thought it was a great idea.

The Hon. D. O. Tonkin: But two weeks ago he said we should't be paying for it.

The Hon. E. R. GOLDSWORTHY: I know. In relation to other matters which he is not so keen on, we should not be providing any money for infrastructure. But he said that as a matter of principle we should be paying for infrastructure. What is this deal we have struck with the producers? They are going to finance the pipeline, the road, the onshore facilities and the wharf. The Leader of the Opposition says that we ought to finance the wharf; we ought to tell them we do not want the wharf.

The Hon. D. O. Tonkin: That is double talk.

The Hon. E. R. GOLDSWORTHY: It is nonsense. Not only are they going to finance the wharf: they are going to pay us wharfage rates. As a matter of principle, the Labor Party believes that the State should stick its neck out and should take the risk and build the wharf just because the Government ought to do something and spend some of the public's money. That is an absured suggestion. We have negotiated the arrangements for the wharf, and the producers are going to put up $40 000 000. They are going to spend the money and hand the wharf over to the Government, and then they are going to pay a security deposit. The wharf is not going to cost the public a red cent. We are going to make a profit out of it. The Leader of the Opposition reckons we ought to put up the $40 000 000 as a matter of principle. How absured!

There are no public funds at risk at all. I think that is a matter of some commendation for the Government. The Leader of the Opposition says 'No, we really ought to be putting up money for infrastructure.' How absolutely absurd! It is like saying to your neighbour, 'You want to buy a car; I'll buy it for you as a matter of principle to show you what a good fellow I am.' The Leader says on the one hand that we should put up money for infra-structure but, on the other, that we should not. He could not get off his hobby horse about what he says is financial mismanagement.

The Hon. R. G. Payne: Forthwith on transfer the State shall pay the producers.

The Hon. E. R. GOLDSWORTHY: Yes, then if the honourable member reads the end of the indenture he will see that the producers have to pay to the State an equal amount as a security bond so that there will be a transfer of cheques at the same time and the State will not be paying anything.

The Hon. R. G. Payne: Who pays the 18 per cent interest in the meantime?

The Hon. E. R. GOLDSWORTHY: That is immaterial, and I will offer to take time out now to explain to the honourable member what the financing arrangement is. I repeat that the State does not have to finance that wharf, and the rate of interest has no bearing in this argument whatsoever, because an equal sum flows each way in this deal.

The Hon. R. G. Payne: Why is it specified if it flows each way?

The Hon. E. R. GOLDSWORTHY: If the honourable member looks at the end of the indenture he will find that they have to put up a security bond which exactly equals the amount of money that the State is required to pay in relation to the wharf. On top of that, they pay wharfage, $1.50 per tonne up to the first 1 000 000 tonnes and 70c per tonne thereafter, with a guaranteed minimum of

$1 500 000. If the Labor Party does not believe that is a first-class deal for South Australia, I do not know what they suggest other than that we should have paid for the wharf.

The member for Whyalla suggested that the Government had been placed in a happy position of knowing more about the potential of the Cooper Basin than did the Labor Party. That is an interesting comment. I could not quite fathom it, but still he made it. We have attracted a record level of interest in South Australia since the change of Government—a record level of investment in exploration and development.

Mr Max Brown interjecting:

The Hon. E. R. GOLDSWORTHY: As I say, we have attracted record levels of exploration, so it will not be surprising if we find further oil strikes in South Australia. We negotiated a lands rights Bill that will allow for equitable exploration of that part of the State, which would not have been possible under the Labor Party. Only last week the first offshore well was spudded in as a result of negotiations by this Government, whereas there were no offshore licences in place when we came to Government. Now we have every offshore area either given out to exploration or about to be given out. Now we have in excess of $100 000 committed to offshore exploration. It is no wonder the member for Whyalla can say that the Government knows more about the exploration than they did. The fact is that we have encouraged exploration, whereas the Labor Party frightened it away. To suggest, as the member did, that, if the Labor Party had been in Government, things would have happened even more quickly than they have must be totally rejected.

The fact is that the proposal was put to the Government only at the beginning of this year, and I defy anyone to suggest that we could have negotiated this indenture satisfactorily. The Labor Party might have negotiated the thing in a month and given the whole game away. We could not have negotiated it, with due regard to the interests of the people of this State, one day earlier than we have done. As I say, officers were working all night. I honestly believe that it would do the member good to go and talk to Mr Carmichael, who heads up the Santos team. He would be able to enlighten him in relation to efforts of the Government and Mr Carmichael's own team in relation to the enormous effort that went into these negotiations. I do seriously suggest that the Labor Party examine the various aspects of the Bill.

It was also stated by the member for Whyalla that this development was not labour intensive. I acknowledge that point. It is nonetheless significant for this State. If members examine clauses of the indenture in relation to further developments they will see that the Government is keen for further development and they could—

The Hon. R. G. Payne: Don't say anything about a petrochemical plant, because you are against them.

The Hon. E. R. GOLDSWORTHY: I think the honourable member is either hallucinating or attributing to me words that I have never uttered. The fact is that some of these downstream developments could well be more labour intensive and could well involve investments of the same magnitudes as this one. This is the largest resource development in the history of this State. That seems to have escaped the attention of some of the media at least; they did not even report it tonight. That is a fact. It is the largest resource development in the history of this State. That must be significant. I think that the threatened walkout of the Leader because his motion of no confidence failed attracted rather more attention. The member for Whyalla raised the most substantive points that have been raised from that side of the House. I acknowledge that.

The Hon. D. O. Tonkin interjecting:

The Hon. E. R. GOLDSWORTHY: I do not know about that. The fact is that he did raise some points that were worthy of comment. All the rest of the speakers on that side of the House griped about their hurt feelings because I am too vigorous in debate or something. The member for Whyalla mentioned the Whyalla council, and properly so. There at least is a member who has some concern for his district and did raise some points of substance. He mentioned shacks and he mentioned the Whyalla council.

The Hon. D. O. Tonkin: It was the most thoughtful contribution there was.

The Hon. E. R. GOLDSWORTHY: He was the only one who raised some substantial points, as I say.

Mr Max Brown: I had better examine that speech of mine, I think.

The Hon. E. R. GOLDSWORTHY: Well, Max—No, the member for Whyalla, I apologise. It is my friendly nature. I have to get on first name terms with people. The fact is that he raised two signficant points. I can assure him that we had consultations with the Whyalla council and its clerk. I got one of my officers to telephone during the latter stage of negotiations to see if some correspondence that had sent had been received. I think the clerk was away. The fact is that normal rating will apply, which is what the council wanted. Nothing in the indenture will negate that. The companies have agreed and the Council has agreed, so that matter has been satisfactorily dealt with, I believe.

In relation to the shacks, the company has agreed that it will reimburse the Government for any dispossessed shack owners. Let me tell the member that we are conscious of the fact that a pleasant holiday site will no longer be available to some of these people. I have undertaken to see if there are any alternative sites that can be made available. We will certainly investigate that, because we do not wish to—

Mr Max Brown: You are prepared to look at that angle?

The Hon. E. R. GOLDSWORTHY: Certainly, and I think it was a proper request by the honourable member. The Government certainly is sympathetic to those people. Not only will they be reimbursed for dislocation, but we would certainly be interested, if there are other suitable sites, in making them available. In relation to those points, I acknowledge them freely. The project is not labour intensive, but it is valuable.

The member for Baudin was hurt at some of the remarks I had made in an earlier debate in the House. It would be profitable for him to go back and look at the debate because my comments to him related to some comments by him suggesting that l.p.g. was a benign substance. I suggested to him that that was nonsense and that l.p.g., like other fuels, could be quite dangerous. Obviously, I hurt his feelings, because he suggested that he incurred my wrath. If he thought that had incurred my wrath, then he does not know me very well. All I did was make some comments in relation to a statement by him that l.p.g. was benign environmentally. I think that is what he said. I pointed out that handling l.p.g. required a great deal of care environmentally.

On the one hand, the member for Baudin is not concerned with the haste. On the other hand, he is concerned with the haste. There was some fine distinction half-way between those two, but I am afraid that it was not abundantly clear to me. He welcomes the fact that we are getting on with the job quickly, but he does not welcome the fact that we made some decisions, he claims, ahead of time. He obviously does not understand what I said about the pipeline. He said that the producers should not have ordered the pipe when they did. I pointed out to him that, whatever route was selected, pipe would be needed. Even if the route

which was his choice were selected, pipe would still be required, and the same size pipe and approximately the same length of pipe would be required, so really there was not much sense in his point.

I also mentioned the fact that it was not a contract from which the producers could not withdraw. It was not a problem for the Government, anyway. The Government was not putting any money up. I do not know what he was on about. If the producers were prepared to write a contract, even though it was a provisional contract, it was the producers who were putting the money up, not the State. He obviously did not absorb the point that I was making, namely, that even if his route were chosen, the pipe would have been necessary. What was the big deal about ordering the pipe? The Labor Party never doubted, surely, that the project would go ahead in one form or another, but if it had not gone ahead, if the worst situation had arisen in relation to the project, the producers told me that it was a provisional contract, anyway. Their funds were at risk, not the Government's money or public money.

The member for Baudin also went on about the assessment by the Department of Environment and Planning. The Department's assessment was freely available to the member. He was concerned that there was not a proper study of an alternative route. I know from inquiries I made that the Department of Environment and Planning insisted that the producers do more work in relation to that alternative route so that they could be satisfied. I am not talking about the environmental consultant; I am saying that the Department of Environment and Planning insisted that the producers get their environmental consultants to do more work in relation to that alternative route so that the department could be assured that all necessary studies had been done. I know that that is a fact. Whether that is reflected in their final assessment or not, my memory does not serve me, but I know that happened.

I also know that there was no reason why the member should not have had access to the assessment by the Department of Environment and Planning in relation to that alternative route, yet he seems to think that his objections were by-passed. In fact, they were not. I know for a fact they were not. I refute the suggestion that decisions were made in advance of proper environmental and other aspects of this project being considered. In fact, it was the Leader of the Opposition who leaked some confidential information from Dow Chemical Company in relation to a change of plan in relation to the Redcliff site, despite the fact that the Government had given an undertaking that there was no way in which that would be made public until all the environmental clearances were known.

We were not going to talk about petro-chemical plants or the like at Stony Point until we knew particularly that the environmental constraints were satisfactory for the fractionation plant and the matters which were the subject of this venture, but that did not prevent the Leader of the Opposition from blurting it out one Sunday when he was short of news, in breach of an undertaking given to Dow Chemical Company that this announcement would not be made because it would be improper to make it before the environment assessment was publicly known. So much for the ethics of the Labor Party and so much for the complaint of the member for Baudin. He should talk to his Leader if he wants to talk about people doing the wrong thing in relation to environmental studies.

In no way was the Government prepared to give final approvals or any approvals until the environmental assessments had been completed, and the producers had been well aware of that all along the line. If there was an element of risk in some of the contracts that they were seeking to write (and the only one I am aware of is the pipeline contract), then it was on their shoulders. It is absolute nonsense to suggest that the Government was giving approvals prior to all of the necessary studies being made, because the Government was particularly careful to see that this did not occur.

The Hon. R. G. Payne: Has the clearing work started anywhere?

The Hon. E. R. GOLDSWORTHY: I have been told it started today. I will check that. The fact is that the Government had been keen—

The Hon. R. G. Payne: Will you let us know if you find out?

The Hon. E. R. GOLDSWORTHY: I will let you know. I suggest that you telephone somebody. The Labor Party made clear that it was supporting the venture. I would not be all that fussed at this stage.

The Hon. R. G. Payne: Either you will check up or not.

The Hon. E. R. GOLDSWORTHY: The member is getting excited.

The DEPUTY SPEAKER: Order! Interjections are out of order.

The Hon. E. R. GOLDSWORTHY: The honourable member is being obtuse. I said I will check up to see whether they have started preliminary clearance. I will be interested to know about it but I am not terribly fussed about it because the Labor Party indicated all along that it basically supported the project.

The Hon. R. G. Payne: Before the Select Committee. That's what you said.

The Hon. E. R. GOLDSWORTHY: We will have a look at that and find out what they are on about. It was interesting to note, too, that when they talked about approvals being given, we were chastised by the Labor Party for not being so terribly excited about Stony Point from the word go when the producers announced it. The fact is that there had been no environmental studies done. I was quite bemused when the Leader of the Opposition came out and said that he supported the Stony Point site, before any environmental studies were done, and even Mr Sibley from the Conservation Council came out publicly and said he supported it. Not a sod had been turned and no studies had been done, but I suspect, because they had belted hell out of the Redcliff site, that there was some need to square off, but that is the history of the events. Both the Leader of the Opposition and Mr Sibley came out publicly and said they supported Stony Point. The Government was not prepared to do that until the necessary environmental studies had been done and we made that perfectly clear. That has been our stance right through. So much for the credibility of the Opposition in this matter.

The other interesting thing I have already alluded to while we had the pleasure of the presence of the member for Mitcham is that he has said that there is no way the Bill will get through before February. He tells us from time to time in this place that he is a Santos shareholder. I think he had better talk to his board, which may have something to say. He should go to the next board meeting and put his point of view to the board, but of course he wants two bob every way. We know that. If there is anybody who wants to create a bit of a stir, you can bet your bottom dollar the member for Mitcham will be on that band waggon.

Having said that, I look forward to the deliberations of this Select Committee. I thank the Opposition for its co-operation thus far in agreeing that it was appropriate for the Bill to proceed today and that Standing Orders be suspended. I know that, although the Labor Party basically made perfectly clear that it supported this project, it would be asking too much for it to acknowledge the fact that we have done a very good deal for the State. I realise that

would be asking too much; nonetheless, I believe that to be the case.

If the Select Committee has to sit longer, the Government is prepared to sit longer, because we understand the eagerness of the producers to get on with the job, the necessity for some security for the investment. We are talking about $800 000 000. It is, as I have said, the biggest resource development the State has seen. I was glad to hear the members of the Opposition interjecting, unlike the member for Mitcham, that they will be prepared to come back for another week if we have to do so to conclude it.

The Hon. J. D. Wright: We do not mind sitting on Christmas day if it is necessary.

The Hon. E. R. GOLDSWORTHY: That is real dedication that I have not detected previously. It almost defies credulity that the honourable member would be prepared to come here on Christmas day to push it through. That is very reassuring. If the member for Mitcham finds that that is uncomfortable, that is too bad. We know he complained loud and long about the fact that he had to come back in December, although I can recall having to come back in December on occasions to accommodate the programme of the Dunstan Labor Government.

The Hon. J. D. Wright: We are not complaining about sitting.

The Hon. E. R. GOLDSWORTHY: I know, but Millhouse was. I am sorry, the member for Mitcham was. That was against the rules.

The SPEAKER: Order! That is completely out of order.

The Hon. E. R. GOLDSWORTHY: It does not suit his comfort. He would be missing the sun down at Maslins. I say this not to placate members of the Opposition but I say quite genuinely that I am gratified that the Labor Party sees the importance of this Bill and has agreed that it should proceed.

The Hon. J. D. Wright: You've got a funny way of expressing gratitude.

The Hon. E. R. GOLDSWORTHY: I have just done it.

The DEPUTY SPEAKER: I suggest that there be no conversation across the House.

The Hon. E. R. GOLDSWORTHY: I have already explained that to the member. If he expects me to wear soft shoes when members of the Opposition make points that just will not stand up, to expect the Government to just sit down and take it is an absolute insult to one's intelligence. I repeat that, as this is a hybrid Bill, it will need to be referred to a Select Committee pursuant to Joint Standing Order 2, Private Bills.

Bill read a second time and referred to a Select Committee consisting of seven members, of whom four shall form a quorum, and consisting of Messrs Blacker, M. J. Brown, Goldsworthy, Gunn, Hopgood, Olsen, and Payne; the committee to have power to send for persons, papers and records and to adjourn from place to place; the committee to report on 8 December 1981.

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

Adjourned debate on second reading.

(Continued from 18 November. Page 2057.)

The Hon. J. D. WRIGHT (Deputy Leader of the Opposition): The Opposition opposes this piece of legislation, with the exception of clause 7, which I shall deal with at a later stage. The Industrial Concilation and Arbitration Act Amendment Bill (No. 3) has been introduced yet again to amend the Industrial Conciliation and Arbitration Act 1972-1981. It is the latest instalment in this Government's assault on the independence of the Industrial Commission. It displays the Government's ignorance of South Australia's unique industrial relations system. It demonstrates the Government's contempt for the conciliation processes. It illustrates the petty and vindictive behaviour to which the Government will resort when the umpire hands down a decision not of the Government's choosing. Last, but not least, the process which has preceded the drafting of this Bill illustrates the Government's unwillingness and lack of courage to consult the major parties before amending laws which govern their behaviour.

All members of this Parliament are aware of the unique industrial relations behaviour we have been fortunate to experience in this State. For many years South Australia's share of strike action has been much less than has our share of the work force, with the disputation rate running at about one-fifth of the national rate, which is something to be commended, I would say, but not recognised evidently by this Government. Furthermore, South Australia has retained an essential competitive advantage with other States, because both average take-home pay and prices have been lower than are those in the Eastern States; that is not something to be proud of but, nevertheless, it is a fact of life. The commission, the unions and the employers have shown a greater co-operative spirit in this State than have their interstate counterparts.

During the time when I was Minister of Labour and Industry I believed it was essential to consult with all the major parties. Indeed, I took the view that a Government that was not prepared to consult did not deserve to have any responsibility to manage the industrial relation affairs of this State. I will go on to demonstrate the extent to which there has been lack of consultation so far as the processing of this piece of legislation is concerned.

It was my privilege to chair the regular meetings of the Industrial Relations Advisory Council. Many proposals were put before the council, and sometimes it was obvious to me prior to the meetings that some of the proposals would be criticised. One has to stand up to criticism. However, discussion and debate is a necessary part of the search for more equitable, responsible and better laws. I must admit that it was not always easy and the process of consultation was sometimes frustrating and sometimes very time consuming, but it enabled us to test our reforms against people who had deep experience in industrial relations and, in the final analysis, this approach helped us to achieve a consensus approach to industrial relations. I think its success record does speak for itself.

Nobody in South Australia or Australia can deny the good industrial relations which have been achieved and which have continued in South Australia over many years. I am afraid that those good industrial relations are about to be destroyed. I am informed that the Industrial Relations Advisory Council has had very few meetings during the unfortunate life of this Government. The Labor Advisory Council was not consulted at all about this Bill, nor were the employers, the unions, the Public Service Board, or even the President of the commission. This is completely contrary to the practices I carried out, and it is contrary to good government.

An examination of the transcript of the Clerks South Australian Award case on Friday 20 November shows that the employers' advocate, Mr Bleby, tendered to the commission a copy of the Bill we are now considering. His Honour the President of the Commission said this:

> May I say, Mr Bleby, that the commission is indebted to you for doing so, because the commission finds itself in what I might describe as the extraordinary and unprecedented situation of not having been advised by the Government of the introduction, much

less of the terms of the Bill, much less, of course is that in accordance with long established practice been invited to comment as to the practical application of it so at last we are being, as it were, placed in the picture.

What a sorry state of affairs. It is almost disgraceful. It is almost unbelievable that legislation which has so much effect on the Industrial Commission could be brought into this House without even the courtesy of its being provided to the President of the court. Let us go a little further in relation to the consultation processes of this Minister. Mr Bleby, the person who handed up the Bill to the President, said this, again quoting from the transcript:

I can assure the commission that my clients are in the same position, despite what may be thought from the other end of the bar table, the first I knew of it was when I heard that it had been introduced on the radio on Wednesday night, I think it was.

In fact, I heard on one media report that the President of the commission heard about the Minister's proposed changes from a radio broadcast some time after this Bill was introduced in the Parliament. After the Bill was introduced, I wanted to speak to the President of the commission, who has quite clearly been insulted, to ascertain what his and the commission's views were on this piece of legislation. That is what the Minister should have done, but I wanted to make sure that at least the Parliament had some idea of the commission's views when debating the Bill. I believed, however, that it would be improper for me to contact the President of the commission without seeking the permission of the Minister. That is what I did.

The Hon. D. C. Brown: You rang the President.

The Hon. J. D. WRIGHT: After a long wait today I received a note from the Minister saying 'no' to my talking with the President of the commission.

The Hon. D. C. Brown: You rang the President. You have just lied to this House. You rang the President.

The Hon. J. D. WRIGHT: I cannot think what the Minister of Industrial Affairs is afraid of.

Mr McRAE: On a point of order, Sir, the word 'lie' was used by the honourable Minister—

The Hon. D. C. Brown: You rang the President.

The DEPUTY SPEAKER: Order!

Mr McRae:—twice. I say that it is a clear breach of the Standing Orders, and I ask that you enforce them.

The DEPUTY SPEAKER: I invite the honourable Minister, if he used the word 'lie', to withdraw it.

The Hon. D. C. BROWN: I did use the word 'lie', and I withdraw that word, and I shall explain to the House the reasons why I used it.

The DEPUTY SPEAKER: Order! The honourable Minister is not in a position—

The Hon. D. C. BROWN: I withdraw the word.

The Hon. J. D. WRIGHT: I do not deny that I rang the President. I wrote to the Minister also.

The Hon. D. C. Brown: You did not.

The Hon. J. D. WRIGHT: I did. I wrote to the Minister also, and he answered my letter.

The Hon. D. C. Brown: You just said—

The Hon. J. D. WRIGHT: I do not deny that.

The Hon. D. C. Brown: The President—

The Hon. J. D. WRIGHT: I do not deny that I rang the President. I am not denying that. What are you talking about, you bloody child?

The DEPUTY SPEAKER: Order! Order!

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. J. D. WRIGHT: Keep him in—

The DEPUTY SPEAKER: Order! I will name the honourable member if he speaks while the Deputy Speaker is on his feet. I suggest that the honourable Deputy Leader withdraws the comments that he made about the honourable Minister.

The Hon. J. D. WRIGHT: I withdraw whatever I said. I am not sure what it was.

The DEPUTY SPEAKER: I think the honourable member is quite sure of what he said. I point out to the House that I am not going to permit this debate to continue in this spirit. I am not going to tolerate interjections from my right or from my left. From now on I expect honourable members to be heard in silence. The honourable Deputy Leader of the Opposition.

The Hon. J. D. WRIGHT: Following that very rude interruption, I now continue. The South Australian commission is a responsible body held in high esteem by employers and unions alike. Its integrity has never been questioned, and that is why the commission, with its tremendous wealth of learning and experience, was consulted on matters affecting its jurisdiction, but it is quite obvious, from the intent of the Bill and the manner of its introduction, that the Minister does not trust the commission or the Commissioners. The Minister is either too paranoid or too unsure of himself to front up and explain his ideas before he tries to impose them on the community, but, as I have said, it was not just the commission the Minister failed to consult. Despite specific previous undertakings from the Minister to consult with the trade union movement before making legislative changes, the United Trades and Labor Council had no knowledge that this Bill was being prepared before the announcement was made in the *Advertiser* on the morning of 18 November. So much for consultation by this Government.

The Hon. D. C. Brown: Ask Mr Gregory.

The Hon. J. D. WRIGHT: Indeed, I have asked Mr Gregory. I am told that a copy of the Bill was provided to the United Trades and Labor Council only after it had been requested from the Minister's office: that is not shoddy, but bad government, and inept industrial relations. Another interesting aspect of the way this Bill was hastily and sloppily put together (it is about as good as the last one, whoever prepared that) is the fact that it pre-empts the findings of the Cawthorne Inquiry into the Industrial Conciliation and Arbitration Act.

The Government, with great fanfare, appointed the Industrial Magistrate, Mr Cawthorne, a person for whom I have the greatest respect, to review our industrial legislation and recommended changes. The Minister said it would be an independent inquiry. However, shortly after the inquiry was announced, the Minister attempted to embarrass Mr Cawthorne by indicating that, following his investigations, Mr Cawthorne would recommended how to implement the Liberal Party policy. This was vigorously denied by Mr Cawthorne, and the Minister finished up with egg on his face, and it is still on it. Since Mr Cawthorne began work earlier this year, the Industrial Conciliation and Arbitration Act has been amended twice, and the Minister now seeks to amend it a third time. On none of these occasions has any reference been made to Mr Cawthorne or to the inquiry that he has conducted, and I am reliably informed that on no occasion has Mr Cawthorne's advice been sought. It seems that the Minister chooses to treat Mr Cawthorne with the same degree of contempt with which he treats the commission. That is not good enough.

The Minister's one-eyed, belligerent approach to industrial relations convinces me that he wants to break up South Australia's industrial consensus for his own political ends. For some time it has been quite clear from his actions and his lack of consultation that the Minister seems intent on fuelling industrial disputes rather than preventing them. I can only assume that he feels there could be some electoral mileage in a dispute with the unions prior to the next election. Fortunately, however, the Minister's act now, think later approach to indsutrial relations is being vigorously

criticised by employers and unions alike, because no one will stand for non-consultation on either sides of the political spectrum. I suppose that in a way we should not be surprised about what has happened.

The Hon. D. C. Brown: Where does the criticism come from?

The Hon. J. D. WRIGHT: I will name the criticisms from the employers if you want. When I was Minister I watched the antics and behaviour of the person who is now the Minister of Industrial Affairs. I formed the view that he held strong anti-union beliefs; that he preached the need for consultation but did not believe in it; that he had little understanding of the history, traditions and practices of South Australian industrial relations; that he could not stand being corrected or beaten, and when he was, he acted in a fit of pique and vindictiveness. This Bill vindicates my judgment and shows the true colours of the Minister, his Cabinet cohorts and the Government.

Conservative Governments use industrial relations laws as play-things and as a means of diverting public attention from the real causes of the problems in our community. This government has plenty of problems at the moment, but it will not face up to them. It has happened a number of times in the United Kingdom, in Australia, and now this Government has caught the disease. When we attain Government at the next election, I propose to establish the Industrial Relations Advisory Council by Statute, the council will be comprised of the same range of tripartite membership as the current body. Its members will be provided with resources and the three partners will be expected to report quarterly on agreed matters. This will establish a true consultative framework.

However, more importantly, the next Labor Government and any other future Governments will be required to provide members of the council with draft copies of proposed changes to legislation three months prior to a Bill's being introduced into the Parliament. There will be no more sneaking legislation in after we correct this situation. The Minister may laugh, but he has provided a need to do it by his lack of consultation. Every piece of legislation relating to industrial relations and the management of the labour market will be dealt with in this way. This procedure will ensure that if, in the very distant future, this State is once again plagued by a Conservative Government, it will be required to consult through the Industrial Relations Advisory Council. The only alternative would be to repeal the legislation and justify to the public their reasons for abolishing what would be then be a successfully working consultative arrangement. I shall introduce the legislation as soon as it is practicable after the election, and I assure all the parties in South Australian industrial relations that they will be much better placed to manage their future affairs under such a framework.

By way of general summary, this Bill, if passed in its present form, will fundamentally weaken the independence of the State Industrial Commission. It seeks to rescind the State commission's power to grant wage increases greater than those awarded by the Australian Arbitration Commission. It was apparently precipitated by the South Australian commission's decision several months ago to grant a pay increase it believed was appropriate to South Australian circumstances. They took into account the special local factors I mentioned before. But under the proposed legislation the South Australian commission will be forced to surrender its responsibility to the national body, even though that body has proven itself incapable of performing its centralised wage-fixing task.

The Hon. D. C. Brown: That is not so.

The Hon. J. D. WRIGHT: Wage indexation has collapsed; let us face the fact. The Minister cannot deny it.

The Hon. D. C. Brown: Did you blame Sir John Moore?

The Hon. J. D. WRIGHT: I am blaming the straitjacket put on wage indexation. Unfortunately, when I turn to the clauses in the Bill, my criticisms of the Government are no less strong. This Bill has all the hallmarks of being drafted hastily and based upon poor quality advice. I have very strong doubts that the Bill will achieve its objectives, and I would not be surprised to see the Government rush in further admendments. After all, this is the Government's second go at it in a couple of months. It certainly fudged the first one; they certainly made a mess of that.

The Hon. D. C. Brown: We promised to bring it back.

The Hon. J. D. WRIGHT: I know you did, because you made a mess of it in the first place and that is why you had to bring it back. I am forecasting that the Government will have to bring this Bill back if it is to do what it wants to. I suggest it will not be able to do that under this legislation. Clauses 4, 8 and 9 are strongly opposed by the Opposition. They are the instruments for a system which attempts, in a very clumsy fashion, to transfer indirectly State powers to the Commonwealth commission. Whilst I support a co-ordinated system of wage fixation in Australia, the approach adopted here, which would make the State Industrial Commission a mere cypher for the Commonwealth, is not the way to achieve this goal.

The grounds on which they are introduced are falsely stated in the Minister's second reading speech. After reference is made to a statement issued by premiers in August 1981, it can be seen that it was announced that:

> The South Australian Industrial Commission shall not exceed the effect of (Commonwealth) decisions when making determinations on economic grounds affecting employees generally under State awards.

It was then stated:

> 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.

The latter statement is not true and the Minister knows it. The Minister accused me a moment ago of not telling the truth within Parliament; I say that the Minister is not telling the truth in his second reading explanation to the House. No other Government in Australia has attempted thus far to denude its industrial tribunal of the very important discretionary powers that they have held to date. No other State Government has agreed to render its own wage-fixing tribunal totally subservient to the Federal commission, as this Government is now doing.

The Minister has once again grossly misled this Parliament and under Westminister tradition he should resign. But, no doubt, the Minister of Industrial Affairs has as much respect for Westminister Parliamentary principles as he has for industrial relations principles.

Section 36 and the Temporary Provisions Act are to be repealed in full. The revamped section under the Bill takes away the right of the U.T.L.C., the Chamber of Commerce and Industry, the Employers' Federation, any registered association (by leave of the President), and the Minister to make an application to initiate proceedings under section 36.

Under this Bill, this is now restricted to the commission's acting of its own motion. There is no doubt that this is a response to the successful use by the unions of this right in July 1981 to win the full 4.5 per cent c.p.i. increase for part of the work force in the face of the Federal commission's awarding only part of that increase. The new section proposed in the Bill purports to allow the South Australian commission to apply a Federal decision in such a manner and to such an extent as it thinks appropriate. Let us look at what they say about it being appropriate. The clear thrust of these proposed changes is to ensure that no appli-

cation is made for an increase greater than the relevant decisions of the Australian commission, even if this was warranted on industrial relations grounds, economic or other circumstances.

In seeking to make the State commission a mere rubber stamp of its Federal counterpart, the Bill amends section 146b and 146c of the principal Act. These sections, which require the State commission to have regard to the public interest, were first inserted in August this year, were likewise drafted in a similar careless manner, and were consequently fraught with major legal difficulties. Neither the A.L.P. nor the U.T.L.C. finds anything objectionable in requiring the commission to have regard to some concepts of the public interest. Indeed, the reason that the tribunal structure was historically established in Australia was principally to ensure that the public interest was served in the field of industrial relations. That has always been a primary consideration of the Industrial Commission in making its decisions, and reference to those decisions over the years will confirm what I am saying.

However, to require the commission to observe a Statute of the nature of that set out in clause 9 of this Bill and the amendment of section 146b of the principal Act is to require the commission to: (1) apply principles which may well be in conflict with the major duties of the commission set out in section 25 of the Act, which are to consider industrial matters brought before it on the basis of equity, good conscience and the substantial merits of the case without regard to legal forms; and, (2) apply principles which may be either impossible to determine or which will inevitably lead to long and costly litigation to clarify.

The definition of 'principles' enunciated by the Commonwealth commission and set out in clause 9 (4) of the amending Bill is absolutely meaningless and adds nothing to the understanding of how the Statute could be applied. Principles which flow from consideration by the Commonwealth commission of the State or national economy are not restricted simply to national wage cases, but also to principles enunciated when the state of the national economy and the likely effects of its determination on the national economy are considered by the Commonwealth commission. I doubt very much whether the Minister has taken that matter into consideration. By virtue of section 39 (2) of the Commonwealth Conciliation and Arbitration Act, most Full Bench matters involve such consideration. It is often the case that decisions of Full Benches of the Commonwealth commission also are based on expediency, mutually contradictory principles, or principles which are not made explicit in the decision itself, although it could be said to be enunciated by virtue of the fact that they have been applied.

By requiring that, where principles enunciated by the Commonwealth commission are capable of application in arriving at a proposed determination, the determination shall not be regarded as being consistent with the public interest unless it gives effect to those principles. Is it to demand an acceptance by all parties and by the commission of exactly what the principles enunciated by the commission are? In any given number of decisions of the Commonwealth commission a vast range of principles could be enunciated, many of which could, in practice, be mutually exclusive, contradictory, or make very poor industrial sense in the circumstances of a particular industrial dispute. That is what the Minister expects the State commission to apply, irrespective of the circumstances applying in the State at that time.

All these aspects of the Bill, which render it a most undesirable piece of legislation, could, if the Minister sincerely wishes to pursue the point of view expressed in the introductory speech, be remedied in large part by a realistic period of consultation with the employers, the trade unions and, above all, members of the Industrial Commission itself to ensure that legal minefields are avoided and that the legislation does not create a far greater range of problems and difficulties than it sets out to solve.

Clearly, there is only one solution for the Minister with regard to this piece of legislation, and that is to withdraw it right now, tonight, and go back to the drawing board, talk to those people affected by it and to receive their advice. Maybe he would then get agreement on some of the matters. But no, the Minister chooses to ignore all of those parties who will be affected by this legislation. Of course, the main people affected are those on the commission itself.

Let me recap, and in so doing I refer to some of the specifics. I think it is fair to say that the key amendment of the whole Bill is new subsection (2) of section 146b. Under the previous amendment, decisions of the Federal commission were only one of the factors to be weighed up in determining whether the public interest had been offended against. Under this Bill, this test becomes decisive. Thus, the industrial authority would be prevented from making a determination that does not apply the principles of the Commonwealth commission. Under the old legislation, important industrial relations considerations could outweigh this factor of uniformity with Federal principles. Under new subsection 146b (4) these Federal principles are defined.

Counsel for the Minister in the current test case before the State Full Commission has argued that these principles are not restricted to those arising out of national wage cases and that regard should be had to various decisions of the Federal Full Commission where the national economy is being considered; that is, on Full Commission matters pursuant to section 39(2) of the Federal Act. This will create great uncertainty over what those principles are supposed to be. My prime concern, if this amendment is passed, is that the State Industrial Commission would be reduced to a mere rubber stamp. Little wonder the President was not consulted!

I do not know what explanation one can expect from this Minister for not at least consulting with the President of the Industrial Court. If the Minister wanted to ignore the Trades and Labor Council, one could understand that, because he certainly would not have got approval from the Trades and Labor Council on a piece of Draconian legislation of this nature. If he wanted to ignore the employers (and Mr Bleby said he did, not me), and if he wanted to ignore the community, I suppose that is the Minister's right. However, let me say that it is quite wrong in practice, in theory and in trust not to have consulted the President of the Industrial Commission, the man who is responsible for the whole of the industrial relations scene in South Australia, the man who chairs and presides over the Industrial Court (in my view is an excellent President).

I do not know how much further off beam one can get than to ignore the commission in that way. This whole provision is most dangerous and is one which, in particular, should be totally opposed. It radically reduces the status of the State commission and the flexibility with which it can operate to settle industrial disputes. Really, the Minister is inviting disputes to erupt. If the State commission is so handicapped by this piece of legislation (and I certainly hope that it does not get through the Legislative Council in its present form, or in any form at all), the Minister is inviting industrial disputation. In fact, the Minister is inviting the trade union movement to go completely outside the Industrial Conciliation and Arbitration Commission and the arbitration area.

No doubt they will. One would not have to be Einstein to make that accurate forecast, that if you do not have the flexibility within the commission itself, where do you go? I believe that this commission has been very effective, able and reliable in settling the disputes that have come before it. But now, quite clearly, the Minister wants to shackle it. As it is worded, the clause would cut across section 28 (5), which allows the commission to determine matters by 'equity, good conscience, and the substantial merits of the case, without regard to the technicalities or legal forms or the practice of courts'. Under section 28 (5), the commission had the flexibility to settle disputes without being bound by predetermined rules or principles. That is gone, because the Minister has made sure that if the legislation is passed there is no flexibility within the State commission.

I wonder what the State commission is going to do. I wonder how busy it will be. Is the commission now going to be placed in the position that, whatever happens in the Eastern States and whatever decisions are made there, the effect in South Australia will be merely that of a rubber stamping? That is what the Bill does to the State commission. It takes away all arbitration and conciliation powers previously held. This new provision places a mandatory straight-jacket on the commission, and by reducing its flexibility can only interfere with its dispute-settling role. In fact, the commmission's dispute-settling role has been completely overturned by this legislation and replaces it with a framework which attempts to apply rigid Federal control at a time when those authorities have proven themselves incapable of the task of operating a central wage-fixing system. Indeed, one of the reasons why the wage indexation system crumbled was that it attempted to apply a straight-jacket to the dynamic system. If a centralised system is going to work it must take account of this basic fact of industrial life. Returning to the second reading speech presented to Parliament, I quote:

> The Government challenges anybody to argue against the reasonableness of such an approach.

I do so. I call it Draconian, and so do all the employers, trade unionists and industrial relations people who have contacted me. There have been numerous letters and telephone calls.

The Hon. D. C. Brown: Read them all out.

The Hon. J. D. WRIGHT: You would like to know who wrote to me, wouldn't you! How can you even pretend to be responsible when you tie the State tribunal to decisions of another body whose principles and practices are in disarray? Furthermore, the Commonwealth Government does not have the constitutional power to remove the discretionary power of the Commonwealth tribunal in the way that this Bill attempts to do with respect to the State tribunal. Thus, would it not be ironic if the Commonwealth tribunal exercised its discretionary power in a way which does not suit this Government? That would be real justice! But I suppose that if that happened, after the Government picked itself up off the floor, it would race into the draftsman's office, and we would have yet another hastily prepared Bill to repeal the one we are now considering. I ask: what way is this to manage the State? What way is this to attempt to set responsible and acceptable rules for governing industrial relations?

The truth of the matter is that this Government does not accept the principles of a conciliation and arbitration system. This is further illustrated by clauses 5 and 6. The attack on the conciliation process contained in these provisions is unprecedented in this State. Conciliation was always regarded as the desired and preferable process: arbitration was to be used only as a last resort. Unfortunately for this State (for the next few months, anyway) we have a Government that believes that all our developed wisdom is wrong. Conciliation is only an acceptable process when the parties agree with tight rules drawn up by an over-zealous regulatory Government. Clauses 5 and 6 will make the working of conciliation committees more cumbersome and reduce the process of conciliation to a farcical stage. The Opposition strongly opposes both these clauses.

Clause 3 is essentially a machinery matter. However, because it is a part of the overall thrust of this Government, that clause is also opposed.

Clause 7 is really the only clause that I can find any sympathy within the Bill. I hope this clause overcomes for the next three years the very complicated matter of the *Moore v. Doyle* case. I believe that the Government is approaching that part of the legislation (it is the only part) in a sensible way. It is forwarding matter for three years, which I think will have to be extended again; irrespective of the time put on that provision, it does not seem to matter. There does not seem to be any answer from either State or Commonwealth Ministers, lawyers or anyone who has been consulted about the *Moore v. Doyle* case. Clearly, it is a constitutional matter. As to preventing any interference between one union and another with application to rules and rights, and so forth, I was originally responsibnle for bringing in the temporary provisions which overcome that, so I have no dissent with clause 7. It is now being extended for three years, and I think it will be necessary to extend it even further. Even the late great Mr Jack Sweeney, who was commissioned by Clyde Cameron when he was Minister in the Federal Parliament, failed to be able to come to terms with this and give real answers to the matter. The Opposition has no complaint with clause 7, but that is the only part of the legislaton that we can support.

I make one final appeal to the Minister to use his good sense and to rethink this matter. It is clear to my mind and to the minds of most people I have spoken to that the Minister seeks to control the State Industrial Commission. The Minister was not able to accept the umpire's decision when the United Trades and Labor Council was unsuccessful a few months ago, and he has been attempting with his officers and advisers ever since to try to shackle as strongly as he can this State commission. He has tried to shackle it without consultation.

I believe that the Minister can get out of the quagmire in which he has placed himself with this non-consultation process that he is adopting by withdrawing the legislation. It is not too late to do that and to go back to the drawing board. I have had to do that, and other people have done that in the past. It is no shame if one makes a mistake and admits that. The Minister has clearly made a mistake. He has an alternative by going back and talking to those people that this legislation affects and at least trying to come out of this with legislation that will earn him some respect. At the moment, the Minister has no respect from those people I have talked to, because of his action in introducing this measure without consultation. I give the Minister that opportunity. I know that he would probably be much too strong willed to accept that advice and try to clear up the damage industrially he has done in this State and so avoid what I contend will almost certainly be an outbreak of industrial disputation after this Bill becomes law. The Opposition opposes the Bill, and I give notice at this stage that we will be moving some amendments.

Mr PLUNKETT (Peake): This Bill seeks to achieve three main objectives. The first is to emasculate the judicial independency of the Industrial Commission of South Australia; the second is to repeal the temporary provisions legislation; and the third is to continue certain moratorium provisions contained in the industrial Acts relating to the law involving the *Moore v. Doyle* case.

I shall not dwell greatly on the latter of these two objectives, other than to say that the former of them is simply an administrative consequence, and to support the latter. This Minister's industrial relations policy is a disgrace to South Australia and would be a disgrace to any State Government that valued its local industrial arbitration tribunal. When the Minister introduced the precursor to this Bill in August, he took the axe to one of the most successful and respected arbitration tribunals in Australia. The Deputy Leader challenged the motives of his actions then.

In the debate on the August Bill the Deputy Leader challenged the Minister to explain the inconsistency of his statements. Here I quote from the Minister's second reading explanation when he said that South Australia had an outstanding record in industrial harmony, bettered by no other State, and then showed his desire to destroy the independent discretion of the Industrial Commission of South Australia.

The current provisions of the Industrial Conciliation and Arbitration Act, particularly section 36, provide that when the Australian Conciliation and Arbitration Commission makes an order increasing the rates under all of its awards, such as in the national wage case, the Industrial Commission of South Australia has jurisdiction to make a similar order. The law provides that the Industrial Commission of South Australia must have regard to the decisions of the Australian Commission, but may modify the Federal decision to suit the situation in South Australia.

In August the Minister sought to amend the Industrial Conciliation and Arbitration Act to insert section 146b, which requires that, amongst other things, the Industrial Commission of South Australia pay due regard to the public interest, consider the State's economy and, in doing so, pay particular attention to inflation and unemployment. This, it was stated by the Minister, was necessitated by the imminent wage explosion, a matter to which I shall return in due course. Then and now the Minister was ignorant of the facts and insulting to the integrity of the Industrial Commission of South Australia.

First, the commission, in its July State wages decision issued only days before the Minister's panic legislation, took great pains to reason its 92 page judgment on the public interest, with special references to unemployment and inflation. The Minister's Bill added nothing to assist the Commissioner and only insulted its diligent work. At that time the Minister did not seek to remove the commission's discretion to come to its own independent judgment of what was best for South Australia. Now he does. Honourable members shall not be deceived by the apparent neutrality of the words in the new section 36. They have a particular meaning at law. Those words mean simply that the commission is bound to award either less than or the same as the Federal commission. It cannot award more. Does the Minister still maintain that he does not wish to destroy the independence of the South Australian commission?

It was pointed out when the August Bill was before this House that, in his blind ignorance of the functioning of industrial arbitration in this State and elsewhere, the Minister was legislatively incomplete. He sought then to provide himself with powers of intervention, the vast majority of which were already available to him in the Act. He claimed that his legislation would provide uniformity with the Federal commission and he achieved exactly the opposite. The Minister clearly has no idea of the interplay between Federal and State industrial laws. The Bill currently before the House takes the State further into a morass of mindless shackles and constraints on an institution that relies for its success on independence, discretion and flexibility. It follows the time of the August Bill, as the Minister himself states.

The August Bill has as its chief vehicle of protagonism the new section 146b. In addition to the new low and underhanded attack on section 36 of this Act, the Bill currently before the House seeks to expand further the provisions of that now infamous section. The Minister's policy suffered internal contradictions. He claims that he is seeking uniformity with the Federal system. Referring to his new creation (section 146b) in August, he said in his second reading explanation:

> This provision goes somewhat further than the Federal provision, which only applies to Full Bench hearings.

It seems that the Minister wants uniformity only when it suits him. His time motive is revealed; that is, to manacle the South Australian commission. The new section 146b provisions contained in this bill not only require that the Industrial Commission of South Australia pay due regard to the public interest, but go much further. Under this Act the Industrial Commission of South Australia is bound to accept any pronouncement made by the Australian commission on economic matters and apply them to any matters before the State commission.

Reference in this Act to such stated principles explicitly recognises that the Federal commission deals with the economy at national levels. The Minister is out of this world. He assumes that the national economy and the economies of the several States are always one and the same thing. He would fail the simplest test of all times; that is, to apply common sense to this situation.

In attempting to overcome this dreadful deficiency in the legislation, the Minister has had to do two things. The first is to expressly recognise the immense practical difficulties of applying such immunities, as he calls them. The section itself recognises that some of it, not all such immunities, could well be incapable of applying in this State. The second is the desperate attempt to escape a legislative *cul-de-sac* with a Latin maxim. The use of the Latin word in the proposed section recognises the impossibility of a direct translation into English.

I might add here, too, that the Act is so poorly drafted that any pronouncement by a single Commissioner of the Australian commission about the national economy will have to be translated, along with many others, into Australia. Worst of all, perhaps, is the absurd situation whereby a Full Bench of the South Australia commission could be required to subordinately translate the decision of a single Federal Commissioner. Perhaps this is indicative of the low regard in which this Minister holds our local commission.

Honourable members should note that new section 146b makes the independent assessment of the public interest and the State economy by the South Australian commission entirely subordinate to the translation of the pronouncement of the Australian commission. This is to be achieved by making the new subsection (3) (and I quote from the Bill) 'subject to subsection (2)'. Does the Minister claim that he does not seek to interfere with the independence of the South Australian commission? In burdening our commission with these erroneous and impossible tasks, the Minister will only undermine the practical effectiveness of the State commission. He will encourage the drift of awards away from the State commission to the Federal jurisdiction.

Unions and employers will perceive the State commission to be no more than an industrial middle man, and go straight to the wholesaler to avoid pointless duplications and delay. Will we shortly see legislation introduced in the House to secede our industrial relations power to the Commonwealth? Will we get the Federal commission, warts and all? There is not one full-time federal Commissioner in Adelaide. We will be relying on an industrial fire brigade based in Sydney and Melbourne, in many cases totally unfamiliar with the locality.

The Minister should know that currently the division of our work force between awards of the Federal and State commissions is approximately half under each. With all due respect to the Federal commission, the South Australian commission has the run on the board. Our industrial record is bettered by no other State. Our Commissioners and judges must dearly wonder what they have done to deserve this penance that the Minister metes out. The new section 146b will be a nightmare of industrial litigation. It will not even achieve the Minister's stated aims. It is, in short, legislation by hallucination. At a time when the Governments of both Victoria and Tasmania have seen the urgent necessity for their own State industrial tribunals, we are dismantling our own.

The Minister is like a dog with fleas. His ignorant and instinctive reaction is to chase his tail and scratch. He only scars the body politic of this State's industrial relations. He obviously has no answer to his own problems, and it is high time he was drenched, or dipped.

The Hon. D. C. Brown: There is a slight difference between drenching and dipping.

Mr PLUNKETT: There is. One goes down the stomach, which would not do you any harm, and the other goes over your body to get rid of your lice. Where is this much amplified wage explosion that threatens our daily lives? What are the emergency powers the Government has clothed itself with in order to deal with the imminent demise of Western civilisation, such as this high paranoia? What is advanced as support for the Government's industrial legislation is that the political climate round this Government darkens every day. An executive committee of panic takes control. The ship is going down. This legislation is just another cry for help. The Government and the employers are in disarray. Their advocates are being routed in the Industrial Commission.

Mr Cawthorne's inquiry into industrial legislation is considered non-existent, for separate measures affecting industrial relations have been enacted in the space of a few months, all of which go to the most important issues involved. This Government has no industrial credibility. If there is a breakdown of industrial order, let the blame be laid fairly and squarely here. The Premier is Nero on the balcony playing in the wrong key. The State economy is a wreckage. This legislation can only help it along the same road. With those words, I will finish mine.

Mr HAMILTON (Albert Park): I oppose the Bill. This Bill is a recipe for industrial disputes and confrontation. It typifies not only the arrogance of the Government but in particular the arrogance of the Minister himself. The information that has been given to me is that this Bill was drafted in the absence of consultation between the principal parties affected by the measure. As my Deputy Leader has pointed out, consultation was not had with the trade union movement, despite repeated assurances from the Minister in this House (not only in this House, but also outside the Parliament) that he would work with the United Trades and Labor Council. He is not the only Minister on the front benches of this Government who has broken that promise to the United Trades and Labor Council.

Moreover, I am informed that the first knowledge that the United Trades and Labor Council had about this Bill was when officials read it through the morning edition of the *Advertiser* on 18 November. Indeed, I was further informed that the U.T.L.C. was required to seek a copy of the Bill after the Bill had been introduced into this place. So much for the consultative processes of this Government! So much for the promises of this Government! So much for the promises of this Minister!

As I have said, this is a Bill that will create industrial disharmony, a Bill that I believe was not brought in, as quoted to me, 'by a stupid Minister'. I believe it was brought in to create industrial disputation for political purposes leading up to the next State election. If the Minister was sincere in his approach to industrial co-operation with the trade union movement, and not only the trade union movement, but with the employers themselves, and even the commission for that matter, why were they not consulted on this Bill?

On page 124 of the transcript of the Clerks (S.A.) Award wage case on Friday 24 November of this year, Mr Bleby tendered to the commission a copy of the amendment Bill. His Honour, the President of the commission, said:

> May I say, Mr Bleby, that the commission is indebted to you for doing so because the commission finds itself in what I might describe as an extraordinary and unprecedented situation of not having been advised by the Government of the introduction, much less of the terms of the Bill, much less of course is that in accordance with long-established practice being invited to comment as to the practical application of it, so at least we are being, as it were, placed in the picture.

Mr Bleby replied:

> I can assure the commission that my clients are in the same position despite what might be thought from the other end of the bar table. The first I knew of it was when I heard that it had been introduced on the radio on the Wednesday night, I think it was.

If this is the attitude of this Government, then all I can say is God help not only the workers in this State, but also the many businesses. We have heard so much from this Minister since he has been in office about the low level of industrial disputation in South Australia. It would appear quite clear to me that the Minister is deliberately provoking industrial disputation. Why is it that the Public Service Board was not consulted? Why is it that the Labour Advisory Board was not consulted? Surely they have the right to be consulted. The advice we receive on this side of the House is that the Minister has failed and failed dismally.

The Hon. D. C. Brown: What is the Labour Advisory Board?

Mr HAMILTON: If you do not know, that proves the ignorance of the Minister once again.

The Hon. D. C. Brown: What is it? What is the Labour Advisory Board?

Mr HAMILTON: It is about time you found out. If you do not know what it is, it shows how badly you are going as a Minister.

The Hon. D. C. Brown: You tell me what it is.

Mr HAMILTON: No, I am not going to tell you. You find out for yourself if you are really interested in what is happening here in South Australia on the industrial scene. I am appalled at the ignorance of the Minister. You find out for yourself. If we on this side of the House have to tell a Minister who is in charge of industrial relations in this State what the Labour Advisory Board is, then I feel sorry for him.

The Hon. D. C. Brown: You tell me.

Mr HAMILTON: I have no intention of telling the Minister.

The Hon. D. C. Brown: You do not know.

Mr HAMILTON: You find out for yourself.

Mr Evans: You do not know, yourself.

Mr HAMILTON: I most definitely do. If you see me outside the Chamber, I will tell you. I have no intention of telling the Minister, because he is ignorant of what is happening in the industrial scene in South Australia.

The ACTING SPEAKER: Order!

Mr HAMILTON: I oppose clauses 8 and 9 of this Bill, because quite clearly the Minister wants to take away the independence of the commission here in South Australia.

I am glad to see the Minister has finally found out what it is, because he had to get counsel.

The Hon. D. C. Brown: I think you have the wrong name. You called it the Labour Advisory Council. There is no such body in South Australia.

Mr HAMILTON: The Labour Advisory Board.

The Hon. D. C. Brown: There is no such body in South Australia.

Mr HAMILTON: You find out. As I have said, it is the intention of the Minister to destroy industrial relations here in South Australia for the sake of his own political gain and that of his Party. I condemn the Bill.

Mr O'NEILL (Florey): What we are confronted with here is one of the most arrogant pieces of legislation that has come before this Parliament in many a long day and I am not surprised at that, given the attitude of the Minister, because the Minister has laid down a history in the short time that he has been the Minister for leaving a trail of broken promises to the trade union movement. He hands them out like these fast food chain vouchers like 'Come and get a free promise', but when it comes to delivering the goods, he is just not up to it.

I have had considerable experience in the trade union movement and I know a lot of officers in that movement. I know what the reputation of the Minister is. It certainly has not been enhanced by the way he has been carrying on and I am sure it is not going to be improved by this exercise, which, as I understand it, is about a third bite at the cherry, to try to get at the honourable gentlemen in the Industrial Commission in South Australia because they have deigned not to agree with what he wanted to do.

It is interesting to note, in the dictionaries that are available to us in the Parliamentary Library, that 'conciliate' means to combine, unite physically, or in thought or feeling, to make friendly or agreeable, to recommend, to cause to meet, and 'conciliation' means the action of bringing into harmony, harmonising or reconcilement. We note in the Minister's second reading explanation of recent date that he says:

> In respect of conciliation committees the Bill requires the Industrial Commission to certify that any agreed matter before a conciliation committee is not inconsistent with the public interest.

I would say that that is very inconsistent with the definition of conciliation. In fact, I would go further and say that arbitration has taken on an unreal, or an untrue context in the way that it has evolved in Australia. To arbitrate means to give an authoritive decision, but an arbitrator is one who is chosen by opposing parties in a dispute to arrange or decide the differences between them. My experience over the years has been that arbitration in Australia means that if the unions or the combinations of labour forces do not do what is required of them by conservative Governments or employers, then they are dragged before an organisation or a State machine that is called a conciliation and arbitration commission or court and dealt with summarily; a decision is handed down and they have to abide by it, having had no say in the appointment of the arbitrator, other than that, of course, if one draws the long bow, they are able to exercise their vote in electing the people who go to the Legislature, and then, depending upon the result, the people who form the Government of the day. Of course, over the years, with the way that the system is loaded against the representatives of the ordinary people, of course it is not surprising that the majority of people in those positions would be less than sympathetic to the requirements of the ordinary people.

This Bill has done something that I think has caused even people other than those in the trade union movement to get up in arms. The United Trades and Labor Council, which is the peak employee representative body in South Australia, has been totally ignored in this instance, and simply on the basis of fair dealing it might have been expected that such an organisation would have been consulted by the Minister. Not only that; the employer organisations, one would have thought, would have been consulted, but it is my understanding that they have not been, although I noticed in today's paper that the Industrial Director of one organisation, probably one of the lesser of those in South Australia, the South Australian Employers Federation joined with the Minister in taking a swipe at the Industrial Commission in South Australia, and he was squealing that they do not receive fair and unbiased treatment by the commission. It is significant that this should come up at this time. I wonder whether that might be one employer organisation that the Minister has consulted. Maybe when the more reputable employer organisations expressed concern about what the Minister was doing, perhaps the Minister fished around to see whether he could get some support, which he managed to get from that quarter.

Mr Lewis: You shouldn't judge others by yourself.

Mr O'NEILL: I do not want to get into an argument with the member for Mallee, because I agree with what he put to me earlier, namely, that he would make a better Leader of the Government Party than the present one; I do not want to draw the honourable member's bid for leadership into question at the moment, so if the honourable member will let me continue, I will carry on. The Deputy Leader of the Opposition has already indicated in some detail that the Minister has cast a slight on the President of the commission.

The President of the commission, I understand, made some comment during the Clerks (S.A.) Wages case on Friday 25 November expressing his displeasure at the ill manners of the Minister in not acquainting him as to what was going on. Further on in the second reading explanation we have the following reference:

> . . . 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.

It further refers to:

> . . . the pre-eminence which Governments have given to the formulation of a uniform wages policy in Australia.

That is a rather dictatorial statement from a Minister in an allegedly democratic Government. The question raised in my mind is as to the effect that that will have on the good record that South Australia has developed over a number of years in the area of industrial relations without Draconian measures such as that. It is indeed a fact that we had the best industrial relations in Australia. I will not bother the House with Labor Party statements on it. I will quote from a document produced in September 1980, entitled 'South Australia—An Investment Profile', which states:

> 'South Australia—an Investment Profile' is produced as an aid to the industrial investor. This document has been developed by officers of the South Australian Department of Trade and Industry, co-ordinated by Publicity; Premiers Department, Design and Production by John Nowland and printed by Don Woolman, Government Printer.

It is not a socialist propaganda document. On page 2 it states among other things:

> South Australia has developed a highly skilled work force. This work force has clearly one of the best records of labour/management relations in the country. Indeed days lost in industrial disputes in South Australia have consistently represented less than 4 per cent of the Australian total even though 9 per cent of the Australian work force is employed in this State. Industrialists can expect to benefit by the State's stable work force well equipped with the

appropriate skills. They will also find that generally wage rates in South Australia are lower than in the other major States.

It would appear that this Government intends to make the rates considerably lower still. This Liberal produced document goes on to quote a table of industrial disputation. It states:

Industrial Disputes: South Australia has a good industrial record with a lower incidence of industrial unrest compared with New South Wales and Victoria. Working days lost through industrial disputes per 1 000 civilian employees—

It then gives a series of figures, which I will not bother to read in toto. I will quote the years from 1971 to 1979. As the document was produced in September 1980, we all know that was during the first year of the Liberal Party's return to office and therefore the figures do not relate to industrjal relations under the Liberal Government; they relate to industrial relations under the Labor Government in that decade of the 1970s. On the Liberal Party's own admission, we have the best figures in Australia. Indeed, further on, it gives figures for industrial disputes with international comparisons. The situation is that South Australia was good by world standards.

Right through the 1970s, under a Labor Government, we had the best industrial relations in Australia, the least number of days lost in industrial disputation, and, in fact, one of the best records in the world. That is admitted by the present Government of South Australia. What is it doing? As has been indicated by one of my colleagues, we suspect that it is setting out with base political motives to destroy that situation in the hope that it will be able to run a shonky campaign next year to try to get back into Government. It will do this on the basis of a law and order campaign, and that is a joke, considering what has happened in South Australia in recent days. I should qualify that by saying an industrial law and order campaign, one of those great old Malcolm Fraser exercises of 'Who's running the country?' I do not know about who is running the country, but we certainly know who is ruining the country. We hear a term that is bandied about, and I will check the term in this document so that I do not do the Minister an injustice.

The ACTING DEPUTY SPEAKER (Mr Russack): Order! I ask the honourable member to resume his seat for a moment. The honourable Minister of Industrial Affairs.

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

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

Motion carried.

Mr O'NEILL: The term that is bandied around by the Minister is 'in the public interest'. Who is the arbiter there? Who decides what is in the public interest? I ask the Minister whether he thinks that what the State Government and its Federal colleagues in Canberra are doing at the moment is in the public interest. They have placed the ordinary people of this country, especially the younger people, in a position where they cannot afford to buy a home; they cannot raise the funds because of a deliberate action of this Government's Federal colleagues last December in lifting control of interest rates on home loans. Those controls have not been completely removed, but the pressure is on for the Government to do that, and given its previous actions, it is quite possible that it will do that. Is it in the public interest for that to happen, for the young people in Australia to be denied the opportunity of owning their own home? By the same means, is it in the public interest for people who have worked to pay off homes, who took loans over a long term, paying a low deposit and making low interest repayments in the belief that they had stable Governments in this country and that they would be able to pay off those homes, to now find, because of the absolutely irresponsible actions of the Federal Government in the fiscal field, that they are likely to lose those homes? I am sure that all members of the House have seen examples of people being forced out of their homes.

The ACTING DEPUTY SPEAKER: Order! I hope that the honourable member will link his remarks to the Bill before the House.

Mr O'NEILL: If you think that that is necessary, Sir, I can see quite a clear link. I am talking about the phrase used by the Minister 'in the public interest', and I am asking him whether this is his idea of what is in the public interest. We are led to believe that all the problems in this State derive from the fact that the Industrial Commission of South Australia has seen fit to come down with a different decision (based on its assessment of certain criteria) than did the Federal Commission. I believe that the member for Peake stated some of the circumstances relating to this area.

Indeed, it has been stated by members of the Federal commission at various times in the past that they did not appreciate the pressure that was being applied to them by the Federal Government in the area of industrial decisions. If we refer back to the Australian Constitution, into which I do not want to go too deeply, and to the brief given to the Commonwealth Government in that area, and to the Australian Industrial Conciliation and Arbitration Act and the duties given to that body operating under that measure, I think that the Federal Government could be accused of over-reaching its jurisdiction in interfering with these people.

Nevertheless, it is a fact of history that we have seen a situation in which a Prime Minister of this country promised at an election that indexation would be maintained provided guidelines were adhered to. For almost eight years, we heard the Prime Minister talking about the way in which trade unions had not adhered to the guidelines. Interestingly enough, members of the Federal commission indicated on a number of occasions that, in their opinion, there had been no serious deviations from the guidelines, but the Prime Minister, on a number of occasions, went back on his word in regard to indexation, because that gentleman promised indexation, and 50 per cent indexation is not full indexation. If the Prime Minister wanted to go back to 50 per cent indexation, 50 per cent adherence to the guidelines would have been fair enough, but he got more than that from the trade unions.

The ACTING DEPUTY SPEAKER: Order! I point out that the remarks that the honourable member is now making do not adhere to the Bill before the House. I ask the honourable member to come back to the Bill.

Mr O'NEILL: I say again that I am talking about the public interest. I will try to come back a little closer to the State scene.

Mr Lewis: Are you disputing the ruling of the Chair?

Mr O'NEILL: When the member for Mallee is Premier, I will take a little more notice of him, but I ask him to please go back to sleep and leave me alone. This Government carries on a lot about what is in the public interest. It depends from which vantage point one views that proposition. I can assure honourable members that the people who worked at the Frozen Food Factory do not have much regard for the promises of this Government. When the Minister gets up and talks about conciliation and what is in the public interest, he should realise that he is not convincing a lot of the people in this State that he is being fair and truthful in what he says. The Bill has a number of measures that are unacceptable to members on this side.

Mr Lewis: You haven't given one good reason.

The ACTING DEPUTY SPEAKER: Order!

Mr O'NEILL: That is the opinion of the member for Mallee. We all know about him: he fits very well into the category of something I mentioned in October 1979, when I was quoting from a document entitled 'The Committee of Economic Development of Australia', the CEDA Report of September 1978. The document stated that the managing director of McKinsey and Company of the United States of America (Mr Ronald Daniel), one of the world's leading business consultancies, made reference to, amongst other things, the preconditions for economic recovery. He referred to:

> The possibility of very strong political leadership coming to the fore in several countries, the strength of political leadership that we have not seen for many years and which is not easy to develop in today's multiple constituencies and interest groups.

That is the type of talk that brought about the situation in Germany during the 1930s, when the more desperate elements in the 'industrial employer' class joined league with political thugs, and we all know the end result of that.

I do not suggest for one minute that a lot of the members on the other side of the House are Nazis or would subscribe to Nazi philosophy. Of course, there were a lot of people in Germany in the 1930s who did not subscribe to the philosophy of the Nazi Party but who sold themselves out for the sake of cheap political expediency to people who did believe in it.

The Minister of Industrial Affairs is a person who, whilst I certainly would not describe him as having Nazi tendencies, I think comes across to the trade union movement and to other people in other walks of life as rather arrogant. In fact, I heard him described earlier this evening as the Minister of Industrial Thuggery and, if he puts up legislation like this then I think there is some basis for a remark like that, although I would not want to give it to him.

The problem is that we have some things here that are plainly unacceptable to us. I do not want to go into it because I think the Deputy Leader will handle these later for me in the debate. I have some notes here which I would like to read to the House but I think for the sake of political or Parliamentary tactics I will not read them.

Mr Lewis: Let's hear them.

Mr O'NEILL: No, you will hear them later on in the debate. This is the third attempt the Minister has made. What has he done? He had the trade union movement offside because of the way he has failed to honour his proposals. Every member on this side and dare I say some members on the Government side of the House, have had complaints or expressions of concern from people who work in Government employment. They are concerned about their future; they are beginning to think they have no future. There are continual expressions of concern about the tensions that are developing in Government departments and the way in which Government employment is being run down. In fact, one of the problem areas is in the Public Buildings Department. We cannot get somebody to fix the electoral office door when it is falling off unless we put an order in for it and wait until somebody is available.

The situation is that Government departments are being run down to a stage where it is absolutely disgraceful. Whereas under the previous administration we had some of the finest departments in Australia, we are now finding that the morale of these departments is being destroyed deliberately and we are going back to the bad old days that I can remember, when I started my apprenticeship in the South Australian Railways under the Liberal Government.

Although Sir Thomas Playford was a fine old gentleman, and I had the pleasure of knowing him and talking to him in this House, I would say that in those days the situation was that the Government departments were kept together at the expense of taxpayers' money to provide a back-up to private industry, which was ripping Government departments off unmercifully and consequently ripping the South Australian taxpayers off unmercifully. That is what this Government wants to get back to.

Mr Whitten: Except they will do away with the departments.

Mr O'NEILL: No, I do not think they will do away with them completely. They will keep them there to do all the dirty work that the private contractors do not want to touch because there is no money in it. They will certainly run them down very badly.

The ACTING DEPUTY SPEAKER: Order! Again I bring to the honourable member's notice that the Bill concerns industrial conciliation and arbitration. I ask the honourable member to link his remarks with the Bill before the House.

Mr O'NEILL: I refer back to the definitions that I got from the dictionary available in this House and, of course, I would have thought that 'conciliation' means 'the action of bringing into harmony' and that it was relevant, not that what the Minister is bringing about is harmony here. He is doing the opposite; he is creating disharmony out of a situation where harmony previously existed. As I have pointed out, the fact is that, on the admission of the Government, in a very expensively produced brochure that I presume they sent all over the world, it told everybody what harmony prevailed in South Australia from 1971 to 1979. We in South Australia know what disharmony has been generated by this Government since 1979.

Mr Lewis: Give us the figures for last year, or haven't you got them?

Mr O'NEILL: I will answer the honourable aspirant to the Premiership. I am surprised that the Premier has not pulled him into gear. However, I do not have the figures for last year. One of the reasons why there may have been a lessening of industrial disputation last year has been that fear has been struck into the hearts of employees in South Australia through the disgraceful way that the Federal Government has ruined industry in this country and has allowed the exportation of Australian jobs to the near north, to the Philippines and to Singapore.

The ACTING DEPUTY SPEAKER: Order! The honourable member is referring to Federal matters, when this Bill refers to State matters. I ask the honourable member to come back to the Bill.

Mr O'NEILL: I would be very happy, and I guess a lot of other people would be, too, if we could live on our own little dung hill in South Australia and not be bothered about what happened in the big wide world out there. However, what happens in the big wide world out there does matter. If we try to ignore it, it does not go away, because this Government has allowed the big vultures to come in and rip this State apart, take over companies, destroys jobs, and so on. Therefore, it is relevant. I am sorry that the Acting Speaker cannot see that. Nevertheless, it is very relevant to the situation.

The ACTING DEPUTY SPEAKER: Order! Is the honourable member reflecting on the Chair?

Mr O'NEILL: No, Sir, I am not reflecting on the Chair.

The ACTING DEPUTY SPEAKER: I would not like the honourable member to do so. Otherwise action will have to be taken.

Mr O'NEILL: I am not reflecting on the Chair at all, Mr Acting Speaker. I am saying that a problem has arisen because of outside influences working on this State, and that I do not see how we can divorce ourselves from what is happening in the world at large or indeed outside of this State but within the Commonwealth. We have a very serious problem. I can only try to prevail upon the Minister to take this rubbish back, have it reworked, and come up with something that is not an insult to the Commissioners of the South Australian Industrial Commission in South Australia,

which is not an insult to the employer organisations of South Australia, and indeed, which is not an insult to the United Trades and Labor Council and its affiliated unions, because that is what it is at the moment.

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

Mr McRAE (Playford): I congratulate the Deputy Leader of the Opposition and my other colleagues on their contributions to this debate. Before I deal with this Bill, I first commiserate with the advisers to the Minister and all those associated with him, because they know that he has created a record in promoting industrial disharmony, disputation and hatred throughout this community, in an unprecedented manner.

His whole department is in seething discord. He is disliked by the whole trade union movement; he is disliked by his whole department; he is disliked by the Industrial Court; and he is disliked by the Industrial Commission. He has insulted, individually and collectively, the Industrial Court and the Industrial Commission, and he is aware of that fact. We know that all of that must follow from the philosophy that he himself expressed in August 1979.

The Minister's policy objective is well worth recalling, because it is the only part of the whole Liberal Party industrial relations policy that does not relate to smashing the trade union movement into the ground. The policy objective is stated to be:

> The industrial relations policy of the Liberal Party has as its prime objective the improvement of industrial relations in South Australia to ensure the development and security of employment.
>
> The policy upholds the democratic rights of the individual within the industrial scene. The policy aims to achieve co-operation and common sense and to avoid confrontation within industry.

There follows a series of nine industrial relations objectives, I suppose, all of which are designed to smash industrial harmony in this State into the worse condition it has ever been since the depression, even worse than it was during the depression. I know that it is a positive embarrassment for those persons—and I shall not be mentioning them by name—who have previously, in the last decade or so, worked in industrial relations in South Australia. I have been closely connected with the scene for 20 years. It is a positive embarrassment for them to have to admit that they work for this Minister, because they know him for what he is, for what we know him—a thoroughly arrogant man, who is now in a fit of pique, without advising either the employer organisations, the employee organisations, the commission, the courts, the President, or anybody else, imposing his own will on the Parliament, and will do so unless that poor wretched fellow, the Hon. Lance Milne, in the Upper House can be persuaded to do something else.

Let me say that this legislation is so retrograde that, when I looked at it in detail the other night, I thought of myself as a draftsman trying to write out a summary of it because it is so mad, it is so crazy, that you read it and then you ask whether you are nuts. You really ask whether you are nuts when you read this legislation. I rang around my profession and asked, 'Am I being silly?' I said to person after person, 'Am I really being so stupid that I cannot understand this legislation? Is there some merit that I am missing? Is there some evil which is sought to be overcome that I cannot see?' And person after person said to me, 'No, if you are nuts, so are we. We cannot see any merits in the thing at all. All we can see is total confusion.'

So, what I attempted to do was to try to write down in a summary form a preamble, as people used to do years ago to a Bill. I would submit this to the House as a proper preamble to this Bill. It is a Bill for an Act to, first, call on this Assembly to vote that it has no confidence in the Industrial Commission of South Australia and, in particular, its President. Secondly, it is a Bill to destroy equity, good conscience and substantial merits as the guidelines of industrial justice. The third point is to substitute confusion, delay, suspicion and class hatred for order, expedition, trust and equity. Fourthly, it is a Bill to make the now proud South Australian Industrial Commission a running dog of a totally unpredictable Commonwealth Commission. Fifthly, it is to make the law uncertain, if not incomprehensive. The sixth point is to make industrial justice the right of the rich or the lawless. Its seventh point is to discriminate industrially, and therefore economically, against the public sector and, in particular, teachers, policemen, firemen, nurses, clerks and tradesmen and, in particular, all skilled and unskilled workers in the employment of the Government.

Eighthly, the Bill is intended to placate the wounded pride of the Minister and his masters in the employer machine by helping to prove that their discredited position has some value. The ninth point is to make the Public Service pay for the inadequacies of the Government, well knowing that those in the private sector will ignore the procedure (I should have said 'garbage') so propounded by a confederacy of fools and while full well knowing that prices will proceed unchecked at the whim of the Government. The tenth point is to prove that any sort of double talk will beat logic any day while you have the whip hand. That is a proper preamble to this Bill. Let me now return to the various points that I have made. I will deal with the first one.

Mr Lewis interjecting:

Mr McRAE: I ask those persons who have not been involved in industrial relations matters to remain silent while I deal with these matters. First, this Assembly was being called on to vote no confidence in the South Australian Industrial Commission and, in particular, its President. I note with some interest, although I am not allowed to comment on it (and I certainly will not do so) the amendment that is here. I know full well that this arrogant Minister was piqued mightily when the South Australian Industrial Commission decided that it would actually be guided by justice. Good God! It was incredible! It was too much for that Minister to find that we actually have an Industrial Commission that would be guided by the evidence before it.

Let it not be said for a moment that the employers in the last case were not fully warned. I know that Mr President Olsson again and again said to the employers, 'Beware of your arrogance. Beware of the fact that the unions have gone to the trouble of calling competent economist after competent economist and you have not bothered to do anything about it. Beware of your situation.' Then, too late in the day, the called an economist, and we all know what happened. It follows inevitably, from the Minister and his associates, that it was a Milton Friedmanite, and, of course, he was disbelieved. However, he was not disbelieved by a raving radical of the loony left: he was disbelieved by Mr Justice Trevor Olsson, a man who, deservedly, is well respected throughout the nation of Australia. He was disbelieved by other members of the commission also. This was not a split decision.

I remind the House that one of the distinguised members of that commission was, I think, Mr Paul Cotton, who is well known in the employer group in this community, who is hardly a radical, and who is known to me personally. Certainly, he is not a radical.

My second point related to destroying equity, good conscience and substantial merit. That is exactly what this Bill does. It says, 'No matter what the justice of the matter, you are bound in fetters and chained to what the Commonwealth does to you.' I regret that I do not have enough time fully to deal with all the inequities of all this. However,

let me point out in the brief time that I have got the evils of this whole situation. I well realise that not until we have a barricade situation (and that is exactly what the Minister wants—a barricade situation) will people wake up to what is going on here.

A certain impression is given in the second reading explanation which, by the way, is totally misleading. Indeed, the second reading explanation is as badly drawn as the Bill. I do not know who drew the Bill, although I feel sorry for whoever did it. I suspect, with due deference to my professional colleagues, that the Bill was drawn under precise instructions from the Director of the department and the Minister.

Mr Trainer: Under sufferance.

Mr McRAE: Yes, under great sufferance; I am indebted to my colleague for that remark. In drawing this Bill there has been total disregard, for instance, to section 39 of the Australian Conciliation and Arbitration Act. I will not quote from the Act, because those who know it will remember it well. It means that every single decision of every single Commissioner is going to play a part in these guidelines. If the Minister wants to reassure the House of Assembly otherwise, let him do so, because I assure him that every other person involved in industrial relations in this State well knows that there is a strong argument in that.

I now turn to the substitution of confusion, delay, suspicion and class hatred, for the order, extradition, trust and equity that has gone on before. We all know that that is the whole intent of this Government; they want people thrust up to the barricades and, in particular, want the people who can least protect themselves, namely, the lower echelons of the Public Service, to pay for their own inequities and disabilities. It is a disgrace that a commission which has been built up so well over the past few years by people like Mr Justice Olsson, Judge Stanley and the late Judge Bleby, should be put into such a humiliating position. It is a disgrace that Mr Justice Trevor Olsson should have to find about about the Government's proposed legislation, when an employer advocate produced a document which he, the judge, had never heard of before. This is an utter disgrace, totally unprededented in the history of this State, and, I suspect, this country, unless we like to look at Bjelke-Peterson country or Charles Court country.

The Hon. D. C. Brown: Sit down and I will give you the facts. If you all just sat down and listened to the facts without going on about it—

Mr McRAE: I am very interested to hear that we are going to be given some facts. I challenge the Minister to explain why Mr Justice Olsson was not given a copy of this Bill for his inspection before the hearing began before him. Is the honourable Minister saying that Mr Justice Trevor Olsson told lies in the commission? That is nonsense; absolute garbage and nonsense.

I now turn to my next point, which is to make the now proud South Australian Industrial Commission a running dog of a totally unpredictable Commonwealth Commission. Every person who has been associated with industrial relations knows the history of the Commonwealth Commission. It has the most disreputable history of any industrial commission in this country; and for very good reasons. I am not casting aspersions on those very honourable people who have made up the Federal Commission over the years. We all know their difficulties. If you happen to be in the oil industry, you can forget the guidelines, because the oil companies and the unions involved in that industry can hold the whole nation to ransom. Of course, you can proudly announce guidelines, but you can equally disregard them when the circumstances are that the nation will be brought to a standstill and people will be hurt badly unless you totally disregard those guidelines.

How on earth is this whole thing to be operative? The whole affair is stupid, unreasonable, and ridiculous. It is designed to produce industrial disharmony and to bring about the circumstances that a Liberal Government wants. If the Minister gives me one of those sickly arrogant grins, all I can say is that he will get more than a sickly arrogant grin from the policemen, the nurses, and all the other persons in the Public Service who are going to pay for this. I will turn to that in a moment. If he or his Government think for one moment that this Bill is going to have any impact on the economy of South Australia, short of making the 80 000 public servants pay for it, he has another think coming. I know that, sad that I am to think of it, having spent 20 years sincerely working for this system, paying for it both in body and mind, on many occasions.

My next point is that it makes the law uncertain if not incomprehensible. I challenge anyone who has been involved in industrial relations at all, let alone anyone who has been involved in industrial law, to explain this Bill to me, to link it to the Commonwealth Act and then persuade me that it is nothing else than a lawyer's paradise. In fact, the best thing that was suggested to me was that I should resign from Parliament immediately and head straight back to the industrial bar because I could be engaged continuously for the next five years on appeals. There was only one problem with that—I would have to become a running dog of the employer organisations in this State, and I do not think I could take that sickening culmination to my career.

My sixth point is that it makes industrial justice the right of the rich or the lawless. Let me get that point very straight: to win under this system one will have to be rich. The poor unions will not have the money to survive the appeals that will be conducted by the employer organisations and the Government—and believe me, they will be conducted. Alternatively, one will want to be lawless, which is something which the Labor Party has always derogated and which I derogate totally. I will not tolerate a situation in which people will have to resort to violence or be incited to resort to violence in order to gain their means but, believe me, if it is a question of continuing to gain some sort of decent living and one has to smash a few windows to do it, doubtless people will do that, but people in the Public Service will not have that happy situation.

I ask the Minister what his Government has done against the painters and dockers or the builders' labourers or one or two other unions which I could mention? What has any Australian Government done against them—absolutely nothing. There is another Australianism that I was going to use, but that would be against Standing Orders.

Now I want to turn to my most important point: this Bill discriminates industrially and, therefore, economically, against the public sector, against teachers, policemen, firemen, nurses, clerks, tradesmen and, in particular, all the semi-skilled and unskilled workers of this wretched Government. Many of those poor people reacted in the stress of 1979. We certainly do not remember 1979 in a happy vein; I do not see us as having been a magnificent Government in 1979, but we would have to be very bad to be worse than what is now being produced. Those people are now going to learn, and they are going to learn the hard way.

I would like to give the House a practical example, and I will refer to the case of a doctor. Certainly, I have nothing against doctors. I have plenty of them as friends, just as I have as friends many black people, Protestants, Catholics, Jews and all kinds of people like that. I will take the case of a doctor and see how he has fared under this Administration. First, he has gained very well as he does not have to worry about succession duty. Therefore, he has been able to cancel his probate policy. It also helped him that the Commonwealth Government chipped in and cut out estate

duties. Next, he does not have to pay land tax. As doctors do well economically, that has been a great advantage to him indeed, but he gains in so many other ways. To make up for those losses to the State revenue, this Government has imposed charges and who pays for the charges? Do honourable members see many doctors riding on the buses or trams? I certainly do not see them: I see them driving in Volvos, in Mercedes Benz; some of them I see driving Rolls Royces and even Jaguars.

Mr Randall: Politicians do, too.

Mr McRAE: In my case I drive a VW and I have done so for most of my career, and it is pretty beaten up at that, and that can apply to the car as well as to the career. At least I am speaking honestly, which is more than can be said for the Minister during his second reading explanation. The doctor has done pretty well so far; he has also done pretty well when it comes to his wage increase for this year, which, as I understand it, is 11 per cent across the board, 11 per cent on top of the new medical benefits system.

The SPEAKER: Is the honourable member able to link this to the Bill?

Mr McRAE: Yes, indeed I can, Sir, because I now want to turn to the case of a policeman, teacher, fireman or nurse, and I want to differentiate between those persons and the doctor. I have pointed out that the doctor received the benefit of the lifting of succession duties and estate duties, and all the other things I mentioned. I forgot to mention that the doctor also gets the benefit of very generous tax concessions through the Commonwealth Government, if indeed he pays tax at all, because we know it is a black market economy, and there are people who, I am ashamed to say, are members of my own church and who earn $250 000 a year and pay no tax at all. They have not been doing so, and they feel terribly proud of themselves because they can grant $10 000 to some eminent charity.

I am not too pleased at all about that situation. I am not saying that that is true of all doctors at all, but I am saying that a doctor is a very privileged and a very rich man in this community. I now point out that the policeman, the teacher, the fireman, the nurse, and the clerical officer, particularly the low-grade clerical officer, is in a very different situation indeed. Take the lowest average income of a doctor that one can think of—$60 000 a year, or $50 000 a year.

The Hon. R. G. Payne: That is very low.

Mr McRAE: Absolute bedrock. To earn only $50 000 a year, a doctor would have to be an incompetent mug, and a lazy mug at that. The people I have just mentioned, the bastion of the community, earn $12 500 a year if they are lucky, and their salaries are worked out on the most complex wage structures I have ever seen. I know that when I first went in for a consideration of the teachers award it took me about two years even to be able to understand it, and that was after being able to talk to someone whom I must not mention at the moment.

However, before the Liberal Government the situation was tough, but now it is hell—it is absolute hell. Land tax has gone, but what does that mean if you are a policeman, teacher, fireman or nurse, who paid only $20 a year in land tax? These people have gained virtually nothing. They did not stand to pay a cent in succession duties, and so they have again gained nothing, and with regard to estate duties they have gained nothing. What is now happening? There are no tax dodges at all; the Commonwealth rips it out straight away on the p.a.y.e. system, and now these poor people are confronted with this awful mess in the Bill. Why are they confronted with this awful mess? One simple answer is to screw them down tight, so that somehow or other this despicable, rotten Government can somehow get itself out of the morass it is in.

I will not wear this: this is one of the most evil and vicious bills that has ever been paraded in this Parliament, and this Parliament has seen some evil, vicious Bills in its day. It is one of the most rotten Bills I have ever seen in my life. There is no way on earth that anything can be done to amend or ameliorate. There is no way on earth that I would even demean myself to talk about the drafting of it. I know that those who drafted it should not be criticised at all: they were working under this vicious and evil Government; they were told what to do, and they did the best they could in the circumstances.

I will make the prophesy that the day of reckoning will come. It has not yet seeped through although I have tried to get the message through to the teachers, the police, the clerical or adminstrative officers, the nurses and others I have mentioned as to what is going on, but it will seep through. I and my colleagues will continue to make sure that it does seep through. I am sure that, as the days and the months go on, they will see that their cases are continually blocked. They will no longer get justice in the Industrial Commission that they once went to and complained against because of the delays. Certainly under all Governments (and I am not too proud of this), Labor and Liberal, there have been terrible blues with teaches and nurses salaries. All Governments of all persuasions have been only too happy to help those already well off and to put down those already at the bottom of the ladder. Gradually they will realise, as this Minister pursues his grim Government policy, just how badly treated they are, and they will come to realise, through the Commission itself, what has happened.

I do not believe for a moment that (if I may familiarise) Trevor Olsson, Brian Stanley, Paul Cotton or Don Eglinton will betray their innate sense of justice. It is not their philosophy or politics that I am talking about but, every credit to them, their innate sense of justice. They are not going to debase that. They will tell these people why they are being delayed by this wretched Minister, this equally wretched Government and his equally stupid policy. They will tell these people why they are being disadvantaged bit by bit to make the one tangible philosophy of this Government work. It has only one simple philosophy, summed up in one phrase—to tax the poor to pay for the rich.

Mr WHITTEN (Price): We have already heard the Deputy Leader of the Opposition, the members for Playford, Florey, Peake and Albert Park, all of whom have had wide experience in the industrial field.

The Hon. D. C. Brown: I hope your contribution is better than theirs was.

Mr WHITTEN: I hope the Minister will listen because if he does he will learn a lot. He should listen to former trade union secretaries who came from the grass roots level and who know what they are talking about, as they have been involved for so long in this area, backed up by the member for Playford, who has had wide industrial experience in the court. The Minister's knowledge would then be much greater. If the Minister would listen, we would not have such a Draconian Bill as the one before us at the present time.

I support the Deputy Leader of the Opposition in his contribution. He said it was a Draconian Bill. He is right on that score. It has been brought in by an anti-union Minister to endeavour to destroy any good relationship he may have with the industrial movement. They will be completely destroyed after this Bill becomes law. The only way that it will not become law is by one person in the Legislative Council waking up to his responsibility, which he did not do the last time that the same type of Bill was brought

into Parliament. This Bill has been brought in because of the failure last time to get all that the Minister wished and because of the hearing in the court. A decision was brought down in mid-November on the agreement between Associated Wholesalers and the storeman and packers; the Minister had put counsel into the court.

I intend reading some of the comments made by the Industrial Commission. I think that the Minister has probably read that decision and really brought this Bill into the House because of the reasons given by the commission at that time. I believe that this Bill is to ensure that workers are not able to progress in any way whatsoever. I said previously that there is one thing that is inevitable in this country and that is that the workers will have a 35-hour week. I will live to see that time, and the 35-hour week will be either legislated for or achieved through the court. I am already seeing it happen by way of industrial muscle, but I would rather it happen through the legislative process or through the court. Unfortunately, with a Federal Liberal Government and an awful Liberal Government here, led in the industrial field by a Minister of Industrial Affairs who has no idea whatsoever about industrial affairs, I do not think that that will happen while we have that Minister. We will have to wait for perhaps another year before we are able to change things.

I believe that this Bill was introduced to create industrial unrest. It will certainly do that. Why do I say that? It has been a Liberal ploy over many years when leading up to an election year to endeavour to create industrial unrest. As Prime Minister Menzies used to say, when unions endeavoured to get what they needed and what they required, 'who is running the country, the elected Government or the unions?' I believe that that is what the Minister wants to do next year as he leads up to an election, because he is looking for some measure to promote at the election, as this Government certainly has not got one at the present time. The old ploy was that we must have law and order. I am still looking for 'Loren Order'—I do not know who she is. I believe that the Minister deliberately misled this House in his second reading explanation, perhaps not by intent but by a play on words.

Mr Hamilton: You are most generous, George.

Mr WHITTEN: I have always been a generous fellow and I do not even knock really bad people very much. What did the Minister say during his second reading explanation? He said the following:

> Since that time, all Governments in Australia have indicated that they are firmly committed to a uniform approach to wage fixation in Australia.

There is no doubt about that. I believe that all the States want to see wage fixation in Australia. I believe that the unions wish that, too, providing that the guidelines are reasonable and fair dinkum to allow the unions and the workers to obtain wage justice. I think that there should be a type of wage fixation through the Arbitration Commission.

Mr O'Neill: And Price fixation?

Mr WHITTEN: Certainly, because they all go together. If you have price control and price fixation, then there is not such a demand for wage increases because the workers do not require that. However, whilst we have galloping inflation under a Liberal Government, the workers need a lot more money than they are getting now to enable them to exist. The Minister continues, after saying that Governments were firmly committed to wage fixation, as follows:

> 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.

This is the point, and I wish that the Minister would listen, because he certainly could learn something, as I told him previously. The Minister further states:

> 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.

I believe that the Minister endeavoured to convey to this House that that decision of the Premier's Conference had been adhered to, that there had been consultation with the Presidents of the Arbitration Commission. I put to members that the Minister of Industrial Affairs deliberately misled this House in endeavouring to pass on the view that there had been some sort of consultation with the President.

Mr O'Neill: Disgraceful!

Mr WHITTEN: It certainly was disgraceful. The Minister had no intention of consulting with Mr Justice Olsson or anyone else in South Australia. That is the way the Minister works. This Bill leaves no authority whatsoever with the Industrial Commission in South Australia. We may as well not have an Industrial Commission, because it is hog tied to such an extent that it cannot make a decision. It certainly cannot make a decision in favour of the workers in South Australia.

Mr O'Neill: Perhaps it has been earmarked by the razor gang.

Mr WHITTEN: I do not know about that. This Bill leaves no authority with the Industrial Commission, and it seeks to destroy it. There has been no consultation with the President of the commission or with the trade union movement. Can this in any way create good industrial relations? I am sure that it cannot. Clause 9 provides that the industrial authority is to pay due regard to the public interest. I maintain that due regard to the public interest is not only in money terms but also in terms of relations. If the Minister cast his mind back to the decision in the case of the Storemen and Packers Union versus the Minister, he would recall that Mr Justice Olsson, Justice Russell and Commissioner Stevens all stated that it is not only money and conditions that are needed and that if there are not good industrial relations in no way can there be good workers.

Recently, the Minister of Industrial Affairs introduced a similar Bill in this House, providing a new section 146b. That Bill was introduced in a hurry, and in a Parliamentary sitting lasting about 34½ hours we endeavoured to show the Minister that he should have some regard for the people of South Australia and in particular the workers. I believe that he introduced that Bill to combat the industrial agreement that was sought to be registered by the Federated Storemen and Packers Union of South Australia and the Associated Grocers Co-operative Limited, after agreement had been reached in regard to shorter working hours. The Minister had that Bill proclaimed while the court hearing was in process, and so Mr Justice Olsson, Justice Russell and Commissioner Stevens had to go a little further.

The Minister at that time sent into the court advocates, Mr Gray, and Mr Jackson, to argue that the interests of South Australia would be affected if this agreement was registered. This motion had been before the court for several months previously and the Minister rushed that Bill through so that he could have the new provisions before the court at that time. Let us look at some of the reasons for the decision published in November. On page 3, the decision states:

> Whilst the hearing before the Full Commission was pending, both the Temporary Provisions Act and the Industrial Act were amended by Parliament. The amendments come into operation on 31 August 1981.

That was while the case was in progress. It was done in that way only so that they could defeat the agreement freely entered into by the two parties.

As far as the state of South Australia's economy is concerned, and the need for the court to take that economy into consideration, it is very noticeable that the decision referred to the Stage wage case in May 1981. Some very important decisions took place at that time. The decision states:

> Since publication of that decision, the present State Government has introduced its Budget for the financial year ending 30 June 1982. It is apparent, as a matter of notorious fact, that this has particular implications upon the levels of employment both within and without the Government employment area.

So, this Government's Budget will affect the wages and conditions of workers in South Australia, because this Bill (and the previous one, for that matter) required the court to take into consideration all matters that would affect the economy in the interests of South Australia. This Bill goes much further, because it prevents the South Australian Industrial Commission awarding any condition or any wages that may be as good as or better than anything the Commonwealth may bring down. It does not say they can pay less but it prevents them from paying any more. The reasons for the Minister's originally bringing in the Bill were supported by the employers, and the Secretary of the Associated Co-operatives, in his evidence, said:

> In our view there was nothing conceptually different between reducing hours of work by means of an afternoon-tea break and compiling the aggregate of those times and converting that into one day off every two months.

This Minister would go into the court to try to prevent workers from being prepared to forgo a tea break so they could have one day off in every two months. He sent counsel into court at the expense of the State Government and the taxpayers of South Australia to prevent workers from having time off in lieu of a tea break. Mr Davis, the Secretary of the co-operative said:

> This alternative was to the mutual benefit of co-operative and its employees.

Even though it is to the mutual benefit of the employers and the employees, this Minister says we must not have this sort of thing. Then there is the matter of discrimination. In this same court, Mr Davis, the Secretary of the co-operative then said:

> Another matter which was in the management's mind at the time was the fact that all the remaining staff in fact had long since before 1968, worked a 37.5 hour week.

A large number of employees are working shorter hours. The Minister can see that, if he let the lower paid workers have a shorter working week, that would be some gain, but it would be against his principles. The Minister is certainly opposed to anything that would benefit a worker. Mr Davis continues:

> This meant that of the total of approximately 721 employees, 290 were already enjoying a 37½ hour week. It was felt that to again deny a reduction in the working week to the employees in the store would be to continue to discriminate against those employees.

It appears to me that this Minister is prepared to discriminate violently if it suits the principles of Liberals, not that that would do any good for workers. The important thing is what Mr Justice Olsson said in the commission's findings. I believe that there has been no consultation whatsoever with the Industrial Commission. Mr Justice Olsson said:

> We consider that the consensus arrived at exhibits reality and industrial common sense and, to our own observations, patently has given rise to a commendable work atmosphere—which must have direct beneficial results in terms of productivity levels.

What the judge and the Commissioners were saying is that, if you have good industrial relations in a factory or workshop, you will get a lot more work. That is what the secretary said in evidence. They were quite convinced that they would get more work and more productivity out of the workers if they worked a shorter working week, which had been mutually agreed between the storemen and packers and Associated Co-op. The commissioner's findings concluded:

> We are therefore constrained, in terms of section 8 of the Temporary Provisions Act to declare that the agreement the subject of the proceedings before us is consistent with the public interest.

The commission made that finding under the legislation that we took 34½ hours to deal with in this House. This Bill will deny the commission that right. If there is a mutually agreed term of agreement and it was better or as good as any Federal Industrial agreement, the State Industrial Court, under this Bill, must reject it. That is how opposed this Bill is to the unions and workers of South Australia. If the Minister had had some consultations or if he had shown the President of the State Industrial Commission some courtesy, I believe we would have a different Bill before this House. If the Minister had had some discussions with the United Trades and Labor Council, there would have been a different Bill before this House. I believe that if those discussions had taken place with those people perhaps they would have penetrated the Minister's wooden head. I believe that common sense would have prevailed and we would have had a better Bill before this House. I oppose the Bill.

Mr LYNN ARNOLD (Salisbury): I, too, oppose this Bill, but I will not be speaking at great length. I wish to make a few comments. I believe that the very erudite performances of my colleagues on this side of the Chamber have amply explained most of the aspects that can be expressed by the Opposition. I draw attention to the legal comments made by the member for Playford, which I believe very clearly analysed the aspects that are inherent in this Bill and the way in which it will not advance the cause of industrial peace in this State but will complicate it.

We would all accept that the purpose of good government is to advance the well-being of society—indeed, to advance the well-being of public interest, a term that is embodied in the Bill. What we mean by advancing the public interest is to advance the well-being of all citizenry in society, not just a subjective opinion of a small group or of some who may happen to have a cloistered image of what is in the best interest of a certain group of people.

It strikes me that this Bill, which in many phrases and clauses reiterates the point that it is purporting to support the public interest, is in fact nothing more than a fraud. It is not really portraying the public interest as it should be meant in its most objective and widest sense. 'Public interest' in the widest sense is indeed the interest of the community at large. I contend, however, that this is really just one more stage in a campaign that we have been seeing for some months to promote the politicisation of industrial relations and the use of industrial relations as some political gimmick that can achieve a political advantage for the present Government.

I think that we really need a declaration of intent and integrity by the present Government in relation to where it stands. The Government needs to make quite clear to the South Australian public exactly where it feels that industrial relations is placed in the order of things—exactly where it thinks that its commitment to industrial relations (and, by consequence, to industrial peace) is placed.

I have indicated on other occasions that I was very concerned about some of the comments made by the Premier and the Minister earlier this financial year relating to pay matters that were before the Industrial Commission or the Teachers Salaries Tribunal. I do not wish to pre-empt

the findings of that tribunal or the commission. However, I said at the time that it seemed that some of the statements made by Government Ministers were attempting to pre-empt those decisions and to beat up and politicise the issue.

I cannot see how that can further industrial peace. Rather, I merely see how it could further industrial antagonism and, indeed, further differences between various bodies. Unfortunately, given that precedent and background, I fear that this Bill is much in the same light. It may be that the Government is able to declare itself in favour of the industrial well-being of all people in the State. It may be that it is able to prove also that, when it claims to be acting on behalf of the public interest, it is supporting the public interest of all South Australians from all walks and categories of life. However, I do not think that this Bill proves that, because the Industrial Commission, as the member for Playford quite expertly described it, is an able body with a very good record.

Yet, this Bill attempts unnecessarily and unfairly to circumscribe its area of action and to take away from it the capacity to make determinations and judgments in the best interests of the people of this State. I do not feel that this is a good comment on the way in which that body acts, and it certainly does not do justice to its past performance.

A number of things relate to public interest. We have the possibility of 'public interest' being interpreted in an objective sense and in a subjective sense, and we need to look at the difference between those two areas. In a subjective sense, it becomes something of a political omen. One uses the catchcry 'the public interest' and one automatically says, 'If one disagrees with someone, that person is against the public interest.' That is in the subjective political sense. The objective sense attempts to weigh up all aspects involved and to take into account differences of political opinion, industrial opinion, differences of economic analysis, and the like.

What better body is there to do that than the Industrial Commission? When taking into account the objective analysis of 'public interest', I suggest that we need to consider, for example, the range of income distribution in society. The Industrial Commission should, of course, consider the range of income distribution in society. However, its objective interpretation of that distribution may well be different from that given to it by a political organisation such as a Party representing the Government of the day.

Likewise, there is the aspect of the basic living wage. What should be regarded as the basic living wage? Is it a subsistence wage that merely allows people to sustain themselves in the most basic fashion in clothing, some form of housing and basic nutrition from day to day, or does it involve other aspects that incorporate the quality of life? I believe that in a society such as ours, where the wealth is there by and large, we should accept that the basic living wage should entitle people to a life other than that of a basic subsistence form, and that the lowest wage category in society should entitle people to some of the privileges of the general well-being of society that the rest of us seek to share, and that it should not just simply be a subsistence factor.

This issue becomes a public interest from my point of view, yet I do not see, from the way in which this Government has approached industrial relations in recent times, that that has become inherent in its interpretation of the public interest. The danger therefore is that this Bill will not be an advancement, but a weapon.

One of the things that has been put to me is that this may indeed by the prelude to the series of election gimmicks that this Government will choose to rake up in an attempt to try to save itself at the next election. I have had it put to me that the election will be held next year on the basis of two major platforms: one will be the attempt to use Roxby Downs as best the Government can to save its electoral skin; the other will be to fight a political campaign on the basis of wage restraint. Indeed, I have had it suggested to me that some of the election material has already been prepared in that regard.

One might suggest that the second reading explanation is part of that election material. This Bill really has no significance other than that in terms of the advantage to the present Government. One of the other aspects that I call on the Minister to give serious consideration to (and he has been very cynical tonight when listenting to contributions from this side of the House: indeed, he has been almost snide on some occasions) is the background from which members on this side have contributed to the debate. I mention again the member for Playford, who has brought to this House the extensive experience of his legal knowledge which involves many industrial legal matters over years gone by. He has been closely associated with that field. I ask that the Minister listen to the contribution of that member, who has had close contact in the legal area.

I also ask that he give close consideration to those other members who have had close contact in the industrial area in another sense, namely, by being former officials of a variety of unions in this State. It has been the common practice of the present Government to attack former union officials, believing that should be a penalty mark against them and that they should feel guilty that they have contributed to the union movement in this State. I certainly do not accept that. I ask that the Minister understand that, by having been involved in the union movement in this State, members have naturally been closely involved with many thousands of workers and the aspirations of those workers to advance their own well being and improve their standard of living. Therefore, these members do have some degree of knowledge about what is going on and their opinions should not be wiped off so quickly and easily.

One other point I want to make is that by tying the State Industrial Commission findings to the Commonwealth Industrial Commission, there could well end up being a number of anomolies that might not be able to be resolved. What would happen in the situation of an industry in South Australia which, for one reason or another, may well achieve productivity advances well in excess of similar industries in other States?

It may be that this State becomes or is a centre for a certain sector of industry and, therefore, it is the most advanced part of that industry and more likely to achieve productivity advances compared to other State sectors of the same type. Should it be that the State Industrial Commission is not able to pass on those productivity advances that are in excess of the other States to the workers of this State? Does it mean that automatically, by virtue of this legislation, those workers in this State are denied access to what it is perhaps something that will happen uniquely here and not in other States?

Certainly, that is what this Bill tells us. Surely the Minister must have read the article in last Saturday's *Advertiser* describing the impressive advances being made by the Simpson Company in its dishwasher plant. It may happen that the productivity advances there could result in the capacity of that company to pay workers at a higher rate than exists in other States, but they will be denied access to that, and naturally that will be a disincentive to those workers when it comes to trying to assist in the general wellbeing of that company. It is a fairly blind attitude to the advancement of this State.

The other matter on which I would like to hear the Minister's comments is in regard to the relativities of States and the catching up of this State to other States. There are

some situations where certain wage rates in South Australia are markedly behind those in other States. Does the attempt of this legislation to limit increases to no more than that granted by the Commonwealth take into account the fact that some salary rates may have fallen behind relatively over the years and that it would be only logical for those wage rates to catch up? Does the Bill allow for that? If it does, it must mean that in the short term those wage rates would be increasing faster than they would be increasing by virtue of the Commonwealth Industrial Commission. I cannot see how that is incorporated in the Bill. That matter needs to be clearly explained.

Another point concerns me in regard to this debate. I believe we have heard good contributions from members on this side, but we have not had any contributions from Government members: Government members who have been so vocal in other forums about industrial relations. They choose every forum possible to berate the Labor Party, to berate unions in this State, to say what a bad job they are doing and how really they desire industrial anarchy, yet, when the occasion arises for them to contribute and make their point of view known about how this Bill is really a Bill for industrial peace and not industrial anarchy, they are markedly silent. The only contribution that we have had has been the snide interjections from the Minister handling the Bill in this House.

Mr O'Neill: Markedly absent.

Mr LYNN ARNOLD: That is also correct. I had not wished to speak at great length on this Bill because the points have been so ably made by my colleagues, but I have raised those couple of questions and I hope that the Minister will at least see his way clear to answer them, although I do not see how he can, because he is not really listening at present.

In the light of the Government's past activities (certainly in this financial year), I fear that this is no more than one further stage in an attempt to beat up an issue, an attempt to attack for the sake of cheap political advantage, rather than what we should all be interested in—and I generally mean this on a bi-partisan basis—that is the industrial peace and welfare of this State, for wellbeing of all South Australians and not just some South Australians. Of course, that recalls so ably the record of the previous State Labor Government in this State in the 1970s, when that record was being achieved consistently over the previous 10 years.

The Hon. D. C. BROWN (Minister of Industrial Affairs): I want to go through a number of points raised by members opposite in the debate. I want to say from the outset that I was disappointed about the extent to which members opposite tried to whip themselves into a general state of hysteria and their trying to create something with this Bill that just does not exist. I draw to members' attention the occasion during the last week of August this year when we heard a similar debate proceed in this House and in the other place for the entire week in what turned out to be a record sitting of this Parliament. During that week members may recall that certain claims were made in that debate; statements were made that it was going to lead to industrial anarchy, revolution in the streets, and a whole series of other things, including completely bogging down the South Australian Industrial Commission. I point out that that new provision has now been in operation for some three months: I have not yet seen the revolution in the streets, I have not seen the industrial anarchy that was predicted hour after hour by members opposite. I would suggest that the sorts of claims that we have heard tonight could be put in exactly the same category as were the claims that we heard during the last week of August.

We appreciate the fact that the Australian Labor Party is a fundamental political arm of the trade union movement of this country, and we appreciate that members have a political obligation, if for no other reason than to maintain their preselection the next time it comes up; they have a fundamental commitment to make sure that they stand up and belt the Liberal Party on any issue that may appear to intrude into the area of industrial relations that the trade union movement does not entirely like.

A number of key points should be made from the outset. First, the one point that was not touched on by honourable members opposite is that more than half the workers of this State are already covered by Federal awards. Listening to the debate tonight, anyone would think that we are about to impose entirely new conditions on all employees of South Australia. However, I repeat that more than half the employees of South Australia are already covered by Federal industrial awards, and apparently, from what I have seen, there has been no substantial problem amongst those people. We do not see industrial anarchy under that half and industrial peace under the other half. I believe that the sound industrial relations record of this State reflects right across the board, involving all employees, employers and those involved in the industrial relations system.

Mr Lynn Arnold: And the previous Government.

The Hon. D. C. BROWN: And previous Governments, yes. I fail to understand why members opposite should whip themselves into such a state of hysteria over this piece of legislation, when Federal Commission decisions or principles already apply to more than half the work force. The other interesting point that has been ignored by honourable members opposite is that our Industrial Commission has been tied to the Federal principles under wage indexation since 1975. In other words, for the last six years the very principle contained in this Bill has been applied because the wage indexation system that applied throughout the South Australian industrial system was that adopted from the Australian Conciliation and Arbitration Commission. So, where is the sudden change in principle that is suddenly going to cause the industrial relations system of this State to break down, as suggested by honourable members opposite? I am fascinated that the Leader of the Opposition should now come into the House, having not contributed to this debate at all.

Mr Bannon: I have listened to it very closely.

The Hon. D. C. BROWN: Well, the Leader must have been as disappointed as I was, because one can see, simply on the facts that I have brought out so far, the very shallow, hollow and untrue nature of most of the debate that has come from his own members, the classic point, though, being that the very principles being picked up under this Bill have in fact applied basically in this State for the last six years under wage indexation.

An interesting point was picked up by the member for Playford, and several members highlighted his expertise and said that he is a man with good legal knowledge in the industrial relations system and that I should listen to his argument. The key point that he tried to make was that equity and good conscience would no longer apply through the South Australian Industrial Commission and that it had to abolish that principle and pick up the principles of the Australian Conciliation and Arbitration Commission. I point out to members opposite that the Australian Conciliation and Arbitration Commission is also bound by the principles of equity and good conscience.

In being tied to the Federal commission for general wage cases, the State commission is having to pick up that very point (equity and good conscience) which the member for Playford claimed could no longer apply.

That shows the very shallow and twisted nature of the debate that we have heard in the second reading stage from all members opposite, including their apparent lead speakers such as the member for Playford. It is unfortunate that he is not in the Chamber at present. Since he has given such an appalling speech and failed to give a fair reflection of the whole scene and how this Bill will apply, it is unfortunate that he is not here to hear my comments, especially as he kept saying that he looked forward to hearing the comments I would make in reply to the second reading debate.

Another point raised and hammered is that this State had good industrial relations under the Labor Government but has not had them under the Liberal Government. I will highlight the figures for 1980 where the percentage figures of days lost through industrial disputes on a per capita basis shows that this State improved its performance.

Mr Bannon: Are there any 1981 figures?

The Hon. D. C. BROWN: Yes, there are.

Mr Bannon: Can you highlight them?

The Hon. D. C. BROWN: Yes, I can. Members will see that for the first six months of 1981 the figures for days lost through industrial disputes in this State expressed as a percentage of the national total is 3.3 per cent of the national total.

Mr Bannon: That is an increase, isn't it?

The Hon. D. C. BROWN: It is an increase on last year, but a decrease on the figure under the Labor Government.

Mr Bannon: You didn't want to use those figures.

The Hon. D. C. BROWN: The first six months for 1981 show a figure of 3.3 per cent under the Liberal Government. I believe it got down to 2 per cent, and for certain months last year it was around 1 per cent, under a Liberal Government. Under the Labor Government I can recall figures were up to 3.5 per cent or even 4 per cent. The figures for the first six months of this year are not unusual for this State—they are about the long-term average for this State expressed by a percentage of the national total.

The next point hammered throughout by all speakers opposite is the point that here we have a Minister of Industrial Affairs who is an interventionist and how nasty that is. They say the Minister is wanting to interfere and intervene in the Industrial Commission. I will quote to members opposite a portion of the industrial relations policy which the A.L.P. adopted in this State last weekend. Section 2.3 of that policy states:

> A State Labor Government will intervene before the Australian Conciliation and Arbitration Commission to support the trade union movement in its legitimate attempts to put into effect Labor's Australian and State policies.

I have been abused for the past 2½ hours for being a Minister who apparently intervenes in the Industrial Commission, yet the A.L.P.'s own policy states that it will intervene, not for the well-being of South Australians but to implement very specifically Labor Party policy.

Members opposite have no interest in the wellbeing and the interests of South Australians. They are blindly dedicated to the policies of the Labor Party and the trade union movement and to hell with everything else, even if it wrecks the State economy. I find it incredible, Mr Speaker, that we should have had the sorts of speeches we had tonight abusing me when, in fact, in its own policy adopted over the weekend the Labor Party came out with extreme policies such as that covering the very point about which members opposite have accused me.

The next point raised by many speakers on the other side was the so-called lack of consultation and that no-one anticipated the introduction of this Bill. I point out that, after the sitting in the last week of August, when we spent the entire week debating amendments to the Industrial Conciliation and Arbitration Act, on the Friday morning in this place I announced that the Government had agreed, after discussions with the Australian Democrats, to withdraw part of that Bill. I said that it was the Government's intention, along with certain other amendments including the repeal of the temporary provisions legislation, to reintroduce after the Budget had been passed, those parts of the Bill that had been withdrawn. The Budget has been passed, we have reintroduced those parts of the Bill, and now members opposite all complain that no-one anticipated the introduction of this Bill.

Mr Whitten: We said that there was no consultation.

Mr DEAN BROWN: I will come to that in a moment. The point was made time after time that no-one knew that the Bill was going to be introduced. That remark was made by the member for Playford, the member for Adelaide, and many others. The point is that everyone who bothered to even listen to the debate last time the Bill was introduced knew what was there. They also knew what parts of that Bill were withdrawn last time and were therefore going to be reintroduced this time. In fact, the Industrial Commission was sent a copy of the previous Bill and we received comments from the President. Therefore, it was not surprising to see the introduction of this Bill. It was promised by the Government in August and delivered by this Government.

The next point raised was the apparent lack of consultation. I point out that some seven-eights of this bill was, in fact, simply picking up what was previously discussed and debated by this House. Therefore, seven-eights of this bill had already been adequately discussed and consulted on. Two new aspects were introduced into this Bill. No-one can dispute that there had been detailed consultation on the first seven-eights of the Bill, because in fact it had already been into this Parliament before and everyone had had the chance to see it, read it, and debate it. The two new aspects are clause 4, which amends section 36, and the *Moore v. Doyle* case.

The Deputy Leader, as lead speaker for the Opposition, congratulated the Government on the action it has taken on the *Moore v. Doyle* case. Everyone realised that the Government had to move an extension of that, as it has done, so there is no disagreement on that. That leaves one outstanding feature. Let us examine that in some detail. It is clause 4, which amends section 36, and limits the State Commission in general wage cases to passing on no more than is handed down by the Federal Commission. The new Director of the Department of Industrial Affairs and Employment went and talked to the Secretary of the United Trades and Labor Council about what sort of principle could be involved in that. He also talked to the President of the Industrial Commission and to the employers.

In fact, Mr Gregory, on the morning he left to go overseas, issued through his office a press statement predicting that the Government was about to legislate to tie the South Australian Industrial Commission to the Federal commission. Yet, we have heard speaker after speaker tonight claim that Mr Gregory had not been consulted. I have a copy of the transcript of the statement that Mr Gregory gave to Mr Bill Rust in making that claim.

The Hon. J. D. Wright: That is telling him, not consultation. You know that.

The Hon. D. C. BROWN: The Director of the Department of Industrial Affairs and Employment sat down and talked to the Secretary of the United Trades and Labor Council, in confidence, yet we find that that statement was made publicly on the morning that the Secretary left to go overseas. That is the only substantial new material in the Bill that was not already in the Bill that was introduced in August, except the *Moore v. Doyle* case. I cannot see on

what grounds the Opposition has become so excited in terms of no consultation. Members opposite have not denied the fact that the Director of the Department of Industrial Affairs and Employment sat down and talked to Mr Gregory, the President, and the employers. No-one has denied that, yet there is a claim of no consultation.

In fact, reference has been made in this House tonight to the statement that was made in the Industrial Commission by the President. I point out that I have never released to the Industrial Commission a copy of a Bill that is to be introduced into the House. On a private basis, I have given copies to the President of the Industrial Commission. I believe it would be a slight on this Parliament if I started to release to the Industrial Commission copies of legislation before it was tabled in this Parliament.

Mr Whitten: Why did you say there had been consultation with the President?

The Hon. D. C. BROWN: There has been consultation with the President, but I do not formally release Bills to the Industrial Commission that are to be introduced in this Parliament. If I have discussions with certain members, such as the President, members of the trade union movement or employers, I do so on a confidential basis in regard to draft legislation. I believe that any member would say that it would be a slight on this Parliament, and I would be the first to be criticised, if I started to table industrial legislation in the Industrial Commission before it was tabled in this Parliament. Yet that is the very suggestion that has been made both in this House and outside.

The Hon. J. D. Wright: The President said that there was no consultation.

The Hon. D. C. BROWN: I repeat, the President had a copy of the previous Bill.

The Hon. J. D. Wright: Are you calling the President a liar?

The SPEAKER: Order!

The Hon. D. C. BROWN: Frankly, I believe that the Deputy Leader's interjection should be withdrawn. I ask him to withdraw.

The SPEAKER: I did not proceed with the intrusion, because the Deputy Leader referred to a person outside this place. The normal procedure is that the use of such a term in relation to a member of the House is automatically objected to by the Chair. However, the Minister of Industrial Affairs has taken exception to the use of the word 'liar' by way of interjection from the Deputy Leader, and I ask the Deputy Leader to withdraw it.

The Hon. J. D. Wright: Following your request, Mr Speaker, I am prepared to withdraw, and I ask the Minister whether he is accusing the President of telling untruths.

The SPEAKER: Order! The Minister of Industrial Affairs.

The Hon. D. C. BROWN: Thank you, Mr Speaker. I believe that the Deputy Leader stated that there had been no consultation with Mr Cawthorne. Members opposite systematically referred to everyone: I will systematically shoot down the points raised. The Deputy Leader stated that at no stage in regard to this amendment or the previous amendments to the Industrial Conciliation and Arbitration Act had there been reference to Mr Cawthorne. I refer the honourable member to my second reading explanation of the previous Industrial Conciliation and Arbitration Act Amendment Bill (page 504 of *Hansard* of 20 August this year), wherein for 1½ paragraphs I referred in some detail to the way in which these amendments would be handled in conjunction with the Cawthorne review.

In fact, Mr Cawthorne has been involved and consulted on the fact that these amendments have been passed and introduced. He has said to me that of course Government has a right to introduce such amendments and needs to, even though there is a general review of the Conciliation and Arbitration Act proceeding. I think the next point starts to show how ludicrous the Deputy Leader became in his accusations concerning no consultation: apparently I had not consulted with Mr Bleby, as an employer. In fact, Mr Bleby is not an employer or an employer representative. I can assure the honourable member that, along with the other consultations that took place, there were also consultations with the employers, counter to what the Deputy Leader has said and with what other members claimed this evening.

The Hon. J. D. Wright: I am only quoting Mr Bleby.

The Hon. D. C. BROWN: Mr Bleby happens to be the legal representative of the employees; he is not the employers. There has been consultation with the employer representatives along with others. The next point that has been made both by the Deputy Leader of the Opposition and by several other members was that we are now taking the solving of industrial disputes out of the hands of the State commission and putting it into the hands of the federal commission. Nothing could be further from the truth. We are in no way altering the powers of the commission here to solve disputes; we are not removing any powers and suddenly placing those powers to solve disputes in the hands of the federal commission; members opposite know that. I think history will show in another three months time, just as it has proved their other claims three months ago to be false, their claims this evening to be equally false.

It has been claimed that we are destroying the independence of the Industrial Commission, apparently because we have said that here in South Australia we believe that general wage cases should not exceed general wage cases handed down under the federal commission following a national wage case. Now I am the one who is apparently accused of interfering with or destroying the independence of the commission. Yet over the weekend the Australian Labor Party in this State moved motion after motion indicating that it would legislate to tell or instruct the South Australian Industrial Commission what to do.

The Hon. J. D. Wright: That is not true; enable them to do it.

The Hon. D. C. BROWN: To tell them what to do. Can I just quote some of them? First, 'that the Labor Party would legislate to force the Industrial Commission to adopt full wage indexation' and, in fact, not only under State awards but in some mystical way it says 'shall receive full quarterly indexation of wages in accordance with the cost of price index.'

The Hon. J. D. Wright: Enable them to give their decision, Come on!

The Hon. D. C. BROWN: 'To legislate so that they shall receive full quarterly indexation of wages in accordance with the cost price index.'

Mr Whitten: What is wrong with that?

The Hon. J. D. Wright interjecting:

The Hon. D. C. BROWN: He admits it I am the one who is accused of putting the Industrial Commission in a straight jacket and yet they spend most of the weekend doing just that through their own policy motions, 10 times worse than anything suggested in any legislation introduced by this Government. They go on to say, 'We will legislate to remove penalties for strikes; we will legislate to require the Industrial Commission to give six months notice, or the employers to require six months notice to any person before they can be retrenched. We will require four weeks pay for every year of service to be paid as a redundancy payment.' These are the areas that are traditionally arbitrated by the Industrial Commission.

Who is putting the commission in a strait-jacket? Who is directing or instructing the Industrial Commission as to

what it should do? It is not the Liberal Government; it is the Labor Party through the policy that it spent most of last week adopting. The key points are that this State's economy is dependent on ensuring that we are competitive with manufacturing industry interstate, especially Victoria and New South Wales. Unless we retain our competitive edge this State's economy will be destroyed. If the A.L.P. policies, which were adopted last week-end, were ever put into effect in this State (fortunately, they will not be) they would destroy this State's manufacturing industry and as a consequence destroy something like 22 per cent of the employment in this State, thereby destroying the State's economy.

This Government, through Parliament, lays down wage forming principles for the South Australian Industrial Commission. This Parliament is the governing body of this State, and it has the right and responsibility for laying down the guidelines. Parliament is saying, through the Government's legislation, if it is passed, that it believes it is imperative that wage increases in South Australia across the board do not leap ahead of wage increases handed down in a national wage case. I do not think that anyone would dispute the common sense approach in that argument. No-one would argue against that sort of case. In fact, it was a former Premier of this State, Don Dunstan, who said that that must apply if this State is to succeed. This Government is putting it into effect. It is introducing legislation which, when looking at general wage increases, provides that wage increases in this State shall be no higher than those in other States. I defy anyone to stand up and argue against that principle.

The legislation does not say, as has been suggested by members opposite, that when it gets down to a specific award there cannot be an increase in this State. It does not say that at all, yet that is what members opposite have been trying to argue and instill into the minds of ignorant people who have not had an opportunity to examine this legislation. That is what members opposite have been trying to instill into the minds of those people. However, the legislation does not say that at all. It says, based on the amendments passed in August, that if there is to be a substantial rise in an industrial award it must be determined that it is not against the public interest of this State and that it will not have a significant adverse effect on the State's economy. It must come within those guidelines—guidelines that have not caused the disruption and anarchy suggested by members opposite.

In summary, I ask members opposite to rethink their attitude towards it. This Bill simply puts forward the argument that for approximately half the workers of this State who come under State awards they should not receive a general wage increase over and above those working under Federal awards in this State, and that the wage structure of this State must be held so that the actual level of wages does not increase at a faster rate than the national level. I believe that that is the key to the State's economy. The Government is quite proud to support such legislation, and I believe that it reflects a great deal of common sense. It does not take away the independence of the Industrial Commission. In fact, I believe it will have more independence under this Bill than it had under wage indexation. Under wage indexation, it was even more closely tied to the decisions of the Federal Commission.

The Hon. J. D. Wright: There is no independence for the State Industrial Commission. How can it be independent?

The Hon. D. C. BROWN: For the simple reason, as the honourable member would realise, that under wage indexation they had to pick up very closely what was handed down by the Federal commission.

The Hon. J. D. Wright: They must pick it up exactly now—not just closely.

The Hon. D. C. BROWN: That is not correct at all. The commission does not have to pick it up exactly. It states that the commission cannot grant a wage increase greater than that awarded in the Federal wage case. There is no requirement for the commission to pick it up exactly. It can—

Mr Whitten: They can give them less.

The Hon. D. C. BROWN: That is so; that is on a general wage increase. The arguments which have been advanced by the Opposition and which I have covered hold no water at all. The Government is merely saying that Australia needs uniform wage-fixing principles and, unless we have them, this State will again face the industrial anarchy, loss of jobs and the destruction of our manufacturing industry that we saw in 1974 and early 1975, when an enormous wage explosion occurred. This Government is prepared to stand up to ensure that that does not happen again.

Bill read a second time.

In Committee.

Clause 1 passed.

Progress reported; Committee to sit again.

CRIMINAL LAW CONSOLIDATION ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

CORONERS ACT AMENDMENT BILL

The Legislative Council intimated that it had agreed to the House of Assembly's Amendment No. 1 but had disagreed to amendment No. 2.

ADJOURNMENT

At 11.55 p.m. the House adjourned until Wednesday 2 December at 2 p.m.

HOUSE OF ASSEMBLY

Tuesday 1 December 1981

QUESTIONS ON NOTICE

HEATING OIL

73. **Mr O'NEILL** (on notice) asked the Minister of Mines and Energy: Will the Minister request the Federal Government to provide relief to users of heating oil for domestic purposes by making adjustment to the world-parity pricing of petroleum products?

The Hon. E. R. GOLDSWORTHY: The world-parity pricing policy of the Federal Government relates to the pricing of crude oil, not to the pricing of petroleum products. There are three major reasons why the Federal Government has adopted this policy, viz:

- to encourage the conservation of liquid fuels
- to increase the level of exploration for oil in Australia
- to encourage the development of alternative fuels

There is now some evidence that this policy is operating successfully in all three of these areas. The pricing of petroleum products is now a matter for the Petroleum Products Pricing Authority in Melbourne, and the South Australian Government generally accepts the decisions of this authority. Although significant increases have occurred in the price of heating oil, the consumption of heating oil has dramatically declined in recent years to a level in 1980-81 which was about one third of the peak consumption in 1976-77. In view of the above I do not consider it appropriate to request the Federal Government to provide relief to users of heating oil by adjustment to world-parity pricing.

T.A.B.

152. **Mr SLATER** (on notice) asked the Minister of Transport: On how many occasions, on what dates, and for what period of time on each occasion has the Totalizator Agency Board computertab broken down in the past 12 months?

The Hon. M. M. WILSON: During the 12-month period ending 10 September 1981, 203 faults were experienced during 312 operational days. Of these faults 106 held up selling for less than five minutes, 53 from 5-10 minutes, 28 from 11-30 minutes, and 16 above 30 minutes. Selling was affected for 2 669 minutes out of a total of 266 855 minutes of computer operation, which gives an 'up' time for selling of 99 per cent.

PORT PIRIE RAIL SERVICE

191. **Mr HAMILTON** (on notice) asked the Minister of Tourism:

1. Did the Minister or her departmental representatives accede to the request by the Mayor of Port Pirie to inspect the alleged appalling conditions of the Australian National railway service from Port Pirie to Adelaide on 11 September and, if so, what were the findings of that inspection and, if not, why not?

2. What representations has the Minister's department made to the Australian National Railways and what response has been received, and if no representation has been made, why not?

The Hon. JENNIFER ADAMSON: The replies are as follows:

1. Yes.

2. No representations have been made to Australian National as the carriages were only used because of an increased demand caused by the school holiday period.

PETROL SUPPLIES

195. **Mr HAMILTON** (on notice) asked the Minister of Mines and Energy:

1. What were the respective amounts of petrol held at each oil company storage and major country depots during the petrol rationing period on each day from and including 20 September 1981?

2. What amount of petrol was heid in storage at Port Stanvac P.R.A. refinery on each day during the petrol rationing period from and including 20 September 1981?

3. What respective amounts of petrol were imported into South Australia on each day of the petrol rationing period by—

(a) road transport; and

(b) rail transport?

4. How many complaints concerning petrol supplies were received at the Minister's office by residents in South Australia?

The Hon. E. R. GOLDSWORTHY: The replies are as follows:

1. and 2. The Department of Mines and Energy receives confidential information on petrol stocks held at oil companies on a monthly basis. In addition, estimates of stocks are obtained at more regular intervals including, if necessary, on a daily basis, whenever there is the prospect of a supply shortfall.

Quarterly stock levels are published by the Commonwealth Department of National Development and Energy. The most recent figure available for South Australia for petrol is 34 days coverage as at the end of June 1981.

3. The normal method of importation of petrol into the State is by sea tanker and only limited capability exists for the importation of petrol by road or rail. During the recent period of restriction, only two train shipments, each of 400 tonnes, were brought into the State and a smaller quantity by road transport.

4. A record was not kept of complaints received by my office during the recent period of petrol restrictions.

PETROL COUPONS

196. **Mr HAMILTON** (on notice) asked the Minister of Mines and Energy:

1. When and where were the petrol coupons for the recent petrol shortage printed?

2. How many were printed and what was the cost?

The Hon. E. R. GOLDSWORTHY: The replies are as follows:

1. The petrol coupons used for the recent petrol shortage were printed by the South Australian Government Printer prior to the introduction of rationing.

2. The coupons were printed in 10, 20 and 40 litre denominations with a total of 7 000 000 litres being printed in all at an approximate cost of $9 000.

ROAD PROGRAMMES

232. **Mr HAMILTON** (on notice) asked the Minister of Transport: When is it anticipated that the recategorising of the 'general road programme' will be completed and what form will the recategorising take?

The Hon. M. M. WILSON: The subject of the honourable member's question is not absolutely clear; however, it would appear to relate to my response to his question of 19 August 1981 concerning traffic signals at the intersection of Trimmer Parade and Frederick Road, Seaton. The Highways Department is proceeding with an investigation into the responsibility for the maintenance of the State's road network. On present expectations it is unlikely this investigation can be completed before February 1982.

HOUSING LOANS

239. **Mr HAMILTON** (on notice) asked the Minister of Environment and Planning representing the Minister of Housing:

1. What statistical information is collated by the Government to determine the difficulty home purchasers have in repayment of bank loans or building society loans?

2. How many persons in the rural industry were subjected to foreclosures during the 1980-81 year and how many of those were so affected because of rising interest rates?

The Hon. D. C. WOTTON: The replies are as follows:

1. The Government receives information from individual banks and building societies, the Australian Finance Conference and the Land Titles Office.

2. This information is not available unless considerable research is undertaken, and the cost of such research does not seem warranted.

WATER TURBIDITY

242. **The Hon. D. J. HOPGOOD** (on notice) asked the Minister of Water Resources:

1. How many complaints has the E. & W.S. Department received in the last six months concerning excessive turbidity in water supply to homes in the Hackham and Morphett Vale areas of Doctors Road?

2. What is the cause of this excessive turbidity, what is the department doing to eliminate it and how soon will a permanent solution be reached?

The Hon. P. B. ARNOLD: The replies are as follows:

1. Eight.

2. During periods of low flow, sediment tends to settle and collect in the distribution system. Increases in consumption result in the resuspension of this sediment and account for the majority of occurrences of excessive turbidity.

To reduce these occurrences, the Engineering and Water Supply Department has initiated a mains-flushing and mains-swabbing programme. Over the past six months, approximately 2 000 metres of main have been swabbed in the subject areas.

A permanent solution will be achieved with the commissioning of water filtration plants at the Happy Valley and Myponga Reservoirs, which are currently scheduled for 1988 and 1991 respectively.

PETITION

244. **The Hon. P. DUNCAN** (on notice) asked the Chief Secretary:

1. Has the Chief Secretary or any of his departmental officers received a petition from prison officers asking that the education section at Adelaide Gaol be closed down and, if so, what does the Chief Secretary intend to do about this petition?

2. If the Chief Secretary or one of his officers did not receive the petition, was such a petition circulated in Adelaide Gaol and what has been its result?

The Hon. W. A. RODDA: The replies are as follows:

1. No.

2. Inquiries did not reveal the existence of any such petition.

RELIEVING TEACHERS

247. **Mr L. M. F. ARNOLD** (on notice) asked the Minister of Education: What alterations have been made to the guidelines concerning the use of temporary relieving teachers and what alteration has been made to the budget allocation for temporary relieving teachers?

The Hon. H. ALLISON: The changes to policy are as follows:

1. Schools where the principal teaches full-time may use t.r.ts on a half-day basis to cover half-day teacher absences.

2. Approval of the Regional Director of Education is required to replace teachers absent on camp/excursion supervision and leave for moving residence.

3. If the allocation is expended, the principal is required to advise the regional director of education verbally and in writing to seek an additional allocation of days.

The formulae for calculating the number of days available to schools are unchanged.

SCHOOL BUS SERVICE

248. **Mr L. M. F. ARNOLD** (on notice) asked the Minister of Education: Will the Minister consider allowing students resident in Port Noarlunga South to board the school bus that traverses that vicinity in order to travel to Willunga High School and, if not, why not?

The Hon. H. ALLISON: No, the Education Department has a State-wide policy that transport will not be provided at Government expense to enable parents to exercise a choice of school.

GUN SAFETY

252. **Mr L. M. F. ARNOLD** (on notice) asked the Minister of Education:

1. What provision is there at present in school curricula for the teaching of gun safety?

2. Is any curriculum development being undertaken in this regard?

The Hon. H. ALLISON: The replies are as follows:

1. There is no specific provision for the teaching of gun safety in the Education Department. There is, however, as for many other aspects of practical lifestyle education, opportunity for individual schools to offer elective and special interest courses. School cadet units offer gun safety programmes.

According to the assessment of local need, the availability of competent and qualified personnel, accessibility to firearms, suitable ranges and an understanding of the cost considerations, schools can and do provide courses which introduce young people to the important aspects of gun safety. Local police officers, gun and rifle clubs and the South Australian Small Bore Rifle Association provide assistance and instruction for courses conducted by schools.

2. There is no formal curriculum development being undertaken at the moment in the area of gun safety.

SPECIAL PAY

253. **Mr LYNN ARNOLD** (on notice) asked the Minister of Education: Regarding Bulletin No. 110 (8 May 1981) from the Department of Further Education, what is the estimated financial impact on the 1981-82 budget of item 7 covering special pay arrangements for June 1981?

The Hon. H. ALLISON: Due to workload peaks in the Payroll Services Section at the end of each financial year, processing of the last pay is normally brought forward and the objective of this bulletin item was to ensure that overtime, penalty rates and casual employee claims could be processed correctly.

In general this objective was achieved and there was no significant financial impact on the department's 1981-82 budget regarding item 7 of D.F.E. Bulletin 110.

PLAYFORD-ELIZABETH PROPOSAL

254. **Mr LYNN ARNOLD** (on notice) asked the Minister of Education:

1. What action has been taken on the five recommendations listed in the June 1981 progress report concerning the 'Playford-Elizabeth Proposal' regarding restructuring of secondary schools in the northern area?

2. If the recommendations are to be accepted, what is the timing for the changes implicit in those recommendations?

The Hon H. ALLISON: The replies are as follows:

1. The recommendations listed in the June 1981 progress report concerning the restructuring of secondary schools in the Salisbury-Elizabeth area have been accepted in principle by the Director-General of Education.

This approval in principle authorises the region to continue to further explore, develop and refine the proposals of the progress report, without adoption of the recommendations in final form being a foregone conclusion.

A widely representative working party has been set up under the Regional Director and is investigating detailed aspects of the proposals, for example consequential staffing structures, cost implications, and implications for the facilities in the schools. The working party envisages a public awareness exercise as part of its future work.

2. A further progress report from the working party is expected in December 1981. Since the final form of the recommendations is not yet known, it is impossible to indicate whether they will be firmly accepted and implemented and, if so, what the timing of the changes required will be. However, it is extremely unlikely that any changes could occur before 1983, and even then changes would probably be phased-in, in a process spread over two or three years.

AIRCRAFT NOISE

256. **Mr LYNN ARNOLD** (on notice) asked the Minister of Education: What steps are being taken to reduce the level of aircraft noise in school buildings located in the vicinity of the Adelaide Airport?

The Hon. H. ALLISON: Information is at present being sought from the Commonwealth Department of Transport, which employs a noise abatement security officer. It can be expected that any reasonable and practicable steps for providing a solution will be implemented.

PROPERTY DAMAGE

257. **Mr LYNN ARNOLD** (on notice) asked the Minister of Education:

1. What provision is made in the Budget for compensating neighbours for damage to property resulting from adjacent school premises?

2. What guidelines apply for determining eligibility for and the amount of compensation?

The Hon. H. ALLISON: The replies are as follows:

1. No specific provision is made in the Budget for this purpose.

2. Each case would be considered on its merits.

COUNTRY EDUCATION

258. **Mr LYNN ARNOLD** (on notice) asked the Minister of Education: What changes in funding for 1982 are proposed regarding the Professional Development Country Pak, why have such changes been decided upon and what detrimental impact is it anticipated the changes will have on the quality of education provided in country schools?

The Hon. H. ALLISON: The Commonwealth Government provides specific purposes funds under the Commonwealth Schools Commission Services and Development Programme (to be called the Professional Development Programme in 1982), for the funding of inservice activities and services related to the educational development of teachers, parents and the community associated with government and non-government schools.

In 1981, some funds under this programme were allocated by the State committee, which administers the programme, for 'Country Pak' resource material for teachers, prepared at the Wattle Park Teachers Centre. This funding was provided on the basis of the 1981 calendar year only; no guarantee was given that the programme would be funded again in 1982.

The Commonwealth Schools Commission State Services and Development Committee (S.A.) will consider a submission from Wattle Park Teachers Centre for the funding of this project in 1982. This will be considered with other applications for funds in the context of the total professional development programme for 1982.

While the committee is aware of the value of these packs in inservicing teachers in country centres and every consideration will be given to providing funds for the project in 1982, the committee must determine the priorities within the programme and fund activities and projects accordingly. It should never be assumed that funding for a particular project will continue from one year to the next.

BLAIR ATHOL SCHOOL

261. **Mr LYNN ARNOLD** (on notice) asked the Minister of Education: What decision has been made concerning the future of the Angwin Avenue campus of the Blair Athol Primary School and, if no decision has been made, when can one be expected?

The Hon. H. ALLISON: The reply is as follows:

1. In a news release on 29 October 1981, the Minister of Education announced that the Blair Athol Primary School will not be consolidated on one site next year. The Angwin Avenue campus will continue to operate therefore during 1982.

2. The future of the Angwin Avenue site is likely to be re-examined in 1982.

CORRESPONDENCE SCHOOL

263. **Mr LYNN ARNOLD** (on notice) asked the Minister of Education:

1. Is the relocation of the Correspondence School running to schedule and, if not, why not?

2. How much was allocated for 1981-82 relocation costs of the school?

3. Is this a reduction on the amount previously allocated and, if so, by how much?

4. Does the allocation include architect's fees and, if so, how much?

5. Why has the duration of the temporary relocation of the school at the Education Centre changed from 'up to five years' to 'at least five years'?

6. Will the space allocated at the Education Centre be sufficient to ensure that teachers no longer have to share desks and so that some are no longer forced to work at home?

The Hon. H. ALLISON: The replies are as follows:

1. The schedule to relocate the Correspondence School to the Education Centre is proceeding according to programme at this time.

2. The sum of $30 000 has been allocated for the relocation of the correspondence school in the 1981-82 Budget.

3. This figure has not been reduced since the initial investigation and recommendation was made to relocate the school in the Education Centre.

4. The sum of $30 000 includes architects design and documentation fees and other costs as is normal practice. In this instance, the design and documentation allowance is $2 250.

5. I am unable to determine the source, which Mr Arnold cites, describing the relocation as being for a duration of 'at least five years'. It remains the intention to find suitable permanent accommodation for the school as a process in the rationalisation of Education Department facilities.

6. There is a possible inference in the question that more than one teacher may be found working at a single desk at the Correspondence School, due to force of circumstances, and that some teachers have been ordered to work at home. Such is not the case. There are a number of part-time teachers on the staff of the school who may, on a daily basis dependent on their times of work, use the same work facility. There are also teachers, engaged in particular tasks, who are given permission to proceed with this work at their homes. This situation occurs by the choice of the individual teacher concerned at the invitation of the Principal and not, as suggested, by any applied pressure.

The space to be allocated to the school in the Education Centre, as I advised Mr Arnold in reply to an earlier question, is in the order of 1 800m^2. Compared with the present area of the Pennington Terrace accommodation, this is an increase of area in the order of 700m^2, or some 60 per cent of additional space.

LABYRINTH CROSSING

269. **Mr HAMILTON** (on notice) asked the Minister of Transport:

1. Will the Minister direct the S.T.A. to install a Labyrinth pedestrian crossing on the Port Road at the southern side level crossing so as to protect pedestrians, particularly the aged and disabled, and, if so, when will it be installed?

2. What is the cost of installing such crossings?

The Hon. M. M. WILSON: The replies are as follows:

1. The State Transport Authority intends to install a labyrinth-type pedestrian crossing at Port Road level crossing as the result of discussions with the Woodville Council. The work will commence shortly.

2. The cost is estimated to be $3 000.

DRUGS

272. **Mr HAMILTON** (on notice) asked the Minister of Health: Does the Government intend to purchase a high temperature burner or any other type of burner for the disposal of confiscated or other drugs that require disposal and, if so, when, what type, what is the estimated cost and where will it be located and, if not, why not?

The Hon. JENNIFER ADAMSON: No.

PRAWN FISHING

274. **Mr GUNN** (on notice) asked the Minister of Fisheries:

1. How many prawn permits have been issued for the Spencer Gulf area?

2. How many prawn fishermen currently operate in South Australian waters?

The Hon. W. A. RODDA: The replies are as follows:

1. No permits are issued for Spencer Gulf, but there are 39 authority holders.

2. Fifty-six. This figure does not include boats fishing in Commonwealth proclaimed waters, in Investigator Strait.

GOVERNMENT GAZETTE

279. **MR LYNN ARNOLD** (on notice) asked the Premier: Will the Government consider supplying the *Government Gazette* to the electorate offices of members on the condition that they be on public display to enable members of the community to have access to them?

The Hon. D. O. TONKIN: Such a request was considered and rejected by the former Government. This Government can find no reason to change that decision.

GEOGRAPHICAL NAMES ACT

280. **Mr LYNN ARNOLD** (on notice) asked the Minister of Lands: In each of the last 10 years how many prosecutions have been launched under the Geographical Names Act against persons or organisations using names for geographical locations that are contrary to those names designated by the Geographical Names Board?

The Hon. P. B. ARNOLD: There have been no prosecutions under the Geographical Names Act against persons or organisations using names for geographical places that are contrary to those names assigned pursuant to the Act.

GEOGRAPHICAL NAMES BOARD

281. **Mr LYNN ARNOLD** (on notice) asked the Minister of Lands: Will the Minister intercede with the geographical Names Board on behalf of the expressed opinion of the residents of that portion of Salisbury North bounded by Waterloo Corner Road, Whites Road, Bolivar Road and the Bowmans railway line with a view to having the name of that area changed to Direk and, if not, why not?

The Hon. P. B. ARNOLD: No. The policy of the Geographical Names Board is to prevent a proliferation of small suburbs, which Salisbury North would become if portion were transferred to Direk. There were several other factors taken into consideration by the board and these were conveyed to the honourable member by the secretary of the board in a letter dated 2 September 1981.

NORTH-EAST BUSWAY

288. **Mr HAMILTON** (on notice) asked the Minister of Transport: Is it intended to run every bus from each outer north-eastern suburban route to and from the city in view of the fact that it is large articulated units which are to be ordered for operation of the proposed busway?

The Hon. M. M. WILSON: At peak hours it is expected that all buses will run to and from the city. At other times some routes will operate as feeders to the through routes. It is not anticipated that the whole fleet will consist of articulated buses.

O'BAHN

290. **Mr HAMILTON** (on notice) asked the Minister of Transport: Has the horizontal guidewheel friction been assessed as a factor in fuel consumption by the manufacturers of the O'Bahn buses and, if so, what are the findings?

The Hon. M. M. WILSON: The effect of the horizontal guidewheel on fuel consumption is insignificant.

291. **Mr HAMILTON** (on notice) asked the Minister of Transport: Will the Government require the manufacturers of O'Bahn equipment to:

(a) invest a substantial independent capital equity in the facility subject to ultimate acquisition without compensation; and

(b) be liable to technical and operational costs over an agreed period of time?

The Hon. M. M. WILSON: The replies are as follows:

(a) No.

(b) Normal technical warranties will extend to the bus fleet and performance guarantees will be negotiated for the O'Bahn system.

BUS TRANSPORT

292. **Mr HAMILTON** (on notice) asked the Minister of Transport:

1. Is consideration still being given to the suggestion of a 'bus only' mall in Currie and Grenfell Streets and, if so, what effect will there be on the functioning of abutting car parks, especially the limited access Harris Scarfe facility?

2. What is the route for the proposed north-eastern suburbs bus service across the east parklands between Hackney Road and Grenfell Street?

3. What methods of protection are intended on the proposed north-eastern busway to ensure that authorised vehicles cannot gain access?

The Hon. M. M. WILSON: The replies are as follows:

1. No.

2. It is currently proposed to route buses via Rundle Road and East Terrace.

3. Details of any necessary protection measures will be determined during detail design.

NORTH-EAST BUSWAY

293. **Mr HAMILTON** (on notice) asked the Minister of Transport:

1. Is there any intention to allow the proposed north-eastern suburbs busway to be used by emergency vehicles such as ambulances and fire engines and, if so, how will this system operate?

2. Will the carriageways and bridges of the component sections of the proposed north-east busway be designed for possible conversion to rail usage considering that is the policy being adopted by the authorities in Los Angeles for similar projects?

3. Which Government department will be responsible for 'ways and works' maintenance on the proposed north-eastern suburbs busway?

4. Although an e.i.s. was prepared in respect of the l.r.t. line, will one be carried out for the north-eastern suburbs busway and will the l.r.t.-e.i.s. be used for this purpose?

The Hon. M. M. WILSON: The replies are as follows:

1. No.

2. No.

3. The State Transport Authority.

4. The l.r.t.-e.i.s., as amended by the North-East busway e.i.s. addendum dated September 1980, will be used.

O'BAHN

294. **Mr HAMILTON** (on notice) asked the Minister of Transport:

1. Will bus drivers be expected to assist in the removal of a vehicle affected by flat tyre or steering malfunction to a servicing lay-by on the O-Bahn, considering that such defects are normally repaired prior to further movement?

2. Will bus drivers be expected on their own volition to attempt to maintain service schedules on the O'Bahn section of the busway by coupling up and pushing a defective vehicle clear of the facility?

3. Will the O'Bahn guided busway be planned to allow buses which have already entered the facility to exit and divert through side streets in the event of a bus ahead being rendered totally immobile?

4. How many exits are planned, where will they be located and will a signalling system be required to maximise their effectiveness?

5. What methods have been devised for dealing with the following bus breakdowns on the O'Bahn section of the proposed north-eastern suburbs busway:

(a) flat tyre; and

(b) steering malfunction?

The Hon. M. M. WILSON: The replies are as follows:

1. If the bus remains moveable the driver may be involved in its removal. If not, emergency vehicles and service personnel will be required.

2. Drivers will not necessarily be expected to maintain schedules in these circumstances.

3. No.

4. Exits are planned at O.G. Road, Darley Road and Grand Junction Road for buses. Other access points for maintenance purposes are proposed at a number of other points yet to be finally defined. Details of signalling systems will be defined in detail design.

5. *(a)* Pushing the vehicle by a following bus.

(b) This would depend on the extent of the malfunction.

295. **Mr HAMILTON** (on notice) asked the Minister of Transport:

1. Are Mercedes-Benz buses a necessary adjunct to operation on the O'Bahn guided busway on the basis of the following criteria:

(a) patent rights;

(b) engineering design; and,

(c) safety and legal liability?

2. When vehicles are being purchased for operation of the proposed north-eastern suburbs busway, will it be possible to call for tenders in accordance with normal Government procedure and, if so, will such calling be a mere formality and, if not, what cost assessment will be made and, by whom, to ensure that Mercedes-Benz do not take

an unfair advantage of the State Transport Authority dependence on the monopoly manufacturer?

3. What investigations have been made into the likelihood that any such tendering could be in conflict with the observance of the restrictive trade practices legislation?

4. Are patent rights held by Daimler-Benz and Zublin on:

(a) horizontal guidewheel steering assemblies; and,

(b) O'Bahn track components?

5. What is the legal relationship between these differing companies in any franchise for the marketing of O'Bahn equipment?

6. Can licences be made available to other organisations for the manufacture of O'Bahn equipment?

7. Have any prospective fees been discussed in relation to this matter and, if so, what is the general nature of them?

The Hon. M. M. WILSON: The replies are as follows:

1. *(a)* No.
   (b) Yes.
   (c) No.

2. It is proposed to purchase the buses from Mercedes-Benz. The cost will be assessed on the basis of previous competitive tenders received from Mercedes-Benz.

3. None.

4. Yes.

5. For this project the companies are acting in association for the overall system design of track and bus mounted O'Bahn equipment.

6. Yes.

7. Fees are still being negotiated for all aspects of the firms' input.

296. **Mr HAMILTON** (on notice) asked the Minister of Transport: What will be the number of bus movements at the junction of Grenfell Street and East Terrace between 6 a.m. and 9 a.m. Monday to Friday after the O'Bahn system has been introduced and what contingency plans have been considered to overcome traffic congestion at this intersection during these times?

The Hon. M. M. WILSON: The approximate number of bus movements in the three-hour period is estimated at about 170. Modifications to signal phasing, lane configuration and East End market loading activities are being considered.

'ON-ARRIVAL' PROGRAMME

301. **LYNN ARNOLD** (on notice) asked the Minister of Education: What funding is proposed in the current budget for the 'on-arrival' programme, what change is that over last year's allocation and, if there is a reduction, why and what alternative moves will be made to meet the needs of newly arriving migrants?

The Hon. H. ALLISON: The proposed funding for the 'on-arrival' programme is $477 200. There is no reduction over last year's allocation.

TEACHER HOUSING

304. **Mr LYNN ARNOLD** (on notice) asked the Minister of Education: Has the Teacher Housing Authority sold or offered for sale or does it propose to offer for sale any houses in the Willunga area and, if so, how many houses are involved, at what price are they being offered (or for what price were they sold) and why has this divestment been undertaken?

The Hon. H. ALLISON: The Teacher Housing Authority has offered for sale, at market value, nine houses all within the Willunga township, as part of the policy of divestment of housing within the metropolitan planning area, as defined in section 5 of the Planning and Development Act.

FIREARMS

308. **Mr HAMILTON** (on notice) asked the Chief Secretary:

1. What is the anticipated amount to be collected from firearms licences in the year 1981-82 and what was the amount collected for such licences in the year 1980-81?

2. For what purposes are the firearms licence fees used?

3. Why has the Government chosen to ignore advice given by Mr Colin Greenwood in relation to crime and firearms control?

4. Why are parts and accessories for semi-automatic weapons with pistol grips prohibited?

5. Why are parts and accessories for semi-automatic fireams a prohibited import?

6. Has the Government prohibited the use of laser beam sights and, if so, why?

7. Are laser beam sights prohibited from use in gun clubs and, if so, why?

8. Is it a fact that Police Department representatives were instructed not to attend Mr Colin Greenwood's lectures and, if so, why?

9. How many complaints have been received from the general public and gun clubs, respectively, in relation to the above questions?

The Hon. W. A. RODDA: The replies are as follows:

1. 1981-82—$1 238 000.
   1980-81—$283 000.

2. Moneys are paid into general revenue.

3. Mr Colin Greenwood has written books and articles on the subject of crime and firearms control in other countries of the world. On his visit to Australia he made it quite clear that his lecture content and articles should not be taken as any criticism of the position in Australia as he would require considerable time for study before giving an opinion. Statistics from other countries not accompanied by details of legislation enforcement in those countries must not be taken as absolute result proof, but they can certainly be looked at in this context as a guide, concerning firearms. However, the views expressed on his Australian tour would favour the anti-gun control groups as he was here at their invitation.

4. The ban was made as a result of approaches from all Police Commissioners to their Ministers. The numbers of these anti-personnel style and designed firearms being imported and the ease with which they could be converted to fully automatic weapons caused this ban and the use to which they could be put by criminals.

5. It is proposed to ban military style pistol grip firearm parts and parts of fully automatic firearms. Were import permitted, this would assist in manufacturing those firearms banned from import.

6. No.

7. See 6.

8. No.

9. A few queries, rather than complaints have been received.

LOTTERY AND GAMING ACT

309. **Mr SLATER** (on notice) asked the Minister of Recreation and Sport: Will the Government consider

amendments to the Lottery and Gaming Act to allow legal betting on the professional foot running events held at Colley Reserve, Glenelg, on Commemoration Day?

The Hon. M. M. WILSON: No.

CATS

312. **Mr HAMILTON** (on notice) asked the Minister of Environment and Planning, representing the Minister of Local Government: What powers are available to local government authorities to control domestic cats and, if none, does the Government intend to introduce legislation to eliminate domestic cat nuisance and, if so, when and, if not, why not?

The Hon. D. C. WOTTON: Cats, particularly feral cats, are a constant source of nuisance to the community, as they are not a truly domesticated animal and are not easily controlled. Provisions currently exist in the Local Government Act (section 667 (1) 5 I) whereby councils may make by-laws 'for the prevention of the keeping of animals or birds of any kind within the municipality or any township within a district so as to be a nuisance or injurious to health'.

Unfortunately, the mere presence of cats does not constitute a nuisance at common law. Following a decision of Mitchell J. in *Cooper vs Bormann,* it appears that council by-law making powers are only exercisable in respect of common law nuisances. Notwithstanding the enabling power that exists in the Local Government Act and the fact that many councils do endeavour to proceed using by-laws or the provisions of the Health Act, because of the inherent nature of cats it is unfortunately very difficult to achieve any effective long-term control. There are no plans to bring into law any additional powers to control cats.