HOUSE OF ASSEMBLY

Tuesday 30 March 1982

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

CONSTITUTION ACT AMENDMENT BILL (1982)

His Excellency the Governor's Deputy, by message, informed the House that the Governor had reserved the Bill for the signification of Her Majesty the Queen's pleasure thereon.

ASSENT TO BILLS

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

Companies (Administration),
Companies (Application of Laws) (1982)
Companies (Consequential Amendments),
Electoral Act Amendment, 1982,
Justices Act Amendment,
Land and Business Agents Act Amendment.

DEATH OF THE HON. C. D. HUTCHENS

The Hon. E. R. GOLDSWORTHY (Deputy Premier): I move:

That this House expresses sympathy to the relatives in their sad loss and its deep regret at the recent death of the Hon. C. D. Hutchens, former member for Hindmarsh in this House and Minister of Works and Marine, and places on record its appreciation of his long and meritorious service to this House and to the State; and as a mark of respect the sitting of the House be suspended until the ringing of the bells.

I guess that there are not many in this House who served during the Parliamentary career of the Hon. Cyril Hutchens, who retired in 1970 from this House after 21 years. In 1970, when the Hon. Cyril Hutchens retired, more than half the members of the House were newly elected. There are not many members left in this place who were elected to Parliament much before that time. Some of us who did not know him as a Parliamentary colleague got to know him quite well subsequently. He was member for Hindmarsh from 1950 until 1970 and he was Minister of Works and Minister of Marine from 1965 until 1968 in the Walsh and Dunstan Ministries.

He was a member of the Parliamentary Committee on Land Settlement in 1956, and the honour of C.B.E. was conferred on him in the 1970 New Year Honours List for service to politics in this State. He was born at Woodside in South Australia in 1904 and was respected by all members. Certainly, he was highly respected by all members who new him personally.

He was Deputy Leader of his Parliamentary Party for 10 years and was made an honorary life member of the Commonwealth Parliamentary Association when he retired from Parliament. He held all the leadership positions in the State Branch of the Australian Labor Party. He was appointed by the Government to the Board of the Electricity Trust on his retirement from Parliament, and this Government reappointed Mr Hutchens. It was there that I really got to know Cyril Hutchens personally. I went on a number of trips with him, one of which I recall quite well, a trip to Leigh Creek with the Board of the Electricity Trust. I got to know him very well, I believe, as a result of those contacts.

He was a devoted family man, a staunch church man, and a man of absolute integrity. He enjoyed, as I have said, the respect of all who knew him. He had a warmth of personality that was most engaging. I know that I speak for all members of this House, and certainly for those who knew him for a longer period than I did, when I say how sad we are at his passing, and we express the condolences of this House to his family on this sad occasion.

Mr BANNON (Leader of the Opposition): I second the motion and endorse the remarks made by the Deputy Premier on behalf of members on this side of the House. Cyril Hutchens was one of our number for many years. Even after his retirement close contact between Cyril and various members of the Labor Party, both in his district and at large, was maintained. He was always ready to offer advice and encouragement, and, of course, as the Deputy Premier has said, he was involved after his retirement actively in the affairs of this State through his membership of the ETSA board, where all reports are that he made a very fine contribution to the workings of that important public instrumentality.

We will very much miss his jovial face and his friendliness. He had a very long association indeed with the Labor movement as holder of those positions ranging from the President of the South Australian Branch of the Labor Party to Parliamentary positions such as Minister of Works and Marine in the Walsh and Dunstan Governments, and the deputy leadership of the Party. At the time of his retirement in 1970 it was said that he was one of those rare persons in politics who had never been heard to say an unkind word against any other member, irrespective of the provocation that sometimes occurs in the course of debate. That was certainly a hallmark of the man.

His style, I think, was reflected too in his electorate. Certainly, his seat of Hindmarsh was a safe seat for his Party. He contested it seven times but on five occasions no candidate was put against him. I think this was as much a tribute to Cyril's personal contact with and standing in the electorate, the way he could appeal across the board to all manner of people, as it was to the safeness of his seat.

Reference has often been made, and I think quite rightly, to Mr Hutchens's pre-eminence in a particular aspect of political activity, namely, door knocking. Many younger members of the Parliament learnt this extremely vital art of communication in company with Cyril Hutchens. He was a master of it and always claimed that this was the only effective way for a member to communicate with his electorate, not only to pick up what people were saying but to communicate his message to them.

The fact that he had been a lay preacher in the Church of Christ, and of course remained very active in church affairs meant he had certainly trained well to be able to communicate a particular message. As important as that, he said, was, on the doorstep, to listen to people to find out what they were thinking and then to try to translate that into action. He will be very much missed indeed by all of us in the Labor Party and, I suspect, by all members of this place who had the opportunity of knowing him, either sitting with him in the House or after his retirement. Our condolences go to his family at Mitchell Park, in particular to his wife, Edith, and his children Melvena and Douglas.

Mr MILLHOUSE (Mitcham): I support the motion. I endorse what has been said by the Deputy Premier and by the Leader of the Opposition. Unlike either of those gentlemen, I was in Parliament for 15 years while Cyril Hutchens was a member of it. One of the things he was most proud of was that he had always sat on the front bench. As soon as he came into Parliament, apparently, which was well

before my time, he sat on the front bench of the Opposition and then he sat on the Government front bench when he was a Minister when the Hon. Mr Frank Walsh became Premier in 1965. He was, as the Leader of the Opposition has said, an extremely good door-knocker and he was, as far as I could tell, one of the best organisers. I do not use that word in any technical sense, but he was one of the best organisers and administrators in the Labor Party, certainly within the Labor Caucus. If ever anything went wrong on the human side in the Labor Party it was always Cyril Hutchens who was called in to fix it up. I can remember a few occasions when he was got out of bed and was brought back when the House was not sitting, because something had happened. He was brought back to clear it up. That was the nature and mark of the man.

It is only a few months since I last saw him. I went down and spoke at a church service in his own church and it was he who introduced me. I think he spoke for almost as long as I did in his introduction of me. It certainly could not have been a more complimentary one to him. I was able to return the compliment when I spoke and I did it sincerely, because he was a great bloke, a very good Parliamentarian, and a very good friend to me, even though we were on opposite sides of the House in those days. I will certainly miss him. I support the motion.

Mr EVANS (Fisher): I support the motion and endorse the remarks of the three previous speakers. I want to speak at this time because when I first entered this House it was a strange place, as it is to all new members. There are always some friends on your own side and many of them, but it is very seldom that we find a friend on the other side in whom we can have confidence over some issues early in our Parliamentary career. I appreciated that during the time I was moving on two particular issues. A friendship began with Cyril Hutchens in support for the appointment of the Ombudsman, when he told me that if I continued I would succeed and to stick at it. It was his encouragement more than that of anyone else in this Parliament that enabled me to continue to fight that cause. On the matter of the age of drinking, I remember his words of wisdom and I know that today many of us regret the decision we made. At least he supported (and I supported him through that cause) having the age at 20 years.

On other issues that were not political Party policies but social issues and conscience issues I always had a friend and supporter (and I think he had a friend and supporter in me) with whom to fight for those causes. I express my thanks for his support and in particular his guidance. He was older than me and he had much experience and a great deal of wisdom. For his encouragement through those early years of my Parliamentary life, I thank him. I say to his family, on behalf of the State, 'thanks' for the sacrifices they made while he was a member of Parliament and before then while he was serving his cause for this State and for the benefit of South Australia. In passing on my condolences to his family, I thank them for that sacrifice they made in allowing Cyril to work with us for the benefit of all.

The Hon. J. D. CORCORAN (Hartley): I support everything that has been said. It would be most unusual on an occasion such as this if anyone were to say other than good of Cyril Hutchens, and indeed it is nice to be reminded of the many things in which he was involved. One of the unusual features about him was the many nice things said about him while he was alive. I mean that. He was a fine looking person who dressed and presented himself extremely well at all times. He projected an impression of being able to carry responsibility, and indeed he carried that responsibility extremely well.

As Minister of Marine, he saw to it that the Department of Marine and Harbors, as it is now, was created from what previously had been a board. As Minister of Works, he did many things that have been of great benefit to the State. I think I remember him most for the effort that he, with his Leader, Frank Walsh, put in to the first Parliament of which I was a member, between 1962 and 1965, to change the fortunes of the Labor Party. It was in 1965 that the Labor Party came to office after 33 years in Opposition, and Cyril Hutchens, to his credit, played a prominent part in the events that led up to that success.

We have heard of his great organisational ability, his drive, and his enthusiasm. He was a great motivator, and this was passed on to all members of the Party at that time. He was a good Parliamentarian. Many times, I have heard him perform in this House, and he did it very well indeed. As the member for Mitcham said, he was a very prominent churchman. He followed his principles on legislation that came before the House. I recall many contributions to debates in which he stood firmly by his principles.

He could best be described as a charming person of great ability, a great father and a great husband. He will be sadly missed by his wife and family and by the many friends he cultivated over the years. It was quite remarkable that, although he held a safe seat, he was most assiduous in tending his electorate. However, as it was a safe seat he was able to help, particularly at election time, many other people who needed his help, and he did that most effectively.

I join with other members in expressing my condolences to the family. It is a difficult time for them, but I think that, after what has been said by honourable members here this afternoon and by the many friends who have expressed similar sentiments, the load that they bear at the moment will be made lighter.

Mr RODDA (Victoria): I recall the late Cyril Hutchens as he had crossed from the front bench of the Opposition to the Treasury benches when I first came to this Parliament as a new member in 1965. I remember him as a most gracious gentleman, a Minister, who informed even new members in those days about what was going on in his district. When he visited a district, he always gave the local member advance notice, and set a most illustrious example that we could well follow, even 25 years later.

I join with the sentiments expressed about this most gracious member of the House. He set for us all an example that could well be emulated. He was a very dedicated member of his Party and never forgot his principles; he never forgot the decent way to engage in debate and to present a most practical approach to the problems of the day when he was in charge of his portfolio and, indeed, I think, Deputy Premier.

It was an experience to have served with Mr Hutchens. Indeed I believe that the Government Whip (the member for Fisher), the Minister of Water Resources and I are the only three members in the Chamber who had the very distinct privilege of serving with him. I, too, would like to record the very great admiration that this Parliament held for Mr Hutchens and express my condolences to his wife and family.

Motion carried by members standing in their places in silence.

[Sitting suspended from 2.22 to 2.31 p.m.]

PETITIONS: GAMBLING

Petitions signed by 567 residents of South Australia, praying that the House urge the Federal Government to

set up a committee to study the social effects of gambling, 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, were presented by Messrs Becker, Evans, and Oswald.

Petitions received.

PETITION: CHELTENHAM RACECOURSE

A petition signed by 283 residents of South Australia praying that the House oppose the sale of Cheltenham Racecourse and any alienation to the present zoning as open space and support its retention for the training of horses and use of pony clubs, equestrian and other recreational activities, was presented by Mr Whitten.

Petition received.

QUESTIONS

The SPEAKER: I direct that the following written answers to questions, as detailed in the schedule that I now table, be distributed and printed in *Hansard*: Questions on the Notice Paper Nos 243, 377, 386, 396, 397, 400, 409, 440, 452, 458, 464, 486, 494, 496, 504, 507, 508, 510, 514, 517 and 522.

PAPERS TABLED

By the Deputy Premier (Hon. E. R. Goldsworthy) for the Treasurer (Hon. D. O. Tonkin)—

Pursuant to Statute—

I. Business Franchise (Petroleum Products) Act, 1979—Regulations—Fuel Tax.

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

Pursuant to Statute—

I. Rules of Court—Supreme Court Act, 1935-1981—Supreme Court Fees for Copies of Evidence.

By the Minister of Forests (Hon. W. E. Chapman)—

Pursuant to Statute—

I. Woods and Forests Department—Report, 1980-81.

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

Pursuant to Statute—

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

II. City of West Torrens—By-law No. 50—Animals and Birds.

III. District Council of Mount Pleasant—By-law No. 22—Dogs.

IV. District Council of Stirling—By-law No. 41—Dogs.

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

Pursuant to Statute—

I. Motor Vehicles Act, 1959-1981—Regulations—Registration Fees.

MINISTERIAL STATEMENT: EMERGENCY FINANCIAL ASSISTANCE

The Hon. JENNIFER ADAMSON (Minister of Health): I seek leave to make a statement as the Minister representing the Minister of Community Welfare in another place.

The SPEAKER: Is leave granted?

Mr Millhouse: No, Sir.

The SPEAKER: Leave is not granted.

The Hon. E. R. GOLDSWORTHY (Deputy Premier): I move:

That Standing Orders so far suspended as to allow the Minister to make a statement.

Mr MILLHOUSE (Mitcham): My view is precisely the same as it has ever been, and as there has been no move from either the Government or the Labor Party I am compelled to take this step yet again. I know that members last week were rather grateful that I was not here during Question Time, because it enabled—

The SPEAKER: Order!

Mr MILLHOUSE: —a few to sneak through and the Labor Party to show how supine it is.

The Hon. J. D. Corcoran: Why don't you just say 'ditto' and sit down?

Mr MILLHOUSE: I know that all Labor members would like that, because this shows them up for the pusillanimous Party they really are, and the member for Hartley—

The SPEAKER: Order! The member for Mitcham will come to the purpose for which the motion is before the Chair, and I ask him not to digress from that course of action.

Mr MILLHOUSE: The member for Hartley is saying that he would have fixed me up a long time ago. He tried at the last election and failed.

The SPEAKER: Order!

Mr MILLHOUSE: I would have thought that that would teach him a lesson, but apparently it has not. Anyway, there is no point in prolonging this, Mr Speaker. I oppose—

Members interjecting:

Mr MILLHOUSE: I will if members want me to. If they want me to go into all the reasons, I shall, but my reasons are the same as they have ever been. I think that this is a quite wrong procedure; it is open to abuse and has been abused, and for all we know now the Minister is going to abuse it again.

The SPEAKER: The question is that Standing Orders be suspended. Those in favour say 'Aye', against 'No'.

Mr Millhouse: No.

The SPEAKER: There being a dissentient voice, there must be a division. Ring the bells.

While the division was being held:

The SPEAKER: Order! There being only one member on the side of the Noes, the motion therefore passes in the affirmative.

Motion carried.

The Hon. JENNIFER ADAMSON: Members will be aware that the Department for Community Welfare has funds available for emergency financial assistance for people in urgent need. My colleague the Minister of Community Welfare advises me that this scheme has always been seen and intended as a means by which people, whose normal income is either from their employment or from Commonwealth provided benefits, may obtain some cash in an emergency if they run out of money. For example, if a parent on a Commonwealth-funded sole support parent benefit has spent the fortnightly payment and expects the next payment in a day or two, that parent can seek an emergency cash payment for food or some other urgent need, such as medicine, from a Community Welfare office. In the last financial year over 75 per cent of all applications under the scheme were for food only. It is clear that emergency financial assistance is a supplement to other income—usually Commonwealth provided benefits—and not a substitute for it.

Unfortunately, some Commonwealth benefits have not always kept pace with increasing costs in the community, or else some recipients either have not budgeted accurately or have been faced with a genuine emergency. This has meant that in many cases emergency financial assistance has become a means of 'topping up' Commonwealth income based benefits. The Minister of Community Welfare has

consistently expressed his concern about this to the Federal Minister for Social Security, Senator Chaney. At the same time, here as in other States, food, rental accommodation and other day-to-day costs have increased in the past year, and this has placed a considerably increased demand on emergency financial help being sought from the Department for Community Welfare and voluntary welfare agencies.

For the 1981-82 financial year, the State Government allocated $497 000 to emergency financial assistance. The Department for Community Welfare has always operated on a fixed budget for emergency financial assistance, although there have been discussions about making the guidelines less subject to decisions by staff members about how much a particular family or individual should receive. The New South Wales experience of this method of having strict guidelines to which staff must adhere is that in 1981-82 they are already considerably overspent. In South Australia, the Department for Community Welfare has maintained a careful and strict budgetary control on emergency financial assistance through the directors of each of the six regions in the State. However, the increased demand and the problem of 'topping up' Commonwealth benefits have placed pressure on all regions, and in particular the region covering suburbs in the western metropolitan area. There, the average payment level has been 80 cents a day for each adult and child who qualifies for emergency financial help.

During debate on the 1981-82 Budget Estimates last year, the Minister of Community Welfare indicated that, if funding for emergency financial assistance was insufficient to meet needs, he would make representations to have the funding increased. Accordingly, the State Government has decided to provide an extra $50 000 for the remainder of this financial year. This will enable the Department for Community Welfare to take the immediate interim step before the new financial year to provide an average of $1.20 for each person per day as emergency cash support.

In practical terms, this means that the payment to the average qualifying applicant under the scheme would be approximately $24 in a week but obviously in some individual cases this 'average transaction payment' will significantly exceed $24 when, for example, it is made to a large family. The Minister understands that a report to be released shortly by the Australian Council of Social Service will indicate that this level of payment compares favourably with that paid by welfare agencies interstate. The increased support by the State Government will ensure that those families and individuals who are the most vulnerable in coping with financial crisis are provided the minimum necessities of living.

QUESTION TIME

The SPEAKER: Before calling on Question Time, I indicate that any questions normally directed to the Premier should be directed to the Deputy Premier. Any questions to the Minister of Agriculture and Minister of Forests should be directed to the Minister of Industrial Affairs.

The Hon. E. R. GOLDSWORTHY (Deputy Premier): I move:

That the time for the asking of questions without notice be extended to 3.30 p.m.

Motion carried.

FINANCIAL REVIEW ADVERTISEMENTS

The Hon. J. D. WRIGHT: Will the Deputy Premier explain which Minister and which Government department are in charge of industrial development in South Australia, and whether the publication of two identical advertisements in this morning's *Australian Financial Review* makes South Australia's efforts to attract investment look to be merely part of an internal Liberal Party wrangle? Over the past 2½ years the Leader of the Opposition has questioned the Government over the division of responsibility for industrial development between the Premier and the Minister of Industrial Affairs. On numerous occasions the Leader of the Opposition has been told by business men both here and interstate that they find this approach confusing and that they do not believe it is efficient.

In a special survey on South Australia in 1982 published in this morning's *Australian Financial Review*, two advertisements containing misleading facts from the South Australian Government appear on pages 2 and 5. The advertisements are identical in all respects, except that page 2 features a photograph of the Minister of Industrial Affairs and contains the advice 'Ring me now on 227 0018', whereas the advertisement on page 5 has the Premier's photograph, with the advice 'Telephone my Director of State Development, Matt Tiddy, on 227 3697'. I think it is reasonable to say that people are confused.

The Hon. E. R. GOLDSWORTHY: Yes, in fact two separate advertisements had been prepared for insertion in that journal, and as a result of a mistake by the newspaper two similar advertisements appeared. The Deputy Leader must be bereft of any matters of great State importance if he believes that this is an issue that should be the subject of the first question during Question Time.

That is the simple explanation of what happened. An advertisement was prepared by the State Development Office of the Premier's Department, which appeared correctly in relation to State investment. A repeat of that advertisement appeared by some mistake, not in a Government department. A second advertisement was in relation to power supplies, indicating, from memory, because I saw the proof of the advertisement, that if there was any manufacturing industry in New South Wales, and we know what chaos is reigning there, where they are having to lay off—

The Hon. J. D. Wright: We're worried about chaos in your Government.

The Hon. E. R. GOLDSWORTHY: We cannot accept responsibility for mistakes made by people outside Government control.

The Hon. J. D. Wright: Are you going to pay for the advertisements?

The Hon. E. R. GOLDSWORTHY: I am attempting to answer the question asked by the Deputy Leader, if he will allow me. The second advertisement was in relation to power supplies, indicating that, if any manufacturing industry wished to come to South Australia, we are not suffering the sort of chaotic conditions which had occurred under a Labor Government in New South Wales. That explains the facts in relation to why there is a repeat of two advertisements.

An honourable member interjecting:

The Hon. E. R. GOLDSWORTHY: I hope the honourable member read it. The fact that it is repeated, I hope, will reinforce the points. The Deputy Leader made some reference to the role of these two departments. The roles of the departments are precisely as their names indicate; the Office of State Development is involved in the first instance in interesting people in coming to Australia; there is no conflict whatsoever. There is a harmonious working relationship between the two departments. They work very well indeed in relation to attracting industry, commerce, and commercial enterprise into the State.

The Hon. J. D. WRIGHT: What do you think the Sydney people would feel if you act like that?

The Hon. E. R. GOLDSWORTHY: You had better ask the publishers of the journal what the impact of that mistake has been.

Mr Bannon: Who is in charge?

The Hon. E. R. GOLDSWORTHY: Unfortunately, we are not in charge of the newspapers; we know that the Labor Party would dearly like to be so and one of its policies is that it would develop a State newspaper. We know if they were in Government just what the flavour of that, judging by the present Labor rag in circulation, would surely be. Either fortunately or unfortunately, depending on one's point of view, we do not control the newspapers. If a human error occurs in the chain of command of the newspapers, there is precious little the Government can do, because we are not there at the time it does occur. That is a rather absurd suggestion from the Opposition benches.

As I was pointing out, there is close liaison between the department of the Minister of Industrial Affairs and the Office of State Development, as indeed there is in my own department, because the Department of Mines and Energy is eminently involved in some areas of development in this State, namely, in the areas of minerals and hydrocarbons, although, quite often the first approach may be to the Office of State Development if the matter is in that area, and then it flows on to my department so that I see that all the necessary actions are taken to see that we get maximum development in those areas. That also applies with the Minister of Industrial Affairs. The question is without substance. There is no bungling on the part of the Government; there is no substance to the suggestion that the two departments are not in close co-operation and no mistake was made by us in relation to the placing of those advertisements. The mistake was made by the newspaper.

JAPAN-AUSTRALIA SEMINAR

Mr BECKER: Will the Deputy Premier say whether he participated in the Japan-Australia business seminar yesterday and can he inform the House whether the seminar was a success, particularly from the South Australian point of view?

The Hon. E. R. GOLDSWORTHY: Yes, I was present. In fact, I had the privilege of opening that Japan-Australia seminar. I was pleased to note the interest by the Leader of the Opposition in that seminar. I would have thought the Leader of the Opposition would gain quite a deal of food for thought as a result of what those distinguished Japanese speakers had to say at that seminar.

Mr Bannon: You didn't stay to hear what they had to say.

The Hon. E. R. GOLDSWORTHY: If it is a matter of interest to the Leader, I did explain to that gathering. All to a man and woman seemed to understand why I was leaving except the honourable Leader. The Minister of Industrial Affairs was at the seminar. I left because I had to preside over a Cabinet meeting. If the Leader could throw his mind back, he would recall that Cabinet meetings used to occur on Mondays when he was a member of the Government. I certainly did receive printed copies of those speeches, one before the event and one after, and I can assure the Leader that I read them carefully. Likewise, two members of my staff were present at the seminar and I also had a full report of proceedings from those gentlemen before the day's end, so I was particularly well briefed in relation to what happened at that seminar. It is strange that the only member who did not understand why I had to leave the seminar obviously was the Leader of the Opposition.

It was a most successful seminar, and I hope that the Leader of the Opposition kept his ears open while he was there, because he would have gained much food for thought. A report in this morning's daily newspaper referred to one aspect of the honourable gentleman's speech, at the conclusion of which he referred to the favourable industrial relations that had prevailed over many years in South Australia, going back to the days of the Butler Government, before our time. The main theme of the distinguished guest's speech was that South Australia is becoming increasingly important to the Japanese because of the developments being achieved in this State. He went on to talk about the increasing requirement of Japan in the coming decade for nuclear power and referred to the dependence of Japan on oil declining, deliberately so, but the nuclear capacity increasing. He spoke of the interest in Japan in the Cooper Basin indenture, which was so successfully negotiated by this Government, and the Roxby Downs indenture, which is before the House.

The two key speakers were Dr Saito, Japanese Ambassador to Australia from 1969 to 1973, and Mr Narusawa, Economic Adviser to the President of the Bank of Tokyo. These are respected and senior authorities on Japanese ties with Australia, and it was pleasing to hear their views on the current standing of South Australia. Anyone who looked dispassionately at what those gentlemen said would have received nothing but encouragement on the direction in which South Australia is heading under this Government.

CASINO BILL

Mr BANNON: Is the Deputy Premier able to give a categorical denial that any donation of money has been offered or accepted by the Liberal Party or by any Government members to facilitate the introduction of a casino Bill to this House?

Mr Ashenden: That's the sort of muck stirring the Deputy Leader usually does.

Mr BANNON: I advise the member for Todd to listen to the explanation. It has been reported to me that one business interest has offered a sizable sum of money for political campaign purposes if a Bill were to be introduced to allow debate and a vote on a casino. I am told that the proposed donation was not contingent on the Bill's being passed, but just introduced. I understand that the people alleged to have been making the offer believe that, if a Bill were introduced, it would pass both Houses of Parliament on the basis of a conscience vote. This can be seen in the background that, on any previous occasion when these measures have been before the House, and indeed by their public statements, members of the Government and the Liberal Party, until last Thursday, were opposed to a casino measure.

The Hon. E. R. GOLDSWORTHY: I most certainly can, and I can also say that one newspaper report attributed to one spokesman a suggestion that the Liberal Party had bowed to vested interest. I give a categorical denial of any such imputation.

PORT ADELAIDE COMMUNITY COLLEGE

Mr RANDALL: Will the Minister of Education inform the House of the result of his inquiries about the position of student counsellor at the Port Adelaide Community College? As the Minister and other honourable members are well aware, I have continued to follow up this matter with the Minister, and it has been reported to me that the students are concerned at the lack of resolution of the problem.

The Hon. H. ALLISON: I am sure that members on both sides will be pleased to hear that the matter has been amicably and satisfactorily resolved. First, I would like to congratulate the Principal of the Port Adelaide Community College and his staff on taking a commonsense approach to what has been a difficult problem and the subject of quite considerable pressure. As a result of that pressure, I had the matter thoroughly investigated. Those investigations revealed that the Port Adelaide Community College budget and staffing position in the adult Matriculation area were making that college the best provided for of all the colleges supplying adult Matriculation courses.

Staff contact time and staff provision were relatively favourable, and, following a thorough review at college level of the school's programmes for the coming year and an assessment of the student demands and needs, the college found itself in a position to support a half-time counsellor within its existing financial resources and without adversely affecting its other programmes. Members of the House should join me in saying how pleased I am that Mrs Lynne Are will recommence duties as counsellor. In fact, she recommenced yesterday, 29 March.

Mr Lynn Arnold: There should never have been an interruption of her service.

The Hon. H. ALLISON: If the spokesman for education says that there should never have been an interruption of service, I remind him that a solution has been arrived at, as I suggested several weeks ago should occur.

LEAD IN BLOOD

Mr KENEALLY: Will the Minister of Health require the Health Commission to effect a comprehensive lead-in-blood test of every citizen of Port Pirie, and will she clearly explain to the House the legal ramifications of the indemnity clause that is required to be signed to allow a child to participate in the currently proposed testing programme?

High lead-in-blood levels adversely affect both mental and physical capacity. Examples of high lead-in-blood levels have been found in Port Pirie, and controversy is currently raging there as to the legal implications of the indemnity clause. Senior B.H.A.S. executives have advised me that the indemnity clause does not indemnify the company against any claim other than a claim arising from the test itself. However, it was pointed out to me that the company has made no such public statement, and because of this omission it has fueled the controversy, giving rise to the belief that the company has something to hide.

The Hon. JENNIFER ADAMSON: In answer to the first part of the question regarding whether I would require a lead-in-blood test for all citizens of Port Pirie, there is no intention to require the Health Commission to undertake such testing. As the honourable member knows, the test that is being conducted in Port Pirie is the most intense epidemiological study of lead-in-blood levels in children that has ever been conducted in this country or, I understand, in the world. That study involves testing of children virtually from conception onwards. It is very comprehensive, lasting several years. The study is being undertaken to detect the effects of lead levels in the atmosphere in Port Pirie on the developing foetus and on the growing child. That study will not be completed for some time.

At the same time, the Health Commission has undertaken to offer blood-lead-level tests to all primary schoolchildren in Port Pirie whose parents voluntarily request such tests. In other words, it is not a compulsory requirement: the tests are undertaken at the discretion of the parents. B.H.A.S. has co-operated fully in offering its facilities and in assisting the Health Commission and the local board of health. I understand that St John Ambulance is also involved in making its facilities available and the I.M.V.S. is making available its facilities for analysing the tests. At this stage it is not proposed to extend the testing to all citizens, and on the advice that I have received, I believe there would not be much value in doing so. However, I will certainly ask the commission again whether there is any value in doing so. I will have to seek information on the legal ramifications of the imdemnity clause, and I will bring down a report for the honourable member.

ESPLANADE SPEED LIMIT

Mr MATHWIN: Will the Minister of Transport investigate the possibility of lowering the speed limit for vehicles using metropolitan esplanades? The Minister would be aware of the serious problems caused by speeding motorists generally, and he would know also that in some national parks and similar areas there is a reduced speed limit. The Minister would also be aware that our metropolitan beach areas understandably attract many people of all ages, many of them being very young children. A petition presented to me by a number of constituents who are residents in the Brighton area states, in part:

> As seafront residents we are deeply concerned at the high level of traffic that is threatening all who cross to and from the beach. We would greatly appreciate it if you would seek appropriate Ministerial action to drastically reduce the speed limit for vehicles along the Brighton Esplanade. At all points, all beach goers, such as residents, visitors, families and unsupervised children, have to use and cross the Esplanade, and we are entitled to feel reasonably relaxed and protected on a foreshore recreational approach. As you will be personally aware, the Esplanade was never designed as a main traffic through road.

The petition continues:

> However, recent sharp increases in traffic demands on Brighton Road as a north-south artery, complicated by growing rail crossing and stop light restrictions, have diverted very many cars and commercial vehicles to the unrestricted and faster run along the Esplanade.

The final paragraph states:

> We have noted that most local residents and drivers of council vehicles, police cars, etc., instinctively cruise along the Esplanade at about 30 kilometres per hour, and we feel that this ought to be the legal limit and if closely policed would minimise the hazard without inflicting hardship on reasonable drivers. Accordingly, it is suggested that this be urgently considered as the maximum suitable speed for the Esplanade area.

The Hon. M. M. WILSON: One of the problems we have with the motoring public is that motorists only travel at what they perceive to be the optimum speed limit for particular conditions. For instance, on a country road where there is an 80 kilometre per hour limit and where there is not much in the way of buildings along that road and it is relatively open, motorists tend to travel at a higher speed than that limit of 80 kilometres per hour. Conversely, in the built-up metropolitan area, where a 60 kilometre per hour limit applies, if a reduced speed limit were introduced there would be some difficulty in ensuring that motorists adhere to that limit. This certainly could be done with adequate enforcement, but it would need the reallocation of police resources to see that it was enforced. Obviously, the honourable member's constituents have a problem, and I will be very glad to have it investigated for him as an urgent priority.

CROYDON COMMUNITY HALL

Mr ABBOTT: Will the Minister of Industrial Affairs outline to the House the position relating to the contract let to Farow Constructions of St Peters to build a community

hall in the grounds of the Croydon High School and also say whether legal action is being contemplated to recover any losses against this contractor? A very unhappy situation exists at the Croydon High School, and rumours are rife that Farow Constructions has breached its contract with the Public Buildings Department and is going into liquidation. The Croydon High School council has committed about $110 000 towards the cost of this community hall, and although a good deal of work has been done, it has been suggested that less than $50 000-worth of material and work has been supplied and completed by way of a large slab of concrete and some wall panels. The school council is very concerned, as it has been fund raising for many years for this project, which is something that is desperately needed in the Croydon area.

The Hon. D. C. BROWN: I would have to get the exact details of this case because as the honourable member will appreciate we are building a large number of school activity halls. I think that in this case negotiations have been conducted between the contractor and the Public Buildings Department, and I understand that the contractor has now withdrawn from the contract. I will bring down an urgent report for the honourable member. Although I think I know of this case and the details, I would not like to comment on them in this place unless I was quite certain of the details, because otherwise it might be damaging to the parties involved. I will get a detailed report for the honourable member and bring it down as soon as possible.

WORKERS COMPENSATION

Mr ASHENDEN: Is the Minister of Industrial Affairs aware of public statements made by the Public Service Association on the proposed amendments to the Workers Compensation Act and can he advise whether those statements are accurate? Concern has been expressed to me about public statements made by the P.S.A. which include such statements as the following:

> Workers with less than a 20 per cent hearing loss will be denied compensation. You only need a 6 per cent loss to be significantly disadvantaged in social and work life.

It has also been alleged that the board to be appointed will be open to political control and that it will be able to examine medical and legal records without a person's permission, that it will be able to overturn medical opinion and order an employee back to work, that he will not be able to refuse and there will be no right of appeal. The public statements also allege that if a person loses his compensation case he will not only have to pay costs but may also be fined. Another statement alleges:

> This Bill seeks to discourage workers from claiming compensation and to force them back to work even though they may not be fit. It represents the vested interests of employers and insurance companies, not the working public.

Comments such as those have caused considerable concern.

The Hon. D. C. BROWN: I have heard a number of public statements made by the Public Service Association on the Workers Compensation Act Amendment Bill. I have also heard some statements it has made to various members of Parliament, and it concerns me that the association has distorted the truth to such an extent that one could only call it a fabric of lies or untruths.

Mr KENEALLY: I rise on a point of order, Mr Speaker. I draw your attention to the fact that the Minister has described information provided to members of Parliament as lies. I ask whether you might like to rule on that.

The SPEAKER: The Chair did not take any action when the statement was made because it did not refer to action taken by members in this House. By the same token, I suggest to every member of the House that the use of that word in any circumstance can only lead to difficulties and that it is a word which in every context is not Parliamentary in this Chamber.

The Hon. D. C. BROWN: I have heard one claim that the Public Service Association has made that the Bill was introduced only last week and has been rushed through the Parliament. If one looks at the proceedings of this Parliament, one will see that the Bill was introduced in Parliament on 3 March, that it is now 30 March, and that the Bill has been lying on the table of this House for about 27 days. One can hardly say that it has been rushed through this Parliament. The Bill has lain on the table for an unprecedented period. That claim from the Public Service Association is quite wrong.

A number of public statements have allegedly been made on the A.B.C. and have also been reported in the *Advertiser*, and I saw an advertisement which appeared in the *Advertiser* this morning. The claim is made in the advertisement that a board appointed by the Minister will have sweeping powers in determining the fate of injured workers. That is not correct. One needs to look only at the powers of the Rehabilitation Advisory Unit to see that it does not have sweeping powers to determine the fate of injured workers. That power lies with the Industrial Commission and is largely unaltered. The next claim made in the advertisement is that no union representation is required on the board but insurers will be well represented. I point out that clause 21 of the Bill provides that there shall be one representative of employees and one representative of insurers. The claim made is—

The Hon. E. R. Goldsworthy: It's patently untrue, isn't it?

The Hon. D. C. BROWN: Exactly, it is patently untrue. It astounds me that a body that claims to represent the public servants of this State, people who are politically neutral, makes a gross accusation which is plainly false. It shows that the association has not even bothered to read the Bill, or that, if it has read it, it is deliberately trying to scare and create a false impression among members of the public.

The Hon. E. R. Goldsworthy: Mayes is standing for the Labor Party, isn't he?

The Hon. D. C. BROWN: The Assistant Secretary of the Public Service Association is holding himself up as an A.L.P. candidate for the seat of Unley at the next election.

Members interjecting:

The SPEAKER: Order!

The Hon. D. C. BROWN: I can understand the political motives in trying to twist the truth to a point where it is unrecognisable in an attempt to scare people into voting for the Labor Party rather than for the Liberal Party at the next election. The Public Service Association claims that there will be no representation for employees but plenty of representation for insurers, but we find that it is one all. Then it is claimed that the board will have the power to overturn medical opinion and order a person back to work. Clause 21 of the Bill provides clearly that the Rehabilitation Advisory Unit is specifically excluded from carrying out medical examinations and has absolutely no powers to order a person back to work. The functions of the unit are as follows:

> *(a)* to inquire into the condition of injured workers and assess the prospects of rehabilitation;
>
> *(b)* to advise—

not order—

> injured workers on the most appropriate means of rehabilitating themselves for employment;

(c) to establish and maintain educational programmes on subjects relating to rehabilitation;
(d) to consult with and advise employers with a view to rehabilitating injured workers and expediting their return to work;
(e) to encourage the establishment of rehabilitation programmes by employers;

and

(f) to maintain and publish statistics relating to its activities.

Where in those functions of the unit is there the power to overturn medical opinion and order a worker back to work? It is quite clear that the P.S.A. has absolutely no regard for the truth when it comes to its advertisement. The association then claims that a person will not be able to take a holiday without the board's permission, even though it may assist his rehabilitation. Every member of this House knows, because they were here when it was voted on, that the Bill as it left this House—

The SPEAKER: Order! The Minister of Industrial Affairs has been asked a question which is pertinent to a debate held recently in this House. Whilst the Chair has accepted the answer given thus far, I would ask the Minister not to reflect upon a vote of the House and not to refer unnecessarily to clauses of the Bill, which was the subject of that vote.

The Hon. D. C. BROWN: I apologise for referring to a vote of the House. I point out that the Bill does not prevent a person from taking a vacation whilst on workers compensation. It states that a person cannot take an overseas vacation while on workers compensation. In fact, it does not go as far as that. It says that the person must get the approval of either the board or the employer before taking an overseas vacation. The P.S.A. advertisement states:

You will not be able to take a holiday without the board's permission even though it may assist your rehabilitation.

The association ignores the fact that the approval of the employer is adequate and that it is an overseas vacation and not one within Australia. The next point the advertisement makes is this:

If you lose your compensation case you will not only have to pay costs but you may also be fined.

First, the amendments to the Bill in no way alter the payment of costs provision. That is a discretion of the court at present, and the Bill before the Parliament does not alter that in any way whatsoever. To claim that suddenly one has to pay one's costs is again a gross untruth by the P.S.A. The next point is:

. . . but you may also be fined.

The provision for fining an employee, and also an employer, applies to someone who presents fraudulent evidence to the Industrial Court.

Mr McRae: I don't think the word 'fraud' is used.

The Hon. D. C. BROWN: The clear implication is there that it is fraudulent evidence, and that applies to employers as well. Again, that clearly indicates that the P.S.A. advertisement is grossly untrue, and it completely ignores the fact that the same applies to any employer who presents that type of evidence. The next point is that the impression has been created by the Public Service Association in public statements that this would make the South Australian workers compensation legislation the worst in Australia. In fact, lump sum payments for death under the proposed amendment in the Bill are the equal highest in Australia.

If one looks at the weekly compensation payable under the amendment one will find that it is the equal highest, in fact the highest, of any mainland State in Australia. We find that the P.S.A. is actually running advertisements, which it no doubt drafted and for which it therefore must take the responsibility, but which are grossly untrue, and those advertisements are nothing but an incredible attempt to scare the population into believing that the Liberal Government in this State is doing something very nasty to them. It shows the extent to which—

Members interjecting:

The Hon. D. C. BROWN: The P.S.A. does not worry about facts. I am not sure that it has even bothered to read the Bill to find out what the facts are. It is an extremely poor reflection on the P.S.A. that it should insert an advertisement like that and try to become what is, after all, the official political Opposition in this State. I can understand that it is worried about the proper Opposition, which is doing such a poor job in South Australia. I find it fascinating that the P.S.A. is now trying to set itself up as the official political Opposition running advertisements and making the sort of bold inaccurate statements one would expect to come from any political Opposition. It reflects poorly on the P.S.A.

POLICE REPORT

Mr MILLHOUSE: Will the Chief Secretary give undertakings that, first, the matters raised in my letter to the Attorney-General of 11 March, a copy of which I sent to him, will be considered in relation to the long awaited report on corruption in the Police Force and, secondly, that in any case time will be given during this session, if necessary by calling together Parliament especially, for that report to be debated? On 11 March I wrote to the Attorney-General and referred to information that had come to me about a raid on premises, which are often regarded as a brothel, during which raid a communications computer was seized by the police. That contained, I understand, tapes of telephone calls between that establishment and outside people, and a number of those telephone callers were quite senior members of the Police Force. I was informed, and I put this in my letter, that those tapes were, I understood, being processed by the Commissioner himself, or the Acting Commissioner, and another senior police officer.

I asked in my letter whether that material would be considered in relation to the report. I had a reply, first, from the Chief Secretary thanking me for my congratulations, I think, among other things, on his new position and saying that the matters I had raised were receiving urgent consideration and that he would give me a reply as soon as possible. But there was no indication that these matters would be considered in relation to the report. That was dated 18 March. I had a letter from the Attorney-General dated 22 March, saying:

The matters raised in your letter are being investigated, and I will write to you again when the investigation is complete.

That is just the normal form of letter from him. So, I have not had those undertakings, but whether I get them in regard to those tapes or not I suggest—

The SPEAKER: Order! The honourable member is now seeking to debate the question.

Mr MILLHOUSE: —that it is important that Parliament be allowed to debate the report whenever it arrives.

The Hon. J. W. OLSEN: I did give the honourable member an undertaking that I would seek to have discussions with the Attorney-General to ensure that the matters to which he referred would be given consideration in the current inquiry in relation to alleged police corruption. I will take up the latter part of the question with my colleague.

PRE-SCHOOL ADMINISTRATION

Dr BILLARD: Can the Minister of Education indicate what progress has been made by the committee he established earlier this year to investigate the feasibility of merging

the two totally Government funded pre-school administrations? Earlier this year the Minister announced a feasibility study under the chairmanship of Mr Barry Greer to consider merging Kindergarten Union and Education Department operations in pre-schools.

The Hon. H. ALLISON: The terms of reference have been decided upon. The first is that the committee will examine and review the nature, organisation and rationale of Kindergarten Union and Education Department pre-school service in meeting the needs of children and their families in South Australia. The second term of reference is to identify areas of duplication in the provision of those services. The third term of reference is to report on parent and community participation, teaching and support staff, facilities and their management, and sources and use of funds. The final term of reference is to determine the feasibility and desirability of the programmes being controlled by a single authority.

I emphasise the desirability of that fourth term of reference, because there have been quite a number of rumours circulating recently that child-parent centres controlled by the Education Department are under threat of closure. I repeat, as I have done several other times both inside and outside the House, that there is absolutely no credence to be attached to that rumour and that the inter-agency committee is the second stage in the rationalisation of childhood services provision in South Australia. The first of those actions that we took was to phase out the Childhood Services Council at the end of this month in favour of a Childhood Services Advisory Committee.

At 3.30 p.m., the bells having been rung:

The SPEAKER: Order! Call on the business of the day.

DAIRY INDUSTRY ACT AMENDMENT BILL

The Hon. D. C. BROWN (Minister of Industrial Affairs) obtained leave and introduced a Bill for an Act to amend the Dairy Industry Act, 1928-1974; and to repeal the Dairy Cattle Improvement Act, 1921-1972, and the Dairy Produce Act, 1934-1974. Read a first time.

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This Bill is principally concerned with amendments to the Dairy Industry Act. The amendments are designed to broaden the application of the Act to include milk from goats, sheep or other animals. The previous Act refers only to cows in some sections and to cows and goats in others. Development in dairy product processing indicates that goat and sheep milk needs to be included in this legislation. It is found more expeditious to set licence fees by regulation than by changes to the Act and this will now be possible for dairy farms, factories, stores or milk depots.

New technology has increased the capacity of dairy processors to analyse milk in order to determine the yield of its various components. The legislation enables these components to be measured and to form the basis of future payment if the industry so desires. Improvements in technology have also increased the range of certificate courses, that have been developed for dairy factory operatives. Consequently, the certification provisions of the Act needs to be expanded to cover these new developments. There is a need to set up a fund to receive the fees or penalties prescribed by this Act and this is defined as the Dairy Cattle Fund. This fund was previously prescribed under the Dairy Cattle Improvement Act, which it is proposed to repeal, and the balance remaining will be transferred to the new Act, including the method of operating on the account.

During the mid 1970s dairy factories across the nation agreed to adopt a code of practice that sets out standards for manufacture which ensure the level of protection required by consumers of dairy products in both local and export markets. The Bill will make it possible for regulations to be made incorporating the standards required under the code. The Bill also repeals the Dairy Cattle Improvement Act, 1921-1972, and the Dairy Produce Act, 1934-1974. The former Act prescribed licence fees for dairy bulls. The system has been accepted as now inequitable and it has been agreed that the repeal of the Act as requested by industry should proceed. The latter Act is now redundant. It has been superseded by the Commonwealth Dairy Industry Stabilization Act and quota setting for the sale of butter and cheese is not now required.

Clauses 1 and 2 are formal. Clause 3. The 'Garden Suburb' is now defined as portion of the municipality of Mitcham and the wording is redundant. Clause 4:

(a) The definition of 'animal' is likely to be confusing in view of the new definition of 'milk'. The present definition is accordingly removed.

(b) The new definition of 'dairy farm' broadens the concept to include other milk producing animals besides cows.

(c) There is no need for a definition of 'margarine' as this is dealt with in the Margarine Act. The definition is accordingly removed.

(d) The definition for milk is expanded to include the milk from any milk producing animal.

Clause 5: Licence fees are now set out in the associated Regulations. Clause 6: The heading for sections 9 and 10 is broadened to include milk producing animals other than cows. Clauses 7, 8, 9 and 10a replace the word 'cows' wherever it occurs in various sections of the principal Act with reference to milk producing animals. Clauses 10b and 10c update the title to the Act formerly known as the Stock and Poultry Diseases Act but now known as the Stock Diseases Act. Clause 11:

(a) Enables milk or cream to be analysed for components other than butter fat, and for records to be kept of these test results as well as the volume or weight of the milk or cream.

(b) Provides that the basis of the payment for milk or cream shall be according to the components as prescribed by Regulation.

(c) Deals with the method of component estimation.

(d) Removes superfluous words.

Clause 12: The Margarine Act and the Food and Drug Regulations cover all of the requirements for margarine, consequently there is no need for this section. Clause 13: The clause makes a consequential amendment. Clause 14: The heading to section 24 is broadened to include the testing of milk as well as cream. Clause 15: The heading to section 24a and the content is broadened to cover any certificate prescribed by regulation. Clause 16 enables the maintenance of a fund—formerly covered under the Dairy Cattle Improvement Act—now to be repealed, for the receipt of fees or penalties applying under this Act, the transfer of any balance from the previous fund, and the use of the funds.

Clause 17: This clause amends the regulation-making powers. Most of the amendments are of a consequential nature. However, provision is made for the adoption in the regulations of Standards, as they exist from time to time, fixed by the Standards Association of Australia or the Minister. Clause 18: The Dairy Cattle Improvement Act,

1921-1972, and the Dairy Produce Act, 1934-1974, are repealed by this clause.

Mr LYNN ARNOLD secured the adjournment of the debate.

CASINO BILL

The Hon. M. M. WILSON (Minister of Recreation and Sport) obtained leave and introduced a Bill for an Act to provide for the establishment and operation of a casino under strict statutory controls; and for related purposes. Read a first time.

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

That this Bill be now read a second time.

In introducing this Bill today, I am fully aware that the member for Semaphore a few months ago introduced a Bill on the same topic and that his Bill met with rejection by members on both sides of this House. It will be obvious that this Bill is far more comprehensive and shows how complex it would have been to amend the previous one. I am confident that the rejection of the previous Casino Bill did not necessarily indicate opposition to the establishment of a casino in this State.

Indeed, a survey undertaken by Peter Gardner and Associates last December indicated that 53.6 per cent of respondents favoured the State Government allowing a casino to operate in South Australia. The survey also indicated that only 36 per cent were opposed to a casino and 10.4 per cent were undecided. The rejection of the previous Bill therefore does not necessarily reflect public opinion and the purpose in introducing this Bill today is to again bring the matter before Parliament to enable further consideration.

To allow the public to have a strong input to the debate, the Government has decided that this Bill should be referred to a Select Committee of this House, which will hopefully be able to report by June of this year. This legislation has been prepared using the experience and legislation of those States and Territories where casinos now operate.

It provides for the establishment of a licensed casino in South Australia. In introducing this measure the Government has attempted to balance those competing points of view which on the one hand stress the need to recognise changes in lifestyle in the community, compared to the social disruption and the attraction of the criminal element which could be occasioned by the introduction of a casino.

The Government has also taken into account the advantages that will flow to the State if a casino were to be established. The move, together with other initiatives taken or approved by the Government (such as the development of international-class facilities at Adelaide Airport), will provide potential for the future development of this State as a tourist attraction. It will also create job opportunities.

South Australia has an advantage in that it can look to experiences elsewhere in Australia to assist it to weigh up the advantages and disadvantages of establishing a casino. While there have been previous attempts in South Australia to establish a casino, these attempts were either premature or not properly thought through.

Mr Keneally: That's rubbish.

The SPEAKER: Order! The honourable Minister will please return to his seat. The honourable member for Stuart will have the opportunity to oppose the measure when it is his turn to speak to it, not before.

The Hon. M. M. WILSON: Therefore, the experience in other States, together with an examination of previous attempts to establish a casino, have led the Government to the conclusion that it may be appropriate to establish one casino in South Australia.

The Government is introducing this Bill into Parliament to facilitate debate by all members on the issue and I expect members of all Parties will be voting according to their own conscience on the matter. Certainly, the issue will be treated as one of conscience by the Parliamentary Liberal Party.

It has been stated that the establishment of a casino in South Australia will have minimal family impact only, particularly as the Bill provides for the establishment of one casino only and poker machines are being prohibited throughout South Australia, whether in the casino or elsewhere. This will be an important area of investigation for the Select Committee.

I think it fair to say the legalised forms of gambling such as bingo, pools and x-lotto, have not had significant disruptive effects on the community. After the initial curiosity vanishes, gambling tends to rest with those who pursue it in other forms.

At one time, the establishment of a casino in South Australia would have been seen as a radical move but now that casinos are well established in Tasmania and the Northern Territory and with Queensland recently entering the area, the novelty of a casino is greatly diminished. Further, a back-bench committee of the Western Australian Parliament has recommended that a casino and other forms of gambling be allowed in that State.

It is proposed in this legislation that any applicant for a licence must be able to satisfy the casino tribunal on matters such as the physical, social and economic effects of the proposal. Also, the Bill provides particularly heavy penalties. For example, contravention or failure to comply with a term or condition of the licence makes the licensee liable to a penalty not exceeding $100 000, with a further penalty at the rate of $10 000 for each day during which the offence continues. The controls envisaged are very tight, with the Minister, the Superintendent of Licensed Premises, and police officers having very wide powers. Briefly, the major features of the Bill are:

(1) A Casino Tribunal with a District Court judge as chairman is established.

(2) The Minister may invite applications for a licence.

(3) One licence only can be recommended by the Casino Tribunal.

(4) The Governor can grant the licence, cancel the licence, or vary the conditions of the licence.

(5) The Minister can suspend the licence.

(6) Poker machines are prohibited in the casino and throughout South Australia.

(7) Persons under 18 years of age are not to be admitted to the casino.

(8) Licence fees are to be calculated as follows:

(a) where the net gambling revenue for one month does not exceed $150 000—6 per cent of the net gambling revenue or $2 500, whichever is the greater;

(b) where the net gambling revenue exceeds $150 000—$9 000 plus 25 per cent of the net gambling revenue in excess of $150 000.

(9) After deducting Government administrative costs, licence fee revenue is to be credited to the Hospitals Fund.

The Bill provides the machinery for the approval of a casino licence. The Minister is able to invite applications and applicants are required to provide detailed particulars with their proposals. The Minister may refer applications to a Casino Tribunal which is to be an independent body, separate from the monitoring, investigation and prosecution authorities which may have to appear before it. The tribunal is required to hold an inquiry as to which applicant, if any, should be granted the licence and make a recommendation to the Minister. As I have said, in making its recommen-

dation, the tribunal is to have regard to the likely physical, social and economic effects of the proposal. The Superintendent of Licensed Premises may appear personally or by counsel before the tribunal and may call such evidence and make such representations as he thinks fit.

After the tribunal makes its recommendation to the Minister, the recommendation is to be published, and the Governor may grant a licence. The Bill gives the Governor power to add to or vary the recommended terms and conditions of the licence if he believes it is necessary to do so in the public interest.

The grant of a licence is to permit a licensee to provide certain authorised games, such as blackjack, roulette and similar games of chance. However, poker machines are prohibited, as the Government believes that these machines have a disruptive effect in the community in that the outlay to play is less but they are habit forming and impose a heavy financial burden on some people, often on low-income families.

Although it appears that there is no reliable or carefully researched information available relative to Australia, the Government has given a great deal of consideration to the view that gambling increases criminal and social disruption in the community. The Bill therefore provides for the effective policing and supervision of the licensed casino.

The Minister is empowered to give directions to a licensee as to the management, supervision or control of any aspect of the operations of the casino. The Superintendent of Licensed Premises and any person authorised by him, or a police officer, may enter the licensed premises to ensure the proper operation of the casino or require the licensee to produce any articles or documents. The licensee is required to maintain proper accounts and regular audits are provided for. A licensee who fails to comply with a term or condition of the licence or a direction of the Minister commits an offence and the licence may be cancelled or suspended. The Minister also has power, on the recommendation of the Commissioner of Police or the Superintendent of Licensed Premises, to make an order prohibiting a person from entering the licensed casino. Provision has also been made to prohibit persons under 18 years of age being admitted to a licensed casino.

The Government believes that these measures, coupled with the extremely heavy fines in the Bill, will prevent any undesirable practices which might be attributed to the establishment of a casino in this State. I seek leave to have the explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clauses 1, 2 and 3 are formal. Clause 4 contains definitions required for the purposes of the proposed new Act. Part II provides for the constitution, powers and procedures of the Casino Tribunal. Clause 5 establishes the tribunal. Clause 6 deals with the membership of the tribunal. It is to consist of three members of whom one (the Chairman) is to be a District Court judge. The clause also requires that one member of the tribunal should be a person with qualifications and experience in accountancy. Clause 7 provides for payment of allowances and expenses to tribunal members. Clause 8 provides for the appointment of the Secretary to the tribunal.

Clause 9 is a standard saving provision. Clause 10 deals with the manner in which the tribunal is to arrive at its decision. Clause 11 provides that the tribunal is not to be bound by rules of evidence. Clause 12 confers certain procedural powers on the tribunal. Clause 13 provides for the calling of applications by the Minister and deals with the manner in which applications are to be made. Clause 14 provides for the reference of applications to the tribunal for inquiry. The recommendations of the tribunal are to be published in the *Gazette* and its reasons are to be available for public scrutiny.

Clause 15 provides that where the tribunal recommends the grant of a licence to a particular applicant, the Government may grant the licence on terms and conditions recommended by the tribunal. The Governor may add to or vary the terms and conditions of a licence where, in his opinion, it is necessary to do so in the public interest. Clause 16 deals with investigation of proposed modifications of the terms and conditions of a licence by the tribunal. The Governor is empowered to alter the terms and conditions of a licence in accordance with a recommendation from the tribunal. Clause 17 provides that there shall be no more than one licence in force under the Act at any one time. Clause 18 provides for substantial penalties in case of breach of a term or condition of a licence. Clause 19 prevents dealing in a licence without the consent of the Governor. Clause 20 empowers the Minister to refer offences committed by a licensee or persons responsible for the management or control of a corporate licensee to the tribunal for inquiry. Any change in the management or control of a corporate licensee can also be referred for investigation. The tribunal is empowered, upon an inquiry under this clause, to recommend suspension or cancellation of the licence or the imposition of further or other conditions. Clause 21 provides that it shall be lawful to operate a casino in accordance with a casino licence granted under the new Act.

Clause 22 prevents the admission of persons under the age of 18 years to a licensed casino. Clause 23 empowers the Minister to order the exclusion of undesirable persons from the casino. A right of appeal against such an order lies to the tribunal. Clause 24 provides for the computation and payment of a monthly licence fee. Clause 25 confers a general right of control over any aspect of the operation of the casino. Clause 26 provides for the inspection necessary to ensure the proper and fair operation of the casino. Clause 27 prohibits possession of poker machines (either in the casino or elsewhere). Clause 28 provides for summary disposal of offences. Clause 29 is a regulation-making power.

Mr SLATER secured the adjournment of the debate.

STATUTES AMENDMENT (CONSUMER CREDIT AND TRANSACTIONS) BILL

Second reading.

The Hon. JENNIFER ADAMSON (Minister of Health): 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

Since the Consumer Credit Act and Consumer Transactions Act were introduced in 1972, various amendments have been made from time to time. However, a major review has not taken place as South Australia has been awaiting the introduction of model uniform legislation to be settled by the Standing Committee of Attorneys-General. Uniform credit legislation has now been passed in Victoria and New South Wales and regulations are currently being drafted. It may be some time before the new legislation comes into operation. At that time a comprehensive review

of the South Australian legislation will be undertaken with the view to achieving uniformity in credit legislation wherever possible.

In the meantime, the Government is concerned that the Acts continue to achieve their original objective of providing protection to the consumer and, at the same time, avoiding unnecessary inconvenience to or restrictions on business. It has become evident that the monetary limits contained in the Acts are no longer realistic. A 'consumer contract' and a 'consumer credit contract' are defined by reference to the amount involved in the transaction and generally the Acts do not apply where the amount exceeds $10 000. In 1973 an amendment was made to the definition of a 'consumer credit contract' in the Consumer Transactions Act, increasing the amount to $20 000 where security is taken over the consumer's home, in order to cover the average loan taken out for the purpose of purchasing a house.

The monetary limits have been eroded by inflation since they were set in 1972 and 1973 so that many transactions are now excluded which it was originally intended should be covered by the legislation. A prime example of this is the purchase of a family car which now often costs in excess of $10 000. The Bill increases all $10 000 limits to $15 000, which is the amount determined as the appropriate 'cut-off' point in the New South Wales and Victorian Acts. This will also extend the protection afforded to those who buy goods that subsequently prove to be subject to a consumer lease or consumer mortgage. Section 36 of the Consumer Transactions Act will now guarantee good title in cases where the amount involved in the previous transaction was up to $15 000. Section 36 is also amended to make it clear that although a dealer does not obtain good title, a person who purchases in good faith and for valuable consideration and without notice from the dealer does get good title. Some doubts have been expressed about the present wording of this section and the amendment is designed to remove those doubts and express more clearly the original intention of this provision.

The Bill increases the $20 000 monetary limit in the Consumer Transactions Act definition of 'consumer credit contract' to $30 000. The $20 000 limit is now unsatisfactory as it does not cover the average home loan and denies the protection of the Act to those house purchasers who are most likely to be in need of it. An anomaly between the Acts has been removed. While the Consumer Transactions Act contains a monetary limit in relation to consumer credit contracts where security is taken over land there is no limit on such contracts under the Consumer Credit Act. The Bill inserts a limit in the Consumer Credit Act in relation to such contracts so that the relevant provisions in the two Acts are consistent.

The opportunity has also been taken in this Bill to effect several minor amendments of a tidying-up nature. For example, the Bill amends the exemption powers contained in section 6 (4) of the Consumer Credit Act and section 50 of the Consumer Transactions Act to provide a more flexible power. In particular it will be possible to exempt transactions from some portions of the Act without conferring an exemption from the whole Act and to make any exemption subject to conditions or terms. This exemption power is consistent with similar powers in the New South Wales and Victorian credit legislation.

Clauses 1 to 4 are formal. Clause 5 amends two definitions in the Consumer Credit Act. The definition of 'principal' is amended to reflect the fact that credit may consist of a forbearance to require payment of money that is already owing. The amendment of 'the Commissioner' is amended to reflect the current title of the office. Clause 6 amends section 6 of the Consumer Credit Act. This section deals with the application of the Act. The power of exemption is expanded to cover both persons and transactions, and the monetary limits which define the transactions to which the Act applies are amended as outlined above. Clause 7 amends section 37 of the Consumer Credit Act. This section deals with a credit provider's registered address. The amendment deals with the case where a credit provider carries on some other business in addition to the provision of credit. The provisions requiring notice of commencement and cessation of business at a particular address and so on are related specifically to the business of providing credit. Clause 8 provides that upon variation of a credit contract, the consumer is to receive notice of the nature and extent of the variation. Thus the credit provider is not obliged to cover in his notice rights that have been unaffected by the variation.

Clause 9 makes a corresponding amendment to section 41 of the Consumer Credit Act which deals with sales by instalment. Clause 10 makes a minor drafting amendment to section 52 of the Consumer Credit Act. Clause 11 provides for the amendment and revocation of stipulations promulgated by the Commissioner in relation to advertisements relating to credit. Clause 12 amends an evidentiary provision to bring it into consistency with the form that is in current use. Clause 13 is formal.

Clause 14 amends the definition of 'consumer contract', and 'consumer credit contract' in section 5 of the Consumer Transactions Act. The amendments introduce the new financial limits outlined above. The definition of 'the Commissioner' is also amended to accord with the current title. Clauses 15 and 16 make minor drafting alterations. Clause 17 makes it clear that a person who buys goods subject to a consumer lease or consumer mortgage from a dealer without notice of the lease or mortgage gets an unencumbered title to the goods. Clause 18 expands the regulation-making power under which exemption from provisions of the Consumer Transactions Act may be granted.

Mr BANNON secured the adjournment of the debate.

COMMERCIAL TRIBUNAL BILL

Second reading.

The Hon. JENNIFER ADAMSON (Minister of Health): 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

There are presently a number of Acts that establish different boards and tribunals for licensing and other regulatory controls over various occupational groups. These include:

Land and Business Agents Board,
Land Brokers Licensing Board,
Land Valuers Licensing Board,
Second-hand Vehicle Dealers Licensing Board,
Builders Licensing Board,
Builders Appellate and Disciplinary Tribunal,
Commercial and Private Agents Board,
Credit Tribunal.

The occupational groups licensed or regulated by these bodies are:

land and business agents,
land brokers,
land valuers,
second-hand motor vehicle dealers,
general builders,

building tradesmen in some 46 separate classified trades,
commercial agents and sub-agents,
inquiry agents,
loss assessors,
process servers,
security guards and agents and store security officers,
credit providers (mainly finance companies),
retail stores who provide credit by means of revolving charge accounts.

Each Act establishing the respective board or tribunal provides for a similar system for the licensing of each occupational group. Members of each licensing body are appointed for a specific period (usually three to five years). Each body includes a legal practitioner (in the case of the Credit Tribunal and the Builders Appellate and Disciplinary Tribunal, a judge of the District Court) who is the chairman, members with knowledge of or experience in the occupation whose practitioners are required to be licensed and, usually, members with knowledge of the interests of members of the public who deal with those required to be licensed.

Applicants for licences are required to apply to the appropriate board or tribunal and satisfy that body of certain criteria. Generally, these relate to the applicant's age, character, qualifications, experience and, often, financial resources. In the case of corporations, those involved in the control and management of the body corporate are generally required to satisfy similar criteria. If the licensing body is satisfied that the applicant satisfies these criteria, the licence is granted upon payment of the prescribed licence fee, and is renewed annually upon application and payment of a prescribed renewal fee.

If it is found after proper inquiry that grounds exist for taking disciplinary action against the licensee, such action may usually take the form of a reprimand, fine, disqualification from holding a licence or suspension or cancellation of the licence. Grounds for taking such action generally include circumstances in which the licence was obtained fraudulently or improperly, the licensee has been convicted of an offence involving dishonesty, or the licensee has acted negligently, incompetently or dishonestly.

There are considerable variations between the Acts as to the extent of these powers and the procedures involved. Furthermore, in the case of builders, the power to license and to inquire into the conduct of builders rests with the Builders Licensing Board, while the power to discipline lies with the Builders Appellate and Disciplinary Tribunal. The Builders Licensing Board and the Credit Tribunal also have an adjudication role in relation to civil disputes between licensees and those with whom they deal in the course of their businesses. None of the other bodies have this role.

Each board or tribunal has a secretary or registrar responsible for keeping a register of licensees and providing secretarial and clerical services. In the case of the Commercial Registrar of the Credit Tribunal, there is also power to exercise some functions delegated by the tribunal. The separate existence of so many licensing bodies causes some confusion and duplication for members of the various occupational groups concerned. For example, if a person wishes to operate as a land agent, land valuer and builder, and wishes to lend money or otherwise provide credit to his clients, he is required to apply for four separate licences, each from a separate board or tribunal, for what he regards as one composite business. This involves much duplication of effort by the applicant, as he is required to satisfy each licensing body separately of substantially the same criteria. There is also a danger that, as those licensing bodies are mutually independent, they might interpret identical statutory criteria in different ways, which could be confusing and unfair to the applicant. If the conduct of the licensee is later found to be such that his licence should be revoked, each of the four bodies would have to hold separate hearings for this purpose. This again results in a potential for inconsistency.

The composition of the existing bodies is not always appropriate in relation to the functions to be carried out. This has usually resulted from additional functions being conferred on an existing body without providing for the appointment of additional persons with expertise in those functions. For example, the Credit Tribunal exercises jurisdiction under the Fair Credit Reports Act and the Credit Unions Act but includes no representatives of reporting agencies or credit unions; the Commercial and Private Agents board licenses various occupational groups within the security industry but that industry is not represented on the board. This diminishes the confidence that some industry groups have in the board or tribunal by which they are regulated.

The system as it now exists is irrational and inconsistent and, because of the bureaucracy and duplication necessarily involved, can constitute a significant cost burden on industry, which burden is ultimately borne by consumers. It is therefore clearly in the interests of both the industry groups involved and consumers generally that costs arising out of the licensing system are minimised.

Accordingly, the Government intends to abolish all the existing bodies and to establish one body to hear all licensing and disciplinary matters concerning the occupational groups concerned. A single body under the same chairman, but differently constituted according to the nature of the matter before it, should minimise existing inconsistencies and duplications and reduce administrative and industry costs.

This Bill provides for the establishment of this body, to be known as the Commercial Tribunal. The Bill does not, of itself, confer jurisdiction on the new tribunal—this will be effected by amendments to the other Acts that established the boards and tribunals that are to be replaced. However, all matters that should be uniform regardless of the particular Act under which the tribunal is acting are dealt with in this Bill.

Over a period of time each of the relevant Acts will be amended to abolish the separate boards and tribunals and transfer their jurisdictions. Particular matters relating to the jurisdiction under each Act will continue to be dealt with in that Act, as complete uniformity is not practical in all cases. For example, the criteria to be satisfied by applicants for licences, and the grounds upon which disciplinary action may be taken against licensees, will vary according to the type of licence involved.

The Bill provides for panels of tribunal members to be appointed comprising representatives of each commercial and consumer interest and for the Chairman to select persons from appropriate panels to constitute the tribunal for each hearing. In a particular case, the tribunal could include representatives from several occupational groups so that one hearing would be sufficient to deal with applications for licences in several different categories.

There is also to be a panel from which an appropriately qualified expert may be selected to assist the tribunal in particular proceedings. This will enable, for example, an accountant to assist the tribunal in proceedings relating to a land agent's trust account or an engineer to assist in a building dispute. Although such persons may assist the tribunal in its deliberations, they will not participate in the making of a final decision or order.

A Commercial Registrar is appointed to have overall responsibility for the administration of the Commercial Tribunal and this will facilitate the further rationalisation of administrative procedures and reduction of bureaucracy and duplication. Those officers who are presently secretaries to particular boards will continue to perform similar duties

for the Commercial Tribunal pursuant to a delegation of authority from the Commercial Registrar.

The tribunal will be bound to act according to equity, good conscience and the substantial merits of each case without regard to technicalities and legal forms and, except in relation to disciplinary proceedings, will not be bound by the rules of evidence. In cases where jurisdiction is conferred on the tribunal to make appropriate orders to resolve civil disputes (such as the jurisdiction conferred on the Credit Tribunal and the Builders Licensing Board) it is intended that rules be made to encourage voluntary conciliation of such disputes by negotiation by the Commissioner for Consumer Affairs.

The new system can readily accommodate any trade or industry groups that the Government may decide in the future to regulate. The system is flexible enough to accommodate such groups even if they are not to be required to be licensed but are only to be obliged to comply with a code of conduct or other requirements. Accordingly it will no longer be necessary to establish a new statutory authority every time it becomes necessary to license or otherwise regulate a particular area of commercial activity.

The Government regards the establishment of this new tribunal as an extremely significant step forward in the implementation of its policy of rationalisation of legal and administrative requirements. All the relevant occupational licensing Acts are now being reviewed and the necessary amendments will be introduced as soon as possible.

Clauses 1, 2 and 3 are formal. Clause 4 sets out a number of definitions required for the purposes of the new Act. Clause 5 establishes the Commercial Tribunal. Clause 6 provides for the constitution of the tribunal. The presiding officer at hearings before the tribunal is to be a judge of the District Court or a legal practitioner of at least seven years standing. In addition to the Chairman there will be a member from the appropriate panel constituted in relation to the Act under which the proceedings arise selected to sit at the hearing of the proceedings and a further member selected from a panel of 'consumer' representatives. Under subclause (2) the membership of the tribunal may if the Chairman or a Deputy Chairman so determines be expanded by the inclusion of one or more experts from the panel of experts to be constituted under clause 8 (3). Subclause (3) provides for the consolidation of proceedings arising under a number of different Acts. It states that, where proceedings involve the same or similar questions and the Chairman or the Deputy Chairman determines that it would be expedient to consolidate those proceedings and that the consolidation would not unfairly prejudice any party to the proceedings, he may direct that the proceedings be so consolidated.

In that event a member will be selected from each of the panels relating to the various Acts under which the consolidated proceedings arise. Subclause (4) provides that in various matters specified by the rules of court or in relation to the exercise of specified powers or functions, the tribunal may be constituted solely of the Chairman or a Deputy Chairman. Subclause (5) provides that the tribunal may, in effect, sit in various divisions in relation to separate proceedings. Subclause (6) provides that special provision may be made in an Act conferring jurisdiction on the tribunal in relation to the constitution of the tribunal for the purpose of proceedings under that Act.

Clause 7 provides that the Chairman of the tribunal is to be a District Court judge nominated by the Senior Judge or a legal practitioner of at least seven years standing. A panel of similarly qualified persons will be established and these will serve as Deputy Chairmen of the tribunal. Clause 8 provides for the constitution of panels from which members of the tribunal are to be drawn. Subclause (1) provides that the Governor may in relation to each Act conferring jurisdiction on the tribunal establish a panel consisting of members representative of the interests of the class or classes of persons who are licensed or registered under the relevant Act or whose conduct is otherwise regulated under the relevant Act. Subclause (2) provides for the constitution of a single panel of members representative of the public who deal with persons licensed, registered or otherwise regulated under the relevant Acts. Subclause (3) provides for the constitution of panels of experts with special expertise which would in the opinion of the Governor be of advantage to the tribunal. The remaining provisions of the clause deal with the terms and conditions of panel membership.

Clause 9 provides for payment of allowances and expenses to members of the tribunal. Clause 10 provides for the office of the Commercial Registrar and sets out his duties and functions. Clause 11 is a standard validating provision. Clause 12 provides for the manner in which the tribunal is to arrive at its decisions. The presiding officer is to determine questions of admissibility of evidence and other questions of law or procedure, while questions of fact are to be resolved by majority decision. A member of the tribunal drawn from the panel of experts will not be counted for the purpose of determining whether there is a majority for or against a particular proposition.

Clause 13 provides that the tribunal must act according to equity, good conscience and the substantial merits of a case without regard to technicalities and legal forms and provides that the tribunal is not to be bound by the rules of evidence except in disciplinary proceedings or other proceedings in relation to which special provision is made by one of the relevant Acts. Clause 14 deals with general procedures. It requires notice to be given to parties to proceedings and deals with representation before the tribunal. Clause 15 empowers the tribunal to issue sommonses to require attendance of witnesses and require production of books, papers and documents and gives the tribunal various other powers that it requires for the purpose of hearing and determining proceedings. Clause 16 empowers the tribunal to make orders for costs. Clause 17 requires the tribunal to give reasons for decisions or orders made by it.

Clause 18 empowers the tribunal or the Supreme Court to suspend the operation of an order of the tribunal where an appeal has been instituted. Clause 19 empowers the tribunal to state a case on any question of law for the opinion of the Supreme Court. Clause 20 provides for an appeal against orders or decisions of the tribunal. The appeal lies as of right on a question of law but on a question of fact leave of the tribunal or the Supreme Court is required. Clause 21 provides for the determination of appeals by a single judge of the Supreme Court. Clause 22 requires the Registrar to keep registers of persons licensed or registered under the relevant Acts. It provides for inspection of the registers and deals also with evidentiary matters.

Clause 23 is a provision empowering the tribunal or the Supreme Court to correct formal irregularities with a view to disposing of the substantive issues between parties to proceedings as quickly and expeditiously as possible. Clause 24 is an evidentiary provision providing for proof of judgments and orders of the tribunal. Clause 25 empowers the making of rules of the tribunal for the purposes of regulating proceedings under any of the relevant Acts. A regulation-making power is also included. It should be noticed in particular that provision may be made for settlement or attempted settlement by conciliation of disputes between parties to proceedings before the tribunal.

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

PREVENTION OF POLLUTION OF WATERS BY OIL ACT AMENDMENT BILL

In Committee.

(Continued from 4 March. Page 3352.)

Clause 2—'Interpretation.'

Mr KENEALLY: When this debate was adjourned some weeks ago, the Opposition sought the opportunity to be briefed by Government officers on the impact of this measure. It is a technical one and we were uncertain whether many of the queries addressed to us were relevant. We have had that briefing, which we appreciate, but there are still some matters outstanding. There seems to be some confusion within the industry itself, and I had hoped to receive a telephone call today to clarify some of these matters.

The people who are negotiating with me know that they can take this matter further, if they wish, once the Bill reaches the other Chamber, and it is not the intention of the Opposition to further delay the passage of the Bill. We thank the Government for providing the briefing that we have received, and members of the Opposition on the appropriate committee have benefited from it. We do not have any opposition to this or any of the other clauses of the Bill, but we are still uncertain about some of the measures that will be discussed in the other place if that uncertainty prevails.

The Hon. M. M. WILSON: I am happy to assure the honourable member that that co-operation will continue. If I can do anything to facilitate his understanding of certain other matters, I will be pleased to do it.

Clause passed.

New clause 2a—'Discharge of oil into waters.'

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

Page 1, after line 20—Insert new clause as follows:

2a. Section 5 of the principal Act is amended by striking out from paragraph *(a)* of subsection (2) the passage ", the agent".

New clause inserted.

Clauses 3 to 6 passed.

New clause 6a—'Equipment in ships to prevent oil pollution.'

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

Page 3, after line 6—Insert new clause as follows:

6a. Section 8 of the principal Act is amended by striking out from subsection (4) the passage ", the agent".

New clause inserted.

Clause 7 passed.

New clause 7a—'Restrictions on transfer of oil at night.'

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

Page 3, after line 15—Insert new clause as follows:

7a. Section 12 of the principal Act is amended by striking out from subsection (3) the passage ", the agent".

New clause inserted.

Clauses 8 to 10 passed.

New clause 10a—'Service of process on agent.'

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

Page 3, after line 26—Insert new clause as follows:

10a. The following section is inserted after section 17 of the principal Act:

17a. Any process issued against the owner or master of a ship in respect of an offence against this Act shall be regarded as having been duly served if served upon the agent of the ship.

Mr WHITTEN: I thank the Minister for the explanation we have had from his officers, but I am unclear as to the intent of the new clause regarding issue of a process against the owners or master. Will the Minister give a full explanation of its intent?

The Hon. M. M. WILSON: Perhaps the member for Price would like to expand a little on what he does not understand.

Mr WHITTEN: The new clause deals with the service of process and recovery of fines from the agency. How does the Minister intend to go about that?

The Hon. M. M. WILSON: Under this clause, it will be much simpler to serve a process against an owner or a master. One will be able to serve a writ of proceedings on the agent. As the honourable member knows, the agent is resident in this State, whereas the owner or the master certainly may not be resident here. Proceedings can be served against the agent, and this new clause provides that by serving them against the agent, they are also served against the owner or the master. It is a simplification of the proceedings, and I would think it was one that would have the support of all members.

New clause inserted.

Clause 11 and title passed.

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

That this Bill be now read a third time.

Mr KENEALLY (Stuart): I believe that the Opposition was somewhat remiss during the early stages in not acknowledging that the Minister in charge of the Bill who was so generous as to allow members on this side to be fully briefed was the former Minister of Marine, the member for Victoria. We certainly convey our appreciation to him.

Bill read a third time and passed.

PRICES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 24 March. Page 3504.)

Mr McRAE (Playford): I support the Bill.

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

EVIDENCE ACT AMENDMENT BILL (1982)

Adjourned debate on second reading.

(Continued from 24 March. Page 3503.)

Mr McRAE (Playford): I support the Bill.

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

FRIENDLY SOCIETIES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 25 March. Page .)

Mr CRAFTER (Norwood): The Opposition is pleased to support this measure. Friendly societies provide very important and long-established services to their members and hence to the community. Their members form a large numerical group in the community. Members of friendly societies come from a wide cross-section of the community, and in that way provide substantial mutual help. The societies, in the main, are based on religious and other common interests and ideals, and in that way they obtain the motivation to continue their membership and support. Their services are, in the main, very long established. For example, friendly societies provided health insurance long before it became a universally accepted concept in this country.

However, it has long been established that universal health insurance should be the responsibility of the Federal and State Governments, not a fragmented, cumbersome system, the responsibility for which has fallen in the past heavily on small societies that are dependent to a large extent on the goodwill, generosity and voluntary assistance of their members.

As friendly societies have been long established, they have now progressed to a stage of some transition within the framework of the services that they are able to provide to their members. A substantial factor in this evolution that has taken place within friendly societies during the past decade or so has been the acceptance of a greater degree of responsibility by the Government sector for the delivery of health insurance care.

In this State there are two major private health funds and most friendly societies have become agents rather than the basic deliverers of those services; they have become the agents of the private health funds in this State, thus allowing for a greater emphasis within their own societies on other aspects of the delivery of social security services. Indeed, they have tailored many of their activities to meet perceived needs within the community. Some of these areas include life assurance, sickness benefits and superannuation schemes, and these are referred to in the Bill.

Societies have conducted some of their services in a very limited way in the past, but they now, as I understand, wish to expand these services. It may be that, if they had had the opportunity in the past, they would have expanded those services already. The maximum payouts that are allowed and other restrictions placed by other legislation are undoubtedly way out of line with current standards in other sectors of the private insurance industry. The Minister has given an example of that in his second reading explanation. I understand that a further factor has arisen in South Australia, namely, that there has been competition from interstate bodies, in respect of which the restrictions are less stringent. This unfair nature of the competition is guaranteed by the existing Friendly Societies Act.

This situation should not be allowed to continue. The Opposition would be pleased to hear from the Minister some details concerning the nature of the respresentations he has received from friendly societies in this matter, and in particular, the extent of the evil that this Bill is attempting to overcome. I would also be pleased to hear from the Minister details concerning advice he has received from the actuary on the method proposed in this Bill in establishing relevant and competitive money levels of activity, which is a more favourable approach than the raising of levels to a realistic level, as they are at present, that is, to increase them from time to time by a built in indexation system based on the standard of living increase.

I would also be pleased if the Minister would put on record his Government's attitude towards friendly societies, the Government's policy in relation to this sector of financial activity in this State. There would appear to be some concern amongst those who are active and concerned for the well being of friendly societies concerning the paucity of Government policy in this matter, and in particular, the policies that are evolving at the Federal level with respect to the private banking system and with respect to the very large insurance companies that dominate the areas of economic activity in this country that we see as being so vital, such as housing.

Concern has been expressed as a result of the Campbell Committee of inquiry concerning this area and also concern has been expressed in many other policies and statements that have emanated, particularly from the Federal Government. I take this opportunity to invite the Minister to state the Government's policy with respect to these very small but, I suggest, very important elements of financial activity in this State.

The Hon. J. W. OLSEN (Chief Secretary): I thank the Opposition for its support for this measure. In doing so, I would like to respond briefly to two of the questions posed by the member for Norwood. Regarding the level that will be established by way of regulation, which we will be able to do if this legislation is passed, that will be established after we have had discussions with industry and after we have taken into account the various levels currently applicable interstate. That will be to protect South Australian interests and South Australian investors in this type of financial organisation. I thought it would have been obvious, by the Government's taking this initiative, that it is our intent to provide for the South Australian financial institutions a degree of protection against their interstate counterparts.

I understand that the level in Victoria in currently $50 000 and, in New South Wales, $30 000. Levels interstate will be taken into account in determining the level that ought to apply in South Australia. Obviously, with something like 140 000 members of these various institutions in this State, with assets of some $36 000 000, it is the Government's intention to provide a good working base for the protection of those people principally in the small investment area, because, as I understand, certainly there are not large capital investors in the type of society to which we are referring. It is the intention of the Government to protect the small investor.

In addition, I think it fair to say that the Government does not view kindly the establishment of what is a tax haven situation, without flow on benefits to those contributing and participating in societies of this nature. Therefore, I place on record the fact that the Government's actions detail its intent to protect and safeguard the future of these societies as well as that can be done by government without interfering with the day-to-day operations of such organisations.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—'Objects for which funds may be maintained.'

Mr KENEALLY: The matter to which I refer was raised during the second reading, but I do not think the Minister addressed himself to it. Why has the Government decided to deal with the monetary terms of this legislation by way of regulation, rather than by updating the amounts and then indexing them?

The Hon. J. W. OLSEN: Obviously, to maintain maximum flexibility to the Government in setting those figures, taking into account inflation and market trends (and I stress the term 'market trends'), it is desirable that there be maximum flexibility available to the Government to move those values from time to time to protect those particular societies.

Mr KENEALLY: I take the point that if the Parliament is not sitting and adjustments need to be made, regulations allow the Minister to make those adjustments. The argument is not valid if the House is sitting, because as in this particular instance, an amendment can be put through Parliament very promptly. I imagine that the Minister is saying that, when the Parliament is not sitting, flexibility still remains with the Government.

The Hon. J. W. OLSEN: That is correct.

Remaining clauses (3 and 4) and title passed.

Bill read a third time and passed.

RADIATION PROTECTION AND CONTROL BILL

Adjourned debate on second reading.
(Continued from 3 March. Page 3282).

Mr HEMMINGS (Napier): Some time ago when I occupied the Opposition benches for the first time my colleague the member for Mitchell advised me how to approach Bills when I am speaking to them representing the Opposition, and I think what he told me then is pertinent to this debate. He said that there were three areas to consider: first, is the Bill necessary; secondly, is it adequate; and, thirdly (and this is the important point), can it be improved?

As to the first area, yes, this Bill is necessary not only to protect patients who are being X-rayed but also to protect workers, if uranium mining ever takes place in this State. The report of the working party on human diagnostic radiography certainly highlighted serious problems in that field. It pointed out that in many cases general practitioners were using inadequate and antiquated equipment. It also stated that in many cases general practitioners and those working for them were inexperienced operators.

The report further stated that there is a lack of controls under the existing system. We on this side of the House believe that these problems are serious, although judging from the Minister's tardiness in attempting to correct the anomalies brought out in that report, thereby ignoring a health hazard for the hundreds of patients undertaking X-rays, we can only assume that the Minister does not think so. We also think that this Bill is necessary, because this Government is hellbent on allowing uranium mining in this State, and that, therefore, it is vital that those workers who may be mining uranium are fully protected.

The second area to be considered is whether this Bill is adequate to meet the requirements of people being X-rayed or people working in the research, scientific and industrial fields. In a nutshell, it is not. This Bill does nothing practical except for providing penalties and knocking down doors. Everything will be done by regulation. The Minister has said that this Bill is just the framework to enable regulations to be passed from time to time. We believe that this Bill is important, and if one reads the Minister's second reading explanation one assumes that she, too, believes it is important. The Minister introduced this Bill with a fanfare of trumpets. She said that it would protect all those people concerned with any form of radiation. However, all we will have is a framework for the provision of penalties and power for people to enter premises and, in effect, knock down doors, the rest of the matters being covered by regulation.

One of the main faults of this Bill is that it attempts to cover the whole field from medical X-rays to radon gas. Alpha radiation and radon gas in uranium mining have very different characteristics from those related to medical X-rays and isotopes. I believe that protection from alpha radiation from radon gas requires special legislation. In our opinion the two areas cannot remain in the same Bill without extensive amendments being made. Most members will be aware of the characteristics of alpha and gamma rays but for those members who might not be aware of them I will state the differences so that they can be aware of the problems that we see in this legislation in its present form.

Alpha particles are relatively slow moving and are emitted at speeds in the order of 10-20 thousand kilometres per second, that is, about one-twentieth of the speed of light. The speed of light is 300 thousand kilometres per second. Because of their relatively slow speed, large size and electrical charge, alpha particles readily interact with matter and lose their energy within a short distance, that is, they are stopped quickly and have low penetrating power. They can be stopped by a few centimetres of air, a sheet of paper or clothing, or about .04 millimetres of biological tissue and are stopped by the outer layer of dead skin. However, while their path may be short their electric charge and large size make alpha particles leave a dense trail of ionisation along this path, and their damage to living tissue may be greater than that of other particles with greater penetrating ability.

Because of their low penetration alpha particles have little effect on biological tissue, provided that their source remains outside the body (that is the important point). However, high exposures of alpha particles to the skin over long periods of time can increase the risk of skin cancer. Radionuclides, which are only alpha-particle emitters, are mainly biologically damaging and potentially harmful if they are taken into the body by absorption at the site of an open wound, or by inhalation or ingestion. They constitute a health hazard to the lungs of uranium miners from radioactive radon gas or radioactive ore dust.

Alpha particle radiation is produced by the radioactive decay of uranium and some of its decay products and also by the decay of the elements neptunium, plutonium, americium and curium, which are produced by neutron capture in nuclear reactor fuels.

However, gamma rays are totally different. Gamma rays are electromagnetic radiation which has no mass or charge. However, they contain energy in units called photons and can therefore ionise material through which they pass. Gamma radiation has a similar physical nature to X-rays, light and radiowaves but the latter two, having longer wavelengths, are not so energetic and therefore are not ionising. Because they have no mass or electric charge, they are not readily deflected or stopped by matter, and therefore gamma rays are very penetrating but not very ionising.

They can pass right through the human body; they can be reduced to one-tenth of their original intensity by 4 cm of lead and can be stopped by tenths of centimetres of lead, or by metres of concrete. Radioactive isotopes which emit alpha or beta particles may also emit gamma rays, and this is to be taken into account when considering radiation safety. From what I have described to the House, the two things are totally different, and that should be borne in mind in this debate.

I do not want to be facetious, but here we have, if I can use an American western analogy, the Minister in the role of the marshal riding into town on a big white horse claiming that she has successfully corralled the gamma rays and X-rays and that she has sent the posse up into the hills to round up the alpha particles and their radon daughters. What the Minister is saying and what comes through in her second reading explanation and all the pre-publicity is:

You can trust me; everything is fine; there is no need to worry.

This legislation, unless amended, will just not work. I would be interested to see whether any of those Government speakers who have waxed so forcibly in favour of uranium mining will now participate in this debate in an effort to ensure that those workers forced to mine it are given the fullest protection. I doubt very much whether those members will take part in the debate, because what they are saying, is, in effect, 'Yes we want it but we are not really worried about the safety and protection of workers who have to go on mining it.' It reminds me of those Colonel Blimps who are always on the scene when there is any world crisis and people in this country have to go to war. They are the ones who say so forcibly that this country should send our young lads to war but who themselves have the best excuses for not going.

The final and most important point is whether this Bill can be improved. We on the Opposition side believe it can be. I stress again that if Government members believe that workers' safety and protection is paramount they will seri-

ously consider all the amendments we put forward to ensure that high standards are set, but I have my doubts whether they will take part in the debate. The Minister of Health, in her introductory remarks to the second reading explanation, said:

> The purpose of this Bill is to provide for the public of South Australia to be protected from the potentially harmful effects of ionising and non-ionising radiation-related activities, while allowing those activities which provide positive net benefits to the community to continue.

The Minister has assured the House that high standards of radiation protection will be adopted in all radiation-related activities, and that as a result of this Bill these activities will be carried out in such a manner that exposure of persons to any form of radiation is kept as low as is reasonably achievable. These are noble principles, and if they are taken at face value one could not argue with them at all. But when we look a little closer at the Bill and at the Minister's second reading explanation and, more importantly, the timing of the Bill's introduction, one comes to a totally different conclusion. The Bill has been introduced at this time for no other reason than as a cynical political exercise: it is being sold as part 2 of the Roxby Downs debate. It has been introduced now to give the impression that this Minister and the Government are deeply concerned about worker protection in the uranium mining industry.

But let us not be fooled by that line. The Bill literally does nothing to protect workers at all. There is nothing in it about medical checks on workers or records of those checks to be kept and followed through. There is no mention whatsoever of workers compensation; there is nothing about industrial safeguards for those engaged in the uranium mining industry. In fact, one could say that this Bill is biased towards the mining industry and the interests that support it. I suppose I should not really be surprised about that, because this Government has established a record since it has been in office (as Government members did when in Opposition) of only paying lip service to worker safety and protection.

When we were in Government any Bill that we introduced which improved worker safety and protection was viciously opposed by members opposite. We only have to look at some of the measures introduced by this Government since it came to office in 1979 to clearly expose it for what it is. I only have to quote the two Bills amending the Industrial Conciliation and Arbitration Act which were heavily biased against the worker and for the employer. The workers compensation legislation we debated last week is also heavily biased against the worker in favour of the employer, yet now we have the Minister saying, 'But in regard to worker safety and protection in uranium mining and other radiation-related activities, worker and patient safety is of paramount importance.' As I said, if one looks a little closer at the Bill, one sees the typical way that this Government is acting—minimal safeguards at all costs.

We intend to move amendments which, if uranium mining ever commences in this State (and I emphasise 'ever commences in this State'), will guarantee workers the maximum protection in line with current updated medical epidemiological information.

Mr Randall: When?

Mr HEMMINGS: The member for Henley Beach says 'When'? but we say '*If*'. I hope that the honourable member, who along with other back-benchers has always told us that uranium mining is for the good of this State, will just spare a little time to stand up and support a high level of safety and protection in relation to uranium mining. This Bill does not give that protection.

If this Government is concerned and intends in this legislation to provide protection and control across all the areas involved with radiation, be it medical research, scientific, industrial, mining or the milling of uranium, I suggest that it look seriously at these amendments. Outright rejection with no form of compromise will again brand Government members as the hypocrites they are.

Earlier I spoke about the Minister's political cynicism in introducing this Bill to coincide with the Roxby Downs Indenture Bill debate, and I would like to elaborate on that. In her second reading explanation, she referred to the report of the working party on human diagnostic radiography which was set up in August 1979 by the then Minister of Health, my colleague the member for Elizabeth. The terms of reference were as follows:

> 1. To recommend upon the qualifications and experience required of applicants for licences to use irradiating apparatus for human radiography under the Radioactive Substances and Irradiating Apparatus Regulations, 1962-1979.
> 2. To recommend upon the desirability of maintaining the 'exempt' category of users specified in regulation 11 *(a)* of the regulations.
> 3. To consider and recommend upon methods of conditional licensing of users of irradiating apparatus.
> 4. To recommend upon methods for controlling the use of inappropriate radiographic technique or unsatisfactory radiographic apparatus for human radiography.

I think that members should take note of that last term of reference, which was very important to the working party. In fact, that was one of the main reasons why the member for Elizabeth set up this working party. There were reports that antiquated equipment was being used, and in many cases general practitioners or their staff were using incorrect methods. This report is an indictment on some (I stress 'some') general practitioners and other operators of irradiating apparatus. On 14 April 1980 the working party urged the Government to make urgent changes under Part IXB of the Health Act, 1935-1978. It says that in the report. In April 1980 the working party said to the Minister, 'There is something wrong in human diagnostic radiography, and something should be done as a matter of urgency,' but we all know that nothing was done.

The working party in its report pointed out that many medical X-rays were being taken in both the metropolitan and country areas by untrained and unqualified persons. The smaller antiquated X-ray machines being used at that time involved relatively massive exposure times, often up to 10 times that required by more sophisticated machines used by specialist radiologists. The report also pointed out that the situation was frequently made worse by untrained operators getting the first exposure wrong, using faulty film development techniques and chemicals and showing an inability to interpret the results. The report said that when this happened additional X-rays involving even greater exposure of patients had to be taken. On that last point, I would like to quote from page 14 of the report. This is what the working party said under the heading 'The Taking and Development of the Radiograph':

> We have been told that it is not uncommon for radiographs to be ruined by poor developing with the patient therefore being subject to unnecessary radiation. The submission we received from Paramedical Supplies, a distributor of diagnostic apparatus, has provided us with a list of difficulties leading to poor or ruined films, all of which arise from deficient darkroom or developing techniques.

Mr Oswald: What do you think the Bill is for?

Mr HEMMINGS: I will answer that interjection in a moment. I continue to quote, as follows:

> The writer of this submission states, 'In my opinion the major problems experienced in . . . (non-specialist diagnostic areas) . . . are associated with X-ray film processing, film handling and film storage.' It is suggested by this submission that inexperienced people frequently have problems with the processing of films. The submission prepared by Dr M. J. Lewis, the former Acting Director of the Occupational Health Branch, also attributed poor results to processing. In particular, he states that problems include:

inadequate light proofing of dark rooms;
incorrect mixing of chemicals;
deteriorated chemicals due to contamination and long periods between replacement of chemicals;
poor processing technique;
'dirty' or contaminated equipment;
inadequate care and protection of unexposed films.

That information was given in April 1980. As to the interjection, 'What do you think the Bill is for?' obviously the member for Morphett sees nothing morally wrong with waiting from April 1980 until March 1982 before measures are taken to correct the situation. The honourable member has proved time and time again that he is lacking in morals.

Mr Oswald: That's offensive.

Mr HEMMINGS: If the member for Morphett feels that is offensive he has the right to say so.

Mr OSWALD: I rise on a point of order. The honourable member said that I was lacking in morals; I take offence to that remark and ask that it be withdrawn.

The SPEAKER: The honourable member for Morphett having taken offence at the remarks made by the honourable member for Napier, I ask the honourable member for Napier whether he intends to withdraw that statement.

Mr HEMMINGS: Of course, Mr Speaker, I do withdraw it. Perhaps I was a little unkind to the member for Morphett, and I have no wish to be. I am just questioning the basis of why he is so happy or prepared to see his Minister introduce a Bill two years after she was informed of the problems in this area, when simply amending the section 9b could have overcome the problems to which I have referred. Perhaps I was unkind in saying that the member for Morphett had no morals (and I have withdrawn that), but that is the reason why. If the honourable member sees nothing wrong with a two-year delay, then let it be on his own conscience.

As I said, knowing that a real hazard existed for those people who were undertaking X-rays (and I shall give some rather startling figures later on the number of people undertaking X-rays with general practitioners, not with specialists), knowing that over the last two years many hundreds of patients may have been exposed to unnecessarily high and possibly dangerous levels of radiation, to suit the timing of this cynical Minister, the problems were ignored. But the Minister did not stop there. Aware that polls undertaken in this State and in this country showed that the majority of women in the community were concerned about the effect of radiation, she made sure that, as a part of this Government propaganda exercise, this lead-up that started in the press last December, women would be used to promote the Government's cause.

I suggest here and now that the co-operation in the propaganda exercise by two senior female staff members in the Health Commission was not given willingly. In no way do I condemn the two ladies in question or suggest that they played their part with any eagerness. They have a job to do, and the Minister has a record of not dismissing but dispensing with people, whether they be drivers or any staff members, who incur her wrath. So, we have a report in the *Advertiser* of 7 December 1981 which said, in effect, that the 'girls had done it'. It was biased towards those women in the community who were concerned about the effects of radiation and the effects of uranium mining, so the exercise was that the ladies in the world were making sure that everything was all right. I felt rather queasy when I read it, but I shall read it out to the House. Under the heading, 'The girls drew up the proposals', the report states:

South Australia's proposals for radiation protection and control have been drawn up by the girls. Two senior women officers in Mrs Adamson's department have played an important part in the research and drafting of the legislation which aims to protect the health of the South Australian community from the hazards of radiation.

I will not mention the names of the ladies, but the final paragraph states:

Mrs Adamson sees the Bill as an important public health measure to protect the health of workers, the public, and the environment.

That was a pretty despicable trick, in line with the Minister's former field of expertise in public relations, and it was a good job well done. It did not enhance the Minister's reputation with those in the community concerned with the protection of patients and uranium mining workers, but perhaps it did her image good with the general public. That report was put out for no reason other than to impress that significant proportion in the community, mostly women, who are concerned about the effects of radiation.

However, that is as it may be; the Minister perhaps decided that that would be a way to allay the fears, but she has yet to explain to this House why she blithely ignored the report of the working party on human diagnostic radiography and, in so doing, put at risk hundreds of women, specially those having pelvic X-rays. If anything, it has proved that, where political expediency is to be practised, this Minister shows scant regard for her own sex. Did she ever consider that in certain areas of X-rays being undertaken genetic damage could be caused? Was she concerned with that? The Minister at various times has been concerned about advertisements showing women scantily dressed, or women being used to sell certain products, and she has gone on record as saying that that is wrong. We even have the situation where, in an advertisement, when a man started drinking beer because his wife—

The SPEAKER: Order! The honourable member will come to the clauses of the Bill. Unless he can link his current remarks to the clauses of the Bill, he will desist from making them.

Mr HEMMINGS: I am trying to point out that, in some areas, the Minister makes a great noise to protect the members of her sex but, when it comes to the important part, the part where women can suffer serious damage through over-exposure to radiation (and it has been proved in the report that this was happening, especially in the area of pelvic X-rays, and children born to those women in future could suffer permanent damage), the Minister chose to ignore that because it did not suit her political attitude. She was hell bent on introducing this so-called Roxby Downs package to coincide with the indenture Bill. That is the link, and I think I was perfectly proper in giving the House the other side of the Minister's nature when she wants a bit of publicity for the ladies in this State.

There is no reason why the problems highlighted by the report could not have been rectified 18 months or two years ago. It is shameful that legislation to correct those inadequacies was held up so that it could be part of the Roxby Downs package. The Minister is well aware of the problems of alpha remission in mining from radon and radon daughters, and she knows that they are completely different from gamma radiation and X-rays, but those people who were suffering from possible over-exposure were left out on a limb: do not worry, because in two years time we will correct the problem, but meanwhile suffer the over-exposure; no one will be able to blame this Government for that.

When my colleague the Hon. Dr Cornwall brought this scandalous situation to the notice of the South Australian public in the *Advertiser* last week, the Minister's reply was that the claim that up to 20 per cent of medical X-rays in Adelaide involved excessive radiation for patients was absurd and preposterous, and could be neither proved nor disproved. The Hon. Dr Cornwall has a pretty good track record in having proved this Minister wrong on many occasions, and once again that will be the case. The article was given some prominence in the *Advertiser*.

Barry Hailstone, the medical writer for the *Advertiser*, who has a fairly good reputation for responsibility and who does not lightly put his name to any outrageous claims that are made by any person in the field of medicine, felt strongly enough about this matter to give it some degree of prominence. The Minister, in reply to the Hon. Dr Cornwall, asked him to name the people who have made those claims based on the report of the working party. If the Minister has her ears to the ground and if she is as competent as she claims to be, she would know full well who these people are. They are eminently respectable people in the field of human diagnostic radiography.

I challenge the Minister to deny or confirm whether any pressure has been put on her or officers of the Health Commission since April 1980 by people concerned with the problem to release the report and, more importantly, to act on the report. I suggest that the Minister take note and confirm or deny whether any pressure has been put on her to release the report. We know that there has been pressure. I suggest that the Minister have some of her officers contact the Victorian Health Commission during the dinner adjournment, because they will find that the figures about which the Hon. Dr Cornwall was talking were contained in a Victorian survey.

The Hon. Jennifer Adamson: Victoria, you say?

Mr HEMMINGS: I knew it. I have little asterisks on my notes. The Minister was going to say 'In Victoria', but the survey also revealed that the problems that the working party found in relation to South Australia also exist in Victoria. It is a fairly good and accurate guess to say that the problems in Victoria are the same as those that exist in South Australia. However, the Minister will probably say that those problems relate only to Victoria.

Even if there was not conclusive proof of those problems in Victoria, one can see from page 6 of the working party report, table 2.6 (which is based on the use of radiology according to health insurance claims in S.A. in 1979) that there were 184 917 claims on the health insurance funds based on the use of radiology and, of those, 46 575 were carried out by general practitioners. That is 25 per cent, and represents a lot of X-rays carried out by general practitioners. There were 12 280 chest X-rays, 12 308 lower limb, 12 557 upper limb, 1 195 plain abdomen X-rays, and so it goes on.

If one considers those figures and the rest of the information in the report about the vast number of general practitioners who neither know what they are doing or, because they are general practitioners and have been granted a licence, are passing on that work to untrained assistants, one can quite easily come to the conclusion that it is possible that 20 per cent of people are suffereing excessive over-exposure to radiation. The information I have received is that this percentage has increased since 1979. More and more people are going to general practitioners for X-rays, so the figure could easily be 30 per cent. We have not had a chance to obtain those figures from the health insurance funds, but by the time the Bill goes to the other place that information may be available.

As I have said, one of the reasons why 20 per cent of patients suffer from over-exposure is that antiquated X-ray machines have been used, resulting in relatively massive exposure particularly in relation to pelvic and chest X-rays. Because the operators are unqualified, time and again films have to be duplicated, resulting in over-exposure. Many members of this House would have gone to a specialist radiographer, had an X-ray taken, been told to wait, and then been told, 'The X-ray did not quite work out. We will have to take another.' We have no fault with specialists: the report stated that specialists knew what they were doing and that their patients were given adequate protection. I would say that there is not one member in this House who has not gone for an X-ray and nine times out of ten has had to have another X-ray taken.

Mr Oswald: That is rubbish. If you mean from a specialist, you are nuts.

Mr HEMMINGS: I will not take umbrage and ask the member for Morphett to withdraw his words. I go to Benson and Partners to have X-rays taken and they are very good. They operate from the Lyell McEwin Hospital and the Central Districts Private Hospital. I can recall four occasions on which I have had reason to have an X-ray and the X-ray had to be taken again, but the one thing in my favour was that the X-ray was carried out by a specialist and, therefore, there was no danger of my being over-exposed. In 1979, 46 575 X-rays were taken by general practitioners and therefore the figures used by the Hon. Dr Cornwall would be fairly accurate.

I now come to the serious part of this debate. Notwithstanding the tardiness of the Minister and the Government in enacting legislation to cover the medical research and scientific applications of radiation apparatus, the Opposition is generally satisfied with the provisions dealing with those areas, as I believe would most members on the Government side. Our main opposition is related to the field of uranium mining and the safety and protection of workers. Consequently, our amendments deal specifically with this industry and that protection. I believe that the attitude of this Minister and the Government which she represents was summed up on page 3280 of *Hansard*, where the Minister made the following statement prior to the explanation of the clauses of the Bill:

> The Government presents this Bill to you as the framework, the foundation upon which a detailed system of controls can be constructed. It is not the end-point, but the beginning of a process which will result in the establishment of comprehensive legislation. The Government believes that this Bill is evidence of its commitment to ensuring that the public of this State is protected from the potentially harmful effect of the ionising and non-ionising radiation-related activities, while allowing those activities which provide positive net benefits to the community to occur.

They are fine words but, in effect, what the Minister is saying is, 'Leave it to us, rest easy: all your fears are groundless, there is nothing more to worry about; we will do it all by regulation; this is the framework; we are not going to tell you what we are going to do, we are not going to tell you exactly what is going to happen, but we will do it by regulation, if and when such regulation is necessary.' The Opposition's attitude is contrary to that of the Minister. We maintain that an important Bill such as this should spell out here and now quite categorically the precise health and protection parameters that the State insists on to protect our workers if companies want to mine uranium in South Australia.

We do so because if (and again I remind honourable members that it is a big if) uranium mining should ever proceed in South Australia, these mining companies will know exactly what they are up for as far as worker protection is concerned. The point has been made by Parliamentary Counsel that the Roxby Downs (Indenture Ratification) Bill and the indenture override the provisions of the proposed legislation before us. The Minister did not tell us that in her second reading explanation. This Bill was to provide the protections for all the workers, but we are advised the Roxby Downs (Indenture Ratification) Bill overrides all the provisions in this legislation. Who is trying to kid whom? Even so, the Opposition does not believe that that is a valid reason for not proceeding with our amendments, because this legislation will apply to other mining ventures involving radioactive ores, uranium, especially, and to name just two, there is Honeymoon and Beverley, for which, as far as we

know, indentures do not appear to have been contemplated at this time.

In the Minister's second reading explanation, apart from the usual pro-uranium stance taken by many people concerning radiation from the soil, radiation in houses and in aircraft, and all that kind of thing that we read about all the time (I am waiting for the time when Johnny Green's journal gives it all to us in pictures), the Minister quoted an extract from a publication *Living with Radiation*, issued by the National Radiological Protection Board of the United Kingdom, as follows:

The radiation effects of greatest concern are malignant diseases in exposed persons and inherited defects in their descendants. The risk of such effects is related to the dose of radiation that persons receive. Risk factors can be estimated: these measure the probability of human costs, which should be balanced against the benefits of practices that cause exposure.

Where the balance lies is a matter for representative institutions, since society must bear the costs. Radiological organisations may make recommendations, but it is for Governments to decide on the acceptability of a practice and the degree of protection to be enforced.

That material clearly states that organisations can advise Governments as to what level of protection can be insisted upon, but, as is stated quite clearly (and the Minister must agree with it), it is up to the Government to decide what degree of protection shall be set. This Government is committed to uranium mining and, therefore, the onus is now on the Government to decide on the acceptability and degree of protection to be enforced. The Minister then went on to deal with the International Commission on Radiological Protection. She said that the commission is:

. . . an autonomous scientific organisation which has published recommendations for protection against ionising radiation for over half a century. The present scheme of radiological protection is based on the system of dose limitation recommended by the I.C.R.P., the three central requirements of which are as follows:

1. No practice shall be adopted unless its introduction produces a positive net benefit.
2. All exposures shall be kept as low as reasonably achievable, economic and social factors being taken into account.
3. The dose to individuals shall not exceed the limits recommended for the appropriate circumstances.

Further, in the second reading explanation the Minister referred to the report of the Select Committee of the Legislative Council on uranium resources (page 3278 of *Hansard*). The Minister stated:

Radiation protection is a highly complex and specialised field. Any legislation which seeks to ensure that a high standard of protection is adopted in all uses of radiation will not only reflect that complexity, but will need to provide flexibility so that it is capable of embodying the most up-to-date standards and principles.

I stress the words 'up-to-date standards and principles'. The Minister further stated:

This need was, in fact, recognised recently in the Report of the Select Committee of the Legislative Council on Uranium Resources.

I refer now to what the Select Committee stated regarding the embodiment of the most up-to-date standards and principles for protection of the workers. It gives me great pleasure to quote from page 166 of the Select Committee's report. This part refers to the conclusions and recommendations of the minority report of the committee.

Dr Billard: That's not the committee's report.

Mr HEMMINGS: I will quote the majority report in a minute. The minority report stated:

Alpha particles in radon and radon daughters constitute a major hazard to the lungs of uranium miners. The current levels of exposure accepted in the Australian Code of Practice for the Mining and Milling of Ores may be up to four times too high. They should be urgently revised, based on the 1980 NIOSH (National Institute of Occupational Safety and Health) study.

The member for Newland stated that I was not referring to the majority report. Let me now refer to the majority report. The honourable member may wish that he never made that interjection, or perhaps it simply proves that he has never read the report. He is always telling us that he is so keen to see uranium mining carried out in South Australia, but he has just shown his ignorance. He does not even know what the majority report of the Select Committee states concerning the levels of safety adopted by the I.C.R.P. on page 48, it says:

The maximum permissible exposure level of four working level months per year was based on a 1971 report by the United States National Institute for Occupational Safety and Health which had conducted the study of uranium miners of the Colorado Plateau. At that time it was thought that the risk of lung cancer for smokers was greater than that for non-smokers. However, a 1980 NIOSH report states that there is now strong evidence that a substantial risk of lung cancer extends to and below the 130 working level months of lifetime exposure. The estimates of risk per working level month are at least two to four times greater than the estimates that were made in 1971. It concluded that there is no margin of safety associated with the present exposure standard of four working level months per year.

The recommendation to the Parliament was:

In view of the doubts cast by the 1980 NIOSH report on the adequacy of safety of the current exposure standard of four working level months per year to radon decay products, we recommend that the National Health and Medical Research Council be requested to review the maximum permissible limit of exposure with a view to recommending a reduction in the allowable limit.

That is exactly what was said in the minority report.

Dr Billard: No, it isn't.

Mr HEMMINGS: It is exactly what was said. The present level adopted by the Australian Government is far too high. This statement in the NIOSH report is rather frightening:

There is a clear indication that cumulative exposure to radon daughters is associated with increased risk of lung cancer for workers in underground mines generally and uranium mines specifically. There is also strong evidence that a substantial risk extends to and below 130 working level months of exposure. The exact magnitude of the risk cannot be precisely quantified. However, studies of underground miners occupationally exposed to radon daughters in several countries lead to the conclusion that at these levels of exposure (<120 WLM) an excess risk of lung cancer mortality is evident and of sufficient magnitude to be of major public health concern. This appears to be true for both high and low exposure rates. Animal experiments on the effects of radon-radon daughter exposure generally support observations among miners exposed occupationally. The animal data are consistent with observation in humans showing that the efficiency for cancer induction per WLM increases as the cumulative exposure decreases.

The risk of lung cancer for underground miners can also be estimated on the basis of the dose delivered to the basal cells of the bronchial epithelium. When the present 4 WLM per year standard is evaluated, in terms of the magnitude of the dose delivered and its predicted biological effect, a sense of the relative degree of protection provided by the standard can be made. Recent evaluations of the dose delivered to the bronchial epithelium and of the quality factor for alpha particles deposited on lung tissue show that estimates of the risk per WLM are at least two to four times greater now than the estimates that were made 10 years ago. This leads to the conclusion that there is no margin of safety associated with the present standard. The estimates also provide supporting evidence that miners of uranium-bearing ores are at higher risk of cancer than other individuals occupationally exposed to radiation when the allowable limits, expressed as dose, are evaluated comparatively.

If this Government is concerned with worker protection (and the Minister has gone on record as saying that she is concerned with worker protection to the same degree as she is concerned with patient protection) and if she is concerned that that protection should be given at the highest level, she should take heed of what is required now rather than wait for any change recommended by the National Commission on Radiological Protection which might be adopted by the Australian National Health and Medical Research Council.

In the opinion of the Opposition, the maximum exposure for any person involved in the mining, milling, processing or transporting of radioactive ores or uranium should be two working level months in any one calendar year or any lesser figure to be fixed by regulation. We say that in the light of the new scientific and reasearch developments that

I have just quoted. Notwithstanding this provision, the levels at any time should be as low as reasonably achievable and below this figure. We also claim that the total maximum exposure for any person involved in the mining, milling, processing or transporting of radioactive ores or uranium during a worker's working life should not exceed 60 working level months or any lesser figure that may be fixed from time to time by regulation.

Notwithstanding this provision, the level should be as far as is reasonably achievable below this figure. The adoption of those two criteria of two working level months in one calendar year or 60 working level months during the lifetime of a uranium mining worker would in no way place any financial imposition on mining companies. All it means is that the safety checks will have to be taken on a regular basis and that an adequate form of ventilation should be maintained. It will not stop mining companies from making a fair amount of money out of uranium if we are to believe what the Deputy Premier has said. What we are saying is that, by adopting those two criteria, at least the Minister can then say that her Government has enacted legislation to give maximum protection to those people who wish to work in the uranium-mining industry. Another area that we feel is rather irrelevant to this particular legislation if the Minister is fair dinkum about safety and protection is the area of mines inspectors. In her second reading explanation (page 3279 of *Hansard*) the Minister said:

> The Health Commission will be the body responsible for ultimately ensuring that all standards for radiation protection are met. Mines inspectors will be authorised officers for the purposes of the Act, and will be involved in routine, day-to-day surveillance. However, the Health Commission will set the standards, advise on their implementation and monitor and assess their effectiveness.

I do not know what training programme the Minister envisages if we are to have mines inspectors carrying out day-to-day monitoring in the mining areas. One would have thought that mines inspectors would already be trained to carry out quite efficiently the normal day-to-day rountine inspections for safety and breaches of regulations in normal mining operations.

But, one cannot take a mines inspector, give him a crash course and say, 'Right Joe, up you go to Roxby Downs and make sure that everything is fine.' If the Minister can tell us in her reply that the term 'mines inspector' remains the same, but those people will be trained and employed by the Health Commission, we might be satisfied, but the Health Commission must carry out day-to-day monitoring and extensive audit checks. One cannot say to someone from the Mines Department, 'Go up there and take your dosimeter or whatever it is and find out what is going on.' That is clearly the Health Commission's responsibility, and it should be spelt out in the Bill. In fact, the Legislative Council Select Committee said basically the same thing, as follows:

> Radon and its decayed products should be continuously monitored by an independent authority during uranium mining and milling operations. If uranium mining were ever to proceed in South Australia it would be imperative that special legislation for this purpose be enacted and committed to the South Australian Health Commission.

That is not just committed to the Health Commission: it is carried out by the Health Commission, not by some mines inspector. The Minister smiled when I mentioned the mines inspector. I suggest that she look at what is happening at Ranger. That is the fault not only of the mines inspectors monitoring it but also of the workers. Real problems exist there, because we are talking about something that cannot be seen. With all due respect to mines inspectors and to workers, if they cannot see a danger they tend to ignore it. There is interesting information which the Minister might find out about that bears out what we are saying about day-to-day checks and monitoring: that it should be carried out by Health Commission officers rather than by mines inspectors.

I would now like to deal with a point I stressed earlier with which this Bill does not in any way deal, namely, medical examinations of uranium miners. We believe that any person involved in the mining, milling, processing or transport of radioactive ores or uranium should undergo an extensive medical examination prior to commencement of that employment, with particular regard to pulmonary functions. We also maintain that any person who continues to be employed in the mining, milling, processing or transport of radioactive ores should undergo the same extensive medical examination annually.

We also believe that the employer of any person involved in the mining, milling, processing or transport of radioactive ores or uranium shall keep comprehensive records of his employees, including details of their medical records and examinations. A register of employees should be kept. It should be updated annually and should include all employees, whether currently employed or have left the industry. We have good reasons for that view. If by chance anyone is going to say it cannot be done, I suggest that he look to what has happened in Canada and in some parts in America where extensive medical examinations are carried out and records kept.

One of the things that gives credibility to what we are arguing is the problem at Radium Hill, where evidence was found that miners had suffered from cancer and that the number of deaths was greater than the norm. Of course, the argument then put forward was that it was impossible to trace these people in order to ascertain whether there were others because they were scattered all over Australia. We are saying that, if uranium mining ever does come to this State, there should be some means of keeping a register and being able to check on whether their health has deteriorated. The other area, on which I shall touch later, is workers compensation. We believe that that should still apply in this area, even if the person has left the industry and it was proved that the cause of death or disability was due to cancer which was contracted whilst one was working in the uranium mining industry.

Referring to the committee, we find two important omissions, one in the area of radiation genetics. I always end up by making a fatal mistake, at one time praising the Minister, so I might as well get it over with quickly. The Minister has gone to great pains to state that the Radiation Protection Committee will include different categories of skills and qualifications apertaining to the uranium mining industry and other related radiation activities. There are two areas, to one of which I referred, namely, radiation genetics, as well as a person with epidemiological expertise. We feel that this is very important because, despite the most stringent protection safeguards in the area of diagnostic radiography, which we now have, there could still be problems. Radiation genetics is one field that the Radiation Protection Committee should have at its disposal.

Again, in the area of epidemiology that would provide someone who could foresee trends associated with illnesses. The Minister should, for idealogical reasons, consider seriously the inclusion of these two fields of expertise in the radiation protection industry, although I fear that most of our amendments will be thrown out.

Another matter is health checks to be carried out by Health Commission officers in uranium mining, milling and processing. We feel that the onus should be placed on the employer, not the Health Commission, to provide any apparatus or device necessary for measuring the amount of ionising radiation to which an employee has been exposed. With the Minister's zest for cost cutting, I am sure she will

agree with me on that. It is not the responsibility of the Health Commission to provide the equipment for checking the safety and standards at a particular mine site; it is the responsibility of the employer to provide that equipment, although the checks are carried out by Health Commission officers. In other areas of activity that does take place, the company must provide the measuring apparatus. It may not carry out the checks, but the provision and the calibration should be the responsibility of the employer.

I will deal now with one area that has never been mentioned. I do not think it was ever mentioned in the Select Committee report. I refer to industrial awards. Some frightening information has come from the United Kingdom and Japan, where casual workers were given part-time employment in hot areas of nuclear reactors. These people were put in there for a period of, say, one month or six weeks and exposed to a high level of radiation. Unfortunately for them, they received the yearly dose in a space of a six week to 12 week period. This happened in the United Kingdom. A report clearly showed that in the metal working industry, especially in the maintenance field, people were going into hot areas. Casual workers were being exposed to high levels of radiation and then being laid off with no chance of any compensation.

My colleague the member for Albert Park will be elaborating on the situation in Japan, where people were taken out of the slums to work in the nuclear reactors, exposed to a high level of radiation and then gently eased out. Of course, the levels to which they were exposed met the criteria of the I.C.R.P. but instead of getting it over a four-month period, they got it over six weeks. That is one apsect. I am not saying that that situation will occur. However, what will happen if a worker, due to some unfortunate incident, is over-exposed to a degree where he can no longer be employed at that mine. What happens then? According to the Minister's second reading speech there is not one mention of that. One should take the traditional factory scene: one is working in an area where one suffers an injury. That person is transferred to a lighter area, or even goes out and trims or waters the garden. He is given some form of alternative employment within that industry.

What provision is there here to say that any worker who is going to be over-exposed and can no longer be employed in that area in which he was engaged previously? What will happen to him? There is nothing there at all; there is no industrial legislation to cover that. These are the Minister's words: we are talking about the project protection of those people engaged in related radiation activities. Where is there any provision for workers who fall into that category? What are the provisons for those people in relation to workers compensation? What about the person who may have left the industry after five years and the results of working in that kind of environment comes through and shows themselves? Again, there should be a provision, or the Minister at least could signal in the second reading speech that the Minister of Industrial Affairs should be bringing in legislation to cover those workers.

It is important not only that people should be protected in their day-to-day working in uranium mining but also that they should be protected from those accidents that can occur outside the normal range of industrial accidents. I mean those people who five or 10 years later would suffer some form of cancer that would disable or kill them. There should be some workers compensation for their wives and families. That is not far-fetched. One should read again the report of the Select Committee, which I am sorry to say the majority of those members on the committee chose to ignore. However, my colleagues, the Hon. Dr Cornwall and the Hon. Mr Foster, referred to it. Their recommendation was:

> If uranium mining were ever to proceed in South Australia it would be essential that concurrent legislation be introduced for long term workers compensation claims relating to genetic damage and long-term cancer risks. Such claims should extend to spouses and children. A long-term indemnity fund should be established through the State Government Insurance Commission.

That does not seem to be asking too much. If a person is to get the highest form of protection while he is working, that protection should be carried on until he leaves the industry, or it should be included if the cause of over-exposure makes him leave the industry.

When one looks at the submission from the South Australian United Trades and Labor Council (the governing body of all the trade union movement in this State), one sees that some of the people on the governing body could possibly support the mining of uranium. So, it is not really an anti-uranium group of people. The Trades and Labor Council put the following points before the Select Committee:

> Consideration of the safety of workers involved in the mining and milling of uranium in South Australia leads to the conclusion that such mining cannot be justified under present circumstances.

That is talking only about the safety of workers, not about the political scene. It goes on:

> The Australian Code of Practice on Radiation Protection in the Mining and Milling of Ores is inadequate.

Again, it is dealing with the safety of workers. It continues:

> Arriving at a level of worker hazard or safety based on a 'socially acceptable' criterion is morally questionable. Any exposure to ionising radiation carries a risk of ill effects. The hazards of uranium mining make it an extremely dangerous occupation. There are far higher levels of lung cancer found among uranium miners than would be expected statistically either in the population at large or among miners generally.

The report went on to say that the Trades and Labor Council was particularly concerned about the special problems of workers compensation if mining should proceed. The report states:

> If mining were to proceed the T.L.C. submitted that the Select Committee should 'recommend with vehemence that concurrent special arrangements (should) be made for the compensation to miners as they develop in the future the diseases which a large proportion of them will.'
>
> '. . . we would insist that a fund be set up within the S.G.I.C. to provide for full compensation . . . actuarily structured to provide full compensation beginning at periods 15 to 25 years in the future.'
>
> The T.L.C. also recommended that legislation be introduced to cover the risks of genetic disability under an S.G.I.C. fund. They suggested that the Congenital Disabilities (Civil Liability) Act in the U.K. should be studied.

It has been proved in the United Kingdom that workers who suffer some genetic disability can be protected, and one would have thought that when the Minister was preparing this Bill—and we have had since April 1980 to look at it—perhaps this point would have been considered. I think it is relevant that matters dealing with industrial awards and workers compensation have not been considered in any way.

We intend to move amendments to cover this point. I hope that a spirit of co-operation and compromise will be evident across the Chamber on this important Bill, so that we will get some co-operation from the Government in this area. I think I have adequately covered most of the Opposition's views on the Bill. We support the second reading in the hope that, in Committee, we can effect some reasonable amendments.

Mr TRAINER (Ascot Park): I should like to comment, in my case briefly, on some aspects of the Bill, and in particular its method of introduction. The two aspects I would like to consider are these: first, why has this Bill been introduced at this point, and why has there been this callous delay when the Minister has had the report for two years; secondly, why is the Bill attempting to cover mining

as well as radiography, and why has it attempted to cover both areas in the one Bill, especially since, in attempting to cover both areas, it does so inadequately, not spelling out adequate safeguards in the mining industry?

That inadequacy is significant, and its significance is like that of the watchdog that did not bark in Conan Doyle's novel *The Hound of the Baskevilles*. In that novel, the giant wolfhound did not bark, as was its duty as a watchdog, on the night of a certain crime, and that was significant: it signified that the perpetrator of the crime was not a stranger. What this Bill does not do is similarly significant. It says much about diagnostic radiation, but very little about the mining and milling of uranium. The significance of that is that it symbolises this Government's disregard for working men and women. Apart from at election time, the Party opposite alternates between apathy and antipathy to working class people and their political and industrial organisations. Members opposite do not truly represent working people, nor do they understand them. They do not particularly care for workers in the field of radiography nor for the consumers of radiographic services, and that is evidenced by the callous delay in the introduction of this Bill, as well as the way in which the Bill attempts, unsuccessfully, to cover both areas.

I shall comment briefly on the mining area, although that has been adequately dealt with by the member for Napier. It is true, as has been pointed out, that the Roxby Downs indenture and the indenture Bill override the provisions of this legislation. However, that is not a valid reason for not proceeding with these amendments. First, this legislation applies to other mining ventures that will not be covered or are not, apparently, about to be covered by indenture Bills—areas such as Honeymoon and Beverley.

A second reason is that this legislation, in spite of its inadequacies, is likely to be passed by both Houses of Parliament within the next few days. However, the indenture Bill for Roxby Downs might not be carried for some time, and in fact might not be carried through at all. Lastly, the levels of radiation protection envisaged in the Roxby Downs indenture Bill are based on the Australian code of practice for mining and milling radioactive ores and uranium. The levels of protection in that case are based on 4 WLM annually and 130 WLM lifetime exposure. According to the most recent overseas work, these levels are from two to four times above the level of exposure that should be allowed.

In any case, the Minister's second reading explanation does in some areas concede that there is a case for separate Statutes to cover the two areas of radiation, the diagnostic area and the worker protection area, particularly in the mining industry. In her second reading explanation, the Minister stresses the need to update the 1956 legislation, which is so much out of date now, and one cannot disagree with that.

Mr Lewis: Why didn't you do something about it in the last Parliament?

Mr TRAINER: The member opposite is showing his ignorance of the fact that this legislation is a result of action taken by the last Minister of Health in the Labor Government, the member for Elizabeth.

The Minister in this Government pointed out that the 1956 legislation could not be expected to deal with advances that have taken place since 1956, and one cannot disagree with that. She pointed out that a number of other States have also recognised the need for review, and that approaches have varied from one State to another. In some States there are Statutes dealing with standards and procedures in relation to medical, industrial and scientific uses of radiation, which is the path, apparently, that she is following. Separate Statutes in some instances deal specifically with the practice of radiography and separate Statutes again deal with radiation standards and procedures in relation to uranium mining and milling. She has given no clear explanation of why we should have approached that differently in South Australia except that, further on in the second reading explanation, she refers briefly to allegations that 'the same standards have to be applied and observed across all areas involved with radiation, whether they be medical, research, scientific, industrial, mining, or milling'. Yet it has been pointed out that that is not so. The type of radiation involved in the two areas is different. Alpha radiation, which is particle radiation, is quite different from the electro-magnetic gamma radiation. The member for Napier expanded at some length, and most successfully, on that point, but for some reason the Minister has seen fit to attempt to cover both areas.

I suggest that the Bill is very strongly connected with the Roxby Downs indenture. I think there is no mistake about that. The Government opposite has its eyes fixed on this economic El Dorado, and we have heard figures relating to jobs, and so on. As far as election issues are concerned, the Government has only this one feather to fly with, and that is Roxby Downs, and it will flap that as hard as it can. It has all its hopes pinned on that, because in every other issue, including leadership, economic performance, anything we care to mention, this Government is badly lagging behind, and it has this one and only hope. It is prepared to risk worker's lives and health for that purpose.

It is interesting to see how attitudes can change, how in certain circumstances it can be immoral to take actions that would in some way put people at risk for economic purposes. I draw attention to a contradiction in the Minister's attitude in this regard. I refer to a letter she wrote to the *Advertiser* management in August 1979, strongly condemning the Griffin Press for allegedly publishing pornography. She said:

> Whatever the cost in financial terms, I urge you to cease publishing pornography. Arguments about diminished profit and employment opportunity within Griffin Press are spurious if they use pornography as their justification. Such arguments imply that any means can be used to achieve economic ends.

That is the approach that the Government is taking with respect to matters related to radiation and the risk from uranium. The Government is prepared to put people at risk for what it believes are economic ends. The most tragic aspect is that it is for nothing, because the economic gain to which the Government has directed itself does not exist.

In recent years a great deal of attention has been paid to some of the risks associated with diagnostic radiography, even as far back as 1975. This is evident from newspaper headlines. In the *Advertiser* of 23 January 1975, there was the headline 'Lead apron urged for teeth X-ray', under which a physicist suggested that people should demand a lead apron when having teeth X-rayed. In the *Sunday Mail* of 24 August 1975, there was the headline 'X-rays kill 20 in Australia a year'. On 3 May 1977, under the *Advertiser* headline 'X-rays often used needlessly—expert', there was a comment from the Chief Radiographer at the Geelong Hospital as follows:

> . . . radiographers had to use X-rays at the direction of doctors, and they had no control over this situation. People being irradiated risked direct damage by X-rays and genetic damage . . .

Further, on 9 March 1977, under the headline 'Women get warning on X-ray tests', it was stated:

> Periodic X-ray tests for breast cancer might cause more deaths than they prevented . . .

On 3 May 1977, under the headline 'Doctors ordering unnecessary X-rays as protection', an article in the *Australian* pointed out that it is a common practice for doctors to order X-rays for patients merely to protect themselves

against their being sued. I could relate a series of horror stories, such as the case of the 42-year-old father of two who was crippled from the waist down after being X-rayed for a kidney complaint, as reported in the *News* on 20 June 1978. A dreadful case was reported in the *Advertiser* of 6 December 1978. Under the headline 'X-rays injured baby's brain', it stated:

The brain of a lively, four-month-old girl had been 'blown' during an X-ray examination at St Vincent's Hospital, the Supreme Court was told yesterday. Mr B. Thomson, QC, said evidence would be given that the baby, Angela Moore, had become 'like a rag doll with no control of her limbs at all'.

The mother had been told Angela would 'probably be like a vegetable, mentally-retarded and spastic'. Mr Thomson said the baby was having a brain X-ray because of the abnormal size of her head.

A doctor had said 'something terrible' had happened while the X-ray was being done. This doctor also had said after examining the X-rays that the size of the baby's head probably was hereditary.

A whole series of horror stories like that are available in the literature. On the very day on which this Government came to power (15 September 1979), in an *Advertiser* article that was previously referred to by the member for Napier under the heading 'The X-ray danger', Barry Hailstone spelt out the facts in great detail. Before this Government came to power, an attempt to find a remedy to those drastic dangers had been put in train. For example, an *Advertiser* article of 20 August 1979, under the heading 'Duncan orders X-ray inquiry', stated:

An inquiry into the use of X-ray equipment in South Australia and the licensing of operators has been ordered by the Minister of Health, Mr Duncan.

It is almost three years from that date. About 12 months ago, a Mr Robert George, the Federal President of the Australian Institute of Radiography in Adelaide, complained about the delay. In a letter to the Editor on 27 April 1981, he pointed out the following:

It was interesting to note the remarks of Dr Cornwall and Mrs Adamson regarding the report and recommendations of the working party of human diagnostic radiography, as established by the former Minister of Health, Mr Peter Duncan.

While acknowledging the difficulties in preparing new legislation, it does seem surprising, in view of the apparent consensus of both Parties, that action has not been a little quicker on this important issue.

Mr Hemmings: The Minister was calling for names as well.

Mr TRAINER: That is right. It was further stated:

There has been considerable inconvenience to a number of people over the past 18 months.

Another 12 months has passed, and it is now over two years since the Minister has had a chance to take action. There is something significant—something peculiar—in this timing. It smells of a typical political stunt from the Minister. One could refer to a series of cunning stunts involving the Minister continually posing for photographs. Apart from the T-shirt stunt, which was in stark contrast to the Minister's attitude in regard to other types of advertising, the most typical stunt would be the Minister's posing in a lung or an artery in imitation of a clot—a sort of thrombotic photograph.

The Minister can always be relied on to bring up some kind of diversion when it is politically necessary. The method in which this Bill was announced was typical of that conduct, as the member for Napier pointed out in regard to the December 7 article which referred to 'the girls' drawing up the proposals.

That is typical of the sexist put-down to which the Minister claimed she is opposed. Why was there a stress on women in that article? It was because the Minister knows the concern of women on matters relating to radiation. Women are more concerned with genetic effects, particularly women of child-bearing age. By that method of press release, the Minister cynically exploited the situation to try to get an extra headline. That is typical of the sort of cunning stunt that the Minister is prepared to bring up at any time.

She has callously kept the community waiting for two years so that this legislation could be introduced hand in hand with the Roxby Downs legislation. During that time, things have continued to go wrong. As was stated in the *Australian* on 31 July 1981 in a front-page article under the heading 'Medical radiation caused 20 leukaemia deaths', the Hospitals Radiation Technologists Association of Victoria pointed out that 'patients had been exposed to up to 100 times the recommended radiation levels by unskilled doctors who are motivated by the high financial return from X-ray treatment'. Delays were experienced in Victoria, similar to the delays that are experienced here. It was further stated:

The association's Victorian branch has called for the disbanding of a State Government committee investigating radiation dangers, claiming it is controlled by vested interests operating in secrecy . . .

The Victorian Radiation Technologists Association at that stage was taking selective industrial action against hospitals over the refusal to register its members. That association wanted to have its members registered and believed that legislation would safeguard patients and end medical profiteering. It was pointed out that a doctor only has to wheel out his machine and take two X-rays a day and he has earned enough to pay the salary of his nurse. However, the Minister delayed. It is not unusual for the Minister to delay until she can get maximum political value from an action. A letter that appeared in the *News* last year stated:

I find it disturbing that Mrs Adamson can reply in six days to a letter in your newspaper concerning lack of services at Flinders Medical Centre when my local member for Parliament wrote to the honourable Minister on my behalf on the same subject on 2 February 1981 and has not yet received a reply.

That letter, anonymously signed 'Another concerned citizen', was dated 13 April 1981.

Mr Lewis: You wrote it.

Mr TRAINER: No, I did not. That person came not from my area but from Seaview Downs, and would have been a constituent of a Government back-bencher. The Minister is so sloppy in her approach that she took two months and had not even replied to a Government back-bencher who complained about the Flinders Medical Centre. However, when something appeared in a newspaper and there was political mileage involved, the Minister replied in six days. That is typical of the approach of the Minister and of the Government in general. This is government by political stunts. The Minister has used one long series of stunts for political mileage.

An honourable member: There's one coming up tomorrow.

Mr TRAINER: Tomorrow is another example. We have seen political stunts day after day. The Minister takes time with her replies and in dealing with problems or Bills. She even takes time to deal with correspondence from Liberal back-benchers. I presume that Seaview Downs is in the district of the member for Brighton, and the Minister even takes time to respond to that honourable member. But in the case that I cited previously, she rushed out to respond to a letter to the Editor. This is government by political stunt, and this Bill is no exception.

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

Mr OSWALD (Morphett): This Bill, if passed by the House, will increase the protection of all workers and the public from the potential effects of low-level radiation; that is what this Bill is all about. We have some protection under the regulations under the Health Act which cover the use of X-ray equipment and radiological substances, but this Bill expands on that protection not only by referring to X-ray equipment and other radiological substances used in medical treatment but also by expanding its influence to

include the use, possession, storage, transport and milling of radioactive ores associated with such activities as power generation and the mining industry.

This Bill is a first in South Australia in that the Government has addressed itself to recognising that radiation dangers as they affect various industries do exist and that such dangers can be looked at in isolation; they can be addressed in both the mining sector and in industry, and they can be addressed in the field of medicine, which theme I shall develop in a moment. The Bill comes to grips with the fact that dangers from radiation in a nuclear power station are the same as those associated with radiation in a radiological laboratory in the Royal Adelaide Hospital, and are the same dangers that are found in milling plants associated with a uranium enrichment plant. In all cases it is possible to provide scientifically correct readings of the radiation present and, knowing the source of radiation, it is also possible to implement controls and safeguards that will protect all people in contact with potentially dangerous radiation. I emphasise the fact that all people can be protected—those involved in medicine, industry or in the mining sector.

In its policy the Labor Party has tried consistently to separate the issues of radiation associated with mining and radiation associated with medical treatment and the use of X-rays in industry. The Opposition continues to argue that radiation associated with mining and milling of uranium is dangerous, because there are no known safeguards to protect workers in both the mining and processing operations, or those working in the enrichment process. On the other hand, members of the Opposition would go before an X-ray machine and receive massive doses of low-level radiation, highly dangerous radiation, without so much as a murmur. They do this because they know that safety precautions have been taken for their protection—safety precautions that apply to the operator and, to a lesser extent, the patient.

What members opposite do not tell the public is that in such cases the same type of radiation is being dealt with as that which is associated with uranium related activities and thus the same safety precautions can be used in the mining, milling and enrichment of uranium. This applies also to those who are in contact with a power station. The same types of safeguards can be applied to the mining process as those which are provided to render X-ray equipment safe in the fields of medicine and industry. If any member opposite was asked if he would refuse radiation treatment for a cancer if that treatment would prolong his life, the answer of course would be 'Yes', and of course a person would not mind going for that treatment. That person would know that low-level radiation, if used correctly and under control, is a great asset to the community and is something with which we live quite happily and cannot do without.

Members opposite would accept a dose of radiation from medical X-ray equipment because the use of such equipment is controlled, because certain safeguards exist, and because they would be happy in their own minds that the operators of the machines had been trained and that they would look after the welfare of their patients. Why then is it not possible to lay down certain safeguards that will protect all workers—plant operators, miners as well as doctors, X-ray technicians and patients? Of course it is possible to lay down ground rules which cover all aspects of the duties of those who come in contact with low level radiation. This Bill achieves that aim and the Government, I believe, should be applauded for the initiative in bringing together the whole aspect of dangers associated with radiation, putting them together and providing controls for them under one Bill.

I want to compliment the authors of the working party report that was commissioned by the former Minister of Health. Throughout the report the theme of the type of logic that I have outlined comes through. I say again for the benefit of members opposite that we are talking about medical and industrial radiation and comparing it with the mining and milling of ores. We are talking about the same type of radiation, that is, ionising low-level radiation as it exists in mines, dental surgeries, laboratories and industry, where radiation is used even to X-ray the propellor of an aircraft for the purpose of detecting fractures in the metal to ascertain whether there is any metal fatigue which could later cause damage. There is a host of uses, all of which are dangerous and need to be controlled, but all of which are controllable.

No-one suggests that there are no harmful side effects from radiation: it is a medical fact of life that uncontrolled radiation is harmful to humans and that they must be protected from it. I do not deny that—no one denies that. Human beings must be protected from exposure to unnecessary and excessive radiation. That is the key to this whole debate, that is, the protection of the public and workers from exposure to unnecessary and unacceptable levels of radiation with which they may come in contact.

The Bill sets out the enabling legislation to ensure that not only that controls in industry and medicine are tightened concerning the use of existing radiation equipment and sources, but also that these controls are extended to the mining sector. We live with, and are quite happy to do so and accept, the safeguards set down for the use of low-level radiation in industry and medicine, and these very stringent rules are being applied, by the provisions of this Bill, to the mining sector to ensure that mining and milling can proceed and that those workers involved will have the same protection and peace of mind as an operator of X-ray machinery in the Radiography Department of the Royal Adelaide Hospital.

The controlled use of radiation is one of the greatest hopes for mankind, and for a screen to be put up which poses fear in the mind of the public that we are dealing with radiation which is something to be dreaded is a most dishonest thing to do. The community cannot do without the use of radiation; it is absolutely vital to our welfare. However, I repeat that it is the same radiation, whether it be present in a hospital, a power plant, or a plant in industry that X-rays the propellor of an aircraft, or wherever and, therefore, it can be controlled. If it is acceptable in medicine, we can control it and make it acceptable in other facets where workers are involved.

It is an inescapable fact that the world is locked into the development of the peaceful use of low-level radiation. We need it in industry; we must have it for power generation to avoid polluting the surface of the earth with acids from fossil fuels, and we cannot do without it in the field of medicine. It is absolutely vital that we continue with the development of the controls and use of this type of radiation.

When is the Labor Party going to wake up to this simple, clear, logical fact and stop trying to snow the public into believing that it is dangerous on the one hand but on the other hand it is totally acceptable?

They know the story. I wish they would come out and be a little more honest in their approach to this very important matter. The Labor Party, I believe, is guilty of using the word 'radiation' well out of its true context to cause fear and anxiety in the minds of the public. Members opposite have put abroad a fear of the growth of radiation resulting from uses other than peaceful uses by associating radiation with a proliferation of nuclear weapons. It is very easy to sidetrack the public debate on the use of low-level radiation and to start talking about the proliferation of

nuclear weapons. But it is a rather dishonest approach when we consider how much we need to use low-level radiation for the good of the public. Both this generation and future generations are going to have to live with artificial radiation, and that is radiation produced by us as against naturally occurring radiation.

If the Opposition were more responsible, it would be persuading even its fringe left, which mainly pushes this line, that it would be better off not pursuing the fearful, scare-mongering approach to radiation, but bringing home to the public more the reasons why low-level radiation is with us, why we have to live with it and how we can live with it quite safely, provided that certain controls are implemented and laid down by an authority which knows what it is talking about, an authority which the committee referred to in this Bill will set up.

The public is told that it is surrounded by natural radiation and that it is around us all the time. One honourable member earlier referred to this, and he was quite right in saying that it is there. It is in the sun, in outer space, and in our food. It is in the air—if we go to Sydney we are exposed to quite a high level of radiation. No-one complains about that. It is in granite, in the soil, in the food and water that we eat and drink—not in dangerous quantities, but in quantities which, if we come into contact with artifical radiation, have to be taken into account by adding to what we are exposed to artificially. However, again, we have means of controlling and measuring it. Therefore, there is no reason why radiation should be feared by members of the public. A responsible Opposition would inform the public that artificial radiation in industry and medicine is dangerous but can be and is being controlled.

I could hope that all members would agree that society wishes to continue with the controlled use of radiation in industry and in medicine. I really believe that this is the case. Society accepts the use of radiation. It does not readily accept that it is uncontrollable. I believe that there have been some red herrings introduced to us tonight about the fear of the workers associated with it. The workers know that radiation can be controlled and measured, and that we will take precautions against anything happening to them.

I do not want to be too repetitive, but it is the crux of this whole public argument. We are talking about the same radiation, whether it be in the radiology department of the Royal Adelaide Hospital or in a nuclear generator. This Bill will ensure that the same safeguards apply and that workers, regardless of the industry or employment, will receive the same levels of protection. The International Commission on Radiological Protection (I.C.R.P.) has been publishing recommendations for protection against ionising radiation for some 50 years. Radiological protection is based on a system of dose limitation recommended by the I.C.R.P., and these recommendations have been adopted in Australia by the National Health and Medical Research Council. The Tonkin Government endorses the recommendations of that system on dose limitations which set strict standards on what dosages are dangerous and what dosages we must keep below if we are in contact with any source of danger.

This Bill is an acknowledgement by the Government of the need to update the State's legislation to provide further protection for the public against harmful effects of activities associated with radiation. It is also an acknowledgement that the dangers associated with radiation are present across the board and that it is necessary to have a common Act to protect the public in hospitals and diagnostic clinics, as well as workers in industry.

I would like now to turn more specifically to radiation as used in medicine. The present regulations tend to provide various levels of protection for the operators of the X-ray machines, but they are not always in the interests of the patient. It has been said earlier tonight that the working party's document was produced some two years ago, but this has been taken into account, and I think that the debate has drifted off once again along the wrong line, because by administrative action since that report was produced the commission has been able to come to grips with that problem and do something about it. It is ridiculous to say that the Government has been blind to the problems associated with the use of old X-ray equipment. It has not been blind. It has taken administrative action, and now we see the culmination of that action incorporated in the Bill so that the problem can be attended to.

This Bill, by its very nature, provides for an expert committee which will make recommendations to update controls on human diagnostic radiography, making the use of X-ray radiation safer for both the patient and the operator. Certainly, it has been safe for the operator. It has been pointed out that in years gone by there has been a doubt regarding the dosages received by the patient, but that doubt has been resolved, and the commission and the committee will set up standards of exposure to ensure that the patient does not have any radiation in excess of what is absolutely acceptable under those standards.

There does exist in South Australia a need for greater controls over both the operators of equipment and the ionising and non-ionising apparatus itself. It is interesting that all submissions received by the working party on human diagnostic radiography, which was set up by the former Health Minister in August 1979, were unanimous on this point of view. All the submissions were primarily concerned with the health and safety of the patient. This has now changed in emphasis, because in the past it has been the operators who were protected, and not much work had been done concerning the dosage in units of radiation which the patients were receiving from X-ray apparatus. That matter has now been addressed and corrected in this Bill. No longer will we see in radiology departments a danger of patients having to accept more than is an acceptable dose of radiation at any one time.

When controlled, radiation is not dangerous, and radiation does therefore contribute to well-being. It is important in the development of medicine, science and industry, but it is harmful to human beings if over-exposure occurs. No-one denies this, and human beings must be protected from unnecessary and excessive exposure. Once again, this Bill achieves that aim. The regulations under the Bill will provide environmental protection for the health of workers and the public from the harmful effects of radiation. We will be able to ensure that high standards of radiation protection and control are implemented in all activities now associated with radiation. Clearly, when we talk about radiation and protection and control, we must use the same standards for all areas involved, whether it involve mining, medicine or industry.

This Bill clearly demonstrates, I believe, the Tonkin Government's commitment to ensure that the standards which apply in the radiological laboratories now will apply right across the board. In the past, measures to protect workers and the public have been incorporated into the Health Act, but it was the recommendation of the working party that such measures be now incorporated in their own Act, and this Bill achieves that aim.

Division II of the Bill refers to the issue of licences to operators and to their equipment, and also provides for the registration and control of the apparatus. The only way that the Health Commission will control inappropriate techniques and unsatisfactory apparatus with which we have had to contend over past years as the apparatus has become more sophisticated is by improved education and licensing of operators. This had the total endorsement of the A.M.A.

and appeared right throughout the working party's report, in which there was a general acknowledgement of the lack of expertise, if you like, amongst certain technical operators. In future this will not be permitted.

Clause 29 of the Bill allows the commission to control apparatus in the interests of the patient. This is terribly important and perhaps a new approach, but it is in the interests of the patient as well as the operator. It will allow controls over everyone involved in medical X-rays from the time the X-ray is authorised by the medical practitioner or the specialist through to the actual operator who takes the X-ray and to the technician who actually develops the print. I would like briefly to refer now to the report on the subject of control and the need for control among the profession. The working party states:

> It is our belief that inappropriate technique in radiography is best controlled by the improved education of operators so that they are thoroughly familiar with their equipment, its uses and limitations. The proposals outlined in the report, to limit the actual operation of irradiating apparatus to persons who have demonstrated an understanding of it and competence in it use, and moreover to limit the range of use according to the scope of the operator's competence, should result in a considerable reduction in inappropriate technique.
>
> In recent years there has been increased emphasis around the world on the long term hazards of low dose radiation, and there is now general agreement that efforts should be made to keep all doses of radiation to levels which are 'as low as reasonably achieveable, economic and social factors being taken into account'. This is known as the ALARA principle. It requires that the patient, in addition to the operators and members of the public in the vicinity, should be taken into account. The International Commission on Radiological Protection (I.C.R.P.) emphasises that careful attention to techniques and equipment is necessary to minimise radiation exposures.

It is interesting that this ALARA principle, whilst the working party refers to it in a medical context, can also be applied to the mining sector, as well as in the street and anyone in contact with low-level radiation in power generation. The report continues:

> It is well recognised that medical diagnostic radiology contributes far more—

this is important—

> than any other man-made source to man's exposure to radiation; typical estimates of average annual radiation doses to the population are approximately 70-80 millirem from medical diagnostic procedures compared with less than 10 millirem from all other man-made sources combined. Natural background radiation results in an average dose of about 100 millirem per year.

It then goes on to say:

> While it would be extremely difficult to embody the ALARA principle in legislation, it should be possible to introduce controls on apparatus which would result in a significant reduction in patient dose.

That is exactly what this Bill sets out to achieve. It is interesting to go back to the former paragraph I read where it emphasises that it is recognised that medical diagnostic radiology contributes the most to man-made radiation on the body. It is not uranium mining that contributes the most to it; it is not nuclear power stations that contribute the most; nor is it uranium enrichment plants that contribute the most to the radiation that man receives: it is in fact in the medical field.

As I said initially, it is in the medical field where we are exposed the most, yet where people are the least concerned. I believe that it is basically dishonest for the Opposition to keep pursuing this line of separation between the dangers associated with low-level radiation in medicine and the dangers associated with low-level radiation in industry and in the mining sector.

Radiation is a fact of life. It will always be with us. It will not go away, and it is not to be feared. It occurs naturally. It occurs artificially. We need it. We cannot do without it, and we must face up to that fact. I believe that the Government is to be congratulated on bringing in an all-embracing Bill which will allow us, through the committee to be set up, to ensure that whether a worker is in industry or medicine, or whether it is a member of the public going for an X-ray, he will have peace of mind knowing quite clearly that someone has measured the radiation dose that he is about to receive and that by a declared set of standards it will not be harmful to him. A woman will know that it will not be harmful genetically to her or to her children or children's children. If members of the public can have this explained to them, I am sure that the emotion will go out of the uranium debate extremely quickly.

Mr CRAFTER (Norwood): I would have thought that for a person possessing pharmaceutical qualifications, as I understand the member for Morphett does, he would have shown more concern for the real effects of radiation in our community. It is true what he says, that in many instances low-level radiation is not harmful, but there are instances where there are great problems caused by radiation and these, of course, must be the concern of any responsible Government. Indeed, I would have thought that that is the reason the Minister has brought the legislation before the House, because there is an expressed fear in the community. I will refer to some of that in my own district in a few moments. We live in an era where there is a very real fear of the effects of radiation.

The Hon. Jennifer Adamson: Who has generated that fear?

Mr CRAFTER: I might give some examples. First, there is the fear of accidents, and this legislation, of course, will not overcome that fear. The near disaster on Three Mile Island in the United States is living proof of that, and just yesterday I heard a radio programme indicating that it would still be another 10 years before the cleaning-up operation as a result of that—

Dr Billard: How many died as a result of that?

The Hon. Peter Duncan: Let's wait and see.

Mr CRAFTER: Yes, will just wait and see. If the member for Newland is saying that no-one is affected by that, let him say so, and let him stand by that statement.

An honourable member: He might be dead before anyone else.

Mr CRAFTER: I would suspect the honourable member would be dead before anyone else if he has no fear at all of the X-ray equipment that exists in many private medical practices in this State. That is evident from the information that has now been revealed as a result of an inquiry that was conducted in this State. It has been well known to people in this community for some time. If he were the recipient of a dose of radiation that was eight or 10 times in excess of acceptable levels, would he not also be concerned? Secondly, there is the fear of nuclear war. That is a real fear and any concerned person in this community should relfect on the possibility of nuclear war. In many parts of the world we see these arms escalating at a frightening rate, with enormous amounts of money being expended on nuclear weapons.

They are not purchased and stockpiled: they are there for defence purposes. One cannot discount the possibility of their being used and, when one sees some of the irresponsible leadership that is evident, some of the instability in Governments of many countries in the world that possess nuclear weapons, one sees that there is cause for great fear indeed. Nothing contained in this Bill will protect persons if there is a nuclear war. It is not a thing that will affect just two nations fighting. It will affect the whole world. Thirdly, nothing in this legislation will have any influence on the safety of people who live in other countries to which uranium and other nuclear products are sent from our

shores if they do in fact go from this State at some future time.

We are not living in an isolated situation. This is a fear that is based on well-founded social conscience and on deep reflection on moral responsibilities of responsible members of our community. I am surprised that there has been no public involvement in the preparation of this legislation. There has been no Select Committee and no call for public input into the preparation of the legislation. We have seen none of the draft regulations that are so important. Really, this measure is just a hollow shell until we see what sort of regulations are going to be introduced and how they are really going to be the weapons that attack this problem. The Minister has rightly been accused of politicising this issue and also of timing this measure so that the maximum political gain can be made from it. It is obvious from the speech made by the member for Morphett that he also is making political play out of this matter. In an article in the *Advertiser* on Monday 7 December when this Bill was announced to the public of South Australia, although it was not introduced into this House for some months after that time, the Minister is reported as follows:

Mrs Adamson said she would visit the Roxby Downs site in January to see at first hand the application of legislation to a mining site.

The Hon. Jennifer Adamson: Which I did.

Mr CRAFTER: The article went on to say:

The S.A. Government had sent the Health Commission's senior health physicist, Mrs Jill Fitch, to the US recently to attend an international conference on radiation hazards in mining.

No doubt, she also did that. The article went on:

That code imposed certain obligations on the operator and manager of a mine or mill including requirements.

To ensure that radiation levels were kept as low as practicable and at all times below specified limits.

That all employees be instructed in the radiation aspects of their work and in necessary precautions.

To maintain employee health records and radiation exposure records, and make them available on request by employees.

However, it appears from my reading of both the measure before us and of the Roxby Downs (Indenture Ratification) Bill that this legislation lacks teeth. Indeed, it is possible for Roxby Downs development to be excluded totally from the provisions of this legislation and to be exempt from the safeguards, in whatever form they will eventually be established. That will be brought about by the passage of this measure. The Roxby Downs (Indenture Ratification) Bill gives enormous power to the joint ventures and to the Minister of Mines and Energy in this regard. One can only surmise that this has been a great victory for that Minister over his Cabinet colleague, the Minister of Health. Indeed, a reading of the safeguards Bill also grants substantial powers with respect to mining to the Minister of Mines and Energy and I would be interested to hear the Minister put on public record her statements to the effect that Roxby Downs will be subject to all of the provisions of this measure that is currently before us. The indenture Bill gives to that operation powers hitherto, I would suggest, unknown in this State. I refer to one that is in the Bill to ratify the indenture. Clause 6 (3) provides:

No person shall do or omit to do anything that frustrates, hinders, interferes with or derogates from the operation or implementation of the Indenture, or any aspects of the Indenture, or the ability of the parties to the Indenture or any other person to exercise rights or discharge duties or obligations under the Indenture.

The Hon. Jennifer Adamson: It also says that officers, in pursuance of their statutory duties, shall pursue those duties in accordance with the Statute.

Mr CRAFTER: That is if that development is not exempted by your colleague and I would construe that as even stopping those people who wanted to protest in some way against the Roxby Downs development. They are quite frightening powers. I therefore express considerable doubts about the announcements the Minister has made as to the effectiveness of this measure in dealing with the many problems that are expected to arise if the Roxby Downs development proceeds.

I now refer to some of the conclusions of the dissenting report of the Select Committee that was established in the Legislative Council to some of these measures. Indeed, it has been shown in recent times that South Australian companies handling uranium ore have paid little regard to worker safety. Until recently, the Health Commission did not have the necessary equipment to meausre radon levels, even though there had been some statements, made to placate the community, that safe radiation levels existed at a number of premises that were causing public concern. I would like to put on record some of the conclusions that that minority report of the Select Committee raised with respect to some of the safety aspects of uranium mining. First, it concluded:

Alpha particles in radon and radon daughters constitute a major hazard to the lungs of uranium miners. The current levels of exposure accepted in the Australian Code of Practice for the Mining and Milling of Ores may be up to four times too high. They should be urgently revised, based on the 1980 NIOSH study.

Secondly, that report stated:

For both epidemiological studies and long term workers' compensation claims, a National Registry of those currently involved in the uranium industry in Australia should be established as a matter of urgency.

The third point in the report is:

Radon and its decay products should be continuously monitored by an independent authority during uranium mining and milling operations. If uranium mining were ever to proceed in South Australia it would be imperative that special legislation for this purpose be enacted and committed to the South Australian Health Commission.

The next conclusions were:

Because of the extremely long halflife of the important decay products, the radioactivity in uranium mine tailings will remain indefinitely on any human time scale. In view of the very large size of the Roxby Downs orebody it is essential that if it is ever mined the technology should be available or developed to return tailings to the mine or to bury them in reasonably deep repositories, e.g. quarries used in the production of the mine fill.

Arriving at a level of worker hazard or safety, based on a criterion which uses a 'socially acceptable risk', is morally questionable. If uranium mining were ever to proceed in South Australia, it would be essential that concurrent legislation be introduced for long term workers' compensation claims relating to genetic damage and long term cancer risks. Such claims should extend to spouses and children. A long term indemnity fund should be established through the State Government Insurance Commission.

Other conclusions were:

Smoking on its own accounts for only a small fraction of the total number of lung cancers in miners. However, it does seem to act as a promoter, reducing the average latent period for the manifestation of cancer by an estimated five years.

Even with the best possible ventilation and safety features it will be a hazardous occupation for miners.

I refer to those points from the minority report of the Select Committee of the Legislative Council. One can clearly see how this legislation falls short of addressing some of those, given of course, the fear I have that this legislation may never of course apply, by Ministerial direction, to that project at all. Of course, the fear is in the power structure of the administration of this State. I have referred to that already and we can see in this Act where the Minister of Mines is given substantial powers with respect to how this Act will apply. Further, the penalties for breaches, although they may seem large to the lay man, to me are not large at all, given the recent studies that have been conducted into corporate crime in the US. Many of the legislative enactments from the US now indicate that monetary penalties are really no deterrent at all. There are now being established, particularly in dealing with transnational cor-

porations, many more effective ways to penalise an errant company.

The Hon. Jennifer Adamson: Imprisonment is fairly effective, wouldn't you say?

Mr CRAFTER: No, it is not. If you are trying to imprison a company—

Mr Duncan: How do you imprison a company?

The Hon. Jennifer Adamson: Putting its Chairman of Directors in prison is a good deterrent, I would think.

Mr CRAFTER: That, strange as it may seem, never appears to happen. I would suggest that there are many more effective deterrents than imprisonment or even monetary penalty. To a company that is talking about spending $1 000 000 000—

The Hon. Jennifer Adamson: Removal of a tenement is fairly effective—

Mr CRAFTER: That is not provided for in the penalties in this Bill. There is a penalty provision that has a maximum of $50 000 and I would think that is very little deterrent at all to a company that has a budget as big as the Budget of this State. That could be written off and probably the taxpayers of this country would pay part of that penalty anyway.

I must admit that I would like to hear an explanation from the Minister as to under what conditions and in what circumstances mining companies and others will be exempted from the provisions of part III of this Bill in particular from clauses 24 to 29. It concerns me that there is such wide power to exemption given there. I would be most interested to hear from the Minister in what circumstances that would apply, particularly when the machinery for this is vested in another Minister, the Minister for Mines and Energy. Those decisions are subjective decisions. Although there are provisions for the commission itself to consider this matter, that commission or its recommendations are not binding.

I have referred briefly to the concern in the area of the everyday medical aspects of radiation in our community, in particular, regarding X-rays. I believe there have been some frightening revelations made in this regard in recent times in this State. I believe the evidence that has been brought to the public attention is that there are many outdated machines. I understand some of those machines did once belong to hospitals and to other government bodies and are now being used in private medical practice. There is a great variation in the results from machines of differing quality.

I understand that many advances have been made in this area throughout the world. I have been told of the West German laws in this regard, where very effective safeguards are afforded patients, that a patient who is treated by a doctor in this way is advised of the actual dosage of radiation that that person has received, and that there are well established safeguards and there are very strict controls on the equipment. There is sophisticated equipment to measure dosage, which I do not believe exists in this State. I would be interested to know what the Minister proposes with respect to the purchase of this sort of equipment and what standards are to be set in this State.

I notice that clause 28 of the Bill refers to persons who operate radiation apparatus possessing appropriate knowledge. I would be interested to know whether that appropriate knowledge is as it is currently, namely, the possession of certain medical qualifications, or whether there will be a further post-graduate study or courses to be undertaken by lay people who are handling this and whether that course of study will receive some accreditation, whether it will be a continuing education programme and be updated with current trends and whether there will be an examination for those people undertaking such courses of study. It is very important that health consumers of this State have that information.

I ask the Minister whether she will explain to the House some of the more general matters that exist in the community. I refer here to the effect of microwave ovens, whether this legislation will establish some standard and manufacturers' controls, and whether the community will be involved in some educational programme with respect to these household items, which are now very common.

I also have had representations made to me about equipment used in beauty salons and health clinics, in particular two pieces of equipment. First, regarding sun tanning machines, I understand that some people have received serious injuries as a result of over-exposure to these machines. There is concern about the qualifications of those persons who operate them and on some assessment of the effects they will have on individual people, bearing in mind some ailments they may be suffering from time to time. Last Friday I received representations from a proprietor of a beauty salon about laser machines that were advertised as being able to remove wrinkles and other assorted ailments that seem to affect some people in the community.

People are prepared to pay large sums of money to rid themselves of those ailments. It was explained to me that some serious health problems, for example, burning, had arisen from the wrongful use of those products and indeed they were now becoming quite popular. I think they are established in many salons in this State. There appears to be no control at all over the purpose and use of that piece of equipment. The evidence given to me, which I will be pleased to pass on to the Minister, is quite frightening.

I ask the Minister whether she will tell the House the effect of Part IXB of the Health Act as it presently is and of the operation of section 145 of that Act. Has a report been prepared on how that section has worked in the past? How has it proved ineffective? How many staff members have been involved in the implementation of that section of the Act? How much has it cost the State to implement those provisions? I have looked through the Budget papers and I can see no expenditure proposed for the implementation of this legislation, which I would have considered a costly exercise. I would be interested to hear details of the expenditure proposed for the implementation of the provisions of this Bill for the remainder of the current financial year and for the full financial year from 1 July. How many staff are to be allocated to the implementation of this measure, how many of those will be professional people, and in what professions will they have qualifications? How many people will be involved in the inspectorial staff, how many other staff will be involved, and what will be the expense of the commission and its administration and of the public education and other training programmes that will be an essential part of its effectiveness?

I would be interested to know the position prevailing in the other States, whether this matter has been the subject of Ministerial Council meetings, and whether there is any intention to bring about uniformity in State laws on this matter. What are the problems facing the other States in this regard? To have different sets of safeguards legislation in each State would be a costly exercise for all concerned, especially in the administration of the legislation, in bringing about some effective policing, bearing in mind that companies do not recognise State borders; only perhaps archaic State Governments are bound by their Constitutions to the State boundaries. It is important that there should be some uniformity in this area of the law.

The Hon. Jennifer Adamson: The States implement the codes.

Mr CRAFTER: I am concerned about whether there will be a uniform code and how it fits in.

The Hon. Jennifer Adamson: There is only one Commonwealth code, and the States implement it: one set of codes, and the States implement them.

Mr CRAFTER: But the other States do not seem to be so keen on doing this. There is also the matter of uniformity of administration: one mining operation may be caught in one State and exempt in another, and the effect of that would be most undesirable.

I raise very briefly the matter of nuclear fall-out shelters and nuclear free zones, matters of great moment. In the United Kingdom, there is clear evidence of concern about such matters in the massive sale of nuclear fall-out shelters. Will this matter be included in the regulations and in the work of the committee? I shall quote briefly from the Burnside and Kensington *News-Review* of 28 October 1981. A report states that the Norwood and Kensington council had received an application from the Premier's Department for approval to build a nuclear fall-out shelter in Norwood. The report states:

> The hermetically-sealed underground room would have been capable of protecting between 20 and 30 people for about two weeks before they would need to re-emerge from the bunker. It would have included a decontamination area with facilities for destroying 'contaminated clothing,' special air-conditioning, and equipment for detecting radioactive fall-out. The bunker plans were part of a Premier's Department request to use Government-owned land at the corner of Sydenham and Beyer Street, Norwood, to build a State Emergency Service Headquarters and an emergency operations centre underneath. The operations centre is a nuclear fallout shelter.
>
> The report from council said the Norwood site was the only site being considered by the Government 'at present'. At the last council meeting the plans were oppposed because of traffic difficulties and fears that the centre may become a defence target. There was no discussion of any details of the plans. . . .
>
> 'There is the concern that the centre would become involved in a defence role in the event of a serious emergency and possibly be a target for terrorist activities,' the advice said. The location was also deemed impractical because Sydenham Road was regularly full of football or bingo traffic moving in and out of Norwood on certain days. In an emergency easy access would be difficult, council believed. The peace of the area and the safety of residents living nearby would also be affected, the report said.

I might say that residents live adjacent to the area. The report continues:

> The Government building plans advice said 'construction would meet the requirement of being earthquake resistant for the State Emergency Services Headquarters, whilst for the Emergency Operations Centre the requirements of being both earthquake and radiation fall-out resistant'. 'The Emergency Operation Centre would be designed to be self-sufficient for a period of up to 14 days for a skeleton staff of 20 persons with a maximum of 30 persons.'
>
> Air-conditioning plant plans said: 'the plant serving the areas below ground level is designed to cater for all needs of 30 people for a period of up to two weeks. Air-conditioning will provide air from which has been filtered all radioactive material. During times of emergency when no radioactive fall-out is detected, air will bypass the filter banks as previously described and will be directed straight to the air-conditioning unit in the plant room.'
>
> The Premier's Department letter to council said the centre would 'only house three people until the event of a disaster occurring. In the event of a disaster there would not be a lot of activity in the area, . . .

I think that gives the lie to the argument that we have heard on community concern, because precautions are being taken by the Government in case a disaster of this nature should occur.

The Hon. Jennifer Adamson: Nuclear war, for pity's sake.

Mr CRAFTER: It is not specified, and there are other dangers. As a result of this report, considerable interest was expressed and 13 sites were discovered in the Kensington and Norwood council area where radioactive substances were being used or stored. Fear is evident in the community about this matter, and I ask the Minister to explain the Government's attitude to nuclear fall-out shelters and whether this was a Health Commission proposal. What is the Government's policy on nuclear-free zones, and will the Government interfere with local councils that want to express their views in this way?

The Hon. Jennifer Adamson: You must be pleased about the public register proposal in clause 33.

The DEPUTY SPEAKER: Order!

Dr BILLARD (Newland): I support this Bill, and one of the main reasons for my support has been amply demonstrated this afternoon and this evening by the speeches of Opposition members. I refer particularly to the speech of the member for Napier, who was quite emotional and, I believe, quite unnecessarily vitriolic in his attacks on the Minister and on her integrity. The member for Norwood did not have the same vitriol in his speech, and I appreciate that, but I believe that what we heard this afternoon was quite scurrilous for this place. Unfortunately, it is characteristic of many of the arguments put about in the community in relation to matters concerning radiation, especially radiation associated with uranium and other such substances.

One of the main reasons why we need such legislation is because of the emotional debate in the community which is not based on fact or on rational argument. I was at a seminar last year on the subject of uranium, at which the President of the Conservation Council, John Selby, was present and presented an anti-nuclear argument. The argument he put was that true conservationists had to be prepared to pursue their arguments on emotional bases when logic did not support them. That, to me, was a tacit admission that logic was not on his side. It is a feature of much of the anti-uranium debate in the community at the moment that the argument is pushed on emotion and irrational fears, principally centring around the fear of radiation in all aspects of the mining of uranium and its use in the nuclear power industry, right through to waste disposal. The fear that is generated in the public mind is that of radiation.

Although this radiation protection Act applies to radiation in the community across the board for all its uses (whether they be scientific, medical, industrial or mining) principally the fears that are generated in the community relate to mining uses. Therefore, I believe that it is quite useful and beneficial to draw together under the one Act all these areas that relate to radiation protection so that the public can see as clearly and simply as possible the protection measures from radiation that are available to it.

I believe that radiation is something that we ought to treat with a great deal of respect, because it is not visible to the naked eye. It is a subject that is easily emotionalised; it is easy to stir up people's fears and to a certain extent I agree that, because radiation is invisible to the naked eye, we must treat it with a great deal of respect and a great deal of caution. I believe that in most instances in the past where radioactive substances have been used, whether for medical or industrial applications, it has in fact been treated with a great deal of caution, and the evidence for that lies in the fact that many of the standards that are applied and accepted on an international level have not had to be changed over the many decades for which they have applied.

I refer now to the pedigree of those standards that will apply in this instance if this legislation is brought into operation. The pedigree of those standards is that they initiated with the International Commission on Radiological Protection (the I.C.R.P.), which established a large list of recommendations on standards of radiation protection. They have been taken up in Australia by the National Health and Research Council, which has based its standards on those set by the I.C.R.P. I think it important to mention the three main principles of the I.C.R.P. application of radiation protection. The first principle is:

> No practice shall be adopted unless its introduction produces a positive net benefit.

The second is:

All exposure shall be kept as low as reasonably achievable, economic and social factors being taken into account.

The third is:

The dose equivalent to individuals shall not exceed the limits recommended for the appropriate circumstances by the commission.

There has been some debate in this House about just what those levels should be. I think the member for Napier put forward some argument about the levels of radon and radon daughters that should be tolerated. However, I think it is possible to indicate by example that in fact the levels that had been set by the I.C.R.P. are in fact very conservative. I hasten to say that I do not wish to pursue to a great extent the detailed scientific argument. I simply use an example to show that the levels that have been set are to be trusted. The levels that have been set for radiation are five rem per annum for radiation workers, and 0.5 rem per annum, or in other words, 500 millirem per annum, for people not directly associated with a radiation activity.

It should be borne in mind that those levels must be compared with other activities in the community that we accept as normal. Typically, in Australia we say that our background radiation can be anything between 100 and 150 millirem per annum and an air hostess can receive up to 670 millirem per annum, but we must remember that these averages can have wide variations. There are some areas of the world that have natural background levels of radiation that average well above those levels I have outlined.

For example, there is an area in south-west India where a village of 11 000 people receives radiation averaging over 2 000 millirem per annum, which is more than four times the level set by the I.C.R.P. as being acceptable for people not directly associated with radioactivity. In fact, there is a village in Iran, Ramsar, where radiation is much greater still. The background radiation there is 44 000 millirem per annum, which is more than 88 times the level set by the I.C.R.P. as being acceptable for background radiation exposure of members of the public, and I understand that one spot in France—

Mr Mathwin: Have they been living there for a long time?

Dr BILLARD: For a long time, yes. There is one spot in France where the level is 88 000 millirem per annum. Certainly, I understand that at least in the Indian village of 11 000 people there are no known genetic defects associated with that level of radiation. Therefore, we can see that the levels of radiation set by the I.C.R.P. are in fact quite conservative. It is recognised that they are of necessity arbitrary limits, because the effects that result from radiation are gradual.

Mr Hemmings: Would you go and work there?

Dr BILLARD: Well, I quite happily—

Mr Hemmings: But would you go and work there?

Dr BILLARD: Yes, quite happily. Mr Acting Deputy Speaker, I feel that the interjections are an indication of the degree to which fear-stirring statements by the anti-nuclear lobby have come to be believed by members of that organisation themselves. It is a case of the fact that if they say it often enough they apparently believe what they are saying and they become scared of the sort of background levels that are common in other parts of the world.

The fact is that in discussing these limits we assume that all radiation has the potential to have some harmful effect. Even the background radiation which we accept on a day-to-day basis has the potential to have some harmful effect, but the fact is that it is not possible to prove conclusively that low levels of radiation do in fact have a measurable harmful effect. I refer to a section of the Flowers Commission report, published in Britain in 1976, which stated:

In estimating genetic risks very little information is avilable from observations of the effects of human exposure. The most important fact is the negative results of the Hiroshima-Nagasaki studies. All measure of congenital defects, morphology and survival have shown no differences between the children of radiated parents and those of control groups.

In addition, I refer to a report of 1977 of the United Nations Scientific Committee on the Effects of Atomic Radiation, which stated:

Large irradiated populations need to be studied, however, if an overall increase in a common form of cancer is to be distinguished from the natural incidence of cancer in a control population.

In other words, if we are to measure the effects of low-level radiation, we must study large populations, irradiated, at these low levels, over a large number of years, and the conditions, the size of the population, the number of years, the control that is required in order to make those measurements, and the likely resulting effects are such that it is for practical purposes impossible to demonstrate through scientific analysis what level of effect that radiation causes. I hasten to say, therefore, that the assumption has been made that there is a proportional relationship, and that if we have a genetic or other effects arising as a result of a large radiation dose, the proportion with a small dose is proportional. That, I hasten to add, is an assumption that is as yet unproven. I wish to insert in *Hansard* without my reading it a table of figures drawn from the report, 'Living with radiation', published by the U.K. National Radiological Protection Board.

The SPEAKER: Is it purely statistical?

Dr BILLARD: Yes. There are two tables.

Leave granted.

Average annual risk of death in the United Kingdom from accidents in various industries and from cancers potentially induced among radiation workers

Industries	Risk of death per year
Deep sea fishing	1 in 400
Coal mining	1 in 4 000
Construction	1 in 5 000
Metal manufacture	1 in 7 000
Timber, furniture, etc.	1 in 17 000
All employment	1 in 20 000
Radiation workers (400 millirem per year average)	1 in 20 000
Food, drink, and tobacco	1 in 30 000
Textiles	1 in 40 000
Clothing and footwear	1 in 300 000

Average annual risk of death in the United Kingdom from some common causes and from cancers potentially induced among highly-exposed individuals

Cause	Risk of death per year
Smoking 20 cigarettes a day	1 in 200
Natural causes, 40 years old	1 in 500
Accidents on the road	1 in 5 000
Accidents in the home	1 in 10 000
Accidents at work	1 in 20 000
Radiation exposure (100 millirem per year)	1 in 80 000

Dr BILLARD: This gives some idea of a sense of proportion of the kinds of dangers about which we are talking. I refer specifically to the second table, which lists the likely risk of death from a number of different causes.

It refers, for example, to the smoking of 20 cigarettes a day; that incurs a likely risk of death on a per year basis of one in 200, whereas radiation exposure from 100 millirems per year gives a likely risk of death on a per year basis of one in 80 000. The one in 80 000 is a much smaller risk than a large number of other risks that we accept as normal in our daily lives.

Returning to the details of this Bill, I indicated that it drew together all protection measures against radiation under the one Act. It has this great benefit because it simplified for the public the radiation protection legislation. In addition, it updates some controls, specifically in the area of human diagnostic radiography. Also, it establishes a structure by which the regulations that will be drawn up under part of this Act may be kept up to date and applied with some degree of assurance to the public that they are applied well.

I wish to emphasise here that I believe that the role of politicians in this debate is not to get into a great depth of scientific argument about radon daughters and millirems, although in one sense I have offended against that myself. However, I feel that if politicians are involved in a great scientific argument on this subject they must inevitably come unstuck, and inevitably bad decisions will be made because politicians simply do not understand the scientific implications of what they are talking about. I believe that our main responsibility as politicians is to ensure that we establish on behalf of the community a system and a mechanism by which the people and the Government can have access to the best possible scientific knowledge, a system by which the Government can test that scientific knowledge against different experts, and a system by which it can ensure that all the areas about which the public and the Government have concern are covered and dealt with in regulations. So, I believe that the proper role of this Bill is for it to establish this mechanism and not simply to seek to write in all the regulations as part of the Bill that it thinks might be appropriate.

I believe that the amendments foreshadowed by the member for Napier fall down on this basis, in that he would incorporate in the Bill much regulation-type material—

The Hon. Jennifer Adamson: Of a very technical nature.

Dr BILLARD:—of a technical nature, which may or may not be good. However, I think it is the type of material that is inappropriate in the Bill. Our responsibility as politicians is to establish the mechanism and to ensure that it is such a sound mechanism that the public is assured that the Government can have access to the very best knowledge and that that knowledge can be tested in the fire of examination by fellow scientists, engineers and health physicists.

I believe that the mechanism to achieve that is set up under this Bill. The Radiation Protection Committee will have four subcommittees—one dealing with diagnostic and therapeutic uses, one dealing with industrial and scientific uses, one dealing with the management and disposal of radioactive waste, and one dealing with the mining and milling of radioactive ores. We therefore have the possibility under this Bill to ensure that there are subcommittees with expertise in each of those areas. The Radiation Protection Committee and its subcommittees will be responsible to ensure that none of those areas is neglected and that regulations are such as to guarantee a measure of protection to the public.

I note that many of the measures that were suggested by the member for Napier are the sorts of things that are already included in mining codes of practice. We have already the code of practice on radiation protection in mining and milling of radioactive ores, which has been approved on a national basis. There is a second code—a transport code—that is awaiting approval, and a third code on waste management that is awaiting public comment. It is appropriate that those more technical and detailed codes of practice should be open to public scrutiny and public comment. That is what has happened and what will continue to happen in those areas. However, I believe that the responsibility on us tonight as politicians and Parliamentarians is to ensure that the appropriate system is established. When one thinks about it, it is obvious that many of these codes and practices may have to be modified in time in the light of experience and more detailed knowledge that becomes available.

Perhaps we will find that some of the standards and codes are unreasonably strict or that some of the standards and codes are not strict enough: in other words, we need to maintain the flexibility to change those codes quickly and reasonably as a result of new technical information that might come to light. I believe that the appropriate mechanism is in the form of this Bill, and I therefore think that the suggestions made by the member for Napier at this time are inappropriate.

I mention, finally, in relation to mining and milling, that mining practices in Australia have shown that mining operations for uranium can be carried out well within the guidelines established by the I.C.R.P. I refer in particular to figures about the exposure of miners at the Nabarlek uranium mine in the Northern Territory where miners were exposed, on average, to .065 working level months of the allowable radon exposure. We need to bear in mind that we are talking (at least the member for Napier was doing so) of a limit of four working level months and discussing whether or not that limit was sufficient. In fact, at Nabarlek the average exposure was .06, which is I think about 70 times smaller than that limit. So, they were working well within the limits set by the I.C.R.P. Regarding the gamma radiation exposure, they had 230 millirems over a six-month period, which is well within the limit again. It is less than one-tenth of the limit set by the I.C.R.P.

It must be remembered that the concentration of uranium at Roxby Downs is about one-fortieth of that at Nabarlek, so that if the miners at Nabarlek can maintain such a great margin of safety, the margin of safety is then potentially much greater still in a mine of the type of Roxby Downs.

This Bill is a step forward for South Australia, a lead that South Australia is taking. I believe that it will be a great reassurance to the South Australian public that it can have legislation covering radiation protection in one place and that it can have legislation that increases the degree of safety and the mechanism that will give it protection from radiation dangers. I believe it wil be seen by the public, as it ought to be, as a great reassurance.

The Hon. PETER DUNCAN (Elizabeth): I was interested in the comments by the last speaker, who, in a rather pompous fashion, referred to the role of politicians in these matters. I started to think about that, and I suppose the reason why the contributions to this debate to date have been fairly dry, uninspiring and not particularly erudite—

The Hon. Jennifer Adamson: That's on your side.

The Hon. PETER DUNCAN: That is typical of this Minister, playing politics again. I just made a statement simply about the debate at large, which no doubt those who heard my comment would well realise was a general comment about the debate, and the Minister has to come in like a yapping terrier saying, 'On your side, on your side.' My God, it makes one sick to have to put up with it in the Chamber.

I was about to say that the debate has been not particularly, in my view, of a very high standard, and I think the reason for that (and I am not critical of any member of

the House in relation to that, except for the politicking that has gone on in some of the speeches) was alluded to by the previous speaker, when he said, quite rightly, that we politicians are not experts and, as members of this Parliament, we can only bring to bear our very limited knowledge on this subject and other subjects of a highly technological nature.

His remedy, unfortunately, however, is one that I view with grave concern. His remedy is simply to say, 'This sort of subject is so complicated and technical that we mere mortals, we mere lay people, cannot possibly hope to understand it, and the solution to the problem is to pass a general framework of legislation and throw the whole matter over to experts. I think that we are going to hear more and more of that sort of negative thinking.

Dr Billard: I said that there ought to be public involvement.

The Hon. PETER DUNCAN: I will get to the question of public involvement in a moment, because this Bill does not provide for any public involvement at all.

Mr Ashenden: What about the codes of practice?

The Hon. PETER DUNCAN: What about the committee? It is a committee of experts without any public participation by lay people at all. It has been said before and I suppose this is becoming more relevant every day: the sum total of human nature is doubling, at the present time, every five years, and it is quite impossible for ordinary people to keep up with that expansion of knowledge. Most of us have no idea of the dramatic increase in knowledge, even simply in our own areas of activity. The average citizen has found it quite impossible to keep up with this increase in knowledge, and most people have retreated into a state of alienation in the face of this tremendous onslaught of knowledge.

Of course, this is leaving society more and more in the hands of the technocrats, the people who have the information in specific areas. More and more the decision making is being made by such people and less and less is the decision-making process in our hands, the people who are supposed to be the representatives of the people, the decision makers, on their behalf. We are in fact trapped in a sense because of the information explosion that has occurred. I suppose it is fair to say that in more and more areas we suffer the tendency simply to pass over the decision making to experts. This Bill is an excellent example of that.

In saying that, I want to make clear, before some pathetic soul on the Opposition side gets up and says, 'You are just slamming experts,' that I am not saying that we can do without experts. I am saying that the decision making must be in the hands of experts and in the hands of the lay people. I think that, if we do not do that, we will find that democracy in this country and elsewhere on this planet will exist in name only. That is something to which members opposite should give considerable attention, because certainly the prior speaker showed little understanding of those issues.

I refer to the Bill itself and to the comments made by the member for Morphett. He gave a speech that took half an hour and really had only one theme, namely, that as far as he could see the Labor Party was intent on some sort of campaign to divide, in the community's perception, the questions relating to uranium and the nuclear fuel cycle on the one hand and the use of nuclear materials in medicine, scientific research, and so on, on the other hand.

I have never heard such a load of poppycock. I will make just a couple of brief points before I move to the substance of the Bill. As the Minister has pointed out, I was the Minister who appointed the committee, the working party of human diagnostic radiography, that made the report which is the basis of part of this Bill. I set up that committee not because any expert came running to me saying that he or she was concerned that some of the X-ray machines in the State were functioning poorly, etc., but because I asked questions in the Health Commission concerning the way in which such machines, and the public who were subjected to them, were monitored and protected. The answer came back, quite frankly, that the protection was rather poor. I said that I was very concerned about that, and that I wanted to set up a committee to look into this in order to make recommendations. That was done, so for the member for Morphett simply to suggest that the Labor Party tries to divide those things up and says that it has no concern on the one hand in relation to the uses of radiological equipment and the like in medical science and, on the other hand, that we are gravely concerned about the nuclear field cycle, mining, etc., is pure nonsense.

Mr Lewis: That's not the substance of a letter written to me by a member of the Labor Party. That said the radiation was quite different.

The Hon. PETER DUNCAN: I have no idea what the member is talking about. Although he is a slow learner in this place, he is probably learning one of the oldest tricks in the book, namely, to throw in a furphy of that sort of expert comment on the matter. I want to deal with some of the provisions of this Bill, because I think that it does not go anywhere near, in some respects, the ideal of a Bill of this sort. I am pleased and thankful that the Minister has at long last brought in a measure of this sort, because there was some comment earlier about the Commonwealth codes. The Commonwealth codes are only voluntary codes as they apply at the present time, and the Minister of Health, I am sure, well understands that. Except for the Northern Territory, they are voluntary codes throughout the rest of Australia at the present time.

Accordingly, there was a large gap in our radiation protection in this State. As I said, I am pleased that the Minister has at last introduced this legislation. However, I am not so pleased that it has taken so long to do so. I do not think it would have been unreasonable to produce a Bill at least during the earlier part or the latter part of last year. Given the legislative timetable and the way in which the Parliamentary Counsel's office works, it would not have been unreasonable to produce a Bill in 1981 following the receipt of this report in 1980. I want only briefly to mention this report in my speech. As the Minister who set up the report, I think it behoves me to say that I think that they did a very commendable job. I congratulate the members of the committee particularly Mrs Fitch on the work that they did. I think that the committee went about its work very thoroughly and effectively, and that it has done a very satisfactory job on behalf of the people of South Australia.

This does not directly relate to the committee itself, but the only criticism I have of the recommendations (in a sense, they flow through to the Bill) is that the committee which is being set up under the Bill—and I appreciate it is not the same committee as was being recommended in the report but a different committee—does not in any way propose to have lay people thereon. That is very sad, because although scientific people can be quite honest in their intentions in the way in which they deal with matters such as this, nonetheless their close involvement with the whole of their faculty, and their profession in relation to a particular matter, can lead them to fail to consider matters of importance to the community at large.

I am a great believer in the need to have ordinary people on committees of this sort. That is an issue which this Parliament could well take up. I know that we will be told on this sort of thing that this committee will be dealing with all sorts of detailed technical questions and that it would not be feasible for a lay person to understand this sort of detail. I have never believed that. As a lawyer, I have heard for years the legal profession go on and on about

how it must have a monopoly on this; how it must be attending to that; and how only lawyers can go into particular courts. I have never accepted that argument. I do not believe it is true that there are no lay people in the community who can understand these sorts of complicated questions. It is a sad thing, as I say, that there is no lay representation on that committee.

Another aspect about this Bill which concerns me is the fact that almost all the effective and active provisions will be undertaken by regulation. That is very unsatisfactory and a most unfortunate aspect of this legislation. If this legislation had been introduced by a Labor Government, far more of the details would have been incorporated within it. We believe that the Parliament is the appropriate place to pass legislation and not the Health Commission's legal officers, or some other such persons who would draw up these regulations. We believe that it ought to be exposed to Parliamentary scrutiny and, in my view, there is a very strong argument for that.

Another aspect relates to the regulatory provisions in the Bill. I believe that the international standards will be upgraded in the near future. I have noticed already that the American National Institute for Occupational Safety and Health in 1980 indicated that, as far as it is concerned, the levels of protection in codes should be upgraded two to four times above the levels of exposure which are to be allowed, as I understand it, under this Bill at the present time in relation to mining and milling. I suspect that, in the future, the Australian code of practice will be upgraded in accordance with the levels that are recommended by the International Committee on Radiological Protection. I suspect in due course at its annual meetings that the committee will upgrade the protection levels or exposure levels (whichever way one likes to approach it) and that, in so doing, we will probably increase the safety levels applying in South Australia, except the levels to be effective at Roxby Downs.

It seems to me that there is a very strong argument as to why this Bill in fact ought to apply to Roxby Downs. I cannot understand why on this matter the Government has chosen to exempt Roxby Downs from the provisions of this Bill. I understand that that is to be the case. I do not think that that is a satisfactory situation at all; I think that it is one that the Minister should consider, and I would like to hear from her in due course about that.

The Bill deals with, among other things, radioactive waste. I am always interested when I see pieces of legislation of this sort to see the term 'management of radioactive wastes' included. I am pleased that this Bill includes that term, because if anything exposes the fallacy of those people, such as the Government of this State, who claim that the waste disposal issue, involving the nuclear fuel cycle particulary has been overcome, this does. The fact that the Government has used the word 'management' in this Bill gives the lie to those stories that the waste disposal problem has been overcome. Of course it has not been overcome and members opposite know only too well that we are going to leave for future generations thousands and thousands of tonnes of radioactive debris which is impossible to dispose of effectively and which will, to use their word not ours, have to be managed for thousands and thousands of years.

There has never been in the history of mankind a generation that has left such a legacy to future generations. If anybody on the Government benches is interested in this, I ran across some figures the other day. I do not have them here at the moment, but they were some interesting figures on the sheer amount of radioactive debris and waste that is around this planet at present. Five years ago the suggestion that radioactive waste was simply to be dumped in the oceans of this world was met by cries of horror from the international community. Now under Reagan, however, they are planning (I think that this has already happened) to tow out into the middle of the Atlantic Ocean several old radioactive barges or ships of some sort or other and simply sink them. There is going to be more and more of that.

Of course, the reason is that there is no known method of properly and effectively disposing of radioactive waste. You can of course say, 'Well, that is nothing to do with this Bill. As far as we are concerned we are not about to establish some big-time dump in South Australia.' I always find that view very interesting. It is the same view that they hold in Western Australia where they are particularly gung-ho on developing—or certainly were under Sir Charles Court—the nuclear fuel cycle. He wanted to have nuclear reactors in Western Australia. Queensland is not keen on a waste disposal dump. Certainly, Neville Wran is not too keen on the idea, because he made the unique and interesting suggestion that we should take some of the New South Wales wastes into South Australia for disposal, somewhere up near Radium Hill. I have a list of other proposals as long as your arm of how we should dispose of radioactive wastes. It is quite clear that all nations of the world are taking the attitude that they believe that there should be disposal and dumping of this stuff as long as it is not in their own back yards.

I cannot help but think that the principled stand members on this side have taken over the whole nuclear fuel cycle will be quite prophetic, and that some years from now members who sit on the Government benches at present will have cause to rue the day that they approved or attempted to approve uranium mining in this State and the commission of our uranium to the nuclear fuel cycle in the present circumstances. I am reminded of numbers of other examples of mistakes being made by politicians. One which was recently brought to my recollection, and one which you, Mr Acting Deputy Speaker, will be only too well aware of, was the unfortunate attitude of Prime Minister Menzies in the 1930s (he may not have been Prime Minister at the time) where he rode roughshod over the Waterside Workers Union to send pig iron to Japan which subsequently came back to this country as bombs and bullets.

There is no doubt that those sorts of mistakes have been made before and will be made in the future. I predict that this development of nuclear power and the commission of our uranium to the nuclear fuel cycle will certainly be one of those sorts of mistakes. I only want to deal with one or two other matters before I conclude my remarks tonight. Of particular interest to me is clause 19 of this Bill which provides:

> A person who is engaged or has been engaged in any office or position connected with the administration of this Act shall not, otherwise than in the performance of the duties or functions appertaining to that office or position, divulge or communicate any information obtained by virtue of that office or position.

That is a very interesting provision to have put in this legislation. I am quite aware of why it is there, because the nuclear industry is scared to death of adverse publicity; it is scared to death of having its mistakes made public. Most of the information that has become available about the nuclear fuel cycle, the mistakes that have been made and the accidents that have occurred has arisen as a result of leaked information—information that should be the public's right in light of the fact that it involves questions of safety but, nonetheless, information which Governments such as this one have tended to try to hide from the public. I believe that there is absolutely no justification for that provision. There are numerous other examples of boards and committees which do not have that type of provision set out in their enabling legislation. I think that it is highly undesirable for us to have that provision, and I certainly personally oppose it.

Another aspect of this Bill that was referred to by the member for Norwood, which I thought was quite interesting, is the question of penalties. He did not have the time while speaking to look carefully at the Bill when challenged, but he was quite right in what he said. He said that it would be most unlikely that the board of directors of any corporate body involved in any of the practices that it sought to regulate under this legislation would be sent to gaol or fined $50 000. Clause 44 (1) provides:

Where a body corporate is guilty of an offence against this Act every member of the governing body of the body corporate shall be guilty of an offence unless he proves—

and this is the rub—

the defence that he exercised all reasonable diligence to prevent the commission of the offence.

All that would be required for a board of directors to provide that defence for themselves would be simply to pass a minute at board meetings directing the principal officer of the company that all activities of the company regulated by this legislation are to be carried out in accordance with the legislation.

That would be the end of the matter as far as the court was concerned. This is a criminal provision, and any such person would be given the benefit of reasonable doubt. By inserting a proviso for the exercise of reasonable diligence to prevent the commission of an offence, the clause is rendered completely worthless, and it may as well be removed from the Bill. I doubt whether in the history of this legislation, for as long as it stays on the Statute Book, that provision will be used effectively.

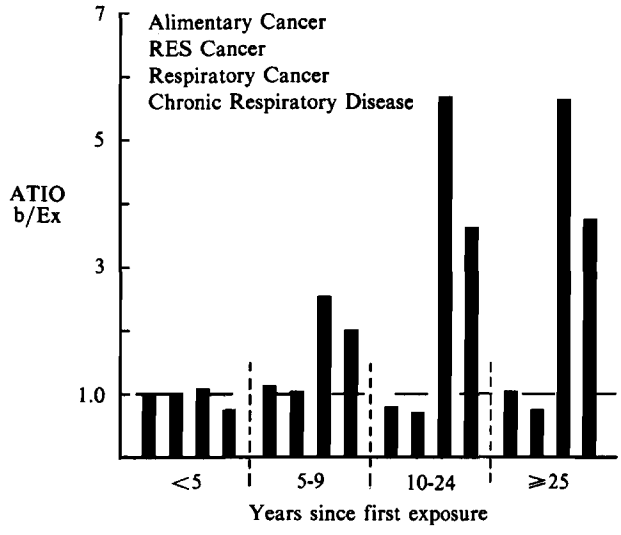
The only other matter with which I want to deal relates to mine safety generally. Whilst I was Minister of Health, a study was undertaken of the incidence of cancer among uranium miners at Radium Hill. The material I have here is statistical, it is a report of about five pages, and I seek leave to have it inserted in *Hansard* without my reading it.

The ACTING DEPUTY SPEAKER (Mr Russack): Does the honourable member assure the House that it is purely statistical?

The Hon. PETER DUNCAN: Yes, Sir.

Leave granted.

Observed: Expected deaths, by cause + by time since first exposure—
White underground uranium miners, U.S., 1950-74 (N = 3 366)



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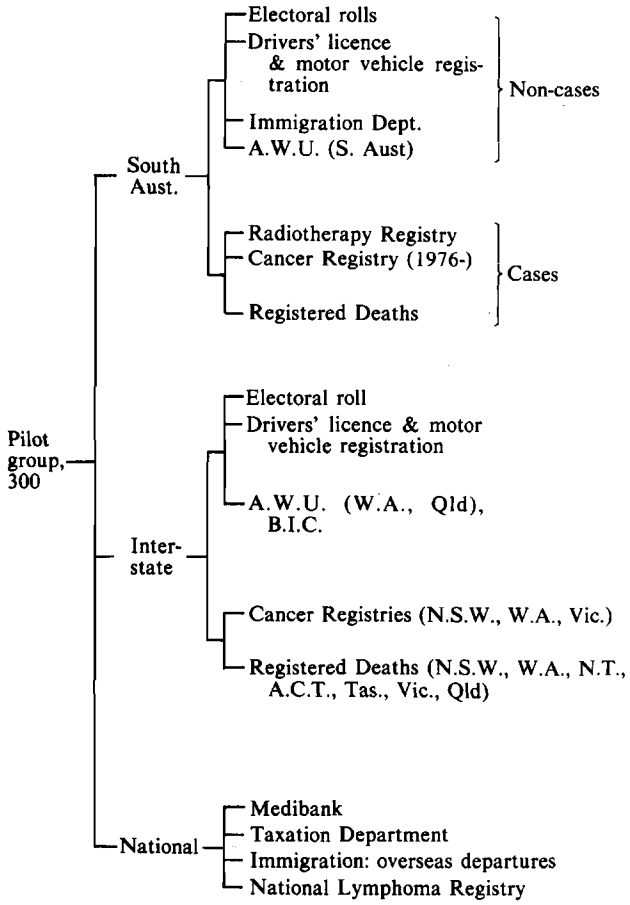
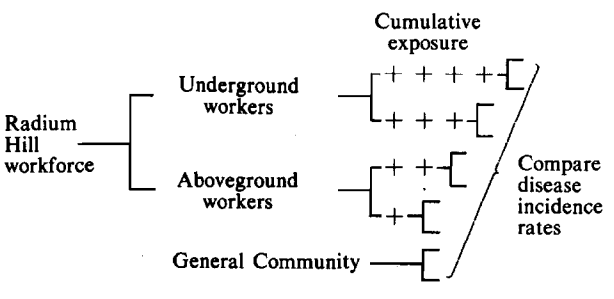
	Total deaths	
	Observed	Expected
Respiratory cancer	144	29.8
Chronic respiratory disease	80	24.9

Data sources for follow-up



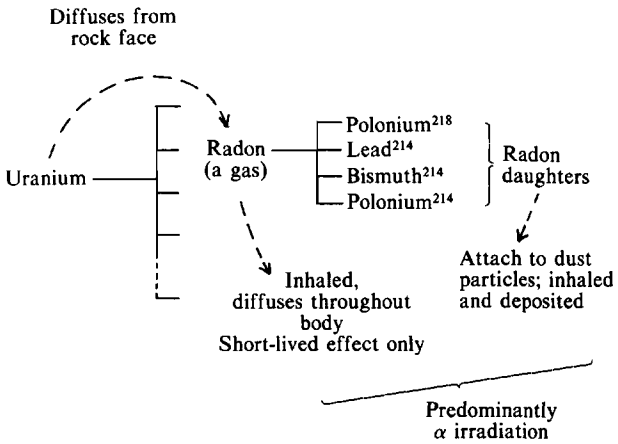
Historical follow-up (cohort) study



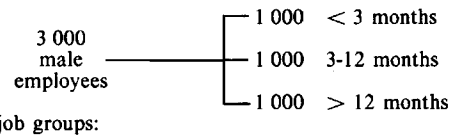
Three basic methodological problems

1. Systematic data on disease incidence hard to obtain.
2. Difficult to trace itinerant population, to determine vital status.
3. Inadequate information on confounding factors—especially smoking and other occupational exposures, in relation to lung cancer.

Natural radioactive decay of uranium



Radium Hill: Uranium mine
Operated by S.A. Government, 1952-1962



Major job groups:

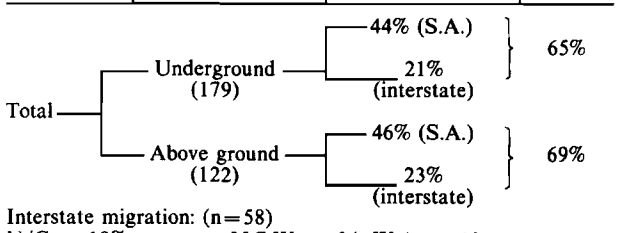
Underground mining
Ore milling and despatch
Support jobs

} Detailed individual work histories, using 93 specific jobs

600 men spent > 6 months underground
Predominantly miners, drillers, labourers and truckers

Pilot group follow-up (N=301)

	No Cancer Dead	No Cancer Alive	Cancer Dead	Cancer Alive	Total (%)
South Aust	14	113	7	4	138 (45.8)
Interstate	4	57	2	0	63 (20.9)
Total	18	170	9	4	201 (66.8)



Interstate migration: (n=58)
U/G = 19% N.S.W. = 24, W.A. = 10, Queensland = 9, Vic. = 8
A/G = 20% A.C.T./N.T. = 4, Tas. = 3

Proportional Mortality Analysis

Preliminary figures, based on deaths identified in:

1. Pilot Group (N = 301)
2. Additional sample (approx. 450 U/G, and 250 A/G —S.A. registered deaths search only)

Cancer deaths occurring ≥ 5 years after first employment, ages 30-79

	Total deaths	Cancer deaths: Lung	RES	Digest	Other	All
Above ground	20	1 (5.0%)	—	2	—	3 (15.0%)
Underground: 1-12 mo	16	1 (6.3%)	1	1	—	3 (18.8%)
>12 mo	22	6 (27.3%)	—	2	1	9 (40.9%)
Australian Miners 1968-75		(5.9%)				(17.8%)

Other relevant observations

1. Non-fatal cancers detected:
   A/G None
   U/G: 1-12 mo. 1 bladder ca.
   > 12 mo. 1 lung, 1 nasopharynx, 1 lymphoma, 1 oesophagus
2. Average duration U/G of [U/G > 12 mo] deaths: mo
   6 lung cancers 49.7 months
   3 other cancers 33.0 months
   13 non-cancers 39.5 months
3. Details of 6 lung cancers [U/G > 12 mo]

Usual U/G job	Age at death	'Latency' (years)
Miner	45	16
Shift boss	69	20
Miner	50	18
Labourer	68	24
Storeman	41	9
Miner	60	21

The Hon. PETER DUNCAN: The details of the statistics speak for themselves, and they are now in *Hansard* for all to see. In my remaining few minutes I want to refer to the follow-up study that was to have been undertaken. I was following with interest the matter of Radium Hill, which demonstrates, at least in relation to the proportion of mortality study, a higher incidence of cancer among people who had worked underground for two years than that in the control groups. I want to know what has happened to the follow-up study.

The Hon. Jennifer Adamson: It's proceeding.

The Hon. PETER DUNCAN: I am giving the Minister an opportunity to tell us that when she replies. I am interested to know how it is proceeding because, although I am aware of the difficulties involved in conducting this study, it is a vital matter. The preliminary study demonstrated the same tendencies as had been discovered in the United States. One of the grave problem about this whole area is that cancers take so long to develop. Very often, people who have received doses of radiation have long since disappeared from the area before the cancer develops. One thing that should be looked at carefully is a long-term on-going study of people who are exposed to radiation doses, whether for medical purposes or otherwise.

Mr HAMILTON (Albert Park): I was amazed tonight to hear the contribution of the member for Morphett, in which he said that there was a great deal of unnecessary concern in the community about radiation. I suggest that he travel overseas and speak to some people in other countries—America, throughout Europe, Japan, and so on—if he wants to know the feelings of people in those countries. In 1977, I had the privilege of representing my union in Japan at a world conference against atom and hydrogen bombs. I was a national delegate for the Australian Railways Union, together with the now Assistant General Secretary of that organisation, and we spent three weeks in Japan, attending conferences, visiting nuclear power stations, and talking to the workers and people living in close proximity. Since then, I have taken a great deal of interest in what has been happening, particularly in Japan. Only recently I noticed an article in the Western Australian branch of the Australian Railways Union *On Track* magazine. In the July 1981 issue an article on page 1 headed, 'Kamikaze nuclear workers seen', states:

> Nuclear power plants in Japan are using 'Kamikaze Squads' of untrained day labourers for dangerous work, according to a newspaper. The Fukui Shimbun, quoting subcontractors who supply labour to nuclear power plants in Fukui prefecture, said that labourers were imported from Osaka, 140 km to the south, when radioactivity levels for specific operations were considered too high for regular workers to be exposed to over an extended period. The Fukui Shimbun said that most of the labourers were brought in from lower class working areas. By using temporary labour, plants were able to avoid violating health standards.

I read that article with much interest. A similar statement was made recently on *Four Corners* in relation to the same issue, stating that day labourers in Japan who could not get full-time work in factories were accepting these jobs. One must understand the work ethic in Japan. These people are day labourers who live in the slums and who are engaged by the subcontractors to go into the nuclear power plants to clean up the spills. I shall come back to that later.

I am concerned when I hear people such as the member for Morphett talking of over-dramatisation on the question of radiation. When I was in Japan, I visited a nuclear power station and talked to people living adjacent to it. When I went to the plant I was told that it was safe, but I was amazed to find that it perhaps was not as safe as had been suggested by the company, because the display area was a kilometre from the power plant. We were shown through the building and we were told by the public relations men from the company of the operation of the plant, but it seemed strange that we were a kilometre away from it when they knew who we were. The most insidious thing was the attempt by the company to indoctrinate children on the safety of nuclear power plants. I saw a self-inking pad that could be used by children on a booklet provided by the company, showing a child with both hands outstretched embracing the nuclear industry. I was appalled by such publicity. In the *News* on 28 January last year, the following report appeared:

> Lollies sweeten nuclear protest
>
> Tokyo (UPI): A power company wanting to build a nuclear power plant in northern Japan has tried to sweeten protests by giving candy to children whose parents oppose the project. Residents of Noto opposed to the project by Hokuriku Power Co. to construct the nuclear plant claimed their children have received bags full of candy from employees of the company. When asked by parents where they got the chocolates and lollipops, the children replied: 'Those nice uncles from Hokuriku Power Co. gave them to us.' The parents said Hokuriku workers have handed out the bags of candy at the city's kindergarten. The company began buying land in 1971 needed for the planned nuclear generator, but local opposition to the plant has stalled the company's attempts to purchase the land.

When I visited this nuclear plant I had the opportunity to speak to residents who lived nearby and who had formed themselves into a group. When I first came to this House, I drew the Deputy Premier's attention to an experiment that had been, or was in the process of being, conducted in Japan, called the Spiderwort experiment. I asked the Deputy Premier in 1980 to investigate that experiment, but to this date I have not received any response from him. One could gather one of two things: either he was not interested, or he had his officers carry out an investigation and found that that experiment being conducted around nuclear power plants in Japan revealed some very positive response.

Basically, that experiment was to show up, through this single cell plant, the amount of radiation given off by these nuclear power plants. That plant, depending on the amount of radiation, changed from blue to red; depending on the period of time and amount of radiation, the colour of the plant changed. Therefore, there is quite a bit of information available to those people who say that there is an over-reaction to the question of nuclear power plants and radiation.

Since my return from Japan in 1977, on a regular basis I have received information from interested people in relation to the question of radiation, nuclear power and the uranium industry in this country. I refer to a document, the *Gensuikin News,* dated 1 August 1980. In relation to nuclear reactors, on page 2, it states:

> The capacity factor during the nine years since 1970, when the first light water reactor began operation, up until 1978 was very low, contrary to the utilities projections. The average capacity factor of light water reactors is 53.6 per cent, and it generally goes down as reactors age. The average capacity factor for reactors which have been in operation for more than three years is 41 per cent, and that of reactors which have been in operation for more than seven years is only 26.7 per cent; the latter in particular is an incredibly low figure. After all, these reactors virtually cannot be used as commercial reactors.
>
> The cause of the reduced capacity is the daily occurrence of accidents. In P.W.R.s (pressurised water reactors) such problems as damage to fine pipes in the stream generator and fuel rod assembly occurred. Other occurrences were similar to the T.W.I. accident. Others must often be shut down in order to inspect or make repairs.
>
> The frequent occurrence of these troubles, accompanied by checking and repairs, causes repeated shut-down and re-opening of plants. As a result of this, plants age quickly and radioactive contamination of working areas within the plants has become more serious.

I believe that that illustrates the number of day labourers required to go into these nuclear power plants not only to mop up spills but also to get involved with the repair of plants. The article further states:

> During the last years, nearly 130 000 person/days have been spent for the check and repair works. The total amount of radiation exposure comes to 42 108 rems. Most of the workers are day labourers. The radiation exposure of these workers accounts for 87 per cent of the total radiation exposure. The number has doubled in two years. It is estimated that the amount of accumulated radiation exposure will be more than 100 000 rems within several years. If the Government carries out its present plan of constructing and operating nuclear power plants, the radiation exposure will amount to 100 000 person/rems per year in the near future.
>
> Workers' radiation exposure occurs mostly in B.W.R.s. According to a 1978 report, 87.4 per cent of the total amount of exposure took place within B.W.R.s. This fact shows how terribly contaminated the inside of B.W.R.s are and how frequently the day workers engage in the repair works in highly radioactive areas.

I seek leave to have inserted in *Hansard* a table concerning the availability and capacity factors. It is purely statistical.

Leave granted.

AVAILABILITY AND CAPACITY FACTORS
January-December 1979

Plant	Availability factor (%) / Capacity factor (%)												
	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sep.	Oct.	Nov.	Dec.	Average
Tokai-I	100	100	100	100	71.3	0	62.6	100	100	100	100	100	86.2
	83.1	80.2	78.7	79.6	56.5	0	51.7	83.6	83.4	83.0	83.9	83.7	70.6
Tokai-II	83.6	70.7	100	100	100	70.5	94.4	100	20.0	0	0	10.5	62.6
	74.5	62.2	89.2	92.8	90.9	62.4	84.8	91.9	19.4	0	0	6.1	56.3
Tsuruga	100	100	71.9	0	0	0	73.8	100	83.8	100	74.7	100	67.1
	93.8	91.0	65.1	0	0	0	62.4	93.8	74.0	93.8	65.6	93.8	61.2
Fukushima-I													
No. 1	0	8.2	100	100	100	100	94.0	100	100	82.8	100	19.4	75.6
	0	2.2	81.9	92.6	83.9	92.1	75.5	91.5	89.7	66.2	91.9	17.2	65.6
No. 2	0	0	0	0	0	84.0	88.8	97.6	100	97.8	79.0	100	54.3
	0	0	0	0	0	57.4	79.6	82.4	83.0	82.9	62.2	89.2	45.0
No. 3	100	100	100	100	100	100	92.2	100	100	93.5	0	0	82.1
	94.2	94.4	94.4	81.8	95.7	94.2	78.1	92.4	81.0	85.0	0	0	74.2
No. 4	100	100	100	100	100	100	100	98.0	0	0	0	53.2	70.9
	70.2	92.5	83.2	90.1	82.0	88.8	89.4	83.9	0	0	0	30.3	59.1
No. 5	100	0	0	0	0	95.4	100	100	100	100	100	100	66.7
	87.6	0	0	0	0	69.2	96.2	84.3	95.6	86.2	96.3	88.8	59.1
No. 6	—	—	—	—	—	—	—	—	—	100	100	100	100
	—	—	—	—	—	—	—	—	—	100	99.6	97.7	98.8
Hamaoka													
No. 1	100	100	93.2	100	64.4	100	100	100	100	99.9	0	0	79.7
	62.6	100	71.4	92.7	47.5	92.9	92.9	84.5	89.7	88.7	0	0	68.3
No. 2	100	100	100	100	100	55.1	100	100	0.9	0	0	53.5	67.5
	91.5	100	95.8	92.8	94.4	47.5	87.8	95.1	0.4	0	0	32.5	61.5
Mihama													
No. 1	25.8	57.0	25.4	0	0	0	0	0	0	0	0	33.6	11.6
	9.6	21.3	9.5	0	0	0	0	0	0	0	0	13.4	4.4
No. 2	100	100	62.6	0	0	0	0	0	0	8.3	0	0	22.2
	96.4	98.9	59.9	0	0	0	0	0	0	1.2	0	0	21.0
No. 3	0	0	0	0	0	0	0	0	13.2	100	100	100	26.3
	0	0	0	0	0	0	0	0	4.8	94.2	97.9	97.9	24.8
Takahama													
No. 1	0	0	0	0	0	0	0	0	8.5	100	100	100	26.3
	0	0	0	0	0	0	0	0	2.1	89.7	97.9	97.1	24.1
No. 2	100	83.8	0	0	0	0	0	0	0	29.3	7.5	33.2	20.8
	98.0	78.8	0	0	0	0	0	0	0	17.2	6.7	27.1	18.7
Oh-i													
No. 1	—	—	100	51.4	0	52.1	91.4	100	100	40.1	0	0	49.2
	—	—	100	48.1	0	43.6	86.2	99.4	97.9	33.0	0	0	46.3
No. 2	—	—	—	—	—	—	—	—	—	—	—	100	100
	—	—	—	—	—	—	—	—	—	—	—	99.4	99.4
Shimane	100	9.4	0	0	84.8	100	100	100	67.6	100	100	100	72.4
	96.6	9.1	0	0	65.6	95.9	95.1	100	59.3	97.1	100	95.5	68.4
Ikata	100	100	29.0	0	0	0	0	57.0	100	100	100	100	56.9
	99.3	100	24.5	0	0	0	0	37.1	100	99.9	99.9	99.9	54.7
Genkai	100	96.9	0	0	0	0	0	56.7	100	100	100	52.3	50.1
	99.2	96.1	0	0	0	0	0	43.8	99.9	100	99.9	42.3	48.0
Fugen (ATR)	—	—	100	100	100	75.8	69.2	100	100	100	65.0	78.8	88.2
	—	—	99.9	100	98.1	74.1	63.0	99.8	88.7	99.7	64.9	76.3	85.6
Average	72.7	62.5	50.5	42.6	41.0	46.7	58.3	70.5	59.7	68.0	53.6	60.4	57.1
	63.1	55.3	42.8	38.4	34.2	42.9	55.1	63.4	49.1	55.8	46.6	52.6	49.8

Mr HAMILTON: If I have time, I will refer further to that table later. When we hear from the Government, the mining producing forum in this country and the pro-uranium supporters, we hear a great deal about safeguards and the protection of workers, not only in the mining industry but also in the nuclear industry itself, particularly those involved with generators. When doing some research in late 1977, I took it upon myself to write to the union representing workers in British Nuclear Fuels Limited in Great Britain. As a result of that, I received information which I had published in the *Australian Railways Union Gazette*. The article stated:

Windscale—Union wins £30 000 for two widows: fight for others continues—

A four-year legal and medical inquiry by solicitor Ian Robertson, instructed by the G.M.W. Northern Region, on behalf of two widows of former Windscale workers, Jonathan Troughton and Henry King, came to a successful conclusion on 15 November when British Nuclear Fuels agreed to pay £30 000 compensation. Mr Michael Morland, Q.C., appearing for Mrs Troughton and Mrs King, said it was the first court hearing of claims for compensation for injuries to plutonium workers caused by exposure to radiation.

(from PRIEE News)

It was therefore in the interest of the workers of Windscale, their families and the public at large that the basis upon which these two actions have been settled should be publicly known.

He explained that, under the Nuclear Installations Act, 1965, if a worker establishes on the balance of probabilities that an injury and subsequent death were caused by exposure to radiation at work, then the employer is absolutely liable to pay compensation. Jonathan Troughton had worked as a plutonium worker from 1954 to 1963, when it was noticed that the plutonium count in his body exceeded the limits set at that time by the International Commission for Radiological Protection. He was removed from plutonium work, but the damage was done. In 1972 he became unwell, myeloma, a rare type of cancer, was diagnosed. He died three years later.

A number of eminent doctors and scientists had been consulted and they concluded that probably his myeloma was caused by radiation. Compensation for his widow was agreed at over £22 000.

Henry King's case was more complex. He died of a brain tumour and the medical experts were divided as to whether it was caused by radiation or not. British Nuclear Fuels, while denying liability, agreed to pay £8 000 and costs. Although, at present, each case which follows will have to be treated on its merits, the admission in Jonathan Troughton's case that radiation caused his death will make it easier to obtain compensation.

Bill Maxwell, G.M.W. convener at Windscale, who helped instigate research into the deaths, announced to the press after the

hearing that British Nuclear Fuels were now willing to discuss whether a scheme of 'automatic' compensation was feasible. Whether such a scheme is agreed or not, the G.M.W. will continue to help the other members and their widows who are claiming compensation.

The interesting words there are 'if a worker establishes on the balance of probabilities that an injury and subsequent death were cuased by exposure to radiation at work'. I think that this is something that the Government should seriously examine. I would like the Minister to explain to me whether this matter has been considered in relation to compensation that could accrue to workers, and to say what is her view on this aspect, particularly in the area of probabilities. I should also like to hear how far, if at all, the Government is prepared to go on that issue.

When we look at the question of protection for uranium workers in this country, it is interesting to note the no fewer than seven or eight Commonwealth and State Acts in operation. We have had the Atomic Energy Act, the Environment Protection (Alligator River Region) Act, the supervising scientists legislation, the Environmental Protection Nuclear Codes Act, and the Northern Territory Uranium Mining (Environmental Control) legislation. The Northern Territory Uranium Mining Act is supposed to be the major instrument controlling uranium mining under Northern Territory law. It permits the Minister to use authorisation to carry out uranium mining work, subject to a long list of conditions. What concerns me of course is that if a worker works in a uranium mine, say, in South Australia and then journeys to the Northern Territory and then for example goes to Queensland, what will be the amount of compensation, if it is determined that he is dying, for example, from lung cancer? How will the cost be determined? Who will pay the costs and on what basis?

We have precedents for this in America. An organisation (the National Resources Defence Council), to which I wrote before I came into Parliament and expressed my interest in the uranium issue, mining, milling and the nuclear industry in that country, supplied me with information from the *New York Times* of 1 September 1979 which, in part, states.

Responsibility and the States

So far, cases of uranium miners afflicted with lung cancer, silicosis and fibrosis have fallen through the cracks of the system that supposedly compensates workers for occupationally induced diseases. If they got sick in Colorado, Colorado says they caught the disease in Utah; if they got sick in Utah, Utah says the cause was not radiation but smoking; if they got sick in New Mexico, New Mexico says, too bad—they did not file the forms in time. So the miners have been dying with no money for medical costs, their widows or their children. According to a Government study of 3 500 uranium miners, 200 have already died of cancer against a rate of fewer than 40 deaths that could be expected among 3 500 people elsewhere.

If a similar situation occurred, as it quite possibly could, in Australia what would be this Government's attitude and what complementary legislation, if any, is available, and what agreements are available between the mining companies and the respective States and the Federal Government in relation to uranium workers who work in mines and shift from State to State or from mine to mine? I hope that the Minister can give me some information on this because the question of compensation is one that bears examining. Whilst we get assurances from members opposite that they believe that the mining of uranium is safe—I certainly cannot accept that—I hope that the Minister, when she replies, will be able to supply me with that information, particularly bearing in mind the ludicrous situation that occurs in the States.

On the question of uranium mining, an editorial in the *New Doctor*, the journal of the Doctor's Reform Society, in July 1980, makes some interesting comments on the high doses of radiation, as follows:

In the case of alpha radiation exposure, e.g. the mining of uranium ore, the dose will be affected by the number and size of dust particles in the air to which the alpha particles can adhere. There is no feasible method of taking every variable into account. As an example of the complexities involved one might look at the proposal put forward by uranium mining companies to filter the dust particles from the air entering the cabins of trucks and drilling machinery used at the ore-face. The argument of the companies is that such filtering removes the dangerous Po^{214} and Po^{218} attached to the dust particles. It does not, however, remove the radon gas which quickly decays to its daughter products. For example, after five minutes, 50 per cent of the equilibrium level of Po^{218} would again have accumulated. In the absence of dust particles this Po^{218} and subsequently forming Po^{214} would remain 'free floating' and biologically more dangerous. In the absence of field tests it is impossible to say whether the filtering of air coming into vehicle cabins would reduce radioactivity, make no difference or, in fact, make the levels more hazardous.

I hope that the Minister will be able to answer some of the questions posed there. The article continues:

Even uranium mining is far less safe than the authorities would have us believe. In February 1979 the Commonwealth Department of Science and the Environment reported on the Nabarlek uranium project, noting that:

(a) Queensland Mines had significantly underestimated possible radiation exposures, perhaps by a factor of 5-10.

(b) Using estimates of the Australian Atomic Energy Commission and the Australian Radiation Laboratory concerning radiation exposure, workers may not be able to operate safely at the ore-face for more than 2-3 hours per day on the average.

(c) Due to weathering of the schists surrounding the ore body and deficiences in the dolerite layer, there is a danger of leaching of radioactive elements from the tailings pit.

(d) The water containment plans of Queensland Mines may not be adequate to prevent contamination of local streams, with consequent harmful effects on the Aboriginal population.

Despite these extremely serious drawbacks, mining has been allowed to proceed. Will the nuclear power industry give a higher priority to the health of workers than to profits? On past record, one could hardly be assured that this would be so. The widespread use of transient workers to do 'hot jobs' with no concern to monitor their health into the future could hardly be called responsible.

I do believe that what has happened, not only in America but from experience in Japan and quoted from many sources (and even the ABC has taken this issue up on the *Four Corners* programme) involves the use of transient workers. It is quite clear that if we allow this to happen in this State or this country, and it has happened based on what I have read in that article, we will not be able to find out what sorts of problems these workers are experiencing. If they do not have regular checks at a mine or particular mines, how are they able to get compensation? It is quite clear to me that the Minister has a number of questions to answer in relation to the compensation question.

Finally, on the question of nuclear waste, this *Gensuikin News* that I received in 1980 has interesting information as to the amount of radioactive waste stored in nuclear power plants in that country. Most of us would remember the attempts by the Japanese Government to lower the protection standards in relation to the pollution of the sea. I seek leave to have incorporated in *Hansard* a table from the Science and Technology Agency of Japan regarding the amount of solid low level radioactive waste in atomic and nuclear fuel processing plants in that country. For example, there are something like 213 600 200 litre capacity drums of low level waste.

The ACTING DEPUTY SPEAKER (Mr Russack): Is it a purely statistical table?

Mr HAMILTON: Yes, Sir.

Leave granted.

Solid low-level radioactive waste totalled to the end of March 1979

Sources of waste	Atomic power plants	Nuclear fuel reprocessing plant	JAERI, PRNFDC	Isotope Japan, Ass'n	Total
200 litre capacity drums—low level waste	133 600	9 800	63 300	6 900	213 600

Notes (1) JAERI stands for the Japan Atomic Energy Institute, and PRNEFDC for the Power Reactors and Nuclear Fuel Development Corporation.

(2) The amount of low-level radioactive waste stored at atomic power plants differs according to plants. It is estimated to range from 24 000 to 55 300 drums.

Mr HAMILTON: When we hear members on the other side say that the question of waste has been largely solved or that they believe it has been solved, I find it very hard to believe.

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

The Hon. J. W. OLSEN (Chief Secretary): I move:

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

Motion carried.

Mr LANGLEY (Unley): This Bill is possibly not the most important Bill that has come before the House for a number of years but I will be waiting for the reply from the Minister, because people in this country are very perturbed about this Bill and other Bills that are before the House of a similar nature. The Minister at present does not understand the Bill and is supposedly able at all times to help people. This is one Bill on which people need help and about which they are worried. We have heard just recently of a war during which the use of agent orange occurred and no-one at present is able to solve that problem. This Bill, which will be passed because of the numbers in this place, will go back to another area concerning uranium, and that is one of the things worrying people very much.

I have door-knocked half my area already for the next election, which may be on at any time, and there is no doubt that people are worried about this matter. It is a subject on which people do not know a great deal. I do not know what will occur in the future. I do not think the member for Morphett knows. He is only surmising on this matter and it is a fact of life that people in this area do not know what the future holds. I wish it were possible to look into a crystal ball to know what will happen in the future. This is an area about which members do not know and many members are willing to go by what is said on both sides. I will most likely not be here when this type of thing comes to fruition one way or the other.

I think this is a case where vested interests are taking part and pushing for their own side. I am not an expert and I am waiting for an expert to come forward who is good enough to prophesise what will happen in the future. I hope that, when this Bill is before people, they will consider it carefully. I trust that the Minister will say, and not be modest about it, that it is an uncertain matter, and an uncertain position for anybody to be in. I hope the Minister has tried, but in this case I am sure she does not understand what will occur in future, and someone will have to pay. That is what worries me more than anything else.

I do not intend to speak for very long but voice my opinion that, whatever the future holds, we are most likely deciding a matter about which not too many people know. Even the great experts are half and half on this issue, and I only hope that everything turns out all right, but I am afraid that at the moment no-one knows what will happen in the future.

Mr PETERSON (Semaphore): I do not feel that the legislation is strong enough. I feel there are faults in legislation when provisions can be laid aside by another Act of Parliament at some other stage. There is one on the Statute Book now. I do not know whether it refers to this or not, but the legislation is related to uranium mining, in particular one of the parts of the Bill says that that indenture will override any other State legislation.

That worries me, when we are looking at one Bill for protection of people in an industry and there is another Bill that overrides that. In principle, I think it is the sort of legislation that should be looked at by this Parliament. I think that people and workers in the community need to be protected. There is evidence that people have been seriously affected by the misuse of the radioactive-type processes and I think this type of legislation in principle needs to be put forward, needs to be strong, and needs to protect the people. I know there will be alterations to this legislation. I cannot refer to those alterations, but I would like to say I think it should be stronger and an overriding type of legislation.

It worries me that we have what seems to me to be a duplicity of legislation, when a protective measure such as this, as I assume it is meant to be, can be overridden by another Act. As members of Parliament, I believe it is our duty to look at these things realistically and come forward to look after the people of the State whom we are elected to represent. Some of the areas of concern have been well outlined by the previous speaker and I certainly will not go over those again, but, because of those factors I have previously outlined, I do not feel this legislation is strong enough and I do not feel it covers enough. I think there is a strong need for control in our community. I will wait and see how the Bill turns out in the end.

The Hon. JENNIFER ADAMSON (Minister of Health): I thank all members who have contributed to this debate, which has indeed been on a technical subject that is certainly beyond the technical competence of most members of this Parliament. In that regard, I believe almost all members who have contributed to the debate have certainly done their level best to grapple with the technicalities. Some have obviously done some very thorough homework and, on those grounds, I commend everyone who has participated, because it has not been an easy Bill to debate and the contribution of some members has been thoughtful indeed.

The Opposition's argument has centred around three things. The first is the timing of the legislation, with criticism as to what has been perceived as delay. I believe those criticisms can be satisfactorily answered and I will satisfactorily answer them. The second criticism has been on the basis that this Bill is too wide ranging. I find that a strange criticism, because I believe that, by introducing the most all-embracing legislation that has yet been introduced in Australia, the South Australian Government can be seen as a pace-setter towards the implementation of recognition that radiation, wherever it occurs, needs to be dealt with under basically the same standards and, as I said when foreshadowing the legislation, we will ensure that the doctors obey the same law as the miners and the miners obey the same law as the doctors. I believe that, once that principle

is recognised, much of the ill-informed and emotional argument that has surrounded radiation will disappear and it will enable the subject to be seen in its proper perspective. We will also have a more rational approach to what is a very important health issue.

The third theme of the Opposition's argument has been a criticism of what is seen as an insufficiently stringent and detailed Bill. Again, there is a satisfactory counter argument to that allegation and that is based on the fact that legislation that deals with a highly technical and complex subject needs to be enabling legislation, that is, to create a framework under which regulations can be enacted in order to ensure that the law can respond quickly and effectively to technical changes that it would not be appropriate to incorporate in Acts of Parliament.

In summary, they are the themes of the Opposition's arguments and I believe that all of them can be satisfactorily answered. The member for Napier dwelt at some length on what he described as tardiness in introducing the Bill. It is true that there was a delay of approximately two years between the presentation of the report of the working party on human diagnostic radiography and the introduction of this legislation, but at the same time I point out that, if the previous Government was so concerned about the protection of people under human diagnostic radiography legislation, why did the previous Minister wait until a month before the last State election to set up a working party to look at the area? Why did the previous Government not act as it could have acted to change the regulations when it was in power? That would not have been an onerous thing to do, particularly in view of the recitation by the member for Ascot Park tonight of the various articles and newspaper reports, most of which had dates indicating that they had appeared during the previous Government's term of office.

The working party itself recognised that revised controls could be part of wider legislation and it seemed inappropriate to me to embark upon a revision of legislation in a piecemeal fashion that would have taken account of only one aspect of radiation control when the State was faced with the need to take account of a large number of aspects of radiation control. For that reason, we chose to delay introduction of the Bill until all aspects could be satisfactorily dealt with. That does not mean that, in the meantime, no action was taken. I want to reassure the House and the community that the alleged delay in introducing legislation did not mean that there was no action in the interim to correct the deficiencies that were identified in the working party's report.

It is important to realise that legislation is not the only means by which those deficiencies can be corrected. Administrative action is one very important way and that is precisely what the Government did. We increased the resources available to the radiation control section of the commission quite dramatically. At the same time, we ensured that inspections were stepped up and, from the time the Government took office, detailed written reports were provided following inspections. That did not occur before this Government came to office. Inspections now involve detailed assessments of equipment and processing techniques. They end with recommendations to the owners and operators of human and diagnostic radiography equipment and they are following up to ensure that the recommendations have been implemented.

The community at large can be reassured that the Government has taken action, through the Health Commission, to remedy the deficiencies identified by the working party and that administrative action, I believe, has been effective and has been acknowledged by the medical profession as being effective. In fact, on the same day that the Hon. Dr Cornwall alleged that people who had been X-rayed over the past two years had been subjected to unnecessarily high doses of radiation, the Chairman of the very working party whose report he was quoting, was reported as follows:

> We have no reason to believe that harm has been caused. Dr Angas Robertson, Radiology Director of the Royal Adelaide Hospital, replying to claims reported in the *Advertiser* that up to one-fifth of medical X-rays taken in Adelaide involved excessive radiation of patients, said the people who had X-rays recently had no cause for alarm over excessive radiation.

I believe that alarmist statements must be seen in some kind of proper context. In addition to the administrative action of increasing resources, considerable efforts have been made by the commission to assist and educate users of X-ray equipment both during inspections and at other times. In addition to that, commission officers have organised seminars in country areas and have assisted with seminars organised by other people, for example, the family medicine programme. I stress that for the law to be effective it must be understood by informed people who are capable of implementing it and the education process is at least as important as, if not more important than, the legislative process in ensuring proper standards of radiation control.

The claims that were made by the member for Napier about the different characteristics of alpha radiation gas and radio isotopes need to be answered. I do not propose to develop arguments along highly technical lines, because it has been generally recognised that few members here have the competence to do that. At the same time, statements were made by the member for Napier that were not correct and which must be refuted. In this particular instance, I shall do so. He stated words to the effect that alpha radiation from radon gas in uranium mining has very different characteristics from medical X-rays and isotopes. He went on to suggest that it required special and different legislation. The facts are that alpha radiation from radon is no different from other alpha radiation. Two alpha emitting radionuclides in widespread use are Americium-241, which is used in ionization chamber smoke detectors and in a wide range of neutron sources, and Polonium-210, which is used in electrostatic eliminators, in industry, commerce, and scientific research.

Radon itself was used by the Radiotherapy Department of the Royal Adelaide Hospital for the treatment of cancer for the approximate period 1939-75. Radon is still used in Queensland for radiotherapy. Sources of radon gas exist in places other than uranium mines; for example, in universities and other places with geological sample collections, and in any place using Radium-226 sources. Another radioactive gas, Xenon-133, is used routinely in nuclear medicine, so radon is not unique in that property, either. I think that demonstrates the risks in making, in a general political debate, technical assertions that cannot be substantiated.

The member for Napier suggested that the Government could have acted to implement the recommendations of the working party through a simple amendment to Part IXB of the Health Act. The working party on human diagnostic radiography recommended the abolition of Part IXB in so far as it relates to human diagnostic radiography and the drafting of new legislation to permit the creation of a licensing authority and also to permit the creation of controls directed towards the patients. However, the working party recognises that the existing regulations also deal with other aspects of radiation detection, and that in any decision to alter the control of human diagnostic radiography would need to take into account all the possible changes in this area.

The member for Napier also suggested that I had somehow or other manipulated and exploited women officers of the South Australian Health Commission for political advantage. I would like to set the record straight and explain to the

House that, in arranging for a briefing for a journalist from the *Advertiser* and recognising the highly technical nature of the subject, I am assured that the officers who had been involved in the preparation of the legislation were available to brief the journalist on the technicalities of the subject. It so happens that not only does South Australia have a woman Minister of Health (and there was no malice aforethought by the Premier, I am sure, in appointing a woman to a job that would ultimately entail administration of this Act and the passage of this Bill through Parliament) but South Australia also enjoys the fact that a woman is Senior Health Physicist in the South Australian Health Commission, that a woman is the Parliamentary officer in the office of the Minister of Health and has been for many years, having served three Ministers faithfully and well, and that a woman is one of the legal officers of the South Australian Health Commission. It would have been quite impossible for me to organise or manipulate those appointments in order to achieve the sinister ends that are attributed to me by the Opposition.

At the same time, I am not, unfortunately, sometimes and happily sometimes, responsible for the sub-editing of the *Advertiser*. Had I chosen to belittle the contribution that women were making to the preparation of this legislation, I could hardly have chosen a more effective headline than that which was chosen, namely, words to the effect that 'the girls' were involved in it. I was not happy with that headline. I did not choose it and I regret that it was used, because I believe that it did somehow in the public mind diminish the fact that women had been involved. I suggested that, if there had been an all-male team on the preparation of this legislation, it is most unlikely that sub-editors of the *Advertiser* would have said 'the boys' prepared radiation legislation. I believe that is an effective answer to the Opposition's accusation in that regard.

The member for Napier suggested that I had been pressured to release the working party's report. It is quite true to say that the radiographer who was on the working party did approach me to see what action was being taken on the report. I do not recall right now at what stage he approached me, but he did approach me. I explained to him that the Government was working on the recommendations of the working party report and was looking at them in the context of wide-ranging legislation that we recognised as being necessary. I believe that the person who approached me accepted the validity of that explanation and I also have the assurance that the institute regards this Bill as a satisfactory piece of legislation.

The member for Napier also raised questions dealing with workers compensation, as did some of his colleagues. It is not competent for health legislation to deal with matters of workers compensaton that are properly dealt with under all-embracing legislation administered by the Minister of Industrial Affairs. I note the points that were raised by several Opposition speakers. I agree that questions of workers compensation need to be studied with extreme care in relation to radiation working, but I submit that the proper place for that to occur is not under a health Bill such as this but under the workers compensation legislation.

Mr Hemmings: You could have said that in your second reading explanation.

The Hon. JENNIFER ADAMSON: There were a lot of things I could have said.

Mr Hemmings: I said it just singularly regarding your second reading explanation, that there is a problem in that area. You didn't say that.

The Hon. JENNIFER ADAMSON: It is true I could have said that; I could have said a large number of other things. I think the honourable member will acknowledge that it was a long and detailed second reading explanation that made every attempt to cover a very broad and diverse field. I recognise that we are unlikely ever to provide the perfect second reading speech that satisfies totally all the arguments of the Opposition and all the questions of the Opposition. I believe that the place to do that is either in the second reading reply or during the Committee stages of the Bill.

Reference was made by the member for Norwood to questions of staffing and resources. He asked a series of questions, some of which were so detailed and specific that they may need to be put on notice. Since this Government came to power, the resources of the Health Commission have been increased very dramatically in the radiation control area. We have doubled the staff performing inspections of X-ray equipment used by doctors, dentists, chiropractors, and veterinary surgeons in diagnostic radiography and others in scientific and industrial areas, and we have provided monitoring equipment to enable these inspectors to perform appropriate safety tests on those machines. Commission officers have paid particular attention to educating the users of these machines, as I said earlier, both during their regular inspections and by special seminars and talks.

With regard to uranium mining and milling, this Government has provided the resources to develop within the Health Commission a group of scientific and technical experts equipped to assess the radiation exposures that may occur in relation to uranium mining, milling and related activities. To date, six science graduates—and I am sorry that neither the member for Norwood nor any of his colleagues except the member for Gilles is here to hear this—have been appointed to work specifically in this area. They have been provided with equipment worth approximately $160 000. An additional scientific officer and a senior administrative officer are soon to be appointed, and additional equipment to the value of approximately $160 000 is being purchased. The commission is spending $100 000 to provide new accommodation, including properly equipped laboratories, for its radiation control section.

The training of the Health Commission staff is being upgraded continually, and I think it is reasonable to say that the staff of the radiation control section of the South Australian Health Commission would bow to no other officer in this Commonwealth in terms of expertise. Certainly, the Government has gone to considerable effort to try to ensure that continued training occurs. Three of the six graduate staff in the uranium group have attended special post-graduate training courses. In addition, the senior health physicist of the commission was sent to an international conference on radiation hazards in uranium mining and milling in Colorado, United States of America, and to an international symposium on the application of the I.C.R.P. system of dose limitation in nuclear fuel cycle facilities and other radiation practices.

I understand that similar conferences will be held during the next 12 months, and I expect and hope that commission officers can attend those conferences in order to ensure that South Australia is abreast of the very latest technological developments in this area. I add, for the information of the House, that no other State did as the South Australian Government did in sending its officers to these international conferences in order to ensure that we were as up-to-date as was anyone else in the world in technical expertise in this area. I believe that the Government certainly deserves commendation for its action, and I am confident that the staff of the commission are making the very best use of the resources made available to them.

The member for Norwood raised questions relating to Three Mile Island and the possibility of nuclear war, and also mentioned nuclear-free zones and nuclear fall-out centres. I do not mean to be flippant in any way, but I

must say that, while he was speaking, I recollected the bomb shelters constructed in Australia during the Second World War, out of the same sense of fear, perhaps better founded in those days because we were at war with an enemy. I remember my father constructing one in our own back garden, and I am happy to say that all that that bomb shelter was ever used for was to store jam, pickled eggs, metwurst, dried fruit—

Mr Evans: Sly grog?

The Hon. JENNIFER ADAMSON: There was no sly grog, just the things that a family of six children needed. I well recall the beautiful spicy smells emanating from the cellar. I suggest that nuclear fall-out shelters all over the world are being used for this same household domestic storage purpose and I hope, along with all other members, that that is all they are ever used for.

In response to the specific question about the involvement of the Health Commission in the fall-out shelter at Norwood, as far as I am able to ascertain the commission was not involved in developing that proposal. It was a question that was in the hands of the Premier's Department as a protective defence measure, and at this stage I am not able to give any more information than that.

The member for Norwood also queried the involvement of the Minister of Mines and Energy in the administration of the legislation. I think it is important to respond to the questions raised there. The Minister of Mines and Energy issues mining tenements, and therefore must be involved in matters affecting them. It is possible that this legislation could have involved a separate licensing procedure, but I think that, as a lawyer, the honourable member will recognise that to link what are two interdependent legal requirements under separate Acts administered by different Ministers imposes a somewhat confusing state of affairs on the people who are being licensed. If the same safeguards could be provided under one licence (or in this case one tenement) that is a much more desirable administrative and legal course to take, and that is the course that we have chosen. It does not mean that the involvement of the Minister of Health is in any way diminished or downgraded, because the conditions on the tenement have to be conditions approved by the Minister of Health. Certainly, commission officers and mines officers will be involved in close liaison and the Department of Mines and Energy has an important and in fact vital role in ensuring that its expertise in mining methods, and particularly in mine ventilation, is used in the administration of this legislation.

Mr Crafter: Who will have the final health decision?

The Hon. JENNIFER ADAMSON: It will be taken by the Health Commission, and the Bill makes that clear. At the same time, we recognise that not all wisdom in relation to radiation protection in mines resides in the Health Commission. There are matters of engineering design, particularly in relation to ventilation, in which the Department of Mines and Energy and its engineers have expertise which is essential and which cannot be expected to reside in health physicists. That is why it is a joint venture in terms of working together, as laid down by this Bill, in order to ensure that the maximum protection is provided and that the most practical means are used to ensure that that protection is as effective as it can possibly be.

The Department of Mines and Energy has recently employed two engineers who have had experience as ventilation engineers—and that is absolutely critical—and have special skills in assessing the flow of airways in a mine. Monitoring techniques will be discussed and reviewed at frequent intervals by the Department of Mines and Energy, in consultation with the Health Commission. The Department of Mines and Energy will provide its own monitoring equipment, the Health Commission will have its own monitoring equipment, and the companies will have their own monitoring equipment, but the Health Commission will calibrate that equipment and independently assess it, both in relation to the Department of Mines and Energy and the companies. I believe that that ultimate surveillance role is satisfactorily seen to be exercised by the Health Commission.

The member for Norwood, I think, also raised the question of penalties and queried the stringency of the penalties. I believe other members opposite also raised that question. I am in no doubt whatever that the penalties under this legislation are as stringent as, if not more stringent than, are any penalties existing anywhere. The reasons are threefold. First, there are the monetary penalties and I recognise that, in terms of money value, $50 000 when one is talking about millions is not a colossal penalty.

At the same time, the lawyers on the Opposition side will recognise that there is a limit to the money values that can be put on a penalty and not bring Parliament into disrepute and indeed fail to fulfil the aim that one has in mind. However, apart from the monetary penalties and imprisonment, which is for many people the ultimate deterrent, section 36 provides what a miner would consider to be the ultimate sanction, that is, say, cancellation of the prescribed mining tenement. There could be no more severe penalty for a miner than the total removal of his access to a mine. From a mining company's point of view, that penalty would be far worse than a fine, or, I venture to say, imprisonment, because it would simply spell the total end to what might be a profitable operation.

Mr Crafter: What I was arguing about concerned more effective deterrents than monetary penalties for offences.

The Hon. JENNIFER ADAMSON: I think I can answer that argument by saying that the ultimate sanction of cancellation of a tenement is the most effective deterrent that could occur. The position in other States was queried by the member for Norwood. There has been considerable State-to-State variation in legislative controls and in the resources devoted to administering those controls. Again, I stand to be corrected, but I believe that no other State is devoting the resources to radiation control that the South Australian Government is devoting in all areas, right across the spectrum of medical, industrial, scientific, and mining. No other State is equipping its officers with the expertise and resources that the South Australian Government is providing.

Regarding a comparison with other States in regard to monitoring, overall I would say that it is very difficult to get information, for example, from Queensland. The system in the Northern Territory is complicated by the fact that the Commonwealth has some overall supervision of this matter, and, indeed, in Western Australia it has not yet finally been decided what the involvement of the Health Department *vis a vis* the Mines Department actually is.

So, in South Australia we have the benefits of a co-ordinated all-embracing approach which is absolutely crystal clear and unambiguous. To me that is the great merit of the legislation: there is no ambiguity whatsoever. Any ambiguity that might possibly have been seen to exist will be removed when I move Government amendments which will clarify one or two matters that apparently were not clear to everyone who saw the legislation. Legislation that is straightforward and easy to understand has a very great advantage over legislation which is confused and which is administered in a divided fashion.

The member for Norwood asked about exemptions. It is not intended to use the exemption power to exempt mining companies (I should make that absolutely clear) or indeed to exempt any other groups with major involvement in ionising radiation. The exemptions will be given only to users of radiation which is of an extremely low intrinsic

hazard. Perhaps I could nominate smoke detectors, or things of that nature. Although they would show some measure of radiation, they would perhaps not show the same degree of measurement of radiation that could be measured on the steps of this Parliament House. It is only common sense that such an exemption power would be included.

At this stage I might say that no exemptions are envisaged, although the power to grant them is needed to enable the commission to adopt the controls to unforeseen new users of radiation which may pose an extremely low, indeed negligible, hazard. The examples that the member for Norwood gave, namely, microwaves, lasers and tanning booths are all examples of non-ionising radiation. There are no controls at present on those pieces of equipment, and the Bill will enable controls to be established.

Mr Crafter: You will?

The Hon. JENNIFER ADAMSON: That will be the function of the Radiation Protection Committee and its subcommittees. Detailed work on planning regulations to cover this area has not yet begun, but the expert committees that are to be set up will certainly be working on that during the coming months. The member for Norwood also asked a question about qualifications of persons who have been granted licences to operate radiation apparatus. The working party on human diagnostic radiography recommended that, before any applicant is granted a licence, he must satisfy the authority granting the licence that he is sufficiently skilled. The working party recommended that only two groups of persons be granted a full or unrestricted licence: these are diagnostic radiologists, that is to say, medical practitioners registered by the Medical Board of South Australia as specialists in diagnostic radiography, and diognostic radiographers eligible for membership of the Australian Institute of Radiography.

Other applicants for licences will need to satisfy the commission that their skills are adequate for them to perform the range of radiography that they propose to do and that they have adequate knowledge of the principles and practices of radiation protection in their proposed field. The commission will seek the advice of the expert committee, the Radiation Protection Committee, on what qualifications are adequate in specific instances. Training courses will be required for those who do not have adequate skills and knowledge, and already the people working in the various areas are planning what is required to ensure that members of the various para health professions have available to them the necessary training courses. Those courses are being planned by the Health Commission in conjunction with tertiary institutions and also with the various professions involved.

The members for Morphett and Newland dwelt, naturally enough, on the positive aspects of this legislation, and I believe that they did so very effectively. The member for Newland made a statement that I believe is worth repeating, because it really goes to the heart of this Bill. He said that the main responsibility of the Government is to ensure that we establish a system and a sound mechanism by which the people at large and the Government can have access to the best scientific knowledge, to ensure that that knowledge is tested and to ensure that by regulation that knowledge is put into practical effect. I think that probably summarises very well indeed the nature of the Bill.

The member for Elizabeth dealt with at some length, and mourned, the fact that decision-making is more and more being placed into the hands of technocrats. I think that there is hardly a member in this place or, indeed, a person in the community who would not recognise and share his concern about that fact; I certainly do. At the same time, I think that the honourable member should recognise that it was ever thus. Even in the 19th century, when things were infinitely simpler than they are today, it was still not possible for the ordinary lay person to be versed in the intricacies of the application of various pieces of legislation. The present Health Act and the radioactive substances and irradiating apparatus regulations, which were originally introduced in 1962, are in the form of regulations; they are not embodied in the Act itself. That was 20 years ago, and there has been a massive explosion of information since then.

However, basically the legislative technique used in the enactment of that legislation is the self same technique being used as that which has been used in the enactment of this Bill, which is to create a framework of enabling legislation and to ensure that it provides for the enactment of regulations that can be speedily and effectively updated to take account of technical and technological change. The same principles apply throughout all health legislation, and one need think only of legislation covering food and drugs and toxic substances to recognise that ever since there has been health legislation that has been the means of enacting it.

The member for Elizabeth then went on to expand on the fact that he believed that there should be ordinary lay people on the committees. Although I share his enthusiasm for the involvement of lay people in exercises of a technical nature, I want to reassure him that that involvement is provided for under this legislation. The subcommittees are committees of experts, but there is no reason why a consumer or lay person should not sit on any or all of those subcommittees, because they are not restricted in the number or nature of their appointments.

The committee itself is an expert committee. The committee's recommendations in respect of regulations must be approved by the Health Commission. That means that the commissioners (the one full-time Chairman, who is a layman, and the seven part-time consumers who are also in respect of this legislation laymen and women), sitting as a commission, will have to approve these regulations. That in itself is the involvement of lay people at a key and critical stage of the legislation. The regulations then go from the Health Commission to Cabinet, again composed of lay people. They go from Cabinet to be placed before Parliament, again composed of lay people. So, I think there is no substance to the charge that there is not sufficient involvement of lay people. Lay people are indeed involved at key stages along the way.

The member for Elizabeth also drew attention to what he called the exemption of Roxby Downs from this Bill. That statement should be seen in the context of the fact that Roxby Downs (that is to say, the Olympic Dam project) will be subject to all the regulations enacted under this Bill. That should be well and truly recognised by all members of Parliament and by the community, but, at the same time, it should be understood that the exemption relates to the conditions that are placed on the tenement under the special mining lease, and these are automatically precluded because of the indenture. The very nature of indenture is that it establishes the project. But, I emphasise again that the Olympic Dam project will be subject to all the regulations under this Bill and that the joint venturers will be required to comply with the codes, which are a reflection of the provisions of the Bill. That means, of course, the same for Roxby as for any other mining or milling operation.

The member for Elizabeth took exception to clause 19, which he said was put there because he claimed that those involved in the nuclear industry were scared to death that any information discovered in the course of inspectorial duties or surveillance would somehow or other be made public. The member for Elizabeth has surely been here long enough and introduced enough legislation of his own

to know that that clause 19 is there because it is a standard clause to ensure that commercial information is not abused or misused by Government officers. He also asked about the status of the follow-up study in relation to the Radium Hill miners which was instituted under his administration. I can assure him that that study is proceeding along accepted epidemiological lines.

Those were the principal matters of substance that were raised by the Opposition. I believe that they have been dealt with effectively and I want to reiterate that this Bill is, in the view of the Government, the most effective piece of radiation control legislation yet enacted in Australia. I believe that it sets an example to other States and possibly even to other countries. It certainly fulfils the Government's undertaking to ensure wide-ranging legislation that requires everyone involved in fields dealing with radiation—from doctors to traffic engineers, to laboaratory scientists, to industrialists, and to miners—to abide by the same law which enacts codes that are recognised both nationally and internationally as providing acceptable, and indeed stringent, standards of control for the safety of the people and of the environment.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—'Arrangement.'

The Hon. JENNIFER ADAMSON: I move:

Page 2, after line 1, Insert—
'Division A1—General objective.'

This is a machinery provision consequent upon a later amendment that becomes new clause 22a.

Amendment carried; clause as amended passed.

Clause 5—'Interpretation.'

The Hon. JENNIFER ADAMSON: I move:

Page 2, after line 17,—Insert definitions as follows:
'conversion' in relation to uranium means conversion of uranium oxides to uranium hexafluoride;
'enrichment' in relation to uranium means alteration of the isotopic composition of uranium:

The definitions of 'conversion' and 'enrichment' are required in connection with a later amendment that becomes new clause 24b, dealing with the conversion and enrichment of uranium.

Mr HEMMINGS: I am interested in this amendment. As the Minister says, in clause 24b we will be dealing with this subject. It seems to me that perhaps we are dealing with a possible uranium enrichment plant in this State. Would the Minister enlighten us as to whether that is the reason behind this amendment.

The Hon. JENNIFER ADAMSON: I think that probably further on is the time to deal with that, but I am happy to deal with it now. In introducing the Bill in the first instance, the Government believed that, by ommitting any reference to conversion and enrichment, those processes would be excluded from the provisions of the Bill. However, I understand that there is some legal doubt as to whether or not that is the case. In order to put it beyond doubt, the amendments are made specifically to exclude—not to include—and to make clear that this Bill does not cover those processes. And that, if those processes were to be established in South Australia, they could not be undertaken without amendment to this Bill to ensure the appropriate safeguards. It means nothing in terms of what might or might not happen. It simply clarifies the legal situation.

Mr HEMMINGS: Can I take it then that within the next two of three weeks we cannot anticipate that the Minister of Mines and Energy will be announcing that an enrichment plant will be established in South Australia to meet the requirements of this amendment?

The Hon. JENNIFER ADAMSON: I thought I made it clear. Until this Bill is amended to provide for such a thing, it cannot happen. That is not to say that it will never happen and, not having a crystal ball, I cannot say what will happen in the next two weeks, two months or two years. However, I believe that the amendment clarifies the situation.

Amendment carried.

Mr HEMMINGS: I move:

Page 2, after line 25—Insert definition as follows:
'MeV' means million electron volts:.

I think that the amendment is self-explanatory. It meets the requirements of further definitions that we will be moving.

The Hon. JENNIFER ADAMSON: I oppose the amendment and a lot of other amendments that follow. They are, as the honourable member would know, simply restating definitions that are embodied in the code of practice on radiation protection in the mining and milling of radioactive ores. They will, therefore, be covered by regulation, and the advice that I have received from technical people is that that is the way it should be. The proposed amendments do nothing to strengthen the legislation; they are unnecessary in the sense that they are matters that are more appropriately covered by regulation. Therefore, the Government cannot accept the amendments.

Mr HEMMINGS: I fully expected the Minister to follow that line, but could she inform the Committee on whose technical advice she received that information so that at the outset of this Committee stage we can establish who is advising the Minister in relation to the technicalities of these amendments?

The Hon. JENNIFER ADAMSON: The advice received by the Minister of Health is obviously advice that comes to her from the South Australian Health Commission, which is South Australia's health authority, on which the Minister relies for advice. That seems almost a superfluous question. I should have thought that the answer was self-evident.

Mr HEMMINGS: I would like to follow that through. In effect, we are saying in this amendment that we need to strengthen the Bill. If the Minister is receiving from people within her own Health Commission advice that this does not strengthen the Bill, when Opposition members and even Government back-benchers have been saying that there should be more protection for people working in the industry, there should be clear definitions in the Bill dealing with things such as the clauses that we have before us tonight. If the Minister is saying that within the Health Commission there are technical experts who have advised her that the amendments are not relevant, that they will not strengthen the Bill and that they can quite adequately be carried out by regulations, surely the Minister is admitting that everything that I said in my second reading speech was true, namely, that this Bill is really nothing: it is just a framework.

All the Minister is saying is that we are just giving the bare skeleton and that regulations will be enacted at some future date to describe exactly how the Bill will work. It seems that we are now going to embark on a heavy, prolonged debate through the Opposition's amendments and the Minister's amendments because the Minister in this first instance has said that in no way will she clearly define in the Bill exactly what the legislation is all about and that we are going to hide behind regulations. If that is the case, we are in for a heavy night.

The Hon. JENNIFER ADAMSON: Whether we are in for a heavy night or nights depends to a large extent on the recognition by the Opposition of the reality that this Bill is enabling legislation that provides the framework through which regulations that implement the codes can be enacted. It is quite inappropriate, as every lawyer on the

Opposition side would recognise, to involve matters of a highly technical nature in legislation. The place for such matters is in regulations, and that is what will be done. The Government opposes the amendment.

Amendment negatived.

Mr HEMMINGS: I am sorry that I missed out that particular amendment but I am sure, with your concurrence, that you will allow me to speak on this clause.

The CHAIRMAN: I am sorry, but the question was clearly put and the Committee has now finished its deliberation on clause 5 and it is now considering clause 6.

Mr HEMMINGS: With all due respect, this is an important clause. Perhaps I was remiss in not picking it up fairly clearly. Without incurring your wrath, Sir, I recall on the I.M.V.S. Bill, when a certain clause from the Minister was put on the Notice Paper, the Minister had to be reminded. I think it is fairly important that, if this Bill is seen by the Government and by the Opposition as being so important, if I did particularly miss this one, you would allow me to deal with those amendments under clause 5.

The CHAIRMAN: Is it the wish of the Committee that I allow the honourable member to move those other amendments in clause 5?

The Hon. JENNIFER ADAMSON: I am quite happy that the honourable member be given the opportunity to move them because I recognise that with two sets of amendments it is not easy to follow both.

The CHAIRMAN: I will permit the honourable member, but I request him to relate only to the amendments. The Chair does not wish to use the Standing Orders in a strict fashion, but I do not intend to allow this debate to get away from the actual clauses under discussion.

Mr HEMMINGS: I would not dream of doing that. I move:

Page 2, lines 30 and 31—Leave out the definition of 'mines inspector'.

I spoke at some length in my second reading speech on our opposition to this definition of 'mines inspector', and I do not want to waste the Committee's time going over that again. Perhaps the Minister could outline her interpretation of 'mines inspector' in relation to the day-to-day monitoring of the health and safety regulations in any area where those inspectors could be used.

The Hon. JENNIFER ADAMSON: The Government opposes the amendment moved by the Opposition which seeks to strike out the definition of mines inspector, consequential on the later amendment under clause 16 (2) and clause 17, lines 38 to 40. As I said in my second reading reply, and I do not recall whether the member for Napier was in the Chamber or not—

Mr Hemmings: I was suffering from exhaustion.

The Hon. JENNIFER ADAMSON: He may have been suffering from exhaustion, but the fact is that the involvement of the mines inspector is absolutely essential. It would be untenable to have legislation, be it health legislation or any other kind of legislation, relating to the administration of a mine and excluding the very people who have statutory responsibility under their own Act for safety in mines. It would be an act of gross irresponsibility by any Government. It is certainly an act that neither I nor the Government could countenance. It is absolutely essential for the day-to-day monitoring of the legislation that mines inspectors be there.

As I said, these mines inspectors are not lay people. The mines inspectors are professional engineers. They are not unskilled people: they are engineers who have expertise in matter such as ventilation and things of that nature. Where they have not been trained in aspects relating to radiation protection, they will certainly receive the necessary training and surveillance from the Health Commission, but mines inspectors are in mines day in and day out. They are part of the scene and one could not exclude them from the administration of this legislation, because to do so would weaken it and I assure the honourable member of that. It would weaken it to the point where it could not be countenanced by any responsible Government. I stress the point that the involvement of mines staff is essential. That does not mean to say that they have the total say: they certainly do not have the final say. The Health Commission has the final say, but the involvement of mines staff is essential to the daily safety in a mine, and that includes radiation protection.

Mr HEMMINGS: I think the Minister's reply reinforces our argument. No-one is saying that mines inspectors are not professional engineers, but they are trained to look at normal mining activities. From what has been said I gather it would involve a normal mines inspector. No-one is denying (and I made this point very clear in my second reading speech) that these people are qualified, but they are not qualified to detect the kind of problems that would occur with a uranium mine. We are saying that it takes a person who has been specially trained. When I spoke I gave the Minister a chance to give the House her definition of what a mines inspector would be in this particular field of uranium mining. If the Minister is saying that every mines inspector who is employed by the Department of Mines and Energy is going to be trained, so that if he is down at Bowmans coalfield, or wherever there are mining operations, he can be easily transferred because he has had special training, I cannot accept that.

What the Minister has to tell this Committee is that those people involved in the surveillance, the day-to-day monitoring at uranium mines, have to be a special elitist group. If that is the case we can strike out the definition of mines inspector, because they are going to be a special group trained by the Health Commission to look at different aspects of uranium mining, of monitoring to see that there is no breach of safety and health protection for the miners. If that is the case, if the Minister can clearly define that now, we will accept it, but she will not. The Minister falls back on the old argument that they are qualified engineers. We are not disputing that. What we are saying is that a person who is going to monitor the surveillance of those areas where uranium mining is taking place should be specially trained in that area.

We are just dealing with the definitions now. We are saying, as the Minister was saying about her definitions, that they should be Health Commission people. In the second reading debate the Minister talked about mines inspectors. The definition here is 'mines inspector'. Any person who is going to Leigh Creek can be transferred to Roxby Downs and will carry out the same activities. That is not on. We are asking the Minister to give some assurance to this Committee that the person doing that job (and we will deal with it specifically in clause 16) is capable, directly under the Health Commission, and trained to carry out that monitoring. If the Minister is saying that we want to delete mines inspectors so that that means there cannot be a mines inspector in the Bill, that is ludicrous and the Minister knows we do not mean that. We want a clear definition of what 'mines inspector' means.

The Hon. JENNIFER ADAMSON: I can certainly assure the Committee that the mines inspectors who are authorised under this legislation to operate in uranium mines to ensure radiation protection will be properly trained, but they will not be employees of the Health Commission. They will be mines inspectors, as they are required to be under their own Act. They will be trained in radiation control by the Health Commission. Their work will be monitored by the Health Commission, but it is not anticipated that the Health

Commission health physicist will be in the mine 24 hours a day, 365 days a year. That kind of involvement could not be justified and is not undertaken anywhere, but mines inspectors are in mines all the time and, if all the honourable member is looking for is an assurance that the mines inspectors authorised under this legislation will be properly trained in radiation control, I can give him that assurance. They will also have skills that go beyond the normal skills required of a health physicist, for example, working in radiation control, and they will be, particularly in the case of Olympic Dam where ventilation is of the most critical importance, experts who have skills which are essentially related to engineering, that is to say, ventilation engineering.

The two engineers who have already been employed by the Department of Mines on the Olympic Dam site are engineers with ventilation experience. They will be given special training and are being given special training by the Health Commission. The Government opposes the amendment, because by removing 'mines inspector' the Bill will not achieve what I believe the Opposition is generally trying to achieve. It will simply have the reverse effect.

Mr HEMMINGS: I do not agree with what the Minister has said. I think we can quite safely delete the term 'mines inspector', because even if we delete it clause 16 will quite easily meet the requirements of what the Minister has said. Can the Minister tell the Committee how these people will be trained, including the length of time that it will take to train them, so that they can adequately cover the day-to-day (I did not say 24 hours a day; they are the Minister's words) monitoring of the conditions of uranium mines? Perhaps we might be coming a little bit closer to reaching some agreement on this amendment we are putting forward.

The Hon. JENNIFER ADAMSON: The training of the mine inspectors by the Health Commission will be a continuing process. I stress that these mine inspectors will not be dealing with highly sophisticated equipment; they will be dealing with equipment that is relatively easy to master and certainly could be mastered by a professional engineer. It is not as though they have to sit down and do a six-month course and sit for an examination. It is a point of practical advice involving the equipment. I stress that it is very important in a mining operation that there be no confusion in the mine about whom the mine operators take their instruction from. It would be an untenable situation to have divided responsibility between health inspectors in mines and mines inspectors. That is the very reason why mine inspectors are being authorised under this Bill. The mines inspector will do the day-to-day surveillance, as the honourable member suggests, and the health inspectors will ensure that that day-to-day surveillance is satisfactory.

In other words, there are, if you like, three tiers of surveillance: there is the requirement on the company itself to maintain surveillance, to keep records and ensure that those levels are as they should be and that all other regulations are adhered to; there are the mines inspectors who keep watch on the company's operation; and there are the Health Commission inspectors who keep watch on the mines inspectors. The health inspectors are the ones with the ultimate authority, but for the day-to-day operation of the mine the mines inspector is authorised under this Bill and that is certainly the way it should be.

Mr HEMMINGS: The Minister makes it sound so simple—that the equipment used to monitor the day-to-day safety at the uranium mines is so very easy to master, that there will be no problem whatsoever with qualified engineers to master those particular instruments, and that they do not need any six-month intensive course to carry out the functions that they are being given. Can the Minister give us some idea of what kind of instruments will be used by these mines inspectors?

The Hon. JENNIFER ADAMSON: I do not have the technical knowledge to provide that information off the top of my head. I will see that the honourable member is provided with that information.

Mr HEMMINGS: I appreciate that the Minister might not be aware of the instruments. I have not been unkind to the Minister at all today in this debate, but the Minister is saying that it is fairly simple to train a qualified engineer who is employed as a mines inspector to master the apparatus used to monitor the day-to-day equipment. One accepts that, but then one follows the next logical step and asks, 'What is that equipment?' The Minister then says, 'I do not know; I will have to find that out for you.' Where do we stand? Surely the Minister can tell this Committee the kind of apparatus that mines inspectors use. If I can just follow on then to use—

The CHAIRMAN: Order! I point out to the honourable member that the Chair has been most tolerant, but the honourable member is starting to stray considerably from his amendments.

Mr HEMMINGS: With respect, I would say that I am closely following the definition of 'mines inspector', because this is the line along which the Minister replied to my first query on this matter. I know that the Minister is going to reply to that previous question, but rather than waste the Committee's time I will now ask: in what way will the Health Commission carry out audits on the day-to-day monitoring of the mines inspector? I am on home ground here. I was an auditor, not an auditor in the financial term, but an auditor in inspection terms, so I know what audits are all about. Can the Minister give the Committee some idea of what kind of audits on the mines inspectors would be carried out by the Health Commission—in what areas, in what depth, and whether they be on a weekly, monthly, three-monthly or six-monthly basis? To what degree would the Health Commission go in carrying out these audits and, if it found the mines inspector failing to carry out his or her duty, what steps would the Health Commission take, not so much against the mines inspector but against the company, to ensure protection of the workers?

The Hon. JENNIFER ADAMSON: The reply to the honourable member's question about the nature of the audit conducted by the Health Commission is that the nature of the audit would depend entirely on the nature of the operation and the stage of progress that the operation had reached at any given point. There would be two basic ways of conducting the audit. One would be through periodic reports, simply checking on the reporting undertaken by the mines inspectors and by the company; the other would be through checks on equipment, through the calibrating of equipment, to ensure that the equipment was operating in a way that was absolutely accurate. Another way would be through surveys undertaken by the commission itself—for example, ventilation surveys independently undertaken and measured against the same kind of surveys taken by the mines inspectors and the company.

It would depend on the nature of the operations and the stage reached. If a new process or a new stage was reached in mining, say, for example, a new horizontal shaft for a new ventilator system, it would be necessary for the Health Commission to be there to provide guidance and consultation at a critical stage, and then to come back and check that the guidance had been taken into account, and to check at appropriate intervals. It is impossible for me to give the kind of answer that I suspect the honourable member wants, namely, that we will come every pancake day, or whatever. The commission will go when, in its judgment, it is necessary. It will be regular and it will be sufficient, and that is the whole purpose of an independent monitoring authority to

ensure that the mines inspectors and the companies do the right thing.

I am able to respond to the question about the kind of work that the mines inspectors would be doing and to relate it to the work that such inspectors would undertake in other forms of mining operation. The main instruments used will be gamma survey meters and instant working level meters. Both of those instruments are hand-held and can be likened, in terms of their technical nature, to the instruments that mines inspectors use at, for example, Leigh Creek to conduct personal dust sample checks; in other words, it is a hand-held instrument which requires a certain level of expertise that can be reasonably readily acquired by someone who is familiar with technical equipment, although it may be technical equipment of a different nature.

Mr CRAFTER: I think the point the member for Napier was raising is relevant. A practical example has occurred recently at the Ranger mine, in the Northern Territory, where there was a situation of some potential danger in the lowering of the water level in the tailings dam. I presume that that matter is the responsibility of day-to-day inspections of the mines inspector and that the periodic inspection carried out in the Territory is done by Health Department inspectors. I would be interested to know whether the Minister or her officers, in the preparation of this legislation, particularly in relation to the role of mines inspectors, had access to the report that the Hon. Mr Tuxworth was having prepared in conjunction with the person responsible for health in the Northern Territory Legislature on that incident, which received substantial publicity around Australia and is of considerable concern because of the proposals for a similar tailings dam in the Roxby Downs development. These points are pertinent, as the function and role of the mines inspectors seem to be central to the problem that arose there, the detection and reporting of it, and the remedying of it as soon as possible. I realise that it is not possible to remedy such a situation very quickly, but no doubt it is possible to detect it very quickly.

The Hon. JENNIFER ADAMSON: Whilst I have not had access to the report on that incident, I have discussed it with the supervising scientist for the Alligator River region, the scientist employed by the Commonwealth, under Commonwealth legislation, to act as a watch dog for the Commonwealth over the uranium mines in the Alligator River region. As I understand that incident, which certainly received very great prominence that was not in accordance with its importance in terms of radiation protection, the requirements for keeping the levels of water over the tailings were unnecessarily high; in other words, a certain depth of water greater than the given depth would not provide any greater protection than if the water level had been lower. I also understand that the company concerned had been somewhat tardy in complying with other requirements, and the Minister decided to use this to demonstrate that such tardiness could not be tolerated.

I do not think that that incident in itself imposed any danger. The honourable member should be aware that the involvement of the Health Department of the Territory in the surveillance of mines is absolutely minimal, and the capacity of the Health Department of the Territory would nowhere near match the capacity of the South Australian Health Commission to undertake radiation protection surveillance. It should be understood that there is a distinct and dramatic difference between the approach undertaken by the South Australian Government in legislation, the legislation administered by the Health Commission, the resources provided to the Health Commission, and that taken by the Northern Territory Government. That should be well understood. We are much better equipped to do this, and we are doing it with people who I believe are more appropriate to do it than are those in the Northern Territory.

Mr CRAFTER: I think probably something could be learned from the Northern Territory experience by those of us in this State who are concerned about this problem. Although the Minister said that the advice given to her was that it was not of great concern, I understand that an island appeared in the tailings dam and that there was concern, given the climatic conditions of the area, that with continued exposure there may have been substantial health risks in time. I wonder whether it would not be of use to the Minister's officers and to the Parliament if a report were obtained, if available, from the Northern Territory, so that, given the criticism that the Minister has made of the role of the health authorities in the Territory in this important area, we could learn something from having access to a report on the incident.

Mr HAMILTON: Will the Minister say what type of ventilation will be available in these mines? She would be aware that the issue of radon daughters is a most worrying one to many members, particularly those on this side. As I mentioned during the second reading debate, the issue of lung cancer—

The CHAIRMAN: Order! The Chair has endeavoured to be tolerant, but I think the honourable member now is straying considerably from the amendment before the Committee.

Mr HAMILTON: The point I am trying to make is of considerable concern, because, if ventilation is not sufficient, then, of course, the problem of ventilation in these mines can be a major factor towards the occurrence of tumours. The subject has been well researched in the United States and it has been found to be a major shortcoming with a number of uranium mines in that country. What I want to know from the Minister is details of the type of ventilation, how that ventilation would be monitored, by whom, and on what basis.

The Hon. JENNIFER ADAMSON: The description of the ventilation system that is to be used at Olympic Dam is one of down-cast and up-cast airways. In other words the air is forced down the shaft to provide the necessary ventilation, and the up-cast airway carries away the air that has been used together with the dust, the diesel fumes and the radon daughters. It is interesting to note (and it was pointed out to me when I went to Roxby Downs and had the privilege of being the first women, and I think the first woman politician to be taken down to the bottom of the shaft) that the ventilation system required for that particular mining operation has to be so effective in order to deal with the diesel fumes of the lorries that will be working underground in the mine and the dust, that the system will automatically be sufficient, and indeed more than sufficient, for the ventilation of radon daughters: the ventilation required to deal with diesel fumes and dust will be superior to that which will be required for radon daughters. Therefore, there will be a forced-up draught through the up-cast airway which will carry everything away with it in an extremely efficient fashion.

Mr HAMILTON: Will there be an efficient back-up system?

The Hon. JENNIFER ADAMSON: Yes.

The Committee divided on the amendment:

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

Noes (21)—Mrs Adamson (teller), Messrs Allison, P. B. Arnold, Ashenden, Becker, Billard, Blacker, D. C. Brown, Eastick, Evans, Glazbrook, Lewis, Mathwin, Olsen,

Oswald, Randall, Rodda, Russack, Schmidt, Wilson, and Wotton.

Pairs—Ayes—Messrs Corcoran, O'Neil and Trainer. Noes—Messrs Chapman, Goldsworthy and Tonkin.

Majority of 3 for the Noes.

Amendment thus negatived.

Mr HEMMINGS: I move:

Page 3, after line 17—Insert definitions as follows:

'radon' means the radioactive gas radon-222:

'radon daughters' means the short-lived radioactive products of decay of radon, being polonium-218 (radium A), lead-214 (radium B), bismuth-214 (radium C) and polonium-214 (radium C'):

'radon daughter concentration' means the quotient of ΔE by ΔV, where ΔE is the sum of energies of the alpha particles emitted by the complete decay of the radon daughters in the volume element ΔV:

'radon daughter exposure' means the sum, for all exposures of a person to inhaled radon daughters within a period of time, of all products formed by multiplying the radon daughter concentration in the inhaled air and the time for which that concentration was inhaled.

Should I also move the amendment that occurs after line 34?

The CHAIRMAN: The honourable member should move only the first amendment and not move the one after line 34. He may speak to them both.

Mr HEMMINGS: That rather technical definition perhaps underlines what we will be moving regarding clause 24. We think that it is very important that this definition be included in the Bill in the same way as the definition which includes 'working level'. I hope I am not going to stray from your ruling, Sir, but I think it might be worth including in this debate what the 'working level' is and the 'working level month'. We interpret 'working level' as follows:

'working level' means any combination of radon daughters in one litre of air such that the sum of energies of alpha particles emitted by the complete decay of the daughters is 1.3×10^5 MeV:

'working level month' means a radon daughter exposure of 8.0×10^{10} MeV second/litre.

I make no apology for saying that the description that I just read out was prepared by the Parliamentary Counsel. What it does mean is, as we said in our second reading speeches, that this in effect covers the terms of reference and the limits that should be included in the Bill relating to the level to which workers in uranium mines should be exposed. We think that it fairly important that we include this as one part of the amendments that we are prepared to divide on. I will leave the rest of my argument for when we are debating the new clause 24, but I do think that if this Government and this Committee are prepared to regard the protection of those people working in uranium mines as being of paramount importance, we must include these definitions so that the Bill can have some teeth.

The Hon. JENNIFER ADAMSON: It should be clearly understood that these definitions do not give the Bill any teeth. The Government opposes the amendment for the same reason as it opposed the first amendment moved by the Opposition. The amendment as it is framed simply provides a definition of terms that appear in later amendments. We oppose them because they are going to be picked up in the regulations that implement the codes. As I see it, they are simply a straight take from the codes. The whole purpose of the Bill is to provide the framework for the enactment of regulations that implement the codes. The proper place for these definitions is in the regulations. That is where the Government believes they should be. Therefore, the Government opposes the amendment.

Mr HEMMINGS: The Minister sounds more like—I will not use the word 'parrot'; that would be unkind—but the Minister keeps hiding behind the statement she made in her second reading speech, namely, that this is the framework, the enabling legislation, and the regulations will prevail. I defy the Minister to say that, when this enabling legislation is passed, she will implement regulations to cover the definitions that we put forward tonight. The answer will be 'No'. The answer will be that we will be following the recommendations of the I.C.R.P. If you, Sir, and I were people who would bet with each other—and I am sure that we never would do because you and I realise the value of the dollar—I would take your money.

The CHAIRMAN: I would not wager on the Committee.

Mr HEMMINGS: Sir, I am sure that you would not wager, because you know that you would be on a loser. Any regulation that will come from this Bill will not include the definitions that we have before us. The Minister has said twice, and I am sure that as we go through the amendments that I have before the Committee in my name she will say again, that this Bill is just a framework of enabling legislation and regulations will be introduced to cover all the aspects about which the Opposition is concerned. That is not good enough for us or for this Committee. It is not good enough for the public of South Australia. If we are to believe that statement in the second reading explanation of the Minister that the health, safety and protection of the community in this State are being seriously considered by this Minister and this Government, they should put the cards on the table, put their money where their mouth is, and put the provisions in the Bill. We do not accept that. All I need say is that, if the Government will not accept the definitions that I have outlined, we will divide.

The Hon. JENNIFER ADAMSON: I simply reiterate that all that the Opposition has done in producing this amendment is take from the Code of Practice on Radiation Protection on the Mining and Milling of Radioactive Ores, 1980, under the Environment Protection Nuclear Codes Act, 1978, of the Commonwealth of Australia the definition of 'radon' and 'radon daughters', found on page 2 of that code. It is going to be, despite his defiance of me, implemented in regulations under clause 40 of this Bill, which provides for regulation-making powers. It is therefore unnecessary to have it in the Bill.

The Committee divided on the amendment:

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

Noes (21)—Mrs Adamson (teller), Messrs Allison, P. B. Arnold, Ashenden, Becker, Billard, Blacker, D. C. Brown, Eastick, Evans, Glazbrook, Lewis, Mathwin, Olsen, Oswald, Randall, Rodda, Russack, Schmidt, Wilson, and Wotton.

Pairs—Ayes—Messrs Corcoran, O'Neill, and Trainer. Noes—Messrs Chapman, Goldsworthy, and Tonkin.

Majority of 3 for the Noes.

Amendment thus negatived; clause passed.

Clauses 6 to 8 passed.

Clause 9—'Radiation Protection Committee.'

Mr HEMMINGS: I move:

Page 4, line 20—Leave out 'nine' and insert 'eleven'.

We have no basic argument with the concept of the radiation protection committee. In fact, we think it is a good concept and the way this Bill should work but, as I said in my second reading speech, there are two areas that we feel the Government should seriously consider and we feel that it does not take away in any way the power of the radiation protection committee. We are not trying to be obstructive: we are trying to be constructive in this particular area. What we are saying is that there should be one person on the committee with expertise in the field of radiation genetics.

One of the problems which came out of the working party on human diagnostic radiography is that there could be real problems in excessive exposure of gamma and X-ray radiation. I am not saying that those excessive over-exposures are going to happen in the future but, even despite the clauses in the Bill that give the authorised officers the power to inspect and to move into those areas, and provide the fines and everything else, there is always that problem, and we are saying that there should be someone on that committee who can advise, not only the committee, but also the Government, and there should be some input in the area of radiation genetics.

Without trying to put the Minister in a compromising position, I think the Minister realises that, from what we have spoken about on the subject outside the Chamber. I think we are on fertile ground in that area. The other area is that we feel a person should be included on the radiation protection committee with some expertise in the field of epidemiology. This particular line of expertise, especially in the United States (and I found this out when I was on my study tour) has been raised in stature way beyond the attitude in Europe and Australia. I think lots of things that come from America we should shun and ignore, but I think in this particular case, in the field of epidemiology, we should be closely following what they are doing in the United States.

Mr Lewis: How often do you say that?

Mr HEMMINGS: I shall ignore the peasant from the Mallee.

The CHAIRMAN: Order!

Mr HEMMINGS: We are on a serious subject. At least the Minister and I agree that this particular area is worth some debate and I do at this time of night get a little tired of someone who suddenly pops in after his cups of coffee and his nap and makes an inane remark. I am sorry if I do suddenly boil over, but keep him quiet. Some people feel that the United States has proved what we are doing with radiation, whether it be through uranium mining or in the other areas of related activities, that there should be someone who can provide some expert input into that committee. I am not so much worried about whether the committee goes from nine to 11 members, as long as those two fields of expertise are included in the Radiation Protection Committee.

I am perfectly happy with what the Minister has put in the Bill about those other members. Our only alternative is to add two more, but if the Minister can give me a convincing argument that, by including two people with that kind of expertise, perhaps at the expense of others, and it would still make the Radiation Protection Committee work, then I think we would be prepared to accept that, but I do think the Minister's choice of the nine is good. I think it covers the whole field. All we are really saying is that there should be the extra two to provide the ultimate in people who can deliver the expertise and advice to the Government. If the Minister sees our argument in that light, I am sure she would be prepared to accept it. Perhaps there may be problems. I do not know, but I think this amendment would be of value to the Bill and I hope that the Minister, after having time to look at the Bill and have her officers look at these amendments, might be prepared to accept them.

[Midnight]

The Hon. JENNIFER ADAMSON: I sincerely commend the member for Napier for the intent of his amendments and the spirit in which he has moved them. I should say that I believe the suggestion for a radiation geneticist on the radiation committee is an excellent one and it is one that I would dearly like to implement. There is nothing magical about the number being nine. That number was reached after consideration of all the relevant experts who could be included. The only reason why I am unable to accept the addition of a radiation geneticist is purely a practical one, which I hope can be overcome through an undertaking rather than an acceptance of the amendment.

The practical reason why I believe it would not be right for me to accept the amendment is that there is only one radiation geneticist in South Australia. Radiation genetics is an extremely rare speciality. Because there is only one, I believe it would be placing this Government and any future Government in a vulnerable position of being at risk of being in breach of the Act if, for any reason, South Australia's sole radiation geneticist were to move to another State, or for some reason was unable to sit on this committee. However, because I believe there is very great merit in the suggestion by the member for Napier and because I want to ensure the input that he has quite rightly raised as being important from a radiation geneticist, I give an undertaking to the committee that I will ask South Australia's only radiation geneticist whether he would be a member of one of the subcommittees and I think the subcommittee on human diagnostic radiation would be the appropriate one.

In that way, the whole committee structure will receive the benefit of input from a radiation geneticist, but this Government and any future Government will not be placed at risk of being in breach of the Act because we simply cannot find anyone to appoint to a statutory position which is required. I hope that the honourable member for Napier will accept the good faith in which his suggestion is taken up and will recognise the impracticality of taking it up in precisely the manner he would wish. In years to come, when that speciality has perhaps a greater number of practitioners, it is something which I think should be implemented. I would like to be able to agree to his suggestion tonight, but for the reason that it would not be a responsible thing to do, I offer the next best alternative, namely, to appoint the radiation geneticist to one of the subcommittees and in that way to ensure that his input is received by the committee structure.

The question of the epidemiologist is somewhat different. I endorse what the member for Napier said about the very great importance of epidemiology, which is only now being recognised by health authorities throughout the world (and some are slow to take it up) as being absolutely fundamental to any kind of effective health planning and policy of development. Unless we have proper statistics about the incidence of disease in a given population, because that is what epidemiology is, we will never be able to make any effective efforts to reduce the incidence of morbidity and mortality in a whole range of areas. South Australia is extremely fortunate in the quality of its officers in the epidemiology division of the commission. We are very well served and the Government places great importance on the work of those officers.

The argument that epidemiology is essential to the effective operation of any legislation such as this is not disputed. I do suggest that, if the Opposition were aware that the epidemiological resources of the commission are to be made available to the principal committee, the Radiation Protection Committee, and to all the subcommittees to assist them in interpretation of a wide variety of reports, it would recognise that the intent of its amendment is going to be given effect anyway. In the light of that I believe it is unnecessary to have such a person as a full-time member, because I really believe that the epidemiological input is more effectively provided through staff input at all levels to all the subcommittees and to the Radiation Protection Committee, so although I cannot accept the amendments, I do accept the spirit in which they were put and the merit

of their intent and I assure the Opposition that that intent is going to be given effect in the way the committees work, both through the assistance of a radiation geneticist on one of the subcommittees and through the assistance of epidemiologists to all the committees.

Mr HEMMINGS: I accept the Minister's argument about a radiation geneticist, not so much about the epidemiologist. The Minister said that there is an ever-increasing acceptance of the importance of these people in the medical world. But on the question of an epidemiologist in the field of radiation, I think that is where the Minister and I differ. I think the Minister has accepted what we are trying to put forward. I only hope that we can make full use of that unique person, that sole person, in the field of radiation genetics who would be some help to the Radiation Protection Committee.

I also hope that the Minister will in the near future realise our strong arguments that there should be on the committee or subcommittee a person in the field of epidemiology concerned with the effects and the dangers and hazards of radiation. We will obviously vote for our amendment, but I appreciate that the Minister has seen the logic in our argument.

Mr LEWIS: I am not sure what the Minister understands by the term, but my understanding is that where plant tissue and or the seeds, that is, where plants that are normally reproduced by vegetative means—tissue culture—or where plants that are reproduced sexually are irradiated to induce mutations, such people involved in that science are referred to as radiation geneticists. I would have thought a more appropriate body for them to be included would be the subcommittee B, which is for scientific and industrial uses of radiation rather than the diagnostic and therapeutic uses. If the radiation geneticist is to be included in one of those subcommittees, I wonder why the Minister would include that person in subcommittee A rather than subcommittee B?

The Hon. JENNIFER ADAMSON: The simple reason is that we are principally concerned with the effect on human beings whilst not disregarding the genetic effects of radiation on plants. Obviously, the Government is principally concerned with people, and that is why the human diagnostic committee is the appropriate committee. I perhaps should have gone further than I did in that explanation in recognising the member for Mallee's reference to plant genetics and suggest that there is no reason whatsoever why the radiation geneticist should not be available as a consultant to all the subcommittees and the principal committee. I am sure that he will be happy to fulfil the function of providing advice for all those committees; indeed, he could be on more than one—there is nothing under the Bill to say that he could not. I will bear in mind what has been said about plant genetics and ensure that the advice of the geneticist is available to any of the subcommittees and to the principal committee.

Amendment negatived; clause passed.

Clause 10 passed.

Clause 11—'Quorum, etc.'

Mr HEMMINGS: I indicate that I no longer wish to proceed with the amendment standing in my name.

Clause passed.

Clause 12 and 13 passed.

Clause 14—'Subcommittees.'

Mr HEMMINGS: I indicate that I no longer wish to proceed with the amendment standing in my name.

Clause passed.

Clause 15 passed.

Clause 16—'Authorised officers.'

Mr HEMMINGS: I no longer wish to proceed with the amendment standing in my name.

Clause passed.

Clause 17—'Powers of authorised officers.'

The Hon. JENNIFER ADAMSON: I move:

Page 8, after line 37—Insert subclause as follows:

(2a) In subsection 2 *(a)*, 'authority' includes an authority in the nature of a prescribed mining tenement, being an authority granted by or under an Act other than the Mining Act, 1971-1981.

Subsection 2 *(a)* presently provides that a warrant will not be required by an authorised officer to gain entry to premises or vehicles occupied by a holder of a licence, certificate of registration or a prescribed mining tenement. The purpose of this amendment is to extend the definition of an authority for the purposes of this subsection so that a warrant would not be required to gain entry to premises or vehicles occupied by the holder of a tenement granted by an Act other than the Mining Act. It is purely for clarification.

Mr HEMMINGS: I am a little suspicious here. Bearing in mind the statement I made earlier this afternoon, that under the advice of the Parliamentary Counsel the Roxby Downs Indenture Bill overrode all the provisions of this measure, will the Minister explain to the Committee whether this provision is inserted to put it in line with the Roxby Downs Indenture Bill?

The Hon. JENNIFER ADAMSON: Yes, I am sure that it is.

Mr HEMMINGS: It proves that, even at 12.20 a.m., my suspicions are well founded, and I wonder whether we have just unearthed the true implications of the Bill. We said earlier that it was a part of the Roxby Downs package. In the earlier publicity and in her second reading explanation, the Minister said that it was for the protection of everyone. In the very good contributions made by my colleagues on this side, we made the point time and time again that certain aspects of the Bill dealing with uranium mining were a publicity and propaganda trick and part of the Roxby Downs package, but that was refuted by every Government speaker and by the Minister. We were told that the Bill had been examined carefully and that the recommendations of the report of the working party on human diagnostic radiography had been held up because it was to be part of a complete package to protect people in radiation related activities.

Now, a series of amendments has been introduced by the Minister—for clarification, she said, for objectives, and everything else. We have dealt with most of them but, in relation to this amendment, the Minister said in her explanation that it was simply to clarify the position. When I asked whether it was to be part of the Roxby Downs Indenture Bill, the Minister turned, and three heads nodded 'Yes; it was all a part of it.' That proves what we have been saying: it is part of the package. After seeing our amendments, someone obviously thought that something must be done, because the Opposition was awake, and because the Roxby Downs Bill does override this legislation, so amendments should be introduced. I am sure that, as we go along with the other amendments, the Minister will be more truthful in explaining why they have been introduced. It is being done to tie in with the Roxby Downs indenture. It has proved once and for all that this Opposition is far too smart for the Minister.

Let the Minister say quite truthfully, 'Yes, the Roxby Downs indenture Bill does override everything in this legislation relating to protection and other related matters in uranium mining.' Now, of course, we must deal with other amendments so that my colleagues in another place cannot reinforce the arguments we have put forward that the indenture Bill overrides this legislation. The Minister said, innocently, that she moved this amendment to clarify what an authority was. Let her be truthful and say, 'We have been caught with our pants down. Roxby Downs overrides

it, so now we are making desperate efforts to include provisions in the Bill so that, when it gets to the Upper House, the Opposition cannot make the same accusation.'

The Hon. JENNIFER ADAMSON: I always try to be truthful, to the best of my knowledge, in dealing with any matter in this Chamber. I do not wish to have the member for Napier embarrassed by pursuing the line that there is something sinister about this amendment. There is not. If it is passed, the commission can go into the Olympic Dam site, when the Roxby Downs indenture is passed, without a warrant. If the amendment is not passed—and I hope the Opposition is not going to oppose it—the commission requires a warrant. In other words, the amendment does exactly what I said: it clarifies the position. It ensures that the commission can go into Roxby Downs without a warrant. I do not know whether the Opposition would wish the commission to require a warrant to go on to the Roxby Downs site. I should not think that is the case.

There is nothing sinister about this. It is clarification. There has been no attempt to hide the reasons for the Government's moving specific amendments to bring this Bill into line with the Roxby Downs indenture. The Roxby Downs indenture does not override all the provisions in this Bill. The problem being addressed here is that the joint venturers will be getting a special mining lease which does not fall into the definition of a prescribed mining tenement; therefore, a warrant would be required if entry were refused. We want to make sure that we do not need a warrant. That is the only reason for this amendment.

I want to be certain that the Opposition understands, and I will repeat it. The problem being addressed is that the joint venturers will be getting a special mining lease, and not a prescribed mining tenement. Therefore, we have to ensure that we do not require a warrant to go on to that special mining lease. Therefore, this amendment is being moved, and it will enable the commission to have access without a warrant. There is nothing sinister whatever; it is simply to clarify the position in relation to Roxby Downs.

Mr HEMMINGS: Can I take it then that, apart from this amendment which the Minister has explained means that the commission does not need a warrant to go to Roxby Downs, in no other way is the legislation before the Committee overridden by the Roxby Downs indenture Bill?

The Hon. JENNIFER ADAMSON: If there is any other way, we will be dealing with it in the Government's amendments. I stress that it is not a question of overriding but one of complementary legislation. I have already said that Roxby Downs will be subject to all the regulations under this Bill. Because it is an indenture that provides a special mining lease instead of a prescribed mining tenement, certain initiatives must be taken in the Bill to ensure that Roxby Downs is not excluded but is included. I repeat that there is no sinister motive whatever. It is simply to ensure that the two pieces of legislation match and that there are no irreconcilable differences between them. All that is being done by this amendment is to enable the commission to go on to Roxby Downs without a warrant because it is a special mining lease and not a prescribed mining tenement, as is provided for in the normal course of this Bill.

Mr HEMMINGS: If this Committee were enlightened enough to support the Opposition's amendments dealing with the working levels that workers can be exposed to, would the joint venturers of Roxby Downs then be forced to meet the requirements of this legislation, or would the Roxby Downs Indenture Bill override this legislation? The Minister says that the amendments we are dealing with and subsequent amendments which we will be discussing later will not override or be overridden by, and will not supplement but match the indenture.

The Hon. Jennifer Adamson: They will compliment.

Mr HEMMINGS: Yes. If by some chance Government back-benchers get a bit of sense and support our amendments and tighter levels are imposed on the joint venturers, would the indenture Bill override the legislation we have before us tonight?

The Hon. JENNIFER ADAMSON: The question is impossible to answer for the reason that it is hypothetical.

Mr Hemmings: But it could happen.

The Hon. JENNIFER ADAMSON: It could not, because this whole Bill is based on the implementation of the codes which will be implemented under regulation. The Roxby Downs project is to be subject to the regulations of the Bill. Whether working levels or any other technical matters are incorporated in amendments is immaterial, because working levels and regulations will be dealt with by regulation. Therefore we would not accept as part of the Bill regulations applying to Roxby Downs. All the regulations apply to the Roxby Downs project. It is impossible to answer a hypothetical question that has no application to this Bill.

I do not want to canvass matters that will be happening in the future, and matters raised by the Opposition's proposed amendments deal with working levels which can only be effectively dealt with by regulation. Roxby Downs will be subject to those very same regulations. So, in terms of the fact that Roxby Downs is required to observe the same regulations that Honeymoon or any other mine is required to observe, working levels and everything else will apply at Roxby Downs. I cannot answer the honourable member's question in the terms in which it is put, purely because it is so hypothetical. However, I can answer the question concerning whether Roxby Downs will have to observe the same conditions as the other mining operations do under regulations, the answer to which is 'Yes'.

The Hon. R. G. PAYNE: My understanding in relation to the requirements for the protection of people involved with radiological matters is that there is no requirement more stringent than that which applies at the time of the indenture. Certain references in the indenture can be applied and enforced against the consortium people involved in the indenture. I think I just heard the Minister say that the regulations which will flow from the passage of this Bill will be binding upon Roxby Downs. I seek clarification of that from the Minister.

The Hon. JENNIFER ADAMSON: The member for Mitchell seems to be under the impression that the regulations applying at the time of the indenture will apply and after that nothing more stringent will apply: that is not correct. The clause of the indenture states that no requirement more stringent than the most stringent under the codes shall be applied to Roxby Downs. The codes are dynamic—they are not static.

The Hon. R. G. Payne: They are in a fluid state.

The Hon. JENNIFER ADAMSON: Yes, they will be continually updated and, as they are, the regulations will be updated and the regulations will apply to Roxby Downs. Therefore, it is not as though the situation for Roxby Downs will be set in concrete, as it were, at the time of the indenture: Roxby Downs will always observe the regulations under this legislation; those regulations will implement the codes, and the codes will be in a process of continual updating. So, if by 1990 the codes are different, the regulations will be different, and those different regulations will apply to Roxby Downs. Those regulations will have universal application across all mining operations and, indeed, all radiation protection requirements throughout the State.

The Hon. R. G. PAYNE: Although I am not allowed to refer to it, a quick scan of the gallery indicates that there are no principals of Western Mining or the consortium here, which indicates that the Minister is being somewhat more sanguine in these matters than would appear to be the case

of the principals in the consortium in relation to the indenture. I am pleased with the assurance given by the Minister. She has said that, whatever regulations flow from the passage of this Bill which may have application to Roxby Downs, they will be paramount and will apply in relation to that project. I seek from the Minister an assurance that my understanding of what she said earlier is as I have just stated.

The Hon. JENNIFER ADAMSON: I can reiterate that what I said is accurate, namely, that the regulations under this Bill will apply to the Roxby Downs project; I cannot put it any plainer than that. They will be updated periodically in line with the updates of the codes, and when they are updated they will apply to Roxby Downs. Is that the assurance that the honourable member was seeking?

The Hon. R. G. PAYNE: I wonder whether the Minister realises what she has just said, namely, that it might be taken to be binding throughout the life of the project at Olympic Dam in relation to the operations that might occur there, and I refer to the health provisions as contained in this Bill in relation to workers who might be involved in the mining, milling, etc., of that material which might be part of the extraction operation of that mine.

The Hon. JENNIFER ADAMSON: I want to ensure that the member for Mitchell is not putting words into my mouth. He stated 'the regulations, whatever they may be.' The regulations are most clearly qualified as being not more stringent than the most stringent.

The Hon. R. G. Payne: A qualification!

The Hon. JENNIFER ADAMSON: There has been no secret about that. It was stated in the Roxby Downs indenture and in this Bill by way of Government amendments. The regulations will apply at Roxby Downs throughout the life of the project, unless some future Government amends this Bill.

The Hon. R. G. Payne: Perhaps we should say 'Olympic Dam'; I believe that is the correct name.

The Hon. JENNIFER ADAMSON: I do not mind. The regulations will not be more stringent than the most stringent. The honourable member will appreciate that, in an indenture, the party to the indenture requires some kind of very precise clarification that the codes will be adhered to, and that is why that qualification 'not more stringent than the most stringent' under the codes is included. Again, that will apply thoughout. I could not help wondering why the member for Mitchell alluded to the fact that there appears to be no representative of Western Mining here, and that was a matter of suspicion. I cannot help thinking that, if there was a representative here, his presence would be equally a matter for suspicion. I simply say that for what it is worth. I repeat that the regulations will apply to the Olympic Dam project: they will be updated when the codes are updated, and they will apply in the terms that they will not be more stringent than the most stringent under the codes.

The ACTING CHAIRMAN: I point out that the member for Mitchell has already had three calls on this amendment.

Amendment carried.

Mr HEMMINGS: I do not intend to proceed with my further amendment.

Clause as amended passed.

Clauses 18 to 22 passed.

New clause 22a: 'General objective.'

The Hon. JENNIFER ADAMSON: I move:

Page 11, after line 2—Insert new division as follows:

Division A1—General Objective

22a. (1) The Minister, the commission and the committee shall, in exercising and discharging his or its powers, functions and duties under this Act and any other person shall, in carrying on any activity related to radioactive substances or ionising radiation apparatus, endeavour to ensure that exposure of persons to ionising radiation is kept as low as reasonably achievable, social and economic factors being taken into account.

(2) Subsection (1) does not apply to exposure of a person while the person is undergoing radiotherapy.

The new division, together with amendments to clauses 23 and 24, is intended to implement the Government's policy of applying the same law to all users of radioactive substances and apparatus. It is intended to clarify in the Bill the principles of ALARA, that is, 'as low as reasonably achievable. At present, clauses 23 and 24 refer to the principle of alara (that is, the principle that all exposures to ionising radiation be kept as low as reasonably achievable), social and economic factors being taken into account. The new division takes in the principle and makes it a general objective of which those administering this Act as well as those using ionising radiation must take account.

Although the principle of ALARA is one of the fundamental principles of radiation protection, there is one specialised area in which the use of ionising radiation for therapeutic purposes does not apply. That is in radiotherapy, where it is essential for a sufficient dose to be given to achieve the purpose of the treatment, and that is why subclause (1) does not apply to the exposure of a person while that person is undergoing radiotherapy.

Mr HEMMINGS: What are the social and economic factors referred to in this amendment?

The Hon. JENNIFER ADAMSON: They can vary, depending on the circumstances. I shall try to give examples close to home. If, for example, one was trying to achieve limits as low as reasonably achievable for a milling operation, not on a mining site but in the metropolitan area, one might consider that the proximity of residential accommodation in the metropolitan area (and this would not, of course, apply to a mining site) would impose an obligation to take account of social factors. Centres of population as distinct from remote areas would come under the category of 'social factor'. The economic factor is obviously the capacity of the operator, whether a doctor in a small suburban surgery or a doctor in a large teaching hospital, or a comparatively small milling operation, say, Comlabs at Thebarton, as distinct from a major milling operation, such as at Roxby Downs.

The ALARA principle takes into account the social and economic factors. The social factors could relate principally to the proximity of people to the site, and the economic factors obviously relate to the capacity of the operator to invest, and to what degree he or she could be expected to invest to reduce a radiation limit. For example, it might not be reasonable to impose on a general practitioner in a surgery the same amount of investment as is required of a teaching hospital that has large radiating apparatus.

Similarly, it might not be reasonable to impose on a very small milling operation the same requirement that could be imposed on a very large milling operation that had access to enormous amounts of capital. I should make clear that the ALARA principle does not mean that the regulations do not need to be observed. It is over and above the regulations to ensure that one goes beyond what is required by the regulations and tries still harder to reduce those limits, despite the fact that they come within the minimum required by law.

Mr HEMMINGS: Perhaps it is the lateness of the hour, but I am rather confused by the Minister's answer. Is the Minister saying that the ALARA principle is to be worked upon in relation to a small milling operation in the metropolitan area, bearing in mind the social and economic factors being taken into account? Therefore, would that be at the expense of those people living close to such an operation or would they be afforded protection?

The Hon. JENNIFER ADAMSON: I hasten to assure the member that it would be for their protection. Factors that might not be taken into account in a remote area would have to be taken into account in a settled area. Therefore, as low as reasonably achievable in a settled area would take account of the fact that people living nearby must be protected. Of course, they will be protected because the operation will be required to stay within the dose limits prescribed by regulation. Invariably, there is often more that can be done in a practical sense, so a milling operation in a populated area would have to abide by the regulations but, taking into account the social factors, namely, the presence of people, strenuous efforts would be made to implement ALARA as low as reasonably achievable given those social factors.

That has to be balanced along with the economic factors. ALARA is a concept essential to the radiation protection ethic. Perhaps it is worth while reiterating that the International Commission on Radiological Protection, in its publication No. 26, the recommendations of the International Commission on Radiation Protection, 1967, recommended a system of dose limitation, the main features of which are as follows:

(a) No practice shall be adopted unless its introduction produces a positive net benefit.

(b) All exposure shall be kept as low as reasonably achievable, economic and social factors being taken into account.

(c) The dose equivalent to individuals shall not exceed the limits recommended for the appropriate circumstances by the commission.

An operator complying with the regulations must also make every effort to keep his dose limits as low as reasonably achievable, taking into account social and economic factors that may require a maximum below that required by the regulations. It is designed to protect people. It will certainly protect the people engaged in the operation, but it is designed to protect members of the community as well as those involved in the project.

Mr HEMMINGS: I do not wish to labour the point but throughout this debate reference has been made to the I.C.R.P. and 'as low as reasonably achievable'. The Minister stated that radiation is kept as low as reasonably achievable, social and economic factors being taken into account. I am concerned that when dealing with the I.C.R.P., which administers advice to many countries throughout the world, the term 'social and economic factors being taken into account' is used. I find it difficult to believe that social and economic factors which might prevail in France or the United States will apply in South Australia. Does the Minister really believe that the I.C.R.P. is the organisation with all the expertise available to it and the one that we can follow blindly in relation to that particular aspect of as low as reasonably achievable, social and economic factors being taken into account?

The Hon. JENNIFER ADAMSON: This Bill does not rely solely on the I.C.R.P. If the honourable member looks at clause 40 (4) *(a)*, he will see that the regulations do not embrace only the I.C.R.P. It embraces:

Codes of practice or standards made under the Environment Protection (Nuclear Codes) Act 1978 of the Commonwealth or any other Act or law of the Commonwealth, or by the Standards Association of Australia, the National Health and Medical Research Council, or any other prescribed body.

ALARA, as I said, is applied as the radiation protection ethic, which imposes upon all users of radiation an obligation to go, where possible—practicable, economic and social factors taken into account—to all reasonable limits to achieve the minimum dose for an individual. For example, the ALARA principle would be applied at the design stage of a facility by considering those aspects of the design which would affect the doses received by persons (and ventilation would be an important aspect of the design) by considering alternative design features and weighing up the cost of those designs and the likely benefits in terms of the reduction in exposure. For example, one might spend $2 000 000 to reduce exposure by 1 millirem. Obviously, that is not a cost-benefit exercise that is valid so it would not be done. The operators would choose a design which is economic and which results in low exposure for persons, all other factors such as safety being equal.

The CHAIRMAN: I think the member for Napier has received the call on three occasions, in relation to the new clause. Under Standing Orders, he cannot proceed any further. If it was the honourable members amendment, he would be permitted to speak without limit.

Mr HAMILTON: By clause 4 *(a)*, the regulations may refer to 'incorporate'. Are all these regulations under the I.C.R.P.?

The CHAIRMAN: I understand that we are dealing with proposed new clause 22a.

New clause inserted.

Clause 23—'Prescribed mining tenements may be made subject to conditions for radiation protection.'

The Hon. JENNIFER ADAMSON: I move:

Page 11, lines 10 to 13—Leave out 'in order to ensure that the levels of exposure of persons to ionising radiation resulting from operations carried on in pursuance of the tenement are as low as reasonably achievable in the circumstances of the operations'.

The purpose of this amendment is to remove the reference to ALARA in subclause (2) as that reference has been made redundant by the addition of the new clause 22a.

Amendment carried; clause as amended passed.

Clause 24—'Licence to carry on operations for the milling of radioactive ores.'

The Hon. JENNIFER ADAMSON: I move:

Page 12, lines 15 to 18—Leave out all words in these lines.

Again, the purpose of this amendment is to remove the reference to ALARA in subclause (5) *(b)* as that reference has been made redundant by the addition of the new clause 22a.

Amendment carried; clause as amended passed.

New clause 24a—'Limits of exposure to ionising radiation for mining or milling operations not be more stringent than limits fixed under certain codes, etc.'

The Hon. JENNIFER ADAMSON: I move:

Page 12, after line 24—Insert new clauses as follows:

24a. Notwithstanding any other provisions of this Act, no limit of exposure to ionising radiation shall be fixed by any regulation or condition made or imposed under this Act in relation to an operation for the mining or milling of radioactive ores that is more stringent than the most stringent limit for the time being fixed in relation to such operations in any code, standard or recommendation approved or published under the Environment Protection (Nuclear Codes) Act 1978 of the Commonwealth or any other Act or law of the Commonwealth or by the National Health and Medical Research Council, the International Commission on Radiological Protection or the International Atomic Energy Agency.

The purpose of this new clause is to clarify the Government's intentions with respect to the way in which the principles of ALARA will be administered; in other words, the clarification under this clause which applies to mining is similar to that under previous clauses that apply to non-ionizing radiation. It was never intended for ALARA to be used to impose limits of exposure which are more stringent than those in current usage. ALARA will be administered in the design stage of a facility by ensuring that the design is such that the exposure of persons will be as low as reasonably achievable. During the operation of the facility ALARA will be administered by a continuing process of monitoring the exposure of workers and of reducing those exposures

where possible; that is to say, in reducing them below that which is required by the standard codes.

Mr HEMMINGS: I find this amendment one of the most hypocritical I have ever seen or ever heard of in any debate in this Chamber. We have had stressed upon us time and time again that this is enabling legislation, that this is just a mere framework and regulations will apply to cover the problems that the Opposition foresaw in this particular Bill. I made the point in my second reading speech that I felt that we needed to tighten up this legislation and spell out quite clearly exactly how we should protect the workers in the uranium mining industry. The Minister poured scorn on those remarks and poured scorn on the amendments we were foreshadowing. Now what have we got? We have got a shabby and shameful amendment that is designed to go the exact opposite of our proposed new clause 24a.

We were saying that we should have the minimum and this amendment ensures that it is the maximum. We are opposed to that completely. How can the Minister in fact spend all her second reading speech and all the time in this debate saying this is just a framework and regulations will prevail, that the Government will sort it out and everything will be all right, and suddenly out of the blue introduce an amendment which clearly spells it out? It is the absolute maximum that is going to apply.

I am going to be bound by your previous ruling, Sir, which I agree was correct, but I have only got three questions on this. My question is going to be long and drawn out and I hope that the Minister can provide the answer. First, why is there this sudden change of heart? Why is it that the Minister has suddenly decided that the framework that she proposed earlier is no longer relevant when we are dealing with clause 24? I would suggest it is to fall in line with what the joint venturers in the Roxby Downs operation require. I am also suggesting that it is to offset what we are trying to introduce in later amendments.

What surprises me is that the Minister and the Government back-benchers have made great play on the International Commission on Radiological Protection. We also have included here the Environment Protection Nuclear Codes Act, 1978, and the National Health and Medical Research Council. All those particular bodies base their levels on the I.C.R.P. Why is the Minister going completely off beam and suddenly deciding to put this particular amendment in, bearing in mind previously she said it was just framework, the enabling legislation, but suddenly she has had a change of heart over the dinner adjournment and has decided to put this one in? Apart from answering those questions, could the Minister give some information on the International Commission on Radiological Protection, such as the make-up, the budget, those people working there, the member countries, and what have you?

The Hon. JENNIFER ADAMSON: Off the top of my head I could not possibly give the honourable member the makeup, the budget, and general operation of the commission, but I can undertake to get that information for him and make it available to him at the earliest opportunity. If the honourable member thinks that these amendments are a response to his amendments, he credits the Parliamentary Counsel and me and my officers with a speed of thinking and action that defies human capability. I recognise that my officers and the Parliamentary Counsel are extremely skilled, but I do not believe that they could whip together amendments such as this over the dinner break in response to amendments tabled by the Opposition which I did not see until after the dinner break. Let me disabuse him of the fact that these amendments are in response to his own; they are not.

Mr HEMMINGS: The Minister, as usual, does not answer the question. I asked why the Government had decided, despite all the things contained in the second reading explanation and what has been said in reply to amendments we have moved, that this was just a framework, enabling legislation, yet suddenly it has appeared with an amendment that guarantees that mining companies can use the maximum level of exposure for those people working in the uranium mining industry. The Minister pads it out, talking about the different codes, the National Health and Medical Research Council, the International Commission on Radiological Protection, and the International Atomic Energy Agency. It sounds good, as though we are drawing on the expertise from all these different bodies, and therefore we will set the level.

Let us put it in its true perspective. The International Commission on Radiological Protection makes recommendations to all member countries engaged in any radiation related activity. The International Atomic Energy Agency follows to the letter the recommendations of the I.R.C.P. The National Health and Medical Research Council follows to the letter the recommendations of the I.R.C.P., and so does the Environment Protection (Nuclear Codes) Act, 1978, of the Commonwealth. So, despite that list of impressive agencies, only one sets the rules, and that is the I.C.R.P. I asked the Minister a rather awful question, because I knew the answer before I asked, but I thought it might be good for the benefit of people on the Government side.

The Minister and the back-benchers have been going on about the I.C.R.P., saying that it is worried about protection and the levels of radiation under which people work in uranium mining. They think they are a shining example, the people we should be following. If that organisation, which has been in existence since 1928, had resources to provide the information, that would be very good. Members opposite have scoffed at me because I have said NIOSH, the American organisation funded by the American Government, dares to say that working levels set by the I.C.R.P. are far too high. Members opposite have quoted I.C.R.P. as though it is an organisation that sets the highest possible standard. If one were to listen to that, one would think it must have all the resources available. Let us find out exactly what I.C.R.P. means. I advise the Minister to get the early *Hansard* pulls tomorrow, because it would be a good idea for her to find out what it represents. I have received this information from the Parliamentary Library, and it is from the 1978-79 Year book of International Organisations. Dealing with I.C.R.P., it has this to say:

> It was founded in 1928 in Stockholm, as an international X-ray and radium protection commission. Present name adopted on reorganisation in 1950 in London. It has a scientific secretary, Dr F. D. Sowby, Clifton Avenue, Sutton, Surrey. Its aim is to familiarise itself with progress in the whole field of radiation protection, publish recommendations on radiation safety standards, mainly dealing with basic principles of radiation protection. Structure: it is a commission composed of Chairman and not more than 12 members elected on the basis of their recognised activity in the fields of radiology, radiation protection, physics, biology, genetics, biochemistry, biophysics, without regard to nationality. It meets before and reports to the international congresses of radiology. Four committees.

That sounds very impressive, but let us look at the membership and the staff. One would expect a staff of 20, 30, or perhaps 40, but the staff membership is two: two staff people make up the I.C.R.P. The language is English, and the finance is made up of grants from official and private bodies. I have got the budget for 1977, but let us bear in mind that, with the enormous responsibility that I.C.R.P. has in advising nations, such as the U.S.A., Australian, United Kingdom, France, Germany and Russia, its budget is $70 000 a year, with two paid staff members. If we bring it down to language members in this Chamber understand, $70 000 represents 2½ Government drivers' salaries for a year, yet here we have all the members on the Government

side wanting to ignore what I am saying about NIOSH recommendations and deal with I.C.R.P.

That is basically what this amendment is about: we should set the maximum level in accordance with I.C.R.P. NIOSH is saying that it is two to four times greater, but Government members are saying we should support I.C.R.P., with two paid staff members and a budget of $70 000. One would imagine, with all the updated medical and research knowledge coming in to I.C.R.P., that it would meet at least once a month.

They meet only about once a year; there is a paid staff of two and a budget of $70 000 a year, but they meet only once. Yet, the Government and all the other people are saying that we should base everything on what the I.C.R.P. recommends. With regard to members, there are 20 members on the commission: one from Argentina, which is quite interesting, three from the United States, one from Japan, one from France, one from the Federal Republic of Germany, one from Poland (I doubt whether he would have gone very often), one from Sweden, three from the United Kingdom and one from the U.S.S.R.

Clearly, that simply demolishes any argument that the Government and its back-benchers have put forward concerning the I.C.R.P. Everyone has been telling us that that is the organisation by which we should be guided; that we should ignore the latest information which I have read out and which has come from NIOSH and that we should abide by what I.C.R.P. is giving out. This whole amendment is an immoral one, designed to give an opening to the joint venturers at Roxby Downs, and we oppose it absolutely.

Finally, I want to place on record the background of the organisation of the National Institute for Occupational Safety and Health. I have detailed the structure and background of the I.C.R.P., which, even if one has a most generous attitude, can be said to be only a part-time organisation that does not have enough money to collate all the evidence which is coming out throughout the world, yet the Government is blindly following the recommendations of that organisation. NIOSH was set up in 1970 and I shall refer to information contained in a book titled *United States Statutes at Large*—a rather unusual title. It states that the Secretary of NIOSH is:

> . . . upon his own initiative or upon the request of the Secretary of Health, Education, and Welfare, authorised to conduct such research and experimental programmes as he determines are necessary for the development of criteria for new and improved occupational safety and health standards . . .

NIOSH has met those criteria, but it is rather unfortunate that not only Governments in Australia, whether Commonwealth or State but Governments in Europe or elsewhere, when faced with the evidence placed before them by NIOSH, tend to ignore it and accept the wide levels of exposure recommended by the I.C.R.P. For the Minister to state that the standards or recommendations are approved by all these august bodies is really a little bit hypocritical, because as I have proved, they all base their recommendations on the I.C.R.P. and I think I have proved conclusively to the Committee that the I.C.R.P. is not now in the position that it was in to provide that kind of information for Governments to act on; it may be that it had the staff and expertise back in 1928—

The CHAIRMAN: Order!

Mr HEMMINGS:—but it does not have it now.

The CHAIRMAN: Order!

The Hon. JENNIFER ADAMSON: I have news for the member for Napier: he has proved nothing conclusively and the fact that he did some homework does not overshadow the fact that this homework did not take him right to the levels of knowledge that would have enabled him to appreciate the full role of the I.C.R.P. Let me begin by saying that he has completely misinterpreted the amendment. The honourable member is assuming that somehow or other the Government is going to go for the highest levels. We are not doing that. The companies must abide by the limits fixed by regulation and these limits cannot go below the levels set or below the most stringent standards. That misunderstanding demonstrates the complete misinterpretation of the amendment.

I will now expand on a few of the honourable member's ill-informed allegations about the I.C.R.P. I should have thought that he would have appreciated the fact that an independent international body, a body of experts, does not need to be surrounded by a large bureaucracy to be effective. The I.C.R.P. is a body of experts—it is not a representational body. I am interested in the technique that the honourable member has used in observing the old political adage of never asking a question unless you know the answer: he asked me earlier about the membership of the body, the budget of the body and the staffing of the body, and I undertook to obtain the answers, but he then proceeded to provide the answers himself.

However, unfortunately he did not go further and discover that the I.C.R.P. has an official relationship with the World Health Organisation, and I take it that he is not decrying that as an authoritative body, and also, with the International Atomic Energy Agency. It also maintains close relationships with the United Nations Scientific Committee on the Effects of Atomic Radiation—and I take it that the honourable member is not downgrading or despising that body. It also has a relationship with the United Nations environmental programme, the International Labor Organisation with which I would have thought he and his Party would have some affinity and for which I should think they would have a close regard, the International Electro-technical Commission, the Nuclear Energy Agency, and the European Economic Community.

If one is looking for larger budgets and larger staff, one needs only to look at those organisations and their staffs and technical expertise that they have which is made available to the I.C.R.P. Therefore, it can be realised that they are by no means short of resources. Although the staff employed by the I.C.R.P. are few in number, it has access to those bodies that I have mentioned, including others that I have not mentioned, namely, the United Kingdom National Radiological Protection Board, the United States Oak Ridge Laboratories, and similar large international eminent research organisations. So much for the allegations that the I.C.R.P. does not have a large staff or a big budget—it has access to vast staffs and vast budgets.

In response to the suggestion that the Government is blindly following the I.C.R.P., I would point out that it is not. With respect to radon daughters, the standard of the I.C.R.P. is 4.8 W.L.M. The Australian code has a standard of 4 W.L.M. In other words, the Australian code is more stringent than that of the I.C.R.P., which is the code that those covered by this Act will be observing.

The Committee divided on the new clause:

Ayes (19)—Mrs Adamson (teller), Messrs Allison, P. B. Arnold, Ashenden, Billard, D. C. Brown, Eastick, Evans, Glazbrook, Lewis, Mathwin, Olsen, Oswald, Randall, Rodda, Russack, Schmidt, Wilson, and Wotton.

Noes (16)—Messrs Abbott, L. M. F. Arnold, Bannon, M. J. Brown, Crafter, Duncan, Hamilton, Hemmings (teller), Hopgood, Keneally, Langley, Payne, Plunkett, Slater, Whitten, and Wright.

Pairs—Ayes—Messrs Becker, Blacker, Chapman, Goldsworthy, and Tonkin. Noes—Messrs Corcoran, McRae, O'Neil, Peterson, and Trainer.

Majority of 3 for the Ayes.

New clause thus inserted.

New clause 24b—'Operations for enrichment or conversion of uranium not to be carried on until proper controls imposed.'

The Hon. JENNIFER ADAMSON: I move to insert the following new clause:

24b. (1) No person shall carry on any operation for the conversion or enrichment of uranium.

(2) Contravention of subsection (1) shall constitute a minor indictable offence.

(3) This section shall expire on a date to be fixed by proclamation.

(4) A proclamation shall not be made for the purposes of subsection (3) unless the Governor is satisfied that proper provision has been made for the control of operations for the conversion or enrichment of uranium.

This clause makes clear that a conversion or enrichment plant cannot be established until such time as proper legislative controls are in place.

New clause inserted.

New clause 24c—'Limits of radon daughter exposure for employees in mining, milling or transport operations.'

Mr HEMMINGS: I move:

Page 12, after line 24—Insert new clause as follows:

24c. (1) Subject to this section, a person carrying on an operation for the mining, milling or transport of radioactive ores or uranium or thorium shall ensure that no person employed in the operation has, as a result of exposure to ionizing radiation in the course of that employment, a total radon daughter exposure level that exceeds the prescribed limit.

(2) Subsection (1) does not apply except in relation to an employee who is required to engage in work of a prescribed class.

(3) For the purposes of subsection (1)—

(a) the level of any radon daughter exposure of a person resulting from exposure of the person to ionizing radiation in the course of any employment shall be the level ascertained in relation to that person's employment upon the basis of measurements and assessments carried out in the manner for the time being approved by the commission;

and

(b) the total radon daughter exposure level of the person shall be determined in accordance with the regulations by reference to any radon daughter exposure level ascertained in accordance with paragraph *(a)* in relation to that employment and any radon daughter exposure levels so ascertained in relation to previous employment of the person and of which the current employer of the person has been given notice by the commission in accordance with the regulations.

(4) A person does not contravene subsection (1) in circumstances where the total radon daughter exposure level of a person exceeds the prescribed limit as a result of exposure to ionizing radiation resulting from a procedure or occurrence of a prescribed class.

(5) Contravention of subsection (1) shall constitute a minor indictable offence.

(6) In this section, 'the prescribed limit' means—

(a) in relation to a continuous period of three months.

(i) one working level month;

or

(ii) where a lower limit is fixed by regulation under subsection (8) in relation to a particular operation—in relation to that operation, the limit fixed by regulation;

(b) in relation to a continuous period of twelve months

(i) two working level months;

or

(ii) where a lower limit is fixed by regulation under subsection (8) in relation to a particular operation—in relation to that operation, the limit fixed by regulation;

and

(c) in any case—sixty working level months.

(7) Where the Minister is satisfied, upon the advice of the Committee, that a lower limit than that referred to in subsection (6) *(a)* (i) or *(b)* (i) is reasonably achievable in the circumstances of a particular operation, the Minister may recommend to the Governor that the lower limit be fixed by regulation in relation to that operation.

(8) The Governor may, upon the recommendation of the Minister made pursuant to subsection (7), by regulation, fix a limit in relation to the operation to which the recommendation relates.

In effect, that lengthy amendment follows the recommendations of the study group report prepared by the American National Institute for Occupational Safety and Health. In a nutshell, my amendment provides that the current working level and the current working level month recommended by the International Commission for Radiological Protection be reduced by half. I will not waste the Committee's time by again canvassing the arguments I put forward earlier today. The Opposition believes that these levels are easily achievable by those people who wish to undertake uranium mining in the State of South Australia. The Opposition believes that, if this Government is concerned with the health, safety and protection of people working in the uranium mining industry, it should support our amendments.

The Hon. JENNIFER ADAMSON: The Government cannot accept the amendment, simply for the same reasons that I have already outlined in relation to previous Opposition amendments. Provision will be made in the regulations for these requirements and for similar provisions that need to be made for the mining and milling code. It is far more flexible and appropriate to make these requirements by regulation rather than by placing them in the Act. We are not going to wheel this Act up every time a new standard is imposed. It would be too ridiculous to bring the whole thing back to Parliament, open it up and debate technical matters of this kind. These things are appropriately provided for in the regulations, and that is what the Government intends to do.

New clause negatived.

New clause 24d—'Medical examination of persons employed in mining, milling or transport operations.'

Mr HEMMINGS: I move to insert the following new clause:

24d. (1) In this section—

'employee' means a person employed in an operation for the mining, milling or transport of radioactive ores or uranium or thorium:

'operator' means the person carrying on an operation for the mining, milling or transport of radioactive ores or uranium or thorium:

'prescribed employee' means an employee who is required to engage in work of a prescribed class.

(2) Subject to subsection (3), an operator shall ensure that each prescribed employee undergoes a medical examination as required by the Commission—

(a) within a period of four weeks of the date of commencement of his employment as a prescribed employee;

(b) while the person continues to be a prescribed employee, before the expiration of the period of twelve months from the date of commencement of his employment as a prescribed employee and before the expiration of each succeeding period of twelve months;

and

(c) upon the termination of his employment as a prescribed employee.

(3) A prescribed employee is not required to be examined in accordance with subsection 2 *(a)* or *(c)* where he has undergone an examination under that subsection during the period of eight weeks preceding the commencement or, as the case may be, the termination of his employment as a prescribed employee.

(4) An operator shall ensure that employees other than prescribed employees undergo medical examinations as required by the Commission.

(5) An operator shall ensure that any employee who is exposed to ionizing radiation in excess of limits fixed by the Commission shall undergo a medical examination as required by the Commission.

(6) Every medical examination conducted pursuant to this section shall include a detailed examination of pulmonary function.

(7) A medical practitioner conducting a medical examination pursuant to this section shall ensure that the person examined is advised, in writing, of the results of the examination and his finness for work.

(8) The cost of any medical examination conducted pursuant to this section in relation to an employee shall be met by the operator.

My amendment provides that any person who is employed in the mining, milling or transportation of uranium or ura-

nium ore shall undertake a medical examination, and the cost of that examination will be met by the employer. The Opposition believes that this is a basic part of any form of uranium mining, if it ever takes place in this State. I am sure that not one member of this Committee would argue with the fact that, if we are attempting to minimise the incidence of any form of cancer or any other form of disability, medical checks should be carried out. I notice that the Minister is nodding her head, so I am sure that she agrees with me.

As I said earlier this afternoon, some time ago when deaths occurred amongst miners working at Radium Hill, it was realised that, because there had been no medical checks on miners working at that mine, it was hard to determine the exact cause of the cancer and whether it could be related to Radium Hill. Apart from the checks that will be undertaken as a result of this Bill, the Opposition believes that medical checks should be carried out on the employees. Those checks should be carried out on a 12-monthly basis. We feel that the cost to the employer would be negligible, but that the benefits to the workers would be immense. Although the Minister nodded her head, I am not quite sure whether she will agree to my amendment, which I recommend to the Committee. I think it is a worthwhile exercise which should be looked at seriously. I hope that all members of the Committee support it.

The Hon. JENNIFER ADAMSON: The Government does not support the amendment. However, I do not argue with the justification for medical checks put forward by the member for Napier. There is no disputing that. The fact is that page 14 of the mining and milling code (and I expect that is where the honourable member obtained his amendment) provides for periodical medical examinations and for the nature of the examinations to be determined by the Commission in the appropriate manner. The Government's opposition to the Opposition's preceding amendments is exactly the same as its opposition to this amendment.

The commission will determine the nature of the medical examination in regard to each particular operation, whether periodic medical examinations are required and, if so, in what form. Such factors as the physical and chemical composition of the ore, quite apart from its radioactivity, the nature of the work environment including factors such as noise, dust and fumes, and the age and other personal attributes of the workers will all be taken into account. This is provided for in the mining and milling code and will be implemented as though under regulation.

Mr HEMMINGS: I find it rather strange that the Minister agrees with the sentiments I expressed. She could not resist having a slight dig at me because she said that we lifted our amendment out of the mining and milling codes.

The Hon. Jennifer Adamson: I said that I presumed you did.

Mr HEMMINGS: You presumed; the Minister can never resist having a little dig about our inadequacies and the fact that we have to use other sources to get our amendments together. Apart from that, the Minister agrees with what I say, that there should be regular checks, but as the commission sees fit. I would accept that argument if the Minister would say that the commission has looked at that particular problem and that bi-annual checks will be undertaken. But the Minister does not say that. She gives some degree of credibility to our amendment and then says that she cannot support it because the Health Commission will be carrying out checks on the people employed.

What the Opposition is saying, and what we have said time and time again (and I made some comment about it in my second reading speech), is that outright rejection of our amendments or no spirit of compromise would brand the Government for the hypocrite it is—I think those were the words I used. That is exactly how the Minister is appearing in this debate, despite the fact that she may not intend to be. If we are concerned, we will have day-by-day checks by mines inspectors and periodic audits by the Health Commission to make sure that everything is right. Surely the next step is to have medical checks for those people who work in these areas.

It happens in Canada, many places in the United States and in the United Kingdom. Why can it not happen in South Australia? What is the great stumbling block that will deny workers in the mining industry in this State the right to have a medical examination and to be told exactly how their health is. The Minister obviously thinks that it is not worth while.

Mr Keneally interjecting:

Mr HEMMINGS: Well, the Minister may be the stumbling block, I do not know. This amendment has a lot of merit and is something that the Minister should consider, but I think I am wasting my breath. Perhaps the only thing I am going to prove to those people who read *Hansard* is that this Government is not really concerned with the health of those people who are mining uranium. It is more prepared to meet the basic requirements that those people who operate the mines insist upon. That is the only conclusion I can come to.

The Hon. JENNIFER ADAMSON: The honourable member has just made an absolutely preposterous assertion which cannot be substantiated. There will be medical checks. They are provided for in the codes. What the honourable member does not seem to understand is that the Bill provides the framework for the implementation of the codes by regulation. It is inconsistent and wrong to lift certain things out of the codes and put them in legislation, leaving others for regulation. The Opposition is being quite inconsistent in its whole legislative approach to this Bill. The fact that it is a technical matter that requires flexibility and, if adopted, would require the Act to be wheeled in and out of Parliament as the codes are updated seems to have completely escaped the Opposition. The fact that members opposite are being highly selective in the way they pick up bits and pieces of the codes put them into the Bill and leave others for regulation also seems to escape them. The fact is that the Bill is enabling legislation; the codes are going to be implemented by regulation. The mining and milling code provides for periodic medical examinations; they will occur through regulation, and it is not appropriate for this amendment to be supported.

Mr HEMMINGS: I do not know whether I am hearing right, but the Minister just said that we are being very inconsistent and taking bits out of the codes and putting them into legislation. I think that when one reads the debate in *Hansard* one will find that we have been consistent from the outset. We have tried to include in this legislation all those areas dealing with workers' safety and protection. We have been consistent from the start. In the second reading debate the Minister said that it was such a complex business that one could not put it in legislation, yet just two or three minutes ago in a completely inconsistent manner she moved an amendment when dealing with the limits of exposure. Then she stands up after I have talked about the problems of medical checks and chastises me, saying that I am inconsistent and that it has to be done by regulation. Who is the hypocrite, the Minister or myself? I think history will prove that I am right.

The Committee divided on the new clause:

Ayes (16)—Messrs Abbott, L. M. F. Arnold, Bannon, M. J. Brown, Crafter, Duncan, Hamilton, Hemmings (teller), Hopgood, Keneally, Langley, Payne, Plunkett, Slater, Whitten, and Wright.

Noes (19)—Mrs Adamson (teller), Messrs Allison, P. B. Arnold, Ashenden, Becker, Billard, D. C. Brown, Eastick, Evans, Glazbrook, Lewis, Mathwin, Olsen, Oswald, Randall, Rodda, Russack, Schmidt, and Wotton.

Pairs—Ayes—Messrs Corcoran, McRae, O'Neill, Peterson, and Trainer. Noes—Messrs Blacker, Chapman, Goldsworthy, Tonkin, and Wilson.

Majority of 3 for the Noes.

New clause thus negatived.

New clause 24e– 'Measurement of radiation exposure resulting from mining, milling or transport operations.'

Mr HEMMINGS: Because of the length of this amendment, I seek leave to have it inserted in *Hansard* without my reading it. Accordingly I move:

24e (1) A person who carries on an operation for the mining, milling or transport of radioactive ores or uranium or thorium shall—

(a) provide and maintain such instruments, apparatus and equipment for the measurement and assessment of the levels of ionizing radiation to which persons employed in the operation are exposed as a result of the operation; and

(b) carry out such measurements and assessments of the levels of exposure to ionizing radiation of his employees resulting from the operation,

as the commission may require.

(2) A person carrying on an operation referred to in subsection (1) shall—

(a) in accordance with the regulations keep and retain records of the results of measurements and assessments carried out pursuant to subsection (1); and

(b) provide to an employee or former employee, upon his request, a statement in writing of the results of the measurements and assessments.

The ACTING CHAIRMAN (Mr Russack): The honourable member for Napier has moved the insertion of new clause 24e.

New clause negatived.

Mr HEMMINGS: Mr Deputy Chairman, I merely sought leave for the insertion of my amendment in *Hansard* without my reading it. I took the advice of the Chairman, who has just left the Chair, and did not read my amendment to the Committee because of its length.

Mr MATHWIN: On a point of order, Mr Acting Chairman, the honourable member said that he would not read out the amendment, and he said, 'I move the amendment standing in my name.' That is all there was about it, and the amendment has been—

The ACTING CHAIRMAN: Order! The honourable member for Napier moved his amendment. He accepted the suggestion of the Chairman of Committees, and the amendment was put. No-one rose in his seat to speak. On the voices, the amendment was not carried.

The Hon. R. G. PAYNE: On a point of order, Sir, I was in the Chamber and my understanding was that the member for Napier said, in agreement with a previous ruling, that he would not do the recital associated with reading out the whole amendment, and he simply put at that stage the amendment standing in his name, which was on file. Am I to understand that you have now ruled that we have voted on that?

The ACTING CHAIRMAN: Yes. The amendment was moved.

Mr Mathwin: It was put and lost.

The Hon. R. G. PAYNE: I do not believe that that was the intention of the honourable member, and I do not think the Chairman would take that view. I think the member for Napier was simply trying to save the time of the Committee. I see the Minister nodding, and I am pleased that at least one member on the Government side is up with the game and knows what is going on. We do not want to make a Federal case out of it, but I think the member for Napier was trying to be helpful in the circumstances, saying, 'There is the amendment. What is your reaction?'

The ACTING CHAIRMAN: Order! The honourable member for Napier rose and moved the amendment. As I have explained, he said that he accepted the suggestion of the Chair that he would not read it out. I waited for any member to stand and, when no-one did, I put the amendment and it was lost. Does the member for Napier wish to proceed with this next amendment?

The Hon. JENNIFER ADAMSON: On a point of order, Sir, I recognise what the honourable member was trying to achieve and I think, when he sought leave, he sat down to wait for leave to be granted. I understand that the honourable member could ask for the clause to be recommitted, and I would have no objection. He could put his arguments, and we could vote on it again if you agree to that course of action.

The ACTING CHAIRMAN: Is it the wish of the Committee that the clause be recommitted? If so, it is not necessary to move the amendment again.

Mr HEMMINGS: Since the member for Glenelg doubted my intentions, I think it might be right and proper, in the circumstances of this fiasco, for me to read the amendment. I appreciate the assistance of the Minister, and I thank her, because she understood exactly what I had in mind. I move to insert the following new clause:

24e. (1) A person who carries on an operation for the mining, milling or transport of radioactive ores or uranium or thorium shall—

(a) provide and maintain such instruments, apparatus and equipment for the measurement and assessment of the levels of ionizing radiation to which persons employed in the operation are exposed as a result of the operation; and

(b) carry out such measurements and assessments of the levels of exposure to ionizing radiation of his employees resulting from the operation,

as the Commission may require.

(2) A person carrying on an operation referred to in subsection (1) shall—

(a) in accordance with the regulations keep and retain records of the results of measurements and assessments carried out pursuant to subsection (1); and

(b) provide to an employee or former employee, upon his request, a statement in writing of the results of the measurements and assessments.

The reason for this amendment is that it should not be the responsibility of the Health Commission to provide any instrument or apparatus used in any form of monitoring of the environment, or personnel working in a mining industry. As I said earlier, I am sure this must be a temptation to the Minister who is very keen to cut costs at the Health Commission. However, I think it goes deeper than that. If a mining company wishes to undertake a hazardous operation (and I think it is agreed by all members of the Committee that uranium mining is a hazardous operation) it should be prepared to provide that equipment which is necessary to check the environment and those workers in the mining industry.

I will say no more on that. I think I canvassed further arguments earlier. It should be a proviso that those people engaged in mining provide the equipment to check the protection of people working in those areas. If it looks seriously at this amendment, I am sure the Government will support it.

The Hon. JENNIFER ADAMSON: The Government does not support it for the same reason that it opposed all the previous amendments, simply because provision is made in regulation-making powers for these requirements. Similar provisions are made in the mining and milling code. Making these requirements by regulation is far more flexible than

doing it in legislation. I will not go through arguments I have already put.

However, at the same time, I should say that the honourable member's concern for the Health Commission budget is commendable. True, the mining operators have to provide their own equipment but it would be quite unacceptable for that equipment to be used by the commission. The commission must maintain an independent monitoring authority and therefore must maintain its own equipment, so there will be two sets of equipment—the mining operators' equipment and the Health Commission equipment. The provision for the intent of the member for Napier's amendments is made in the regulation powers and it will be enacted under those powers.

New clause negatived.

Mr Mathwin: They should have drowned you when you were a pup, mate.

The ACTING CHAIRMAN: Order! At this late hour it is unnecessary for comments from one side to the other. The member for Napier.

Mr HEMMINGS: Perhaps it is a sign of my being able to go above the gutter level of the member for Glenelg.

The ACTING CHAIRMAN: Order! When I suggested that there should not be comments, I also was referring to the fact that they should not be replied to.

Mr HEMMINGS: What you are saying, Sir, is that we should take it, but not reply to it.

Mr Becker: Are you reflecting on the Chair?

Mr HEMMINGS: No, I am just reflecting on the member for Glenelg.

The ACTING CHAIRMAN: Order! I realise that the hour is late and that there are some strained nerves, but I ask the Committee to come back to the business in hand.

New clause 24f—'Register of persons involved in mining, milling or transport operation'.

Mr HEMMINGS: I move:

Insert new clause as follows:

24f. (1) The commission shall compile and maintain a register of persons employed in the State in operations for the mining, milling and transport of radioactive ores or uranium or thorium.

(2) The Commission shall collect and collate upon an annual basis, and publish in its annual report, data and statistics relating to the morbidity and mortality of persons registered pursuant to subsection (1).

The Opposition feels that this is an important amendment, despite the fact that it is consequential on the two previous amendments that have been lost in Committee. Again, I refer to the fact that when the member for Elizabeth was trying to collate information of deaths through cancer at Radium Hill, one of the biggest stumbling blocks was the fact that no records had been kept at that mine in relation to—

The Hon. Peter Duncan: No, they had been destroyed by the Mines Department.

Mr HEMMINGS: I see. Therefore, there was no way that a complete analysis of deaths or disability resulting from cancer could be established. Despite all the legislation, the monitoring and the safety devices, there is still evidence that shows that the incidence of lung cancer amongst those people who work in uranium mines is greater than in any other area of mining or in the community at large.

There must be some way in which records can be kept. It happens in Canada and in some areas of the United States. I do not have information about any other areas where uranium mining takes place, but the keeping of such records can be achieved at very little cost. If the Government does not accept this amendment the only reason can be that the Government does not wish records to be kept, because such records will prove, in line with evidence that has been put forward by such organisations as the National Institute of Occupational Safety and Health, that there is a greater incidence of lung cancer among those people who work in uranium mines.

I do not intend to say anything more on this particular subject, except to urge the Government (and I am giving the Minister a let out here), if it does not accept the amendment, to at least give the matter serious consideration and perhaps the Minister can introduce it by regulation at some later date.

The Hon. JENNIFER ADAMSON: That is precisely what is going to occur. I believe that the honourable member recognises that that is going to occur. If the honourable member is suggesting that the Government is opposing this amendment because it wants to suppress statistics on epidemiological information.—

Mr Hemmings: I didn't say that. I said one could come to that conclusion.

The Hon. JENNIFER ADAMSON: If one came to that conclusion, one would be coming to the wrong conclusion and the arguments against this amendment are the same as those against the previous amendment, namely, that it is inappropriate to require the maintenance of a register of employees engaged in mining, milling or transport of radioactive ores in the legislation because that requirement is part of the codes that are going to be implemented by regulation. I will add something more to that, which I am sure will be of interest to members of the Opposition, particularly those who are concerned with matters of civil rights.

I do not dispute the intent of the amendment, and what is intended is going to occur. There is no question about that whatsoever, because it is embodied in the codes and the codes are going to be implemented under regulations. However, it should be noted that the collection of personal information from employees such as is necessary to compile statistics relating to morbidity and mortality, and the requirement to undergo an annual medical examination, need voluntary participation if it is to be successful.

The Hon. R. G. Payne: Why voluntary?

The Hon. JENNIFER ADAMSON: It would certainly be contrary to current civil rights to require this by Statute. I put that quite seriously and it is a matter, I feel, that if we were requiring by Statute information of personal health records to be put on a register—

The Hon. R. G. Payne: Oh, come on!

The Hon. JENNIFER ADAMSON: The honourable member for Mitchell can deride and heap scorn on this, but there is no doubt whatsoever that civil libertarians throughout Australia are concerned indeed at the prospect of personal health details being placed on national registers. I ask him to recognise that it is difficult, if not impossible, certainly inappropriate, to do that by way of statutory requirement. It has to be done by way of voluntary co-operation.

I realise that it would make things much easier and simpler for health authorities if it could be made a compulsory requirement under Statute, but the fact is that some people believe that their health information is something that should be their own property and known only by them and their medical practitioner. They simply will not have a bar of that information being put on a national register. I ask the Committee to take that constraining factor into consideration and at the same time to recognise that provision for the register to be established is made in the codes and that those codes will be implemented by regulation.

At the same time, I advise the Committee that the Health Commission has prepared a questionnaire and medical report form to be completed by all employees. It has received the co-operation of companies currently proposing to engage in uranium mining and milling in distributing these question-

naires and report forms among their employees. In addition, the Commonwealth Government is planning a national register and collection of morbidity and mortality data based on voluntary participation through co-operation by the companies and their employees.

The Hon. R. G. PAYNE: As I understood the Minister, two points emerged from her dissertation, apart from those with which I disagreed. The first was that the Commonwealth was planning a national register. Hooray! In the meantime, uranium activities can go on throughout the country. Secondly, I think the Minister said that a register would be prepared but there were difficulties in relation to the civil liberties of those involved, and we are talking about the health details that may be included on the register. How does the Minister reconcile those statements? Where in hell are we? If it is difficult to establish a register because of civil liberties (which was invoked by the Minister), how can the Minister put forward as a palliative the fact that the Commonwealth is planning to establish a register. Can the Minister provide more information?

The Hon. JENNIFER ADAMSON: There is nothing inconsistent about this. One cannot compulsorily require the personal health records of individuals to be placed on a national register, but one can seek the voluntary co-operation of companies (which is forthcoming) and of employees (which we hope will be forthcoming) for a national register. I stress the words 'voluntary co-operation'. I am happy to provide the member with details of the status of the Commonwealth plans.

A joint Commonwealth-State consultative committee on nuclear codes is responsible for developing and advising the relevant Commonwealth Minister on the appropriate codes in relation to transport, mining, and so on. This committee is chaired by the Minister for Home Affairs and Environment. Under it, there is a subcommittee, entitled the Expert Committee on the Health Code, which is considering how a central repository of information may be developed to monitor health trends among uranium mine workers. That is a central repository as distinct from the State register that the commission will keep. The subcommittee has enlisted the consultative services of the Commonwealth Institute of Health and is presently considering a questionnaire which has been developed by the South Australian Health Commission as a mechanism for data collection. What we are doing is regarded by the Commonwealth as a basis for the project.

In due course, the subcommittee will report on this matter to the Consultative Committee on Nuclear Codes, which, presumably, will then consider the matter of a central record repository for uranium mine and mill worker records, and make some recommendation, which would then be referred formally to the States for their participation in such a national register. Certainly, the South Australian Government and the Health Commission wholeheartedly endorse the concept of a national register. Discussions to date have concentrated on the possible uses of such a central repository and the data that might be needed. I believe that is an up-to-date report on what is occurring.

I stress that the commission is strongly in favour of the establishment of a national registry for uranium workers as soon as possible, as was recommended by the uranium Select Committee. While the commission will maintain health and radiation records for uranium workers in South Australia, it will be important to pool the information from all States for future epidemiological studies. The register must be established at the earliest possible date so that the States can collect all relevant information in a uniform manner. I can assure the Committee that the South Australian Government intends to play its full part. We are taking a leading role by developing appropriate questionnaires and we are very much committed to the concept of a national register.

The intent of the amendment of the member for Napier is very much a matter of policy with the Government and the commission. It will be implemented under regulation so far as we can go. We cannot go the whole way and require individuals, if they choose not to, to have their personal health records as part of a national register. I believe that all members will understand the sensitivities that exist in the community. We believe that it is inappropriate to force people by law to do so.

However, we expect a high degree of co-operation, because the companies themselves are endorsing the principle and wish to co-operate. Whether they can require every single worker to co-operate is yet to be seen. However, they will certainly be seeking the voluntary co-operation of employees.

The Hon. R. G. PAYNE: We have just heard a recitation about what could be described as next year's tea party or something. I find it absolutely incredible. The amendment deals with a recognised danger area for workers involved in the mining and handling of uranium, and so on. The Minister, in reply, stated that the Government is not opposed to a register, but it is hard to do so the Government is not pushing it too hard. She said that the Government looks forward to receiving some co-operation and that the Commonwealth is leaning towards the establishment of a national register, anyway. In effect, she asked to be let off supporting the amendment moved by the member for Napier. Good God, we are not talking about people who may break a leg or lose a shoe playing football. We are talking about people who may contract a fatal illness.

The Opposition's amendment will not cost the Government a nickel beyond administrative costs. It does not even have to cost the Government that. If it is legislated in this place it can be made the responsibility of the companies or consortiums concerned to keep a register and once a year examine people and record the results. We are not talking about something that will be extremely costly or a major intrusion into the privacy of an individual, and so on. It is a simple administrative arrangement, and the Minister is dodging the issue. Every day in the streets outside this place people sign up for life insurance, and one of the requirements is that they undergo a medical examination.

The Hon. Jennifer Adamson: They sign up voluntarily.

The Hon. R. G. PAYNE: Let us have no persiflage about this matter. We are not asking people to do the impossible. People have medical examinations for all sorts of reasons and do not quibble about it. If the Minister can say that she believes that so many will object to reasonable medical records being kept and the results of the examinations being recorded, her argument might have some substance. However, that is not so. The Minister said that it is a terribly difficult area because civil liberties are involved, and so on. I cannot accept that, and I will not accept it on behalf of the people of this State.

The Minister also said that the Government is preparing a questionnaire in the South Australian Health Commission. Good God, it sounds like someone in school going down the street to see whether they agree with knocking off seals by clubbing them on the head. We are not playing with this issue. This Bill provides for the protection of the health of people who may be involved in a hazardous occupation. It is not an area for argument. It has been proven to be a hazardous occupation. Commonwealth codes have been prepared to lay down what should happen in this area.

Is the Minister saying that the Commonwealth would have gone through that exercise if this industry was not dangerous and hazardous? I do not believe that, and I do not think that the Minister believes it. I think that the Minister was stuck with reading out what has been provided

by the department, and that does not meet the queries being raised by the Opposition. In this instance, we are not attempting to tie up the Government. We believe that this is a vital area because, in simple terms, we are being as honest as the Government ought to be. We are saying that we are unsure of the future of people employed in this industry. The Commonwealth has said that it does not know, because it has provided a code, which must be adhered to, to provide minimum safeguards. The Minister has said that she does not know, because the Health Commission is preparing a questionnaire.

The Opposition are not asking much more than that. We say that no-one knows; the history of the whole thing only goes back to 1900 anyway, and the recent history, if one looks at America, dates back to the 1950s and the unfortunate experiences in the mines in the United States, which experiences confirmed later that hazards and illnesses were associated with that occupation that need to have certain safeguards to prevent a recurrence of what happened then.

The Opposition is not asking the Minister to commit untold sums of money. We are asking that a register be prepared of those in the show and a reasonable medical record made annually. I believe that I am right in that. I look to my colleague, the member for Napier. The Opposition does not require this every month, every three months or whatever, but once a year. The average person in the street goes to the doctor once a year to see how his blood pressure is doing, and so on. To talk about an invasion of civil liberties and privacy might be valid in another area, but there are occasions when the State must provide for the protection of individuals which they are not prepared to do themselves. Otherwise, why do we have random breath testing and other matters brought before this House?

I will not go into it any further than that. The Government says that people do not always do the right thing and that we must provide for that by making certain laws. That is all that the Opposition is saying. We know that people will be tempted by the high wages, the necessity of being employed and earning money. We are being as honest as the Government should be. The Opposition is saying that it does not know all the answers, but a prudent thing to do in the circumstances is to maintain a register of names and minimum data so that at some time in the future, if what we now prognosticate—and it is the Government's prognostication, not the Opposition's—is not correct, at least we will not go on making the same mistakes. We will have a data base (surely that will appeal to the Minister; it is modern jargon) of medical evidence and history on which future action could be taken.

Let us assume that it will not have any effect now; I do not believe that that is necessarily so. The Opposition is not asking for the world; we are asking for a simple, sensible measure which will be useful in the future in many ways, whether we consider research, the individual health of given persons in the industry or the overall future for the industry. I am surprised that the Minister should try to get out of it by saying that there is a questionnaire of which the Health Commission is very proud and that she hopes the Commonwealth is going to do something about.

The Hon. JENNIFER ADAMSON: I point out to the honourable member that the strength of his argument is not reinforced by the volume with which he puts it. I have not dodged this issue; at no stage have I mentioned costs. Yet, the way in which the member for Mitchell responded suggested that costs were somehow a constraint on this. They are not, and I have never suggested that they are. Also, I have never suggested that there will not be regular medical checks, or that the Health Commission will not keep records on those employed in South Australia. I simply pointed out—

The Hon. R. G. Payne: Everyone?

The Hon. JENNIFER ADAMSON: Yes. I simply pointed out that the maintenance of a national register is not as easy as the Opposition seems to think. There are people who object to having their personal health records placed on a national register. The reality of that cannot be disputed.

The Hon. R. G. Payne: How about the census requirements?

The Hon. JENNIFER ADAMSON: The census has an anonymity attached to it. People certainly have regular health checks for insurance purposes but that cannot be equated with the proposal, because those health checks for insurance purposes are not placed on a national register. The Opposition seems to have entirely missed the point that some people object to compulsorily being required to have their personal health records placed on a national register. The question of regular health checks and the maintenance of commission records on a State-wide basis is going to occur, and it will occur under regulations, so I feel that the Opposition rather has missed the point of the argument.

Mr HEMMINGS: I do not wish to be ungraceful to the Minister. To a certain extent I accept the comments she made when I first moved this amendment, that even if this amendment was not carried some moves would be made to encourage the compiling and maintaining of registers. I accept that, although I do not accept some of the Minister's arguments. The Minister suddenly seems to want to become the champion of the civil rights movement. We feel that it is important that an attempt be made to ascertain within this State those people who work in the uranium mining industry and have their records kept on morbidity and mortality. We are not saying that every year a person should undertake a medical check and the results of that check be placed on a register; what we are talking about are the statistics relating to the morbidity and mortality of persons registered. That is the whole point. One can then get an idea and a clear picture of the problems involved, I am not going to repeat this over and over again.

We feel that this amendment is so important that we intend to divide on it, and I hope that eventually if our amendments similar to this are not carried in another place the Minister will have to deliver the goods by regulation. I just hope that the Minister at some subsequent date is not going to give us the line that we cannot persuade or force companies to keep those records. If someone dies or suffers a disability through cancer, it is the Minister or this Government's responsibility to the community to provide those statistics so that at least we can tighten the levels of protection for the workers and so that those people who are working in the industry in the future can be protected.

The Hon. JENNIFER ADAMSON: The assurance that the honourable member sought is given: that will happen. I simply point out that there are difficulties with the national register. The State's record of statistics will be maintained in the manner that he suggested, and that will be done by regulation.

The Committee divided on the new clause:

Ayes (16)—Messrs Abbott, L. M. F. Arnold, Bannon, M. J. Brown, Crafter, Duncan, Hamilton, Hemmings (teller), Hopgood, Keneally, Langley, Payne, Plunkett, Slater, Whitten, and Wright.

Noes (19)—Mrs Adamson (teller), Messrs Allison, P. B. Arnold, Ashenden, Becker, Billard, D. C. Brown, Eastick, Evans, Glazbrook, Lewis, Mathwin, Olsen, Oswald, Randall, Rodda, Russack, Schmidt, and Wotton.

Pairs—Ayes—Messrs Corcoran, McRae, O'Neill, Peterson, and Trainer. Noes—Messrs Blacker, Chapman, Goldsworthy, Tonkin, and Wilson.

Majority of 3 for the Noes.

New clause thus negatived.

Clauses 25 to 34 passed.

Clause 35—'Register.'

The Hon. JENNIFER ADAMSON: I move:

Page 16, lines 34 and 35—Leave out 'the Commission thinks fit' and insert 'may be prescribed'.

This amendment makes it possible to prescribe by regulation the information that will be put on to the register.

Mr HEMMINGS: Throughout the second reading explanation of the Minister, the message was coming through loud and clear that the Health Commission would be in firm control.

The Hon. R. G. Payne: All powerful.

Mr HEMMINGS: Yes. Now we have an afterthought. Could I take it that that is dealing with the indenture?

The Hon. JENNIFER ADAMSON: No, it has nothing whatever to do with the indenture. It is simply to enable Parliament to have a say one way or the other about the conditions that are appropriate to ensure that information is put on the register. It has nothing whatever to do with the indenture.

Amendment carried; clause as amended passed.

Clauses 36 to 39 passed.

Clause 40—'Regulations.'

The Hon. JENNIFER ADAMSON: I move:

Page 20, line 32—Leave out 'made' and insert 'approved or published'.

This amendment is moved to make more appropriate reference to the way in which the codes of standards come into being.

Amendment carried; clause as amended passed.

Clauses 41 to 45 passed.

Clause 46—'Evidentiary provisions.'

The Hon. JENNIFER ADAMSON: I move:

Page 22, line 30—Leave out 'licence or certificate of registration under this Act' and insert 'authority'.

These are drafting amendments to use a more general term than 'licence or certificate of registration.'

The Hon. R. G. PAYNE: Although I am not opposed to the amendment, the Minister gave a fairly fast explanation of the reason for it. Could she amplify it somewhat?

The Hon. JENNIFER ADAMSON: It takes into account the definition in clause 5 on page 2 of the Bill which states that 'authority' means a licence, certificate of registration or prescribed mining tenement. This is a drafting amendment to use a more general term to embrace those specifics that come under it.

The Hon. R. G. PAYNE: I thank the Minister. The second explanation, given after some questioning, was somewhat more lucid and throws some light on the matter. The first was a flow of words without a great dealing of meaning. We now understand it. We are trying to square up the Bill in the later pages with what is contained in the definitions on page 2. If I were to be uncharitable I would have said that I did not know why the Minister did not say that in the first place.

The CHAIRMAN: The Chair is going to be uncharitable and ask the honourable member to link up his remarks.

The Hon. R. G. PAYNE: I am referring to clause 46, page 22, line 30. We are asked to leave out certain words. The Minister's first explanation was that it is nice and tidy, or something along those lines. The second explanation was far more reasonable and referred to the fact that, in order to make it fit in with what is contained in the definitions on page 2, it was thought reasonable to change tha wording. Every member would understand that and would have no quarrel with it. I am quite surprised that the question should even be brought under consideration. I trust that the Minister will maintain that attitude throughout the remainder of any amendments she may have. I follow the reasoning she put forward entirely.

Amendment carried; clause as amended passed.

Clause 47—'Service of documents.'

The Hon. JENNIFER ADAMSON: I move:

Page 23, line 3—Leave out 'a licence or certificate of registration' and insert 'an authority'.

The reason for moving the amendment is precisely that which I described in respect of clause 46.

The Hon. R. G. PAYNE: I thank the Minister for that ditto explanation.

Amendment carried.

The Hon. JENNIFER ADAMSON: I move:

Page 23, line 7—Leave out 'a licence or registration' and insert 'an authority'.

The explanation is the same.

Amendment carried; clause as amended passed.

Title passed.

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

That this Bill be now read a third time.

Mr HEMMINGS (Napier): There have been undertakings given by the Minister in the Committee stage. I hope that as soon as possible regulations will be enacted to meet the wishes of the Opposition and obviously the wishes of the Government, as it has agreed in spirit with the amendments we have put forward.

The Hon. R. G. PAYNE (Mitchell): At this late hour, in relation to the third reading there are many things that a member could say about the Bill. However, I do believe that, even with the assurances we have had in relation to the Bill as it now stands at the third reading stage, there is a major deficiency in the Bill: namely, the failure of the Government and the Minister to come to grips with the necessity to provide for a record of the persons who will be engaged in the industry if the Government has its way. That is what it comes down to in this State. As I understood it in the earlier proceedings which have resulted in the Bill arriving at the third reading stage, the Minister's argument was that it is a very hard thing to do to maintain and provide a register within the State. I am not at this stage canvassing the national scene. It may be that it is even harder to do it on a national basis. However, the responsibility of members of this House can surely be sheeted home to those persons resident in this State involved in the activity we are speaking about.

I would think that the Government should have provided in the Bill a direct and demanding requirement that a register be kept of those persons who take part in the activities for which the Bill exists, namely, the mining, milling, transporting, processing, and so on, of uranium. Unfortunately, my words have not had any effect on the Bill up to the third reading stage.

I do not believe that the Minister would be game to stand in this House and say that the Health Commission knows all about this matter, or that the I.C.R.P. knows all about this matter, or that the NIOSH committee knows all about this matter. The real facts of the matter are in print concerning the effect of the industry on the health of people. No-one is necessarily claiming that those viewpoints are wrong. The difference between members of the two sides of the House is that the Government is saying that it knows it all and that it will cater for requirements, and the Opposition is saying that it is not so sanguine as the Government, that we can take the view that all is well. The Opposition wants to put certain precautionary requirements in the legislation. The Opposition was not successful in any area of amendment but, nevertheless, the Government will have to bear the responsibility of having to force the Bill through with its numbers. It does not include the simple protectionary

requirement which the Opposition fought valiantly to put in the Bill. It has been demolished and sunk by the brutal weight of Government numbers.

We requested a simple requirement for the recording and accurate statistical tabulation of the medical histories of people who are or may be involved in mining activities. I refer to the whole uranium scene. I am omitting the other side of the question in relation to medical and similar uses of nuclear aids. The Government has seen fit to say that such a requirement is too hard. The question of the privacy of the individual is involved. The Minister never tackled the question of how much coercion and requirement there should be as regards individual workers. Also, the Minister did not ever explain clearly the situation, so that the Bill could have been—

The SPEAKER: Order! I draw the honourable member's attention to the fact that the purpose of the third reading is to discuss the Bill as it is, not as it might have been. The Chair has been very tolerant and I would not like to have to give a direction at this juncture. I ask the honourable member to link his remarks to the Bill as it is at the third reading stage.

The Hon. R. G. PAYNE: Certainly, Mr Speaker. I appreciate the latitude that I have been given.

I regard so seriously the future health of certain persons who may be employed in the industry as a direct result of this Bill as it appears in the House at the third reading stage, that I was prepared to explore as far as I could the situation as it will be, because the Bill at the third reading stage contains the provisions that it does. I believe that one could not reasonably argue about a Bill which contains provisions at the third reading stage without at least suggesting, and going no further than that, deficiencies in the Bill at the third reading stage which might have been cured if the Government had a different view during the passage of the Bill to the third reading stage.

I do not believe that I trangressed too far. I certainly endeavoured to the best of my ability not to go beyond what I thought were reasonable grounds. I accept the guidance I have been given now and say no more than this, that I believe the Bill is particularly defiant at the third reading stage because it does not have the requirements I have been endeavouring to outline to the House in an area where the medical histories so far known throughout this industry are that there are no sudden prognoses. What happens is that, if there is some failure in the system, whether medical, mining or whatever, there is a period of time before the results are known. What I have been arguing is that the Government could have demonstrated *bona fides* that we would have been delighted to have seen at this stage by providing for a record system which included reasonable medical detail.

The SPEAKER: Order! I draw the honourable member's attention for the last time to the fact that there is no record situation in the Bill at the third reading stage, and therefore any further reference to a record system will be viewed by the Chair as out of order.

The Hon. R. G. PAYNE: I can only say that this Bill, in my opinion, is deficient in an area about which I am not allowed to refer by your ruling.

The Hon. JENNIFER ADAMSON (Minister of Health): It was interesting to listen to the member for Mitchell and to observe that he was being either deliberately obstructive through a wish to distort the Government's clearly expressed intention in this Bill, or he had failed to do his homework and was being unintentionally obstructive. One way or the other he has not grasped the basic concept of the Bill.

The Bill, as it comes out of Committee, provides in one of its key clauses, namely 44a, a regulation-making power, which requires the law to incorporate in whole or in part the codes of practice among other codes on the radiation protection in the mining and milling of radioactive ores. Page 7 of that code, which will be implemented in regulations, states that individual employee records of exposure to radiation and other relevant radiation and medical information are provided as required to the appropriate authority. Those records will be kept, as I made perfectly clear during the Committee stage.

The fact that the member for Mitchell, deliberately I believe now, chose to confuse my remarks about the difficulty of maintaining a national register of personal health records, with the requirement under the code to maintain personal and medical records on a State basis, is I think a very sad reflection on him, and it is simply a deliberate distortion of what will occur under this legislation.

The Hon. R. G. PAYNE: I rise on a point of order. Under the Standing Orders, no member shall impute improper motives to a member on the other side. I do not have improper motives; my sole motive in this case is the workers.

The SPEAKER: Order! There is no point of order; the honourable member is taking the opportunity, under the guise of a point of order, to give a personal explanation.

The Hon. JENNIFER ADAMSON: It has been abundantly clear throughout the debate that the Opposition is approaching the question of radiation control with a double standard, which I believe is very sad indeed. The questions relating to the control of medical, industrial or scientific radiation have passed virtually with no comment and have been glossed over: the questions relating to radiation safety in regard to uranium mining have been pursued relentlessly and have been distorted in the way in which I have just described in an effort, I believe, to cast doubts in the public mind on the nature of the safeguards that the Government is implementing under this legislation.

I repeat what was said in the second reading explanation and throughout the debate, namely, that this is the most all-embracing legislation that has been enacted in Australia. It seeks to ensure that doctors observe the same law as miners, and that miners observe the same law as doctors. The law is framed to ensure the maximum protection for the individual and the environment. I am confident that that is what will occur and I have very great confidence in the officers of the South Australian Health Commission who will be administering the regulations that will be established by a committee of experts. I am pleased that the member for Napier in his contribution recognised the validity of the establishment of that committee of experts. I feel confident that we can obtain eminent people to serve on that committee.

Bill read a third time and passed.

BRANDS ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

JUSTICES ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

CONSTITUTION ACT AMENDMENT BILL (No. 2)

Received from the Legislative Council and read a first time.

PAY-ROLL TAX ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

TRADE MEASUREMENTS ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

TRUSTEE ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

ADJOURNMENT

At 3.16 a.m. the House adjourned until Wednesday 31 March at 2 p.m.

HOUSE OF ASSEMBLY

Tuesday 30 March 1982

QUESTIONS ON NOTICE

PAY-ROLL TAX

243. **Mr BANNON** (on notice) asked the Premier: How many South Australian businesses liable for pay-roll tax have total annual pay-rolls in the range of $84 000 to $250 000 and what is the total number of persons employed by those businesses?

The Hon. D. O. TONKIN: Statistics are not available to enable precise answers to the questions asked. However, it is estimated that approximately 2 600 South Australian businesses with annual pay-rolls between $84 000 and $250 000 employ approximately 32 000 persons.

TOTALIZATION AGENCY BOARD

377. **Mr SLATER** (on notice) asked the Minister of Transport: How many persons were employed by the Totalizator Agency Board on 1 January 1981 and how many persons are currently employed?

The Hon. M. M. WILSON: Number of TAB Staff employed: as at 1 January 1981, 704; as at 18 February 1982, 569. It has been possible to reduce the number of casual employees as a result of the computerisation of agencies.

AQUATIC CENTRE

386. **Mr SLATER** (on notice) asked the Minister of Transport: What has been the reason for the delay in determining the site of the proposed aquatic centre since the receipt by the Government of the feasibility study in October 1981?

The Hon. M. M. WILSON: The Government has announced the site of the proposed State Aquatic Centre.

RAIL BRIDGES

396. **Mr HAMILTON** (on notice) asked the Minister of Transport:

1. How many rail bridges are there in metropolitan Adelaide and what are their respective locations?

2. Which of the above bridges are in need of repairs and at what cost, respectively?

3. What are the nature of repairs to be carried out on each bridge?

4. What is the programme during 1982-83 for repairs to each bridge?

5. Which of the bridges are to be replaced, at what cost, and what is the programme of replacement, if applicable?

The Hon. M. M. WILSON: 1, 2, 3, and 4: There are 16 rail bridges in metropolitan Adelaide. Their location, repairs required and programmed for 1982-83, plus estimated cost of such repairs, are as follows:

Line	Location	Repairs Programmed for 1982-83	Estimated Cost of Repairs
Belair	Goodwood Road (Millswood Subway)	Nil	—
Noarlunga Centre	Daws Road	Nil	—
	Marion Road	Nil	—
	Sturt Creek	Nil	—
	Dyson Road	Nil	—
	Flaxmill Road	Nil	—
Outer Harbor	River Torrens	Paint	$33 500
	Chief Street	Repair Deck	15 000
	Rosetta Street	Nil	—
	Commercial Road Viaduct	Steel repairs, guniting, retimbering,	50 000
	Port River	repair, Abutment	10 000
North Gawler	River Torrens	Paint	$33 500
	Dry Creek	Nil	—
	Greenfields	Nil	—
	Little Para River	Nil	—
	South Para River	Nil	—

5. None of these bridges are to be replaced.

TOWING ROSTERS

397. **Mr HAMILTON** (on notice) asked the Minister of Transport: Is the Minister aware of the article that appeared on page two of the magazine *South Australian Motor* of January 1982 concerning towing rosters, and, if so, what are his answers to the issues raised in that article?

The Hon. M. M. WILSON: The replies are as follows: The accident towing roster as proposed is based upon similar systems efficiently operating overseas and in Australia. The California Highway Patrol accident roster system has been researched in depth, is found to be efficient, and is the basis for any proposal in this State. It is hard to see that accident towing costs will increase to the motorist as an accident towing roster system will eliminate the on-cost charges of accident chasing and the illegal monitoring on a 24 hour basis by this industry's personnel of the police, ambulance, fire brigade and competitor radio frequencies.

Statistics indicate there has been a continual increase in the number of complaints received for investigation and the nature of such complaints continues to be within the category of serious crime and unethical business practices. Research has revealed that the main intent of a towtruck driver on being first at the accident is to solicit the tow and subsequent crash repairs, and the assistance provided to accident victims is secondary. The accident victim is unnecessarily subjected to pressure whilst in a distressed state.

The accident towing roster scheme will allocate an accident towing direction to a towing service in the near vicinity of the accident scene. Senior commissioned officers of the Police Department believe that the proposed scheme will not unduly create traffic problems for them. The incentive for towtruck drivers to continue to attend the scene of an accident promptly will be that if they do not supply an efficient and prompt service, they will be removed from the accident towing roster scheme. The aspect of freedom of choice will not be taken away from the motoring public.

BRIDGES

400. **Mr HAMILTON** (on notice) asked the Minister of Transport:

1. What surveys are conducted and on what basis to determine the condition of all road and rail bridges in South Australia?

2. What were the results of the most recent assessment of each bridge and the dates of each survey?

3. What road bridges are in need of repair and/or upgrading and what are the estimated costs in each instance?

The Hon. M. M. WILSON: The replies are as follows:

1. The Highways Department has records of approximately 2 400 road bridges, of which it is currently responsible for the maintenance of 1 200 bridges. The Highways Department carries out field inspections of bridges at an average of five yearly intervals, although more frequent inspections of a bridge are undertaken when warranted. Since January 1982, State Transport Authority has instituted an annual inspection of bridges for which it is responsible. Information concerning bridges owned by Australian National is not available.

2. and 3. It is impracticable to provide details of the most recent assessment of each bridge inspected.

MUSIC NOISE LEVELS

409. **Mr HAMILTON** (on notice) asked the Minister of Environment and Planning:

1. What studies have been conducted into hearing impediments suffered by musicians in modern rock bands?

2. What is the prescribed decibel level and what devices are available to interrupt music when it reaches that level?

3. Will the Minister introduce a requirement for the use of such devices at hotels, cabarets and places of public entertainment and, if so, when?

The Hon. D. C. WOTTON: The replies are as follows:

1. No studies have been conducted in South Australia into hearing impediments suffered by musicians in modern rock bands. However, the following studies have been undertaken in the U.S.A. and U.K.:

(1) In 1970, World Medicine (Vol. 5, No. 23, Page 21) conducted a small preliminary investigation into the hearing loss of some prominent rock musicians and could not positively say that there was a problem. However, the New York League for the Hard of Hearing gave tests to a group of D.J.'s at their request and found that half of the group of 30 tested had a 'significant loss of hearing'.

(2) F. Darcy of the Washington State Department of Labour and Industries conducted a study to determine time weighted exposure to musicians and waitresses in rock music venues. He reports in the *American Industry Hygiene Association Journal 1977* that:

> a substantial hearing loss would be expected to be prevelant in musicians who are involved in playing rock music.

(3) Fearn of the Department of Agriculture, Leeds Polytechnic, studied the hearing levels of young people who frequent discotheques, pop concerts and youth clubs and reported in 1971 significant hearing loss in 10 per cent of those exposed by the age of 20 years. The risk to performers and discotheque and record player operators may be expected to be much higher.

2. The Noise Control Regulations 1978 relating to hearing conservation state that:

> Where the noise level ascertained in respect of an employee's place of employment and in respect of the period for which the employee is at work in that employment during any day, exceeds an equivalent continuous noise level of 90 decibels calculated in accordance with these regulations, or the noise level in respect of any period of employment exceeds 115 decibels, the employee is exposed to excessive noise.

The hearing conservation regulations use the concept of a Daily Noise Dose calculated on the duration of exposure to a noise level dB(A), to reduce the noise level to allowable limits; that is, 10 seconds exposure @ 123dB(A) equates to 8 hours exposure at 90dB(A) to give a noise level at which no worker shall be exposed without hearing protection.

There are a variety of noise level limiters at present available on the market. These devices monitor the noise levels and give visual warnings once pre-set levels are exceeded. Furthermore, a switching device can be set to cut the mains supply to the audio power amplifiers if the maximum permitted level is exceeded for more than a pre-set time. Hence, these devices can contain the performance of amplified music within a predetermined range if used correctly.

3. The Federal Executive of the Liquor Trades Employees Union has recently initiated a survey of members to ascertain the effect of loud music on members' hearing. Should the results of this survey prove that loud music is making a substantial contribution to loss of hearing, the Government will conduct an encompassing investigation into this aspect of the entertainment industry and of appropriate methods of control. At this time, it is not proposed to introduce noise level limiters into hotels, cabarets and places of public entertainment.

The answers to this Question on Notice have been formulated in conjunction with officers of the South Australian Health Commission.

SUPERMARKET SCANNERS

440. **Mr HAMILTON** (on notice) asked the Minister of Health representing the Minister of Consumer Affairs:

1. How many automatic check-out scanners are there in supermarkets in:

(a) metropolitan Adelaide; and

(b) non-metropolitan areas?

2. Do computerised product scanners remove the need to individually price stock and, if so, how can shoppers determine the exact price of each commodity on the supermarket shelf?

3. What research has been conducted to determine the adverse effects to the public?

4. What legislation, if any, exists to protect the public on this issue?

The Hon. JENNIFER ADAMSON: The replies are as follows:

1. *(a)* None.

(b) 1—Foodland Supermarket, Clare.

2. Yes. Shoppers can determine the price of each item by means of the shelf label and the receipt tape. Under the system a description of the product as well as its price is printed on the receipt tape.

3. Several studies have been conducted overseas. A study was conducted in 1981 by Roy Morgan Research Centre Pty Ltd for the Australian Product Number Association on the Sims scanning operation in Melton, Victoria.

4. There is no legislation requiring individual items to be marked, but misleading information about prices is regulated by the Unfair Advertising Act, Misrepresentation Act, Trade Standards Act, Trade Measurements Act and the Commonwealth Trade Practices Act.

TRAMLINE

452. **Mr HAMILTON** (on notice) asked the Minister of Transport:

1. When will the State Transport Authority lay the tramline in King William Street, between Victoria Square and South Terrace, in concrete?

2. Is it a fact that the Government directed the S.T.A. that the tramline at Jetty Road, Glenelg, between Brighton Road and the jetty be relaid first and, if so, why?

The Hon. M. M. WILSON: The replies are as follows:

1. Planned for the 1983-84 financial year.

2. No. The decision by the State Transport Authority to upgrade the tram tracks in Jetty Road before those in King William Street, was made following representations from the Glenelg council concerning the state of the bitumen paving adjacent to the lines in Jetty Road. The work will be completed during the 1982-83 financial year.

BOOM GATES

458. **Mr HAMILTON** (on notice) asked the Minister of Transport: What is the priority list and time table for the erection of boom gates at metropolitan rail crossings during 1981-82 and 1982-83?

The Hon. M. M. WILSON: Four crossings located on the Adelaide-Gawler line will be equipped with boom gates by Australian National in conjunction with the 'Adelaide-Crystal Brook Standard Gauge Project'. The crossings are as follows:

	Belford Avenue, Dudley Park	Late 1983
	Pym Street, Dudley Park	Late 1983
	Magazine Road, Dry Creek	Late 1982
	Kings Road, Parafield	Late 1982
The State Transport Authority is planning to upgrade—		
1981-82	Barretts Road, Lynton	March 1982
	Wattlebury Road, Mitcham	April 1982
1982-83	Sixth Avenue, Glenelg East (Tramline)	October 1982
	Strathfield Terrace, Draper	March 1983
	Leah Street, Forestville (Tramline)	May 1983

HOMELOCATORS

464. **Mr HAMILTON** (on notice) asked the Minister of Health, representing the Minister of Consumer Affairs: How many complaints have been received from the public concerning Homelocators and what are the major categories of complaints and the number in each?

The Hon. JENNIFER ADAMSON: As a general principle the Department of Public and Consumer Affairs does not make public the number of complaints received against a specific business. Often unwarranted adverse conclusions can be drawn from the number of complaints, without knowing the context of them. Also, businesses change hands from time to time and the present proprietor may not have been responsible for past complaints. In this instance, I am prepared to say that only a minimal number of complaints have been received against Homelocators since February 1979.

OIL SPILLAGE

486. **Mr MILLHOUSE** (on notice) asked the Minister of Environment and Planning:

1. What was the cause of the spillage of oil into the sea at or near Port Stanvac on or about Friday, 22 January?

2. What action was taken, by whom and when—

(a) to clean it up at sea; and

(b) to ensure that it did not pollute the shore?

3. What action was taken, by whom, when and at what cost, to remove the pollution caused by it—

(a) at Maslins Beach;

(b) at Moana;

(c) on the rocks between Ochre Point and the southern end of the beach at Moana; and

(d) elsewhere?

4. Is legal action to be taken as the result of the spillage and, if so, against whom and when?

The Hon. D. C. WOTTON: The replies are as follows:

1. There was a spillage of oil on deck caused by an overflow from a deck sighting port. The oil was alleged to have been contained on the vessel's deck. The circumstances under which the oil apparently escaped from the deck and caused pollution of the sea have been investigated and the evidence available to the investigating officers is now being examined and evaluated.

2. *(a)* and *(b)* At 1230 hours on Saturday, 23 January 1982, after a thorough inspection of the sea and shoreline between Port Stanvac and Moana, a decision was made by the Harbormaster, Port Stanvac, and the Regional Industry Controller for Region 6 of the Petroleum Industry Environmental Conservation Executive (PIECE) to aerial spray dispersant and to use work-boats to agitate the surface of the sea to ensure maximum dispersal of the oil. Urgent action was essential due to the forecast of adverse weather.

3. *(a), (b), (c)* and *(d)* Weathered oil was observed being driven on to the shoreline by strong winds and the incoming tide on the afternoon of Monday, 25 January. A meeting attended by Petroleum Refineries Australia Pty Ltd officials, representatives from the Department of Marine and Harbors, the Department of Environment and Planning and the Noarlunga council was immediately convened and a clean-up plan was evolved. Clean-up opertions commenced at daylight on Tuesday, 26 January and were completed by the end of the following day. This work was carried out by P.R.A. using its employees and private contractors. Information in regards to cost should be sought from the company.

4. The evidence available is currently under consideration to determine whether or not legal action should be taken.

S.T.A. RETIREMENT

494. **Mr HAMILTON** (on notice) asked the Minister of Transport:

1. What are the conditions under which State Transport Authority officers and employees intending to retire may be granted two days leave with pay to attend retirement seminars?

2. Is it a fact that an S.T.A. employee recently applied to attend this course and was advised that he could do so but later found that the authority had deducted two days of his annual leave to cover his attendance at the course, and if so, what were the reasons for such action.

The Hon. M. M. WILSON: The replies are as follows:

1. The policy to grant two days off with pay to S.T.A. officers and employees to attend one approved retirement preparation seminar within two years of anticipated retirement was introduced on 21 January 1982. The following conditions apply:

One retirement preparation seminar may be attended in authority time.

Attendees are counselled to attend the approved seminar within two years of their anticipated retirement date.

Retirement preparation courses approved by the Authority are conducted by South Australian Superannuation Fund and Rail-Road Savings and Loans Society Limited.

2. The policy prior to 21 January 1982 was that authority employees could take two days annual leave or leave without pay to attend retirement seminars. The authority is unaware of any advice being given to an employee contrary to that policy.