HOUSE OF ASSEMBLY

Tuesday 17 April 1984

The SPEAKER (Hon. T.M. McRae) took the Chair at 2 p.m. and read prayers.

PETITIONS: TEACHERS

Petitions signed by 20 members of staff of Madison Park Junior Primary School and residents of South Australia praying that the House urge the Government to convert all contract teaching positions to permanent positions; establish a permanent pool of relieving staff; improve the conditions of contract teachers, and improve the rights and conditions of permanent teachers placed in temporary vacancies were presented by the Hon. B.C. Eastick and Mr Trainer.

Petitions received.

PETITION: PORNOGRAPHIC MATERIAL

A petition signed by 47 residents of South Australia praying that the House urge the Government to withdraw pornographic material from prisons was presented by Mr Becker.

Petition received.

PETITION: KINGSTON COAL

A petition signed by 2 313 residents of South Australia praying that the House urge the Government to ensure adequate guarantees are given by the project company in the Kingston lignite coal mine to safeguard the continued livelihood of all producers in the area and, if guarantees are not forthcoming, oppose the project, was presented by Mr Blacker.

Petition received.

PAPERS TABLED

The following papers were laid on the table:

By the Minister for Environment and Planning (Hon. D.J. Hopgood):

Pursuant to Statute—

Planning Act, 1982—

I. Regulations—Land Filling and Excavation. Crown Development Reports by South Australian Planning Commission on Proposed—

II. Erection of a Transportable Classroom, Parafield Gardens Junior Primary School.

III. Erection of a Dual Unit Transportable Classroom, Gawler College of Technical and Further Education.

IV. Division of Land Renmark.

V. Highways Department Borrow Pits—Hundred of Lincoln (2).

VI. Single Timber-framed Classroom, Lake Wangary Primary School.

VII. Pluviometer Station, Hundred of Adelaide.

By the Minister of Tourism (Hon. G.F. Keneally):

Pursuant to Statute—

I. Dentists Act, 1931—Regulations—Registration Fees (Amendment).

II. Food and Drugs Act, 1908—Regulations—Pesticides.

III. Prisons Act, 1936—Regulations—Payments to Prisoners.

By the Minister of Mines and Energy (Hon. R.G. Payne):

Pursuant to Statute—

I. Mines and Works Inspection Act, 1920—Regulations—Fees.

By the Minister of Community Welfare (Hon. G.J. Crafter):

Pursuant to Statute—

I. Land and Business Agents Act, 1973—Regulations—Forms.

By the Minister of Water Resources (Hon. J.W. Slater):

Pursuant to Statute—

I. Sewerage Act, 1929—Regulations—Plumbers Registration Fees.

II. Waterworks Act, 1932—Regulations—Plumbers Registration Fees.

QUESTIONS

The SPEAKER: I direct that the following written answers to questions on the Notice Paper, as detailed in the schedule that I now table, be distributed and printed in *Hansard*: Nos 275, 284, 287, 369, 419, 428, 441, 455, 456, and 479; and I direct that the following answers to questions without notice be distributed and printed in *Hansard*.

DEPARTMENT OF LANDS OFFICERS

In reply to **Hon. D.C. BROWN** (10 April).

The Hon. D.J. HOPGOOD: The present position is that the Crown Solicitor's investigation has been completed and a recommendation made that the matter be placed in the hands of the Police Commissioner with a view to prosecution. This recommendation has been accepted and the Police Commissioner has been given the relevant papers. It is not appropriate to suspend the two officers as this would require charges to be made under the Public Service Act. Copies of land titles are available from the Registrar-General's Office for a charge of $2.50 per copy. It is alleged that the officers concerned did not collect this fee on behalf of the Government when dealing with some private clients but received payment in lieu which they retained for their own purposes.

WHEAT ASTHMA

In reply to **Mr HAMILTON** (21 March).

The Hon. LYNN ARNOLD: Wheat dust inhalation and the health problems which it causes, and this varies with the sensitivity of individuals, have been associated with the harvesting and handling of grain for a long time. The problems stem from finely threshed fragments of husk and small fine hairs which form the so-called 'brush' at the end of each grain.

To attempt to reduce the dust problem by breeding is not a practical solution. The major components of the dust are not associated with any genetically inherited character. The answer therefore is to protect the operator as much as possible by providing a dust-free environment for his work, and protecting him from excessive dust inhalation by the use of protective face gear.

The Department of Agriculture is not engaged in research designed to reduce the amount of dust associated with grain harvesting and handling and no research is currently contemplated. The problem is not considered a major one in South Australia and that reported in New South Wales was compounded last season by the fact that a lot of grain harvested in that State had been seriously weather damaged. Rain falling on a ripe standing crop encourages mould development of the head which aggravates the dust problem at harvest.

Inquiries have revealed that the organisation handling grain in this State (Co-operative Bulk Handling) is very conscious of the dust hazard and provides for its employees a variety of dust masks, including quite sophisticated air-stream helmets which filter the air when employees are required to work in situations where there is wheat dust. Moreover, the organisation employs a training and safety officer whose responsibilities include inspecting and monitoring work conditions relative to the safety, health, and general welfare of its employees.

PUBLIC WORKS COMMITTEE REPORT

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

Adelaide College of Technical and Further Education (Stage IV).

Ordered that report be printed.

QUESTION TIME

The SPEAKER: Before calling on questions I indicate that the Minister of Public Works will take questions directed to the Minister of Local Government, and that the Minister for Environment and Planning will take questions directed to the Minister of Tourism.

FIREARMS

Mr OLSEN: Can the Deputy Premier say whether it is the Government's intention to require the police to wear firearms only if they can be concealed? Following a decision taken at the ALP State Convention last year to require all police hand guns to be concealed, the matter was referred to arbitration after widespread police and public opposition. The arbitrator decided that, so long as the police continued to wear the .357 Smith and Wesson revolver, it should be exposed for reasons of personal safety. In itself, that decision has led to some uncertainty within the Police Force.

Recently, an officer was charged with a breach of discipline for refusing to conceal a Smith and Wesson revolver. On other occasions, following discussions between the Government and the police, I have been informed that police going into socalled 'sensitive areas' have been either disarmed or told to wear concealed the .380 Browning automatic, which has been on issue for about 30 years and which is now regarded as an outdated and inefficient weapon. A matter of long term and greater concern to the police is the possibility that the Government will determine a policy on this matter which will require them to wear any hand gun concealed. The possibility was left open following last year's decision by the arbitrator—

The SPEAKER: Order! The honourable gentleman is now entering into debate.

Mr OLSEN: At the time last year when the arbitrator handed down his decision, at which time he did not address *per se* the matter of the exposure of hand guns, the former Chief Secretary hinted that the type of hand gun used could be changed to allow the Government to implement the ALP Convention decision requiring all police hand guns to be concealed. The failure of the Government to make a decision is causing growing uncertainty and morale problems within the Police Force. Therefore, I ask the Deputy Premier to give a clear indication of whether the Government intends to change the type of hand gun used by the police so that it can be concealed.

The Hon. J.D. WRIGHT: At the moment the policy is consistent with the decision given by the Arbitration Commission last year, that is, the Smith and Wesson revolver is not to be worn when going into sensitive areas. In my short period as Minister responsible for police services, I have discussed this matter with the Commissioner. I am aware of the matter referred to by the Leader in regard to the officer who was charged for what one could describe as defying those instructions. I have also received a submission from the Police Association, which I am considering at the moment.

Mr Olsen: The Government has had it since last year.

The Hon. J.D. WRIGHT: I have been Minister responsible for this area for about seven or eight weeks. The submission was sent to me last week.

Mr Olsen: The Government received it last year.

The SPEAKER: Order!

The Hon. J.D. WRIGHT: Does the honourable member want me to refer to what I am doing about the matter or what happened last year? He can please himself, though I am trying to give the honourable member the correct information. The relevant information was sent to me last week or the week before, and I am making arrangements to have further discussions with the Secretary and President of the Police Association, who originally forwarded the submission. After that I will be having further discussions with the Police Commissioner.

EXPORT LIGHT

Mr FERGUSON: Can the Minister of Community Welfare, representing the Minister of Consumer Affairs, inform the House whether the soft drink known as Export Light, which is packaged and looks like a normal can of beer, is available for sale in local delicatessens? A soft drink that is packaged, tastes and looks like beer is now being sold in delicatessens. This drink is manufactured in Melbourne by Cadbury Schweppes Pty Ltd. The label states that it contains 1.25 per cent alcohol. Constituents have expressed concern that a drink that contains alcohol is available to children and teenagers in delicatessens and supermarkets.

The Hon. G.J. CRAFTER: I thank the honourable member for his question and for bringing this matter to the attention of the House and the Minister. I shall convey his concerns to the Minister and obtain a report for him.

O-BAHN BUSWAY

The Hon. E.R. GOLDSWORTHY: Can the Minister of Transport say why the Government has decided to abandon plans to build a guided O-Bahn busway between Darley Road and Tea Tree Plaza? It has been reported that the Government has abandoned plans to extend the O-Bahn guided busway beyond Darley Road to Tea Tree Plaza as planned by the previous Liberal Government. Instead, the Government proposes to introduce a conventional bus route system linking Darley Road with Tea Tree Plaza. The former Government promised to complete the full 11.8 kilometre O-Bahn system by 1986 using a guided busway. The Premier said in May last year, in relation to the Darley Road/Tea Tree Gully Plaza section:

> It is one of those projects which could be brought forward if our financial position improves.

Why then has the Government scrapped this section?

The Hon. R.K. ABBOTT: I do not know from where the Deputy Leader received his information, but it is totally false. The Government has not yet made any decision in respect to the outer section of the O-Bahn busway: that is,

from Darley Road to Tea Tree Plaza. The matter will shortly be considered by the Resources and Physical Development Cabinet Subcommittee. When a decision is taken an announcement will be made. The committee is most anxious to meet shortly and make a decision. I am fairly confident that the decision will be to continue the guided busway from Darley Road to Tea Tree Plaza, but no official decision has been made at this point of time.

COMMONWEALTH EMPLOYMENT PROGRAMME

Ms LENEHAN: Will the Minister of Labour initiate further discussions with the Federal Minister for Employment and Industrial Relations with a view to modifying the regulation requiring a mandatory three months registration period with the Commonwealth Employment Service before eligibility for work under the Commonwealth employment programme? Specifically, will the Minister discuss the reintroduction of the use of a statutory declaration for people who have been unemployed for three months or more and who have not registered with the Commonwealth Employment Service for the required period?

At a recent meeting of the Noarlunga Community Services Forum evidence was presented that many people within the community are still unaware of the mandatory three months registration period with the Commonwealth Employment Service. Evidence was also presented that, for particular jobs under the CEP programme, officers in my area are having difficulty in finding suitable people because people are not registering for the three-month period. I ask the Minister to look at this matter.

The Hon. J.D. WRIGHT: The simple answer to the member's question is, 'Yes, I would be prepared to take it up again with the Federal Minister.' However, I do not think it is quite so simple. I have had prior warning of the question, so I intend to set out in *Hansard*, which has not been done previously, the guidelines as they stand at the moment.

Under the Community Employment Programme guidelines all vacancies for approved projects must be lodged and referrals made through a designated Commonwealth Employment Service office. That requirement applies also to all replacement personnel during the life of each individual project.

Those eligible for employment on Community Employment Programme projects are unemployed persons who have been continuously registered for full-time work with the Commonwealth Employment Service for the immediate past three months or more. This criteria does not exclude those individuals who are ineligible for receipt of unemployment benefit. From 1 August 1983 (Community Employment Programme commencement date) until 1 February 1984 inclusive, this requirement was regarded as being met if a person registered with the Commonwealth Employment Service and provided a statutory declaration to the effect that he or she has been actively seeking employment for the immediate past three months or longer as declared. The Commonwealth Government has decided not to extend this provision, although I believe that insufficient effective publicity has been given to the need to register, and I intend to raise the matter again with the Federal Minister for Employment and Industrial Relations.

In addition, persons who reregister with the Commonwealth Employment Service after short-term employment (that is, of less than four weeks) and who were previously registered with the Commonwealth Employment Service as unemployed for a continous period of three months immediately prior to the short-term placement are also eligible. In these cases, the Commonwealth Employment Service must be satisfied with the reason for leaving employment and unemployment benefit work test guidelines are to be used to determine eligibility. Priority will be given to persons registered with the Commonwealth Employment Service who meet the above criteria and in addition have been unemployed for at least the immediate past nine months, have never worked or are especially disadvantaged in the labour market including Aborigines, migrants with language difficulties and, of course, the disabled.

In addition, the Commonwealth Employment Service also gives priority to job seekers registered for three months and in need of special assistance (for example, referrals from DSS social workers, wards of the State and ex-offenders). The requirement for continuous registration can be waived (beyond 1 November 1983) in respect of recipients of supporting parent's benefits and widow's pensions, but these will be required to register and provide a statutory declaration to the effect that they have been actively seeking employment for the immediate past three months or more.

The requirement for continous registration can also be waived in respect of persons who have been in receipt of sickness benefit for up to three months, provided they were registered with the Commonwealth Employment Service for at least three months prior to receipt of sickness benefit and have reregistered for employment. Similarly, the requirement for continous registration can be waived at the discretion of the Commonwealth Employment Service in respect to Aborigines living in remote communities.

Persons in full-time education are not eligible for the Community Employment Programme even if they are registered for employment concurrently with the Commonwealth Employment Service. However, a person who has been away from full-time education for three months and registered with the Commonwealth Employment Service for that period will be eligible for the Community Employment Programme; and trainees in receipt of a transition allowance are eligible for immediate Community Employment Programme assistance on completion of that course provided they meet the basic Community Employment Programme eligibility (that is, unemployed and registered with the Commonwealth Employment Service for three months) immediately prior to course commencement.

In the case of 'rolling' projects where specific approval has been given to employees transferring from a completing project to a new project or where a project is being funded for a second period, these criteria do not apply. I apologise to the House for giving such a long answer but I think it is important to spell out the facts so that all members have the information at their disposal in *Hansard*.

SHIPPING SERVICE

The Hon. MICHAEL WILSON: Will the Minister of Marine say whether a direct container shipping service between Adelaide, Japan and Korea will begin in July? In the *Australian* on 8 March, only five weeks ago, the Premier was quoted as having said that this service was likely to begin in July. This followed a meeting between the Government and officials of the Australian Northbound Shipping Conference in March. However, the results of that meeting appear to have been most disappointing from South Australia's point of view, because the Minister said on 4 April:

> I am hopeful that in the very near future we can have further discussions with them and eventually get the direct shipping service that we have been after now for many years.

That is certainly nowhere near as strong a statement as his Premier made on 8 March. The former Liberal Government had taken negotiations for this service to an advanced stage but I understand that, despite the Premier's statement last

month, the Minister's visit to Japan last year and the meeting in March this year, no starting date is yet in sight.

The Hon. R.K. ABBOTT: I cannot say whether that direct shipping link will commence as from July. I think that I explained the position very clearly to the House when the member for Torrens asked me a question in relation to this matter a month or so ago and I reported fully on the outcome of those negotiations.

The Hon. Michael Wilson: You didn't really.

The SPEAKER: Order!

The Hon. R.K. ABBOTT: Well, I reported as fully as it was possible to do at that time and I can report no further on that. At this stage we are looking to see what our next move will be and when we can approach perhaps the Victorian Government and others with whom it will be necessary to speak then we can arrange further meetings with ANSCON and the Department of Marine and Harbors and commence further negotiations.

The Hon. Michael Wilson: Will it be in July?

The Hon. R.K. ABBOTT: Well, the honourable member had better ask the Premier that question. I cannot say whether or not it will start then. I wish that I was in a position to say that it will start in July, but I am not. Therefore, I cannot say that it will.

ENCUMBRANCE NOTICES

Mr HAMILTON: Will the Minister of Water Resources explain the encumbrance notices issued to home owners by the inspectors of the Engineering and Water Supply Department and the procedure and method in relation to issuing these notices? I have received from a constituent in Woodville South, a letter dated 5 April, which states:

Dear Sir,

On 11 November 1983 an inspector from the Engineering and Water Supply Department visited our home and did an inspection on our external water pipes and fittings. Two encumbrance notices were then placed on the home, one for non-approved fittings and one because we were not in attendance for them to inspect inside. I subsequently arranged for an inspection when my wife would be home and another encumbrance notice was placed on some sanitary fixtures in the bathroom and laundry.

When we purchased the home in 1978 one of the features which attracted us was that the bathroom and laundry had been modernised. The inspector now informs us that this work could not have been done by a registered plumber and is not satisfactory. The required plumbing work is going to be quite expensive and very inconvenient.

I realise there is nothing that you can do to help us; however, I feel that some law is necessary to stop this type of thing occurring in the future, thus avoiding the unforeseen expense and inconvenience caused to home buyers. Perhaps the law could provide for all homes being sold to have a compulsory E. & W.S. inspection and a clearance or warning provided to the prospective buyers.

Hoping you can help as you have in the past.

Yours sincerely,

And it is signed by my constituent. Can the Minister say what can be done to eliminate situations such as this for prospective home buyers?

The Hon. J.W. SLATER: Basically, two types of inspection are carried out by inspectors of the E. & W.S. Department. First, all new building work, including extensions, is inspected. Inspections of existing sanitary plumbing, drainage and hot water installations are carried out periodically by the Department and, of course, the purpose of that exercise is to identify potential health hazards. I think that it is appreciated even by the constituent in the letter written to the member for Albert Park that it is impossible to inspect every home in South Australia, so the present situation is that the Department carries out random checks.

There is no doubt that in the case of the resident of Woodville South the inspectors came and found that the resident was not at home. The inspectors left a note because they believed that there was a defect in the plumbing arrangements at the time the house was bought in 1978. Inspections are required under the Sewerage Act and the inspectors look for contamination of the water supply, which is important from the point of view of public health; and for the installation and safe operation of water heaters. In the latter regard, I have already told this House of two occasions during the past 18 months where water heaters have exploded, one explosion causing extensive property damage and the other involving a fatality. Therefore, it is important that the Department inspect the plumbing of water heaters as closely as possible. The heaters to which I referred were installed by persons who were not registered plumbers and a tragedy was involved in one case.

The Department also inspects for the illegal entry of stormwater into the sewerage system, the entry of sewer gas into premises through defective vents, and insanitary conditions related to fixture traps and defective plumbing. Should any defects be observed, as they were at Woodville South, they are recorded by way of an encumbrance notice against the property. The notice is issued to the owners advising them of the repairs that are necessary.

The Hon. Ted Chapman: You answered an identical question previously.

The Hon. J.W. SLATER: Not identical. There was a similar question last year, but it had a different emphasis. I am sure that the public of South Australia desires this information, the same as the member for Albert Park and his constituents desire it. Any such encumbrance can be removed by the property owner's having the work done and checked by the plumbing and drainage inspector after the repairs have been completed. Random inspections are carried out both in the metropolitan area and in the country in the interest of the health and safety of householders and property owners. It is the responsibility of the Department to ensure that the population is receiving a safe and efficient water supply and that the sewerage system is installed correctly.

Certain adverse effects will occur if such tests are not carried out. One major problem concerns illegal connections to the water supply which can result in the introduction of bacteria into the water supply to the detriment of all consumers. It is important in the interests of public health that this be prevented.

The encumbrance notice is a record of work required to be done by the property owner. In most cases, a time limit in which the work should be done is not specified on the notice, and that was the case in respect of the honourable member's constituent. Only when the departmental inspector considers that faulty or illegal work presents an immediate or serious danger to health or the system is a time limit stipulated on the notice. Regarding the last paragraph of the letter referred to by the honourable member, when homes are sold under the Real Property Act the encumbrance notice is required to be divulged on the sale and transfer of the property. That should have been done at the time of purchase of the house in 1978. Had notice been given that an encumbrance notice had been issued before then, the purchaser of the property would have received notice of such encumbrance on the property.

As I said before, over a certain period it is impossible to inspect every home in South Australia, although I assure the honourable member that the Department does its best in the interests of public health. The encumbrance notice is simply a notice to the owner to take action in case a defect could cause a problem involving public health.

CHARTER ROADLINER SERVICE

The Hon. D.C. BROWN: Will the Minister of Transport say whether the committee chaired by the member for Florey has prepared a report on the future of the Charter Roadliner Service of the State Transport Authority? If so, does that report recommend that more than $2 million be spent to upgrade and replace that bus fleet? Apparently, the member for Florey chaired a committee of union heavies that looked at the need to replace and upgrade the Roadliner Service of the State Transport Authority. That committee did not consult with the private bus operators who already provide a very efficient charter bus service. I understand the report recommends that more than $2 million be spent on upgrading and replacing the buses. Will the Minister release that report, and will he say why the committee was chaired by the member for Florey?

The Hon. R.K. ABBOTT: I do not think the recommendation was that more than $2 million be spent on upgrading some of the services. A number of recommendations were made in the report, and some have been implemented. The committee dealt with the matter of replacing some of the buses and also reviewed the matter of whether, instead of all buses being kept at the Morphettville depot, they could be kept in various locations around the metropolitan area with a view to saving much of the cost involved in dead running time and in the interests of providing a better charter tour service.

I will have to check with the Authority concerning how far it has gone with a number of the recommendations made. I know that a start has already been made and that an advertising campaign will be launched in an endeavour to attract more charter service work. As to why the member for Florey was asked to chair the inquiry, I point out that the member for Florey previously was a representative on the State Transport Authority Commission. As he was aware of certain internal operations of the Authority, the Government considered that he would be the best person to chair such a committee. I commend the member for Florey for the committee's excellent report.

The Hon. Michael Wilson interjecting:

The Hon. R.K. ABBOTT: I do not think it is necessary to make it available: it is an inter-departmental report and will be treated as such.

Members interjecting:

The SPEAKER: Order! The honourable member for Florey.

MINERAL EXPLORATION

Mr GREGORY: Can the Minister of Mines and Energy provide the House with information on the level of mineral exploration in South Australia during 1982-83? Will he say whether there was a decline on the previous year's level and, if so, whether this down-turn applied only in South Australia?

The Hon. R.G. PAYNE: I have no doubt that the honourable member's interest in this matter was aroused by a remark made by the Deputy Leader a few days ago when directing a question to the Premier. In his explanation to the question the Deputy Leader said:

> Figures just released by the Bureau of Statistics show that spending on mineral exploration in South Australia in 1982-83 amounted to $50.5 million, a drop of just over $14 million, or a drop of over 20 per cent on the previous year.

When replying to the Deputy Leader's question, the Premier knew (as do all members on this side of the House) of the member for Kavel's particular penchant for using statistics in such a way as to bolster the shaky case that he normally comes up with. So, I am sure that honourable members would not be surprised that the gentleman had failed to produce any national figures, against which the South Australian scene ought to be set, on purpose. There is no other explanation whatsoever why the Deputy Leader chose to put the explanation before the House in that way. Clearly, the Premier demonstrated his perception of the very scene I have just set when he made reference to that fact.

I will put before the House the figures on the national scene as well, and I leave all members of this House to judge the true story in relation to the decline which the Deputy Leader sought to present in a political way to the discredit of the mining industry in South Australia. I wonder whether he gave that aspect of the matter any thought, because that is really what he was saying; he was bringing the mining industry of South Australia under criticism in an unfair way and without presentation of the facts.

Mr Ashenden: Tell us more about Beverley.

The Hon. R.G. PAYNE: I can tell the honourable member about Beverley, because I recall the same Deputy Leader, in this House, describing Beverley as an open-cut mining operation. If the honourable member for Todd would like further reference to mistakes and other examples of the penchant of the Deputy Leader, I will produce them for him. However, I would like to put the facts before this House. I can see that the Deputy Leader is seething in his seat now, because he knows that he has been caught out putting a phoney case to the House.

Members interjecting:

The SPEAKER: Order!

The Hon. R.G. PAYNE: Western Australia has the largest mineral exploration programme in the nation. Between 1981-82 and 1982-83 it declined by 21 per cent. In Queensland, that bastion of democracy often referred to by the Deputy Leader and his cohorts, the drop was 29 per cent—the highest in the country. In New South Wales the figure was 27 per cent, and note, Mr Speaker, that I am giving the figures right across the country, not just putting them before the House in a selective way. In South Australia the figure was 22 per cent; in the Northern Territory, 20 per cent; in Tasmania, 17 per cent; and in Victoria, 24 per cent. So, it can be deduced that the national average is fractionally less than 23 per cent, which places South Australia in the middle of the field. My Department advises that the reduced spending by the mineral industry on exploration throughout Australia, as the Premier mentioned, reflects the general economic recession, the low metal and mineral commodity prices which prevail, and pessimism about any rapid return to the high prices enjoyed in the past.

Members interjecting:

The SPEAKER: Order!

STA FARES

The Hon. P.B. ARNOLD: Can the Minister of Transport say whether the Government has completed its review of the public transport fare structure, and will bus, train and tram fares be increased again this year? Last year the Government increased public transport fares by 47 per cent, despite the promise in the—

Members interjecting:

The SPEAKER: Order!

The Hon. P.B. ARNOLD:—Premier's policy speech that the Labor Government's highest priority in transport would be to keep fares down. The increase provoked widespread criticism, as a result of which the Government promised a review. In the *Advertiser* of 3 August last year the Minister said that a working party was examining the STA fare structure. He further referred to the working party before

the Estimates Committee, but to date no public announcement has been made about any of its recommendations. Therefore, will the Minister indicate whether this review will result in changes to the fare structure and whether fares are to be increased again during 1984?

The Hon. R.K. ABBOTT: The task force into fare structure has completed its inquiry. It dealt with four main issues: concern was expressed about the length of time applying to transfer tickets, pre-sold tickets, photo identification, and abolition of make-up fares. Those recommendations were considered by the Government. It adopted one—the abolition of make-up fares—because many commuters were buying the cheaper fare and then extending it to greater distances without purchasing an additional ticket. We wanted to stop that practice. The same applied to pre-sold tickets. I made a press statement in relation to that subject, in which I said that the trade unions felt that a great deal of revenue was being lost to the Authority as a result of some cheating in relation to pre-sold tickets. I demonstrated that to the press and we have had no feed back from the community yet on that matter. So, I think that that has been accepted.

The photo identification question is still under consideration by the Department of Community Welfare, my colleague, and a committee from the Department of Transport. The trade unions were concerned about those matters rather more, perhaps, than about the amount of fares. They finally accepted that fare increases were necessary in order to gain more revenue.

The Hon. P.B. Arnold: Will there be further fare increases in 1984?

The Hon. R.K. ABBOTT: The honourable member asks whether we will consider further fare increases. No proposal has been put to me yet, but I imagine that it may be necessary to look at further increases, whether in a few months, later this year or early next year. However I cannot say when that might be. But it will be necessary in future to look again at the cost of fares in order to keep up with inflation.

SCHOOL LIBRARIES BRANCH

Mr GROOM: Will the Minister of Education advise the House what is the future of the School Libraries Branch? My question was prompted by an article in the *News* written by a Mr Williams, and headed, 'Big protest at Libraries Branch axe'. A photo of the member for Torrens appears in that newspaper. The article, in part, states:

> An Education Department decision to disband the School Libraries Branch has come under fire from schools, teachers and the State Opposition.

Would the Minister comment on that matter?

The Hon. LYNN ARNOLD: I notice from comments from the other side of the House that this question is not unexpected. In fact, it was not unexpected. I thought that after the *News* article appeared I might be asked such a question, possibly from the Opposition benches. I have discovered, as has the rest of the House, that the Opposition has an odd make-up in its shadow Ministry. It has a Leader, six shadow spokesmen on transport, and presumably a shadow Minister of miscellaneous, who deals with all other areas. Some points need to be made about the School Libraries Branch because the matter has been raised previously. Indeed, there was a comment in the *News* last week about that matter. A review was undertaken last year after the review team was appointed in June 1983.

It consisted of Heather I'Anson (Executive Officer, Director-General's secretariat), Mr Martin Caust, Mrs Joan Brewer, and Mr Don Novick. They were given the task of looking into the way in which the School Libraries Branch supports the functioning of that branch and the programmes taking place in schools. It should be remembered that resource centres are critical for learning programmes. Perhaps that is an attitude of mine that is not really part of our thinking but should be. In years gone by we regarded resource centres as peripheral to schools: they were nice to have if one could get them, but they were not critical to the education process. Indeed, they are critical to the education process, and much more development has to be done in that area. I hope that the Government will be able to make some announcements in the next Budget about improved staffing levels for resource centres, particularly in primary schools, because that is a very important element that needs to be addressed.

In that sort of context, aware of how things have to move with the times, the importance of resource centres and the importance of support for them, the review team established in June last year had a number of aims on which to focus, as follows:

- focusing on school needs for library resource management support services;
- acknowledging the Department's curriculum emphasis on resource-based and literature-based programmes;
- considering how class teachers and resource centre teachers relate in developing and implementing programmes in schools;
- seeking evidence of how the School Libraries Branch responds to changing school needs and changes in departmental policies and priorities;
- answering questions about efficiency, effectiveness and priorities within current resource levels.

All those aims are very positive. They are designed to pick up the fact that we believe that resource centres are very important elements of schools and that we must be conscious of trying to give them at all times the best support possible within the level of resources available.

The review team presented its report to the Director-General in October last year. Since then, departmental officers and I have considered the report in relation to Budget planning for 1985. However, I point out that it is not the intention to reduce the level of resources available for the support of school libraries—quite the contrary. In fact, from whatever resources are available, we must consider moving in the other direction, because resource centres have not received enough support over the years. It is not a matter of the reduction in resources that has been talked about; it is a redistribution of resources within that area, making sure that we do things as usefully as possible for people in the schools.

I make that point conscious of the fact that those who have worked in the school libraries branch have done so with distinction. They have served our schools very well within the constraints of the structure in which they operate, and I am confident that they will continue to do so in the future in whatever the structures turn out to be. The principal education officer of libraries and the support staff will be transferred to the curriculum directorate. In other words, the resource package (the people) available still remains. That will be transferred to the curriculum directorate. It will still be critical that close liaison is maintained with key national and State educational and professional bodies so that those links that have been well developed over the years are maintained and strengthened.

The SAERIS cataloguing and central library sections will be linked under one manager to try to get an amalgamation of purpose in those areas, and to improve the operational links supporting what is happening in the schools. One of the questions raised is whether or not the publication known as *Review* will be continued. It is not proposed to continue that publication. The important point to remember is that the service that *Review* seeks to offer to schools will be maintained in one form or another. It is still important that school resource centre staff have access to information on

reviews of materials, resource centre methodologies, and so on, and *Review* has offered that in the past. However, we think that we can do that more efficiently and more cheaply while still offering the same level of service provision. Whilst *Review* as a publication will not continue in 1985, there will be other methods of providing exactly the same sorts of support, or better, to people within the resource centres of schools in South Australia.

In addition to that, as part of the reorganisation proposals of the Department, it is proposed that each area office will concentrate more attention on the support that they are able to give to resource centres within schools. That has perhaps been the case in the past when we had the original system of regional officers. I take this opportunity to allay the fears that may be in existence and to say that it is not the intention to reduce the level of support available to resource centres and it is not the intention to decimate the school libraries branch. On the contrary, it is intended to enhance resource centres in schools, get better use out of the resources we have, and to provide better linkages within the Department than may have been the case in the past: not for malintent but, because of the way structures grow up, some linkages may need to be looked at again. I am taking a personal interest in this matter and am keen to see that we get the sorts of things that we want for our schools. I am looking forward to hearing further about this matter, and I ask other members to take the same interest because it will be important to the education services that we are offering in schools.

DRIVERS LICENCE FEES

The Hon. B.C. EASTICK: In view of the Premier's statement to the House of 28 March, will the Minister of Transport give a guarantee that the cost of a driver's licence will not be increased in the next financial year? The annual cost of a driver's licence has not increased since September 1981, and I understand that Treasury has recommended an increase in that fee in the next financial year. However, the Premier told the House on 28 March that it was most unlikely that the Government would find it necessary to increase taxes in the next Budget. The cost of a driver's licence is classified in the Budget as a tax: that is clearly in a tax line. In view of the Premier's statement, I seek a guarantee from the Minister that any recommendation for an increase in the cost of a driver's licence will be rejected by him.

The Hon. R.K. ABBOTT: The simple answer to the honourable member's question is that I cannot give any guarantee about when the next increase in licence fees will take place.

PASSENGER TRANSPORTATION

Mr FERGUSON: Can the Minister of Transport inform the House what arrangements will be made to transport interstate passengers from the new interstate rail terminal at Keswick to central city locations when the new rail terminal opens on 18 May? The opening of the new rail terminal at Keswick on 18 May may present problems to interstate visitors disembarking at the terminal. The new Keswick location is some distance from the central city location and people wishing to find accommodation at central city hotels may find some difficulty in transporting from the new terminal to those hotels. Also, some South Australian residents will find problems with transportation to and from the location of the new terminal.

The Hon. R.K. ABBOTT: A licence has been issued to the operator of T/A transit mini buses to operate a service between the City of Adelaide and the railway terminal complex at Keswick. The service will commence on Friday 18 May 1984, using late model mini or midi coaches with a passenger seating capacity varying between 18 and 28. Luggage will be carried in covered and sealed trailers. The buses will travel from the Adelaide Railway Station to West Terrace, Hilton Road, Burbridge Road via the access road to the Keswick terminal, returning via Burbridge Road, Hilton Road, West Terrace, Grote Street, Morphett Street, Franklin Street, King William Street, and North Terrace, terminating at the Adelaide railway station.

The Gateway Inn and the Grosvenor Hotel would be served and major hotels and motels would be serviced on request; that is, Travelodge, the Park Royal, the Hilton International, the Ambassadors Hotel, the Town House, the Oberoi Adelaide, and the Newmarket Hotel. The cost of the service between Adelaide and Keswick will be $2 for adults and $1 for children. The operator of this service currently operates the airport bus service, which has been operating satisfactorily and reliably for about 18 months. The terminal will have parking for about 200 vehicles, a taxi rank and a bus stop nearby.

ANOP SURVEY

Mr ASHENDEN: Will the Premier say why the Government used taxpayers' funds to survey voting intentions as part of an ANOP survey commissioned by the Minister of Health?

Members interjecting:

The SPEAKER: Order! I cannot hear the honourable member.

Mr ASHENDEN: Last Thursday the Premier tabled in this House what he said was the only report received by the Government following this survey. He suggested that all the information the Government had paid for was contained in that report. However, the report makes clear that one of the questions asked during the survey related to the voting intention of all respondents to that survey. I understand that this is because in the breakdown of responses to 27 specific questions in the survey responses are categorised according to voting intention. This information could have been obtained only if the respondents were asked first which Party they voted for. However, the response to the basic voting intention question was not included in the report provided to the House. I understand that this information, which was paid for by the taxpayer, has been made available only to ALP officials.

The Hon. J.C. BANNON: I would have thought that this matter was canvassed thoroughly last week. I refer the honourable member to my answers to virtually identical questions asked last week. An examination of the report indicates the methodology used. The information in the report is the information the Government paid for and received—and that is the end of the matter.

RUSTPROOFING

Mr TRAINER: Will the Minister of Community Welfare, representing the Minister of Consumer Affairs, report on the value of rustproofing treatment for cars and, in particular, on the standard of service provided by Endrust, the leading firm in this field? Recently, while having a minor rust problem on my vehicle treated by Endrust, I had occasion to discuss with Mr Lee Thompson, proprietor of Endrust (Adelaide), an article about the rust proofing industry which appeared in *Choice* magazine and which had been briefly reported on in the afternoon tabloid in Adelaide. Mr Thompson advised me that the article was, in his opinion,

unfair to the longer established and more responsible firms such as Endrust. He also said that the data on which the article was based was unsatisfactory.

Mr Thompson also advised me that the day after that brief report appeared in the afternoon tabloid the majority of his customers for that day telephoned to cancel their bookings. His retail trade with the public has been severely affected by the public impression created by that press report, although his business within the motor industry is still satisfactory. Indeed, I have a copy of a testimonial letter from Brambles Industrial Services expressing its satisfaction with the rust proofing of 23 vehicles that have been operating in an area of high rust risk in a mining operation at Ceduna. I have also perused a report by the former Chief Metallurgist at Lysaghts which tends to support Mr Thompson's viewpoint that, correctly carried out, rust proofing of motor vehicles of a standard that he believes that his Endrust firm employs is of substantial value.

The Hon. G.J. CRAFTER: I will obtain a report from my colleague on this matter. I think that the Minister of Consumer Affairs did make some comments when the *Choice* magazine report was released. One of the problems, if I recall correctly, is the great variation that occurs between the quality of service provided in that industry. I will be pleased to obtain a further report for the honourable member.

NEW AIRPORT

Mr MEIER: Is the Minister of Transport to establish a committee to carry out future planning for the proposed new airport in the Two Wells area and, if so, when will the committee be appointed and who will serve on it? The establishment of this committee was the subject of an election promise by the Australian Labor Party and as such is long overdue. The Labor Party's transport policy promised:

An early start will be made on planning for a new airport to the north of Adelaide.

The Hon. R.K. ABBOTT: I did not realise that the Opposition was so desperate in looking for a new shadow Minister to handle the transport portfolio. No doubt, members opposite are concerned as a result of Onlooker's attack in last weekend's *Sunday Mail*, and I do not blame them for that. They must be very worried indeed, and I appreciate their concern. The Leader of the Opposition has probably asked all Opposition members to step up their attack on transport matters, and today is my day.

Mr Becker: Just because you won the football—

The Hon. R.K. ABBOTT: Yes, and it was a good game. I shall not say any more about Onlooker.

The SPEAKER: Order! I ask the honourable Minister not to try to psychoanalyse Onlooker.

The Hon. R.K. ABBOTT: An airport committee has been established for some time, although it does not meet that regularly.

Mr Becker: Who is on it?

The Hon. R.K. ABBOTT: The Deputy Director, Policy Research, of the Department of Transport (Mr John Hutchinson), as well as Commonwealth Government representatives. If members opposite wish to receive a report on the latest position, I shall be happy to make it available.

YACHT

Mr PETERSON: Will the Premier say whether the group formed to raise funds to build the 12-metre yacht in Western Australia to represent South Australia in the America's Cup elimination races he raised the amount necessary to receive the promised $1 million of public money? Despite the deep cloak of secrecy on this subject, there appears to be a strong rumour and, I believe, a report in the Western Australian press that this group has been promised the necessary funds. Will the Premier inform members what stage has been reached in this matter?

The Hon. J.C. BANNON: I cannot give an up-to-date report on the progress of fund raising. All I know is that it is taking place. I do not think there is any cloak of secrecy about the matter. At the time of the original announcement, the syndicate indicated that it would approach various business groups and others for the requisite funds. I stressed at the time that State Government support depended on the production of evidence of the group's success in arranging funds. I have not yet received a report, but I understand that that operation is going to plan at present. I would not expect it to be finished in such a short time.

SOUTHERN ROADS

Mr BECKER: Will the Minister of Transport say what alternatives to the north-south transport corridor the Government intends to implement to prevent chronic traffic congestion in Adelaide's southern region as warned by the Highways Department last year? In both the March 1983 Highways Department report on the widening of South Road and the 1983 Southern Region Road Network Improvement Strategy, the Highways Department has warned of chronic traffic congestion in Adelaide's southern region. Last year, the Government decided to scrap the north-south transport corridor, even though it admitted that alternatives had not been considered.

The Hon. R.K. ABBOTT: I have reorganised the southern region working party so that it can again review southern transport needs in view of the policies of this Government on road development in the southern region. Up to the present, the working party has met once and further meetings will take place. Regarding the areas to be looked at, we have not abolished the north-south transportation corridor southward from Sturt Road, contrary to some reports that certain people would like the public to believe. We are retaining the option of a third arterial road in the southern area, and I have had a presentation from the Highways Department and the Department of Transport on the future of all road developments in that area.

At this stage, I cannot say when those developments will occur. Some work on Reservoir Drive will be carried out under the ABRD programme, and we are waiting on the local council in that area to complete the design of that road. In the immediate future there is the possibility of upgrading some of the Darlington bottleneck area, and the widening of the bridge at the base of Flagstaff Hill where the four-lane highway becomes a two-lane highway (which is partly responsible for the bottleneck). That deficiency will be rectified in the coming financial year. The working party is also considering a structure plan for Morphett Vale East, which is being prepared by the Department of Environment and Planning with input from the Highways Department and the State Transport Authority. The plan proposes to upgrade the Panalatinga Road to arterial standard between Doctors Road and Main South Road. There is also a need to upgrade Pimpala Road to arterial road standard between Panalatinga Road and Main South Road.

In relation to transport issues in the Darlington area, the southern area transport and planning issues working group has been reconvened, as I have said. It will examine and report on operations for the relief of traffic congestion in the Darlington area and the issues relating to the grade separation of the Marion Road, South Road and Flagstaff

Road intersection. The working group's report is due by 1 July 1984, if it can complete the work.

The working group comprises Mr L.M. Oxlad, Chairman (Department of Transport); Mr B. Coates, Southern Region of Councils (he has now resigned and will be replaced); Mr C. Catt (Southern Region of Councils); Alderman G. Simpson (Southern Region of Councils); Mr T. Wilson (State Transport Authority); Mr H. Tennosaar (Highways Department); Mr E. Evans (Department of Environment and Planning); and Mr J. Byrne (Housing Trust). The working group is working hard and I hope that it can complete its report by July so that we can announce something concrete as to plans to work towards.

The SPEAKER: Call on the business of the day.

GAS ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 4 April. Page 3203.)

Mr MEIER (Goyder): The Opposition supports the Bill. As the Minister pointed out in his second reading explanation, its object is to facilitate the transfer of the responsibility for the regulation of gas supply from the Chemistry Section of the Department of Services and Supply to the Department of Labour. The former Deputy Premier and Minister of Mines and Energy (Hon. E.R. Goldsworthy, member for Kavel), established a working party in June 1982 to review the organisation, staff establishment and management requirements of the Chemistry Division.

In addressing the terms of reference to examine and report on the appropriate Government agency or agencies to administer the gas and dangerous substances functions, the following questions were examined:

1. Should the administration of the Gas Act continue?
2. Should it be a stand-alone function?
3. Should it be transferred on its own to another agency?
4. Should it remain with the administration of the Explosives Act?
5. Should the Explosives Act be administered together with the Dangerous Substances Act?
6. Is it appropriate to have these administrative functions in the Department of Services and Supply?
7. Organisationally, which agency or agencies would best administer the Gas Act and the Explosives Act with or without the Dangerous Substances Act?

In brief, its recommendations were, first, that the Explosives Act should be administered together with the Dangerous Substances Act, and, secondly, that the Department of Industrial Affairs and Employment should administer these Acts because of the desirability of the Gas Act, the Explosives Act and the Dangerous Substances Act to be administered together.

In talking with the sectional head of the Dangerous Substances Branch of the Industrial Safety and Regional Services Division of the Department of Labour, it was interesting to find that the physical transfer had actually occurred in September of last year, and that in fact the responsibilities for all intents and purposes had been transferred last June. As the Gas Act was so antiquated it is pleasing to note that clause 4 of the Bill provides for the repeal of the section that charged the Director of Chemistry with the administration of the Act. In reality, for many years it has been the Minister and not the Director of Chemistry who has been in charge of the administration of the Act. The Opposition believes that the transfer will provide positive advantages, and, accordingly, it supports the Bill.

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

INDUSTRIAL CONCILIATION AND ARBITRATION ACT AMENDMENT BILL (No. 4)

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 2, lines 6 to 19 (clause 4)—Leave out paragraphs *(a)* and *(b)*.

No. 2. Page 8, line 16 (clause 18)—After 'thinks fit' insert ', after giving the employer notice prescribed by the award,'.

No. 3. Page 9, lines 18 to 22 (clause 18)—Leave out subsection (5).

No. 4. Page 9, lines 43 to 46, and page 10, lines 1 to 22 (clause 19)—Leave out proposed new section 29a and insert new section as follows:

29a. (1) The Commission may, by an award, direct that preference shall, in relation to such matters, in such manner and subject to such conditions as are specified in the award, be given to such registered associations or members of registered associations as are specified in the award.

(2) Notwithstanding the terms of a direction under subsection (1)—

(a) an employer is only obliged by the direction to give preference to a member of a registered association over another person where all factors relevant to the circumstances of the particular case are otherwise equal; and

(b) no employer is obliged by the direction to give preference to a member of a registered association over a person in respect of whom there is in force a certificate issued under section 144.

No. 5. Page 11, line 3 (clause 21)—After 'former position' insert '(if such a position is available)'.

No. 6. Page 11, line 20 (clause 21)—After 'applicant' insert '(including costs incurred by the other party to the application in respect of representation by a legal practitioner or agent)'.

No. 7. Page 15, line 18 (clause 32)—After 'thinks fit' insert ', after giving the employer notice prescribed by the award,'.

No. 8. Page 15, lines 40 to 45, and page 16, lines 1 to 16, (clause 32)—Leave out subsections (3), (4) and (5) and insert new subsections as follow:

(3) A Committee may, by an award, direct that preference shall, in relation to such matters, in such manner and subject to such conditions as are specified in the award, be given to such registered associations or members of registered associations as are specified in the award.

(4) Notwithstanding the terms of a direction under subsection (3)—

(a) an employer is only obliged by the direction to give preference to a member of a registered association over another person where all factors relevant to the circumstances of the particular case are otherwise equal; and

(b) no employer is obliged by the direction to give preference to a member of a registered association over a person in respect of whom there is in force a certificate issued under section 144.

No. 9 Page 19—After line 19 insert new clause 41a as follows:

41a. Section 96 of the principal Act is amended by inserting after subsection (2) the following subsection:

(3) For the purposes of hearing and determining an appeal against an award or decision of the Commission on an application under section 31, the Full Commission shall be constituted of at least two Presidential Members.

No. 10. Pages 19 and 20 (clause 44)—Leave out the clause.

No. 11. Page 20 (clause 46)—Leave out the clause.

No. 12. Page 20, line 41 (clause 47)—After 'Subject' insert 'to subsection (3) and'.

No. 13. Page 20 (clause 47)—After line 44 insert new subsection as follows:

(3) Where an industrial agreement was in force immediately before the commencement of the Industrial Conciliation and Arbitration Act Amendment Act (No. 4), 1983—

(a) subsection (2) does not apply to the agreement as in force immediately before the commencement of that amending Act;

but

(b) where the agreement is varied after the commencement of that amending Act, any provision of the agreement

shall then operate to the exclusion of inconsistent provisions of an award.

No. 14. Page 23, lines 9 to 17 (clause 51)—Leave out subsection (3) and insert new subsections as follow:

(3) Where—

(a) an industrial dispute has been resolved by conciliation or arbitration under this Act;

or

(b) the Full Commission determines, on the application of any person, that—

(i) all means provided under this Act for resolving an industrial dispute by conciliation or arbitration have failed;

and

(ii) there is no immediate prospect of the resolution of the industrial dispute,

a person may bring an action in tort notwithstanding the provisions of subsection (1).

(4) The Full Commission shall, in hearing and determining an application under subsection (3) *(b)*, act as expeditiously as possible.

No. 15. Page 26, lines 4 to 11 (clause 63)—Leave out all words in these lines.

Amendment No. 1:

The Hon. J.D. WRIGHT: I move:

That the Legislative Council's amendment No. 1 be agreed to.

This amendment removes the mechanism which will allow for the award coverage of classes of contract labour that the Commission, after full inquiry, has recommended be so regulated. In the Bill the Government did not seek to prejudice this issue and the need for regulations. It merely sought to set up enabling legislation to allow for contract labour to be regulated when it is in the public interest to do so. The proposed general inquiry power which will enable the community to formally inquire into the area of contract labour has been retained in the Bill, thus being an avenue which still remains to allow for the examination of this area, and, accordingly, the Government is prepared to accept the Legislative Council's amendment.

The Hon. E.R. GOLDSWORTHY: The Opposition is pleased that the Government intends to accept this amendment. It, together with a number of other amendments, represents a major victory for the Liberal Party in relation to this clause. The matter was debated at some length in the Chamber.

The Hon. J.D. Wright interjecting:

The Hon. E.R. GOLDSWORTHY: The Minister is terribly touchy. I am simply stating facts. If the facts are unpalatable, that is too bad. The Minister opposed quite strongly the Liberal Party's amendment to this clause moved in this place, which was an identical amendment. At that time we pointed out what we believed to be the error of the Government's ways. We were supported by a number of major employer groups and, I believe, we had the support of the public of South Australia. Had the Government's will prevailed in relation to the regulation of subcontractors in the building industry, there would have been a quite dramatic escalation, if one were to take account of some of the press reports, in housing costs in South Australia. After a lot of to-ing and fro-ing the Democrats decided to support the Liberal Party in relation to this amendment. We welcome the fact that the Government has come to terms with reality and that it accepts the proposition originally put forward in this place by the Liberal Party.

Mr BAKER: I am pleased that those in the other place have seen fit to take away the provisions that the Minister of Labour had inserted in the Bill. I want to put on record that I think the Minister of Labour has indulged in the classic tactics used at Budget time, when some two months before the Budget is released everyone is warned that there will be horrific changes with taxation; however, when the changes occur they are far less severe than was expected. Again, this is another example of dishonesty with legislation. I know that the Minister understood that the provision would never pass, but that he wanted to get through his other provisions and this was the trade-off. In the interests of honesty, Bills should be introduced with the intention that they be accepted. Even the Minister will admit that the provisions in the Bill concerning contractors were unworkable, inequitable, and should not have been there. I believe that in this case justice has been done, but with no thanks to the Minister.

The Hon. J.D. WRIGHT: Let me make very clear to the Opposition, and particularly to the member for Mitcham, that the statements he made just a moment ago are completely and entirely untrue and unjustified. In introducing this legislation, the Government fully believed that it ought to be accepted. As I said earlier, 95 per cent of the legislation was based on Commissioner Cawthorne's Report. I do not run away from this legislation. I am accepting this amendment only to ensure the safe passage of this legislation, and for no other reason. I do not have the numbers, but let me say that some day, some time, somewhere those numbers will change—the way the Legislative Council is going at the moment—and I will be able to put through some decent legislation. I make very clear to the Opposition that I am not backing off on this. I intended that the provision go through in the first place, and I still support the provision. If one does not have the numbers one cannot play, and at the moment we cannot play.

The Hon. E.R. GOLDSWORTHY: I have no particular desire to broaden this into a repetition of what occurred in a long debate during the second reading, but if the Minister keeps getting up and making statements which do not stand up the Opposition will continue to stand up and put the record straight. The legislation is not 95 per cent based on Cawthorne. I would like the Minister to dissect this legislation clause by clause and find out how much of Commissioner Cawthorne is contained in the Bill, how much runs counter to what Cawthorne said in his report, and how much is pure Labor Party dogma, and he will find that that claim will not stand up.

The Minister can stand here and threaten this Committee and members of this place and suggest that in due time he may have the numbers to see that his will prevails. Lord help us if he does, that is all I can say, if that is his attitude to the welfare of the people of this State, and the economy of this State. I have pointed out previously on numerous occasions that, if the Government had its will in relation to this and a number of other clauses, the economy of this State would suffer considerably at a time when it cannot afford to suffer. The Opposition makes no apology at all for going to bat for what it believes, in this case, to be the interests of the State in terms of what this would do to costs in South Australia, and in a number of other measures going to bat for what it believes are the basic freedoms of the people of South Australia.

Motion carried.

Amendment No. 2:

The Hon. J.D. WRIGHT: I move:

That the Legislative Council's amendment No. 2 be agreed to.

The effect of this amendment will be to require union officials to give the notice prescribed in an award before they exercise a right of entry. The Government's Bill allowed the Commission to prescribe notice as part of its ability to set 'such terms and conditions as (it) thinks fit'. Thus, while the amendment is not really necessary, it was accepted by the Government in the other place in order to allay the fears of employers.

The Hon. E.R. GOLDSWORTHY: The Opposition supports this amendment. It is not a major matter of principle but slightly improves the clause and its impact. For that reason we support it.

Motion carried.

Amendment No. 3:

The Hon. J.D. WRIGHT: I move:

That the Legislative Council's amendment No. 3 be agree to.

While this amendment runs counter to the Government's view that demotions can be just as traumatic as dismissals to the employee, the loss of the authority for boards of reference to hear demotion cases does not mean that no alternative remedy exists. There is a significant body of legal opinion supporting the view that a demotion constitutes the termination of one contract of employment and the creation of another, which could provide grounds for a case of wrongful dismissal. On this basis, the Government is prepared to accept the amendment.

The Hon. E.R. GOLDSWORTHY: The Opposition supports the amendment, because it is identical to an amendment that it initially moved here. After a lot of to-ing and fro-ing by the Democrat members in the other place, that view was finally accepted there. It is a major amendment and one, along with a considerable number of others in this Bill, which is not addressed or recommended by Cawthorne in his report. This is one of those matters in which Cawthorne made no recommendation. The Opposition welcomes the amendment, basically on the ground that this is entering into a new area in South Australia which we do not believe we should be entering if we are trying to come to terms with costs of employment and the major problem of unemployment.

Motion carried.

Amendment No. 4:

The Hon. J.D. WRIGHT: I move:

That the Legislative Council's amendment No. 4 be agreed to.

This amendment restates the old preference provision that is contained under section 29 (1) *(c)* of the existing Act and which therefore retains the concept of preference where all things are 'otherwise equal'. The Commission has on a number of occasions commented that these words render the existing section meaningless. For it to be continued in that form is quite absurd and amounts to tokenism. The Government in its Bill sought to rectify this problem by providing for a preference clause in similar terms to the provision under the Federal Act. Given the clear opposition to this change by the Opposition and the Democrats, the Government unfortunately has no choice but to accept the amendment sought as it retains the *status quo* but in addition provides for the ability of the Commission to have a role in settling demarcation disputes, a role which is currently denied it under the existing section; therefore it is a slight improvement.

The Hon. E.R. GOLDSWORTHY: Although the Opposition is not entirely happy with this amendment because it is one area where the principle of so-called preference to unionists continues, it has no option but to accept the amendment because it does in slight measure improve the impact of the Bill. It is not what the Government wanted and it does not carry this idea as far as the Government wanted to carry it initially so, in that sense, it is an improvement on that contained in the original Bill. However, I make clear, as far as the Opposition is concerned, that the amendment does not go far enough. However, the choices are limited in these circumstances and, as it is an improvement on the existing clause, the Opposition supports it.

Motion carried.

Amendment No. 5:

The Hon. J.D. WRIGHT: I move:

That the Legislative Council's amendment No. 5 be agreed to.

This amendment provides that where the Commission proposes to use the alternative remedy of re-employment in a position other than the former position, it can do so only if such other position is available. This amendment is acceptable as it simply clarifies a situation which was already provided for under the Bill. Obviously, if such a position were not available it would be impracticable for the Commission to use this alternative remedy.

The Hon. E.R. GOLDSWORTHY: This is a minor amendment which clarifies the position, and the Opposition thinks it sensible.

Motion carried.

Amendment No. 6:

The Hon. J.D. WRIGHT: I move:

That the Legislative Council's amendment No. 6 be agreed to.

This amendment allows the costs of legal representation to be awarded where in the opinion of the Commission an application for re-employment for a wrongful dismissal was frivolous or vexatious. It has been pointed out that not to include legal costs would have rendered this provision meaningless. Whilst the Government does not accept this as a precedent for the awarding of such costs elsewhere under the Act, it is prepared to accept the amendment in the knowledge that there have to be very strong grounds existing before the Commission will find a claim to have been frivolous or vexatious.

The Hon. E.R. GOLDSWORTHY: The Opposition supports this amendment, which improves, clarifies and makes clear the position concerning cost. It is only reasonable that if claims are frivolous or vexatious the other party involved, because of this frivolity and because the claim is obviously not genuine, should be reimbursed for costs. The Opposition supports the amendment.

Motion carried.

Amendment No. 7:

The Hon. J.D. WRIGHT: I move:

That the Legislative Council's amendment No. 7 be agreed to.

This amendment makes a consequential change in respect of notification of entry onto premises as it relates to conciliation committee awards. Accordingly, it is accepted by the Government.

The Hon. E.R. GOLDSWORTHY: It is a minor amendment and the Opposition supports it.

Motion carried.

Amendment No. 8:

The Hon. J.D. WRIGHT: I move:

That the Legislative Council's amendment No. 8 be agreed to.

This amendment gives conciliation committees the power to award preference on the same terms as apply in the general award making area and accordingly, whilst it does not go far enough, it is accepted for the reasons that have been previously given.

The Hon. E.R. GOLDSWORTHY: For the reason I gave previously, the Opposition agrees with the amendment, simply because it constitutes a slight improvement on what the Minister sought to enact originally. But, as I said earlier, it does not go anywhere near far enough in relation to what we believe are fundamental principles with respect to people's freedom and rights in a so-called democratic society.

Motion carried.

Amendment No. 9:

The Hon. J.D. WRIGHT: I move:

That the Legislative Council's amendment No. 9 be agreed to.

The amendment provides that in respect of appeals in the area of wrongful dismissal, the Full Commission will be constituted of at least two judges. Whilst the Government does not accept the need for the amendment it does not materially affect the Government's stated position in this area that the appeal lies to the Full Bench of the Commission, and, accordingly, it is accepted.

The Hon. E.R. GOLDSWORTHY: I ask the Minister for further clarification. I looked at the principal Act rather

quickly in the time available. It simply says that the appeal will be to the Full Commission. The Commission can comprise anyone the Chairman chooses. This amendment screws that down a little more precisely: there will now need to be two senior or presidential members of the Commission, as I read it. It seems to be an improvement that in these circumstances, when one is dealing with a matter such as this, senior people should hear the appeal. For that reason, we support the amendment although, of course, our original objections about this whole area still stand.

The Hon. J.D. WRIGHT: The facts as stated and restated are correct: that is the position.

Motion carried.

Amendment No. 10:

The Hon. J.D. WRIGHT: I move:

That the Legislative Council's amendment No. 10 be agreed to.

The Government's Bill provided that, after the amending Act comes into operation, an unregistered association of employees will not be able to enter into an industrial agreement. This is in furtherance of the Government's policy to encourage the registration of associations, and also recognises that unregistered associations in the past have been able to enjoy all the benefits available under the Act to registered associations without being subjected to the registration requirements and controls of the Act. The amendments restore the *status quo* in this area. Given the combined opposition of the Democrats and the Opposition in the other place, the Government is forced to accept the amendment. However, if the *status quo* is to be fully restored, further consequential amendments must be made, to which I will refer later.

The Hon. E.R. GOLDSWORTHY: The Opposition obviously supports this amendment with a deal of enthusiasm. As I suggested, it is one of the major amendments initially moved in this place by the Liberal Party and accepted in due course by the majority in the other place. I repeat that this is one of the areas in which the Government introduced what I believe to be a major clause in complete contradiction to what Cawthorne recommended, having canvassed this matter in his report. Evidence was presented to him by various groups, including the UTLC, whose evidence he rejected in relation to the ability of unregistered organisations to approach the Commission. The Government sought to back the UTLC and not Cawthorne.

I invite the Minister again to do his sums in relation to his claim that 95 per cent of this Bill is pure unadulterated Cawthorne. I do not believe it is for a moment, and I have done the sums myself. The Opposition believes that this amendment is a major victory for common sense and is in line with one of the major recommendations in the Cawthorne Report which the Government was quite blatantly seeking to ignore.

Motion carried.

Amendment No. 11:

The Hon. J.D. WRIGHT: I move:

That the Legislative Council's amendment No. 11 be agreed to.

This amendment reverses the Government's proposal to prohibit unregistered associations from being included as parties to an existing industrial agreement. It is only accepted by the Government on the grounds referred to above.

The Hon. E.R. GOLDSWORTHY: Obviously, the Opposition sees this amendment as a major improvement to the Bill. There is no need to canvass the arguments again. This matter is consequential upon one of Cawthorne's recommendations. The Opposition agreed with Mr Cawthorne, and the Government sought to fly in the face of that advice. So, of course, we support this amendment.

Motion carried.

Amendment No. 12:

The Hon. J.D. WRIGHT: I move:

That the Legislative Council's amendment No. 12 be agreed to.

Although this seems a funny way of doing it, I have moved this amendment which is consequential upon the next and which, accordingly, is accepted by the Government.

Motion carried.

Amendment No. 13:

The Hon. J.D. WRIGHT: I move:

That the Legislative Council's amendment No. 13 be agreed to.

This amendment was moved by the Government in the other place to provide a transitional arrangement to cover existing agreements which were registered prior to the commencement of the amending Act and which therefore have not been subject to the vetting provisions under new section 108a. It will mean that, in so far as existing agreements are concerned, the law as it now stands in relation to the overlap of awards and agreements will apply until such time as the agreements are varied and vetted in accordance with the procedure under section 108a. The amendment is accepted.

Motion carried.

Amendment No. 14:

The Hon. J.D. WRIGHT: I move:

That the Legislative Council's amendment No. 14 be agreed to.

The Government's Bill allowed an action in tort to be brought on the authority of the Full Commission, after it is satisfied that the full conciliation and arbitration procedures of the Act have been tried and failed, and that there is no immediate prospect of resolution of the dispute in question. This amendment clarifies that an action in tort can also be brought where the dispute has been satisfactorily resolved, which outcome should also be recognised. It further provides for the Full Commission to act expeditiously to determine an application or a certificate to commence court action. It is considered, for practical purposes, to be most rare for a particularly employer to pursue an action of tort once an industrial dispute has been settled. Accordingly, the Government is prepared to accept the amendment.

The Hon. E.R. GOLDSWORTHY: This is a pathetic little amendment, initiated in the Upper House by the Democrats. When it comes to these basic matters of principle, the Democrats are so busy wobbling around trying to find a compromise that they finish up with something as weak as dishwater. I do not think that this amendment does a great deal to protect fundamental rights of citizens in relation to tort actions.

How does the Minister see this amendment in relation to the ability of persons to take out an injunction in the initial stages of a dispute, or to obtain a restraining order from the court in relation to some action which is being taken and which is causing a great deal of difficulty? I have had advice, although I would like a further informed opinion, that often people who are being disadvantaged by an industrial dispute, in that their goods and services have been cut, take out an injunction. They do not push for a tort action to recover damages but the ability to take out an injunction has a fairly salutary effect in a number of cases when trying to settle disputes?

It seems to me that, if that ability has been removed, which I believe it has, it will simply cause delay until all these processes have taken place. The ability to settle disputes promptly with some justice being done for the disadvantaged person has been very greatly affected in terms of this amendment. It is a very slight improvement on the Government's original proposal. It puts in a couple of more slight qualifications but it is a pathetic attempt by the Democrats to find a middle course. The Democrats are

always trying to find a middle course on matters of principle. But they are, as I said, so busy wobbling around trying to find that middle course that this was what they came up with. I am particularly concerned about the ability of a person or persons to take out an injunction in the initial stages of the dispute, because as I said this ability often has a salutary effect and helps settle disputes.

The Hon. J.D. WRIGHT: I said in the second reading debate, and again in the protracted Committee debate, that the Government was placing emphasis on trying to remove actions from the Supreme Court to the industrial level when an industrial dispute was involved. History provides us with plenty of evidence that merely taking out an injunction, as the honourable member now suggests, does not solve the dispute. In fact, in many instances it heightens the dispute, and there is a lot of evidence on that matter. I believe that the Government's proposal is consistent with its industrial relations policy, namely, that industrial matters ought to be settled.

The Hon. E.R. Goldsworthy interjecting:

The Hon. J.D. WRIGHT: I heard you in silence, if you do not mind doing the same for me.

The Hon. E.R. Goldsworthy: I'm just reminding you.

The Hon. J.D. WRIGHT: The Deputy Leader does not have to remind me, because I will get around to that. The emphasis in this clause (as in the whole Bill, for that matter) is on settling industrial disputes in the industrial sphere, where they ought to be settled. There is no evidence that it works better outside, and I believe that this provision goes a long way towards remedying that situation. I am not as happy with this amendment as I would have been with the original clause in the Bill, but I am prepared to accept it as a compromise, although it is pretty clear to me that the Liberals are not interested in a compromise situation.

I have been very keen to achieve a compromise regarding this entire legislation, having accepted all the amendments in an attempt to try to improve (as I have no doubt it will improve) the industrial relations system in South Australia. However, in direct response to the Deputy Leader's question, I point out that it will prevent an injunction being taken out: his advice is correct in that regard. An injunction will have to be taken out at the same time as the damages issue arises. However, let me explain to the Deputy Leader that that is the very thing we are trying to prevent. We are trying to get the disputes into the Industrial Court where experienced commissioners and industrial judges will not consider the matter just on the question of law but on the merits of a particular industrial disputation, and that is where it can be settled most efficiently and quickly, in my view.

The Hon. E.R. GOLDSWORTHY: I do not for a moment accept the Minister's argument in accepting this amendment. We have had all this trash about compromises from day 1. We had Cawthorne coming up with what he believed was a compromise. We had the Government coming up with what it believed was a compromise, which carried it a bit further. Now we have the Democrats in another place coming up with what they believe is a compromise. I do not believe that one can compromise on a matter of fundamental principle and right. It is all very well for the Minister to say that there is plenty of evidence that taking out an injunction has exacerbated disputes. I believe, and I am informed by those who ought to know, that there is plenty of evidence that a lot of disputes are settled simply by taking out an injunction, not seeking to carry the argument any further or to recover damages from the union or whoever escalated the dispute. It is simply a weapon which is in the hands of the other side to try to bring some sense into the argument. As I read this amendment, it is still not possible to sue for economic damage, for economic loss: that is still an exclusion. One can sue under the terms of the original clause. I would like that point clarified if I have misread the amendment. However, as I read it, there is still an exclusion in terms of the tort clause. I would like the Minister to confirm that for me, because clause 51 (2) *(b)* provides:

> . . . an action for the recovery of damages in respect of damage to property (not being economic damage).

Unless I have not read this amendment satisfactorily, I understand that that is still the case, which means that a dispute can be initiated. There can be a dispute, and no action at all can be taken to try to circumscribe the actions involving one party in the dispute, in that no injunction can be sought or granted to restrain any action at all.

The matter then goes to the court and, despite the instruction or indication that the court should hear it with some expedition, the dispute can be dragged on. When it is all wound up there can be no suit for recovery of economic loss, which is the only loss that really counts, I guess, other than property damage, which is a major fact, although fortunately we have not got to that degree of violence where properties have been destroyed during disputes. Therefore, this clause really puts all the weapons on one side, and this amendment does likewise. It simply softens slightly the Government's original proposal. Does the Minister suggest that this amendment now allows an action to be commenced in due course to recover economic loss?

The Hon. J.D. WRIGHT: The onus lies in the fact that the processes under this legislation have all been initiated. The opportunity is there for the employer to take certain steps, although I would hope that he would desist, otherwise it could destroy the position that we are trying to create if someone commences an action afterwards. However, if he feels so badly injured, he then has to go through the due processes of the law in all aspects, not in any single aspect.

The Hon. E.R. GOLDSWORTHY: I am looking at the qualifications in this amendment. Clause 51 (2) *(b)*, to which I referred, clearly provides:

> This section does not prevent . . . an action for the recovery of damages in respect of damage to property (not being economic damage);

That clause is not touched in this amendment. There is a substitution for subclause (3), and looking quickly through that subclause I do not see any qualification which would allow an employer or another aggrieved person to sue for economic loss. That is simply the question I ask the Minister.

The Hon. J.D. Wright interjecting:

The Hon. E.R. GOLDSWORTHY: The Minister made the bland statement in answer to my question—

The CHAIRMAN: Order! The Chair is in a very difficult position now. The honourable member has spoken three times on this clause, and that is all Standing Orders allow.

The Hon. J.D. WRIGHT: I reiterate that the Deputy Leader should refer back to my previous answer explaining the processes necessary to be gone through by the employer who desires to take such action.

The Hon. E.R. Goldsworthy: Economic damages?

The Hon. J.D. WRIGHT: Economic damages are at his disposal if he so desires.

Mr BAKER: I understood that that was the case in the Bill. On a point of clarification, if an employer enters into conciliation and then arbitration, can the court place an injunction on the actions of, particularly, unionists if that is deemed appropriate? Does it require application from the employer?

The Hon. J.D. WRIGHT: I thought that I had answered that question previously.

Motion carried.

Amendment No. 15:

The Hon. J.D. WRIGHT: I move:

That the Legislative Council's amendment No. 15 be agreed to.

The Bill, consistent with the view that the pains and penalties do not work in the industrial arena, sought to provide that prosecutions can only be commenced with the leave of the Full Commission. The amendment removes the delaying tactics from the Bill. In the light of this position, the Government is prepared to accept the amendment.

The Hon. E.R. GOLDSWORTHY: The Minister's most recent explanation indicates that really what he was seeking to do was block off appeals by vesting in the Full Commission the ability to refuse permission for proceedings to proceed. The Opposition accepts the amendment, which was one of those moved by us originally in this place.

The Hon. J.D. WRIGHT: The Governor never intended not to allow appeals. I said that the Government's Bill, consistent with the view that pains and penalties do not work in the industrial arena, sought to provide that prosecutions can only be commenced with leave of the Full Commission. The amendment removes that delaying tactic from the Bill. In the light of this opposition, the Government is prepared to accept the amendment.

Motion carried.

Consequential amendments:

The Hon. J.D. WRIGHT: I move:

Clause 45, page 20, lines 13 to 15—Leave out subsection (2) and substitute the following subsection:

(2) The Commission shall not approve an industrial agreement to which an unregistered association of employees is a party unless it is satisfied—

(a) That its terms are fair and reasonable; and

(b) That the industrial agreement, when considered as a whole, does not provide conditions of employment that are inferior to those prescribed by a relevant award (if any) applying at the time that application is made for the approval of the agreement under this section

Page 20, line 32—Leave out the word 'The' and substitute the words 'Subject to subsection (6), the'.

Page 20, after line 35—After subsection (5) insert new subsections as follows:

(6) For the purposes of subsection (5), subsection (2) *(b)* shall not apply in relation to a variation of an industrial agreement where the agreement was entered into before any relevant award was made.

(7) In this section a reference to a relevant award in relation to an industrial agreement means an award that apart from the industrial agreement would govern the conditions of employment of the employees to whom the industrial agreement relates.

The consequential amendments are necessary as a result of the amendment moved in the Upper House to clause 44, which will allow unregistered associations to continue to be able to enter into industrial agreements. To ensure that such unregistered associations do not contract out of awards and thereby undermine established Commission standards, the amendments provide that the Industrial Commission shall not approve such industrial agreements where there is a pre-existing award, unless they provide for conditions of employment that are no less beneficial overall than those prescribed by any existing award covering the employees concerned.

Under the Port Pirie Taxi Service (Question of Law) case decision reported in volume 46 of the South Australian Industrial Reports, the Full Industrial Court has construed the existing section 29 (1) *(f)* of the Act as not sanctioning the making of an industrial agreement where a relevant award pre-exists, so as to oust what would otherwise be the operation of that award on particular persons. That decision, however, left certain matters up in the air. Thus, it is not clear whether an industrial agreement filed after an award and which at a particular time is more beneficial in all of its terms than the relevant award would prevail over that award. The consequential amendments seek to amend section 108a to put that question beyond doubt so that such an agreement which is at least as beneficial in its terms could in fact prevail.

These consequential amendments will pick up the thrust of the existing law but at the same time will provide for greater flexibility than exists currently and, when taken together with the changes agreed to under clause 47, will allow agreements that are approved by the Commission to prevail over awards that would otherwise apply. Cawthorne in his discussion paper at page 147 canvassed this particular matter and argued that there was a case for unregistered associations being able to continue to enter into industrial agreements if the 'agreements entered into offered to members wages and conditions of employment which were, for example, not less beneficial overall than the terms of appropriate awards'. Cawthorne also was of the view 'that if parties wish to have an agreement which is enforceable before an industrial tribunal, then it is only proper that the terms of the agreement be no less favourable than general awards of the Commission which might otherwise bear upon the area of employment embraced by the agreement'. Page 147 and 148 of the discussion paper refers.

Cawthorne argued that, if such a procedure of vetting industrial agreements were adopted by the Commission prior to registration, it would tend to ensure that the members of unregistered associations not *au fait* with industrial terms and conditions of employment and unskilled in negotiation were not exploited by unscrupulous employers and, furthermore, would ensure that advantages won by the trade union movement were not eroded by agreement. The consequential amendments have been drafted having regard to the points raised in the Upper House concerning groups that have existing agreements, such as the Catholic schools. The consequential amendments preserve existing rights in relation to such agreements and will not require them to be brought up to prevailing award standards in those areas where there are no pre-existing awards.

The Hon. E.R. GOLDSWORTHY: I find it hard to accept that these are consequential amendments: that is, amendments moved to tidy up the legislation consequent on amendments made in another place. Indeed, the Minister is trying to carry much further the idea of the amendment moved by the Opposition in this place, which sought to restore to the legislation the provisions already there whereby unregistered organisations could have consent agreements registered by the Commission. We are now told that the consequential amendments are aimed at church and independent schools in respect of their staff. Therefore, they are not consequential in the sense that they are merely technical. They push further the ideas of the Government in relation to what it describes as the erosion of gains hard won by the trade union movement. These so-called 'consequential amendments' were not adopted by members of another place, and the Opposition opposes them.

Mr BAKER: The Minister will have to do better in his response than he did in his explanation of the amendments. He is now moving amendments that are inconsistent with the thrust of the Bill as it was prepared: he is trying to resurrect some of the principles he has lost because of the amendments carried in another place. The Opposition is totally opposed to this amendment. The Minister referred to Catholic schools. There is a non-profit organisation in the area that I represent: it is operating on a very small budget and has an agreement with its employees. However, its employees could be competing with many other employees, because their services are provided across a wide range of areas. It operates on a charitable basis and, therefore, does not pay the wages remuneration normally payable. I think that the Minister is trying to get his two bob back again. I think it is absolutely disgraceful that the Minister has regarded them as consequential amendments. The Minister should be honest enough to say that, because he is not happy with the amendments carried in another place, he is

trying to ensure that unions are not disadvantaged by the Commission should other agreements exist which provide lower rewards than are appropriate in an award pertaining to an unionised area.

Some comments have been made about collective bargaining and the 'new deal' in terms of wages and salaries offered by the Liberal Party in the Federal sphere. One of the most important things recognised by all industries is that they will survive and expand on their ability to pay. That is not recognised on the industrial scene today. I believe that, if Australia is to be considered a nation of substance in the world, it is essential that that principle be recognised and contained within industrial legislation, that is, industries with high productivity have a greater ability to remunerate their employees and that those with a lower level of productivity are less able to provide high levels of remuneration for their employees. Industries which can become efficient will do so to the gain of all, but there are those which are not efficient and which must be propped up by tariffs and a whole range of other mechanisms to the detriment of South Australia and Australia as a whole. I am totally opposed to the amendments. The Government is simply trying to get back a little bit of ground that was lost as a result of the amendments carried in another place.

The Hon. J.D. WRIGHT: I thought that I gave a long and fairly vivid explanation as to why the amendments are necessary. I am not trying to deceive anyone and I am not being dishonest, as the member for Mitcham suggested. They are consequential amendments, due to the defeat in another place of provisions in the legislation in regard to the unregistered and registered agreements. Certain provisions were reinserted into the Bill in another place. Those provisions were already part of the law of this State.

The Hon. E.R. Goldsworthy interjecting:

The Hon. J.D. WRIGHT: They were law in this State prior to the introduction of this legislation. The amendments carried in another place put back part of it, not all of it.

The Hon. E.R. Goldsworthy: Maybe they didn't want to put it all back.

The Hon. J.D. WRIGHT: In my view that was a mistake. That is why the word 'consequential' is used in these circumstances. Even the Liberal Party when it was in office did not seek to remove the present provisions.

The Hon. E.R. Goldsworthy: You are saying that the provisions are in the principal Act right now.

The Hon. J.D. WRIGHT: That is correct. I am saying that the consequential amendments take us back to the position that applied before the Bill went from this place to the Upper House. We are reconstituting the law that pertained prior to this Bill's introduction.

Mr BAKER: Can the Minister actually identify the provision in the principal Act that is being replaced? I have had a quick browse through the Act but have been unable to locate the provision. My original understanding was that unregistered agreements were appropriate when they were on terms that were fair and reasonable. I understood that that was the only qualification stipulated in the Act.

The Hon. E.R. GOLDSWORTHY: I, too, have had a quick look at section 108 of the principal Act (which is not a major section), and nowhere can I see the sort of provision that the Minister is seeking to introduce in terms of these amendments.

The Hon. J.D. WRIGHT: I think I have misled honourable members, and I apologise for that. This matter relates to common law as interpreted by the Commission. I refer to the judgment of the Port Pirie Taxi Service (Question of Law) case, which states:

This provision of the Industrial Act reads as follows:

'In exercise of its powers the Commission may—

(f) direct with due regard to local circumstances within what limits of area (if any) and subject to what conditions and exceptions (if any), an award shall be binding upon the persons engaged in an industry whether as employers or employees but, except as is provided by section 110 of this Act, no such award shall be made binding on any employers or employees who are for the time being subject to an industrial agreement;'

It is at once to be noted that section 29 (1) *(f)* is contained in a section of the Act which specifically relates to the range of powers which the Commission may exercise in making awards. It is divorced entirely from those provisions in the legislation comprising Part VIII of the Act, which constitute what appears to be a virtual complete code pertaining to industrial agreements.

Try as we may, we are unable logically to construe the provisions of section 29 (1) *(f)* in any other manner than as prohibiting the operation of an award in respect of parties to contracts of employment who are subject to an industrial agreement when the making of the award is in contemplation. The section does not, in terms, sanction the making of an industrial agreement (where a relevant award pre-exists), so as to oust what would otherwise be the operation of that award upon particular persons. Indeed, upon the *expressio unius* principle it must be taken to prohibit the making of such an agreement. The legislation is silent as to whether or not it is permissible to file an industrial agreement which, at a particular point in time, is more beneficial in all of its terms than a pre-existing award. It may well be that, particularly having regard to the provisions of section 32 (1) *(e)*, it is so permissible. But obvious practical problems would arise in the event of a later amendment of the relevant award. However, it is unnecessary finally to determine this point and we expressly refrain from so doing.

It follows that, if the matter rested purely upon section 29 (1) *(f)*, the question posed by the Commissioner would necessarily have to be answered in the negative.

However, by paragraph 6 of the instrument of reference, our attention was specifically directed to the provisions of clause 4 *(b)* of the award which stipulates that:

'(b) This award shall not be binding on those persons who are for the time being subject to an industrial agreement within the meaning of the Industrial Conciliation and Arbitration Act, 1972, as amended).'

The Hon. E.R. GOLDSWORTHY: It is perfectly clear to me that the Minister is saying that the Commission has had some difficulty with an apparent conflict between a couple of provisions in the legislation. However, I do not resile from saying that the Minister is trying to clarify the position in a way that is not currently provided for in the parent Act. The Minister is introducing new material.

Mr Baker interjecting:

The CHAIRMAN: Order!

The Hon. E.R. GOLDSWORTHY: I believe that there needs to be less rigidity in what the Minister is seeking to impose in terms of an agreement that can be reached and can be registered, even if details of that agreement are not superior to what exists in other awards. On a matter of principle, I part company with the Minister. First, the Minister is not seeking to reintroduce into the Bill material that is already there. He is seeking to clarify something which has arisen as a result of difficulties of interpretation which he finds elsewhere. The Minister is seeking to go further than what is contained in the parent Act. Secondly, I do not agree with what he is trying to do, anyway. For those reasons, I oppose the amendment.

Mr BAKER: I think that the Minister has his cases the wrong way around. He was dealing with an agreement of greater value than the actual award. The Minister's long explanation probably confused everyone, except those with legal abilities. I refer to the famously quoted section 29 (1) *(f)*, which provides:

direct with due regard to local circumstances within what limits of area (if any) and subject to what conditions and exceptions (if any), an award shall be binding upon the persons engaged in an industry whether as employers or employees but, except as is provided by section 110 of this Act, no such award shall be made binding on any employers or employees who are for the time being subject to an industrial agreement;

That is fairly clear. There is no conflict with section 29 (1) *(f)*. It simply provides that no award will be allowed to be made which is the subject of an industrial agreement. Section 32 (1) *(e)* provides:

prevail over any contract of service or apprenticeship or over any contract or agreement under which services are or are to be rendered so far as the terms of the award are more beneficial to the employee than those of the contract or agreement and the contract or agreement shall thereafter be construed and have effect as if it has been modified, so far as necessary, in order to conform to the award but no provision of an award which is at variance with a provision of the Apprentices Act, 1950, as amended, shall have effect so as to vary the terms of an apprenticeship;

There is no conflict, except in the turn-around case, which is not the case that we are considering. The Opposition is totally opposed to this amendment unless its necessity can be proven in a better statement in simple English. I cannot see that it is necessary, having looked at the matter raised by the Minister in the case of the Port Pirie Taxi Service and having looked at the conditions which prevail in the existing Act, which have not been altered. There is no conflict requiring the insertion of this provision.

The Committee divided on the motion:

Ayes (19)—Mr Abbott, Mrs Appleby, Messrs L.M.F. Arnold, Bannon, Crafter, Duncan, Ferguson, Gregory, Groom, Hamilton, Hemmings, Hopgood, and Klunder, Ms Lenehan, Messrs Payne, Peterson, Slater, Trainer, and Wright (teller).

Noes (17)—Mrs Adamson, Messrs Allison, P.B. Arnold, Baker, Becker, Blacker, D.C. Brown, Eastick, Evans, Goldsworthy (teller), Gunn, Ingerson, Lewis, Meier, Oswald, Wilson, and Wotton.

Pairs—Ayes—Messrs Keneally, Mayes, Plunkett, and Whitten. Noes—Messrs Chapman, Mathwin, Olsen, and Rodda.

Majority of 2 for the Ayes.

Motion thus carried.

ROAD TRAFFIC ACT AMENDMENT BILL

Returned from the Legislative Council with the following amendments:

No. 1. Page 2 (clause 4)—Leave out the clause.
No. 2. Page 3 (clause 9)—Leave out the clause.
No. 3. Page 3 (clause 10)—Leave out the clause.
No. 4. Pages 3 and 4 (clause 11)—Leave out the clause.
No. 5. Page 4 (clause 14)—Leave out the clause.

Consideration in Committee.

Amendments Nos 1 and 2:

The Hon. R.K. ABBOTT: I move:

That the Legislative Council's amendments Nos. 1 and 2 be agreed to.

Motion carried.

Amendment No. 3:

The Hon. R.K. ABBOTT: I move:

That the Legislative Council's amendment No. 3 be disagreed to but that the House of Assembly make the following amendment in lieu thereof:

Leave out the passage 'six hundred dollars' and substitute the passage 'two thousand dollars' and insert the passage 'penalty: six hundred dollars'.

The effect of this amendment is to remove from subsection (2) of section 152 the specific penalty thus leaving the general penalties under section 164a of the principal Act to apply to offences under that subsection. The Government proposes to bring section 9 of Act No. 91 of 1982 into operation at the same time as the current Bill is brought into operation. The effect of bringing section 9 of Act No. 91 of 1982 into operation is to increase the general penalty under the principal Act from 'not exceeding $300' to 'not exceeding $1 000'. Therefore, the penalty for an offence under section 152 (2) will be a fine not exceeding $1 000.

The Hon. D.C. BROWN: I was about to raise the point that we have not yet got our amendments. I have just had a copy of the amendments handed to me. I do not know how this Parliament can operate—

The CHAIRMAN: Order! The member for Davenport's comments are completely out of order. It is not the Chair's responsibility.

The Hon. D.C. BROWN: I would have thought it highly relevant. How can this Parliament consider amendments when members do not know what they are considering?

The CHAIRMAN: Order! I assure the member for Davenport that upon inquiry I was told that the amendments were distributed last Thursday. If he has not got a copy that is his fault and he cannot reflect on the Chair.

The Hon. D.C. BROWN: I was not attempting to reflect on the Chair, but I invite the Chair to look at my Bill file, because there is certainly nothing there about those amendments.

The CHAIRMAN: Order! The Chair does not intend to allow the member for Davenport to continue in that vein. The question before the Chair—

The Hon. D.C. BROWN: I am on my feet. The first amendment was passed before I had a copy to know what the amendment was about. Other members are in exactly the same position. If you look at my Bill file, Sir, you will see that it is not there. I will remain on my feet until members get a copy. Every member is entitled to a copy of the amendments. This Parliament cannot possibly proceed until members have it.

The CHAIRMAN: Order! The Chair does not intend to let the member for Davenport continue in that vein. The Chair can only repeat what it said: the amendments were distributed last Thursday.

The Hon. D.C. BROWN: Why are they not on the Bill file?

The CHAIRMAN: The Chair is not in a position to debate that sort of query with the member for Davenport.

The Hon. D.C. BROWN: All I can say is that until I know why the amendments are not around the Chamber I cannot possibly expect members to carry on a debate. Therefore, I move:

That progress be reported.

The Committee divided on the motion:

Ayes (17)—Mrs Adamson, Messrs Allison, P.B Arnold, Baker, Becker, Blacker, D.C. Brown (teller), Chapman, Evans, Goldsworthy, Gunn, Ingerson, Lewis, Meier, Oswald, Wilson, and Wotton.

Noes (19)—Mr Abbott (teller), Mrs Appleby, Messrs L.M.F. Arnold, Bannon, Crafter, Duncan, Ferguson, Gregory, Groom, Hamilton, Hemmings, Hopgood, and Klunder, Ms Lenehan, Messrs Payne, Peterson, Slater, Trainer, and Wright.

Pairs—Ayes—Messrs Ashenden, Mathwin, Olsen, and Rodda. Noes—Messrs Keneally, Mayes, Plunkett, and Whitten.

Majority of 2 for the Noes.

Motion thus negatived.

Mr GUNN: I take it that we are dealing with the amendment to clause 10, which greatly increase the fines which can be imposed. Clause 10 amends section 152 of the principal Act by striking out of subsection (2), the passage '$600', and substituting the passage '$2 000'. Will the Minister explain his alternative amendment. He will recall that when this matter was debated at length many of us had a wide-ranging number of complaints relating to activities of inspectors, the quite irresponsible manner in which they discharged their duties, and the great inconvenience inflicted

upon many of our constituents trying to make an honest living. What does the Minister mean by amendment No. 3? We could then determine what course of action to take. I assure the Committee that a great deal could be said about this clause and the other amendment and I could easily take up my 45 minutes, but I do not wish to do so. Unless we have some satisfaction, I assure the Committee that I will have a bit to say on behalf of the people I represent.

The Hon. R.K. ABBOTT: It is difficult to understand the amendment. I had some trouble myself, but once it was explained it became quite clear. I do not know whether the honourable member was in the Chamber when I moved it, but its effect is to remove from section 152 (2) the specific penalty, thus leaving the general penalty under section 164a of the principal Act to apply to offences under that subsection. Under the principal Act the penalty was $600. The original Bill attempted to amend that by inserting a penalty of $2 000. When the matter was being debated in another place that was not agreed to because of concern about Bill No. 91 of 1982, which had not been proclaimed. So, the Government intends to bring section 9 of that Bill into operation at the same time as the current Bill is proclaimed. The effect will be to increase the general penalty under the principal Act from 'not exceeding $300' to 'not exceeding $1 000', which conforms with the earlier amendments. I apologise to the Opposition for the non-circulation of these amendments.

The Hon. E.R. Goldsworthy interjecting:

The Hon. R.K. ABBOTT: No, it will be $1 000 in line with the others when they are both proclaimed. I was not aware that the amendments had not been circulated. Perhaps it was the printer's fault. However, I discussed the matter with the Leader (Hon. Martin Cameron) in another place, and he indicated his agreement to this. We attempted to contact the member for Davenport, but unfortunately, he was not available. However, the Hon. Mr Cameron said that he would take up the matter with the member for Davenport to explain it, and I hope that he did that. That is the situation. That penalty will be in line with all the others when both Acts are proclaimed at the same time. We can proclaim sections of that Act: that was checked out. We may not be able to proclaim the other provisions in the amending Bill until the ERVIL and NAASRA regulations are decided.

The Hon. D.C. BROWN: First, I appreciate the fact that we now have the amendments. Secondly, the Hon. Martin Cameron did discuss the amendments with me and I think that I indicated to the Minister last week that I was quite happy with the amendments as agreed by another place and now as agreed by the Government. It means in effect that what the Liberal Party in Opposition argued in this Chamber when this Bill was first debated has been largely achieved. First, we asked for certain sections of the Act passed in 1982 to be proclaimed, and the Minister is now doing that. We said that the Minister already had the power, and I am delighted to see that he has acknowledged that and is using the power to increase the penalties. Certainly we have been successful in having the other objectionable provisions knocked out. I think that it is fair to say that the only other area related to the fee schedule, to which I will refer shortly. However, we support the amendments because they achieve what we set out to achieve to start with.

Mr GUNN: I thank the Minister for the explanation, because it was a matter of considerable concern. I hope that it now overcomes the problem that many of us saw fit to raise when the matter was before the Committee earlier. I hope sincerely that the Minister has been in a position to pass on to the appropriate officers the concern expressed in the Chamber. The last thing I want to do is debate at length and be as critical as some of us were, but we had no alternative. I sincerely hope that in future we will not have to go even further than we did on that occasion, because we could. I thank the Minister, and hope that the amendment to clause 10 will overcome the obnoxious provisions of the original legislation.

Motion carried.

Amendment No. 4:

The Hon. R.K. ABBOTT: I move:

That the Legislative Council's amendment No. 4 be agreed to.

Mr GUNN: This strikes out perhaps one of the most objectionable provisions in the Bill. This is an amendment to clause 11, which amends section 156 of the principal Act, dealing with the unloading of excess weights, and which states:

> A person who contravenes or who fails to comply with a direction given to him by an inspector or a member of the Police Force under subsection (1) is guilty of an offence and liable to a penalty . . .

And there is a minimum amount, which is not less than $1.75 and not more than $10 for every 50 kilograms for the first tonne of mass carried in excess of the permitted maximum, and not less than $10 and not more than $20 for every 50 kilograms thereafter. I recall an earlier occasion when the member for Mallee successfully had what I think is a most objectionable provision struck out. Where a person has unwittingly committed a minor offence, he can be dragged before the court. Unfortunately, over-zealous inspectors are out of touch with reality and are harassing people to the extent that, to arm them with a provision like this, would mean that people would be charged with offences relating to two or three kilograms. I know how these characters operate. Also if a person slightly exceeds a permit, that permit is forgotten about. We have given the examples and I am very pleased that the Minister has accepted this amendment from the other place.

Motion carried.

Amendment No. 5:

The Hon. R.K. ABBOTT: I move:

That the Legislative Council's amendment No. 5 be disagreed to.

In disagreeing to this amendment, I made it clear when we debated the Bill that the increased charges for inspection of vehicles would be by regulation, so those regulations will come before both Houses for debate or otherwise.

Mr GUNN: I am not happy with the Minister's attitude, because I have given examples where people have had to take vehicles great distances at great inconvenience. I take it that they will now be charged even more. It is all very well to say that Parliament will have an opportunity to examine the regulations. For all my sins or otherwise, I happen to be a member of the Subordinate Legislation Committee, and it is very difficult for the Parliament to consider regulations. There is no way that a member of this place can bring on a debate, even in regard to the most obnoxious regulations, because private members' time has expired. The regulation can be debated in another place, but that is a lengthy process and the Subordinate Legislation Committee is so loaded that it is almost impossible for people to give evidence. Even after people have given the most damning evidence on some regulations, Government members normally close ranks and what will take place is a foregone conclusion.

Therefore, I hope that in bringing forward any regulations the Minister will enter into extensive discussions with people in industry and others who could be affected. I know that we all from time to time say that people have a right to move to disallow regulations. However, I ask the Minister how in the name of hell can any member of the House of Assembly move to disallow these or any other regulations. Private members' time has expired and by the time the next

session starts, the 14 sitting days will have run out. Therefore, there is no way that any member of the House of Assembly can bring on a debate.

A member of the Legislative Council could bring forward a debate, but that is very time consuming, so I hope that, unlike what has taken place with other regulations, proper discussions will take place. I cited examples about regulations dealing with tow trucks and taxi licences. The Minister knows the sort of exercise that the Subordinate Legislation Committee is being put through in relation to these regulations. It has almost been asked to hold a complete inquiry and is acting more like a Select Committee than a Subordinate Legislation Committee. I ask the Minister to accept the amendment. It is very easy to say that it can be dealt with by regulation, but it is a very difficult course for any member to attempt to disallow them.

The Hon. R.K. ABBOTT: I point out again that this matter was agreed to by the Hon. Mr Cameron in another place. I appreciate the points made by the member for Eyre, but surely the Government is entitled to recover some of the costs associated with inspections. That is all that we are attempting to do. The inspection centre at Regency Park is supposed to be self supporting, but at the moment, with the $20 limit on the charge that can be made, it is going down hill further and further. We want to recover some of its costs. This amendment means that any increases in charges will be made by way of regulation which will come before both Houses of the Parliament, thereby allowing members to argue whether or not they are too high.

The Hon. D.C. BROWN: I support the amendment. I believe that the Minister should not have an unfettered right to increase fees however he likes, even though this will be done by regulation.

The Hon. R.K. Abbott interjecting:

The Hon. D.C. BROWN: I appreciate that the Minister has undertaken to do this by regulation, which is an improvement on the previous proposal. However, I believe that the Minister had the option of increasing fees. I proposed an amendment when the Bill was first before the House to increase the fee from $20 to $30 maximum. That would have allowed the Minister to increase total revenue collected by about 50 per cent. The Minister has said that he wants the right to collect extra money. We gave him that right in line with the consumer price index increase by way of that proposed amendment.

The Hon. R.K. Abbott: An amount of $30 is too high in some cases and not high enough in others.

The Hon. D.C. BROWN: The Minister wants unlimited right to set fees at any level.

The Hon. R.K. Abbott: No, by regulation.

The Hon. D.C. BROWN: The Minister wants the right to set fees at any level by way of regulation. I believe that he should not have that right. Therefore, the Opposition is supporting the amendment moved in the Upper House and will vote against the motion.

Mr GUNN: I appreciate what the Minister has said about the right of the Government to recover costs from such operations. This has been a very expensive facility to set up, it must be efficiently manned, and people have to be trained. However, I believe, as a result of complaints I have received, that many of the people there are not adequately trained and do not know what they are about.

The Hon. R.K. Abbott: We need more inspectors.

Mr GUNN: I do not know that we need more inspectors, but people employed at the centre should have a wide mechanical experience, which takes time to gain. It concerns me that the Minister can increase fees by way of regulation. If people have defect notices placed on their vehicles, many will have to bring that vehicle a long way to have it inspected. I quoted the case of a person who had to come 250 kilometres to Adelaide for an inspection relating to a faulty trafficator. He also had a faulty tail light. Surely, under such circumstances, the problem could be overcome by the person getting a certificate from the local garage, without his having to come to Adelaide to be dealt with by people who do not know what they are about and who, to put it mildly, have displayed arrogance and other characteristics that do not enhance their standing in the community.

I think that the other place has acted correctly in this matter, and I will be forced to vote against this proposal. It is very well to stand up and say that members of both Houses will have an opportunity to consider fee changes that are proposed by way of regulation, but it is virtually impossible at this stage for the House of Assembly to consider regulations introduced during the next few months, because the Government will not agree to suspend Standing Orders to allow that to be done. If the Minister will give an undertaking that the Government will agree to suspend Standing Orders to allow regulations such as these to be considered if there is an objection to them, then that is a different matter.

That is unlikely because, unfortunately, this Parliament will sit for only 20 days in the first half of the year (which is a joke), and there is no opportunity for the consideration of regulations. It is quite wrong to say that the House will have an opportunity to consider them. We will test the Minister shortly when regulations are introduced and when we move to suspend Standing Orders to allow them to be discussed. I hope that he will then explain how any member of this House can bring on a debate so that all points of view can be heard and the people to be affected have an opportunity for their case to be put before the Parliament.

I understand that there is a time problem associated with this debate, so I will not turn to other comments I had intended to make. I regard it as a fundamental democratic principle that as much as possible should be put into legislation and as little as possible in regulations, and on rare occasions only proclamation should be used. Proclamation is the worst way of introducing any provision. Regulations are nearly as bad because of the manner in which they are currently dealt with.

Mr LEWIS: I support the remarks of the member for Eyre, because that is the reality of the matter. Section 23 of the Act, introduced by the former Government in 1981, was agreed to on the grounds that the fee paid would never exceed $20. It is a gross imposition on people who have to drive several hundred kilometres to have an inspection done to require them on arrival, and after meeting that enormous expense to get from wherever they were to the inspection centre in the metropolitan area, to pay a fee that the Government can vary in any way it sees fit. In this instance, as with all Government charges and taxes, we can expect this fee to escalate at a rate that suits the Government, which will use it for revenue harvesting purposes.

There was a clear indication of the Minister's unwillingness to give a commitment in this direction in an answer he gave today to a question about drivers licence fees (even though the Premier a few weeks ago said that no such increase was contemplated in the forthcoming Budget) when he prevaricated about that matter. Therefore, we can take it that he is softening us up for an increase in the drivers licence fee. There is no way that the people who have to suffer the consequence of this inspection have any recourse to natural justice in what they are charged or why they are charged an amount. I guess it is the latter that is the most galling aspect of any big Government bureaucracy.

Members of the public who operate and/or own transport equipment which will be subjected to this kind of inspection, even though they may howl, will be doing that in vain. As

the member for Eyre has pointed out, it is virtually impossible to get a motion before this House, let alone get a matter related to Government regulations debated and understood in this place during private members' time. This is a crude, wild and unrestricted method by which the Government can obtain revenue for any purpose whatsoever. It is quite unaccountable and does not respond in the usual way to the control of the Parliament. We have no chance whatever to amend any regulation that may be introduced. All that we can do is implore members to disallow the regulation. In this case, if a regulation is introduced under this provision, without limit, a motion to disallow that regulation will abolish the fee completely. That would be

Motion carried.

The following reason for disagreement was adopted:

Because the amendments would render the administration of these sections of the Act unworkable.

POWERS OF ATTORNEY AND AGENCY BILL

Adjourned debate on second reading.

(Continued from 27 March. Page 2848.)

The Hon. H. ALLISON (Mount Gambier): The Opposition supports the Bill, which arises from the 47th Report of the South Australian Law Reform Committee to the former Attorney-General (Hon. K.T. Griffin), relating to powers of attorney. That report was presented in 1981, and legislation arising from that comprehensive report would have been introduced by the previous Liberal Government. One of the major deficiencies in the legislation is that at common law, when a person who grants a power of attorney subsequently ceases to have the necessary mental capacities, the power that was granted to the attorney automatically ceases. It has been obvious to many members of the legal profession that that point was not realised in so far as sons and daughters of people who were no longer of sound mind believed that they still had the right as power of attorney to exercise that power on behalf of their aged but incompetent parents. The legal profession had access to other pieces of legislation: namely, the Aged and Infirm Persons Property Act, which provided some mechanism for application to the Supreme Court for the appointment of manager of the estate of an aged or infirm person; and the Mental Health Act, which provided for the appointment of a guardian. At common law there is also an old but relatively unused power for those who are legally insane, and the Supreme Court can appoint a committee.

The principal amendment in the Bill overcomes the difficulties that have been referred to, and one of the more pleasing features is that the power of attorney will have, under the Bill, power to endure, notwithstanding the subsequent lack of capacity of the person who gave that person the power of attorney. Protective provisions include one stipulating that anyone who signs as a witness to the act of attorney has to be a qualified witness, and that qualification is spelt out in the Bill. There is also a provision that in the event of incapacity the attorney must act in the best interests of the grantor. Further, the attorney is not allowed to resign or retire as attorney unless he has the approval of the Supreme Court.

The Hon. G.J. CRAFTER (Minister of Community Welfare): I thank the Opposition for its support of the measure, which forms part of a package of legislation resulting from recommendations of the South Australian Law Reform Committee's 47th Report, dealing with powers of attorney. I am pleased that the Government has been able to bring into effect several of the recommendations of the committee. There has been a log jam of reports that have been lying dormant for some years. The passage of this Bill in particular will give further heart to that committee, which performs important work in the field of what might be termed lawyers' law. As has been said, this legislation impacts on the lives of ordinary people in this State. These reforms have become a reality in other places in the common law world, and it is timely that we bring our law into line with the law in other places and provide the relief that is so important, especially to those families that are distressed because of the inability of the law to cope with the situation that this Bill remedies.

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

LAW OF PROPERTY ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 27 March. Page 2849.)

The Hon. H. ALLISON (Mount Gambier): Again, the Opposition supports this Bill, which provides for a deed to be executed by a person on behalf of another. Once again, the amendment is a result of a recommendation from the South Australian Law Reform Committee on powers of Attorney. It especially applies to those who are physically disabled but of sound mind and otherwise unable to execute a deed personally. The party executing the deed on behalf of that person has to sign in the presence of a person on whose behalf he is acting. Further, such persons must also sign in the presence of an attesting witness or witnesses where one of those is legally authorised to take affidavits. The Oppostion considers that this is an acceptable piece of legislation, and we support it.

The Hon. G.J. CRAFTER (Minister of Community Welfare): I thank the Opposition for its support of this measure. This is one of four Bills that we are currently considering which will provide the reform that has been recommended by the Law Reform Committee.

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

EVIDENCE ACT AMENDMENT BILL (No. 3)

Adjourned debate on second reading.

(Continued from 27 March. Page 2849.)

The Hon. H. ALLISON (Mount Gambier): The Opposition supports this legislation which arises from a report of the Law Reform Committee. Basically, the Bill seeks to provide that a certified facsimile copy of an original document is admissible evidence of the contents of the original document, and procedures are laid down to provide that all precautions are taken to ensure that the copy produced is in fact a facsimile copy of the document of which it purports to be a copy. There has to be a certificate signed by a person authorised by law to take affidavits. There are also penal provisions, particularly in proposed new section 45c(6), which provides:

A person who signs a certificate under this section knowing it to be false shall be guilty of an indictable offence and liable to be imprisoned for a term not exceeding two years.

While the legislation was passing through the other place, the former Attorney-General queried the situation where a person purporting to be a commissioner for taking affidavits was not in fact a commissioner. The response given was that there is ample cover for this in the Criminal Law

Consolidation Act and that it is an indictable offence to take such action without statutory authority. The Opposition supports the legislation.

The Hon. G.J. CRAFTER (Minister of Community Welfare): I thank the Opposition for its support of this measure.

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

LAW OF PROPERTY ACT AMENDMENT BILL (No. 2)

Adjourned debate on second reading.
(Continued from 27 March. Page 2850.)

The Hon. H. ALLISON (Mount Gambier): The Opposition supports this Bill. It arises from a proposal from the Law Society of South Australia to amend the law in relation to joint ownership of property where one or more of those joint owners is a body corporate. As members are no doubt aware, at common law it is not possible for bodies corporate to be joint tenants of real property with individuals. A joint tenancy between two or more individuals means that on the death of one it automatically passes to the survivor or survivors, regardless of what is provided in the will. This is to be contrasted with a tenancy in common which is a joint ownership where each owner owns an undivided moiety which does not pass upon the death of one joint owner to the survivor but can be dealt with according to the deceased joint owner's will.

The amendment allows a body corporate to hold real personal property in joint tenancy. That means that where a body corporate is a joint tenant the property will pass to the other joint tenant if and when the body corporate dissolves. The common law rule that bodies corporate could not hold property in joint tenancy was abrogated by Statute in England in 1899 and subsequently in New South Wales, Victoria, Queensland and Tasmania. We support the legislation.

The Hon. G.J. CRAFTER (Minister of Community Welfare): I thank the Opposition for its support of this measure. This matter arises not from the Law Reform Committee but from the representations made to the Government by the Law Society of South Australia. It overcomes a quaint anomaly in the law. Paragraph 528 of Halsbury, fourth edition, volume 39, states:

> At common law a corporation aggregate could not be joint tenant with an individual or another corporation aggregate, whether of freehold or of chattels real; nor could a corporation sole be joint tenant with an individual or another corporation sole of freeholds, although perhaps it was otherwise as regards chattels real. However, by Statute bodies corporate are put on the same footing as individuals as regards the holding of real or personal property in joint tenancy.

It seems that the anomaly that arose was cured in England by the Bodies Corporate (Joint Tenancy) Act, 1899. That legislation was followed in New South Wales in the Conveyancing Act, 1919; in Queensland in the Real Property Act, 1861; in Tasmania in the Conveyancing and Law of Property Act, 1884; and Victoria amended its law as recently as 1958 with the Property Law Act. So, it remains for Western Australia and South Australia to bring their law into the twentieth century. This Bill provides for that in South Australia, albeit belatedly. Western Australia will now be the only State to not have remedied this anomaly that exists or, indeed, more a relic, in the law, of past concepts of relationships between bodies corporate and individuals.

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

COMPANIES (ADMINISTRATION) ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 10 April. Page 3411.)

The Hon. H. ALLISON (Mount Gambier): The Companies (Administration) Act, 1982, established the Corporate Affairs Commission. This Bill provides for an Assistant Commissioner for Corporate Affairs. Section 6(3) of the principal Act provides that the Commission shall be comprised of the Commissioner and the Deputy Commissioner. This Bill seeks to include an Assistant Commissioner as part of the Commission. The Opposition supports the legislation, particularly if this addition facilitates the work of the Commission. We are also pleased to note that the Commission is requested to report annually by 31 December, thus ensuring that information will be made available promptly to the public. The only question I have, to which the Minister may care to respond immediately, is whether the Commissioner, the Deputy Commissioner and the Assistant Commissioner will together act as a Commission or whether separately they can constitute the Commission.

The Hon. G.J. CRAFTER (Minister of Community Welfare): I thank the Opposition for its support of this measure. The member for Mt Gambier has raised the matter of practices within the Commission, and I will obtain that information for him from the Minister of Corporate Affairs in another place. This legislation seeks to provide a change in the administration of that office which is an important sector of Government activity and one in which I was employed for a brief period. I am sure that all members would want to ensure that that office provides to the community the service that is required of it, and I refer particularly to its relationship with other States in the national structure for corporate matters in this country.

The other aspect of this legislation is the requirement that the Corporate Affairs Commission prepare an annual report which is a matter that I might have raised in Estimates Committees some years ago. I am sure that this move will be welcomed by those people in the community who are concerned about corporate matters, particularly by investors in this State, to the extent that they are given information on the activities of that office.

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

FISHERIES ACT AMENDMENT BILL (No. 2), 1984

Adjourned debate on second reading.
(Continued from 10 April. Page 3412).

The Hon. P.B. ARNOLD (Chaffey): The Opposition supports this Bill, which virtually brings the 1982 Fisheries Act into line with the 1971 Act. The measures currently before the House were debated at some length recently when they were introduced into the 1971 Act. This legislation has the support of AFIC and the Abalone Divers Association, particularly in so far as it concerns the Minister's control within the prawn and abalone fisheries, whereby the Minister can, by notice in the *Gazette* (rather than, as is presently the case, the matter having to go through Executive Council and come in to effect by proclamation), change the opening and closing dates of the prawn and abalone fisheries. The Opposition has no objection to those provisons and, in fact, supports them.

However, what concerns me is the fact that this Bill has been received from another place in an amended form from the original Bill introduced in the Legislative Council.

Unfortunately, however (and we have seen this happen on a number of occasions just recently), the second reading explanation given in this House by the Minister representing the Minister of Fisheries in another place is the original second reading explanation given in that Chamber, and takes no account of the amendments made in that Chamber prior to being received in this Chamber for further consideration. That is not good enough. The Government is treating the Parliament with contempt when it does that sort of thing and, if one goes back a week or so to the Controlled Substances Bill, one will recall that when it arrived in this Chamber, the second reading explanation which accompanied it from another place bore no resemblance to the Bill whatsoever. That is making an absolute farce and mockery of the Parliamentary procedure. I believe that the Minister of Education has far more respect for the Parliamentary process and the institution of Parliament than that, and I would ask him to take my comments on board and, in the interests of proper Parliamentary procedure, ensure that Bills emanating from another place, if amended in that place, be accompanied by a second reading explanation also amended to match the measure being introduced in this Chamber. The Opposition supports the Bill.

Mr INGERSON (Bragg): I rise to support the comments made by the member for Chaffey. It is clear from the comments I made the other day on another Bill that there were many explanations that did not come before this Parliament through the regulations. In this case, the amended Bill does not bear any relation to the second reading explanation, and there was a similar occurrence concerning the Controlled Substances Bill last week. This Parliament ought to be treated with more respect than it appears to be receiving at present, and I hope that the Minister will take that on board. I heartily support the comments of the member for Chaffey.

Mr BLACKER (Flinders): I support the Bill, which revolves around the need for the industry to be able to regulate or vary opening and closing dates at the earliest possible time. I refer particularly to the prawn industry where, upon the opening of a season in conjunction with the Department, it carries out test trawls to ascertain whether the fish are mature and the shells have hardened. If that does occur, then it is recommended that the season be opened. If on the other hand, by some quirk of fate or nature, the fish happen to be slow in development, it would be unwise to trawl at an early stage, and the Bill allows the Department to amend immediately the closure date and give legal backing to it, so that proper enforcement regulations can apply and so that the industry can regulate its own fishery. At the same time, it acts in the best interests of not only the resource but also the fishermen involved, and by so doing will ensure that a better quality of product is achieved, as a result of which, generally speaking, the whole industry can benefit.

Even though there are provisions for temporary prohibition of certain fishing activities, whilst it occurs through the legislative process, it may not be effective enough or quick enough in its application. One fisherman indicated that the industry was looking for something which could be implemented almost overnight and, whilst I realise the impracticality of such a suggestion, I can certainly sympathise with the industry in this respect. The whole industry may be ready, willing and fuelled to go trawling but, if the fish shell is soft and it is desirable that the fish should be left a few more days, it is sometimes not possible or practical for Executive Council to be called together to regulate for the opening and closing of a fishery.

I support this Bill because it has that effect. My other point relates to transfer of the licences. I think all those members who have fishermen living in their districts would have encountered this problem. Some years ago an abalone diver was taken by a shark as he was coming ashore and, as a result, his family suffered incredible devastation. The industry and members of Parliament were sympathetic, but at that stage nothing could be done. However, this provision provides some relief for a bereaved family. They can get some benefit from the industry in which their husbands were formerly involved. The measure is good in that way, so far as it goes.

The Hon. LYNN ARNOLD (Minister of Education): I thank honourable members for their support of this Bill, which the Government appreciates. The comments made by honourable members about the failure of the second reading speech to reflect some changed circumstances are most certainly noted. I apologise for that and will pass the message on to my colleagues. I appreciate that it does not serve members well when the speech that they refer to determine the nature of the Bill does not reflect what the Bill provides. It clearly makes it a useless document. I will refer honourable members' comments to my colleague in another place. I am sure that he would agree with my appreciation of the support of all members in this House for the Bill.

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

APIARIES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 4 April. Page 3204.)

Mr LEWIS (Mallee): The Opposition supports this measure, but I have some personal reservations about it. It is reported that about 75 per cent of beekeepers support the proposition to allow the Government to give authority for the collection of such funds as may be necessary to compensate people who have an inspector's order placed upon their swarms of bees and the hives in which bees live because they have some disease requiring them to be destroyed. I am concerned that circumstances may cause public expense to be involved. The Bill contains no assurance whatever that that could not happen.

I seek from the Minister an assurance that the Government will not use taxpayers' money to pay compensation to beekeepers when the compensation payable exceeds the total funds collected and placed in this fund. Clause 6 amends section 8 of the principal Act by inserting:

8a. (1) There shall be a fund at the Treasury entitled the 'Beekeeper's Compensation Fund'.

(2) There shall be paid into the fund—

(a) the contributors required to be paid in accordance with section 8b;

and

(b) such amounts as are paid from the general revenue of the State under subsection (4).

(3) There shall be paid out of the fund—

(a) any amount payable as compensation pursuant to section 8c;

(b) any expenses certified by the Treasurer as having been incurred in administering the fund—

this is to pick up the tab for any costs that the Treasury may incur in looking after the outfit, wiping its nose, and so on—

and

(c) any amount required to be paid in accordance with the terms and conditions of an advance made under subsection (4).

Subclause (4) provides:

Where the amount standing to the credit of the fund is not sufficient to meet payments of compensation under section 8c, the Treasurer may, at the request of the Minister, advance from the general revenue of the State (which is appropriated to the necessary extent) such amount as is necessary to cover the insufficiency.

Subclause (5) provides:

An advance under subsection (4) shall be made upon such terms and conditions as the Treasurer may determine.

Presumably, that means that a repayment can be made to the fund from the fees collected. Subclause (7) refers to the Auditor-General's responsibility for investigating matters. Clause 8b provides:

(1) Every registered beekeeper must make a triennial payment to the Minister, in accordance with the regulations, of the prescribed amount.

(2) A payment received by the Minister under subsection (1) shall be credited to the fund.

(3) If a registered beekeeper fails to pay the prescribed amount within the time allowed for payment by the regulations, his registration shall, by virtue of this subsection, be suspended until the payment is made.

(4) A committee comprising an officer of the Department of Agriculture and three representatives of beekeepers shall be appointed by the Minister.

(5) The committee shall have the function of recommending to the Minister the rate that should, in its opinion, be fixed as the prescribed rate.

(6) The Minister may, from time to time, upon the recommendation of the committee, fix an amount per frame-hive as the prescribed rate.

I ask the Minister whether those three representatives in subclause (4) will be commercial beekeepers and not just hobby buzzers.

A standard hive is a box that stands about a foot high and contains frames as standard equipment. Some of those boxes are stacked one on top of the other. They are manufactured in a fashion that enables them to be built up into supers, triples, and so on, up to four or five high, so that there could be a very strong swarm living in the one stack. That is a very efficient way of collecting honey, because one reduces the total number of queens and drones in the colony. I have taken the trouble to deliberately read that portion of the Bill into the record because it is the basis of my concerns and reservations about this measure. There is a diminishing world market for Australian honey, and to my certain knowledge the prospect of diminishing prices in the world market in the future as beekeepers well know.

I will explain the reason for that before going on to my second point. About 20 years ago China was a completely insignificant producer of honey on the world scene. Slightly more than 10 years ago it produced about 40 000 tonnes. In 1972 its production had risen to 45 000 tonnes—an estimate made by the United States Department of Agriculture. It is a pretty accurate estimate by virtue of the mechanisms at the U.S. D.A.'s disposal to obtain that information. However, during the ensuing 10 years the Chinese Government adopted a policy of deliberately expanding its apiary industry as rapidly as possible, because it knew that it had several natural advantages in China for that course of action.

China has an ideal climate in a large part of the subcontinent in which to establish large numbers of hives. China has very inexpensive labour for the management, maintenance and care of hives and the swarms in them. Beekeeping technology is well known to the Chinese. They have access to better strains of bees from around the world, and they have embarked upon a programme of carefully selecting those strains most suited to their environment. The Chinese will for ever be able to thrash the Australian beekeeper soundly on price by virtue of the lower cost and greater efficiency over an extended period of time each year through which their bees can work.

Further, the Chinese do not have the high cost of relocating bees in relation to honey flow and pollen flow fluctuations, as do Australian apiarists. Honourable members may be interested to learn that beekeepers will travel at night (as much as 400 or 500 miles if necessary and if possible) to relocate their bees from a depleted honey or pollen flow to another part of the continent (perhaps interstate), where they believe or have heard that there is either a honey or a pollen flow, depending on what they want. That kind of expense is substantial, not only in the variable expenses involved in that operation on a one-off basis but also in relation to the capital that a beekeeper has tied up in pallets, a forklift and a substantial truck on to which he can quickly load his hives after shutting them at sunset.

That high expense, plus the high cost of labour and living relative to Australian beekeeping, makes it impossible for Australian beekeepers to contemplate the prospect of being able to sell continually any excess production (and it is substantial now) on the world market. As China increases its production, it will simply lower its price to beat the competition to sell the last kilogram that it has. China is now operating its beekeeping industry on what economists would describe super-normal profits, way above the interest rate return on capital.

Given that it is a State-owned enterprise (at least in part), the Chinese economy could expect to be much further in front in its honey industry than if it were to invest in another industry. The only factor in the Chinese economy that is slowing down the rate at which its honey production expands is that the Chinese need to use resources available to them each year to establish those other industries elsewhere in their economy which will substitute for imports and make it possible for them to become more self-sufficient in those other industries. They use honey along with other commodities that they export to earn foreign exchange to meet the debts which they incur from the imports they have to make to continue the expansion of the economy at the planned rate. The other factor which could perhaps be limiting (though I doubt it) is the rate at which the Chinese can expand the reproductive rate of their bees to expand the total bee population.

Honey production in China in 1981 had risen from about 40 000 tonnes in 1971 to 115 000 tonnes, and in 1982 (the last figures available to me) production had risen to over 120 000 tonnes and still rising. That is a fairly substantial increase given that the 1982 season in China was not a good one.

In Australia since 1971-72 there has been an increase from about 20 000 tonnes to nearly 25 000 tonnes in 1981-82. Our prices have not kept pace with inflation. It has only been the rapid improvement in technology that has enabled Australian apiarists to stay abreast of the cost price squeeze and still make a good living from honey production. The approximate price of bulk honey purchased in drums at the farm gate is a bit over $700, that is, about 71c a kilogram.

If one buys bulk in smaller containers from an apiarist, one might be able to get it for $1 a kilogram or a little less. Of course, it is $2 or $3 for 500 grams in some shops, depending on what sort of honey it is, and so on. However, that specialised market is very small and limited. It is important to understand this background, because this Bill will establish a fund that might assist some unprincipled beekeepers who foresee the cost price squeeze crunch (which it most certainly is) to get out of the industry. They could deliberately infest their swarms with American foul brood, arrange for an inspector to discover what is causing their swarms to die so rapidly, have them proclaimed as disease infested, have their swarms and hives destroyed, and be paid compensation.

I do not impute improper motives to all beekeepers or, for that matter, any particular beekeeper. However, I am sure that honourable members will understand the point that I am making. If there are unprincipled beekeepers, this measure provides them with a means by which they could easily get out of the industry at public expense. Honourable members need to be aware of what they are doing, because it will be impossible to sell our honey economically after Australian apiarists find that they can no longer compete with the Chinese in a few years on the export market (and Chinese honey is of high quality). Nobody will want to buy hives, nobody will be interested in buying swarms, and the equipment used to handle them will be worthless. The whole industry will be in a state of panic and collapse.

No-one could prove how any of the bees contracted foul brood. The temptation exists for unprincipled apiarists, if there are any, to get out of the industry in the simplest way possible and take the public purse to the cleaners in the process, by simply infesting their swarms and hives with the disease and then having them destroyed and collecting the compensation.

For the foregoing reasons I am concerned about the legislation and have taken the trouble to explain to members the international background against which this measure is brought before the House: the international background of the honey-producing industry and the prospects of the honey market. Regardless of this measure, Australian apiarists are confronted with that inevitability, and it is an enormous problem. Whether the Government will choose to address it in any other way, I do not know. Whether the apiarists wish to acknowledge the existence of that problem, I have no idea. However, the only prospect that we in Australia have, and the only hope that Australian beekeepers have is that some plague, disease or natural disaster of enormous proportions will simply wipe out the Chinese apiarists' industry and the production of honey in China.

If that were to happen, world honey prices would come back to something higher than they are at present. However, the chances of that happening are slim because the Chinese, having done their homework, understand the technology very well and can ensure, since they have strict quarantining at their borders, that the risk of such an exotic disease being imported is virtually nil. Further, the prospects of its arising internally in China are also virtually nil. The Chinese have been careful and systematic in the way they have established this new industry, and I do not see them allowing it to be taken from them by some ill-fortune that they might otherwise be able to control. Members should be conscious of what they are committing the public purse to by means of this Bill.

The Hon. TED CHAPMAN (Alexandra): The Opposition supports the Bill. Opposition members recognise that the request for the establishment of a compensation fund came from the Apiarists Association of South Australia. We acknowledge that that association is widely represented by registered owners, that the request to the Government came as long ago as 1981 or even before that, and that, during 1981, a circular was forwarded to the registered owners of hives in South Australia inviting their comment and requesting them to signal either their approval or disapproval of the recommendation of their association. Subsequent to the circulation of that questionnaire, 75 per cent of the registered members of the industry signalled their support of the proposal, I understand from a reliable officer of the Agriculture Department that the 75 per cent of apiarists who supported the scheme represented a similar percentage of the number of hives registered in South Australia.

I note with interest the figure of 75 per cent and its magic relevance to the Bill before us, because in his second reading explanation the Minister identified 75 per cent of the total value of a frame hive as the maximum level of compensation payable. I hope that the three instances of 75 per cent in this exercise are purely coincidental and that the figure has not been applied merely for convenience.

The member for Mallee has raised certain questions to which he seeks replies from the Minister who is acting on behalf of the Minister of Agriculture in another place. My colleague canvassed at some length clause 6, referring to the amount of credit that may be in the fund for compensation at any given time. New section 8a (4) provides:

(4) Where the amount standing to the credit of the Fund is not sufficient to meet payments of compensation under section 8c the Treasurer may, at the request of the Minister, advance from the General Revenue of the State (which is appropriated to the necessary extent) such amount as is necessary to cover the insufficiency.

I agree that that clause should remain in the Bill and become entrenched in the legislation as indeed it is entrenched specifically or certainly for all practical purposes, in certain other Acts that provide for the establishment and operation of a compensation fund: for instance, the Swine Compensation Act and the Cattle Compensation Act.

Certainly in the event of a call exceeding the amount held in the trust account the Treasurer, at the request of the relevant Minister, must be able to advance the required short fall. The terms for the repayment of such an advance are subject to the conditions that may be laid down by the Treasurer as regards the period of repayment and the rate of interest, if any, to be charged. I have no argument with that flexibility although I naturally hope that the provision is never called upon. However, beyond the ordinary level of destruction that might occur where disease applies to the hives of several beekeepers, there may in turn be a national disaster involving the wholesale spread of disease across the State or even beyond its borders. In such circumstances there needs to be some protection, based on the same principles as those on which this amendment is based, for those involved in the industry. As this Bill is a result of a proposal initiated by the industry and as it is an industry-funded proposal that is supported by a majority of registered commercial producers in the industry, then against that background and against those underlying principles the Opposition has no argument. In conclusion, it is with those several matters of fact available to members of the Opposition that we support the Bill.

The Hon. LYNN ARNOLD (Minister of Education): I move:

That the sittings of the House be extended beyond 6 p.m.

Motion carried.

The Hon. LYNN ARNOLD: The comments made by honourable members opposite will be conveyed to my colleague in another place for his detailed consideration. In fact, 78 per cent of beekeepers supported the proposals contained in the Bill, and they represented 76 per cent of the total number of hives. It is purely coincidental that the compensation figure is 75 per cent. It is expected that the triennial revenue raising resulting from the measure will be $12 000 and that an estimated $3 000 a year will be paid out in compensation. Therefore, the proposal should be self-funding. However, if there were a sudden disaster, in one year there might have to be an advance from the Treasury to the fund, but the legislation provides for such an advance to be recouped later.

The second reading explanation states that the representatives would be appointed from the three groups representing the South Australian honey bee industry. I take that to mean the South Australian Apiarists Association, the

Commercial Apiarists Association, and the Amateur Beekeepers Society. I hope that the Premier is a member of the Amateur Beekeepers Society, because he makes a nice drop of honey.

I noticed with great interest the comments made by the member for Mallee on the Chinese situation, and certainly I will draw that matter to the attention of my colleague, and will be interested to hear any response he might make on that. I might suggest, as Minister for Technology, that perhaps alternative uses could be made of honey, for feedstock in biotechnology industries in one way or another. I raise that matter as a possibility.

Another point that I will mention quickly, in wanting to wind up this debate, concerns the member for Mallee's raising fears about deliberate infestation and trying to cope with the supply and demand situation in years to come. I suggest that the Act does provide for a statutory declaration that a claim being made is indeed a just claim. I believe that officers of the Department will show the same degree of rigour and capacity in identifying offences as they have done in other areas of agriculture, and I believe that we can be confident that such a risk is not a great risk. I will be interested in passing on the comments from the Minister in another place to the member for Mallee. With those comments, I thank honourable members for their support for this measure, and I hope that it will have a speedy passage.

Bill read a second time.

In Committee.

Clauses 1 to 5 passed.

Clause 6—'Beekeeper's Compensation Fund.'

Mr LEWIS: Could the Minister obtain for me details of the estimated total value of registered hives and the value of honey produced in South Australia at the present time? If he does not have that information now, could he provide a table in the record setting out the numbers of hives owned by beekeepers in, say, gradients of 10, that is, 0-10 hives, 10-20, and so on, so that we will have on record the structure of the industry as it now stands that we can look at in perhaps three or four years to ascertain whether anything has happened during the intervening period? Further, I would like to know whether the Government has done any research about what might be the highest possible pay-out figure from the public purse in the event of American foul brood suddenly taking off and devastating the apiary industry in this State?

The Hon. LYNN ARNOLD: The member has asked for some detailed information that I will have to seek from my colleague in another place. The best that I can offer on this occasion as part provision of the required information is to say that I understand that members of the three associations I listed had between them, in 1983, 47 000 hives. That may be of some use to the honourable member in trying to work out a commercial value per hive, and possibly calculating from that the 75 per cent figure that would result from various loss rates that would take place if the infestation took a widespread hold. I will obtain more detailed answers from my colleague in another place.

Clause passed.

Remaining clauses (7 to 15) and title passed.

Bill read a third time and passed.

ADELAIDE RAILWAY STATION DEVELOPMENT BILL

Returned from the Legislative Council with the following amendment:

Page 2 (clause 5)—After line 31 insert new subclause as follows:

(4a) Within six sitting days after the Minister grants or varies an exemption referred to in subsection (3) or varies a condition to which such an exemption is subject, he shall cause to be laid before each House of Parliament a written statement of—

(a) the nature and extent of the exemption;

(b) the person for whose benefit the exemption will operate;

(c) the conditions (if any) to which the exemption is subject;

(d) his reasons for granting or varying the exemption or the condition.

Consideration in Committee.

The Hon. J.C. BANNON: I move:

That the Legislative Council's amendment be agreed to.

This amendment is a repeat of an amendment moved in this Chamber when the Bill was before us. At that stage the Government did not accept the amendment because it was considered that it was unnecessary. We still feel it is unnecessary, although debate has taken place in the other place and it is the wish of those there that such amendment be included. I do not think it is a matter of major substance or that it is too onerous in its provision: it certainly does not go to the substance of the Bill or affect its overall thrust, and in the interests of unanimity on this important issue I am now prepared to accept it.

The Hon. E.R. GOLDSWORTHY: This was an amendment moved by the Leader of the Opposition in this place and, if my memory serves me correctly (consideration of this is at very short notice), it was in relation to exemptions under the Building Act—is that correct?

The Hon. J.C. Bannon: Yes.

The Hon. E.R. GOLDSWORTHY: We deemed the amendment to be appropriate, and obviously the majority of members in the other place deemed it appropriate that those exemptions should be brought to the attention of the Parliament. For that reason, we again support the amendment.

Motion carried.

ADJOURNMENT

The Hon. J.C. BANNON (Premier and Treasurer): I move:

That the House do now adjourn.

The Hon. TED CHAPMAN (Alexandra): Members will recall the vegetation clearance regulations that were tabled in this place in May 1983. As a result of considerable publicity on the subject, members would also be aware of the various actions that the Government has taken against people whom it is claimed have infringed the intent of those regulations. I represent an area of South Australia where to date there is a considerable amount of uncleared land which is potentially valuable and which, indeed, has been identified as being very useful for primary production. It is alleged that breaches of the regulations have occurred in that district. We know of at least one case where an injunction order was issued and, despite its import, the property owner concerned was required to appear before a court. The decision handed down by the judge was in the defendant's favour.

There has been an appeal lodged by the Government. Subsequent to reporting of that appeal, both the Speaker of this House of Assembly and the Chairman of Committees of this House have ruled that the subject is not *sub judice* and has continued not only to be a part of discussions within the Chamber but to be the subject of a matter of disallowance on the Notice Paper, and a matter for debate as it is involved in the recent Act to amend the Planning Act, and so on. The most recent situation which occurred in another place, and which has been reported extensively since that occurrence last week, is one of great interest to me and my constituents. I recognise, and I hope that they

do also, that the effect of the land clearance regulations of May 1983 is still applicable and that it is an offence to infringe the requirements of those regulations.

However, I have some concern for certain proposals considered by the Government and responded to by the Minister this month. Following a press conference with the Minister for Environment and Planning in this building this afternoon, I was privileged to receive not a press release as such but a copy of a letter that the Minister wrote to the General Secretary of the United Farmers and Stockowners Association in recent days. The letter states:

> I refer to our meeting of 16 February 1984 at which we disussed various aspects of the vegetation clearance controls, including your propsal [that is, the U.F.&S. proposal] for a scheme to compensate landholders affected by the controls.

The letter continues at some length to recognise the discussions that were held but to deny that the Government can uphold the incorporated requests of the UF & S proposal. The Minister in the letter states:

> To assist landholders suffering hardship resulting from refusal to clear native vegetation the following scheme has been developed by the Minister for Environment and Planning and the Minister of Agriculture. The scheme is based on the existing Rural Adjustment Scheme. Following application, assistance will be provided in the following manner, and the following circumstances:
>
> 1.
>
> 1.1. Loans of up to $100 000 for up to 10 years. Loans above $100 000 will be considered in special circumstances by the Minister of Agriculture. Initially loans will bear an interest rate of 4 per cent per annum to be reviewed biannually. Where hardship can continue to be demonstrated, the interest rate will remain at 4 per cent.
>
> 1.2 The difference between the concessional interest rate and the commercial rate to be reimbursed to the Rural Adjustment Fund by the Minister for Environment and Planning.
>
> 1.3 Loans will only be approved in situations where commercial credit is not available nor affordable.

I hesitate at that point in the correspondence because the word 'affordable' in the context in which it is written in the Minister's letter is very vital to the issue, and requires clarification. The preceding remarks by the Minister and those in paragraphs 4 to 8 on page 2 of his letter reflect the conditions that currently apply to the Rural Industries Assistance Scheme wherein provision is made for household support to someone who is really on the skids. If it is the Minister's intention to apply this assistance measure to those who are down and out, who cannot gain any further funding from ordinary commercial sources, who cannot clear their property which is subject to development because of the Minister's restrictions, and who are financially embarrassed, then it demonstrates that the case that the Minister is offering is that which applies to someone who has exhausted all reasonable avenues of finance and finds himself not only in a hardship situation but in a desperate one.

To suggest that such assistance would be taken up by the rural community at large is nonsense. There is no way that a person who is part-way through a programme of development subject to current loan funds at commercial interest rates would be in a position nor want to be in a position where he would extend his loan account, with or without the reduced interest rate, because there would be no point in so doing if he could not proceed with his programme of development. The Minister is offering a sop, in my view: it is not sustainable and it is not even a reasonably sensible proposition, to offer as an alternative to the compensation scheme, either as I understand it promoted by the UF&S or that incorporated in the Liberal Party's policy on the subject.

It disturbs me that the mention of the word 'affordable' in paragraph 3 of the terms and conditions set out in the Minister's letter demonstrates a urgent need for that word in its cited context to be clarified. If it means that an existing loan which is subject to commercial interest rates may be replaced by a low interest rate loan available from the Government through the source identified, then it would be of some assistance, and I imagine it would be snapped up by a whole host of farmers. However, only then can those farmers qualify, as the rest of the correspondence goes on to indicate, after it has been demonstrated to a Government appointee that they are in hardship circumstances. Where an occupier of a property partly developed (the balance subject to development) and where part of the property owner's actual programme of management and development has been rejected, there would be no point in the property owner's pursuing such a loan. So, it is making an offer on the one hand and knowing full well on the other that under the conditions laid down in the Minister's offer it is without the reach of a real applicant in the rejected situation.

I am concerned about this subject. I believe that Government has realised, albeit belatedly—and we can all learn in hindsight—that it made one hell of a mistake when it failed to consult with appropriate people on the regulations in the first instance. It has made an absolute bungle of the administration of its own regulations and has panicked in the interim whilst the subject is before the courts and subject to appeal, lodged in fact by the Government itself, and has introduced a Bill into this House in order to head it off.

It has caused what has been publicly described as a constitutional crisis in the Upper House as a result of the President in that place exercising what he believed to be his right under the Standing Orders of the Legislative Council. The whole exercise has become an embarrassment to the community at large and I hope an admitted embarrassment to the Government, and the quicker it can settle down and indeed be approached with some proper consultation the better it will be for us all.

The ACTING SPEAKER (Mr Whitten): Order! The honourable member's time has expired.

Mr HAMILTON (Albert Park): I wish to address the question of median strips. Most members at some time or another would have been approached by a constituent or constituents, small business people, complaining about knowledge of a median strip to be installed or in the process of being installed on a main road and effecting them personally.

I believe that the Highways Department and local government authorities should look at this matter very closely. I draw attention particularly to the proposed installation of a median strip along Findon Road at Woodville and, more particularly, that part of the road that divides Woodville South and Woodville West. Angry business people have approached me complaining about the lack of knowledge about and consultation by the Highways Department and local government authorities. In 1981, business people from Tapleys Hill Road, Seaton, complained bitterly to me that they were not consulted by the Highways Department or local government authoritity about installation of a median strip, which was subsequently laid and which affected the viability of their businesses. I have brought this matter to the Minister of Transport's attention, telling him that in future guidelines should be laid down by the Highways Department for the installation of median strips.

Our Party has a policy to try to assist small business people at all times. But, here is an area in which I believe we have not addressed the question of protection for those businesses affected by median strips. Customers are denied access to small businesses. It is important that in future, when the Highways Department is planning a median strip, officers of the Department visit small business people and advise them of that intention. Guidelines should be clearly drafted so that small business people, and indeed constitu-

ents, have an opportunity to voice opposition or support for such a proposal. It is no good those people complaining to their local member of Parliament about a median strip after it has been installed, because invariably the Highways Department will not change its mind. It was only through probing in the past that I found out that the Highways Department intended to install a median strip along Tapleys Hill Road.

I advised my constituents of this proposal through a newsletter from my office, which brought an immediate adverse reaction. Subsequently, the local government authority and the Highways Department backed away from the suggestion, and not without some anger being generated in the interim. The local government authority had the gall to criticise me for advising local business people and my constituents of the Highways Department's intention.

Similarly, on Findon Road at Woodville my constituents and small business people have not been properly notified about a median strip. However, in accordance with the Act a couple of advertisements were placed in the local newspaper, which very few people read—particularly the back pages—and not many people were advised of the local government authority's intention to build a median strip in conjunction with the Highways Department. In that instance the local government authority complied with the Act and even went further and notified some small business people in writing of its intention. I put to the local government authority some three years ago recommendations for guidelines to be drawn. Small business people and constituents in the area should be notified, in the language or languages of the area, so that ethnic people understand fully the intention with respect of median strip installation.

I hope that in this instance the Minister will not permit the installation of a median strip along Findon Road. The plan is ill-conceived and there has been a lack of consultation with small business people in the affected area. Many of those people have put money into their businesses. Some have hocked themselves to their necks to develop and enjoy their businesses. Now they find that the viability of their businesses may be affected by installation of a median strip. I have noticed, as would most members in this House, that where a median strip is installed one travels to the next small business to purchase goods, rather than turn around the median strip. Man is lazy because of the motor car. Small businesses are affected and, in some instances, this leads to eventual bankruptcy. If this situation is not watched closely, more and more people will be affected in future. I plead with the Minister not to allow the Highways Department to install a strip at that location.

I turn now to another matter that has been brought to my attention, one of which very few people in the community take notice until it affects them. I refer to Alzheimer's disease. My experience has been with the local ADARDS self-help group. Very few people are aware of the manner in which this disease affects their loved ones. To illustrate how many people suffer from this disease, I read from a pamphlet obtained from the research library:

> Some 100 000 people in Australia have dementia, approximately 10 000 of whom are in South Australia. Alzheimer's disease alone is 14 times more prominent than multiple sclerosis. Working on a projected figure for South Australia, 14 years hence there will be 113 700 people aged 65 to 75 and 75 100 aged 75 and over. Surveys have shown that 5 per cent of the younger age group and 25 per cent of the older group could possibly be affected. Therefore, South Australia could have 21 000 dementia patients in the year 1996.

I hope that funding will be granted to the local group, particularly in the north-western suburbs, as has been granted to local government in the southern districts of Adelaide. It is important that people understand that there is help available in the community. Some people do not know where to turn and do not even know the symptoms of Alzheimer's disease. They wonder why people leave the gas on, are not hygienic in their dress, are forgetful and wander away. That is the cost to the community.

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

Mr GUNN (Eyre): I have always believed that all people in South Australia are equal before the law. But, if a person is unfortuante enough to be prosecuted by a large Government department, he or she is far from equal, because the facilities available to the Government (and to particular Government departments) are unlimited finance and, of course, the full facilities of the Crown Law Department. One of my constituents was unfortunate enough to be prosecuted by the Department of Aviation, charged with a low-flying offence which he hotly denied. He had a witness who could be relied upon and who said he was doing nothing of the kind. He was brought before the Magistrates Court, and the magistrate dismissed the charge on technical grounds.

He was then taken by the arrogant Department to the Supreme Court, where the Department appealed and the appeal was lost. It then took him to the Full Supreme Court, which ordered a retrial. He is now due to come before a magistrate. He has spent many thousands of dollars defending himself, when the Department is not a bit concerned about the cost that it has inflicted on him. He is a person of the highest repute and this is the fourth occasion on which he has been dragged before a court. The maximum penalty is $200, and I believe that the Director of the Department of Aviation ought to be thoroughly ashamed of himself for wasting taxpayers' money and harassing a decent citizen of this State.

I understand that, when the matter is brought before the court again, an aeroplane will fly four or five people to the next case. If this is justice and democracy, Mr Speaker, how can an ordinary individual defend himself? I believe that the Department does not expect to win the case. It is purely pigheadedness and arrogance, and I believe that the Department of Aviation has a great deal to answer for. I hope sincerely that the Minister calls the Department to account for itself and that the appropriate television media will interview the person concerned so that he is given a chance to tell the people of South Australia how badly he has been treated by this Department. If it continues, on the next occasion I rise in a grievance debate I will have no hesitation in naming the people concerned in the House, because in my judgment the manner in which this person was treated by a Commonwealth policeman who interviewed him amounted to improper tactics. I am concerned about the manner in which the whole case has been handled, and I believe that I have no alternative but to raise it.

I have told the Department what I will do, and it is fully aware of the next course of action I intend to take in relation to this case. I believe that it is quite a shameful act, and I have spoken to the Federal member on the matter. He also vouches for the fact that the person concerned is highly regarded.

The Hon. J.W. Slater: What is he actually charged with?

Mr GUNN: He was charged with low flying, which he hotly disputes, and there was a witness in the aeroplane to say that he did not do it. However, the Department has no regard for individuals. Either it has not enough to do or there are over-zealous and efficient officers who have the full resources of the Commonwealth Crown Law Department and hundreds of thousands of dollars to spend. They have harassed an ordinary citizen who does not have the financial resources to continue to fight them.

I now raise a matter concerning a district council in my electorate, which brought to my attention its concern in

relation to the procedures for monitoring and controlling pest plant infected livestock offered for sale. A letter from the District Council of Peterborough to the Chairman of the Pest Plants Commission, dated 13 March, states:

The contents of your circular F9/76 of 27 January 1984 was considered by my council at its meeting held on Friday 9 March 1984. Widespread concern was felt at the implementation of the policy. Council wished to express its objection to the policy and to hasty introduction with only five months from the date of the policy announcement elapsing before the policy is to be enforced.

The lack of consultation was felt to be a matter for concern. The likely effect on the Peterborough markets, which are known to be of national importance, was very worrying. Additionally, sheep are brought to the markets from a vast area of the unincorporated areas, as well as from the surrounding districts. When introduced, concern is felt that the free flow of sheep would be restricted. Actually, fears for the livelihood of graziers were expressed. So intense is the concern that letters are being forwarded to the local member, Mr G. Gunn, the Minister of Agriculture and the shadow Minister of Agriculture.

I have been advised by a stock agent that this proposal as it stands if put into effect could cause great difficulties and jeopardise the future of the Peterborough market. I bring this to the attention of the House and hope that the Minister of Agriculture and the Chairman of the Pest Plants Commission will examine the matter and resolve the problems of the district council which has acted quite properly.

I also bring to the attention of the House some problems regarding kindergartens in my electorate. At the Woomera kindergarten it is most likely that in the next term a number of students will not be able to attend because of problems with staff. It is not the number of staff, but the time that they are allocated. As I understand it, they are currently on five-tenths, and that is not sufficient to cater for all the students who wish to attend that kindergarten. Therefore, I hope that the Minister of Education will have discussions with the Kindergarten Union to ensure that this situation can be resolved with a view to increasing the number of hours for which people are employed. I have received a letter from concerned parents at Woomera, a number of whom have signed it. They have approached the Kindergarten Union, so I hope that something is done about it.

Yesterday on my way back to attend the sittings of the House and whilst waiting at the Whyalla Airport I purchased a copy of the local Whyalla paper. An interesting article appeared in the *Whyalla News* of Monday 16 April under the heading 'Two Classes of Members', and I think that it ought to be brought to the attention of the House. It states:

SIR—It is time someone explained to the ALP members in Whyalla the realities with regard to the pre-selection of a candidate for the local seat. It has to be borne in mind that the nomination for the seat belongs, and always has, to the AMFSU and the unions who formed the present organisation, that is the Amalgamated Engineering Union and the Boilermakers Society. A look at the history of the seat confirms this.

In the present case the candidate had already been selected by a small group, of which he was one, in the State office of the union before other interested members and would-be nominees knew that the present incumberent was retiring from position. Once the candidate was selected by the Union, the pre-selection by the ALP convention was a mere formality.

This means in practice that there are two classes of members of the ALP in Whyalla. The first class composed exclusively of members of the AMFSU. From them and only from them is the candidate selected. The second class consists of teachers, waterside workers, electricians, ironworkers and other unions and of course the ordinary members.

It doesn't matter how talented, capable or popular a member of the second class may be, he or she has no chance of being preselected, but they are necessary for the functioning of the subbranch, letter boxing, handing out how to vote cards etc. during the election campaigns. All this means, of course, that we wind up being saddled with a candidate, neither suitable nor popular whose first loyalties are to the union bosses in Adelaide who selected them.

The situation will continue until such time as the people of Whyalla have the good sense to follow the example of the citizens of Port Pirie and Semaphore, who decided that they and not the union bosses in Adelaide would decide who would represent them.
T. CRIPPS,
37 Syme Street.

That is an excellent letter to the Editor.

Members interjecting:

The SPEAKER: Order!

Mr GUNN: And it confirms a comment I made in this House some time ago when I told the member for Whyalla that Councillor Murphy would make him unemployed. It is obvious by this attitude and other comments I have heard in the City of Whyalla that Councillor Murphy will have an excellent chance of taking the seat from the Labor member. He was defeated only by the preference of the Democrats at the last State election, and it is obvious that on this occasion he will be successful.

Motion carried.

At 6.30 p.m. the House adjourned until Wednesday 18 April at 11.45 a.m.

HOUSE OF ASSEMBLY

Tuesday 17 April 1984

QUESTIONS ON NOTICE

LAND RIGHTS

275. **Mr GUNN** (on notice) asked the Minister of Aboriginal Affairs:

1. Has the Government received any further claims from Aboriginal groups for land rights similar to those of the Pitjantjatjara and what is proposed for the people at Maralinga and, if so, from which groups and in what areas?

2. Does the Government intend to grant any further titles similar to the Pitjantjatjara title?

The Hon. G.J. CRAFTER: The replies are as follows:

1. No.

2. See 1.

AGRICULTURE PORTFOLIO

284. **The Hon. TED CHAPMAN** (on notice) asked the Minister of Education representing the Minister of Agriculture: What action has the Government taken following its 1982 election campaign promises on the following matters in relation to the Agriculture portfolio:

(a) what specific steps have been taken since 10 November 1982 to promote the preferred use of biological control methods as a low cost pollution free method of pest and disease control;

(b) what specific steps have been taken since 10 November 1982 to improve the health protection measures for farmers and other rural workers involved in using agricultural chemicals;

(c) by what method has the Government improved the availability of suitable safety equipment and protective clothing at the point of agricultural chemicals sale since 10 November 1982;

(d) what specific new information concerning chemical safety requirements, effects on human health and suitable laundering methods for chemically stained work clothes has the Government provided since 10 November 1982; and

(e) what specific improvements have been made to the diagnosis and treatment of people suspected of chemical poisoning since 10 November 1982?

The Hon. LYNN ARNOLD: The replies are as follows:

(a) Specific steps taken since 10 November 1982 to promote use of biological controls of pests include:

1. Arrangements made for the release of a predatory mite (*Anystis* sp.) for control of red-legged earth mite in pastures in the South-East.
2. Introduction and culturing of a fungal pathogen (*Beauvaria* sp.) for the control of sitona weevil larvae (in conjunction with CSIRO).
3. Investigations of the biological control of two-spotted mite in glasshouse crops using inundative releases of a predatory mite.
4. In conjunction with Federal and other State Governments, legislation is being prepared which will regulate the selection of target species of pests and weeds and the introduction of potential biological control agents.
5. Continuing assessments, and where appropriate, support of the establishment of biological control programmes initiated by other States organisations, some of which will benefit South Australia.

(b) To improve the health protection measures for farmers and indeed all workers using chemicals and in order to implement Labor Party policy in respect to hazardous chemicals, Cabinet has approved the formation of an interdepartmental committee, convened by Department of Environment and Planning. This committee is examining the whole question of hazardous chemicals, and is to recommend any necessary legislation in line with recommendations of the House of Representatives Standing Committee on Environment and Conservation report of December 1982.

The formation of the interdepartmental committee is explained in its terms of reference:

1. Planning South Australian participation in the implementation of the proposed National Notification and Assessment Scheme for hazardous chemicals;
2. Preparation of drafting instructions for hazardous chemicals legislation;
3. Examining and reporting on necessary upgrading of existing programmes for the control of hazardous chemicals;
4. Reporting on the resource requirements for Government in implementation of the legislation. The potential for cost recovery is to be examined, with due regard to adoption of the polluter pays principle:
5. Membership of the working party includes representatives of Department of Environment and Planning (Chairman), Health Commission, Department of Labour, Department of Agriculture, Engineering and Water Supply, Department of Mines and Energy and nominees of Minister of Local Government, and Transport of Dangerous Substances Committee;
6. Reporting to the Minister of Environment and Planning by September 1984. Interim reports to be issued as appropriate.

(c) The availability of suitable safety equipment and protective clothing at the point of sale of agricultural chemicals has been investigated by the Principal Officer, Agricultural and Veterinary Chemicals, calling upon the merchandise managers of the six major suppliers of agricultural chemicals in South Australia. All companies contacted are adamant that they have stocks of and sell protective clothing and equipment, including face masks and respirators suitable for handling agricultural chemicals. In two cases, Elders IXL and ICI Australia, both have complete protection kits that they sell for the purpose.

ICI in particular advised that these kits consisting of apron, gloves, goggles, face mask, respirator, mixing bucket are available through all major resellers, and many smaller agents, giving ready availability throughout the State.

All companies expressed their concern for and believe they have adopted responsible attitudes to the problems of safe handling of chemicals. This was confirmed in February 1983, when field officers of the Department of Agriculture visited twenty-seven retail outlets in eleven rural centres

in the agricultural areas of the State. They found ready availability of protective clothing and equipment, especially in those areas of heavy usage.

(d) (e) The remaining two questions concerning effects on human health, laundering methods for clothes, and specific improvements in diagnosis and treatment of persons suspected of chemical poisoning, have been referred to my colleague, the Minister of Health.

MILK SUPPLY ACT

287. **The Hon. TED CHAPMAN** asked the Minister of Education representing the Minister of Agriculture: What amendments have been made to the Metropolitan Milk Supply Act since 10 November 1982 for the purpose of properly implementing the South Eastern Augmentation Scheme which were not fully and publicly committed by the previous Government?

The Hon. LYNN ARNOLD: No amendments relating to the augmentation payments have been made to the Metropolitan Milk Supply Act. The secretary of the Metropolitan Milk Equalisation Committee has advised that the augmentation payments for 1982-83 have been made and he anticipates that payments for 1983-84 will be made from the net levy fund from non-metropolitan milk sales. The Government has had a draft Bill drawn up to amend the Metropolitan Milk Supply Act to ensure augmentation payments in full and this will be introduced if augmentation payments cannot be met from the net levy fund from non-metropolitan sales.

HOUSING TRUST DEBT

369. **Mr BAKER** (on notice) asked the Minister of Housing and Construction: What will be the estimated debt of the South Australian Housing Trust as at 30 June 1984 and what will the annual debt servicing cost (principal repayment and interest) be by that date?

The Hon. T.H. HEMMINGS: The debt of the trust as at 30 June 1984 is estimated to be $783.756m. The annual debt servicing cost is estimated to be:

	$
Principal repayment	5.279
Interest	52.264
Total	57.543m

HERMIT HILL SPRINGS

419. **Mr BECKER** (on notice) asked the Minister for Environment and Planning: Have representations been made to the Minister seeking listing of the Hermit Hill Springs in the National Estate Register and, if so, from whom?

The Hon. D.J. HOPGOOD: No.

CONCILIATION COMMITTEES

428. **Mr BECKER** (on notice) asked the Minister of Labour: How many Conciliation Committees are there in the Department of Labour and in relation to each—

(a) who are the members and what are their qualifications;

(b) what remuneration is paid; and

(c) how many meetings have been held in the past 12 months?

The Hon. J.D. WRIGHT: There are no Conciliation Committees in the Department of Labour. However, if the honourable member is referring to the number of Conciliation Committees established under the Industrial Conciliation and Arbitration Act the following information is provided.

There are at present 35 Conciliation Committees established under the Industrial Conciliation and Arbitration Act.

(a) The names of the Conciliation Committee members and the details of who they represent are contained in Annexure 'A' herewith.

(b) Remuneration of members of Conciliation Committees is covered by section 72 of the Industrial Conciliation and Arbitration Act which reads as follows:

72. (1) Any member of a Committee shall, on making application in the prescribed form, be reimbursed such fares and out-of-pocket expenses incurred in attending a meeting of the Committee as are approved by the Minister.

(2) No employer shall make any deductions from the remuneration of any employee in respect of any time for which the employee is necessarily absent from his employment for the purpose of attending a meeting of a Committee of which the employee is a member.

Penalty: One Hundred Dollars.

This procedure is covered by rule 48 of the 'Industrial Proceedings Rules, 1972, as amended' and such rule reads as follows:

48. (1) An application for reimbursement of fares and out-of-pocket expenses pursuant to subsection (1) of section 72 of the Act shall be in accordance with Form 11 and be lodged in the registry.

(2) Each such application shall thereupon be brought by the Registrar before the Chairman who shall transmit the same to the Minister with his written recommendation in respect thereof.

In practice, the abovementioned procedure is rarely utilised as in the past 12 months only one person has seen fit to claim expenses for attending a Conciliation Committee meeting.

(c) I set out hereunder the current list of Conciliation Committees and the number of meetings held by each Committee over the past 12 months.

Conciliation Committee	No. of Meetings
Abattoirs	5
Adelaide City Corporation	1
Bag and Sack	1
Bicycle Makers	1
Biscuit and Confectionery	1
Boot and Shoe	2
Brushmaking	2
Casing Workers	4
Clay Brick and Roofing Tile	1
Department of Agriculture	3
Earthenware Pipes	—
Education and Police Departments	1
Engineering and Water Supply Department	4
Fire Watchmen	—
Government General Construction Workers	5
Government Group Laundry	1
Government Hospitals, Etc.	20
Government Miscellaneous Employees	2
Government Psychiatric Hospitals, Etc.	3
Government Storemen and Packers, Etc.	5
Government Transport Workers	2
Hairdressers	2
Health Studios	1
Jewellers and Watchmakers	2
Lift Attendants	1
Manufacturing Wholesale Chemists and Grocers	—
Marine and Harbors Department, Etc.	3
Optical Employees	1
Paint, Etc., Manufacturing	—
Printing	—
Roofing Tiles and Asbestos Cement Fixers	—
Saddlery, Leatherware, Etc.	—
Sail and Tentmaking	—
Shop	4
Wholesale Sellers and Distributors	3

The total number of Conciliation Committee meetings held in the past 12 months is 81.

Abattoirs Conciliation Committee
Chairman: Graham Ernest Pryke.
Employers Representatives: Geoffrey W.S. Bryans; Michael Paul Sausse; Brian Michael Constable; Malcolm John Foster.
Employees Representatives: Arthur Alan Tonkin; Malcolm Campbell; William Agar; Anthony Rudolph Benz.

Adelaide City Corporation Conciliation Committee
Chairman: Walter R. J. Eglinton.
Employers Representatives: Gordon Finlayson Hendry; Dean Henwood Fidock; Hugh Mitchell Bubb; Antony Higginbottom.
Employees Representatives: Terry Gordon Cameron; Jeff Little; Margaret Crowley; Lindsay Wasley.

Bag and Sack Conciliation Committee
Chairman: Gregory Munson Stevens.
Employers Representatives: Thomas Leslie Heming; John Sherwin Grose.
Employees Representatives: Christopher Desmond White; Kathleen Maud Buckley.

Bicycle Makers Conciliation Committee
Chairman: Gregory Munson Stevens.
Employers Representatives: Alexander Eryk Markiewicz; William Albert Boyley.
Employees Representatives: Gerald Robert Reid; Carl George Henry Bulau.

Biscuit and Confectionery Conciliation Committee
Chairman: Gregory Munson Stevens.
Employers Representatives: William John Menz; Eric Mortimer Nicolle; Raymond Harold Kirkwood.
Employees Representatives: Michael Raymond Rice; Peter John Brown; Ian Charles Tompkins;

Boot and Shoe Conciliation Committee
Chairman: Paul Leon Cotton.
Employers Representatives: Richard Bruce Reid; John Desmond Herreen; Robert John Slatter.
Employees Representatives: Wayne Burke; John Clifton Pyman; Bernard James McKay.

Casing Workers Conciliation Committee
Chairman: Graham Ernest Pryke.
Employers Representatives: Richard Frank Fletcher; John Leslie Graham.
Employees Representatives: Arthur Alan Tonkin; Patrick Joseph Lonegan.

Brushmaking Conciliation Committee
Chairman: Paul Leon Cotton.
Employers Representatives: Melvyn Lance Kappler; Roger William Daw; Donald Nation Smyth.
Employees Representatives: Edward John Goldsworthy; William White; Robert Fairman Baldock.

Clay Brick and Roofing Tile Conciliation Committee
Chairman: Graham Ernest Pryke.
Employers Representatives: Melvyn Lance Kappler; Robert Sellars; John Gordon Toft.
Employees Representatives: John Charles Lewin; Cliff Murray; Mark Young.

Earthenware Pipes Conciliation Committee
Chairman: Graham Ernest Pryke.
Employers Representatives: Michael James Redshaw; Robert David Bonella; Melvyn Lance Kappler.
Employees Representatives: John Charles Lewin; Francesco Antonio Esposito; Rocco Caruso.

Department of Agriculture Etc. Conciliation Committee
Chairman: Walter R.J. Eglinton.
Employers Representatives: Robert Livingstone Green; Roger Barrington Wicks; Michael Howard Harwood.
Employees Representatives: Terry Gordon Cameron; Phillip Ross Wise; Malcolm Materne.

Education and Police Departments Conciliation Committee
Chairman: Walter Ronald James Eglinton.
Employers Representatives: Thomas Anthony Fogarty; Anthony Douglas Hughes; Philip Bedford.
Employees Representatives: Margaret Jane Robinson; Thomas Knox; Christopher D. White.

Engineering and Water Supply Department Conciliation Committee
Chairman: Walter R.J. Eglinton.
Employers Representatives: Maurice John Howard; Peter George Cooper; Maxwell Benjamin Yandell.
Employees Representatives: Christopher Desmond White; Peter J. Coulter; David Mathew Chambers.

Government General Construction Workers Conciliation Committee
Chairman: W.R.J. Eglinton.
Employers Representatives: Maurice John Howard; John A. Underwood; Rodney Wyman Smith; Peter William Ryan.
Employees Representatives: John Charles Lewin; R. Murphy; Ronald Bruce Bald; Ewen Shaw Pannell.

Fire-Watchmen Conciliation Committee
Chairman: Gregory Munson Stevens.
Employers Representatives: Eric Ambrose Gibson; Howard Alfred Eden; Sydney Neil Patterson.
Employees Representatives: William Coombs; Ernest Edwin James Gill; Bert F. Lloyd.

Government Hospitals Conciliation Committee
Chairman: Paul L. Cotton.
Employers Representatives: Graeme Edward Payne; Craig R. Middleton; Barrie Raymond Hayward.
Employees Representatives: Noel R. Stait; John Kaufman; Dennis A. Roads.

Government Group Laundry Conciliation Committee
Chairman: Walter R.J. Eglinton.
Employers Representatives: Graeme Edward Payne; John Robert Ingham; Barrie Raymond Hayward.
Employees Representatives: Noel Roderick Stait; Helen Irene Edwards; Constance Ruth Knox.

Government Psychiatric Hospitals Conciliation Committee
Chairman: Paul Leon Cotton.
Employers Representatives: Graeme Edward Payne; Richard Norman Bruggemann; Lillyanne Lorelle Barnett; Edward Wallis Davis.
Employees Representatives: Noel Roderick Stait; Joan Coldwell; Hugh Edward Beevor; John Oliver Gillard.

Government Miscellaneous Employees Conciliation Committee
Chairman: Walter R.J. Eglinton.
Employers Representatives: Robert L. Green; Alistair J. Paschke; Robert J. McHugh.
Employees Representatives: Christopher D. White; Ronald Ballantyne; Wendy Bulliuant.

Government Transport Workers Conciliation Committee
Chairman: Walter R.J. Eglinton.
Employers Representatives: Raymond John Swann; William Moore; Peter Walter Butterworth.
Employees Representatives: Keith Martin Cys; Leonard Frank Woods; Robert M. Heffernan.

Government Storemen and Packers Conciliation Committee
Chairman: Walter R.J. Eglinton.
Employers Representatives: David John Smythe; Brian John Wilden; John Raymond Bishop.
Employees Representatives: Noel Roderick Stait; Sidney Norman Bower; David S. Siddall.

Hairdressers Conciliation Committee
Chairman: Gregory Munson Stevens.
Employers Representatives: Elise Hitge Lyons; Colleen Marie Barkley.
Employees Representatives: Michael Raymond Rice; Elizabeth Anne Zwar.

Jewellers and Watchmakers Conciliation Committee
Chairman: Gregory Munson Stevens.
Employers Representatives: Melvyn Lance Kappler; Leonard Charles Muller; Adrian Zamel.
Employees Representatives: Christopher Desmond White; Steven Paul Tunn; Mark Andrew Leske.

Lift Attendants Conciliation Committee
Chairman: Paul L. Cotton.
Employers Representatives: Michael G. G. McCutcheon; Robert J.M. Swanson.
Employees Representatives: Victor S. Heron; Phyllis E. Bateup.

Health Studios Conciliation Committee
Chairman: Paul Leon Cotton.
Employers Representatives: George Arthur Mason; Herbert John Barnes.
Employees Representatives: Ronald Barry Schultz; Douglas Lewis.

Manufacturing Wholesale Chemists and Grocers
Chairman: Gregory Munson Stevens.
Employers Representatives: Brian Allen Smedley; Peter John Cooper; Christopher Linden Wood; Raymond Thomas Scully.
Employees Representatives: Michael Raymond Rice; Sead Agusi; Patricia Ashley; Alexander Duffew.

Marine and Harbors Department Etc. Employees Conciliation Committee
Chairman: Walter R. J. Eglinton.
Employers Representatives: Jens Peter Kunst; Frederick Edwards; Robert George Stolz; David John Sayer.
Employees Representatives: Noel Roderick Stait; Douglas Kidd; Colin Perry Hardy; Jacques Johan Veldhuis.

Paint, Etc., Manufacturing Conciliation Committee
Chairman: Paul Leon Cotton.
Employers Representatives: Melvyn Lance Kappler; Bruce Graham Crowhurt; Susan Kay Seja.
Employees Representatives: George Apap; William Reagan; Annunziato Buda.

Optical Workers Conciliation Committee
Chairman: Paul Leon Cotton.
Employers Representatives: Melvyn Lance Kappler; Alan Vernon Lucas; Marjan Lewandowski.
Employees Representatives: Christopher Desmond White; Hazel Mary Munslow; Jan Tadeusz Nowak.

Roofing Tiles and Asbestos Cement Fixers Conciliation Committee
Chairman: Graeme Ernest Pryke.
Employers Representatives: Spencer William Marchant; John Thomas Shannahan; Peter Haldane Ragless; Dirk Leedert Lindsay.
Employees Representatives: Robert James Giles; William Macfeate; Vuko Plamenaz; Alexander George Vincent Walker.

Printing Conciliation Committee
Chairman: Gregory Munson Stevens.
Employers Representatives: Wilton Max Scrymgour; William Arthur Powell; Frederick Charles Humphreys; Donald Alan Beck.
Employees Representatives: Thomas Harry Black Mortimer; Derek Norman Hewitt; Mervyn Leslie Mules; Anthony Nicholson.

Sail and Tentmaking Conciliation Committee
Chairman: Gregory Munson Stevens.
Employers Representatives: Ray Arney Sammells; Leslie Mathias Walsh; Michael Guy Geoffrey McCutcheon.
Employees Representatives: John Edward Bennett; Roy Neill; Barrymore Frederick James Cavanagh.

Saddlery, Leatherware, Etc., Conciliation Committee
Chairman: Gregory Munson Stevens.
Employers Representatives: Thomas Leslie Heming; Kenneth James Whicker; Peter Oscar Berman.
Employees Representatives: Walter Ronald James Eglinton; Eva Catherin Dennes; Dawn Sandra Girardo.

Wholesale Sellers and Distributors Conciliation Committee
Chairman: Gregory Munson Stevens.
Employers Representatives: Elise Hitqe Lyons; David Franklin Smout; Noel Millen Hamden; Peter Milton Bishop.
Employees Representatives: John Michael Boag; Steven Wayne Mines; Leon Thomas Bright; Noel Lawrence Starr.

Shop Conciliation Committee
Chairman: Gregory M. Stevens.
Employers Representatives: Michael G. McCutcheon; Thomas W. Taylor; Garth C. Foxwell; Frederick M. Weaver.
Employees Representatives: Leonard P. Barter; Mary B. Sambrook; Donald E. Farrell; Owen V. McCarron.

TAB SUBAGENCIES

441. **Mr BECKER** (on notice) asked the Minister of Recreation and Sport:

1. What is the turnover to date of the TAB subagencies at the Windsor and the Belair Hotels, respectively?

2. How much commission has been paid to the proprietors of each hotel and what is the amount of commission accrued for each to date?

3. How much has it cost the TAB to establish subagencies at the Windsor and Belair Hotels, respectively?

4. Has the experiment of TAB subagencies at hotels been evaluated and, if so, what is the result?

The Hon. J.W. SLATER: The replies are as follows:

	$
1. Turnover to 4.4.84:	
Windsor Hotel	105 508
Belair Hotel	29 277
2. Commission as at 4.4.84:	
Paid to 28.3.84:	
Windsor Hotel	2 536.46
Belair Hotel	516.32
Accrued due week ending 4.4.84:	
Windsor Hotel	147.27
Belair Hotel	46.82
3. Cost to establish subagencies:	
Windsor Hotel	640.00
Belair Hotel	690.00

4. The experiment has not be evaluated.

VOLUNTARY AGENCIES

455. **Mr BECKER** (on notice) asked the Premier:

1. How many voluntary agencies in South Australia are now receiving Government financial support and what criteria are used in allocating such funds?

2. What other support is the Department for Community Welfare providing to voluntary agencies?

3. Has consideration been given to providing departmental staff on full-time or part-time secondment to assist voluntary agencies and, if not, why not?

The Hon. J.C. BANNON: The replies are as follows:

(1) Many hundreds of voluntary agencies receive Government financial support, but if the member is referring specifically to the Department for Community Welfare the number is 240. The criteria used in allocating funds include:

The need for service.
The proposed/current service does not duplicate other existing services.
The acceptability of service to users and potential users.
The community support and community base.
Adequate management and administration of the project.
The capacity of the organisation to provide adequate support and supervision for the project staff.
Priority of the organisation in relation to other applicants for grants.
The financial plans of the organisations.

(2) Administrative and policy advice; staff training, assistance to develop projects.

(3) Yes.

MITSUBISHI

456. **Mr BECKER** (on notice) asked the Premier:

1. Does the Government propose to purchase more light motor vehicles from Mitsubishi to assist that company to maintain employment levels following a heavy trading loss last financial year and, if not, why not?

2. How many light motor vehicles does the Government plan to purchase from Mitsubishi this financial year, and what is the total value?

The Hon. J.C. BANNON: The replies are as follows:

1. The letting of the contract for the supply of motor vehicles to Government departments and the police is currently under consideration by the Supply and Tender Board and it is expected that these contracts will be resolved shortly.

2. Until such time as the Supply and Tender Board has made its decision, it is not possible for the number of vehicles which will be purchased from Mitsubishi or from any company to be defined, nor the total value.

3. It is Government policy to take into account investment and employment considerations in deciding upon motor vehicle contracts.

STATE ELECTORATES

479. **Mr BECKER** (on notice) asked the Minister of Community Welfare representing the Attorney-General:

1. How many persons are now enrolled in each of the current State electorates?

2. How many persons are now enrolled in each of the new electorates as recommended recently by the Electoral Boundaries Commission and what are the reasons for any fluctuations since the redistribution?

The Hon. G. J. CRAFTER: The replies are as follows:

1. The number of electors on roll as at 30 March 1984 for current State electorates is as follows:

Adelaide	15 954
Albert Park	20 620
Alexandra	21 540

Ascot Park	16 930
Baudin	24 800
Bragg	16 313
Brighton	19 688
Chaffey	19 540
Coles	20 378
Davenport	19 132
Elizabeth	20 120
Eyre	16 060
Fisher	25 203
Flinders	16 936
Florey	17 424
Gilles	17 468
Glenelg	16 943
Goyder	18 115
Hanson	17 790
Hartley	19 111
Henley Beach	19 427
Kavel	19 881
Light	17 654
Mallee	16 264
Mawson	26 483
Mitcham	16 804
Mitchell	17 951
Morphett	17 347
Mount Gambier	18 565
Murray	20 176
Napier	18 770
Newland	25 360
Norwood	16 818
Peake	16 588
Playford	20 262
Price	16 042
Rocky River	17 824
Ross Smith	15 575
Salisbury	24 083
Semaphore	18 921
Spence	15 055
Stuart	17 897
Todd	21 623
Torrens	16 610
Unley	16 412
Victoria	16 133
Whyalla	16 874
Total	881 464

2. Current details of the number of electors in the electorates created by the order of the Boundaries Commission are not available. Crown opinion indicates that the new districts will not come into force until the next general election and computer programmes have not yet been developed to maintain statistics concurrently for two sets of electorate configurations. This difficulty has not been encountered in the past as at each of the past two redistributions general elections have followed closely their dates of operation.