## LEGISLATIVE COUNCIL

Thursday 6 November 1980

**The PRESIDENT (Hon. A. M. Whyte)** took the Chair at 2.15 p.m. and read prayers.

### PAPERS TABLED

The following papers were laid on the table:

By the Attorney-General (Hon. K. T. Griffin)—

*Pursuant to Statute*—

South Australian Superannuation Board—Report, 1978-79.

State Clothing Corporation—Report, 1979-80.

## QUESTIONS

### RURAL ASSISTANCE

**The Hon. B. A. CHATTERTON:** I seek leave to make a short explanation before asking the Minister of Community Welfare, representing the Minister of Agriculture, a question about rural assistance funds.

Leave granted.

**The Hon. B. A. CHATTERTON:** The Minister of Agriculture, in a Ministerial statement in the House of Assembly today, stated:

> A firm policy has always existed in the department's Rural Assistance Branch that decisions on recommendations would not be influenced by fund availability and in the history of the branch an application has never been rejected through lack of funds.

This was made in response to a statement that I made earlier in the Council that funds were not available for the Rural Assistance Branch to help grapegrowers affected by the current surplus of red-wine grapes. I am interested in this Ministerial statement, because the Commonwealth has now reduced the funding for rural assistance for two consecutive years to a very low level.

As I understand the Minister's statement, it implies that the State Government will continue to fund this activity of the South Australian Department of Agriculture, irrespective of whether or not Commonwealth funds are available. Can the Minister say whether the Rural Assistance Branch will continue to approve applications irrespective of whether Commonwealth funds are available and whether presumably, therefore, the State Government is prepared to provide any funds for this area, which is normally funded by the Commonwealth if there is a shortfall?

**The Hon. J. C. BURDETT:** I will refer the question to my colleague and bring down a reply.

### EQUAL OPPORTUNITIES ADVISER

**The Hon. ANNE LEVY:** I seek leave to make a statement before asking the Minister of Local Government, representing the Minister of Education, a question regarding an Equal Opportunities Adviser in the Department of Further Education.

Leave granted.

**The Hon. ANNE LEVY:** I understand that the Government is proceeding with its intention to appoint Equal Opportunities Advisers in the Education Department and the Department of Further Education, despite many pleas that a Women's Adviser be reappointed in the Education Department and appointed for the first time in the Department of Further Education. I understand also that in the Department of Further Education the Equal Opportunities Adviser is to have no support staff whatsoever allocated to him or her, unlike the situation in the Education Department, where the Equal Opportunities Adviser will have support staff, in the same way as the previous Women's Adviser in the Education Department had support staff. The staffing level in the Education Department is expected to continue at the same level as it was under the previous situation.

Furthermore, I understand that in the Education Department the Equal Opportunities Adviser will be a member of the top decision-making body of the department known as the Policy Committee. The previous Women's Adviser in the Education Department was also a member of that department's Policy Committee, and served a valuable role there, being the only woman on that body. I understand, however, that in the Department of Further Education the Equal Opportunities Adviser will not be a member of the top decision-making body known as the Executive, or even a regular attender at meetings of the Executive. I know that it is within the Minister's power to decide that the Equal Opportunities Adviser will be a member of the Executive of the Department of Further Education. I understand that, under the previous Government, a Ministerial decision was made that the then proposed Women's Adviser in the Department of Further Education was to be a member of the Executive of that department.

I therefore ask the Minister, first, whether he will ensure that support staff is provided for the Equal Opportunities Adviser in the Department of Further Education so that he or she can adequately carry out the duties expected of him or her; and, secondly, whether the Minister will consider the matter of the membership of the Executive of the Department of Further Education and make a policy decision that the new Equal Opportunities Adviser, when appointed, is to be a member of the Executive of the Department of Further Education, so removing the lower status of influence that the Equal Opportunities Adviser would otherwise have in the Department of Further Education compared to his or her counterpart in the Education Department.

**The Hon. C. M. HILL:** I will refer all those details and questions to the Minister of Education and bring back a reply from him on the matter.

### SENTENCE REMISSIONS

**The Hon. C. J. SUMNER:** I seek leave to make a brief explanation before asking the Attorney-General a question regarding Government confusion.

Leave granted.

**The Hon. C. J. SUMNER:** Honourable members will recall that on Tuesday of this week, 4 November, the Attorney-General answered a question that I had asked on 12 June (4½ months ago) about sentence remissions, in which reply the Attorney-General said:

> The Government has re-examined the matter and takes the view that the interests of justice must prevail. It has therefore been decided not to publish names and details of acts of Executive clemency.

I emphasise that the Attorney-General's statement referred to "the Government". Honourable members will recall that the Premier, when Leader of the Opposition, said:

> The Executive Council orders should certainly be gazetted. It is vital for our system of justice that there can be no

suggestion of influence being brought to bear to override the courts.

It is quite clear from the Attorney's statement last Tuesday that the Government has changed its mind. Yesterday, I asked the Attorney-General whether there was any intention to review this decision and whether it represented Government policy, and he replied:

The answer that I gave to the question yesterday did reflect Government policy.

I emphasise "Government policy". The reply continued:

Regarding the Leader's second question, no evidence has been indicated to me that would suggest the justification for any review.

One would have expected that to be the Government's position on the matter, but not according to the Premier. When the Premier was asked yesterday in the House of Assembly why he had done an about-turn on this issue and apparently changed his mind, he came up with this illuminating reply:

As to why the Government has reversed its decision, I point out that at that stage—

that is, when he made this statement—

this Party was not in Government.

What an extraordinary statement for the Premier to make. He is admitting that anything he said while in Opposition accounts for absolutely nothing, because when he said that he was in Opposition and now he is in Government. He went on (it gets more extraordinary, as I am sure honourable members will appreciate) as follows:

We have examined the matter carefully—

that is not surprising, after 4½ months to do it—

and at present, until we have come to a final decision on the pros and cons (and the Attorney-General has been most articulate on this), the Government is determined to continue with the present practice of not gazetting or disclosing details of it. However, the matter is still under consideration, and a final decision will be made, hopefully, in the next few weeks.

So, on Tuesday there was a final decision from the Attorney-General, reaffirmed yesterday, and apparently in a few weeks time there is to be another final decision from the Government. Members can understand what a surprise the Leader of the Opposition in another place had when he received that extraordinary answer from the Premier, in view of the Attorney's answer on Tuesday. The Leader immediately asked a supplementary question, and the Premier replied:

The Leader is quite correct in what he has said—

the Leader having indicated that the Attorney had given a firm decision earlier in the week that this was Government policy, a final decision that would not be reviewed (these were the words of the Premier)—

and the matter will be reviewed again in due course.

I said that my question related to Government confusion, and I am sure that members would have to agree with me that that is all this can be described as. In view of the Attorney-General's answer yesterday that no evidence has been indicated that suggests justification for any review, and in view of the Premier's statement that the matter will be reviewed, that a final decision will be made in a few weeks or that the matter will be reviewed in due course, whichever version members care to take, can the Attorney-General throw any light on the present confusion which exists within the Government on this issue, particularly between the Premier and the Attorney himself?

**The Hon. K. T. GRIFFIN:** There is no confusion between the Premier and me. The broad policy considerations have been affirmed. In fact, the Premier, in the other place, also affirmed this when he indicated that the present practice of not gazetting details of acts of Executive clemency would continue. When I gave my answer on Tuesday of this week, I indicated that the policy had been considered and decisions taken. That is the broad policy affecting this matter.

However, I also indicated that it is intended to release annual statistical information similar to that given by me in the Legislative Council on 10 June 1980. Obviously, the extent of that statistical information still needs to be assessed, and final decisions on that information will be made some time in the future. The other point that needs to be made is that in all of these matters, once decisions have been made, we never adopt the view that they should not be reviewed at any stage in the future. In relation to the matter upon which the Leader of the Opposition in another place and his counterpart in this Council have placed some emphasis, the Government would naturally review the practice from time to time.

It is absolute nonsense for the Leader of the Opposition to suggest that there is Government confusion. A further point that needs to be made is the very grave aspersions cast by the Leader of the Opposition upon statements made by the Premier when the Premier was Leader of the Opposition, which statments are alleged to have been changed since we have been in Government. I remind the Council that one matter of policy that has been topical in this Parliament over the past few weeks is the abolition of the unsworn statement. Members opposite, when they were in Government, and purported to know better, supported the policy of abolition of the unsworn statement but are now backing off.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. K. T. GRIFFIN:** The Opposition is trying to get itself off the hook in relation to something which, for the Opposition, is a very difficult matter but which we, in Government and in Opposition, where there has been undoubted consistency, have endeavored to implement as a policy proposal. If the Opposition is going to throw stones about these sorts of things it should look at itself first and then make criticisms about inconsistency.

## ATMOSPHERIC LEAD

**The Hon. J. R. CORNWALL:** I seek leave to make a short statement before asking the Minister of Community Welfare, representing the Minister of Environment, a question about atmospheric lead.

Leave granted.

**The Hon. J. R. CORNWALL:** On several occasions in the past 12 months I have made statements and asked questions about air quality and exhaust emissions. Government members have scoffed at the questions, particularly the Hon. Mr. Davis and the Minister of Community Welfare, who, like a former wellknown Victorian Premier, thinks that pollution is all in the mind. The answers from the Minister have been evasive and totally unsatisfactory.

Recently, I obtained atmospheric lead level measurements from the Air Quality Control Section of the South Australian Department for the Environment. The measurements were taken in the city on West Terrace adjacent to the Adelaide High School and at Port Adelaide. The levels, which are expressed in micrograms per cubic metre, are quite frightening. During the period—

*The Hon. L. H. Davis interjecting:*

**The Hon. J. R. CORNWALL:** There he goes again, Mr. President. That is the remark of an uncaring moron.

**The PRESIDENT:** Order! The Hon. Dr. Cornwall had better relate his remarks to the explanation of the question he wishes to ask; he can leave the control of the Council to me.

**The Hon. J. R. CORNWALL:** The Hon. Mr. Davis is making idiotic and quite irresponsible interjections *soto voce*. During the period in which monitoring took place, levels as high as 3·4 were obtained on West Terrace, and 3·1 in Port Adelaide. Mean levels were 2·33 for West Terrace and 2·43 for the Port. For comparable periods in downtown Sydney, the average levels were 2·6 and 2·7. In other words, average atmospheric lead levels in Adelaide and Port Adelaide are almost as high as Sydney and in 1980 probably substantially higher than Los Angeles.

Although I have not been able to get the latest figures, I know that lead levels are falling in Los Angeles because of action that has been taken there, and it would seem that the lead levels in Adelaide are substantially higher than those in Los Angeles. Most of this lead comes from exhaust emissions, whereas some years ago there was a move to unleaded petrol in Los Angeles.

Approximately 98 per cent of this lead comes, as I say, from exhaust emissions. There is clear evidence that we need to reduce lead emissions just as urgently as New South Wales. The State Government should know about these figures. The question was raised as a matter of great importance at a recent meeting of Environment Ministers, but it seems to have shown its usual disregard for environmental protection and environmental health.

Let me tell the Government (and I am sorry that the Hon. Mr. Davis is not present to hear this) that it is much easier to get lead out of exhaust emissions than out of children's brains. Therefore, I ask whether the Minister of Environment is aware that atmospheric lead levels in Adelaide and Port Adelaide are regularly more than twice the maximum standard allowed by the National Health and Medical Research Council. Further, what action does he intend to take to reduce atmospheric lead in South Australia?

**The Hon. J. C. BURDETT:** I will refer the question to my colleague and bring back a reply.

## LEIGH CREEK ROAD

**The Hon. J. A. CARNIE:** I seek leave to make a brief explanation before directing a question to the Attorney-General, representing the Minister of Transport.

Leave granted.

**The Hon. J. A. CARNIE:** In September, I asked a question of the Minister concerning the road to Leigh Creek and, in reply, the Minister said, among other things, that a length of 84 kilometres remained to be sealed, and that it was anticipated that this work would be completed in 1984-85, subject to the availability of funds. All members will appreciate the importance of Leigh Creek to South Australia. Although it is only a comparatively small town, its importance to the supply of electrical energy to this State is out of proportion to its size. Some years ago the decision was made to seal the road from Hawker to Wilpena and later to seal the road north from Hawker to Parachilna and Leigh Creek, and ultimately to Marree.

I believe that you, Mr. President, made strong representations at that time that, instead of being sealed from Hawker to Wilpena, the road should be sealed from Hawker to Blinman via Parachilna. If this had been done, the people of Leigh Creek would have had a sealed road as far as Parachilna five years ago instead of within the past two months, as has happened.

When I was in Leigh Creek recently, concern was expressed to me about a rumour in the town that, now that the bitumen has reached Parachilna, before continuing it north towards Leigh Creek, it is intended to turn east towards Blinman. While that is what you advocated some years ago, Mr. President, now that a sealed road exists between Hawker and Wilpena, I do not believe that the Blinman-Parachilna road is as important as the work of continuing the road to Leigh Creek with all possible speed. I am sure that you, Sir, knowing that area as you do, will agree with me.

Is it intended to seal the road from Parachilna to Blinman before continuing north? If it is, in view of the importance of Leigh Creek, why has this decision been made? Further, if it is so intended, will the Minister of Transport prevail upon the Highways Department to reconsider that decision and continue sealing the road to Leigh Creek with all possible speed?

**The Hon. K. T. GRIFFIN:** I will refer the question to my colleague and bring back a reply.

## OCCUPATIONAL HEALTH

**The Hon. J. E. DUNFORD:** Has the Minister of Community Welfare a reply to my question relating to occupational health and safety?

**The Hon. J. C. BURDETT:** I think it necessary, in giving the replies, to read the questions also, in order to make the replies make sense. The first question was as follows:

> Does the Minister agree with the A.C.T.U. charter on occupational health and safety?

The reply to that is: not with all of it.

The next question was:

> What policy is the Minister taking to implement the A.C.T.U. policy?

The reply is: none. The third question was as follows:

> Will the Minister give details of carcinogenic substances now being used by industry in South Australia?

Substances defined by the National Health and Medical Research Council as being carcinogenic are:

Betanaphthylamine
4 Aminobiphenyl
4 Nitrobiphenyl
Benzidine
2 Acetyle Aminofluorene
Alphanaphylamine
3,3 Dichlorobenzidine
Beta Propiolactone
4,4 Methalene Bis-(2 Chloranaline)
Methyl chloromethyl ether
Bis chloromethyl ether
4 Dimethylamino azobenzene
N Nitrosodimethylamine

So far as is known none of these substances is used in South Australian industry but some could be used in laboratories operated by teaching institutions and scientific testing facilities maintained by private and public establishments. The fourth question was as follows:

> Will the Minister say what number of industries have been visited by the safety inspectorate in the last 12 months?

The Annual Report of the Department of Industrial Affairs and Employment for the year ended 31 December 1979 states that 5 319 industrial premises were inspected. The fifth question was as follows:

> What were the results of such inspections?

The annual report indicates that in the 12 months covered there were 76 prosecutions for non-compliance with safety legislation. The sixth question was as follows:

> What industries and work places use substances in the list provided?

Based on information available to the Department of

Industrial Affairs and Employment and the Health Commission, the following is the position:

(i) Aflatoxins—none in South Australia.
(ii) 4-Aminobiphenyl—none in South Australia.
(iii) Arsenic compounds—wood preserving; treatment of animal skins; farming (sheep dips).
(iv) Asbestos—asbestos-cement products manufacturing; brake and clutch linings; asbestos removalists from buildings; asbestos paper, rope, millboard, floor tiles, lagging and insulation on hot surfaces.
(v) Auromine—none in South Australia.
(vi) Benzene—no raw products in South Australia.
(vii) Benzidine—none in South Australia.
(viii) Bischlordomethylether—none in South Australia.
(ix) Cadmium using industries (possibly cadmium oxide)—cadmium oxide is used in cadmium electroplating cadmium is contained in specialised welding rods.
(x) Chloromethyl-methylether (possibly associated with bis chloromethyl ether)—none in South Australia.
(xi) Chromium (chromate producing industries)—No chromate production in South Australia. Industries using chromates include chrome platers, animal hide treatment, zinc plating and wood preservation.
(xii) Tetrachloro ethylene—dry cleaning, metal degreasing and printing trades.
(xiii) Mustard gas—none in South Australia.
(xiv) 2 Naphthylamine—none in South Australia.
(xv) Nickel (refining)—none in South Australia.
(xvi) Soots, tars, oils—soots are not used in South Australia. Tars are in widespread use as protective coatings. Oils are in widespread use in most industries.
(xvii) Vinyl chloride—no free monomer is handled in South Australia.
(xviii) Trichloroethylene—in widespread use as a metal degreaser in engineering industries.
(ixx) Carbon tetrachloride—not used in industry. Small amounts may be used in chemical laboratories.
(xx) Organochlorine pesticides including
*(a)* chlorobenzilate; kepone; ovex; perthane; mirex; strobane; toxaphene—these substances are not used in South Australia.
*(b)* dieldrin; endrin; methoxychlor; benzene hexachloride; aldrin; chlordane; heptachlor—used by pesticide companies for such purposes as white ant protection
*(c)* D.D.T. lindane—used in limited amounts in horticulture
*(d)* ethylene dichloride—used as a grain fumigant
*(e)* quintozene—used in agriculture as a soil fungicide

The seventh question was as follows:

Will the Minister support the establishment of a workers' health resource centre at Trades Hall?

As nothing is known of the U.T.L.C's planning for the resource centre, it is not possible to provide an answer.

## AIRCRAFT NON-SMOKERS' SEATS

**The Hon. BARBARA WIESE:** I seek leave to make a brief explanation before asking the Minister of Community Welfare, representing the Minister of Health, a question about non-smokers' seats on aircraft.

Leave granted.

**The Hon. BARBARA WIESE:** The provision of non-smokers' seats on aircraft used on domestic flights is a matter of considerable concern to many people in the community. It has recently been raised with me by a constituent—

**The Hon. Frank Blevins:** What is the constituent's name?

**The Hon. BARBARA WIESE:** I will not divulge that, but my constituent returned from an extremely unpleasant flight from Sydney. At the moment insufficient non-smokers' seats are allocated on aircraft operated by the two major lines. Passengers who wish to have a non-smoker's seat are very often denied that right, as I myself have found out. For passengers who must change flights to reach their destination, it is often impossible to get non-smokers' seats on the second leg of the journey because of the arrival time of the aircraft.

**The Hon. K. T. Griffin:** Non-smokers ought to take up all the smokers' seats.

**The Hon. BARBARA WIESE:** I agree.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. BARBARA WIESE:** This means that many people who find cigarette smoking unpleasant and/or who wish to protect their own health are being subjected to smoke from other passengers. It must be stressed that, unlike other forms of public transport—

**The Hon. C. J. Sumner:** You can't get off.

**The Hon. BARBARA WIESE:**—passengers do not have the option of opening a window or getting off, as the Hon. Mr. Sumner points out.

**The Hon. J. R. Carnie:** Do you smoke at all?

**The Hon. BARBARA WIESE:** From time to time, but my own habits have nothing to do with this. Given the Minister's stated concern about the health risks of smoking, will she make representations to the two major airlines to encourage them to increase the availability of non-smokers' seats on domestic aircraft? In particular, will she request Ansett Airlines to change its current policy, which is to seat smokers on one side of the aircraft and non-smokers on the other. This means that aisle passengers on the non-smoking side of the aircraft are subjected to smoke from aisle passengers 2 ft. away on the other side.

**The Hon. J. C. BURDETT:** I will refer the honourable member's question to my colleague and bring down a reply.

## PARKS COMMUNITY CENTRE

**The Hon. C. J. SUMNER:** I seek leave to make a brief explanation before asking the Minister of Local Government a serious question regarding the Parks Community Centre.

Leave granted.

**The Hon. C. J. SUMNER:** By way of preface, I should like to say that I hope the Minister will treat this matter with more seriousness than the Attorney-General treated my last question. The Parks Community Centre, which serves Angle Park, Ferryden Park, Mansfield Park, and Athol Park, is one of the many significant and socially valuable achievements of the Dunstan years. It provides a wide range of community services to people who in the past have been sorely neglected by Governments. Some people rank it with the Festival Theatre and the Strathmont Training Centre as a lasting construction achievement. Since its opening, the centre has had its problems, some of which, I understand, would have been far easier to solve were the centre to become incorporated.

My colleague the Leader of the Opposition in another place, in whose electorate of Ross Smith the centre is situated, has proposed that legislation be enacted to

undertake this incorporation. The matter was in the hands of the Minister of Local Government, but in recent times there is a belief that something has slowed down or stopped and that no progress is being made in this matter. Will the Minister tell the Council what stage this proposal to incorporate the Parks Community Centre has reached, and when can people running and using this facility expect some action?

**The Hon. C. M. HILL:** The actual form of authority to control the Parks Community Centre is under very close scrutiny by the Government at present.

**The Hon. C. J. Sumner:** Everything is under close scrutiny.

**The Hon. C. M. HILL:** Naturally. If I might say so, the former Government did not do very much about it.

**The Hon. L. H. Davis:** They've only come to life in Opposition.

**The PRESIDENT:** Order!

**The Hon. C. M. HILL:** Much detail in relation to the Parks Community Centre has had to be investigated by the present Government since it came to office. The Government intends to take action and to decide upon a form of authority to control the centre. I hope that within the next month or two the matter will be cleared up.

## Mr. TOM McLAUGHLAN

**The Hon. N. K. FOSTER:** I seek leave to make a statement before asking the Minister of Local Government a question regarding the misuse and misappropriation of Housing Trust equipment.

Leave granted.

**The Hon. N. K. FOSTER:** Yesterday, I directed a question to the Minister regarding the taking over by private enterprise of certain work at the Oaklands Park Driver Training Centre, which work was previously done by Marion council, only to learn from part of the reply to the question yesterday that the Principal Supervising Officer for the Housing Trust, Mr. McLaughlan, set up a company in his wife's name and had been using Housing Trust equipment, and so on.

The Minister's reply implied that practically no action was taken against the officer concerned, who had more or less been found guilty, whereas a severe warning was given to a trust gardener for having in his possession a small seedling gum that was worth about 30 cents. The sum of money involved in respect of Mr. McLaughlan's misdemeanours (if I may put it at that level) is considerable. Will the Minister reply to the question that I have just asked? Also, has he any further information on the scurrilous manner in which a senior trust officer has acted in setting up a company for his own benefit in relation to the Oaklands Park Driver Training Centre?

**The Hon. C. M. HILL:** The honourable member raised this matter in a debate in this Council on Tuesday. Yesterday, I replied to the matters that he raised in the debate concerning this matter. Yesterday, the honourable member also asked a series of questions, and I undertook to bring down replies to those questions today. The following information was provided in respect of those supplementary questions asked by the Hon. Mr. Foster. This information is in the form of a report to me from Mr. Edwards, the General Manager of the South Australian Housing Trust, as follows:

> 1. The first suggestion that an officer of the trust had secured the gardening contract in question came to me in a telephone call from an external source. To the best of my recollection this call was received on the morning of Thursday 16 October. I immediately asked two senior officers of the trust, Mr. J. Crichton and Mr. J. O'Grady, Mr. McLaughlan's superiors, to investigate and report to me urgently.
>
> In view of the nature of the allegation, these two senior officers made discreet confidential inquiries both externally and internally. External inquiries produced hearsay indications that the allegation was correct, but, despite further confidential internal inquiries and checks, no definite confirmation could be obtained.
>
> Mr. Crichton personally telephoned Mr. McLaughlan at about 6.20 p.m. on Friday 17 October. Mr. McLaughlan then openly volunteered the information that he had set up a private consultancy business to act as a consultant to two people engaged in the lawn cutting and garden maintenance area, advising them on technical matters as well as assisting them in obtaining contracts.
>
> I had further discussion with Mr. Crichton over the weekend. Mr. McLaughlan had planned to be in Mount Gambier on Monday 20 October, but those arrangements were cancelled and instead he attended at the trust's Head Office at 9 a.m. on Monday 20 October and repeated again to Mr. Crichton the information which he had volunteered on the Friday evening. Shortly after 9 a.m. on Monday 20 October, that is, four days after the suggestion was first made to me, I had the discussion with Mr. McLaughlan referred to in my previous minute dated 5 November.

That was the minute from which I gave the replies regarding this matter in the Council yesterday. Mr. Edwards's minute continues as follows:

> 2. Mr. McLaughlan was proposing to establish himself as a consultant rather than as a contractor engaged in the physical carrying out of gardening work. His intention was to tender for contracts and then allocate them out on a subcontract basis, and under such an arrangement it would not be necessary for him to possess equipment. He has emphatically denied in writing that any trust machinery and/or labour was used to execute the work.
>
> There are systems of internal control within the trust's parks and gardens activity and, like every area of the trust, it is also subject to periodic examination by the Internal Audit Section. In view of the issues raised in this case, an exhaustive audit investigation will now be carried out as a matter of priority.
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> 3. Mr. McLaughlan has advised me this morning that provided the Department of Transport are satisfied with the work of the subcontractor he (McLaughlan) expects to receive a surplus of $239. I have advised him to pay this amount if received into an acceptable public charity approved by me, as he should not profit by an injudicious, unauthorised and inappropriate business arrangement.
>
> 4. There is no doubt that Mr. McLaughlan has committed a gross error of misjudgment, but no evidence has been produced that there has been gross misuse and miscarriage of property. Notwithstanding his gross error in this case, I should add that Mr. McLaughlan is the President of the South Australian Region of the Royal Australian Institute of Parks and Recreation, and he is also a member of the Recreation Advisory Council, which is directly responsible to the Minister of Recreation and Sport. I understand that he currently lectures at the Australian Institute of Management, and is closely involved as a member of a committee examining apprenticeships in the horticultural area.

That minute is signed by Mr. P. B. Edwards, General Manager of the South Australian Housing Trust.

**The Hon. N. K. FOSTER:** I have a supplementary question. I am amazed, if I may say so, at the reply given. The question that I asked yesterday is not answered and I will repeat that question. I apologise if I do not repeat the question in the precise terms in which it appears in *Hansard* of yesterday. Will the Minister request the

General Manager of the Housing Trust, having found the allegations against Mr. McLaughlan proved, to dismiss him from his office as he is untrustworthy. Further, are there any cases in the Housing Trust over the last 10 years where dismissals have occurred where the offences have been much less serious than that? This far outweighs the then Opposition's allegations against the previous Government in regard to the so-called "Northfield Scandal", and this Government has done nothing about it. Will there be a complete and absolute investigation into this matter, and will employees who wish to give evidence give it in camera and have their names withheld from such a person as Mr. McLaughlan? Further, if Mr. McLaughlan is engaged in any area of education and is the recipient of a grant from the State Government, will he immediately be suspended and dismissed from those functions?

**The Hon. C. M. HILL:** With regard to the first point, I intend to wait for the exhaustive audit investigation that is being carried out by the trust, and then I shall have further discussions with the General Manager about the matter. In regard to the second point, I will endeavour to obtain a reply to the honourable member's question as to offences that have occurred as he described them, over the past 10 years with regard to the Housing Trust generally. In regard to the person concerned being remunerated by the Government as a result of any office he holds, such as being a member of the Recreation Advisory Council, that issue of his membership has been referred to the Minister of Recreation and Sport.

**The Hon. N. K. FOSTER:** I wish to ask another supplementary question. Has the General Manager of the Housing Trust referred this extraordinary admission by Mr. McLaughlan to the Fraud Squad? Is Mr. Edwards prepared to further investigate the activities of Mr. McLaughlan? Is Mr. McLachlan in association with other senior officers of the trust in the type of transactions he is involved in, including Mr. Edwards?

**The Hon. C. M. HILL:** There is no evidence of fraud at this stage.

## VINDANA WINERY

**The Hon. B. A. CHATTERTON:** Is the Attorney-General aware that the company set up to handle the vintage for Vindana 1980 is now on the market and that there are rumours in the Riverland that, in fact, the proprietors of that company are intending to set up yet another company, Vindana 1981, to handle the next vintage? Is he aware of that fact and is he taking any action to protect the interests of growers?

**The Hon. K. T. GRIFFIN:** I am not aware that Vindana 1980 Proprietary Limited, or its assets, are on the market. If they are, then presumably that is a result of the appointment of a receiver or manager acting under the instrument of security. I will have some inquiries made in respect of this matter. So far as a new company is concerned, the Government has no control over whether or not companies are established. The Companies Act provides that persons who have been convicted of criminal offences or are undischarged bankrupts should not be the promoters of such companies. Unless there is a breach of the Companies Act, we have no power to take action to prevent anyone from being a director of any company.

## CITRUS MARKETING

**The Hon. B. A. CHATTERTON:** I seek leave to make a short explanation before asking a question of the Minister of Community Welfare, representing the Minister of Agriculture, about citrus marketing.

Leave granted.

**The Hon. B. A. CHATTERTON:** Yesterday I received a reply from the Minister to a question I had asked previously. The basis of that question was whether the Minister was aware of the considerable amount of criticism appearing in the Riverland press about the operations of the Citrus Organization Committee. I pointed out in my previous question that there has been considerable criticism over a period of time of that organisation and its marketing activities, and that that was the reason why the previous Government had instituted a committee of inquiry into the organisation. In reply to my question, the Minister did not indicate whether he was aware of that criticism, but did say that he was going to ask the C.O.C. itself once the new members had been elected to it.

He was going to ask that organisation to look at the report which had been commissioned to inquire into its activities and to recommend to him any changes that might be made. This is the equivalent of an appeal from Caesar to Caesar. It is asking the organisation to put forward suggestions in answer to criticisms made of it by people outside. Is the Minister prepared to review that line of approach, and is he prepared to get an independent person to look into the C.O.C. and to advise him what reforms might be necessary in the marketing of citrus in this State?

**The Hon. J. C. BURDETT:** I will refer the question to my colleague and bring back a reply.

## BLACK HILL NATIVE FLORA TRUST

**The Hon. N. K. FOSTER:** Has the Minister of Community Welfare a reply to my question of 17 September about the Black Hill Native Flora Trust?

**The Hon. J. C. BURDETT:** I have had this reply for some time. It is dated 24 October. I am advised by my colleague, the Minister of Environment, that it was recently announced in the press that the public sales outlet at the Black Hill Native Flora Park will remain open. State Cabinet has directed that the park set its total plant production at 150 000 a year, consisting of 70 000 plants for retail sale and 80 000 for sale to the nursery industry at wholesale rates. As a result of this, Cabinet has approved the establishment of a wholesale nursery outlet at Black Hill to benefit the nursery industry in South Australia, and to allow full realisation of the propagating potential of the nursery.

An undertaking between the previous Government and the Campbelltown council ensured that the public sales outlet at Black Hill would continue. Discussions with the Campbelltown council have indicated that they are determined that this arrangement should continue.

The prime role of the nursery is to research and develop South Australian flora associated with plant propagation and plant breeding, and this is an ongoing activity. However, in order for the research and development programme to function effectively, there is a need for an outlet both for direct and indirect benefits arising out of research so that new technology and techniques are made available to both the public and the industry.

**The Hon. N. K. FOSTER:** I desire to ask a supplementary question. Will the Minister consider making a press statement in relation to the reply he has just given? Last Sunday I visited the Black Hill nursery and found that sales had dropped off, because members of the public are unaware that the nursery is still open for public business.

**The Hon. J. C. BURDETT:** The reply to the question asked by the honourable member is dated 24 October, and

it has been on my desk for some time. I gave notice of the reply to the honourable member some time after that date, but he did not ask for it at that time.

**The Hon. N. K. Foster:** I did not receive a slip of paper for the damn reply.

**The Hon. J. C. BURDETT:** You did, because I put it on your desk. It is a shame that honourable members, when they are notified that replies to questions are available, do not ask for replies promptly.

**The Hon. N. K. Foster:** It is confetti paper. That is all I get from you.

**The Hon. J. C. BURDETT:** I will refer the question to my colleague and bring down a reply.

## STATE TIE

**The Hon. ANNE LEVY:** I seek leave to make a brief statement before asking the Attorney-General a question about the State tie.

Leave granted.

**The Hon. ANNE LEVY:** About 10 days ago all male members of this Chamber received a letter from the Premier along with a tie bearing the State emblem, the piping shrike, in the appropriate colours. Having seen one of the letters sent, I understand that this tie was produced not only for members of Parliament but also for issue, on a restricted basis, to a number of persons in South Australia to be worn on "suitable occasions".

As I have said, that occurred 10 days ago. I understand that no equivalent gesture has been made toward the three women members of Parliament or to any other women in the South Australian community. I have heard suggestions that the Government is considering producing a scarf, likewise bearing the piping shrike in the appropriate colours, for women to wear on these "suitable occasions". I presume that that scarf would be available not just to the three women members of Parliament but also to other women in the community for whom such a scarf would be appropriate. Will the Attorney-General confirm or deny whether such a scarf is being produced, and, if so, when? The production of such a scarf would avoid any suggestion that the Government is behaving in a discriminatory manner.

**The Hon. K. T. GRIFFIN:** It is certainly not the Government's intention to be discriminatory in this respect. Because I have no responsibility for the production of either ties or scarves, I will refer the matter to the Premier and make sure that a reply is brought down.

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## LOCAL GOVERNMENT ACT AMENDMENT BILL (No. 3)

**The Hon. C. M. HILL (Minister of Local Government)** obtained leave and introduced a Bill for an Act to amend the Local Government Act, 1934-1980. Read a first time.

**The Hon. C. M. HILL:** I move:

*That this Bill be now read a second time.*

The principal object of this Bill is to effect sundry amendments to those sections of the Local Government Act that provide for the making of parking regulations. As Honourable members will be aware, the Act was amended in 1978 to allow for virtually the whole parking system to be dealt with by way of regulation, instead of by way of individual council by-laws, and thus achieving uniformity in the parking laws throughout all council areas. Parking regulations were accordingly made on 24 May 1979, but were subsequently disallowed on 4 June 1980, on the ground of purported technical errors in the regulations. Regulations in substantially the same form were made on 5 June as a "stop-gap" measure, and a working party drawn from the Crown Law Office, the Adelaide City Council and my Department was set up for the purpose of drafting a new set of regulations. Useful consultations were held with the Local Government Association, the Royal Automobile Association, the Police Department, and the Road Traffic Board. In the course of drafting the new regulations, which have now been completed, it has become apparent that various amendments to the regulation-making power in the Act would be desirable, in order to put beyond doubt that the regulations are *intra vires*, and to facilitate the administration and enforcement of the regulations. This Bill must of course be in operation before the new regulations can be formally made. I seek leave to incorporate the detailed explanation of the clauses in *Hansard* without my reading it.

Leave granted.

### Explanation of Clauses

Clause 1 is formal. Clause 2 provides for the commencement of the Act. Clause 3 amends the regulation-making power in a number of ways. It is intended that the powers given to councils to create areas, zones and parking spaces, etc., may not be delegated to officers of the councils, and a regulation under section 50a of the principal Act will accordingly be made to that effect. In view of this, the words "by resolution" are deleted generally from section 475a, as they serve no useful purpose. New paragraph *(d)* clarifies the fact that the regulations may set out various parking prohibitions, etc., in relation to areas, zones and parking spaces created by councils, or the councils may impose their own prohibitions, limitations, etc., in certain circumstances. The word "specified" is taken out from various places as it may be too restrictive in some situations. The regulations may provide that the clerk of a council may authorise any other officer of the council to exercise his powers of temporary control of parking. It is made clear that the regulations may, if necessary, not only provide defences to persons charged with parking offences, but may exclude defences, and may impose, modify or exclude evidentiary burdens, or provide any evidentiary aids that may be needed from time to time. New paragraph (1a) enables regulations to be made permitting councils to fix their own fees where they are required by the regulations to make certain council resolutions available to the public. New paragraph *(n)* empowers the making of regulations that provide for the normal transitional matters where regulations are revoked and substituted by new ones. New paragraph *(o)* provides for the making of regulations for any ancillary or incidental matters.

Clause 4 makes it clear that a council can only grant exemptions from the regulations within its own area. Clauses 5 and 6 extend those evidentiary provisions to cover devices (i.e. parking meters) as well as signs and road-markings.

Clause 7 adds two new definitions. It is provided that "owner" means not only the registered owner of a motor vehicle but also any other person who may not be the registered owner but who has possession of the vehicle under a consumer lease, a hiring or leasing agreement, or a hire-purchase agreement. The intention is that, where possible, finance companies should not be prosecuted for parking offences involving vehicles financed by them. The definition of "registered owner" provides that where a

person has transferred ownership of his car to another person, but the formalities of registration have not been completed, the transferee will be held to be the registered owner for the purposes of the parking regulations. The definition of "public place" is amended so as to exclude from the operation of this Part of the Act any areas that come within the meaning of the Private Parking Areas Act.

Clause 8 provides that prosecutions for parking offences may be commenced by members of the police force or by authorised council officers. No other person may lay a complaint in respect of a parking offence unless he has the approval of the Commissioner of Police or the clerk of the council in whose area the offence was committed. New subsection (2) provides that the complaint itself affords sufficient evidence that proceedings were duly commenced, either by the appropriate person, or with the required approval, if it appears from the complaint that the complainant is a member of the police force or an officer or employee of the council. The defendant can of course rebut this presumption if he has proof to the contrary.

**The Hon. C. W. CREEDON** secured the adjournment of the debate.

## PLANNING AND DEVELOPMENT ACT AMENDMENT BILL (No. 3)

Adjourned debate on second reading.
(Continued from 29 October. Page 1570.)

**The Hon. J. R. CORNWALL:** The Opposition supports this Bill.

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

## LIQUEFIED PETROLEUM GAS SUBSIDY BILL

Adjourned debate on second reading.
(Continued from 5 November Page 1772.)

**The Hon. N. K. FOSTER:** The Opposition supports this Bill with some reluctance, because it is the result of a bungle initially made by the Federal Government in respect of the Petroleum Gas Subsidy Bill. That was brought about when Malcolm Fraser made a great public announcement that he was going to go parity on l.p.g. When he set about putting that stupid statement into effect, he did not see that he would be accused of committing such an outrage as he did commit in saying that l.p.g. was an alternative fuel to other hydro-carbon products.

The Federal Government had to backtrack on the matter, and it has done that by making retrospective payments to those who have had the use of l.p.g. before the Bill was introduced. It is hard to find any kind of retrospective legislation in any Parliament or introduced by almost any political Party. In regard to retrospectivity I can think of no legislation more difficult than this to implement. Whilst it may be possible to get a declaration that a certain amount of l.p.g. has been consumed, it would be difficult to find out how it has been consumed, although some appliances may be sufficient to get a rough guide to the use in respect of a small usage and to the amount used by a particular user.

It is quite wrong to suggest that the Bill is couched in sufficient terms to provide very great encouragement for the use of l.p.g., because there is no attractive subsidy other than for some restricted areas of gas. The member for Whyalla in the House of Assembly, Mr. Max Brown, dealt with this matter quite capably and, in his characteristic way, pointed out the shortcomings of the measure. He said that there was nothing in the Bill for us in the longer term. In fact, the Bill applies itself to some areas of great restriction. If places like the Whyalla Hospital were given encouragement to convert from electricity to this fuel, there would be a saving.

The member for Whyalla attacked, as he should have done, the installation cost for l.p.g. That cost ought to be subsidised, but it is a fairly clumsy way of carrying out this type of energy saving or energy option. There is no encouragement for fleet operators in motor transport to use this fuel, and the capital cost is considerable for automobile conversion.

Whilst I support the Bill, I point out that the Japanese are about to market in Australia a motor car that has an internal combustion engine that is designed to burn only l.p.g. I understand that the cost of the vehicle will be well in excess of $20 000. It is a car of medium size and there is no encouragement to purchase it. No encouragement is given in the form of a reduction in sales tax.

There has been no subsidy given in the legislation, which will be passed by all State Parliaments, whereas we should encourage the availability of l.p.g. in the country areas of South Australia. This Bill is no more than a sop given by the Fraser Government to quieten those who raised all hell in response to the Government's parity pricing on l.p.g. I can understand that the price of the car to which I have referred would be high with the cost structure of management today and with the profit motive being what it is. The cost structure is high, as is the initial outlay.

I now want to be critical of the fact that, as far as I am aware, in South Australia not only is there a lack of incentive for the use of this fuel but there is also a complete lack of service to country areas in regard to the supply of l.p.g. for automobiles. We all know that the tank capacities for l.p.g. and other fuel in cars are not very different, and if there were only four of five outlets in South Australia for petrol, we would not be travelling far. In comparison with Victoria, our position is very poor. I hope that later a Bill in respect of energy will canvass this subject much more than one can on this Bill.

The people who raid the Stock Exchange—the Murdochs of this world, who see fit to return from overseas occasionally to take over the airlines, the newspapers, television stations, and so on—are the ones whom the housewives of this State will have reason to curse in the future. I believe that Mr. Murdoch, more than anyone else, is responsible for what is happening regarding the Redcliff project: it is Murdoch who will decide what will happen—where the gas is supplied—when the present agreement runs out. It is he who will make the decisions regarding the feedstock connected with the petro-chemical plant.

**The Hon. R. J. Ritson:** Don't you think the Government can legislate to make decisions like that?

**The Hon. N. K. FOSTER:** I wish the Government would legislate like that before introducing measures such as the Bill dealing with Santos. The Hon. Mr. Cameron is not saying anything about that now. It will be Murdoch who will determine the issue, and not the Government. It is the shareholders of the multi-nationals who will push up the price of natural gas in this State to a figure, according to Mr. Bond, where it will be seven times the present figure.

**The Hon. M. B. DAWKINS** secured the adjournment of the debate.

## HOLIDAYS ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 5 November. Page 1778.)

**The Hon. D. H. LAIDLAW:** The Council is faced with three proposals in respect of adopting Boxing Day or Proclamation Day as a public holiday. Under the Government Bill, in the second schedule, 26 December is adopted as a public holiday and 28 December is omitted, with the proviso that there will be a holiday on Monday when Boxing Day falls on a Saturday and on Tuesday when it falls on a Sunday.

The Hon. Lance Milne has foreshadowed an amendment to preserve 28 December as a public holiday, to delete Adelaide Cup Day and to adopt 26 December instead. I favour this solution. Early in 1970 the Hall Government argued to make the Adelaide Cup Day of that year a special public holiday to celebrate the centenary of the cup. Shortly afterwards the Labor Party came to power and, at the request of the South Australian Jockey Club, the Government agreed to make the Adelaide Cup day a permanent public holiday to be held on the third Monday in May.

Records show that no more than 30 000 people attend the Adelaide Cup, which is a small number compared to the 100 000 or more who went to Flemington for the Melbourne Cup this week. I suspect that, if members of the community were asked to choose between Boxing Day and Adelaide Cup Day, they would opt overwhelmingly for the former. The Sydney Cup is now run on a Saturday and so, too, could the Adelaide Cup.

If the Adelaide Cup holiday was deleted, Proclamation Day, which has a traditional significance, could be retained as a public holiday, as well as adding Boxing Day. The Hon. Frank Blevins has foreshadowed an amendment on behalf of the Labor Party to preserve Proclamation Day rather than Boxing Day as a public holiday, excepting this year, when Christmas Day falls on a Thursday and the Friday following, rather than Monday, should be treated as a public holiday to ensure that most workers received a four-day continuous break.

I remind members opposite that when this matter was raised as a public issue last July the President of the United Trades and Labor Council, Mr. Barclay, said, in an article in the *Advertiser* of 4 July:

> The present situation is ridiculous. We should fall into line with the rest of the nation and observe 26 December as a holiday.

**The Hon. Frank Blevins:** Mr. Barclay comes from Victoria. He is also Secretary of the Seamen's Union, whose members do not get public holidays. He's hardly an authority.

**The Hon. D. H. LAIDLAW:** He happened to be speaking for the Trades and Labor Council. The State Secretary of the Shop Assistants Union, Mr. Boag, said that in 1969, when Christmas Day fell on a Thursday, the then Premier, Mr. Hall, agreed to change the Proclamation Day holiday to Boxing Day. Mr. Boag added, "I would expect the vast majority of unions to support his move." The Australian Bank Employees Union also supported the move and, according to the *Advertiser,* was lobbying the Government to change to 26 December.

Opposition members claim that, under the Government Bill, up to 50 000 workers in South Australia who are employed under Federal awards and who at present receive holidays on both 26 December and 28 December would lose one day as a public holiday. The Minister pointed out, when introducing the Bill, that this view is illfounded. The people referred to are employees of Commonwealth Government departments and statutory authorities. They traditionally have been granted Commonwealth holidays such as Boxing Day, as well as public holidays applicable to the various States, such as Proclamation Day. Also, they have often received an additional holiday during the Christmas-New Year break. Surely, with this flexibility, Commonwealth employees who are disadvantaged can apply to the appropriate wage-fixing authorities to seek redress. Similarly, action should be taken by any other employees under State or Federal awards, such as the Broken Hill Smelters employees or the Whyalla employees at B.H.P., to have their awards varied.

One (or more) Labor member has suggested that this Bill is being sponsored by employers who have a devious scheme to deprive up to 50 000 workers of one public holiday each year. I am astonished by this allegation. I am a member of the executive of the Chamber of Commerce and Industry and, although the timing of public holidays is discussed from time to time, at no stage did I hear any suggestion that by so doing that it would be possible to reduce the number of public holidays.

I have said that I personally favour the amendment foreshadowed by the Hon. Lance Milne, but since the Labor amendment, referred to by the Hon. Frank Blevins, adopting 26 December as a public holiday in 1980, will be dealt with first and probably will pass, the Hon. Lance Milne's proposal will lapse. If this situation prevails, I shall support the Government's Bill. The rest of Australia adopts Boxing Day as a public holiday. We should in this, as in so many other areas, strive for uniformity. I support the second reading.

**The Hon. G. L. BRUCE:** I oppose the Bill in its present form. The crux of this matter is that the Opposition believes that 50 000 people in South Australia could, although not on this occasion but in future, be deprived of a public holiday that they already enjoy. The Hon. Mr. Laidlaw said that 50 000 people are already assured of having a holiday on that date in future. However, I disagree, as we have seen evidence in another place that 33 000 people receive the public holiday because they are Commonwealth employees. However, 20 000 people are involved in the private sector. Therefore, if this Bill passes in its present form, and Proclamation Day is removed from the Holidays Act, those people would get this public holiday only by the goodwill of management.

Although Government members may intend now that this holiday will not be taken away from those people, this could occur in future if there is no Proclamation Day holiday. There would be nothing to stop any employer organisation from applying to the State or Federal Industrial Commission and saying, "Because there is no such holiday anywhere in Australia for Proclamation Day, it should be removed from the award." I do not think that the employer organisations would have much trouble, in those circumstances, having the holiday taken away.

I object to the Government's philosophy in the second reading explanation, in which the Minister said that "the amendment means that this year most employees will not be required to work . . . ". That tenet is preserved throughout the Bill. The Government is taking out that day completely and proclaiming Boxing Day in its place. Therefore, Proclamation Day will be completely wiped off the Statute Book as a public holiday in South Australia. It would therefore be hard in future for any person working under an award to maintain that day as a public holiday.

The Minister also said in his second reading explanation:

> Discussions with the Mayor of Glenelg and officers of the Corporation of the City of Glenelg have revealed that the council is aware of the difficulties emanating from the present arrangement and is amenable to a change being made. It has indicated that, should the proposed change be made, the official Commemoration Day Old Gum Tree ceremony and associated activities will still be held as at present on 28 December, or on the following Monday, if 28 December falls on a weekend.

I have received (as no doubt have other honourable members) a letter from the Town Clerk of Glenelg, and in my opinion what is said in the Minister's second reading explanation and what is revealed in this letter do not line up. For the record, I will read the letter, which is as follows:

> Glenelg council is currently concerned at the proposed substitution of 26 December as a public holiday in lieu of Commemoration Day, 28 December. We have been aware for some considerable time that this proposal could eventually come under consideration, and in view of that possibility the Mayor, Mr. Wenzel, in his speech on 28 December last year, said that should such a move ever come about that council would hold its Commemoration Day Old Gum Tree ceremony on 28 December, except when that day fell on a Saturday or Sunday, in which event the service and luncheon would be held on the following Monday. This year's event will be held on Monday, 29 December.
>
> Having stated our position on this matter, it is not to be construed that council will favour the change to 26 December and, should such an event occur, council would most strongly oppose the use of the name Commemoration Day for any day other than 28 December. Speaking for ourselves, and we feel for the State as a whole, council is adamant that 28 December, in the terms set out in the Mayor's speech, mentioned above, should continue to be recognised in the State's calendar as Commemoration Day and the name should not be allowed to lapse.

If the Government has its way, this holiday will be taken off the Statute Book as a public holiday. I understand that this public holiday began in 1840 and that, in the 140 years until now, it has served its purpose perfectly satisfactorily. No contentious issues have evolved around it.

Had the Government seen fit to leave this public holiday as it was, industry this year would, as a whole, have asked its workers to take off that Friday, as has happened in the past, as annual leave. So, rather than having to gear up and get its machines in motion, yet achieve only low production, for one day, industry puts the onus on its employees by telling them to take the Friday off as part of their annual leave. In some cases, annual leave is split, some being taken at Christmas time and some being taken at Easter Time. Most employees who have been approached to do this have done so. In some cases, industry has even said, "It is not worth our effort gearing up just for the Friday, so you can take the day off." That day might come off some sick leave entitlement that has accrued; in any event, they are not concerned about it.

I believe that the union responsible for the push in relation to this matter is the Shop Assistants Union. Indeed, the Hon. Mr. Laidlaw has said that that union is well behind the move. If one looks at the 9 October issue of the *Advertiser,* one sees that 90 000 South Australian shop assistants received a wage increase. I do not know whether that 90 000 is an exaggerated figure. However, if there are 90 000 shop assistants in South Australia, I suggest that the largest percentage of them would be casual and, therefore, the holiday provision would not affect them.

In the retail situation, it is not worth opening shops for just the one day after Christmas Day, when business is very slack for the shopping industry. It would therefore suit the industry to have that day as a public holiday, and on Proclamation Day they could open their stores and get more custom. A parochial attitude is being adopted by the shop assistants.

It suits not only the people in the industry but also the trade itself to have this break, and the Government is on the band waggon because there is a double barrel in relation to the matter: it suits both parties. The Government is quite prepared to push ahead with this Bill and to deprive 50 000 people of a holiday in future (although I am not saying that it will deprive those people of a holiday this year). The Minister also said the following (which illustrates the Government's double thinking on this matter) in his second reading explanation:

> This means that the public holidays for Christmas Day and 26 December will be continuous, and not interrupted with a requirement that shop assistants, bank officers and many other employees and employers may be required to work in between the two public holidays—

and honourable members should listen to this statement—

> so causing inconvenience and discontinuity of their holidays.

When have we ever seen the Government concerned about what is happening to workers and their holidays?

**The Hon. C. M. Hill:** All the time.

**The Hon. G. L. BRUCE:** I do not think so. The Minister is being hypocritical, because the Government is not concerned about what could happen in future in relation to this holiday that people presently enjoy. There is no reason why this could not be done on a one-off basis. If the Proclamation Day holiday is removed from the Act, there is no way that future awards could enable people to enjoy this holiday. A con trick is being put over us and, as a result of this Bill, 50 000 will be deprived of another public holiday that they now enjoy. I urge honourable members to support the amendment to be moved in Committee which will allow for the four-day break this year.

In 1981, if the *status quo* remains, we will still be looking at the four-day break, because next year Christmas Day is on Friday and Proclamation Day on Monday 28, so there would be a four-day break next year without any problems. I understand that it is only about every nine years that this problem arises. There are any amount of service industries that will welcome that day in between to help them in catering for the public over the holidays. I see merit in the amendment and urge the Council to support it.

**The Hon. J. E. DUNFORD:** I oppose the Bill, and I would not like to see an amendment to it. I would like to see the Council toss it out. I have not done much research into this proposition, but I read the Chief Secretary's second reading explanation and his statement that he did not agree with the United Trades and Labor Council's claim that 50 000 employees presently enjoying the benefit of both holidays would be disadvantaged. He does not say how they would not be disadvantaged. On the other hand, we have the former Minister of Labour and Industry (Mr. Wright) setting out in detail industries like B.H.A.S. Smelters, whose employees I represented at Port Pirie for many years, where 1 000 workers will lose a holiday. He listed each and every union affected by this Bill. Had the Chief Secretary asked one of his research officers to check Mr. Wright's figures, he would have found that they are correct.

A point that has not been mentioned either in the House of Assembly or in this Council is that when a holiday is taken away from 50 000 people, a great majority of whom are married men, that holiday is also taken away from

their wives and children. I know that there are many people on behalf of whom I speak today who receive this holiday and do not know what it means. They do not know its history; nor do they know that what is now a paid public holiday was, when first introduced in 1873, an unpaid holiday. Only people on salaries were paid for that holiday. Similarly, Labor Day was once an unpaid holiday for weekly paid workers. It was only through the trade unions' applications to the court and direct action in some cases it was made the paid public holiday that it is today.

Having undertaken only a small amount of research into this matter, I discovered that when this matter was debated back in 1873, and again in 1910, there was some debate regarding what were called the nine bank holidays, but there was no debate at all on Commemoration Day. No-one on either side of both Houses has suggested since then that Commemoration Day ought to be done away with. I am sorry that the Hon. Lance Milne is not here, because when Commemoration Day was introduced as a public holiday by Statute, Sir William Milne was President of the Council, having occupied that office from 1873 until 1881.

Here, we have a holiday with a tradition which has lasted for over 100 years now being deleted from awards. People are being told by the Minister in another place that 50 000 people are not affected. This matter has been detailed by the Hon. Mr. Blevins in this place, listing each and every union affected, yet still we have heard no retraction from the Government.

When Labor was in Government in Canberra between 1972 and 1975, it removed the superphosphate bounty. There were sound moral grounds for doing that, because I believe that the graziers and wheat farmers with large holdings could buy several hundred tonnes of superphosphate and, having filled their sheds, use that as a taxation deduction and make a handy profit, whereas removing that bounty in the case of the average farmer who purchased only about 26 tonnes of superphosphate a year had little effect on finances. However, that action certainly offended many of these people, because they were losing something that they had come to regard as a moral right over a long period.

The Government, since taking office, and especially the Minister responsible for this Bill, has said that it wants good relationships with the Trades and Labor Council and the trade union movement generally. This is not the way to have good relations with the United Trades and Labor Council and its affiliates, because the Government is taking something away, something that people have enjoyed, depriving 50 000 people of a holiday on Commemoration Day. It is interesting to note, as Mr. Rodda mentioned, that there has been a long-standing arrangement that Commonwealth employees in other States are granted an extra holiday during the Christmas/New Year period in most years, and action has already been taken by the Commonwealth Public Service Board for Commonwealth Government employees in South Australia to be granted a public holiday on 28 December this year which falls on a Sunday, so that no such employee will be deprived of a holiday by this Bill.

If Commemoration Day is deleted this year, next year those people who were under Commonwealth awards in, say, Canberra and who come here to work will not get that day off because it will not be a holiday on the Statute Book; it will have disappeared, and so those Commonwealth public servants will also lose the holiday. It is all right for people to say that if the amendment is carried it is only for this year. I do not believe that the amendment will be carried, but if the Bill is passed without this amendment, the Act not having been amended for many years, the *status quo* will remain.

The other thing that concerns me is that it appears that the public holidays for both Christmas Day and Boxing Day could occur on Saturday 25 December when 26 December was a Sunday. That might be regarded as being anomalous, and it might be advisable for the Monday and Tuesday to be holidays in that situation. At present the Bill, as I see it, means that if Christmas Day falls on a Saturday and the Boxing Day holiday falls on a Sunday, provision has been made for only one holiday, to be held on the Monday. I do not know how people will celebrate two holidays on the one day. That is another flaw in the Bill which may have been overlooked.

I think that the Hon. Mr. Wright, in the other place, ought to be commended for his application to this matter, bearing in mind that that House sat nearly all night but he merely got a bad press out of it. Mr. Wright is concerned about workers having rights taken away from them. We know that workers have lost real wages and have made no gains under this Government. Labor introduced service and over-award payments amounting to over $30 a week and brought in the best Workers Compensation Act in Australia at the time.

I believe this Government's attitude towards unions (and Mr. Brown has said that he wants to have a good relationship with the unions) is not enhanced by taking this holiday away from 50 000 workers. I have been involved in situations at Port Pirie and Whyalla where similar problems have occurred, and I have negotiated with the employers. The employers and the unions have managed to negotiate the transfer of holidays without requiring an Act of Parliament. I believe that there has been coercion in this matter by the big firms, whereas in the past the Government has had a satisfactory relationship with the unions, and it is not a good thing that that relationship is deteriorating. This move by the Government will only fan the fires of discontent within the trade union movement, especially amongst those who will be directly affected for many years to come, because, as far as the Government is concerned, this is not a one-year proposition: it is a long-term proposition. The press has not publicised this matter for reasons best known to itself. In fact, the concern of the press for the rank-and-file membership of the trade unions is zero. The press appears to think that because the elections are over such matters as this can be ignored.

I believe that the Hon. Mr. Milne would not want to turn the clock back 100 years. I have not suggested to the Hon. Mr. Milne what he should do about this matter. I am aware of his record since he has been in this Chamber which indicates that he is a man who is fair, decent and reasonable. I am guessing that it was the Hon. Mr. Milne's grandfather who was in Parliament when a similar matter was previously considered, but I would not like to do anything that would offend the memory of my own grandfather, or to go against what he would have wished. I am appealing to the Hon. Mr. Milne in this matter. He could be referred to as the balance of reason, indeed, reason is required in this Chamber, and it is also needed in any consideration of the trade union movement.

The contempt shown by the Government front bench last night toward the trade union movement must not be allowed to prevail. This Bill affects about 50 000 workers, their wives and children if it takes this holiday away from them. The Government has no right to take such action towards employees who have given years of service in places such as Whyalla and Port Pirie. It should be understood why workers receive these two holidays, and I will cite a hypothetical situation as an example. If I were employed as a fitter and turner working under a Federal award and the Hon. Mr. Hill was my offsider employed

under a State award, there would be a conflict, because the Federal award would provide that I should have a holiday on Boxing Day. In that situation, what would the Hon. Mr. Hill do? He could not handle the tools, because that would create a demarcation dispute, and the employer, therefore, could not give him any work, so he would have to give him the day off. That situation works in reverse, because the State award provides for a holiday on Proclamation Day, and I could not work without my mate, the Hon. Mr. Hill. When I said "mate", of course, I was referring to a hypothetical situation. When persons work in an industry under two different awards and one group of workers cannot work without the other, the shop cannot open because the employer cannot press the button to start the machines.

The Government is soft soaping the employers when it claims that this measure is an attempt to obtain uniformity. Pressure has been put on Mr. Brown, and it shows his lack of ability and foresight and his lack of good relations with the trade union movement. In relation to future negotiations with the trade unions I hope that, for Mr. Brown's sake, this Bill is defeated.

**The Hon. J. R. CARNIE** secured the adjournment of the debate.

## FOREIGN JUDGMENTS ACT AMENDMENT BILL

Returned from the House of Assembly without amendment.

## EVIDENCE ACT AMENDMENT BILL

Received from the House of Assembly with amendments.

## LOANS TO PRODUCERS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 4 November. Page 1694.)

**The Hon. B. A. CHATTERTON:** I support this Bill, which is a machinery matter and is not of any great importance. It does not alter the principal Act to any substantial degree, but is necessary because of a change in the method of issuing Commonwealth loans. It is no longer possible to tie the interest rate and the moneys lent under the Loans to Producers Act to a recognised Commonwealth bond rate. The Treasurer must now have powers under the Act to independently fix the interest rate for loans under this Act. The principal beneficiaries of funds under this Act are, of course, the co-operatives in South Australia. In spite of the Minister's second reading explanation, which states that, *prima facie*, the purpose of the Loans to Producers Act is to make loans to assist primary production, those loans to assist primary production are not directly to primary producers in most cases.

To my knowledge, the only occasion when that legislation has been used to assist primary producers directly has been in the recent situation with the Riverland cannery, when the Premier made a Ministerial statement that growers in the Riverland who had been affected and would not receive payment in full could apply for assistance under the Act. I would be interested if the Minister could provide me with information, perhaps not during this debate, on how many growers in the Riverland have applied for funds under the Loans to Producers Act and how much money is involved in those applications.

As I have said, the co-operatives are the principal beneficiaries of loans under this Act and it is important for them to have this source of funds, as it is frequently difficult for co-operatives to raise funds from other commercial sources because of their capital structure and the difficulty in getting sufficient equity capital. Funds provided to co-operatives over many years have been extremely important in providing a strong co-operative movement in the State.

It is surprising to me that, when co-operatives are criticised (and occasionally they are and sometimes that is justified), that criticism is always made on some ideological basis that farmers or primary producers in South Australia are not psychologically suited to co-operation, yet when ordinary companies go broke or are poorly managed, it is not suggested that the people involved are not ideologically suited to capitalism. It seems that co-operatives are greater targets for criticism than companies. As I have said, the Bill gives power to provide funds, and the Opposition supports it.

**The Hon. K. T. GRIFFIN (Attorney-General):** I thank the honourable member for his indication that the Opposition supports the Bill. I have not readily available details of the loans made to producers under the Act since the Government announced that opportunities would be made available to growers suffering hardship as a result of what happened to the Riverland cannery a few months ago. I will obtain that information and let the honourable member have it at the earliest opportunity. I believe that the amendments made by the Bill are important and that they will facilitate the smooth operation and administration of this Act.

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

## STOCK EXCHANGE PLAZA (REPEAL OF SPECIAL PROVISIONS) BILL

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

**The Hon. K. T. GRIFFIN (Attorney-General):** I move:

*That this Bill be now read a second time.*

The Stock Exchange Plaza (Special Provisions) Act was enacted in 1970 with a particular development in view. The major purpose of the Act was to provide an "open plaza" development with pedestrian access, and to permit the erection of a building of greater height than was permissible under legislation then in force. The development has, of course, now been carried out and it is felt that the City of Adelaide Development Control Act provides a more flexible and adequate control of any future development that might conceivably take place on the site. The Adelaide City Council has asked that the Act be repealed and the Government concurs in the view that no useful purpose is now served by preserving it in operation. Clause 1 is formal. Clause 2 repeals the Stock Exchange Plaza (Special Provisions) Act.

**The Hon. FRANK BLEVINS** secured the adjournment of the debate.

## ADJOURNMENT

At 4.20 p.m. the Council adjourned until Tuesday 18 November at 2.15 p.m.