LEGISLATIVE COUNCIL

Tuesday 17 February 1981

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—

Legal Services Commission of South Australia—Report, 1979-80.

South Australian Energy Council—Report, 1979-80.

By the Minister of Local Government (Hon. C. M. Hill)—

Pursuant to Statute—

Harbors Act, 1936-1978—

Port MacDonnell Boat Haven—Fees.

North Arm Fishing Haven—Fees.

Robe Boat Haven—Fees.

City of Burnside—

By-law No. 19—Noisy Machinery.

By-law No. 26—Depositing Rubbish.

By-law No. 62—Cattle.

By-law No. 84—Vehicles on Reserves.

City of Port Augusta—By-law No. 89—Weight Limit on Streets.

By the Minister of Community Welfare (Hon J. C. Burdett)—

Pursuant to Statute—

Meat Hygiene Act, 1980—Meat Hygiene Regulations, 1981.

LITTLEHAMPTON PRIMARY SCHOOL

The PRESIDENT laid on the table the report by the Parliamentary Standing Committee on Public Works, together with minutes of evidence, on Littlehampton Primary School Redevelopment.

QUESTIONS

RIVERLAND CANNERY

The Hon. B. A. CHATTERTON: I seek leave to make a brief explanation before asking the Attorney-General a question on the Riverland cannery.

Leave granted.

The Hon. B. A. CHATTERTON: In Saturday's *Advertiser* it was announced that the receiver of the cannery at Berri was going to put the cannery up for sale. With the disastrous flood that has ruined crops in South Africa (and I believe the effects of that disaster will be felt for some years), the receiver should not have any shortage of buyers for the cannery. In the report in the *Advertiser* it was mentioned that the Canning Fruitgrowers Association had suggested to the Government that it convert 80 per cent of its loans to equity capital. This suggestion is based on what the Government has done for Samcor, where it has converted 80 per cent of the loans made to Samcor over a period of years to an equity basis, so that the Government does not receive a fixed interest payment from Samcor but only a dividend based on any profits that come from Samcor operations.

There is no doubt at all that if the Government were to do the same sort of thing for the Riverland cannery it would be out of its financial trouble and could continue to operate on the present basis. Has the Government received the submission from the Canning Fruitgrowers Association, putting forward a proposal for the conversion of the Government loans to an equity basis? If it has received that submission from the growers, what is the Government's attitude?

The Hon. K. T. GRIFFIN: I am not aware of the Government having received that submission. When the submission is received, it will certainly be considered. I think it is important that members recognise that there is no similarity between the Samcor situation and Riverland Fruit Products Co-operative Limited. Samcor has always been a statutory authority and has a long history of involvement with the Government through funding. The restructuring, which the Minister of Agriculture has recently announced and which is expected to be the subject of legislation in the near future, really deals with Samcor in a way quite different from the suggestion that the honourable member has raised today.

One has to recognise that the co-operative is in essence a private corporation with which the Government became involved through guaranteeing loans and making funds available, but on a different basis from that under which funds were made available to Samcor as a statutory instrumentality. I can give no other reaction at this stage than to say that there are sufficient distinguishing characteristics between the two proposals, particularly in the case of the Riverland cannery, where receivers are involved. Whilst that is my immediate reaction, the matter will be considered, as would any other submission with respect to the co-operative.

FESTIVAL CENTRE TRUST

The Hon. L. H. DAVIS: I seek leave to make a brief statement before asking the Minister of Arts a question about the Festival Centre Trust.

Leave granted.

The Hon. L. H. DAVIS: I noted with interest that the Leader of the Opposition in another place, Mr. Bannon, was reported in the *Sunday Mail* of 15 February as saying that so far the Minister of Arts had not considered artistic skills when making appointments to the Festival Centre Trust. Although the integrity, dedication and enthusiasm of present and past trust members is not in question, nevertheless Mr. Bannon has made a specific claim. Would the Minister care to comment on this claim by making reference to the present composition of the board and the composition of the board under the Labor Government?

The Hon. C. M. HILL: I noticed the report, in the *Sunday Mail,* attributed to Mr. Bannon on this matter and was very concerned with it, because, as reported, what Mr. Bannon said was simply not true. He indicated in that article that he hoped I would note the recommendation of the inquiry into the Festival Centre Trust to consider artistic skills when making appointments to the trust. He went on to say that this had not been done so far.

The fact of the matter is that, when the present Government came to office, of the six members of the board, there was only one who one could say had artistic skill, and that happened to be a Mr. Meale. Of the four new appointees that the present Government has appointed to the trust board, two are people with artistic skills. Those two people are, first, Miss Lesley Hammond, who trained as an arts administrator in Sydney, was

subsequently employed by the Elizabethan Theatre Trust, in 1972 went overseas to study aspects of theatre management, and, at the time of her appointment, was an executive producer with the documentary unit of the South Australian Film Corporation.

The second person of the four was Mr. John Noble, who is the Co-artistic Director of the Stage Company, one of our most prominent and successful alternate theatre groups. Mr. Noble has been involved in theatre since 1972 and is a highly skilled actor, director and administrator. He is also Chairman of the Australian Drama Festival Committee and a board member of the Association of Community Theatres. Therefore, the statement by the Leader of the Opposition in another place was incorrect.

I repeat that, of the four new appointees appointed by the Government, two have been people with particularly high artistic skills. We now have on the board more of such people than were there when this Government came to office. I assure the Hon. Mr. Davis that, in the selection of future board personnel, before making recommendations to the Government I will keep this facet in mind and there will always be, while this Government remains in office, a balance between people who have artistic skills and those who have other expertise.

The Hon. ANNE LEVY: I wish to ask a supplementary question. Regarding appointments to the Festival Centre Trust, I should like to quote a small paragraph from the report of the inquiry into the Adelaide Festival Centre Trust, and incidentally I thank the Minister most sincerely for providing me with a copy of the report. A note on page 16 of the report states:

> As the deliberations of this inquiry were nearing completion when the terms of office of three of the trustees expired on 15 December 1980, the committee made available in advance to the Minister of Arts its findings and recommendations relating to the role of the trustees, in order that the Minister could consider the question of the trustees in the light of the committee's anticipated recommendations.

On page 24 there is the recommendation that the Minister give consideration to wider representation when appointing trustees and that trustees with general artistic skills be sought. Is it a fact that the Minister had that recommendation before him before appointing the three members to the trust, which he did at the end of November? In view of that, and from what is stated in the report, I presume that the Minister had that recommendation before him. Nevertheless, when he made the appointments at the end of November, two of the three people who were then appointed did not fulfil the recommendation made in the report, because two of the three appointed at that time had no artistic skills. How does the Minister justify appointing only one person out of three with artistic skills, in view of the recommendation that he had before him when he made those appointments and of the fact that not only did two of the three persons appointed have no artistic skills but they were closely associated with the Liberal Party?

The Hon. C. M. HILL: I was very appreciative of the approach that was made to me by the Chairman of the investigating committee, who came to me and said that he realised that the terms of office of three of the existing personnel were expiring, and he explained that it would be somewhat embarrassing if I had made appointments and then suddenly within a month or two read of specific recommendations in the report to the effect that people with artistic skills should be considered and appointed to the board.

I think it was quite right and proper for the Chairman to make that approach and disclosure to me, because it was in the best interests of the trust and the people who enjoy all the facilities administered by the trust. He explained that that would be one of the recommendations of the investigating committee. Armed with that information, I acted accordingly and recommended to the Government three people who would be new members of the trust. One of those three persons was Mr. Noble, whose artistic skills I referred to a few moments ago. I did that knowing that Miss Lesley Hammond had already been appointed previously. That made up the two people with artistic skills who would then be on the board, having a total number of six.

I think that the movement towards board personnel with artistic skills—appointing one very soon after coming to office and appointing another on the occasion that we are discussing—is evidence of the Government's acknowledgement of the need for persons on the board with such skills. Regarding the matter raised by the honourable member in connection with the appointment of persons to this board with some involvement in a political Party, I think it can be said that both Governments in recent years have tended to seek the best people for the job, and occasionally when such people are sought and appointed it is perfectly true that they may be members of a specific political Party. However, that factor does not influence the present Government in its selection and appointment of persons to boards. The present Government chooses those people whom it deems to be the best for the job.

BLACK HILL NURSERY

The Hon. J. R. CORNWALL: I seek leave to make a short explanation before asking the Minister of Community Welfare, representing the Minister of the Environment, a question about the Black Hill Native Flora Nursery.

Leave granted.

The Hon. J. R. CORNWALL: On Sunday 28 December I visited the Black Hill nursery to purchase some native shrubs and plants for my garden. I was horrified to find the display and sales area in a disastrous condition. Many of the display racks were almost empty. In total, less than a quarter of the racks were occupied by plants. Of the plants that were on display, at least 10 per cent were dead. More than half of the remainder were either dying or in such a dilapidated condition that it was preposterous to be offering them for sale. I had hoped that this was a temporary lapse due to the Christmas period. However on 7 January I returned to Black Hill, and the situation was unchanged. Not even the dead and dying plants had been removed. I was outraged and I wrote to the Minister drawing the matter to his attention and, amongst other things, said:

> You appear to be wasting a very valuable public resource for motives which are bloodyminded and perverse . . . I object to the attempted sabotage in the strongest possible terms and urge you to stop the destruction of Black Hill's reputation immediately.

The Minister replied to my letter on 8 February. In his reply he said, referring to the dead and dying plants (and this is a remarkable sentence indeed):

> It is a general policy in the nursery to produce hardened plants in keeping with the philosophy of low-maintenance landscaping.

In other words, despite the fact that they are germinated under optimum conditions, you then neglect the young stock, do not water them, do not fertilise them and see if any can survive! That is of course absurd and preposterous. There must be someone in the department laughing his head off that the Minister has copped such an

answer. I wonder what the Minister's recent appointee to the Black Hill Trust, Mr. Lasscock, would do to any employee in his nurseries who adopted this policy.

Since I raised the matter it has been brought to my attention that there were more dead and moribund plants thrown out of the retail sales area in December and January than were sold. Has the Minister taken advice from Mr. Lasscock before adopting his survival-of-the-fittest policy? If so, what was that advice? How many plants, particularly tube-sized plants, were discarded from the nursery during December and January? How many retail sales were made, and what was the value of those sales?

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

BEER ADVERTISEMENT

The Hon. N. K. FOSTER: I seek leave to make a brief statement before asking the Minister of Local Government a question about getting dogs drunk.

Leave granted.

The Hon. N. K. FOSTER: I was horrified to see in widespread media publicity the false and outrageous temper of my local member, the member for Coles (Hon. Jennifer Adamson), in regard to an advertisement for beer which has been shown on television. I do not watch any television stations other than channel 2, and it annoyed me to think that I had to switch to a commercial station to see what the woman was raving on about.

The Hon. B. A. Chatterton interjecting:

The Hon. N. K. FOSTER: They did—

The PRESIDENT: Order! The Hon. Mr. Foster must not reflect on members.

The Hon. N. K. FOSTER: I did not reflect upon the member at all. I referred to my local member, who has some rights as a member of Parliament and as a Minister, and I have some rights as a local person who happens to be one of her constituents.

Mrs. Adamson has raved on about broken marriages, and now a member of her own sex has taken advantage of an opportunity to get money from an advertising agency by shrieking at her husband and telling him to grab the worms out of the refrigerator and get out of the house. Has the Minister of Local Government lodged with the Advertising Council of Australia a complaint regarding an advertisement for beer which depicts a black dog without a registration disc on its collar?

The Hon. C. M. HILL: I have not seen the advertisement in question. However, based on the honourable member's explanation, I do not know what the question has to do with either his local member and her attitude to a certain advertisement, or to the advertisement to which the honourable member referred.

Members interjecting:

The PRESIDENT: Order!

The Hon. C. M. HILL: However, I will endeavour to have the advertisement investigated, and, if the question has any merit of any kind at all, I will try to bring back a reply.

NIDLANDI HOSTEL

The Hon. BARBARA WIESE: Will the Minister of Community Welfare say whether it is true that the hostel known as Nidlandi Hostel Incorporated situated at 13 Mocatta Place, Adelaide, has been closed and, if it is, why? If the hostel has been closed, can the Minister say how many young people were resident in it at the time of closure, and what alternative accommodation arrangements have been or will be made for them?

The Hon. J. C. BURDETT: The committee of the Nidlandi Hostel wrote to me recently stating that they wished to cease their activities because of difficulties that had occurred. Therefore, the hostel is going to close (it has not yet been closed) because the committee does not wish it to continue operating.

At present, there are in the hostel eight young male persons, who will be accommodated temporarily elsewhere by the department. I believe that the hostel intends to close on Friday. The department hopes to get some other voluntary agency interested in continuing the hostel.

The Hon. BARBARA WIESE: Can the Minister say why the Nidlandi Hostel committee does not wish to continue the hostel operations?

The Hon. J. C. BURDETT: I think I can fairly regard as confidential the letter that was written to me. I do not think that I should disclose all the reasons. However, the reasons include the committee's own difficulties in administering the hostel, those difficulties being in no way related to the department.

RAIL CARS

The Hon. C. W. CREEDON: I seek leave to make a brief explanation before asking the Attorney-General, representing the Minister of Transport, a question regarding upgrading old rail cars.

Leave granted.

The Hon. C. W. CREEDON: Four months ago, I asked the Minister a question about acquiring or extending the contract for additional new rail cars. Honourable members are aware that 30 new rail cars are operating on suburban lines and, even if they are slow, they are air-conditioned and very comfortable. The noise level has been reduced, and the rock-and-roll effect has been eliminated. No doubt, if the public knew on which line and at what time these trains ran, the trains would always be full. However, the State Transport Authority never manages to run these trains in peak hours but, rather, keeps them for the middle of the day. This summer has certainly been trying to train travellers. Fewer than 25 per cent of the cars are air-conditioned and, after an hour's travel, passengers feel like wet rags.

Petrol now costs nearly 40c a litre and, as Government advertisements constantly ask us to save fuel, it is inevitable that public transport will have to bear a heavier burden. If people could be assured of travelling in reasonable comfort, who knows—the public transport deficit might not be as large. I now refer to a portion of the answer that the Minister gave to my previous question, as follows:

> There is no current proposal to acquire additional new rail cars following completion of the existing contract. However, consideration is being given to the possibility of upgrading the "red hen" rail cars. A "red hen" rail car is being refurbished to assess the extent of upgrading required to meet present-day standards of passenger comfort and safety.

As these answers were given to questions that I asked four months ago, I take it that the Minister would now have received a report on refurbishing the red hen rail cars. Consequently, I ask the Minister, first, whether the refurbishing is considered satisfactory to meet present-day standards of passenger safety and comfort. Secondly, will all usable rail cars be refurbished? Finally, when is it envisaged that the job will be completed?

The Hon. K. T. GRIFFIN: I will refer the honourable member's question to the Minister of Transport and bring back a reply.

ADELAIDE FESTIVAL CENTRE TRUST

The Hon. ANNE LEVY: Has the Minister of Local Government a reply to the question I asked on 12 February about the Adelaide Festival Centre Trust?

The Hon. C. M. HILL: A copy of the report was delivered to the honourable member on Friday 13 February 1981. In addition, a copy has been made available to both Government and Opposition Whips of this Council. I anticipate that copies of the report will be available to all interested parties during the latter part of this week.

AGENT ORANGE

The Hon. N. K. FOSTER: I seek leave to make a statement before asking the Attorney-General a question regarding Agent Orange.

Leave granted.

The Hon. N. K. FOSTER: Last week, I asked the Attorney-General, in the absence of the Minister of Local Government, and not out of any disrespect to that gentleman, a series of questions regarding Agent Orange. I will now ask further questions on the basis of the reply that I received from the Attorney-General, realising that the Hon. Mr. Hill would not be aware of what happened in this respect in the Council last week.

Unfortunately, I missed last Friday evening a programme relating to this matter. A conference of the Vietnam Veterans Association held in Adelaide over the past weekend was addressed by local representatives of the association who have undoubtedly been in America recently. The Attorney-General will recall that I had asked (indeed, almost demanded) him to ask the Premier to legislate on behalf of the citizens concerned, which legislation would give these people and their families automatic rights in relation to any disability associated with the defoliant chemicals that have become widely known in so-called allied countries as a result of the use of Agent Orange.

Service in Vietnam should be proof positive in making such claims. The reply I received was that there would need to be a heavy responsibility accepted by the State and that what was important was the attitude that the Federal Government finally took. That appals me, and the whole purport of the demand or request is based on the fact that litigation, according to information I gained over the weekend and subsequently recorded in the press, could be as long as two years. Senator Messner is the only Federal Minister in this State and is appropriate as he is the Minister for Veterans Affairs. He indicated in this morning's *Advertiser* that it could be 12 months longer than that—a total of three years. The matter is one of extreme urgency.

In the past few weeks the *Sunday Mail* has depicted citizens in South Australia in diabolical circumstances because of what they and most of the public believe is a result of exposure in Vietnam to Agent Orange. As Mr. Dunford pointed out, Agent Blue was also used in Vietnam even though Hitler would not contemplate its use in the Second World War. More evidence becomes available from day to day. Ex-servicemen were forced, by a lottery system—

The Hon. K. T. GRIFFIN: I rise on a point of order. I have been satisfied to let the honourable member continue with a lot of material which is irrelevant but he is now embarking on argument and opinion inconsistent with Standing Order 109.

The PRESIDENT: I think Mr. Foster has dwelt long enough on his explanation.

The Hon. N. K. FOSTER: I may refer to Standing Order 109—

The PRESIDENT: I do not want the Hon. Mr. Foster's interpretation of Standing Order 109.

The Hon. N. K. FOSTER: I must be speaking the truth for the Attorney-General to react as he has. However, he must bear some guilt. The people of this State have suffered grievously because of a lousy political decision. Is the Attorney-General aware of the forms of court action being taken by the Vietnam Veterans Association of the United States of America in conjunction with the members of that organisation in Australia in the Federal courts of America? Also, is he aware that a number of States, principally the State of New Jersey, have enacted legislation to ensure that the citizens of that State are accorded the right of protection for themselves and their families by way of rehabilitation, repatriation, medical benefits and other allowances because of service in Vietnam?

The Hon. K. T. GRIFFIN: I am not prepared to consider special legislation to deal with this matter. As I indicated last week, the matter is essentially one for the Federal Government and for the authorities in the United States of America.

The Hon. N. K. FOSTER: By way of supplementary question, is the Attorney-General aware that, in spite of what is happening in the Federal courts of America, State Legislatures in America have legislated along the lines that I have indicated? Will he request the Premier to do so on behalf of our citizens?

The Hon. K. T. GRIFFIN: Whether or not special legislation is being enacted in the United States of America is irrelevant to the situation in Australia.

The Hon. N. K. FOSTER: As a further supplementary question, if the Minister considers that the matter is irrelevant, will he, as State Attorney-General, advise the South Australian branch of the Vietnam Veterans Association that they are wasting their money and that they can get little or no protection from any outcome of the court action in the United States and that therefore they should protect themselves against monetary loss, apart from anything else that they may suffer?

The Hon. K. T. GRIFFIN: It is not my function to advise any organisation as to the rights of that organisation or its members. Undoubtedly they will have their own capable legal advisers from whom they should seek advice.

REINSPECTION FEES

The Hon. B. A. CHATTERTON: I seek leave to make a brief explanation before asking the Minister of Community Welfare, representing the Minister of Agriculture, a question on reinspection fees.

Leave granted.

The Hon. B. A. CHATTERTON: Last Thursday the Minister of Agriculture made a statement in the House of Assembly to explain the long delay in implementing the new meat hygiene legislation. He also went on to try to explain the situation regarding the reinspection of meat coming from interstate sources. The statement was not very clear as to what the situation is.

I understand from reading it that the Minister is recommending that the fees for reinspection of meat be

reimbursed from 1 January this year. I am not quite sure to whom he is recommending that—Treasury or Cabinet. Certainly, on previous occasions (such as his recommendation on the Argentine ant programme) his recommendations have not always been accepted. Is that what he is doing and was the recommendation discussed by Cabinet on Monday? If it was, was it accepted? Also, has the Minister considered the submissions put forward by the South-Eastern abattoirs seeking reimbursement of re-inspection fees back to 1 July 1980? If that submission has been considered, what was the Government's decision on it?

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

ELIZABETH SHOPPING CENTRE

The Hon. J. R. CORNWALL: I seek leave to make a brief explanation prior to asking the Minister of Housing a question on the Elizabeth Shopping Centre.

Leave granted.

The Hon. J. R. CORNWALL: Three months ago the Minister announced that the Housing Trust intended to call for tenders for what has euphemistically been called a long-term ground lease of the Elizabeth Shopping Centre. The lease is so long that it will be beyond the life expectancy of the existing buildings. In those circumstances, it becomes a *de facto* sale. It is in line with the philosophy of the present Government to hand it over to private enterprise. It concerns me that this may be done at bargain basement rates. I am waiting with great interest for the Minister to give further information.

How many proponents have applied for the so-called long-term ground lease of the Elizabeth Shopping Centre? Was Myers among the applicants? When will the successful applicant be selected and announced? When will the terms and conditions of the lease be made public?

The Hon. C. M. HILL: I will refer this matter to the General Manager of the Housing Trust and endeavour to obtain information that will satisfy the member. The position as I understand it at present is that firms or individuals have been asked to register their interest in this matter, and information has been made public as to proposals that developers might consider. For example, a brochure has been printed and that gives ideas as to what is the potential for a prospective developer at the Elizabeth Shopping Centre.

I understand that the exact stage of negotiations at present is that these people have registered their interest and that the consultants acting for the Housing Trust are negotiating and carrying on discussions with such interested parties. I think that follows from the information I have previously given to this Council, which was that the trust has decided that, rather than expend its own capital in redevelopment of the centre, it was in the best interests of the trust—

The Hon. J. R. Cornwall: That's misleading, and you know it.

The Hon. C. M. HILL: It is not misleading, because the trust is in urgent need of capital funds to build houses for rental purposes and simply cannot afford to expend its capital moneys in a venture of this kind and at the same time meet the ever-increasing demand by low-income people in this State for rental housing accommodation, so the trust decided on this approach to join with private enterprise, marshalling considerable funds from private enterprise so that redevelopment of the centre could take place and, of course, at the same time so that the residents of Elizabeth would have modern and up-to-date shopping facilities that they have not got at present, simply because the present centre is now relatively old by shopping centre standards. I will raise the matter again with the General Manager of the trust, as I have said, and endeavour to get more details for the member.

The Hon. J. R. CORNWALL: I wish to ask a supplementary question. Who are the consultants to whom the Minister has referred, and, I repeat, was Myers among the proponents? What is the interest rate on money used for the trust's commercial ventures and what is the interest rate on money used for trust rental housing? Is it not a fact that the money is obtained from different sources and at quite different interest rates?

The Hon. C. M. HILL: Some matters in the supplementary question were included in the first question, and I would prefer to discuss those details with the General Manager before bringing down my reply. However, I have been informed by the General Manager that the consultants retained by the trust for this particular venture are Jones Lang Wootton. I hope that that satisfies the member, and I will endeavour to get the other information for him.

BOOK SALES

The Hon. ANNE LEVY: I seek leave to make a brief explanation before asking a question of the Minister of Local Government regarding the sale of surplus library books.

Leave granted.

The Hon. ANNE LEVY: On 13 December 1980 there was a sale of about 80 000 surplus books by the Libraries Board at Norwood and these books were being sold at 20c each to any member of the community who attended this sale. I understand that a vast group of people turned up and, in the short time available for the sale, there was a fairly undignified scramble.

However, I also understand (and this is more serious) that on the day before this sale occurred, 12 December, the surplus library books were available to private booksellers, who were given first pick of the books available that were surplus to the library requirements. We all know that the books were bought originally by using taxpayers' money, and I should have thought that the taxpayers should have had the greatest benefit from the sale of these surplus books or that, if anyone should have a first selection, it should be institutions such as schools. They should have been allowed to have first go, not private profit-making groups being given first choice to select.

I ask the Minister a question in four parts. First, was it deliberate Government policy to give preference to a small profit-making group at the expense of the public, who had paid for the books in the first place? Secondly, did those private booksellers pay only 20c a volume? Thirdly, was there any restriction on booksellers' mark-up when they resell these books to the public? Fourthly, will the Minister ensure that such favouritism to a private profit-making group does not occur again?

The Hon. C. M. HILL: The matter of the sale of books that has been raised by the member has drawn a certain degree of comment from the public, and some letters have been received questioning some details of the sale. The matter of disposal was one that was completely decided by the board, and I have not any quibble with the board on this occasion for proceeding as it did. The board's attitude in regard to the point of offering the trade, if I may use that expression, the opportunity to acquire books on one day and then opening the sale to the public on the next was

that it did not want to particularly offend the trade by, in the first instance, offering the books to the public. As it happened, the number of books bought by the trade was very small indeed compared to the number purchased by the public.

The figure of 20c that has been mentioned by the member certainly was true as far as the price to members of the public was concerned. I do not know of any special arrangement regarding price that may have been agreed to by the board as far as those sales on the first day were concerned. If there were any special arrangements as to price, I most certainly will find out that information and bring it back to the member, but to the best of my knowledge the price was the same on both occasions.

Because of the public comment that was aroused concerning the sale, through my Director I have made known to the Chairman of the board that I want to have plans of this kind referred to me for approval in future so that the whole matter can be given considerable thought and so that as much planning as possible can be done to alleviate public query in matters such as this. However, I stress that I have a great deal of admiration for and confidence in the board and the job that it does at the library. I am perfectly satisfied that it acted in good faith in every respect regarding this matter and that it did endeavour to be fair and reasonable in every way to both the public and booksellers.

COUNTRY SLAUGHTERHOUSES

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 country slaughterhouses.

Leave granted.

The Hon. B. A. CHATTERTON: Last year the Government established a joint Parliamentary committee to look into the whole question of meat hygiene and inspection in this State. That committee produced a report which was tabled in Parliament, recommending, among other things, that country slaughterhouses be restricted in their throughput and in the number of outlets that they could supply. That recommendation was made to ensure that meat from country slaughterhouses which was not going to be inspected on an individual basis should not be distributed too widely.

The Minister of Agriculture said that he accepted the recommendations of that Parliamentary committee and went on to introduce legislation to implement those recommendations. Only last week the last sections of the Act were proclaimed. I understand that there is still considerable confusion among country slaughterhouse owners as to what restrictions are applied on throughput. When they first applied to have their slaughterhouses licensed by the Meat Hygiene Authority they were told one thing, that is, that the restrictions that applied to their throughput were those recommended by the Parliamentary committee report. Some people have argued against those restrictions and have been told another story, that is, that the restrictions on throughput were only guidelines and were not meant to be taken very seriously. Will the Minister advise the Council of the Government's policy on this matter? Is the Government still implementing the recommendations of the Parliamentary committee report, or have the limits on the number of stock that can go through a country slaughterhouse been lifted?

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

MEDIA ADVERTISING

The Hon. J. R. CORNWALL: My question is directed to the Attorney-General. Is it State Government policy to monitor and control media advertising in South Australia? If so, which Minister is responsible and under what legislation is that function performed? Was the Minister of Health speaking on behalf of the Government when she criticised the Southwark beer advertisement, and did she have the full support of her colleagues?

The Hon. K. T. GRIFFIN: There is an Act of Parliament which relates to unfair advertising. My recollection is that it is the responsibility of the Minister of Consumer Affairs.

TRANSPORT BROKERAGE UNIT

The Hon. N. K. FOSTER: Has the Attorney-General a reply to my question of 28 October 1980 on the transport brokerage unit?

The Hon. K. T. GRIFFIN: My colleague the Minister of Transport advises that the creation of a transport brokerage unit in the Department of Transport is dependent on the outcome of a current study which is now under review. The Government will consider a Parliamentary debate on the matter if and when a decision is made. The officers who spoke to the reporter stressed that the subject is under study, and that the Government has not made a decision to implement a transport brokerage unit. The study was approved by the Minister of Transport prior to its commencement and is a Government initiative.

The Government does regard energy saving as important and, in regard to the matter of assistance for energy audits, the following information is relevant:

The Government is committed to the establishment of an Energy Information Centre and the activities of this centre will involve, *inter alia*, assistance to industry on how energy can be used more efficiently.

The Energy Division of the Department of Mines and Energy has been conducting a limited number of energy audits for private industry on behalf of the South Australian Energy Council. The primary purpose of these audits is to enable the results to be used to demonstrate the potential for energy savings in particular industries.

The State Government is co-operating with the Commonwealth Government in a scheme to assist the funding of energy audits in private industry by private consultants.

The Public Buildings Department is providing assistance to the Health Commission in undertaking energy audits in the health services area.

The study contract cost $15 464 which included travelling, accommodation, consulting fees and all other expenses.

REPLY TO QUESTION

The Hon. K. T. GRIFFIN: I seek leave to have inserted in *Hansard* the answer to a Question on Notice asked by the Leader of the Opposition last year. The question has already been answered by letter, but by virtue of a misunderstanding it was removed from the Notice Paper.

Leave granted.

SELECTION PANELS

The Hon. K. T. GRIFFIN: The replies are as follows:

1. (i) The Hon. R. Story.

(ii) Premier; the salary is irrelevant to the question.

(iii) Director of Correctional Services, Director of Fisheries, Commissioner for Equal Opportunity.

2. (i) Mr. G. Loughlin.

(ii) Premier; the salary is irrelevant to the question.

(iii) Director, Research Branch, Chief Research Officer, Senior Research Officer, Research Officer, Assistant Research Officer (two offices).

3. (i) Mr. D. K. Pearce.

(ii) Minister of Industrial Affairs; the salary is irrelevant to the question.

(iii) Steno-Secretary Grade III.

4. (i) Ms. D. V. Laidlaw.

(ii) Minister of Local Government; the salary is irrelevant to the question.

(iii) Steno-Secretary Grade III.

ROMAN CATHOLIC ARCHDIOCESE OF ADELAIDE CHARITABLE TRUST BILL

Read a third time and passed.

AUDIT ACT AMENDMENT BILL

Read a third time and passed.

PUBLIC SUPPLY AND TENDER ACT AMENDMENT BILL

Read a third time and passed.

PUBLIC FINANCE ACT AMENDMENT BILL

In Committee.

(Continued from 12 February. Page 2783.)

Clause 2—"Commencement."

The Hon. K. T. GRIFFIN: When the Council was last considering this Bill questions were raised which I indicated would need to be researched in order to provide answers to members. I have been informed that in relation to the limits on excess expenditure there are significant differences from State to State in the procedures for providing authority to spend for purposes or to an extent not anticipated at Budget preparation time. Therefore, it is difficult to obtain a direct comparison with South Australia's procedures.

In Victoria there are two amounts. One is available by virtue of the Public Account Act and the other is appropriated annually to the Treasurer. Together they totalled about 4 per cent of the original Budget figure in 1979-80 (Audit Report). New South Wales has no specific provision for excesses but "expenditure unauthorised in suspense" has become entrenched in Parliamentary practice because over many years Parliament has granted retrospective authority for the payments so incurred. No limit is enforced.

In Queensland, the Governor in Council may approve unforeseen expenditure apparently without limit. Western Australia appropriates an advance to the Treasurer. In 1979-80 the amount was $65 000 000 or about 3·6 per cent of original appropriations (Audit Report). Tasmania has three provisions. One of them (by audit regulation) has no financial limit but other controls are exercised.

In the light of that information it can be seen that the 3 per cent limit on the combined Revenue and Loan Accounts in this State is not an unreasonably high limit. Certainly, it is more than the 1 per cent on the appropriation, but one must take into account, as I have said, that the Loan Fund is now subject to the constraint of 3 per cent. I hope that members will accept that 3 per cent is not unreasonably high.

Clause passed.

Clauses 3 to 10 passed.

Clause 11—"Special Deposit Accounts."

The Hon. B. A. CHATTERTON: I strongly support the establishment of special deposit accounts, because they will make Government administration much easier. I can recall the sort of problems that we used to have in the Department of Agriculture with the Extension Branch, where the more successful the branch was in getting extension material out to farmers the greater its problems were financially because it had to find more funds to publish that material, despite the fact that the branch obtained revenue from that activity.

Under this clause the branch would be in a position to get a special deposit account and to operate its publications through that account and, therefore, use the revenue that it received from the sale of publications to pay for the cost of publication and further publication. With these special deposit accounts, what information will be provided to Parliament about their operation? Will they merely show the balance in the account at the end of the year or will we be shown how much money has gone through those particular accounts?

The Hon. K. T. GRIFFIN: I am not aware of the extent of the information that it is intended should be available to Parliament. I will undertake to obtain that information and provide it to the honourable member.

Clause passed.

Clause 12 and title passed.

Bill reported without amendment. Committee's report adopted.

COMMUNITY WELFARE ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 3 December. Page 2491.)

The Hon. BARBARA WIESE: This Bill represents the culmination of a decade of changes in philosophy and practice in the area of community welfare in South Australia. The Opposition regards it as an important piece of legislation, and I think it is worth outlining the history of community welfare development in this State during the last 10 years to fully appreciate just how far we have progressed. Shifts in welfare policy have come about partly in response to the changes which have occurred in society during the last 15 years or so and partly in response to our growing knowledge about people in need in the community.

Prior to the 1970's the department tended to concentrate on providing a fairly narrow range of services to a relatively small number of people. These were largely juvenile offenders, deserted women and destitute people. The emphasis of the department was mostly towards assisting people during periods of difficulty and stress, rather than trying to provide support for people at risk to avoid crises from occurring in the first place.

Policy-makers began to realise that, if society provided a strong system of social supports, then many problems

could be alleviated before they reached crisis point. In other words, community welfare services should not only help people after something had gone wrong, but should help people with problems early enough to prevent something from going wrong. The new philosophy was analogous to that of preventative medicine.

It was also consistent with the Australian Labor Party's philosophy and, although I would not wish to make this debate overtly political, there is little doubt that the Labor Governments elected at the State and Federal levels during the early 1970's were primarily responsible for promoting and encouraging the new and innovative social welfare programmes.

For example, at the Federal level the Whitlam Government introduced the Australian Assistance Plan which promoted the development of community based services. Consumers of the services of the Social Security Department were given rights to appeal. Perhaps the most important legacy of the Whitlam years in the welfare area was the report of Professor Henderson's Committee of Inquiry into Poverty, which revealed the deeply disturbing levels of poverty which exist in our affluent society.

At the State level under the very able leadership of the then Minister, Len King, the Department of Community Welfare was completely reorganised, activities were decentralised to provide support services in the community where they were needed, and a new Community Welfare Act was proclaimed in 1972. Since then the goals and objectives of the department have been significantly expanded, the range of services has been broadened and many innovative programmes have been developed.

Since the current Act was proclaimed in 1972, it has been constantly monitored and amended from time to time when desirable. And, as the Minister stated in his second reading speech, a critical review of the provision of welfare services was instigated by the Labor Government in 1977. Throughout the 1970's all Ministers—and Len King was followed by Ron Payne and Roy Abbott—with the aid of the department monitored the department's activities and were willing to adapt and change to new social needs as they emerged. I think it was this responsiveness to community needs which has made possible the high level of consumer satisfaction to which the Minister referred.

The 1977 review of community welfare was the first step in a truly comprehensive review of the 1972 Community Welfare Act. This was followed in 1978 by the appointment of a committee chaired by Professor Ray Brown which made recommendations to the then Government on ways to improve the Act.

It is very pleasing that the present Government, when it assumed office in September 1979, took this inquiry a step further with the appointment of the Mann Committee, whose task was to seek the views of consumers of community welfare services. I should like to take this opportunity to congratulate the members of both these committees for their valuable work in providing the crucially important information on which this Bill has been based.

I should indicate that the Opposition supports the broad principles of this Bill, about which I will have more to say in a few moments. However, we believe that there are some problem areas that need further discussion. The Opposition therefore intends to support the second reading and then to move a motion that a Select Committee of this Council be appointed to study these areas of concern, which I will outline later. Whatever the fate of the Opposition motion to appoint a Select Committee, the Opposition has a number of amendments that it will want to make to the Bill.

The Opposition supports the broad principles of this Bill, and for the sake of brevity I do not wish to cover all the provisions with which we agree. It would be more productive to identify some of the areas that concern us. However, I should like to say a few words about some parts of the Bill that we think are particularly valuable.

First, we wholeheartedly support the principle that clients of the department should be accepted as partners in the community welfare area, and that they should be entitled to participate in policy making and organisational change. We therefore strongly support the establishment of consumer forums as one way in which to seek information about the quality of services provided by the department and the areas where the delivery or provision of services may be improved.

We strongly support the rights of clients of the department to appeal against decisions that affect them, and we therefore welcome the establishment of appeal boards, as provided in the Bill. As the Minister acknowledged when introducing the Bill, there are still a number of deficiencies in the delivery of services in terms of difficulty of access to services for some people, and also ignorance of the existence of services for others.

This problem was highlighted by the Mann Committee's report, which identified a number of specific groups who fall into these categories. I should like briefly to refer to the committee's report in order to illustrate the problems that it discovered. The report stated:

> It is discouraging to note, however, that where there is a lack of knowledge it is found most markedly among these sections of the community who are most at risk—the elderly, pensioners, least formally educated, and members of ethnic groups with least command of the English language. These people tend to rely upon their own immediate network of family and friends for information when a need arises. However, because of social isolation or because of the nature of their social problems, these people often have no direct access to information about human service agencies. Accordingly, we have reason to be concerned about the obvious ignorance of the department and its services among sectors of the community which are probably most in need of those services.

This problem, which was outlined by the Mann Committee, has concerned many of us for some time. So, that section of the Bill which allows the department to provide services in localities that will make them more accessible to those people who are most in need but least assisted is particularly commendable. I hope that the Minister will view this area as one of priority when departmental budgets are being reviewed.

There are many other provisions in the Bill which are important and praiseworthy and which are consistent with the philosophy that the A.L.P. pursued in Government and continues to pursue. However, as I said earlier, my time can be better spent talking about those areas that cause the Opposition concern. We have identified a number of problems in the Bill that we would seek to rectify by amendments. Some changes that we would make are quite minor, others are more substantial. On many, I am sure that there would be agreement by members of both sides. I do not intend to deal with those minor matters now; they can best be considered in Committee.

However, I should like to raise three issues that worry the Opposition particularly. These are matters that the Opposition believes must be discussed far more widely, preferably through the forum of a Select Committee. The first matter relates to clause 24, which provides that the Minister may enter into agreements for the provision of community welfare services. At the moment, this

provision is so broad that there is nothing in it to stop the Minister from turning over almost all of the department's community welfare services to private enterprise, if he sees fit.

In view of this Government's ideological commitment to private enterprise, as already demonstrated practically by the number and variety of contracts it has entered into in other areas, at the expense of the Public Service sector, we have good reason to be concerned.

The Hon. J. C. Burdett: Aren't you talking about proposed new section 24?

The Hon. BARBARA WIESE: Yes, I am sorry: I am referring to new section 24. A shift to the private sector could have especially serious consequences in the welfare area where the quality and standard of services is crucial. Community welfare is not something that should ever be turned *en masse* into a profit-making activity. The employment implications for Department for Community Welfare employees are also very worrying.

By raising doubts about this provision, the Opposition is not suggesting that the Minister should have no rights to enter into agreements. In fact, some welfare services are already being contracted out in South Australia. New section 24 therefore would legitimise actions which have already been taken. What concerns us is that the practice may become as widespread as it is already in some other States because of the Government's ideological commitment to private enterprise and its known animus against the Public Service. The Minister's second reading explanation gives no information about its intentions in this regard; we want to know more about what the Government has in mind, and we want safeguards built into the legislation.

As I have indicated, as this new section now stands, there would be nothing to prevent the Minister from contracting out welfare services to a private organisation whose primary aim was profit making rather than welfare maximising. The many horror stories about conditions in private nursing homes for the aged indicate just how disastrous the pursuit of profit can be in the area of human welfare.

On the other hand, perhaps the Government might opt to contract out some of its most costly services to, say, church-run charitable organisations exploiting the volunteer and lowly-paid labour which many such organisations employ. There is a sense in which this is already happening, for example, with homeless men being cared for by organisations like the Salvation Army, thus saving money for the State and enabling the Government to evade what are properly public, not private, responsibilities.

At the moment, there are no guidelines for the Minister to follow in respect of the types of services he may contract out or with whom he may enter into contracts. Neither are there any guidelines which would ensure that the standard of services did not suffer as a result of being contracted out.

The Government could, if it wished, use this section to opt out of providing certain kinds of services. It is a huge loophole which, given the Government's ideological position on private versus public sector activity, we believe must be studied closely. During the last week or so I have discussed this clause with a number of people, including people from non-government organisations. They, too, share my concern, even though many non-government organisations welcome the introduction of contracts as a way to avoid their annual problem of having to negotiate with the department to receive community welfare grants to maintain the services they provide. They welcome the introduction of contracts as one way of gaining recognition of the role they play in providing welfare services in this State.

However, they agree that there must be controls and regulations to prevent abuses—especially profiteering. They recognise the need for accountability. There is also some concern among non-government organisations that this section may be used to impose on them contracts which would, in practice, involve the use of voluntary labour. The Minister has already stated publicly that he favours the use of volunteers in the community welfare field—no doubt because it saves money. But, as a general principle, it smacks of the Victorian charity principle, which is completely and properly outdated. Non-government organisations are concerned to avoid having to set up programmes for volunteers (which are still costly), thereby running the risk of down-grading services where programmes using professional people would be better in almost every respect.

The questions of the use of volunteer workers and the letting of contracts for welfare services are also of considerable concern to the Public Service Association, whose members' livelihood may be directly affected. Yesterday I contacted the P.S.A. to solicit their views on new section 24. I was told that the association had not been consulted on this matter by the Minister, and they were grateful that I had brought it to their attention. The P.S.A. is concerned about the implications for its members, and it is keen to have the matter discussed further. In fact, I have found that the P.S.A.'s response is a common one. During the past couple of weeks, I have tried to contact as many organisations and individuals as possible to discuss the Bill. Many who may be affected in some way by it were not fully aware of the provisions of the Bill. Others have raised questions which need further clarification.

The Opposition believes that the question of contracts is an area which needs much more discussion. We want to be sure that everyone who has some interest in the matter has the chance to put forward their views. We feel the best way to do that is to set up a Select Committee.

Another matter which needs further discussion and which may be related to the previous point is the section of the Bill dealing with the establishment of Licensed Family Day Care Agencies. In his second reading explanation, the Minister advised that the department believes that no such agencies yet exist but that there is a strong likelihood that such agencies will develop in the foreseeable future. Once again, we believe that the matter needs more discussion. For example, who is likely to set up such agencies? Are there organisations which have already indicated their willingness to do so?

The Opposition would like to know what the Government's intentions are after the introduction of this provision. For example, will it, or could it, be used to allow the Government to opt out of family day care completely? Is it anticipating the need for licensed agencies to be incorporated in the legislation because it wants to encourage private organisations to become involved?

It has been suggested to me that a provision like this could lead to franchised child care which has been implemented in some parts of the United States. These schemes are aptly nick-named the "Kentucky Fried Children" schemes. It is not the sort of activity we want in South Australia. These questions about who should provide services and who should have control over the standards of services provided, etc., are important matters of principle which must be discussed and clarified, and safeguard clauses need to be inserted in the Bill.

The final matter I want to raise is foster care. This is a

very difficult area for policy formulation. It seems almost impossible to establish rules in this area which satisfy everyone involved. The Opposition supports the Government's intention to make it possible to delegate certain of the Minister's powers in relation to foster children to their foster parents in long-standing foster care arrangements. We also support the right of biological parents to be consulted prior to this taking place. The dilemma is, however (and I am sure the Minister is as worried about it as anyone else), that in some cases the consultation process will renew the biological parents' interest in the child which may have been dormant, at least overtly, for many years.

People working in the area have told me that this sort of problem has developed in the past in cases where foster parents have applied to adopt a child after many years in a stable fostering relationship. This has triggered renewed interest on the part of biological parents and sometimes has led to applications being made to be reunited with the child. In many cases, this has caused serious distress to all involved.

It is quite possible that, under the new provisions of the Bill in relation to delegation of authority, the same sort of situation may develop in some cases. So, for the sake of delegating a few powers to foster parents, as important as they are, we may run the risk in some instances of creating greater problems than the ones we seek to solve. In addition, I believe that in cases where there is disagreement over custody of children between biological and foster parents the trend is moving towards settling these disputes in court. The problem here is that while the court case is taking place the child may be held in an institution, which can cause serious emotional problems for the child.

Another problem associated with the growing tendency to settle such disputes in court is that it requires judges, who may have impeccable legal qualifications but no experience in welfare matters, to set down conditions for the welfare of the child which may not be realistic. So, the dilemma we have as a Parliament is that by building into legislation provisions for appeals to protect the rights of children and parents we may cause hardship for children in the form of long periods in limbo in institutions while disputes over custody are determined and in terms of inappropriate decisions being made by judges who lack expertise in the welfare area. I understand that these and other problems associated with foster care will be studied by the Minister when he goes overseas in April. I hope that he brings back proposals that overcome some of these difficulties which are in the Bill, to which I have referred.

Another proposal that bears on foster care arrangements which is not dealt with in the Bill but which was discussed by the Mann Report is that it may be possible to avoid completely placement of children in foster care if we devote more attention to the needs of biological parents, particularly their financial needs. The Mann committee pointed out that in some cases the stress of inadequate income is one of the factors creating the need for continued foster placement. The committee suggests that, in these circumstances, it may be effective to provide a subsidy to the biological parent to assist in the care of the child. This may also be more effective in terms of financial and social cost. This is obviously a suggestion which warrants further investigation, along with the other points I have raised in relation to foster care.

We believe that a Select Committee would be the proper forum to study these and other problems. We certainly think it desirable to wait for the Minister's return from overseas before any final decisions are made about these matters. It may well be that as a consequence of his studies he will be able to suggest ways to avoid some of the problems I have outlined.

As I said earlier, these are just a few of the problems that we think warrant further discussion. There are other matters which I do not intend to canvass here and which we would hope to rectify by moving amendments. I will outline those at the appropriate time.

It is not my intention to detail here all the reasons I would wish to put forward to support our view that a Select Committee of the Legislative Council should be established. I will have the opportunity to do that later as well. However, I hope members will agree that the points I have raised thus far are of sufficient concern to warrant further investigation by a Select Committee of this Council. I support the second reading.

The Hon. L. H. DAVIS: The Hon. Miss Wiese has referred to the history behind the amendments to the Community Welfare Act, and I think she has done credit to the efforts of the Brown Committee, which was chaired by Professor Brown, of the School of Social Administration, in 1978, and later the committee chaired by Professor Leon Mann, of the School of Psychology at Flinders University, which reported in July last year. As the Hon. Miss Wiese has said and as the Minister states in his second reading explanation, the amendments before us are based on the reports of the Brown Committee and the Mann Committee and on a meeting of members of those two committees and officers of the Department for Community Welfare.

Community welfare is undoubtedly a complex area, covering many aspects, and these aspects have been dealt with in some detail in the committee reports that I have mentioned. I must say that I am surprised and disappointed that the Hon. Miss Wiese, having suggested that there were many commendable features about the amendments, has not seen fit to support this Bill through all its stages, but rather seeks to have a Select Committee of this Council appointed.

It has become something of a reflex action of the Labor Party to appoint a Select Committee at any time it opposes any part of a Bill put forward by this Government. These amendments, contrary to what the Hon. Miss Wiese may have implied, have not been put forward hastily. They have been brought forward only after much consultation and discussion, and I should have thought it more appropriate, if the Labor Party wished to oppose sections of the Bill or to propose amendments, to do so at the Committee stage rather than to seek a Select Committee. I think it is interesting to note that the Mann Committee, which reported in July 1980 and whose report, I would have thought, forms much of the basis of the amendments, has been acclaimed in many parts of South Australia and Australia, and in places overseas.

The Mann Report has been extensively publicised, recognised, accepted and praised. There were favourable comments from such people as Professor Rosemary Sarre, Professor of Social Work at the University of Michigan, the Vice-President of the Residential Care Association in the United Kingdom, and Professor Owen, visiting consultant to the Federal Government during 1980 on social policies. They are just three of the people or groups who have commented favourably on the Mann Report. In his second reading explanation, the Hon. Mr. Burdett has referred to the fact that the amendments reflect the findings of those committees over the past three years. As the Minister has said, the Mann Committee had a unique task. In their own words, "The inquiry is the first in Australia, possibly anywhere, to seek the views of consumers of a statutory welfare service as a basis for

identifying deficiencies and recommending changes in the delivery of services." It sought "to examine consumer opinion as the basis for recommending changes".

We all know that consumers of goods, whether of food, clothing, durable items or services such as banking and advertising, are constantly surveyed to find out whether the quality, quantity and outlets for these goods and services are adequate. It would seem common sense that this approval should also be adopted with respect to Government agencies such as community welfare. However, in the concluding remarks, the Mann Report states:

> To the committee's surprise, almost no research on welfare consumers has been conducted by the department.

This vacuum has now been filled. The quality and lucidity of the report, the detailed responses to community and direct surveys and opinion, the evaluation of those responses, the range of issues canvassed, and the recommendations made suggest that the Mann Report will be a landmark in the community welfare area not only in South Australia but in Australia. It is pleasing to see that the department and the Minister have moved so speedily to give effect to the proposals in these recent findings.

The scope of the growth in the services of the Department for Community Welfare is underlined by the Mann Committee's report. For example, departmental staff increased by 64 per cent in the 10-year period from June 1970 to June 1980, having increased from 938 to 1 535. This was complemented by an increase in community aid, using volunteers, numbering 900 at June 1980. One of the two main areas of service by the department was financial assistance. In 1979-80, 24 000 cases were serviced, compared to only 5 367 in 1969-70. The other area, family maintenance, saw an increase to 6 849 in 1979-80, compared to only 2 728 in 1969-70. Another area which it appeared from surveys that the community did not generally understand came under the umbrella of the Department for Community Welfare was crisis care, concerning which, in 1979-80, over 38 000 calls were received.

The objectives of the Act are set out in new section 10. As I have mentioned, the Bill follows with the same clarity the Mann Committee report, detailing at great length the objectives of the Minister and his department. In reply to the Hon. Miss Wiese, we are talking about a dynamic and not static area. This has been recognised in the Act, but obviously when making changes to the Act there may well be other areas that will have to be altered in time. This need for review is provided quite adequately in the objectives. For example, I refer to new section 10 (1) *(k)*, which states:

> By keeping the public informed as to the community welfare services, whether Government or non-Government, that are available and how they may be obtained.

Paragraph *(m)* states:

> By instituting, assisting in or promoting research in the field of community welfare.

Paragraph *(n)* states:

> By collecting or assisting in the collection of, data and statistics in relation to the problems and disadvantages placed by the various sections of the community, and to the provision of community welfare services.

Paragraph *(q)* states:

> By keeping the services provided by the department and the policies of the department under constant review and evaluation.

I would have thought that all those paragraphs suggested that the Mann Committee had a common thread running through its findings and that it was important that this first step in monitoring client needs and community welfare areas should be followed through in much more detail than has ever been the case in previous years. Of course, that is reflected in the sensitive recommendations from this committee.

As the Hon. Miss Wiese said, it was perhaps not surprising that the Mann Committee observed that it is the more modest and low-income householders who are the heaviest users of welfare services, and it was those same groups that both client and community surveys observed least understood and knew of the Department for Community Welfare's services. However, it was encouraging to see the high percentage of clients who expressed satisfaction not only with the department's services but also with the provision of services by voluntary agents. It was also encouraging to note that 90 per cent of the people surveyed had heard of the Department for Community Welfare and that 61 per cent of all those surveyed could name without prompting at least one of the services it provides.

As I have mentioned, it was perhaps not surprising but important that the 10 per cent who had not heard of the Department for Community Welfare's existence were those who needed it most, including the least formally educated, 14·9 per cent; age pensioners, 16 per cent; the elderly, 18 per cent; and residents in poorer ethnic areas, 18·8 per cent.

The Hon. J. R. Cornwall interjecting:

The Hon. L. H. DAVIS: In answer to that interjection I point out that the Act and substantial parts of the Bill strive very hard to direct the attention of the public to the services that the department can provide, and to ensure that the department can better get into those areas where the need is greatest. Again, it is perhaps disappointing but not altogether surprising that some of the lesser known areas of service provided by the Department for Community Welfare, relate to children, children's aid panels, child protection and guardianship. Those sections of the community who need this service most (those who are most at risk) are those who are most ignorant that the service exists. However, it was once again encouraging to note that the Mann Committee recognised there is recommended that not only verbal but also written communication and care should be taken in future to ensure that all pamphlets and reading material put out by the department be in a much more readable form than perhaps may be the case at present.

Another area in the report that came under heavy emphasis was, of course, family maintenance, and that is also reflected in the Bill. I was especially interested to note that every effort is going to be made to ensure that the needs of children are going to be catered for. The Children's Interest Bureau is an important new innovation to which some reference has already been made. The Bill also refers to support services for children and the care of children in guardianship and, under Division III, the protection of children. A regional panel will be introduced to receive and consider notification of the maltreatment of children. That panel will make recommendations on remedial treatment. The establishment of local panels introduces teachers to those panels for the first time.

New section 89 (2) indicates that a very wide spread of people from the community, including medical practitioners, members of the Police Force, registered or enrolled nurses, registered teachers, social workers, and so on, can be consulted to discuss the problem of children who have been maltreated. I think that is a most commendable move, and it has my full support. If one cannot protect the children in the community, there is little chance for the future of the community.

In speaking very briefly in support of the amendments, I

commend the Minister and his department for acting on the first-class work of the Mann Committee and, before that, the Brown Committee, which will enhance the good name that community welfare enjoys in this State. Contrary to what the Hon. Miss Wiese has said, I believe there is no need whatsoever for a Select Committee. Certainly, let there be debate on the amendments. This area has been widely canvassed by two major reports within the last three years. Those reports have been further defined through discussion at departmental level and are now before us in the form of an amending Bill to the Community Welfare Act, which was first introduced in 1972. I see little need, in fact no need, for a Select Committee to refer to the Bill as a whole, because it would surely be covering all the ground that has already been covered by the exhaustive report of the Mann Committee and the delivery of community welfare resources dealt with in the Brown Committee report of 1978. Nor is there any need to refer to specific matters through a Select Committee. The concluding paragraph of the Mann Report observed what I believe is this Government's attitude, and I would hope this Parliament's attitude, towards community welfare. It states:

> The traditional, patronising view of clients as deserving passive recipients of services is laid to rest. It is replaced by a view of the consumer as a respected partner who is influential in effecting policy and organisational change.

Indeed, I concur in that view, and I am sure the Minister would agree that welfare planning in the 1980's must inevitably involve consumers as co-participants.

The Hon. ANNE LEVY secured the adjournment of the debate.

KANGARILLA TEMPERANCE HALL (DISCHARGE OF TRUSTS) BILL

Adjourned debate on second reading.
(Continued from 11 February. Page 2710.)

The Hon. G. L. BRUCE: The Opposition supports this Bill and sees no contentious issues in it. This hybrid Bill will be referred to a Select Committee on which the Opposition looks forward to serving and doing the right thing so that this matter is resolved to the satisfaction of Kangarilla residents and those people who will be administering the hall. There could be some matters about which we will seek clarification. A block of land can be sold by the council and the proceeds of that sale will be applied towards the maintenance and improvement of the hall, but there are no guidelines about how such funds will be spent, whether funds will be spent in one hit or invested over a period and the proceeds used to maintain the hall. The Opposition is unaware of the area of the land to be sold or the condition of the hall. These are side issues, and the Opposition supports the Bill and looks forward to serving on the Select Committee that will make a recommendation to this Council.

The PRESIDENT: Because this is a hybrid Bill, it must be referred to a Select Committee, pursuant to Standing Order 268.

Bill read a second time and referred to a Select Committee consisting of the Hons. G. L. Bruce, M. B. Cameron, C. W. Creedon, K. T. Griffin, J. E. Dunford, and R. J. Ritson; the quorum to be fixed at four members; Standing Order 389 to be so far suspended as to enable the Chairman to have a deliberative vote only; the committee to have power to send for persons, papers and records, and to adjourn from place to place; the committee to report on 26 February.

POLICE OFFENCES ACT AMENDMENT BILL

The Hon. K. T. GRIFFIN (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Police Offences Act, 1953-1980. Read a first time.

The Hon. K. T. GRIFFIN: I move:

That this Bill be now read a second time.

It provides for the implementation of a scheme designed to bring South Australia into line with other States, each of which has its own predetermined fees for the expiation of minor traffic offences.

It is the view of the Government that an expiation scheme similar to that currently operating in respect of parking offences under the Local Government Act will increase the efficiency of dealing with traffic infringements and reduce the enormous burden upon Courts of Summary Jurisdiction and the police in this area. The scheme will work in this fashion. An offence is observed. A traffic infringement notice will be issued after which the offender will have 28 days within which to pay the fee fixed by regulation and appearing on the face of the notice. A fee will be paid by post or directly to a central office within the Police Department. If an offender does not wish to pay on the notice, he may await court proceedings and will be dealt with as at present. If the police wish to exercise their discretion and decide to prosecute where the matter is serious, they must do so within 60 days whereupon the notice will be withdrawn and any fee paid will be refunded.

The range of fees applicable will be from $20 to $80 and will apply to 173 offences under the Road Traffic Act and regulations and the Motor Vehicles Act. The number of offences dealt with annually in this range of offences is about 100 000. The expiation scheme will obviously reduce drastically the number of such offences dealt with by the court. In fact, it has been estimated that traffic cases will be reduced by over 60 per cent. This means approximately 42 per cent of all summary matters dealt with by the courts will be diverted through the expiation scheme. After a period, the backlog in cases before Courts of Summary Jurisdiction will be reduced, enabling more important matters to be heard much sooner than at present.

There are advantages for the offender as well. The offender's right to have a matter heard by a court is in no way prejudiced by this amendment. An expiated offence is not recorded as a previous conviction, except in relation to demerit points, and in relation to breaching the probationary conditions of learner's permits and probationary licences.

There will be no court costs for the offender, and the penalty will be known at once. For many offenders who previously chose to attend court to plead guilty to a charge, it will mean not having to take off time from work for that purpose. It should be stressed that the scheme is not a scheme of imposing on-the-spot fines, a name that conjures up the idea of motorists having to hand over cash to police while out on the roads.

It is predicted that approximately 90 per cent of persons given a traffic infringement notice will pay the expiation fees within 28 days. This will, it is estimated, save more than $450 000 in direct costs in each year. The estimated savings allow for the scheme to pay for itself in the year of introduction, and the savings will continue in each subsequent year. An additional benefit may be that penalties will prove to be more effective if imposed immediately after the offence has been committed, thus

resulting in improved driver behaviour.

I commend the scheme to honourable members, and seek leave to have the detailed explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clauses 1 and 2 are formal. Clause 3 inserts a new section in the Act that provides for the expiation of certain offences under the Road Traffic Act and the Motor Vehicles Act. Subsection (1) sets out the necessary definitions. The offences to which the expiation scheme will relate are to be listed in regulations made under the Police Offences Act. Subsection (2) empowers a member of the Police Force to issue an offender with a traffic infringement notice. Subsection (3) provides that offences arise out of the same incident if they are committed at the same time or in quick succession. Subsection (4) provides that a notice may be given for no more than three offences arising out of the same incident.

The scheme does not apply in relation to children under the age of 16 years, as traffic offences committed by such persons are subject to the screening system provided in the Children's Protection and Young Offenders Act. Where parking offences are involved, the notice may be affixed to the car; otherwise service must be effected personally or by post. Subsection (5) provides that once a notice has been given, the offender may not be given a similar notice in respect of any other offences arising out of the same incident.

Subsections (6) and (7) provide that, if the offences specified in a notice are expiated by payment of the total amount of expiation fees within the 28-day period, no person may be prosecuted for those offences or any other prescribed offences arising out of the same incident. Subsection (8) provides for the withdrawal of a notice if it has been improperly given (for example, to a person under 16, or for an incorrect offence). Subsection (9) makes clear that such withdrawal may be effected notwithstanding that an expiation fee may have been paid or that the notice may have expired.

Subsection (10) empowers the Commissioner of Police to withdraw a notice, notwithstanding that the offences under the notice have all been expiated, if he believes that the offender ought to be prosecuted for any of those offences, or any other prescribed offence arising out of the same incident. In this case, the notice must be withdrawn within 60 days from the day the notice was issued. Subsection (12) provides that withdrawal of a notice must be effected by giving the offender further written notice. Subsection (13) provides for the refund of expiation fees paid under a notice that is subsequently withdrawn. Subsection (14) provides that, where an offender is prosecuted upon the withdrawal of a notice, the fact that he paid an expiation fee under the notice is not to be admissible against him in evidence. Subsection (15) provides that payment of an expiation fee does not constitute an admission or establish civil liability in any civil proceedings.

Subsections (17) and (18) provide the Commissioner of Police with a power of delegation under this section to certain police officers. Subsections (19) and (20) empower the Governor to make regulations for the purposes of this section. The regulations may specify expiation fees on a sliding scale for a particular offence, for example, a speeding offence expiation fee will increase according to the extent to which the speed limit was exceeded.

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

MOTOR VEHICLES ACT AMENDMENT BILL

The Hon. K. T. GRIFFIN (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Motor Vehicles Act, 1959-1980. Read a first time.

The Hon. K. T. GRIFFIN: I move:

That this Bill be now read a second time.

It is consequential on the Police Offences Act Amendment Bill relating to the expiation of traffic offences. It is necessary to provide in the Motor Vehicles Act that the expiation of a traffic offence is deemed to be a conviction, but only for the purposes of the points demerit scheme, and also for offences that consist of contravening the probationary conditions attached to learners' permits and drivers' licences. I seek leave to have the explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clauses 1 and 2 are formal. Clause 3 provides for cancellation of a permit or licence where the holder of the learner's permit or probationary licence expiates an offence of contravening a probationary condition. Clause 4 obliges the Commissioner of Police to notify the Registrar of Motor Vehicles where an offence that attracts demerit points, or that is an offence of contravening a probationary condition, has been expiated. The Commissioner must also notify the Registrar immediately he withdraws a traffic infringement notice under which the offences have been expiated. Clause 5 provides that expiation of an offence is deemed to be a conviction for the purposes of the points demerit scheme. Paragraph *(b)* is a consequential amendment.

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

HISTORY TRUST OF SOUTH AUSTRALIA BILL

Adjourned debate on second reading.

(Continued from 11 February. Page 2710.)

The Hon. ANNE LEVY: The Opposition supports this Bill, which is to establish a History Trust of South Australia. It can be regarded as coming from the very comprehensive Edwards Report on museum facilities in this State. That report is certainly loud and clear in expressing concern at a lack of care and research regarding historical material in this State, and it was feared that irreplaceable losses were occurring because of a lack of care and attention. The History Trust can be regarded as the first step in a programme to prevent this occurring.

I compliment the Government on the implementation of this part of the Edwards Report. I should be interested to know whether it is equally committed to implementing the rest of the Edwards Report, which will be of equal importance to museums in this State in future.

A few questions that are not discussed in the second reading explanation arise from the recommendations of the report. One concerns the use of the Jervois wing of the museum being converted to house an exhibit of historical collections and becoming a museum for the history of South Australia. This is obviously something with which the History Trust would be concerned, as part of its function is to exhibit objects of historical or cultural

interest. Of course, it must have a site in which to do so. I should certainly be interested to know whether this part of the Edwards Report regarding the use of the Jervois wing on North Terrace for this purpose is contemplated by the Government. It would certainly seem to be a complementary action to the establishment of the History Trust.

Another point referred to in the Edwards Report concerns the collecting together of the historical material that is currently scattered around the State. Amongst others, the Art Gallery has an important historical collection, and we should be grateful to it for having collected items during many years when no-one else was taking any interest in the matter.

The items of artistic merit, such as porcelain and silver, that the Art Gallery has collected would also be appropriately housed in the Art Gallery. Other items that it has collected over the years such as coins and certain prints would perhaps be more appropriately cared for by an historical trust rather than by an art gallery.

There is no suggestion in the Minister's second reading explanation that this is to occur, although it was discussed in the Edwards Report. Perhaps this is to be negotiated between the trust, when it has been established, and the Art Gallery. I would welcome any comment that the Minister might make in this regard.

Certainly, the second reading explanation talks of the performing arts collection being taken over by the new History Trust. However, no mention is made of other collections such as those to which I have referred and which are housed by the Art Gallery.

A further point arising from the Edwards Report concerns material held by the State Archives. The Edwards Report suggested that this material should perhaps be subdivided into two categories, namely, documents of general historical interest and documents that are strictly Government records. As a long-term proposal, the Edwards Report suggests that some of the historical documents would be more appropriately cared for by the History Trust, whereas the Government documents would clearly remain a part of the State Archives.

Again, I wonder whether negotiations in relation to a long-term solution to this matter will take place between the History Trust when it is formed and the State Archives.

Another question that arises from the Edwards Report is the necessity for the protection of portable articles of historical interest. This was not mentioned specifically in the Minister's second reading explanation.

I am sure we can take it that the functions and powers of the trust can be read as including that of portable historic items. In clause 14 (1), dealing with functions and powers of the trust, paragraph *(c)* makes provision to accumulate and care for objects of historic interest. Paragraph *(j)* makes provision to encourage the conservation of objects of historic interest to the State. I am sure that these clauses would cover portable objects of historic interest. I hope that the History Trust, when established, will investigate the problems of portable articles and recommend to the Minister whether further powers are necessary for it to properly protect the history of this State.

Without wishing in any way to anticipate any thoughts or recommendations the trust may have, it is possible that it may require powers of compulsory acquisition in extreme cases which, under the Act before us, it would not have. One would imagine that there could be articles of great importance to the history of this State which we would want to conserve and retain in South Australia. It may well be that the only means of doing so would be by giving the trust powers of compulsory acquisition. I hope the trust will address itself to this problem. The Edwards Report gives examples of important historic portable articles which could be lost to this country. The particular one quoted is not a South Australian example; it was one of the original documents signed by Batman in his agreement with the Aboriginal tribes regarding their sale to him of the site of Melbourne. This disgraceful document is nevertheless an important one to the history of this country, and specific action had to be taken to prevent it leaving the country.

We have had examples in South Australia where portable articles of historic interest have been lost to us. One example I can quote is that of the horse-drawn trams at Victor Harbor. When the line was closed and the horse-drawn trams no longer crossed the causeway to Granite Island, I understand there were two old trams left—trams of historic interest. One was destroyed and the other one was eventually sold for $10 000 to a citizen of the United States. The vehicle left the country. It would seem that this is an important piece of our history which was lost to us. Efforts should have been made to retain such a vehicle, at least within Australia if not within South Australia. Preferably, it should have been retained in South Australia.

The Trust, as being set up by this Bill, would not be able to prevent such a sale, although it could make sure that there was considerable knowledge that such a sale was occurring and, as a result of the publicity, perhaps action could be taken to prevent such items leaving the country. We can be sure that other such portable items will crop up in the future which could be kept in Australia and preferably in a museum of some sort so that the general public can see them and appreciate their role in our history, rather than have private ownership of items of real significance to South Australia's history with very few people being able to benefit from their existence.

One of the major questions which the Bill raises in my mind is that of the resources available to the History Trust. The setting up of this trust is a far-seeing venture, and its functions and responsibilities will be of tremendous significance to this State, provided it is given sufficient manpower and resources to carry out the tasks which are being allotted to it. I was certainly glad to see in the legislation that the current staff of the Constitutional Museum are provided for and that they will transfer to being employees of the History Trust with all their employment rights preserved and transferred. It is obvious that, for the History Trust to carry out its functions, it will need far more manpower and resources than the current Constitutional Museum Trust has had available to it. One of the major extra functions of the History Trust will be an information centre regarding the history of our State. This was outlined in the second reading explanation and is obviously a major undertaking which will require resources and staff of its own quite apart from any other functions of the Trust.

Likewise, the admirable functions allocated to the History Trust of advising and helping regional museums and private museums and accrediting and evaluating museums throughout the State will require resources. This is a very important function but it will require highly qualified staff and resources. The contemplated museums may occasionally need financial as well as advisory help. This, too, will require resources being allocated to the Trust for it to carry out its functions. I hope the Minister can give us an assurance that adequate resources will be available to the History Trust to carry out these important functions.

In Sydney recently I visited The Rocks area, which has an information centre in George Street. This admirable

information centre places great emphasis on the history of The Rocks, which is visited by thousands of people, both local and tourists.

The Hon. N. K. Foster: Saved by the trade unions of New South Wales, along with many other areas.

The Hon. ANNE LEVY: I agree. In fact, tourists to Sydney gain a great deal by visiting places such as The Rocks area. Other places in Sydney such as Vaucluse House and Old Government House at Parramatta are of historic interest. I am sure we would all agree that history is important to the tourist industry both in Adelaide and in the country areas of this State. My recent experiences in New South Wales as well as those of people I know who have visited Tasmania indicate how much these two States are doing to preserve their history and integrate it with their very interesting museums and fine old buildings, which are restored and well cared for. These are being used as tourist attractions and are doing a great deal towards the tourist industry of these two States.

They are heavily patronised by both locals and visitors and, in the interests of the tourist industry in this State, I am sure that we need to do the same thing, quite apart from the desirability of preserving our own history for our own residents. I feel that the History Trust is a very important step in this regard but the question of the resources it will have is absolutely crucial.

I mention one final point as a general query to the Minister. I wonder whether there is some sort of rush to establish this History Trust. I understand that there may be urgency regarding the Birdwood Museum, which will be placed under the care of the new History Trust, but the formation of such trust was announced only about six weeks ago by the Premier on Proclamation Day and the rush to produce the legislation seems to have been so great that members of the Constitutional Museum Trust have hardly been consulted and know little of what is planned for the trust.

I understand that the Chairman of the Constitutional Museum Trust has been involved in consultations, but there has been little time for him to inform his trust members. Certainly, there is no information about whether members of the Constitutional Museum Trust are to transfer from this trust to the History Trust. It would be possible for them to do so, as there are currently five members of the Constitutional Museum Trust, which is to be abolished, and there are to be eight members of the new History Trust.

The five members of the Constitutional Museum Trust have done a superb and most exciting job with our new Constitutional Museum and I hope that all members of the Council give credit for the magnificent contribution that the members of that trust have made to the history interest in this State. I certainly hope that, in recognition of what they have done for the Constitutional Museum, all or many of those members can continue to contribute to the newer exciting development, the History Trust.

There would seem to be room to appoint people to the History Trust and, if I dare suggest it to the Minister, one member at least could be a woman, as the contribution by women to this State is often ignored and passed over in official histories prepared by men. I have posed a number of questions to which I hope the Minister can address himself in his reply but, despite these queries, we certainly support the Bill and are delighted with this positive move that is being made to make our history available. We hope that such a step will have far-reaching consequences throughout the State and that it will stimulate interest in our history and our past, leading up to our sesquicentenary in five years time.

The Hon. D. H. LAIDLAW secured the adjournment of the debate.

STATUTES AMENDMENT (WATER AND SEWERAGE RATING) BILL

Adjourned debate on second reading.

(Continued from 12 February. Page 2786.)

The Hon. B. A. CHATTERTON: This small Bill makes a number of amendments to the Waterworks Act, the Sewerage Act, and the West Beach Recreation Reserve Act to correct several matters. The Opposition supports the principle embodied in the legislation and sees no reason why it should not pass immediately.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—"Commencement."

The Hon. B. A. CHATTERTON: This is a retrospectivity clause and I know how very strongly members of the Government have opposed retrospective legislation in the past. They have spoken very strongly on it. I should like to know on this occasion how the Government justifies or rationalises the principles in introducing legislation that is retrospective to 1 July 1980.

The Hon. C. M. HILL: The Government announced this earlier. I think the date was in June last year, so there has been public awareness that the rating was to encompass the whole financial year. To achieve that, one has to start one's rates at the normal time, which was 1 July last year.

The Hon. N. K. FOSTER: What will this mean in terms of an account to the public? Will the amount be increased because you have back-dated this to June last year?

The Hon. C. M. HILL: When the member gets his sewerage rate notice, he gets it annually, and it back-dates to 1 July of that year. I am not talking about September or October. We are a few months after that but the charge will be made for the current year, and the current year began on 1 July last year. That is similar to an ordinary rating notice. I do not think that the fact that it is a few months after the normal time after rate notices go out is a particularly strong argument on the question of retrospectivity.

The Hon. N. K. FOSTER: Are members of the public likely to receive an adjusted payment as a result of this legislation?

The Hon. C. M. HILL: There is no question of adjusted payment. It will be an annual charge.

Clause passed.

Remaining clauses (3 to 5) and title passed.

Bill reported without amendment. Committee's report adopted.

PETROLEUM ACT AMENDMENT 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.

It is concerned largely with the obligations of licensees under the Petroleum Act to keep records, and to keep the Minister and the department informed about the progress of operations, the extent of petroleum reserves and their long-term plans for development. It reflects primarily the present reliance of the State on natural gas from the Cooper Basin, not only for direct use in domestic,

commercial and industrial situations but also for electricity generation. Indeed, approximately 70 per cent of the State's electricity is derived from the burning of natural gas. The State's entitlement to this resource does not presently extend beyond 1987 and, for this reason, the State is directing exploration funds for use by S.A.O.G.C. to augment the producers' own exploration programme. It is also pointed out that the State is seeking alternative sources of supply and has entered into discussions, to date, with the Northern Territory Government, the Queensland Government and the Federal Government with regard to access to natural gas reserves located interstate, in particular the relatively unexplored Queensland portion of the Cooper Basin and the yet to be defined reserves at Palm Valley and Mereenie in the Northern Territory. In these circumstances, the correct assessment of hydrocarbon reserves within this State and the planning of field development programmes that will maximise gas recoveries and resources is seen as vital to State energy planning. New section 35a requires a licensee, within six months of the grant of the licence, to submit a development plan for the approval of the Minister. The plan will provide the Minister with information as to the licensee's intentions during the term of the licence and will be important for the purpose of planning and assessment by the Government.

By establishing the principle of long-term approvals of outline development plans the Cooper Basin producers' requirements for the obtaining of long-term finance are satisfied. Similar situations could be expected to arise in other petroleum developments outside the Cooper Basin. The Bill provides for the submission of annual development programmes by the holders of production licences. Amendments to section 37 of the principal Act will invest the Minister with slightly expanded powers to obtain the kind of information that is now required by Government for forward planning in relation to the management and use of energy resources. The provisions of the principal Act requiring a licensee to keep records of technical data, observations and opinions will be covered by regulation. The kinds of record required depend largely on the nature of petroleum technology as it exists from time to time. The amendment will make possible a more rapid response to technological change. It would be expected that regulations to be made under these amendments would be discussed with parties likely to be affected by them before they were introduced. I seek leave to have the detailed explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clauses 1 and 2 are formal. Clause 3 makes a minor amendment to the definition of "petroleum". The purpose of the amendment is to make it clear that oil shale does not come within the definition of "petroleum" in this Act. The recovery of oil shale is to be dealt with under the provisions of the Mining Act, and not in pursuance of the Petroleum Act.

Clause 4 enacts new section 35a of the principal Act. As well as requiring the submission of development plans the new section provides for amendment of plans by the Minister to reflect changed circumstances.

Clause 5 amends section 36 of the principal Act. The effect of the amendment is to provide for a submission of annual developmental programmes and schedules setting forth estimated rates of petroleum production to enable detailed consideration of development operations to be made by officers of the department on a continuing basis. The first schedule is to be submitted by the licensee within six months of the grant of the licence or such longer period as the Minister may allow and at least one month before the commencement of developmental works within the area comprised in the licence. Any further programme is to be submitted within one month before the commencement of the period to which the programme relates. New subsection (1d) requires the Minister, when considering a programme and schedule, to have regard to the relevant approved outline development plan.

Clause 6 amends section 37 of the principal Act. The content of the information that may be required under new paragraph *(b)* of subsection (2) is somewhat expanded. Clause 7 repeals section 55 of the principal Act which has become outmoded and replaces it by a new provision that enables regulations to stipulate the kinds of record that are to be kept by licensees in future. This will enable a more rapid response to be made by the law to technological change.

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

RECREATION GROUNDS RATES AND TAXES EXEMPTION 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.

It repeals the Recreation Grounds Taxation Exemption Act, 1910, and replaces it with a new Act that reflects more exactly the Government's policy on tax exemption for land used for sport and recreation. The existing Act is not clearly drafted and suffers from the use of outdated terminology. As a result, uncertainties have arisen in the interpretation and application of the Act.

One of the uncertainties arises where parts of recreational grounds, such as the city park lands, are used for business or residential purposes. It is doubtful whether rates and taxes can be charged in respect of these premises. There are three restaurants situated in the city park lands, and the Adelaide City Council has claimed that they are exempt. The Government, however, can see no justification for exempting either a business or a residence situated on such land. There is no reason why such a business should not pay its way as its competitors must, nor why the occupier of a residence should not contribute to State and local government finances to the same extent as others contribute. Such a business or residence will not receive protection under the new Act.

The fact that certain land will be exempt from water and sewerage rates under this legislation will not mean that the occupier will be free of liability for water actually used and sewerage services provided. The Statutes Amendment (Water and Sewerage Rating) Bill, 1980, now before Parliament, makes amendments to the Waterworks Act, 1923-1978, and the Sewerage Act, 1929-1977, to ensure that charges may be made for water used and sewerage services supplied. The amendments will not lead to any new or additional charges being made against occupiers because charges for water used and services provided have always been made in the past. The reason for introducing the amendments is that recently doubt has arisen as to the legal basis for these charges and it is desired to put the matter beyond doubt. I seek leave to have the detailed explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clause 1 is formal. Clause 2 repeals the existing Act. Clause 3 defines "rates and taxes". It will be noticed that charges for water supplied are excluded. The Government believes that owners of recreational grounds should pay for water actually supplied.

Clause 4 provides for exemption from rates and taxes. Broadly, exempt land falls into two categories. It is either land owned or controlled by a local council or land owned privately but intended for use by the public for sport and recreation. The first category is dealt with in clause 4 (1) *(a)* and (1) *(c)*, the second in clause 4 (1) *(b)*. Clause 4 (1) *(c)* is aimed at sporting clubs that operate on council land but to which only members of the club, or members of the public who have paid an entrance fee, have access. Clause 4 (1) *(b)* brings land held by trustees and progress associations (where the public right of access to the land is guaranteed) within the ambit of the legislation. Subclause (2) preserves a requirement of the present Act that income derived from exempt land must be used for the maintenance, repair or improvement of the land if the exemption is to be retained.

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

PORT PIRIE RACECOURSE LAND REVESTMENT BILL

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

The Hon. C. M. HILL (Minister of Local Government): I move:

That this Bill be now read a second time.

In 1946, certain land was vested by the Port Pirie Racecourse Site Act in the Port Pirie Trotting and Racing Club Incorporated for the purpose of establishing a racecourse. In 1960 and 1965, certain parcels of land were excised from the land vested in the club to provide for extensions to the Port Pirie High School sports ground. Following approaches by the Department of Further Education (on behalf of the Port Pirie Community College) and the Corporation of the City of Port Pirie, the club has agreed to relinquish certain other parcels of land. These are as follows:

(a) an area of 8 907 square metres (section 1282) for an extension to the Port Pirie Community College site;

(b) an area of 3·614 hectares (section 1283) for development as a tennis complex in conjunction with the Port Pirie and District Tennis Association; and

(c) an area of 8 048 square metres (section 1284) for development in conjunction with the Risdon Tigers Baseball Club as a baseball park.

The purpose of the present Bill is to revest the relevant parcels of land in the Crown so that they can then be dedicated for the abovementioned purposes under the Crown Lands Act. The Government wishes to place on record its appreciation of the co-operative attitude of the Port Pirie Trotting and Racing Club in making the land available for purposes that will obviously be of great benefit to the people of Port Pirie. 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 contains definitions required for the purposes of the new Act. Clause 3 is the principal provision of the Bill. Subclause (1) provides that sections 1282, 1283 and 1284 hundred of Pirie shall revert to the Crown. Subclause (2) provides that the principal Act (that is, the Port Pirie Racecourse Site Act of 1946) shall continue to apply to the remainder of the land. Subclause (3) empowers the Registrar-General to issue a new certificate of title for the remainder of the land.

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

PARLIAMENTARY SUPERANNUATION ACT AMENDMENT 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.

It proposes a number of amendments to the principal Act, the Parliamentary Superannuation Act, 1974-1978, in order to rectify certain anomalies that have been discovered.

First, because of the form of an amendment in 1978, it is possible in some circumstances for the spouse of a deceased member pensioner who retired prior to 4 April 1974 to become entitled to a pension greater than would have been received by the member pensioner had he or she lived. It is now proposed that in no case shall the spouse's pension exceed the latter amount and that this limitation shall be made retrospective to the date on which the 1978 operation came into effect. Arrangements have been made to pay to the widows affected by this section the higher pensions which it is believed Parliament intended (and not the pensions in excess of the member's pension) so that no question of a refund arises.

Secondly, the Act properly contains provisions whereby a member who was previously a member of another Australian Parliament can, on making a contribution to the fund of an amount determined by the Public Actuary, have his service with that other Parliament counted as service with the South Australian Parliament. However, the Government has been advised that the provision applies only where membership of the two Parliaments was continuous, a condition with which it is in practice impossible to comply. It is therefore proposed that this provision shall apply if the intervening period between membership of the Parliaments does not exceed four years. It is also proposed that the required contribution to the fund under this provision be calculated on a basis specified in the Act.

Thirdly, the Act presently incorporates the principle that a member who ceases to be a member for the purpose of standing for another Australian Parliament shall be treated as having retired involuntarily, but the existing provisions contain a number of anomalies and uncertainties. The relevant sections have been redrafted to remove their shortcomings.

Fourthly, in certain circumstances where a member is required to make a contribution to the fund, the trustees presently have the power to allow a payment to be deferred but have no power to impose conditions (such as the payment of interest). It is now proposed to give them that power.

Finally, it is proposed to correct certain technical anomalies and errors existing at present. 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 provides for the commencement of operation of the measure. Clause 3 amends section 6 of the principal Act which sets out the circumstances in which a member will be deemed to have retired involuntarily. Under the section, as amended, a member will be deemed to have retired involuntarily if his term of office expires or he resigns and a judge of the Supreme Court is satisfied that, on doing so, he genuinely sought election to the South Australian Parliament or any other Australian Parliament but, having stood as a candidate, failed to be elected, or failed to be a candidate for certain specified reasons. Those reasons are, under the clause, failure to secure the support of a political Party from which the member reasonably sought support, expulsion from a political Party, ill-health or any other good and sufficient reason. Alternatively, a member who stands for another Australian Parliament will be deemed to have retired involuntarily if he is elected to that Parliament. In either case, the election which the former member contests must be an election not later than the next general election for the particular Parliament occurring after the member ceased to be a member.

Clauses 4 and 6 correct a technical error occurring in sections 19 and 22, respectively. Under the formula contained in each of these sections the amount represented by the letter "N" might, in a particular case, be nought, which would then produce a negative result. The clauses amend these sections so that the amount represented by the letter "N" will not be less than one. Clause 5 corrects a drafting error that was not detected when section 21a was enacted in 1974.

Clause 7 amends section 24 of the principal Act which makes provision for the pension payable to the spouse of a deceased pensioner. The clause amends the section so that the amount of any such pension shall not, in any case, exceed the notional pension that the member pensioner would have received on the day that he died. This amendment is, by subclause (2) of clause 2, made retrospective to the time at which the Parliamentary Superannuation Act Amendment Act (No. 2), 1978, came into operation.

Clause 8 amends section 25 of the principal Act which makes provision for the pension payable to the spouse of a deceased member. The clause corrects a reference in subsection (1) of the section. The clause also inserts a new subsection (3) designed to ensure that a pension will be payable under the section to the spouse of a former member who, having resigned, dies during the course of an election campaign in circumstances that would have constituted involuntary retirement under section 6 if he had not died, but failed to be a candidate due to ill health.

Clause 9 inserts a new section 26a which is designed to ensure that a child benefit would be payable in circumstances corresponding to those referred to in the new section 25 (3) proposed by clause 8. Clause 10 corrects a drafting error in section 37 of the principal Act.

Clause 11 amends section 29 of the principal Act which makes provision for the child benefit payable where no spouse's pension is payable. At present, the full child's benefit is not payable unless a pension is not payable to a deceased member's spouse owing to the death of that spouse. This provision would exclude entitlement to the full child's benefit for an orphan child of a deceased member and a person who ceased to be the spouse of the member as a result of divorce.

Clause 12 amends section 36 of the principal Act which deals with the contribution to be paid in respect of previous service that is to be counted for purposes of a pension entitlement. The clause inserts new subsections designed to authorise the trustees to impose conditions (including a requirement for the payment of interest) where they allow a member further time to pay the contribution required under subsection (1) or subsection (3). The clause also amends the section so that service with another Australian Parliament will be counted for the purposes of a pension entitlement under the principal Act only if the intervening period between membership of the Parliaments does not exceed four years and the member pays an amount to the fund calculated in accordance with proposed new subsection (7). Under proposed new subsection (7) that amount is to be 11½ per cent of the total salary that he would have been paid if, for a period equal to the period to be counted as service, he had been in receipt of the salary first payable to him after he became a member.

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

STATE LOTTERIES ACT AMENDMENT 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 purpose of this short Bill is to give the Lotteries Commission of South Australia power to conduct lotteries jointly with the corresponding authorities in other parts of Australia. The South Australian Commission is negotiating with the lottery authorities in Western Australia and Victoria to conduct a joint lottery in the three States. The combined patronage that the three States can rely on will permit substantial prizes to be offered.

The amendments proposed by this Bill simply give the commission power to conduct lotteries jointly with other authorities in Australia. The limitations and restrictions existing at the moment in the principal Act will be unaffected and will apply to all lotteries conducted by the commission whether on its own behalf or jointly with interstate authorities. 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 adds a new subsection to section 3 of the principal Act which is the interpretation section. The new subsection provides that references in the Act to a lottery promoted or conducted by the commission include references to a lottery promoted or conducted jointly with an authority from another State or Territory of the Commonwealth. Clause 3 replaces paragraph *(a)* of section 13 of the principal Act with two paragraphs that make it clear that the commission has power to conduct a lottery either on its own behalf or jointly with other Australian lottery authorities.

The Hon. J. R. CORNWALL secured the adjournment of the debate.

ADJOURNMENT

At 5.8 p.m. the Council adjourned until Wednesday 18 February at 2.15 p.m.