LEGISLATIVE COUNCIL

Tuesday 7 November 1978

The PRESIDENT (Hon. A. M. Whyte) took the Chair at 2.20 p.m. and read prayers.

ASSENT TO BILLS

His Excellency the Governor, by message, intimated his assent to the following Bills:
Appropriation (No. 2),
Public Purposes Loan.

PETITION: MARIJUANA

The Hon. J. C. BURDETT presented a petition signed by 39 residents of South Australia praying that the Council would reject any Bill seeking to legalise the smoking of marijuana.
Petition received and read.

QUESTIONS

REDCLIFF

The Hon. R. C. DeGARIS: As an announcement has been made regarding Loan funds being made available to provide for the infrastructure of Redcliff, will the Minister of Health arrange for the Government to make to the Council a detailed statement of the position regarding existing negotiations and all matters relevant to the development of Redcliff? I ask that question in broad terms: many questions could be asked, but if a full statement is made now it may help honourable members to understand the position regarding Redcliff.

The Hon. D. H. L. BANFIELD: I will refer the Leader's question to the Premier and bring down a reply.

FALSE ADVERTISING

The Hon. J. R. CORNWALL: Has the Minister of Health a reply to the question I asked on 11 October concerning false advertising?

The Hon. D. H. L. BANFIELD: On 11 October 1978 the honourable member asked a question about advertising to promote West Lakes. He followed up this question with a personal explanation on 18 October 1978. I have taken up this matter with the Attorney-General and he has advised as follows:

> The advertising that seems to have been referred to by the honourable member appears to relate to promotional publicity rather than specific advertising of goods and/or services. The only existing legislation on advertising is the Unfair Advertising Act, which relates to unfair statements in connection with the sale of goods and/or services. It would appear that the advertising referred to is not covered by that Act.

REDCLIFF

The Hon. R. A. GEDDES: I seek leave to make a brief statement before directing a question to the Minister of Health, representing the Premier, concerning Redcliff.
Leave granted.

The Hon. R. A. GEDDES: An *Advertiser* report this morning suggests that the Government has been besieged with offers to provide the $186 000 000 required to meet the cost of the Redcliff petro-chemical infrastructure. What interest rates and terms of repayment are these lending institutions offering? Have any principally Australian-controlled lending authorities made an offer?

The Hon. D. H. L. BANFIELD: It will be comforting to all honourable members to know that so many people have confidence in South Australia and are willing to lend this money. I will take up this matter with the Premier and bring down a reply.

VITAMIN B15

The Hon. J. E. DUNFORD: Has the Minister of Health a reply to the question I asked about vitamin B15?

The Hon. D. H. L. BANFIELD: As there is a two-page answer to this question, I seek leave to have it inserted in *Hansard* without my reading it.
Leave granted.

Reply to Question

Vitamin B15 is derived from apricot kernels and rice bran. It is also found in brewer's yeast, ox-blood and horse liver. Evidence suggests that it occurs in nature wherever the true vitamins in the B-complex group are found. The composition of vitamin B15 is not known for certain. From the literature and analytical tests carried out by the Commonwealth Health Department. It would seem that it is a mixture of at least four compounds including (1) pangamic acid and calcium pangamate, and (2) di-isopropylamine dichloro-acetate. To add to the confusion, some manufacturers label their vitamin B15 as being di-isopropylamine dichloro-acetate, that is, implying that their product is a single substance. Others label their vitamin B15 as being pangamic acid or calcium pangamate, again inferring that their product is a single substance.

Whether these claims of it being a single substance in the manufacturers' minds are true or false, most health authorities believe that vitamin B15, if it exists at all, does contain, as part of the mixture, di-isopropylamine dichloro-acetate as the biologically active constituent, that is, it is this part of vitamin B15 which exerts the physiological activity, if any. Additionally, it is quite likely that the proportion of this active principle, while present in all specimens of vitamin B15, varies considerably in the percentage present. Indeed some manufacturers rate their vitamin B15 on the basis that it is all di-isopropylamine dichloro-acetate. On the other hand, some manufacturers claim their vitamin B15 contains no di-isopropylamine, and they label their product as pangamic acid of calcium pangamate.

The pharmacists in the Health Commission take the view that until evidence to the contrary is provided, all 'vitamin B15' contains some di-isopropylamine di-chloro-acetate. The effect of this is to make vitamin B15 a prescription-only drug in South Australia. This is because di-isopropylamine dichloro-acetate for therapeutic use, is listed under schedule four of the Poison Regulations of the Food and Drugs Act. It can therefore only be sold by pharmacists upon a doctor's prescription. It should be noted that this restriction to prescription-only for therapeutic use applies to any therapeutic use, whether for humans, horses or dogs, etc.

The only circumstance under which a pharmacist or "health store" could sell vitamin B15 is if the substance

sold does not contain di-isopropylamine dichloro-acetate. In relation to the statement about a brand of vitamin B15 recommended for animals, etc., we have not been able to discover the availability of such a brand in South Australia from our usual sources of information. If the honourable member can supply further information on this, I shall be pleased to follow it up. In regard to the claims for what vitamin B15 is supposed to do, the reason the Commonwealth Health Department has not authorised its importation for human therapeutic use is that the importer has not been able to provide the necessary scientific data on the compound's safety and efficiency. It is believed that there is no reputable scientific data to support the claims made for it to be able to do any of the things listed in the honourable member's question. If such evidence exists, I would be pleased to refer it to the experts.

CAUSTIC SODA

The Hon. D. H. LAIDLAW: I seek leave to make a brief statement prior to addressing a question to the Minister of Health, representing the Premier, who is the Minister in charge of economic development, concerning the manufacture of caustic soda.

Leave granted.

The Hon. D. H. LAIDLAW: The *Advertiser* in its leading article this morning reported an interview between the Premier and Mr. Greg Kelton regarding the proposed Redcliff petro-chemical plant. The Premier said that the Redcliff project will have a $200 000 000 a year impact upon Australia's balance of payments because caustic soda is an important by-product of the petro-chemical process to be used at Redcliff, and that at present Australia has to import all of her caustic soda needs.

I remind the Premier that Imperical Chemical Industries has produced caustic soda at its alkali works at Osborne for over 30 years. It is derived from soda ash the raw feed for which is drawn from the salt fields at Dry Creek and the limestone deposits at Angaston.

I.C.I. produces thousands of tonnes of caustic soda annually at Osborne, and much of this is shipped interstate. I.C.I. also produces caustic soda at Botany in New South Wales and Yarraville in Victoria.

Does the Premier realise how dispiriting it is for existing South Australian manufacturers to read statements by the Minister in charge of economic development indicating that he is unaware of what product is made in the major chemical works in the Adelaide area?

The Hon. D. H. L. BANFIELD: I will refer the honourable member's question to my colleague and bring down a reply.

FALSE TEETH

The Hon. F. T. BLEVINS: Has the Minister of Health a reply to the question I asked some time ago regarding false teeth?

The Hon. D. H. L. BANFIELD: Inquiries have been made through members of the Australian Dental Association, the Australian Dental Technicians Society, and the Dental Laboratories Association of South Australia. There seems to be no evidence of advertising in this State by South-East Asian dental laboratories, and no evidence that such services are being utilised by South Australian dentists. The evidence available suggests that dentists prefer to have personal communication with the dental laboratory to which their prescriptions are sent and, therefore, that they support the commercial dental laboratories in South Australia.

UNSWORN STATEMENTS

The Hon. J. C. BURDETT: Has the Minister of Health, representing the Attorney-General, a reply to the question I asked on 24 October regarding unsworn statements?

The Hon. D. H. L. BANFIELD: I have been informed by the Attorney-General that the recommendation of the Criminal Law and Penal Methods Reform Committee that "unsworn statements in criminal trials be abolished" will be included in legislation that is currently being drafted. It is unlikely that a Bill will be ready for introduction this year.

MICROWAVE OVENS

The Hon. C. J. SUMNER: Has the Minister of Health a reply to the question I asked some time ago regarding microwave ovens?

The Hon. D. H. L. BANFIELD: As this is a lengthy reply, I seek leave to have it inserted in *Hansard* without my reading it.

Leave granted.

Reply to Question

Implanted cardiac pacemakers generate electrical impulses that stimulate the heart rate so that an adequate output is maintained. Many different types and models are used. Some produce impulses at a fixed rate, while others ("demand" pacemakers) sense the inherent activity of the heart and respond when required.

In theory, there is a possibility that "stray" electromagnetic fields could affect pacemakers, particularly those of the "demand" type. These electromagnetic fields could be produced by a wide variety of devices, for example, radio, television and radar transmitters; transmitting antennae; arc welders; some types of electrical generators and motors (particularly if they are being switched on and off rapidly); and microwave ovens. The magnitude of the fields that would be necessary to produce an effect is not known, and it would vary greatly with different types of pacemakers and different conditions.

Modern technological developments in pacemakers (for example, shielding) mean that these effects are less likely in more recent models. There have been very few reports of such effects in the medical and technical literature. However, the possibility does exist, and patients who have pacemakers implanted in South Australian hospitals are given advice, including a booklet supplied by the pacemaker manufacturer, which mentions possible interference effects of other devices, as listed above.

As no instances of an adverse effect of other devices on pacemakers have been reported to the cardiac clinics at the major hospitals in South Australia, and also as a wide variety of devices could theoretically produce an adverse effect, the displaying of signs warning of a possible hazard from microwave ovens is not considered to be a practical approach to the problem. Rather, it is seen to be the responsibility of the doctor treating the patient with a pacemaker to inform him or her of the possible hazards and how to react to them. This is the current practice in South Australia. Of course, there is no guarantee that visitors from interstate or overseas would have received such advice also.

The woman mentioned in the *News* of 31 July 1978 has been contacted by officers of the South Australian Health Commission about the incident. It is impossible to say whether or not the microwave oven in the delicatessen was responsible for her symptoms and it is noteworthy that she often experiences attacks of palpitations in her normal activities. The attack she experienced in the delicatessen was similar to the attacks which she has in other locations.

Regarding the giving of advice to microwave oven purchasers, a cross-section of major retailers have been checked to ascertain the depth of advice given to purchasers of microwave ovens. Although at one time a copy of the National Health and Medical Research Council's *Guidelines for Safe Practices in the Use of Microwave Ovens in Heating Food* was made available with each new oven purchased, retailers claim that this affected their sales and the practice was discontinued. Advice currently given to purchasers is limited to that contained in the manufacturer's instruction book.

Whenever ovens are tested by officers of the South Australian Health Commission, a copy of the National Health and Medical Research Council guidelines is issued. The National Health and Medical Research Council has now published separately *Precautions in the Use of Microwave Ovens for Heating Food*, a copy of which I have handed to the honourable member. Copies of this shorter document are being obtained, and attempts will then be made to have a copy issued with each new microwave oven sold.

MONARTO

The Hon. J. A. CARNIE: Has the Minister of Agriculture, representing the Minister for Planning, a reply to the question I asked on 21 September regarding the Monarto Development Commission?

The Hon. B. A. CHATTERTON: My colleague reports that the valuation of assets of the Monarto Development Commission depends entirely on the prospective use. Once the site became generally available for urban development, the asset value figure would rise substantially. However, if the land had to be sold purely for agricultural and pastoral purposes it is doubtful whether a sum of more than $6 000 000 could be obtained.

HEALTH INSURANCE

The Hon. ANNE LEVY: I seek leave to make a short statement before asking the Minister of Health a question regarding health insurance.

Leave granted.

The Hon. ANNE LEVY: With the changes to Medibank that occurred last week, there is confusion in the minds of many people as to what form of health cover they have or should have. I have received numerous inquiries from people with children who will be leaving school in a few weeks, and undoubtedly many of these school leavers will be unemployed for some time. As these school leavers will no longer be full-time students, they will no longer be covered by their parents' family health insurance, if they have any, and they will have either to take out their own single health insurance or opt for standard hospital wards and the 40 per cent Government rebate on medical bills.

The other alternative, of course, is for their doctors to classify these people as "socially disadvantaged" and for the doctors to bulk bill to be reimbursed for 75 per cent of standard medical fees. I understand that classifying who is actually socially disadvantaged is to be left entirely to doctors and that the Commonwealth Health Department is issuing no guidelines at all for doctors to help them decide who should be classified in this way.

Although it is a most unpleasant designation to be attached to anyone, it will obviously benefit unemployed people to be so classified by their doctors, instead of trying to meet 60 per cent of the cost of medical treatment or $20 out of their meagre unemployment benefits. Would the Minister consider writing to medical practitioners in this State asking them to consider seriously classifying all unemployed people, including school leavers, as socially disadvantaged, and also all pensioners who are not holding a pensioner medical card as well as other patients who the doctors believe have difficulty in meeting their medical bills? In this way the Minister could provide suggestions to medical practitioners; the Federal Government is refusing to provide such suggestions. Would the Minister consider asking the Federal Minister whether he would discuss with the health funds whether they could be persuaded to continue the family health cover for school leavers until they become employed, so that such cover does not cease on the day they leave school?

The Hon. D. H. L. BANFIELD: I shall be happy to take up the honourable member's suggestion and discuss it with the Federal Minister for Health. Representatives of the A.M.A. are coming to see me one day next week, when I will discuss the matter with them before I write to the Federal Minister. We may be able to reach agreement with the A.M.A. I will certainly canvass the honourable member's idea with the people concerned.

RURAL ASSISTANCE BRANCH

The Hon. M. B. DAWKINS: Has the Minister of Agriculture a reply to my question on 11 October about accommodation in the Rural Assistance Branch?

The Hon. B. A. CHATTERTON: Within the last two months, two interview rooms have been formed by fixed partitions and are now available for use when confidential information is involved. A compactus unit has also been installed to provide adequate storage space in the branch. Moveable screens have also been utilised to screen the various working areas. Confidentiality can now be maintained for applicants when required.

ASBESTOS

The Hon. R. A. GEDDES: Has the Minister of Health a reply to my question about the safety of asbestos pipes used for water reticulation?

The Hon. D. H. L. BANFIELD: A recent survey of available literature from 1961 to 1977 concludes that overseas research indicates that there is insufficient evidence to show that the quantity of asbestos ingested from drinking water supplies is harmful to human health. However, the Engineering and Water Supply Department is at present negotiating with the Australian Mineral Development Laboratories to undertake an analysis by electron microscopy of water taken from various locations, including several asbestos cement mains, to determine the asbestos content.

As regards whether any tests have been made as to the safety of asbestos water pipes in manufacture, the Labour and Industry Department has indicated that regulation 39 made under the Industrial Safety, Health and Welfare Act deals with the safe working with asbestos in industrial premises. The regulation (which was made on the recommendation of the tripartite Industrial Safety, Health

and Welfare Board) provides for the safety of workers who are or may be exposed to asbestos fibres in the course of their employment. It requires the provision of protective clothing and equipment for workers who may be exposed to concentrations of asbestos fibres in the atmosphere which exceed 2 fibres per millilitre of air over an eight-hour period as well as the medical surveillance of workers in asbestos processes. The concentration level of 2 fibres per millilitre of air is the same as the limits applying in the United States of America and the United Kingdom. Industrial premises in which asbestos processes are being carried out are monitored frequently to ensure that the prescribed standard is being maintained.

UNEMPLOYMENT BENEFITS

The Hon. N. K. FOSTER: I seek leave to make a brief statement before asking a question of the Leader of the Council about the Federal Government's refusal to disclose the number of beneficiaries of unemployment benefits.

Leave granted.

The Hon. N. K. FOSTER: No doubt every concerned member of this Council and the public will be annoyed because the Federal Government has completely refused to disclose the number of people in the community who are receiving unemployment benefits. Rex Jory, a journalist of some renown and formerly of this State, in a report in the *News* today, states:

> The Federal Government has banned the release of monthly unemployment relief details. The figures have become a recent source of embarrassment to the Government. In the August Federal Budget, the Treasurer (Mr. Howard) estimated the Government would spend $800 000 000 this financial year on unemployment relief payments.

The Federal Opposition had a way of finding out information, and it got figures for a recent period. However, the Federal Government has ferreted out that source of information and has closed that door by banning, threatening and making innuendoes of dismissal against public servants.

The report also states that Social Security Minister Guilfoyle indicated to a Senate Estimates Committee hearing that the Budget target on unemployment relief payments would be met. However, it is interesting to note the following part of the report:

> In the first three months of this financial year, unemployment has hovered between 382 000 and 393 000 but the average payment of $70 000 000 a month has easily exceeded the monthly Budget allocation . . . If Senator Guilfoyle is going to hold unemployment benefit expenditures with the original Budget target, it is hard to see how another blitz can be avoided.

Perhaps it would be more convenient for *Hansard* if I asked that the whole report be included.

The PRESIDENT: It probably would be more convenient, too, if the honourable member got off debate.

The Hon. N. K. FOSTER: I am not debating. I have asked leave of the Council to draw attention to part of the report by Rex Jory in this afternoon's *News*, and I have dealt with only some minor aspects of the report. Perhaps it should be more widely circulated and a deceitful Government exposed for lack of common decency. Will the Minister of Health find out whether figures on the number of beneficiaries can be ascertained from other than untrustworthy Federal Government areas of influence? Further, will the Minister find out whether there has been any increase in the number of applications for benefit to the Community Welfare Department as a result of the vicious and unrealistic search-and-deprive operation carried out by the Federal Department of Social Security?

The Hon. D. H. L. BANFIELD: I will try to obtain the figures for the honourable member.

RUBBER TYRE RECYCLING

The Hon. D. H. LAIDLAW: Has the Minister of Health a reply to the question I asked recently about the possibility of freezing rubber tyres and re-using the rubber?

The Hon. D. H. L. BANFIELD: As the reply is lengthy, I seek leave to have it inserted in *Hansard* without my reading it.

Leave granted.

Reply to Question

The Economic Development Department has been aware of the Western Australian operation for recovering rubber crumb, wire and lint from waste tyres by the cryogenic process, and it held discussions in 1977 with the local representative of that company regarding markets and possible production in South Australia. Indeed, the department has been investigating the possibility of an industry using this or another technology for many years.

In 1975, in conjunction with C.I.G., the department investigated the feasibility of a cryogenic process with an interested local company. The Highways Department, a possible end-user, commented that the price of the product was excessive for use as a road-making material, and would be suitable only in specialised surface applications. However, not only were these applications small users, but it appeared at that time that the price made the product barely competitive. Evaluation of the feasibility of a tyre furnace at that period similarly concluded the process was economically unviable.

Although, in certain overseas countries, viable rubber recycle plants are in operation, some are subsidised and many others have closed (for example, six or seven plants have closed in the United Kingdom in recent years). An operating concern, United Reclaim Ltd. (a Dunlop subsidiary), produces about 10 000 tonnes of rubber crumb each year in the United Kingdom, but has reported difficulty in finding uses for its products and from changes in tyre makeup (especially metallic tyres). Reports indicate that, even in areas such as carpet underlay, hoses, mats surfaces, etc., synthetic rubbers and plastics are more than competitive with recycled rubber crumb.

Because the market outlet for rubber crumb appears so limited, the department has been investigating pyrolysis processes which produce fuel, oil, coke, steel scrap, and tyre carcasses. Processes developed by Herko Pyrolyse in Germany and Niffon Zeon Ltd. in Japan are being evaluated for economic viability. These processes produce products for which markets are more readily obtained. In order that the rubber tyre resource is not wasted whilst this assessment is made, the Environment Department has made plans for shredding tyres and storing the product at the Wingfield dump.

EMISSION CONTROLS

The Hon. R. A. GEDDES: Has the Minister of Lands a reply to the question I asked recently regarding exhaust emission controls on motor vehicles?

The Hon. T. M. CASEY: The report to which the honourable member refers is *Vehicle Emission Controls in Australia: Their Efficiency and Energy Conservation Aspects*, by the Australian Environment Council, 1978. The report found that:

1. Vehicle weight was the single most important factor affecting urban fuel consumption. Fuel consumption is almost directly proportional to weight.
2. It was noted from the United States Environmental Protection Authority experience that vehicles up to and including 1590 kg inertia class showed some improvement in fuel consumption. More than 90 per cent of Australian vehicles are of this weight or less.
3. From the Australian experience it was noted that after allowing for the break-in of new vehicles comparison with the pre-1976 vehicle data indicates a trend toward higher fuel consumption in the heavier vehicles of around 8 per cent (at 2 000 kg), balanced by a trend towards lower fuel consumption in the lighter vehicles of about 10 per cent (at 1000 kg).

BIRRALEE

The Hon. K. T. GRIFFIN: Has the Minister of Health a reply to the question I asked regarding the Government's purchase of Birralee?

The Hon. D. H. L. BANFIELD: St. Anthony's Hospital is a 32-bed Medibank hospital with average occupancy varying between 15 and 28 patients. Birralee Hospital can accommodate between 80 and 100 people, and initially it is anticipated to have 32 beds available. Expansion to enable the use of the additional beds will depend on the availability of funds.

Initially, the same services will be provided at Birralee. It is proposed in the future to develop residential groups for families, drink drivers, etc. Birralee Hospital will also be used as a teaching unit, for which the present accommodation at St. Anthony's Hospital is not suitable. The development of these services will also depend on the availability of funds.

Birralee Hospital, as in the case of St. Anthony's Hospital, will continue to be used as a treatment and rehabilitation hospital for persons addicted to alcohol and other drugs, but will not be used as an outpatient clinic, a clinic for users of hard drugs, or as a sobering-up unit. Purchase of the property was conditional upon the Alcohol and Drug Addicts Treatment Board accepting the foregoing conditions.

NUCLEAR POWER PLANTS

The Hon. D. H. LAIDLAW: Has the Minister of Health a reply to my recent question regarding Soviet nuclear power plants?

The Hon. D. H. L. BANFIELD: First, the Premier is aware of the report regarding Soviet nuclear power plants referred to by the honourable member. His attention is drawn to a further report in the *Financial Review* of 13 October 1978, which quotes a senior Soviet official as stating that the bulk of the plants will be used in the U.S.S.R. Secondly, Government policy remains as expressed by the resolution on uranium adopted by the House of Assembly on 30 March 1977.

TROTTING

The Hon. R. C. DeGARIS: With his usual courtesy, the Minister of Lands has told me that he has a reply to the question I asked recently regarding trotting, and I ask him to give that reply.

The Hon. T. M. CASEY: Contrary to certain articles which have appeared in the press in recent weeks, the South Australian Trotting Club will still be conducting the meeting scheduled for Globe Derby Park on Saturday 25 November 1978. In no way will the club, or the committee thereof, be handing any of the betting or administrative procedures over to any outside body. The club will still be responsible for the meeting with the exception of the promotional activity only for that night. Such promotional activity will be handled by a special events committee, which comprises the members of the committee of this club along with certain other representatives of the trotting industry. The activity of the special events committee will be to see that the promotional activity only runs satisfactorily on that night but the remainder of the meeting remains in the control of the committee of the club and its duly appointed officials and stewards.

COMPUTERS

The Hon. ANNE LEVY: I seek leave to make a statement before asking the Leader of the Council a question about computers.

Leave granted.

The Hon. ANNE LEVY: There has been much discussion in recent times about the increasing use of computers in our society, the nature of the data stored in these computers, and the question of who has access to this data. Could the Leader of the Council ascertain for me how many computers are currently owned by the different Government departments and Government instrumentalities? Further, how many computers are on order for Government departments and Government instrumentalities? Would he also supply me with information as to the nature of the databank for each of these computers, what links there may be between the different computer systems, and what security currently applies to the use of the data in these computers? Further, could the Government inform the Council whether the working group on privacy is considering the matter of confidentiality of computer data in its investigations of privacy in our community?

The Hon. D. H. L. BANFIELD: I will inquire and get a reply for the honourable member.

ROXBY DOWNS

The Hon. D. H. LAIDLAW: Has the Minister of Agriculture a reply to the question I asked regarding Roxby Downs?

The Hon. B. A. CHATTERTON: The Government is naturally anxious for new mining or industrial projects to be commenced in this State, and is aware of the importance of the Roxby Downs copper-uranium deposit and its potential for development. However, its policy on uranium mining has not inhibited Western Mining Corporation in finding joint venture partners, so far as I am aware, and drilling is proceeding to outline the extent and character of the deposit.

COOPER BASIN GAS

The Hon. R. A. GEDDES: Has the Minister of Agriculture a reply to my recent question directed to the Minister of Mines and Energy about Cooper Basin gas?

The Hon. B. A. CHATTERTON: The price of gas to the Electricity Trust of South Australia and South Australian Gas Company is subject to annual review following a review of the price paid by the Pipelines Authority to the Cooper Basin producers. Any new price applies from 1 January each year. There is no basis for world parity prices.

CAN DEPOSITS

The Hon. R. C. DeGARIS: Has the Minister of Health a reply to my recent question about can deposits?

The Hon. D. H. L. BANFIELD: The Beverage Container Act does not provide for exemptions regarding the sale of cans without deposit inscription. Most large industrial plants, many of them being in a similar situation to that of General Motors-Holden's, were able to resolve this aspect and, in this respect, the Environment Department is able to advise on ways of overcoming any difficulties. There is no substantial evidence to show that the can trade has disappeared from the northern areas of the State. Depots have been set up in towns that serve these areas, and quarterly returns show that cans still share a fair percentage of the market. Generally, surveys undertaken by the Environment Department do not indicate any significant increase in the number of bottles in the litter stream.

LIBRARIES AND INSTITUTES ACT AMENDMENT BILL

Second reading.

The Hon. B. A. CHATTERTON (Minister of Agriculture): I move:

That this Bill be now read a second time.

It is designed to give to the Libraries Board power to borrow money for its purposes under the Act. It is envisaged that the new borrowing powers will be used to assist in the expansion of library services that is now taking place. The Bill will also enable the Governor to make regulations that regulate, restrict, or prohibit the driving or parking of motor vehicles on land under the control of the board and will, in addition, provide an efficient method of imposing penalties on offenders who contravene the regulations.

Regulations under the new provisions will be aimed principally at the land on North Terrace. Similar provisions already exist in the Art Gallery Act, 1939-1978, by virtue of amendments made earlier this year. It is proposed to introduce into Parliament, with the Bill, a Bill that makes similar amendments to the South Australian Museum Act, 1976. The three Acts will then enable the making of uniform regulations on this subject for the North Terrace land of all three institutions. Uniformity is desirable because there are no clearly defined boundaries between the land controlled by each board and because they face similar problems in the control of driving and parking on their land. I seek leave to have the explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clause 1 is formal. Clause 2 removes the reference to moneys voted by Parliament in subsection (5) of section 20 of the Act. The reason for this is to allow the board to use both moneys voted by Parliament and moneys that it borrows for the purposes mentioned in the subsection. Clause 3 enacts the borrowing power as section 20a of the Act. The power is similar to that already given to a number of statutory bodies, such as the Art Gallery. Clause 4 removes the reference to moneys voted by Parliament for the reason given in the explanation to clause 2.

Clause 5, paragraph *(a)*, adds a new paragraph to the regulation-making power that will allow the Governor, on the advice of the Libraries Board, to regulate the driving and parking of vehicles. Paragraph *(b)* increases the maximum penalty in a regulation to $500 to bring this provision into line with the Art Gallery Act. Paragraph *(c)* will add two subsections to section 149 of the principal Act. Subsection (2) is an evidentiary provision that will facilitate the proof of ownership and control of the vehicle in question. Subsection (3) provides for an efficient means of enforcement by way of expiation fee. This procedure obviates the expensive and time-consuming process of prosecuting every offender in court.

The Hon. R. A. GEDDES secured the adjournment of the debate.

HEALTH ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 24 October. Page 1571.)

The Hon. C. M. HILL: There is an increased air pollution problem in urban areas throughout the State, particularly in metropolitan Adelaide. One of the factors contributing to this problem is the burning of rubbish in public, in private, or in municipal incinerators. I agree with the Government that it is essential that the Government have power to regulate and control burning in incinerators and tips. This Bill enables such regulations to be gazetted. Previously, provisions of the clean air regulations were declared *ultra vires* by the High Court, and the Government now wants to remove the word "rubbish" from the existing Act, as it anticipates that it will then be able to introduce new regulations that will withstand any challenge. Such regulations would have to be brought into the Council and withstand any challenge in regard to disallowance. Therefore, honourable members will have the opportunity to examine this question again at that time. I support the Bill.

Bill read a second time and taken through Committee without amendment. Committee's report adopted.

STATE LOTTERIES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 25 October. Page 1649.)

The Hon. R. C. DeGARIS (Leader of the Opposition): The Bill gives control to the State over the use of the words "Lotto", "Cross Lotto" and "X Lotto". I doubt whether the Bill should pass at all. I do not think such a monopoly should be granted to the Government in the use of these words. The Lotteries Commission should have copyright use of the words "Cross Lotto" and "X Lotto"

because they are words that virtually have been invented and used by the commission. However, to grant copyright of the word "Lotto" to the commission is going much too far. The commission will have rights over a word that has been in use for many years, long before the establishment of the Lotteries Commission. From the *Oxford English Dictionary* one finds that the first reference to the word "Lotto" is in 1778. The Lotteries Commission should not be given total and exclusive use of the word "Lotto", when it has been in use for such a long time. Many years ago a children's game called "Lotto" was sold and could be bought in any shop.

The Hon. Anne Levy: That will not be affected by this Bill.

The Hon. R. C. DeGARIS: I believe it will.

The Hon. Anne Levy: You haven't read clause 2.

The Hon. R. C. DeGARIS: Clause 2 provides:

> A person shall not, without the written authority of the commission, distribute, display or publish, or cause to be distributed, displayed or published, by any means, any notice or advertisement in which the word or words "Lotto", "Cross Lotto" or "X Lotto" (whether with or without the addition of any other words, symbols or characters) are used as a title or description of a lottery other than a lottery conducted, or to be conducted, by the Commission.

The Hon. Anne Levy: There's nothing about a game.

The Hon. R. C. DeGARIS: I am talking about the use of the word "Lotto". We are granting its total use to the commission. The *Oxford Dictionary* definition of "Lotto" states:

> A game played with cards divided into numbered and blank squares and numbered disks to be drawn on the principle of a lottery.

Under this Bill we are saying that, although the word "Lotto", which means a lottery, has been in the English language for 200 years, one must approach the commission and seek permission to use that word. That is what the Bill provides.

The Hon. Anne Levy: It does not cover the sale of the game called "Lotto".

The Hon. R. C. DeGARIS: I am not saying that. I said that the word "Lotto" has been in use in the English language for a long time. Indeed, we can all remember as kids a game called "Lotto" being sold. Under the Bill we are being asked to give the commission the copyright use of the word "Lotto" when it is used in relation to a lottery.

The Hon. Anne Levy: Not regarding the game.

The Hon. R. C. DeGARIS: The game is a lottery, anyway. That does not matter. The issue is that we have a word in the English language that has been used for a long time that means a lottery. If this is so important, why does not the commission copyright the word "lottery" as well? That would be exactly the same thing. There is no case that the Government can make why the commission should have any copyright use of "Lotto".

I certainly oppose the copyright use of "Cross Lotto" or "X Lotto". True, the commission was the first to use those particular words in South Australia, and I am willing to concede on that ground, but there is no case for it to have control over the use of the word "Lotto" when it is used in the context of a game or lottery, which is exactly the same thing.

The Hon. Anne Levy: It will not cover the game.

The Hon. R. C. DeGARIS: I am not saying that it will: I am saying that, if it is used in the context of the word "Lotto", it cannot be used without the commission's permission. The Bill provides:

> . . .(whether with or without the addition of any other words, symbols or characters) are used as a title or description of a lottery . . .

What is a lottery other than a lottery being conducted by the commission? The Government cannot make out any case for granting the commission sole use and copyright of the word "Lotto" in relation to a lottery, because it has been used in that context for 200 years. Therefore, I am willing to support the second reading, but will be moving an amendment in Committee to remove the word "Lotto" from the Bill.

The Hon. J. A. CARNIE secured the adjournment of the debate.

LEVI PARK ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 25 October. Page 1648.)

The Hon. C. M. HILL: The purpose of this Bill is to reconstitute the Levi Park Trust, which was established in 1948 and which controls a property originally owned by a member of the Levi family. I understand that the area includes a park, an oval, tennis courts, a caravan park, and certain historical buildings, one of which was the old Vale House, which was the Levi home.

Under the Bill the trust is being changed and updated. The most radical change the Government intends, and one that I take strong objection to, is that local government, which previously appointed three of the five members of the controlling board, will now nominate only two members to the board. Previously, the three local government representatives came from the Walkerville and Enfield councils (Walkerville nominating two members and Enfield nominating one). Enfield council no longer nominates a representative because Levi Park is no longer within the Enfield council boundaries, whereas at the time of the trust's formation the park was in its council area.

Whilst the Government previously appointed two members to the board, it now seeks the right to appoint three members. Honourable members must agree that, as a result of this Bill, local government involvement in the trust is being eroded and, I believe, it is being eroded unreasonably. Further, the Minister rubs salt in the wound by including under clause 5 new subsection (3) "The trust shall be subject to the general control and direction of the Minister." I have no objection to the trust's being responsible to the Minister because the trust is a statutory body, and I believe that all statutory bodies should be responsible to a Minister.

Certainly, the Minister is ensuring that the real decision-making power of the trust will come under his control by those two measures: first, by making three of the five members of the board to be nominated by him and, secondly, by including that the general control and direction shall be his responsibility. I am amazed that the Minister of Local Government should be the architect of such a Bill. He should be supporting local government in all respects. Certainly, local government has carried out its work well. I understand that it has, because the Minister has not indicated that local government control has been unsatisfactory in the past. The trust's record has been good and has involved local government contribution. In effect, the Minister intends to take away the numbers from local government and give himself the right to nominate the majority of trust members. That is surprising action by any Minister of Local Government.

I read the Minister's explanation when the Bill was introduced to ascertain whether local government control had proved to be unsatisfactory in any way in the past, but

he did not refer to that aspect whatever. No case has been made out where the control by local government of this board has been unsatisfactory, or where the board has failed in any respect because three out of five of its members were nominated by local government.

Therefore, one is justified in asking whether there is a need for that change to be willed upon people, as is occurring in relation to this Bill. In the general democratic process, it is proper that local communities should be given more, not less, power to control themselves. This is especially so in the management of such things as local parks, ovals, tennis courts and recreation and sporting facilities of that kind. When local government has been involved in the control of caravan parks throughout the State, it has done the work well indeed.

Why should the State Government want to intrude on this area of local government activity? As we well know, there is always a tendency for central government to want more power at the expense of local government, and that trend should be resisted, particularly in this Council. Here, we have a classic example of this happening. Indeed, local government can manage more efficiently and economically than can central government, the things to which I have referred. I therefore totally oppose the concept that the State Government should have the right to appoint three members to this five-member board and take away the right that local government previously held to nominate three of the five members, especially when the board did its work very well indeed. I intend to move an amendment along those lines.

The other general updating provisions of the Bill are satisfactory, although I have two small queries in relation to the regulation clause in the latter part of the Bill. I should like the Minister to comment on these matters when he replies. The Minister is seeking the right to bring down regulations covering certain matters, included in which is a regulation that will prohibit any person from allowing a dog to enter or remain in a park. I have no objection to regulations to control dogs and persons with dogs in parks. However, to contemplate prohibiting dogs being taken into parks completely is ridiculous, and that matter should be examined before the Bill passes.

Also, I notice in the final subclause that existing by-laws will, if the Bill passes, be deemed to be regulations. I presume that that process of change will be automatic and, as I read it, will mean that existing by-laws will automatically become regulations, and Parliament will have no chance to consider those regulations with a view to possible disallowance.

I do not know whether it is unreasonable to expect the Government to bring in these by-laws to enable members to peruse them. Indeed, it may not be unreasonable to suggest that all regulations should be tabled in the ordinary way and run the gauntlet of perusal by members before they take effect, after a Bill is proclaimed. I ask the Minister, in reply, to comment on those aspects.

The important aspect of the Bill is the change that the Government intends to introduce regarding members on the new board. Walkerville council ought to have the right to nominate the member who was previously nominated by Enfield council. That seems to be a reasonable approach, the park now being within Walkerville council's boundaries.

This would mean that Walkerville council, whose record in local government is an excellent one, would nominate three members of the five-member board. The Government should reconsider its approach and allow local government to maintain control of the trust as it has maintained it in the past. That would be in the best interests of the people in the area, of those who will use the caravan park, and of the Government itself. I support the second reading and, as I have already indicated, will participate in the Committee debate.

The Hon. J. A. CARNIE secured the adjournment of the debate.

INDUSTRIAL CONCILIATION AND ARBITRATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 26 October. Page 1730.)

The Hon. K. T. GRIFFIN: This Bill is prompted by the difficulties that have faced the Public Service Association over the past two or three years. Twice at least in that time attempts have been made, both before the Industrial Commission and the Full Supreme Court, to deregister and to oppose applications for deregistration.

I understand that the Public Service Association of South Australia will soon seek to reregister under the Act. That application for reregistration will be heard by the Registrar or one of the two Deputy Registrars of the Industrial Court, all of whom, I understand, are members of the Public Service Association.

Although the Supreme Court in its recent judgment in Cawthorne's case indicated that one of those persons is not disqualified from hearing an application because of the application of the doctrine of necessity, obviously from a practical point of view some persons will be aggrieved by any successful application for reregistration, and some opponents will be dissatisfied by such a decision. Those persons will have an opportunity to criticise the hearing of an application by a person who is a member of the Public Service Association, and will thereby have ammunition to substantiate the criticism.

I think we all share the view that justice must not only be done but must also be seen to be done, and that applies equally in judicial proceedings as it does in proceedings of a *quasi* judicial or administrative nature. In all the cases that involve deliberation on the rights of parties, be they individuals, associations, or other bodies, it is important that there be no obvious or even latent conflicts of interest that could reflect on the quality of the decision given.

The Bill seeks to minimise, if not completely to avoid, these conflicts of interest by in certain cases allowing the President of the Industrial Court to appoint a judge to exercise the powers and assume the responsibilities of a Registrar and to hear an application such as one for reregistration. There are many other instances where a judge, assuming the responsibilities of a Registrar, may be called upon to deliberate and give a decision under that Part of the Act to which this amendment relates.

I support the principle that the President should be authorised to delegate responsibility and to appoint a judge to assume these responsibilities. Nevertheless, practical difficulties may arise in the application because, as the provision is drafted, it requires the President, in appointing a judge to assume the responsibilities of a Registrar, to identify the provision or provisions under which the Registrar will act and the nature of the responsibility that he will thereby assume. It is conceivable that, in the course of an application, those provisions may not be appropriate and that others, which have not been referred to in the delegation, will be required to be exercised by a judge acting in the capacity of a Registrar; that is a practical difficulty which may not occur, but I draw attention to it. I recognise and accept the need for clarification of the problems that have been presented by

the Public Service Association's difficulties. I support the principle of the Bill and the second reading.

Bill read a second time and taken through Committee without amendment. Committee's report adopted.

SOUTH AUSTRALIAN MUSEUM ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 25 October. Page 1649.)

The Hon. JESSIE COOPER: I rise to support the Bill, which is quite straightforward. The Bill empowers the Governor, on the recommendation of the Museum Board, to make regulations for controlling parking. As the Minister said in his second reading explanation, the Museum, the Art Gallery, and the State Library all share the same difficulties in controlling parking, because the boundaries between the land controlled by each of them are not clearly defined. This Bill will bring the Museum into line with the Art Gallery and will clear up this difficulty, because from now on people who offend will have a way out by means of an expiation fee, instead of what is done at present: the Museum has to take them to court. I support the Bill.

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

HOUSING AGREEMENT BILL

Adjourned debate on second reading.
(Continued from 26 October. Page 1729.)

The Hon. R. C. DeGARIS (Leader of the Opposition): The Bill ratifies a new Housing Agreement between the States and the Commonwealth. The Bill sets out the terms of the agreement and deals with Commonwealth financial assistance to the States in relation to housing. The present agreement changes very little from the previous Housing Agreement, although it provides slightly greater flexibility for the States in developing policies under the agreement. It allows each State to adopt policies that suit that particular State; that is some advance on the previous situation.

I have always believed that the Commonwealth influences too much the expenditure of moneys that come to the States through various agreements: it should be left to each State to determine policies that suit the particular State. The agreement provides that not less than 40 per cent of the total housing money shall be for house purchases. That is not a restriction that would overly worry any Government in South Australia, because over the years we have exceeded that percentage by a good margin. South Australia has always had a higher degree of house ownership than has any other State; that is still the position, although it is not as strong as it was a few years ago. In South Australia the policy has always been that as many people as possible should own their own houses.

I freely admit that there is a case for rental housing; no modern State can say that it plays no part in the housing of the people. Industries in various parts of the State require housing, and it is unfair that the organisation that requires that housing should be forced to provide it. Secondly, it is unfair to expect people to go to new areas and invest in the establishment of a house when they may not be staying there very long. Therefore, one can make out a strong case for having a certain amount of rental housing.

On the other hand, I believe that some States and, in some circumstances, this Government tend to lean too heavily towards such rental accommodation. We should be adopting policies that ensure that every person who wants to own his own home has a reasonable chance and opportunity to do so, and every encouragement should be given to ensure that people own them.

I should also like more use to be made of the existing building societies in this State. I understand that, in some other States, much of the money for housing goes to certain co-operative building societies, but that is not the case in South Australia.

All of the money received in this State under the Housing Agreement goes to the State Bank or the Housing Trust as the constructing authority, and I consider that there should be a change in policy in this State whereby at least some money is channelled to the societies that over the years have done a remarkable job in providing houses. This State has overlooked the contribution that the societies have made and can make if extra assistance is obtained by them from the financial agreement with the Commonwealth. I see no reason to delay the Bill. It ratifies an agreement already made and I support the second reading.

The Hon. C. M. HILL secured the adjournment of the debate.

BOILERS AND PRESSURE VESSELS ACT AMENDMENT BILL

Received from the House of Assembly and read a first time.

ADJOURNMENT

At 3.33 p.m. the Council adjourned until Wednesday 8 November at 2.15 p.m.