LEGISLATIVE COUNCIL

Wednesday 19 August 1981

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

QUESTIONS

ETHNIC AFFAIRS

The Hon. C. J. SUMNER: I seek leave to make a brief explanation before asking the Minister Assisting the Premier in Ethnic Affairs a question about the Ethnic Affairs Commission.

Leave granted.

The Hon. C. J. SUMNER: Recent newspaper reports have referred to criticisms of appointments to the Ethnic Affairs Commission, with disquiet amongst some ethnic communities about the appointments. Particular reference has been made to the appointment of a Mr Bill Konstas. In a newspaper report, a Greek journalist, Mr G. Tsamandanis has said that appointments were non-democratic and politically motivated. He said that the appointment of Mr Konstas had amazed the overwhelming majority of South Australia's Greeks.

I have also heard complaints from some ethnic communities about the lack of consultation prior to the appointments. Lack of consultation, of course, is a complaint that we also heard in relation to the Bill to establish the Ethnic Affairs Commission before it was introduced into Parliament. What criteria were used to appoint members of the South Australian Ethnic Affairs Commission? What process of consultation was carried out before the appointments, and, in particular, before the appointment of Mr Konstas?

The Hon. C. M. HILL: In relation to the question about the criteria used by the Government in appointing members to the Ethnic Affairs Commission, the Government basically has sought people from ethnic communities who have shown interest in community affairs and who, through their interest in community affairs, have gained a high reputation among their own particular ethnic group and also with members of other ethnic communities.

We sought responsible people who we thought would unite together on a commission and carry out the functions of that commission as laid down in the new Act. We wanted to have some women on the commission, and did appoint two such people out of a total of eight members. We particularly wanted to avoid a situation in which it might be said or inferred that appointees would represent their own specific ethnic community; we were very strong in our deliberations in regard to that particular point. In other words, every appointee to the commission represents all ethnic communities collectively. I think that that basically was the general approach to that subject.

Regarding Mr Konstas, it is true that, after his appointment, a letter appeared from a Greek gentleman who criticised his appointment. I investigated the matter personally and asked that particular correspondent to come to this place and have a discussion with me about it. That gentleman did discuss the matter with me. I made some other inquiries, and I am convinced that there was no real strength to the submission that Mr Konstas was not thought of highly within the Greek ethnic community. Other claims made against him were, in my view, false. In fact, I have received correspondence from responsible leaders of the Greek community since that issue arose and they support strongly the appointment of Mr Konstas.

The Hon. C. J. Sumner: Who are they?

The Hon. C. M. HILL: One of them was one of your friends whom I will name if you want me to. He comes from Port Adelaide. One other point that I thought was necessary to take into account in regard to the selection of a Greek person for the commission was the unfortunate fact, as members know, that there are two main factions within the South Australian Greek community. I stress that it is unfortunate, and the Government was particularly anxious not to appoint a Greek person who was allied closely with either of those two factions. In my view Mr Konstas's selection was a wise and proper one, and I might say that he has been carrying out his work as a commissioner, to the best of my knowledge, splendidly since his appointment.

BUDGET

The Hon. B. A. CHATTERTON: I seek leave to make a short explanation before asking the Attorney-General, representing the Treasurer, a question about the effect of the Commonwealth Budget on South Australian rural producers.

Leave granted.

The Hon. B. A. CHATTERTON: Today's *Advertiser* contained a short report on the effects of the Budget on rural producers. I would like to quote briefly statements about two items in the Budget. The first item states:

> Net stabilisation and supplementary assistance to the apple and pear industries will rise sharply, to $6 600 000. Most of the money will go to Western Australia and Tasmania.

The second item states:

> Rural reconstruction and adjustment funding has been marginally increased to $17 700 000, but will be about $1 000 000 lower in real terms. South Australia's share will be $2 390 000, compared with $2 430 000 last year.

Looking through the rest of that *Advertiser* report, I could not see anything that related to the problems in South Australia's Riverland, where canning fruitgrowers are suffering grave hardship indeed, as was freely admitted by the Attorney-General yesterday. In view of the obvious failure of the Minister of Agriculture to put forward the views of South Australian producers in the Riverland to the Federal Government, will the Treasurer take up this matter as one of urgency to try to see whether the Federal Government will support some assistance either direct to the canning fruitgrowers, or through some increase in funding for rural reconstruction and rural adjustment?

The Hon. K. T. GRIFFIN: I will refer the honourable member's question to the Treasurer and bring back a reply. However, I will not do so on the basis of the presupposition that there has been any failure on the part of the Minister of Agriculture.

HOSPITAL CHARGES

The Hon. R. J. RITSON: Has the Minister of Community Welfare, representing the Minister of Health, a reply to the question I asked on 16 July regarding pharmacy charges in public hospitals?

The Hon. J. C. BURDETT: I do not have that answer yet, but I will provide it to the honourable member as soon as it is to hand.

FIRE PROTECTION

The Hon. J. R. CORNWALL: I seek leave to make a statement before asking the Minister of Community Wel-

fare, representing the Minister of Health, a question regarding fire protection.

Leave granted.

The Hon. J. R. CORNWALL: It has been brought to my attention that many hospitals and nursing homes in South Australia may be fire traps. Their existing fire protection and prevention facilities are grossly inadequate according to Government standards. New regulations setting adequate fire safety requirements were introduced by the State Government about 18 months ago. In many cases they require massive upgrading of existing fire prevention facilities in hospitals, institutions and nursing homes. Earlier this year the Government informed more than 100 hospitals and nursing homes that they did not meet its fire safety regulations.

Since that time the Minister of Health, Mrs Adamson, has received more than 100 applications for subsidies. They are from institutions which say they cannot afford to meet the specified requirements. Community and district hospitals, nursing homes conducted by religious and charitable organisations, and private nursing homes have all applied.

Letters from the Minister refusing to grant subsidies have been sent out in a steady stream in recent weeks. The State Government will not make grants or subsidies available. The Minister says it will not set a precedent for funding in what it considers to be an area of Federal Government responsibility. The Federal Government, on the other hand, will not pay because, under its so-called federalism policy, it claims, of course, that the funding is a State responsibility.

Will the Minister say, first, how many hospitals, institutions and nursing homes in South Australia fail to meet the Government's fire safety regulations? Secondly, how many applications for financial assistance to meet the requirements have been received by the South Australian Health Commission or other Government departments?

Thirdly, what is the total estimated cost of meeting the requirements under the regulations? Fourthly, how many of the applicants have been refused assistance? Fifthly, how many will be refused assistance?

Sixthly, on what grounds are they being refused? Seventhly, what are the names of the hospitals, institutions and nursing homes which have applied? Finally, how many of the Government's own hospitals and institutions meet the requirements under the fire safety regulations, and how many do not?

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

ABERFOYLE PARK PRIMARY SCHOOL

The Hon. J. A. CARNIE: Has the Minister of Local Government, representing the Minister of Education, a reply to the question I asked on 21 July regarding Aberfoyle Park Primary School?

The Hon. C. M. HILL: The Aberfoyle Park Primary School is made up of four co-operating schools, two State, one Uniting Church and one Catholic. Each with its own school board or council and principal will have complete autonomy in the organisation of that school itself.

Working in harmony they will ensure that use of the shared facilities will be for the benefit of each school and the whole campus. A campus conference, with representation from each school, has special involvement in the oversight of those shared facilities. An administrative building is placed so as to provide central resource and administrative facilities, while each school principal will have an office within the appropriate co-operating school.

In response to the honourable member's question on how the school will be classed, I state that for official purposes the whole campus is described as the Aberfoyle Park Primary School and, for the routine purposes of mail, etc., has an official Education Department number. Each co-operating school, however, is considered as a basic administrative unit looking after its own staffing and finance, for example.

As for the degree of co-operation involved, detailed discussion and agreement between the involved parties has been taking place since 1979. A steering committee, with full representation of those parties thereon, has had responsibility for the progress of negotiations until the present time. The gradual hand-over from that central body to the campus conference on the local scene and the regional education interests is now taking place, and, with the notification of appointment of all principals, the normal preparation for school opening next year will take place in the next term. A high degree of co-operation at that local level is anticipated in line with previous experience.

ETHNIC AFFAIRS

The Hon. C. J. SUMNER: I seek leave to make a brief explanation before asking the Minister of Community Welfare a question on ethnic affairs policy in the Department for Community Welfare.

Leave granted.

The Hon. C. J. SUMNER: Earlier this week the *Advertiser* contained a report of a person who had committed suicide—a person of Italian extraction called Iommazzo. An allegation was made by the deceased's family, his son in particular, that the suicide happened after the Department for Community Welfare had failed to enforce a court order on the whereabouts of two of his sisters. In commenting on this case, a prominent member of Adelaide's Italian community, Mr Mario Feleppa, said that the problem lay with the failure of the Department for Community Welfare to appreciate fully the cultural differences facing many Italian settlers. He stated:

> Providing welfare to migrants without taking into account their own cultural values can be not only useless, but dangerous. DCW has shown little concern about the special needs of ethnic people. In the whole department there are only two Italian-speaking officers working in social work, and the position with other ethnic communities is even worse.

Honourable members will recall that this Government established a committee of inquiry, chaired by Professor Mann, into welfare services, and that committee reported some months ago. That report contained a number of recommendations relating to the ethnic affairs policy in the Department for Community Welfare, including the following:

> The committee recommends that the department establish a Task Force on Ethnic Welfare to act as an advisory group on ethnic minority and cross-cultural welfare.
>
> The committee recommends that the department recruit more bicultural and bilingual staff and provide opportunities for study and experience in this area.
>
> The committee recommends that the department maintain a central register of its bilingual and bicultural staff and other resource people.
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> The committee recommends that the department institute in-service training programmes to inform and sensitise staff to the effects of cultural influences in needs for and responses to welfare services.
>
> The committee recommends that the department ensure that all staff be trained in the use of interpreters.
>
> The committee recommends that the department develop effective communication channels with migrant groups to ensure that they are adequately informed of and responsive to the functions of the department.
>
> The committee recommends that the department recognise and support the continuing role of ethnic minority groups in providing welfare services.

The Council will see that some considerable time ago recommendations were made in a report to the Government which would, if implemented, go some way towards overcoming the problems that Mr Feleppa referred to. Some of the recommendations that I have read out to the Council seem to be ones which could be implemented without a great deal of delay. In view of recent criticism of the activities and policies of the Department for Community Welfare in the area of ethnic affairs, will the Minister tell the Council what action has been taken by the department to implement the recommendations in the community welfare committee's report?

The Hon. J. C. BURDETT: In relation to the case to which the Leader has referred, I must point out that there was no court order. That was referred to in the *Advertiser* but was incorrect. I do not want to canvass the matter of the particular case, but certainly it is known to the department that the person concerned who committed suicide was subject to various other very severe stresses, and to blame suicide on the matter in question was not fair, to say the least.

The Leader has referred to Mr Mario Feleppa, who I believe is a Labor Party candidate for political office. He made a statement that was incorrect. He said that only two social workers employed by the department were Italian-speaking. In fact, there are five. I suggest that, if he wants to be a member of Parliament, he should get his act together and start to get his facts straight.

Regarding the matter of what action has been taken to implement the recommendations of the Mann Committee Report, quite a number of actions have been taken. One of the recommendations to which the Leader has referred was the setting up of a specialty area of ethnic affairs within the Department for Community Welfare. This was done in October 1980, and a Director was given this specific specialty. He has other tasks but he was given the specific specialty. That specialty has changed hands. The Director who was originally appointed is not the one in charge of that area at present but there still is a Director in charge of that area. An officer was seconded to a position of Ethnic Affairs Consultant for 12 months on a full-time basis, and the person who holds that position is a person of ethnic origin who speaks the Italian language.

An ethnic affairs working party has been established from departmental staff with knowledge of and experience in working with ethnic groups, and the Ethnic Affairs Commission has been invited to send an observer to the working party. Staff have been encouraged and released to attend special language courses conducted with Galbally Report funds. Staff have participated in cultural awareness training programmes (that was referred to by the Leader) in the department, and at least one other programme will be conducted this year.

An important aspect is that some ethnic people prefer to go to their own welfare groups rather than come to the department. Regarding the Italian ethnic groups in particular, for the current year $18 000 will be provided to support their welfare operations, and a total of $86 950 has been provided this year to support the welfare programmes of various ethnic groups. Community aides from the Italian community and other ethnic communities who speak the ethnic languages have been trained, and trained partly for the purpose of being able to communicate with people who have difficulties with the English language.

A specific programme of support has been operating since 1979 for refugees from Asia and grants are made to Asian refugee programmes. Any person requiring an interview with a social worker who has language problems is always interviewed with the assistance of an interpreter. I think that that answers, at least in a general way, the questions asked by the Leader.

The Hon. C. J. SUMNER: I desire to ask a supplementary question. Will the Minister provide the Council with the names and the positions of offices held by the five Italian speaking officers working in social work who he maintains are employed by the Department for Community Welfare? Also, will the Minister provide a more detailed report, when he has had time to consider it, on the specific recommendations of the community welfare committee's report?

The Hon. J. C. BURDETT: In relation to names, I have always been reluctant to name in the Council members of the Public Service.

The Hon. C. J. Sumner: I want to see whether you're right.

The Hon. J. C. BURDETT: I have felt that it has not been fair to name public servants in Parliament, except for very special reasons. I would prefer to provide those names to the Leader privately. He just said by way of interjection that he wants to see whether I am right. If I provide him with those names he can see whether I am right. If he is dissatisfied after I have provided him with the names and if he wants to ask a subsequent question in the Council as to what the names are, I shall be happy to do that.

In relation to the implementation of the Mann Committee Report in regard to welfare services to ethnic communities, it will be seen from my answer that the report (which was very comprehensive, containing well over 90 recommendations) in respect to welfare services is well on the way to implementation. I have indicated how far it has gone so far. If the Leader would like to ask me what further action has been taken, I shall be pleased to supply him with those details.

The Hon. C. J. SUMNER: I understand that I have to make some explanation in response to the Minister's suggestion about whether I will be satisfied with the information by letter. I think that the Minister is being unduly sensitive about public servants being named in Parliament, as I know that on many occasions in the past Liberal members—not necessarily the Minister—have asked for specific details about public servants in particular positions. Nevertheless, I am prepared to adopt the suggestion made by the Minister, and I shall be pleased if he could let me have the details in private, at least initially.

PUBLIC TRANSPORT

The Hon. G. L. BRUCE: I seek leave to make an explanation before asking the Attorney-General, representing the Minister of Transport, a question about public transport in the Tea Tree Gully area.

Leave granted.

The Hon. G. L. BRUCE: It has been drawn to my attention that buses in the north-east area have been rerouted around Tea Tree Plaza. Although the buses go past banks on Reservoir Road they do not stop. It has been drawn to my attention that it is very inconvenient for elderly people living in the area, and also for mothers with children, to attend to business at these banks. As residents are finding it difficult and have to walk to transact banking business, is it possible for a new bus stop to be placed near these banks to solve this problem?

The Hon. K. T. GRIFFIN: I will refer that question to my colleague and bring down a reply.

TRANSPORT STRIKE

The Hon. J. E. DUNFORD: Does the Minister of Com-

munity Welfare have a reply to a question I asked on 21 July about the transport strike?

The Hon. J. C. BURDETT: My colleague, the Minister of Industrial Affairs, advises that the South Australian Government appeared on Friday 17 July 1981 at a private conference before the President of the Commonwealth Industrial Conciliation and Arbitration Commission, Sir John Moore, at which the current incidence of industrial disputation and the reasons for it was discussed. The outcome of that conference was an announcement that the National Wage Full Bench would be reconvened on Wednesday, 22 July 1981, and again South Australia was represented on that occasion.

The South Australian Government very strongly supported the continuation of a centralised wage indexation system and believed that it should be applied on a uniform basis throughout Australia. The view expressed by the South Australian Government at the National Wage Full Bench was that the wage indexation guidelines should be changed so that they could be able to deal with any industrial disputation problem that arose. However, any move to allow bargaining for shorter working hours was strenuously opposed.

The Government believes that the discontinuation of wage indexation will not be in the best interests of Australia. There is now a tremendous responsibility on unions, workers and employers not to push or pay excessive wage claims. The decision also makes it imperative, in the Government's view, that the proposed national inquiry into wage determination and industrial relations be established immediately. The inquiry would examine alternative wage fixing mechanisms including collective bargaining.

ABORIGINAL TREATY

The Hon. BARBARA WIESE: I seek leave to make a brief explanation before asking the Minister of Local Government, representing the Minister of Aboriginal Affairs, a question about an Aboriginal treaty.

Leave granted.

The Hon. BARBARA WIESE: On 21 August last year, I asked the Minister whether his Government supported the concept of establishing a treaty (or a makarrata as it is known among Aboriginal people) with the Aborigines of Australia. As I pointed out last year, this treaty was advocated by the National Aboriginal Conference in 1979, and had been agreed to in principle by the Federal Government. In his reply, the Minister stated that the South Australian Government preferred the idea of pursuing a consensual approach on matters affecting Aborigines in Australia, rather than any attempt to bring it into law.

The Minister also stated that the Council of Ministers of Aboriginal Affairs held in February 1980 in Hobart had discussed the matter and resolved to invite members of the National Aboriginal Conference to attend a future Ministers council to discuss the matter further. Last week I attended a conference in Sydney that was also attended by representatives of the National Aboriginal Conference, and they made very clear that, as far as Aborigines are concerned, the issue is still very much alive and they are keen to pursue it. Can the Minister say whether since February 1980 such a meeting has taken place between Ministers of Aboriginal Affairs and representatives of the National Aboriginal Conference? If it has, will the Minister inform the Council as to the outcome of that meeting?

The Hon. C. M. HILL: I will refer those questions to the Minister and bring down a reply.

ETHNIC AFFAIRS

The Hon. C. J. SUMNER: I seek leave to make a brief explanation before asking the Minister Assisting the Premier in Ethnic Affairs a question about the annual report of the ethnic affairs branch.

Leave granted.

The Hon. C. J. SUMNER: Earlier this year I received through the post from the Minister of Local Government the annual report for 1980 of the Department of Local Government. In my usual diligent manner, in keeping the Government on its toes and ensuring that what is reported in these reports does in fact exist and has in fact happened, I read it assiduously.

Given my particular interest in ethnic affairs, I read the report under the ethnic affairs branch. The activities of the branch were outlined quite briefly in the Minister's report and concluded as follows:

> Further details of the branch's activities can be obtained from its annual report, a copy of which is held in the departmental library.

Naturally, wanting to know what was in the report of the ethnic affairs branch, I decided to try to find a copy of it. All I can say is that I was given a bureaucratic run-around of extraordinary proportions. I asked my secretary to undertake the simple task of tracing down this ethnic affairs branch report.

The Hon. C. M. Hill: When did you make your inquiries?

The Hon. C. J. SUMNER: It was some time ago. My secretary rang the branch and asked for a copy of the report. The branch informed her that there was not such a thing to its knowledge. The branch said it thought she must have meant the Department of Local Government annual report, which of course is the report that set me off in the first place. My secretary told the branch that the Department of Local Government annual report was where I had obtained the information that the ethnic affairs branch annual report existed. She was then advised to ring Dr McPhail, who put out the Department of Local Government annual report. She then got on to Dr McPhail's secretary, who told me to ring the department's library, as the report indicated that a copy of the ethnic affairs branch report was held in the department's library.

The chase intensified and the department's library was approached. The librarian advised my secretary that she could not find the report. The librarian then checked with the branch and was told that there was no such thing, despite the fact that it was mentioned in the Department of Local Government annual report. She did find out that there was an internal report setting out the achievements of the past 12 months (and I doubt that that would have been a lengthy report), but that it would need Ministerial approval to be released. By this time I had nearly had enough, because what had originally been, so I thought, a simple request for an annual report of the branch had turned into a major detective exercise which ended up in a report or some documents being available but not being available to the public without the Minister's approval. Will the Minister carry out a searching inquiry to ascertain whether a report exists on the branch's activities for 1980? If it does, can it be made available to me? If no such report exists, why was it mentioned in the 1980 annual report of the Department of Local Government?

The Hon. C. M. HILL: It seems rather strange to me that the honourable member some considerable time ago spent such a lot of time on these inquiries and only sees fit at this point of time to raise the matter with me in this Council. I would have thought that, if he had had such difficulty at the time as he says he did, he would have let me know and I could have joined in the chase with him.

We both would have been scouting around. One of the problems now is that apparently the report is missing and the branch itself has been abandoned. Now we have the Ethnic Affairs Commission, which has started off with a new approach on this whole question of ethnic affairs, and it would be delving somewhat into history if I spent too much time following up the inquiry that the honourable member has suggested. Nevertheless, I will look into the matter and see whether I can put his worries to rest by bringing back an answer to satisfy him.

SOUTH PARA RESERVOIR

The Hon. C. W. CREEDON: Has the Minister of Local Government a reply to the question I asked on 4 August in relation to the South Para Reservoir?

The Hon. C. M. HILL: The Minister of Water Resources has advised that he is indeed aware of the flooding which occurred in 1974, which is the last time that the flood gates were opened. During the Gawler River flood of October 1974, the peak inflow into South Para Reservoir was 140 cumecs (cubic metres/second). The operation of the spillway gates resulted in this peak discharge being reduced to 67.6 cumecs at Gawler. The peak flow in the North Para River in this event was 199 cumecs and arrived at Gawler seven hours prior to the South Para River peak.

It is quite clear that the flood of October 1974 was primarily due to high flows in the North Para River and that the South Para Reservoir spillway gate operation was in fact responsible for a significant reduction in the flood magnitude and damage experienced both at Gawler and Virginia. The reference to an 'inexperienced person' who 'had control of the flood gates' is therefore erroneous and the conclusion is neither valid nor justified. The low lying area in Gawler known as 'Goose Island' has been subject to flooding since settlement commenced. Reference to newspapers back to 1889 indicate that flooding has occurred in this area on a frequent but irregular basis. Other low lying areas are also similarly affected.

In view of the past history of flooding in this area, my colleague is unable to give an unequivocal assurance that flooding will not occur in Gawler given the right weather conditions. However, it should be noted that the construction of South Para Reservoir has not increased the flood risk. Because South Para Reservoir fills infrequently (approximately once in seven years on average) the flood risk in Gawler from this river is substantially reduced. In years when the reservoir is full, the spillway gates are operated such that the flow released is not greater than the flow entering the reservoir. Consequently, the flood risk in Gawler and the areas further downstream is not greater than that which would have occurred had the dam not been constructed. The water stored behind the reservoir gates is valuable water resource in a State of limited natural water resources and represents only 21 per cent of the total catchment area of the Gawler River at Gawler.

Early release of water would have depleted this valuable storage, which may not have been replaced by subsequent rains. Also, depending on the timing of peaks in the North and South Para rivers, any attempt at flood mitigation using the South Para Reservoir spillway gates could significantly worsen the flood peak and resultant damages incurred. It is considered that the present policy of gate operation such that outflow does not exceed inflow is the proper course of action. To date, there has been no flooding in Gawler. The only flooding which has occurred is of a minor nature and is located some three kilometres north-east of the Virginia township. The Engineering and Water Supply Department is investigating a breach in the levee at that location. An inspection by departmental officers suggests that human interference may have led to this breaching of the levee.

JUVENILE OFFENDERS

The Hon. C. J. SUMNER: Has the Minister of Community Welfare a reply to the question I asked yesterday about juvenile offenders?

The Hon. J. C. BURDETT: The mentor scheme, known in the department as Intensive Personal Supervision Scheme, was established for serious offenders who have reached the need for more intensive supervision to that being offered for most young people who receive bonds. The numbers anticipated in the scheme are not large. Steps to make the scheme operational commenced in February 1981 and, since that date, nine youths have been placed on the scheme. Twenty-seven referrals were made to the scheme, but many did not meet the criteria. Three youths have completed their programme and fully achieved the supervision time.

LEGISLATIVE COUNCIL STAFF

The Hon. FRANK BLEVINS: I seek leave to make a brief explanation before asking you, Mr President, a question about staff levels in this Council.

Leave granted.

The Hon. FRANK BLEVINS: On 19 February I asked you, Mr President, the following questions:

> Mr President, have you asked the Government to increase the staffing levels of the Legislative Council to enable the Council to be properly serviced? If so, what has been the Government's response? If not, will you do so as a matter of urgency?

You, Sir, said:

> I have made an approach to the Government for further staffing, and at this stage I have not received any indication as to whether there will or will not be an increase in staff.

My question is simple. Have you, Sir, at this stage (six months later) received a reply from the Government and, if you have, would you let the Council know what was contained in it?

The PRESIDENT: The reply is as simple as the question: I have received word concerning the matter. I presume that the honourable member's question at that time referred to assistance for a certain select committee.

The Hon. FRANK BLEVINS: My question referred to staffing levels of the Council as a whole. There was some problem with respect to the Clerks servicing Select Committees. You, Mr President, said at that time (and this matter was referred to in the remainder of my explanation) that your Clerks were having difficulties servicing Select Committees. I then asked whether you had requested from the Government some assistance for the Clerks, and you, Sir, said that you had and that you were awaiting a reply. Six months later, I wonder whether they had got around to replying.

The PRESIDENT: I thank the honourable member for clarifying his question. The answer is 'No'.

The Hon. FRANK BLEVINS: I now direct a question not to you, Mr President, but to the Attorney-General. On the same day, I asked the Attorney a question following on from this. I asked whether the Government would consider increasing the staff of the Council to enable it to service Select Committees properly, as you, Sir, had expressed some doubts about the ability of the staff to do so. The Attorney said that he would consider the matter. I therefore ask him to say now, six months to the day after I asked my

question, whether the Government has considered the matter and, if it has, whether the Attorney would enlighten the Council as to the outcome of those considerations.

The Hon. K. T. GRIFFIN: I will have some inquiries made and bring back a reply.

PARLIAMENT APPROPRIATION BILL

The Hon. R. C. DeGARIS: I seek leave to make a brief explanation before asking the Attorney-General, as Leader of the Government in the Council, a question regarding a separate Appropriation Bill for Parliament.

Leave granted.

The Hon. R. C. DeGARIS: In my Address in Reply speech, I referred to the matter of a separate Appropriation Bill for Parliament. As most honourable members would know, just recently a Senate Select Committee on this matter has reported to the Senate. Its first conclusion was as follows:

A common source of concern to all Parliaments is the growing imbalance in the relationship between Parliament and the Executive, the rapidly increasing power and influence of the Executive, the need for Parliament to strengthen its oversight and check of Executive activity, and the concurrent need for the Parliament to regain or assert greater independence and autonomy in regard to its own internal arrangements.

The report then makes certain recommendations and, although I will not read all of them, I should like to read a couple of the recommendations. One of them is as follows:

As a first step, the Select Committee recommends that the Senate establish a Standing Committee to be known as the Senate Appropriations and Staffing Committee.

Recommendation No. 3 is as follows:

The Select Committee also recommends that all items of expenditure administered by the Executive departments on behalf of the Parliament be brought together in the Parliamentary Appropriation Bill and that provision be made for an advance to the President of the Senate on the same basis as the advance to the Minister for Finance.

Also, in 1979, the United Kingdom Parliament passed a special Bill known, I think, as the House of Commons Administration Act, 1979. In that Parliament, there is a separate appropriation for the House of Commons under the control of a committee controlled by the Speaker. One finds, when looking at the countries that are part of the inter-Parliamentary union, that practically all of them have this sort of arrangement. I refer, for example, to Canada, Czechoslovakia, Bangladesh, Norway, Pakistan, and Italy.

The Hon. Frank Blevins: Commonwealth Parliaments?

The Hon. R. C. DeGARIS: As far as I know, in Victoria there is a special part of the Constitution dealing with appropriations for the Legislative Council, and that has recently been extended to the Lower House. In the Commonwealth Parliamentary sphere, Canada, for example, has separate appropriations for both Houses, under the control of the President of the Senate and the House of Commons. In the United States, both Federal Houses and all State Houses have separate appropriations for their Parliaments that are not subject to variation by the Government.

Has the Government looked at the question of introducing a separate appropriation for Parliament, as recommended by the Senate Select Committee, and as has applied in most Western-style democracies in the world?

The Hon. K. T. GRIFFIN: There is no present intention to introduce a separate Parliamentary Appropriation Bill.

CORPORAL PUNISHMENT

The Hon. ANNE LEVY: Has the Minsiter of Local Government, representing the Minister of Education, a reply to the question I asked on 22 July regarding corporal punishment?

The Hon. C. M. HILL: The Minister of Education has informed me that in matters involving the principal of a school and a parent it is inappropriate to give a general answer, because the particular circumstances of the case would need to be taken into account. Such variables as the school policy on punishment of students, the age of the student, his/her previous behaviour pattern, and the strength of the views of the principal and parent would need to be considered. As to the second question, the Minister of Education does not intend to issue such an instruction.

PRAWN FISHERY

The Hon. B. A. CHATTERTON: Has the Minister of Local Government, representing the Minister of Fisheries, a reply to the question I asked on 6 August regarding consultation with the fishing industry about prawns?

The Hon. C. M. HILL: The honourable member will be aware that the State Government has decided that no action will be taken at present to merge the Gulf St. Vincent and Investigator Strait prawn fisheries until the viability of a combined total fishery has been further assessed.

SWIMMING POOLS

The Hon. J. R. CORNWALL: Has the Minister of Community Welfare, representing the Minister of Water Resources, a reply to the question I asked on 26 February regarding swimming pools?

The Hon. J. C. BURDETT: My colleague, the Minister of Water Resources, advises that the primary tests to determine water quality at public swimming pools should be conducted by the pool operator. He should regularly determine the presence of disinfectant, the pH of the water and its clarity. These primary tests could be supplemented by secondary tests of a biological nature for the presence of micro-organisms (bacteria, amoeba). Such tests, because of the time delay before the availability of results, whilst reflecting the efficiency of the pool operation, are not useful primary testing methods. The taking of secondary tests is a matter for the pool proprietor to determine as the cost of such testing should be borne by him.

Private pool owners must also rely on their own primary testing of their pool water and adequate cleaning of the pool accompanied by disinfection, rather than Government supply of biological testing facilities. Such testing would need to be carried out frequently and regularly. The numbers of private pools (estimated 35 000 in Adelaide) mitigate against the Government's providing such facilities. It should be noted that 'pH' is best explained as an indicator of acidity or alkalinity of the water.

HALOGENATED HYDROCARBONS

The Hon. J. R. CORNWALL: Has the Minister of Community Welfare an answer to my question of 3 June on halogenated hydrocarbons?

The Hon. J. C. BURDETT: My colleagues, the Minister of Water Resources and the Minister of Health, have provided the following reply:

The Government's attention has been drawn to the epidemiological studies in the United States which reveal statistical associations between various sources of drinking water and cancer rates. These studies have investigated levels of cancer in many parts of

the United States including Missouri, Louisiana, Ohio, Kentucky, Massachusetts, Illinois, Indiana, Pennsylvania, Tennesee, West Virginia, California, New York State and Maryland. Mostly they were undertaken after two 1974 reports were released, demonstrating that trihalomethanes were produced in chlorinated water.

As Dr Cornwall points out, direct statistical correlations between cancer mortality and the likely intake of trihalomethanes in drinking water have been revealed. However, the evidence falls short of demonstrating a cause-and-effect relationship. The studies so far reported have mostly been descriptive and preliminary in nature. Following a review of these studies (published in the American Journal of Epidemiology), it was concluded that an association between organic chemical drinking water contaminants and cancer had not been established. Certainly the Mississippi River evidence, to which Dr Cornwall refers, has been the subject of intense scientific debate. The potential for this evidence to be misleading because of unmeasured cancer-causing factors has been emphasised.

Clearly, there is still uncertainty whether trihalomethanes in water supplies are a cause of cancer in humans. Nonetheless, it is generally accepted that the concentrations of these substances should be as low as possible. Although cancer mortality in South Australia is not higher than for Australia as a whole, the Government is concerned that trihalomethane levels are generally higher than in the other States. Unfortunately, local conditions—particularly the high levels of organic material, high water temperatures, and high chlorine dosages—favour the formation of trihalomethanes.

Concern in this area is demonstrated by the Government's announcement on 30 May 1981 that it would step up investigations into the formation of trihalomethanes and options for their control. Subsequently Cabinet gave its approval on 22 June 1981 for a programme of detailed investigation to be undertaken by the Engineering and Water Supply Department. This programme, which has only recently been developed, involves the investigation of a number of removal processes, including activated carbon. It will also include investigations into more accurate measurement of trihalomethanes in South Australian waters and the operation of pilot plants.

The particular cost of the pilot project is not known as studies on activated carbon will only form a proportion of the investigation programme. While some types of activated carbon can reduce the levels of organic material in water, the efficiency of this process is dependent on the nature of the organic compounds present, and is often very low. The use of activated carbon for minimising trihalomethane formation is being actively researched internationally but the technology in this regard is not sufficiently developed to consider at this stage.

Preliminary investigations so far have indicated that activated carbon would not adequately reduce trihalomethane precursors in South Australian waters. Due to the low level of technology in this area no accurate costs can be calculated for activated carbon filtration. Rough estimates based on American reports indicate a cost of the order of $80 per household per year for South Australian waters. This represents a high cost for a process which may be only partially effective.

HOSPITAL CORPORATION OF AMERICA

The Hon. J. R. CORNWALL: Has the Minister of Community Welfare an answer to my question of 16 July on the Hospital Corporation of America?

The Hon. J. C. BURDETT: My colleague the Minister of Health advises that there have been no discussions between the Minister of Health and/or the South Australian Health Commission with the Hospital Corporation of America (through its Australian subsidiary) to take over hospital services in the Northern Metropolitan Region.

There were discussions with the corporation when this Government took office in relation to the corporation's Central District Hospital providing some services for public patients. No agreement was reached on this matter, and it was not pursued. It is not intended that it will be pursued in future. At the moment, the South Australian Health Commission in conjunction with local authorities in the region are sponsoring the Para District Health Services Advisory Committee to undertake a consumer health needs survey. When this survey is completed, the commission expects to be in a position to advise on the most appropriate means of providing hospital services in the Elizabeth subregion. It is anticipated that this will either involve upgrading of the Lyell McEwin Hospital or phased construction of a new hospital.

The use of the Lyell McEwin Hospital as a nursing home has been considered but information provided by the Commonwealth Department of Health indicates that existing and approved nursing home beds for this region are close to the Commonwealth's ceiling of 50 'nursing home' beds per 1 000 population of 65 and over. As I have already indicated, the South Australian Health Commission is awaiting the results of a consumer health survey-report before making a final recommendation on development of hospital and health services in this region.

I understand that the Commonwealth Government, which has responsibility for the provision of nursing homes, has given approvals for an increase in the number of nursing home beds for this area. The Minister of Health is not aware of any interest shown by the Hospital Corporation of America in providing nursing home beds in the Elizabeth sub-region.

PLANT VARIETY RIGHTS

The Hon. B. A. CHATTERTON: I move:

That this Council believes that the introduction of plant variety rights is not in the best interests of Australia and calls on the Minister of Agriculture at meetings of the Agricultural Council to oppose the legislation introduced into the Federal Parliament by the Minister for Primary Industry.

I should first explain why the motion has been phrased in that way. It is because the Minister for Primary Industry, Mr Nixon, has stated publicly on a number of occasions that he will not proceed with the legislation that has been introduced into Federal Parliament unless he has the complete agreement of the Agricultural Council, which is, of course, the meeting of all State Ministers. It is very appropriate that this Council should pass this motion so that the Minister of Agriculture can take it up at that forum.

Advocates of the proposed legislation for plant variety rights (p.v.r.) point to the increased expenditure by private plant breeding companies as one of the major advantages of the proposed scheme. It is presumed that the increased expenditure on plant breeding will in turn produce new cultivars that are more productive and the farming community will benefit. The cost of this additional plant breeding work will be recouped through the payment of royalties on the seed of the new cultivars. It is claimed that the benefit from the increased productivity will far outweigh the additional costs, and the farming community will become more prosperous.

I wish to examine the validity of this claim in some detail. It is important to examine the type of plant breeding work that will be carried out by private breeders to see whether these claims can be sustained. Studies of public plant breeding programmes have shown very favourable cost benefit ratios, but evidence indicates that a great deal of the additional private breeding work will go into the so-called 'cosmetic' breeding. If this is the case, the benefits will not outweigh the additional costs. Cosmetic breeding is aimed at producing a new cultivar which is as close as possible to a variety that is already commercially successful but just sufficiently different to be able to obtain p.v.r. in its own right. This activity makes good commercial sense and is common in the pharmaceutical industry where a great deal of research is aimed at wastefully duplicating existing drugs. This type of cosmetic breeding adds cost to the farming community without producing any discernible benefits.

A good example of this private breeding was described to me by a New Zealand barley producer. He explained that the number of cultivars of barley grown in New Zealand had expanded greatly since the introduction of plant variety rights. The new varieties were essentially the same, but the heavy cost of breeding and promotion meant the seed was considerably more expensive than when there were no plant variety rights in operation.

Worse than this, the different varieties were just sufficiently different to throw the marketing of the grain by the Barley Board into confusion. Segregation would be desirable but very expensive. Prohibiting certain varieties or penalising them through dockages would be open to legal challenge. Incidentally, this grower had become converted from the advocate of the p.v.r. system to an opponent.

Cosmetic breeding makes good commercial sense, for private breeders' basic breeding work makes poor commercial sense. To undertake a programme to bring in a fundamentally new form of disease resistance from a wild variety into a commercial crop would not appeal to private breeders. The work is too long term and too high a risk. In addition, there is the possibility that the rewards may go to other private breeders. It would be possible for other private breeders to put further cosmetic changes on the new cultiva and obtain a large slice of the market through heavy promotion. The original breeder would be left struggling to recoup the cost of his pioneering work. Fundamental breeding work will remain mostly with the public institutions.

Private plant breeding programmes will not only be designed to meet normal criteria of sound business management (that is, predictable returns with minimal risk) but they will have to fit into the overall corporate plan of the company and its owners. Increasingly, seed companies are becoming subsidiaries of large chemical and fertiliser companies that see the addition of a seed division of the group's activities as a way of providing a complete marketable package to the farmer.

Within such a group of companies the fertiliser and chemical divisions will dominate profits, and corporate policies will be set to ensure that new breeding programmes do not undermine those profits. There is no need to develop a sinister scenario of a dedicated plant breeder developing the wonder plant which grows superbly without chemicals and fertilisers and then having the new variety ruthlessly suppressed by the faceless company bosses. Modern plant breeding does not work that way. A team is required and the breeding objective of the team will have to comply with company policies. The control is more subtle but just as effective. The Federal Minister for Primary Industry (Mr Nixon) mocked this argument when he said:

> There have been claims that plant breeders will deliberately breed disease-susceptible plants that will require massive inputs of pesticides and fertilizers to survive. That is a ridiculous argument.

I agree that the argument is ridiculous but the Minster has exaggerated it out of all proportion. There is no need for plant breeders to breed in disease susceptibility to plants. It is merely that they will ignore the aspect of disease resistance when they look for new varieties in their breeding work.

There is already a bias in plant breeding priorities which favours the chemical companies. When public breeders rank disease problems for inclusion in breeding programmes, they naturally give top position to those diseases where no effective chemical control exists. Eventually they get around to breeding for resistance to pests and diseases where chemicals are available but where natural resistance provides a much cheaper method of control for the farmer.

As there is no shortage of breeding objectives, private plant breeding companies which belonged to larger chemical and fertilizer groups would continue to put these breeding priorities at the bottom of their list to ensure that the chemical and fertilizer markets were not undermined.

Regarding failures of the present system of public plant breeding, it is claimed that private plant breeders will fill the gap in the existing system, which in Australia is dominated by public plant breeders. The most serious deficiency in our present system is directly related to our method of funding agricultural research. The major research institutions which undertake plant breeding work, such as universities, C.S.I.R.O., agricultural colleges, and departments of agriculture, are largely funded from general taxation revenue.

However, when it comes to a specific research programme, funds usually have to be obtained from outside industry trust finds. These industry funds come from levies that are charged under Commonwealth legislation on major commodities such as wheat, wool and meat. It can be said with some justification that the industry tail wags the government dog. Industry funds provide the direct costs of a research programme but obtain a huge, usually uncosted contribution from the Government which is paying the overheads for the research establishment.

This is, of course, a highly satisfactory situation for the industry but does distort priorities, as it is difficult for a plant breeder to obtain sufficient funds from Government sources alone to explore new crops which are not yet established in Australia. Crops such as chickpeas, lentils, field peas and other grain legumes are grown on a very limited scale in Australia. Expansion is unlikely unless better varieties more suited to Australian conditions are developed, yet this work is unlikely to be carried out, as these commodities do not generate any industry research funds.

I find it hard to believe that private breeders will come in and plug the gap unless they are commercially very foolish. In commercial terms the risks would be too great and the time scale too long. New varieties would not only have to be produced but farmers persuaded to grow new crops. In some cases new land would have to be developed for cropping. I cannot see private breeders putting more than marginal effort into such activities while they concentrated on getting a bigger slice of the established seed market. This represents no change from the existing system.

Is funding of plant breeding equitable? It is claimed that the charging of royalties on the sale of seed is a more equitable method of funding plant breeding work than from tax revenue. Why should the general taxpayer subsidise the breeding of new plant varieties which in the first instance directly benefits the farmer? This argument may apply in the United States but is not true for Australia.

If a major part of the plant breeding activity moved to the private sector away from public research institutions, there would not be great savings for taxpayers. First, the public institutions would still need to do the basic breeding research which is unattractive to private plant breeders, and, secondly, as plant breeding work is only part of a much larger agricultural research establishment, the removal of this activity would have little impact on the total overhead costs.

The industry trust funds are the other source of funds for public breeding work, and they represent a much more equitable form of the 'user pays' principle than do royalties on seed. Royalties are charged on seed bought by the first user. Subsequent multiplication and sale by farmers is likely to escape the net of p.v.r., whereas a levy on output forces everyone to contribute.

A number of plant breeders in public institutions have supported introduction of p.v.r. because they naively believe that they will be able to obtain additional funds from the system. They have seen a dramatic decline in funds for agricultural research in the past few years and see the revenue generated from royalties as a way of restoring real

effort in plant breeding. Their motives are laudable but their hopes unrealistic. There is no doubt about the massive cuts in rural research. To take one example, the C.E.S.G. programme which, in spite of its professed purpose of aiding extension, has frequently been used more for research, has been cut to a tiny trickle over the past few years. Cuts of 50 per cent and 20 per cent have occurred in some recent years. Other Commonwealth funding has also declined and industry funds have mostly failed to keep up with inflation.

However, for public institutional breeders to increase real effort in plant breeding, they would have to maintain existing funding at least at the same level. This is unlikely. Cereal farmers have already expressed their opposition to p.v.r. for wheat and barley on the basis that they would be paying twice for the same research—once through the levy and again through royalties. I am sure they would withdraw industry funds from public breeders who wished also to obtain royalties. If public institutions obtained considerable revenue from royalties it would provide Governments with a perfect excuse for further cuts, maybe the cuts would be done in advance to force public breeders to 'become more accountable to the commercial market place'.

There is also much doubt about the ability of public institutions to obtain considerable royalties. Royalty revenue depends on promotion and advertising to get a good seed market. So far, public institutions have demonstrated their failure to develop markets for their new releases. They would almost certainly have to release the new cultivar in partnership with a private seed firm who would then take a large slice of the royalty return.

Advocates of plant variety legislation have also put forward an argument that Australia is being deprived of valuable new varieties produced by overseas private plant breeders because they are not prepared to release them to countries which do not have p.v.r. legislation.

For example, Dr E. T. Edwards, Executive Secretary of the Industry Committee for Plant Breeders Rights, claims:

> Many specific cases are known where the overseas originator of new superior varieties of beans, soybeans, cotton, winegrapes, apples, nectarines and other fruits, as well as a wide range of ornamentals, have refused to release them for commercial use in Australia because they could not be protected under p.v.r. legislation.

At the moment it is very difficult to assess the truth of such statements. Obviously, with the Federal Government's announced intention to introduce p.v.r. legislation, it would be foolish for a breeder to release a variety when he would be able to obtain royalties by delaying the release until after the passage of the legislation. Also, overseas private breeders will not undermine their Australian colleagues' most powerful argument by freely releasing varieties during this period of public debate. If, however, Australia rejects p.v.r. legislation, we will return to the situation we had a few years ago when very little plant material of any real value was not available to Australian farmers.

I freely admit that 'a wide range of ornamentals' have been unavailable, but I cannot believe that something as serious as p.v.r. could be introduced for the sake of a new fashion in roses. South Australia over the past 15 years has introduced a whole range of new wine grape varieties, and no-one ever complained to me when I was Minister of Agriculture that there were better privately bred or selected varieties that were unobtainable because of a lack of p.v.r. legislation in Australia.

When the spotted alfalfa aphid and the blue green aphid invasions swept through Australia a few years ago, there was no difficulty in obtaining privately bred U.S. varieties. In fact the major problem was an excessive number of U.S. lucerne varieties being pushed on us by commercial breeders. Many South Australian seed producers went to the U.S.A. to look for varieties resistant to the aphids. They were feted by individual seed companies and came back convinced that Brand X lucerne was the complete answer to our problems. The South Australian Department of Agriculture failed to share their enthusiasm, saying that all U.S. varieties were unsuitable for our dryland grazing conditions and that we would have to breed our own. The department's officers suggested the importance of a few U.S. varieties as a stop-gap measure mainly for farmers with irrigation. The seed producers were very successful in their public campaign and managed to portray the department officers as conservatives, bureaucratically holding back solutions developed by private initiative in favour of their own hobby horse. The Department of Agriculture has been proved correct. The U.S. varieties have failed but there has been a considerable additional cost associated with plant quarantine and seed multiplication of a large number of commercially promoted varieties.

The story of the U.S. lucerne varieties reinforces the fact that almost all our farming in Australia is carried out under quite different climatic conditions from Europe or the U.S.A. Southern Australia is a Mediterranean climate similar to North Africa and the Middle East, and the north of Australia is mostly a dry tropical region where pasture development is quite unique. Australia has collected its own pool of genetic material suitable for our own soils and climate and, while we will continue to need fresh sources of genetic varieties, this will be available to our plant breeder. Ready-made overseas varieties are unlikely to be of any use to Australian farmers. This was proved more than 100 years ago and it is surprising that it needs repeating.

It is surprising that Dr Edwards should claim that Australia is being deprived of new plant varieties from overseas, and then goes on to say we would be helping underdeveloped Third World countries by providing them with much needed tropical pasture legumes. Surely if we applied p.v.r. legislation in the way Dr Edwards claims overseas countries are now applying it we would prohibit the export of new varieties to Third World countries until they joined the p.v.r. system.

A major advantage of the p.v.r. legislation is that it encourages the development of expanded markets for seed. This is just as important for public plant breeders as for private ones, but is rarely mentioned by advocates of the legislation. Perhaps they feel it would appear that they were motivated only by profit.

The development of a new variety follows the following path: The plant breeder produces and tests the new variety, which goes to commercial seed producers for multiplication. The commercial quantities of seed are then sold to farmers for the production of superior crops or pastures. For the public breeder, the return on the breeding effort comes from the superior productivity of farming generally, and for the private breeder it comes from royalties on the commercial sale of seed. In either case, the wide scale adoption of the new varieties by farmers and the development of a large commercial seed market is essential.

Public plant breeders have been successful on producing new varieties, but they are failing in many cases to achieve widespread adoption. The problem is becoming worse, and there is no doubt that p.v.r., with the direct incentive of royalties on seed sales, would greatly assist in the expansion of seed markets. There is no problem with cereals, as superior yield characteristics are quickly identified in the header box. There were few problems with pasture plants when plant breeders were working only to fill the various ecological zones. The giant leap in production from new varieties compared to natural pasture was obvious to all. Now a great deal of work is going back over old ground

and producing improved replacement varieties that are more productive. Even increases of 20 per cent or 30 per cent in pasture production are not easily seen, and the conversion process to wool or meat is long and complex so farmers do not quickly adopt new varieties. An officer of the South Australian Department of Agriculture estimated that in recent years eight out of 10 new releases of pasture plants failed to become commercially established. This is a serious waste of industry and taxpayers' funds.

The present system provides no incentive for the seed merchant to promote a new variety. In fact, new varieties are regarded as a nuisance, as they increase the amount of seed that needs to be in stock. For a seed merchant to spend any money on promoting a new variety would be foolish under the present system, as the benefits would accrue to all seed merchants.

There is a solution to this problem that is considerably simpler than the introduction of a full blooded p.v.r. system. Public plant breeders have felt that the more widely they distribute their new variety the more widely it would be used. In fact, the opposite is the case. Being available to all, it is the responsibility of no-one. If public breeders granted their new varieties exclusively to a single seed merchant under a three-year to five-year contract, the merchant would have a real incentive to promote the new variety. The contract in fact could require the merchant to spend a minimum sum on promotion in return for these exclusive rights. The merchant would not only make additional profits during the period of the contract but would also be in an advantageous position when the contract expired and the varieties became available to all.

The contract system could be seen as a cheap and simple mini version of p.v.r. which does not require a large administration and which meets a specific and proven need. The contracts are not strictly enforceable, but this should not reduce their effectiveness. Another seed merchant could poach seed and compete with the merchant under contract, and with the absence of p.v.r. legislation he could not be prosecuted. However, the merchant under contract would have a considerable head start and the support of the public plant breeder. Public plant breeders could also effectively penalise poachers by refusing them contracts at a later date.

In conclusion, I point out that so far the advocates of p.v.r. have failed to prove that the system has any real benefits for Australian farmers. Our different climate and our different method of funding rural research make the benefits obtained overseas irrelevant to the Australian situation. While the system of public plant breeding has generally served Australia well and certainly a great deal better than the system of private animal breeding, we should not become complacent and fail to see its deficiencies.

The current debate offers an excellent opportunity to institute much needed improvements. Among these should be: contracts between public plant breeders and private or co-operative seed merchants to develop commercial markets for new releases; a co-ordinated approach by research establishments to develop funding guidelines for research projects partly funded from industry sources; increased contributions from industry trust funds by changing from per tonne levies to percentage levies on value; and a national approach to planning plant breeding priorities to plug the present areas of neglect.

Finally, we have to decide whether we can adopt p.v.r. in Australia and restrict it to a few horticultural crops. I do not believe this is a practical solution. It would be administratively very wasteful, having a considerable organisation concerned only with fringe crops. To have the extension of p.v.r. continually hanging over our heads would certainly deprive us of overseas varieties, as overseas plant breeders would use this as pressure to extend the system. We would establish a bureaucracy, with a permanent vested interest in the expansion of p.v.r., that would be applying continual pressure on politicians. If we joined an international p.v.r. convention (and presumably this would be necessary to obtain these elusive overseas varieties), we would have to subscribe to the principle of extending p.v.r. to all commercial varieties.

The Hon. J. C. BURDETT secured the adjournment of the debate.

NOARLUNGA PLANNING REGULATIONS: ZONING

Notice of Motion: Private Business, No. 3: The Hon. J. R. Cornwall to move:

That the Regulations under the Planning and Develpment Act, 1966-1980, in respect of the Metropolitan Development Plan—Corporation of Noarlunga Planning Regulations—Zoning, made on 30 April 1981, and laid on the table of this Council on 2 June 1981, be disallowed.

The Hon. J. R. CORNWALL: I move:

That Notice of Motion: Private Business, No. 3, standing in my name, be made an Order of the Day for tomorrow.

Members interjecting:

The Hon. K. T. GRIFFIN: I would like to indicate that at an appropriate time I will be moving that the Council adjourn until Tuesday next.

The Hon. C. J. SUMNER: I indicate that, when that motion is moved, I will vigorously oppose it. The normal courtesies have not been done to the Opposition on this matter. We have not been told that the Council—

The ACTING PRESIDENT (Hon. M. B. Dawkins): Order!

The Hon. C. J. SUMNER: —is not to sit tomorrow.

The ACTING PRESIDENT: Order! I ask the Leader of the Opposition to resume his seat. The question is 'That the debate be made an Order of the Day for tomorrow'.

A division on the motion was called for.

While the division bells were ringing:

The Hon. C. J. SUMNER *(while covered and seated):* Mr President, a point of order. Will you, Sir, indicate what will be the position if this motion is lost?

The PRESIDENT: If the motion is lost, the matter must be dealt with today, or lapse.

The Council divided on the motion:

Ayes (9)—The Hons. Frank Blevins, G. L. Bruce, B. A. Chatterton, J. R. Cornwall (teller), C. W. Creedon, J. E. Dunford, Anne Levy, C. J. Sumner, and Barbara Wiese.

Noes (10)—The Hons. J. C. Burdett, J. A. Carnie, L. H. Davis, M. B. Dawkins, R. C. DeGaris, K. T. Griffin (teller), C. M. Hill, D. H. Laidlaw, K. L. Milne, and R. J. Ritson.

Pair—Aye—The Hon. N. K. Foster. No—The Hon. M. B. Cameron.

Majority of 1 for the Noes.

Motion thus negatived.

The Hon. C. J. SUMNER: My point of order now becomes relevant. Perhaps you, Sir, would indicate what is the status of the motion. It was not amended, as one would have assumed the Government could, and would, have done.

The PRESIDENT: I thought that the honourable member's point of order was relevant in the first place, and I have no further explanation in this respect. If the Hon. Dr Cornwall wishes to proceed with his motion, he will have to move it now or at some time today.

The Hon. J. R. CORNWALL: I move:

That Notice of Motion, Private Business, No. 3, standing in my name, be taken into consideration on motion.

Motion carried.

PENSIONER DENTAL CARE

Notice of Motion, Private Business, No. 4: Hon. J. R. Cornwall to move:

That the Legislative Council expresses its serious concern at the inadequate dental care of pensioner patients. The Council deeply regrets the failure of the Government to implement its specific election promise to upgrade public dental services. In particular, it deplores the decision of the Government to abandon plans to train and register clinical dental technicians or dental prosthetists to deal directly with patients requiring full dentures.

The Hon. J. R. CORNWALL: I move:

That Notice of Motion, Private Business, No. 4, standing in my name, be made an Order of the Day for tomorrow.

The Council divided on the motion:

Ayes (9)—The Hons. Frank Blevins, G. L. Bruce, B. A. Chatterton, J. R. Cornwall (teller), C. W. Creedon, J. E. Dunford, Anne Levy, C. J. Sumner, and Barbara Wiese.

Noes (10)—The Hons. J. C. Burdett, J. A. Carnie, L. H. Davis, M. B. Dawkins, R. C. DeGaris, K. T. Griffin (teller), C. M. Hill, D. H. Laidlaw, K. L. Milne, and R. J. Ritson.

Pair—Aye—The Hon. N. K. Foster. No—The Hon. M. B. Cameron.

Majority of 1 for the Noes.

Motion thus negatived.

The Hon. J. R. CORNWALL: I move:

That Notice of Motion: Private Business, No. 4, standing in my name, be taken into consideration on motion.

Motion carried.

CASINO

Order of the Day: Private Business, No. 3: Hon. J. R. Cornwall to move:

That the Legislative Council requests the concurrence of the House of Assembly in the appointment of a Joint Select Committee to inquire into and report on the implications of the establishment of a casino in South Australia and what effect and potential a casino may have on the tourist industry in this State. That, in the event of a Joint Committee being appointed, the Legislative Council be represented thereon by three members, two of whom shall form the quorum of the Council members necessary to be present at all sittings of the committee.

The Hon. J. R. CORNWALL: I move:

That Order of the Day: Private Business, No. 4, standing in my name, be made an Order of the Day for tomorrow.

The Council divided on the motion:

Ayes (9)—The Hons. Frank Blevins, G. L. Bruce, B. A. Chatterton, J. R. Cornwall (teller), C. W. Creedon, J. E. Dunford, Anne Levy, C. J. Sumner, and Barbara Wiese.

Noes (10)—The Hons. J. C. Burdett, J. A. Carnie, L. H. Davis, M. B. Dawkins, R. C. DeGaris, K. T. Griffin (teller), C. M. Hill, D. H. Laidlaw, K. L. Milne, and R. J. Ritson.

Pair—Aye—The Hon. N. K. Foster. No—The Hon. M. B. Cameron.

Majority of 1 for the Noes.

Motion thus negatived.

The Hon. J. R. CORNWALL: I move:

That Order of the Day: Private Business, No. 3, standing in my name, be taken into consideration on motion.

Motion carried.

MOTOR VEHICLES ACT AMENDMENT BILL (No. 4)

Adjourned debate on second reading.

(Continued from 23 July. Page 160.)

The Hon. FRANK BLEVINS: I move:

That this debate be now adjourned.

The Council divided on the motion:

Ayes (9)—The Hons. Frank Blevins (teller), G. L. Bruce, B. A. Chatterton, J. R. Cornwall, C. W. Creedon, J. E. Dunford, Anne Levy, C. J. Sumner, and Barbara Wiese.

Noes (10)—The Hons. J. C. Burdett, J. A. Carnie, L. H. Davis, M. B. Dawkins, R. C. DeGaris, K. T. Griffin (teller), C. M. Hill, D. H. Laidlaw, K. L. Milne, and R. J. Ritson.

Pair—Aye—The Hon. N. K. Foster. No—The Hon. M. B. Cameron.

Majority of 1 for the Noes.

Motion thus negatived.

The Hon. FRANK BLEVINS: The question of insurance is a very vexed one. It encompasses a lot of discussion and a lot of dissension in the community. I want, as briefly as I can, to give some background to what brought this about. It is directly connected with the Bill, because it has to do with the State Government Insurance Commission. I feel it essential to acquaint those people outside Parliament who read *Hansard* of the background of S.G.I.C. being involved in the conflict that the Government hopes to solve by this Bill.

It must hurt Government members to have to put forward a Bill such as this because they totally opposed the establishment of the S.G.I.C. They all philosophically and ideologically are opposed to State intervention in the economy. What happened was that the Labor Government introduced a Bill to establish the S.G.I.C. It was a very strong and very firm intervention by the State into the economy.

The issue was canvassed widely over the years in speeches in this Council. I may, in seeking leave to conclude my remarks later, read those speeches to the Council, because members on the Government side were strongly against the S.G.I.C. being established. They opposed the establishment for ideological reasons. They cannot believe that it is in the interests of the people to have the State controlling sections of the economy, such as the insurance industry. They prefer to have so-called private enterprise doing this, skimming off all the profits, going broke now and again, and setting the whole community in chaos, both in the motor vehicle area and elsewhere.

How many times have we read of insurance companies going broke and leaving people in dire straits? The latest was in the Palmdale Insurance Group case, where Palmdale was involved in the workers compensation area, went broke, and left people without cover. Some cases were settled. Judgment was given and there was no money to pay the claims. That was a typical example of what goes on in the private insurance industry and it is something that the Labor Party will not tolerate.

We believe that protecting the lives of people is first and foremost. We believe in protecting their limbs in the case of workers compensation, and in protecting what they have paid for by hard work. Those things are not protected by companies like Palmdale, so the Labor Party decided that in the interests of the people as a whole there would be a State Government Insurance Commission. After many years of attempting to get the legislation through Parliament in the form in which we wanted it, S.G.I.C. was finally set up. When we set up that organisation we wanted it to include life insurance, because I maintain that no other insurance is more important than life insurance.

The Hon. R. C. DeGaris: What was your mandate for it at the election?

The Hon. FRANK BLEVINS: We had the same mandate as Fraser had for increasing sales tax last night. The important thing was that the then State Labor Government wanted to have life insurance included in the sphere in which the S.G.I.C. could operate.

The Hon. R. C. DeGaris: Can I take you back to Palmdale? Do you think that, where the Government gives a licence for a type of insurance, in giving that licence the Government should be more careful?

The Hon. FRANK BLEVINS: The Hon. Mr DeGaris has raised the very important point of whether a Government, when issuing a licence to an organisation or individual, should accept some responsibility to see that that individual or organisation can carry out, in a proper manner for the people who do business with the individual or organisation, the particular function for which the licence is issued.

The Hon. R. C. DeGaris: The basis of the question is that, where the Government insists on people compulsorily insuring and where it licenses people to do it, the Government should accept some responsibility.

The Hon. FRANK BLEVINS: That is a very good point which should certainly be given a great deal of consideration. I am certainly not speaking for the Labor Party when I give consideration to that. However, I would think that any Government that makes people insure compulsorily (for example, in the workers compensation area and the motor vehicles third party area) assumes some kind of obligation to protect people from companies which fail in their responsibilities. The person who is being compelled to insure, whilst he may have some option as to which company he chooses, certainly has no option as to whether he insures or not. He must insure and, if the Government issues a licence and says that a particular insurer is suitable, I think there is some obligation on the Government to see that the licence is issued and the business conducted is not against the public interest.

That happened in the Palmdale Insurance Company case and to this Government's belated credit it did something about it eventually—and I say 'eventually' because there was a considerable period between the collapse of the Palmdale Insurance Company and the final settlement of claims against that company by some of the people who were insured through that particular company. To answer the Hon. Mr DeGaris, I certainly believe that the Government has accepted some responsibility in the issue that he outlined.

To return to the Bill, or more particularly to S.G.I.C., eventually it was brought into being. It has developed into a very worthwhile and successful operation. We on this side, as socialists, cite it as an example of the kind of intervention that we wish to make into not only South Australia's economy but the economy of Australia as a whole. S.G.I.C., along with the Commonwealth Bank, the State Bank and the Savings Bank—

The Hon. K. T. GRIFFIN: Mr President, I rise on a point of order. Standing Order 185 states:

> No member shall digress from the subject matter of the question under discussion.

This Bill does not deal with things other than breaking the nexus between property damage insurance with S.G.I.C. and third party bodily injury insurance covered by the same company.

The PRESIDENT: Order! I uphold the point of order and ask the honourable member to confine his remarks to the Bill.

The Hon. FRANK BLEVINS: It is a short Bill which seeks to do precisely what the Attorney said in the second reading explanation. I am not arguing about that. However, the Bill does not appear in *Hansard*—only the second reading explanation. I believe that it is of value to people and students who read *Hansard* to give them some background as to how the Bill arrived here. No-one can dispute that had there not been any S.G.I.C. there would be no Bill to correct the problem that has arisen. It is relevant to detail the background of this and discuss how the problem has arisen. I think it is quite typical of the Attorney-General's attitude to Parliament today that he wants to gag a member who is only discussing S.G.I.C. and this Bill.

It appears that there could be some conflict of interest arising in the area of motor vehicle insurance. The conflict could be between one section of S.G.I.C. which deals with property damage, and another section of S.G.I.C. which could be handling a claim for personal liability or a third party claim. That is where the problem arises.

The Hon. R. C. DeGaris: You were better when you were on S.G.I.C.

The Hon. FRANK BLEVINS: I am still on S.G.I.C. The Hon. Mr DeGaris interjected and said that I was better when I was on S.G.I.C.

The PRESIDENT: He did not necessarily say that the honourable member should continue with S.G.I.C.

The Hon. FRANK BLEVINS: This relates particularly to S.G.I.C. I cannot understand how anyone can make a sensible contribution to this debate without dealing in depth with S.G.I.C. I am pleased that the Hon. Mr DeGaris agrees and keeps prompting me to do so. It is quite clear that a conflict has arisen and that there is some difficulty in S.G.I.C. where one section deals with a claim for property damage and another section deals with a claim for third party or personal liability. It is not easy to keep the various divisions separate and in fact at times quite inadvertantly it appears that S.G.I.C. was skating very close to breaking the law, if not on occasions actually breaking the law. This Bill seeks to correct that and, as far as it does that, I support it.

I support everything that enables S.G.I.C. to function effectively and efficiently in the interests of the people of this State. That is the role that it has played, and it is to be commended for the way that it goes about its business. The fact that S.G.I.C. has come up against this problem shows that it is really on the ball and on top of its business and completely in control of what it is supposed to be doing. It is up to Parliament to assist S.G.I.C., and that is what I am trying to do. I congratulate S.G.I.C. on drawing this matter to the Government's attention. It may appear to be a minor matter, but it was giving S.G.I.C. some difficulty.

I look forward to listening to the Hon. Mr Milne, who is presently absent from the Chamber. I am sure that my colleagues who speak after me will ask the Hon. Mr Milne to address us on this point, inform us of the precise nature of the difficulty, and let us know how S.G.I.C. is going. The Hon. Mr Milne has a very intimate knowledge of S.G.I.C., because he was one of the leading lights of that commission before he entered this Council.

The Hon. C. M. Hill: He may be able to make the point in fewer words.

The Hon. FRANK BLEVINS: The Hon. Mr Hill has interjected, quite contrary to Standing Orders, and made some disparaging remarks about the length of my speech. He may take this issue lightly, but I do not. Members on this side do not take Parliament lightly, either. That is what the Hon. Mr Hill and his colleagues are doing today. When there is business before Parliament they are trying to knock off.

The PRESIDENT: Order! I think the honourable member is getting too far away from the point.

The Hon. FRANK BLEVINS: The Hon. Mr Hill, quite contrary to Standing Orders, has this ability to sidetrack the Council.

The Hon. J. R. Cornwall: Down memory lane. Remember when he used to go for 90 minutes.

The Hon. FRANK BLEVINS: Indeed, I have been a bit of a student of the Hon. Mr Hill for the past six years and, although I am certainly not in the same league (nor do I pretend to be) at waffling, I have observed him in the past six years and I am perhaps picking up one or two minor points and developing my skill at waffling under a master such as the Hon. Mr Hill.

The Hon. R. C. DeGaris: Do you see any conflict in S.G.I.C. carrying the third party insurance and another company carrying the property damage?

The Hon. FRANK BLEVINS: There may be conflict, and I would be happy to sit down if the Hon. Mr DeGaris will expand on that matter.

The PRESIDENT: The Hon. Mr DeGaris will have an opportunity. I remind him that he should not keep reminding the Hon. Mr Blevins of S.G.I.C.

The Hon. FRANK BLEVINS: That is central to this issue. It is not possible to debate this Bill without bringing in its whole background. The Hon. Mr DeGaris has raised an important point.

The Hon. K. T. Griffin: It's dealt with in section 125 (3).

The Hon. FRANK BLEVINS: It may not be. I know from observing the Hon. Mr DeGaris over the past six years that he does not raise a question lightly. If the Hon. Mr DeGaris raises this question, then all of us should pause for a moment and think about it, because it just may well be that there is something in it. I am not saying that there is, but I am not willing to dismiss it out of hand. There just may be something in what the Hon. Mr DeGaris says, and I welcome that. If there is a query and he raises it, then he has a duty to put it to members for their consideration before we vote.

That is an important point, and I thank the Hon. Mr DeGaris for raising it in his usual inquisitive and inquiring way. Also, I must say in all fairness to the Hon. Mr DeGaris that the way he goes through these Bills in minute detail is a credit to him as a legislator. True, it may make him the biggest bore in Parliament, but it is a credit to him as a legislator. As I said, I support the Bill. I think that a real conflict has arisen. It is a real problem and we should address ourselves to it.

Therefore, given that I am indicating my support at this stage for the second reading, I look forward to the detailed contributions of all members, many of whom have had much longer than I have had to research this issue. I am sure that as we get into the night and the morning the full intent of the Bill will become clear to members of the Council. Of course, the public outside this Council has not yet, I believe, grasped the full importance of this Bill, which will require detailed scrutiny indeed. I feel that on occasion matters are passed by this Parliament far too quickly and lightly. At times, insufficient time is given by the Government to study Bills, particularly towards the end of a session or getting close to a holiday. Then, things seem to hot up a little.

The Hon. R. C. DeGaris: What about private members' time?

The Hon. FRANK BLEVINS: Clearly, the private—

The Hon. K. T. GRIFFIN: On a point of order, Mr President. The honourable member is not addressing himself to the subject of the Bill.

The PRESIDENT: I agree with that, and I ask the honourable member to discuss the Bill.

The Hon. FRANK BLEVINS: I am certainly not in any way querying your ruling, Mr President, which is perhaps a little harsh. I would like more time to deliberate on this Bill and to seek advice from others who may have an interest, especially as I wish to discuss with the Hon. Mr DeGaris the point that he raised.

The Hon. K. T. Griffin: You can do it in Committee.

The Hon. FRANK BLEVINS: The Attorney-General knows as well as I do that many of these problems can be ironed out to save wasting the time of Parliament if they are discussed outside the formal structure of the debate. It may be that the Hon. Mr DeGaris is completely wrong with the doubts that he sowed in my mind. They may be more imaginary than real. Therefore, I certainly wish more time to consider it.

The Hon. C. M. Hill: What have you been doing in the last fortnight?

The Hon. FRANK BLEVINS: The Hon. Mr DeGaris had not approached me with this problem. Anyway, in order not to waste the time of the Council, I certainly intend to take up this point with the Hon. Mr DeGaris. Therefore, I seek leave to conclude my remarks later.

The PRESIDENT: Is leave granted?

The Hon. K. T. Griffin: No.

The Hon. FRANK BLEVINS: I think that is a further example of how the Attorney, who must have got out of bed on the wrong side this morning, is dealing with the Opposition. I have made a perfectly reasonable request to discuss the problem with a fellow legislator and the Attorney has not even granted—

The Hon. K. T. Griffin: The Bill was introduced on 23 July.

The Hon. FRANK BLEVINS: But that particular point has not been raised.

The Hon. C. M. Hill: You've not even read the second reading explanation.

The Hon. J. R. Cornwall: That wouldn't tell you much, anyway.

The Hon. FRANK BLEVINS: Yes, that is correct. Something should be said about second reading speeches in general. I remember the Hon. Mr Burdett, in particular, when we were in Government, complaining about second reading speeches. I think there was much in his complaint, but I can tell the Council that second reading explanations have not improved since he has been in Government.

The PRESIDENT: I ask the honourable member to tell us some more about the Bill.

The Hon. FRANK BLEVINS: I am so upset by the Attorney's appalling action that I think I will now sit down and allow one of my colleagues to carry the flag on behalf of the Australian Labor Party, but I indicate that, as far as the Bill appears to go, I support it. However, some serious doubts have been raised in my mind by the Hon. Mr DeGaris. While I am supporting it at this stage, obviously, as all members do, I reserve my right to change my opinion on this as the debate develops and more information and hidden traps, as mentioned by the Hon. Mr DeGaris, appear for the scrutiny of Parliament.

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

ADJOURNMENT

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

That the Council at its rising stand adjourned until Tuesday 25 August 1981.

The PRESIDENT: Is the motion seconded?

The Hon. M. B. DAWKINS: Yes.

The Council divided on the motion:

Ayes (10)—The Hons. J. C. Burdett, J. A. Carnie, L. H. Davis, M. B. Dawkins, R. C. DeGaris, K. T. Griffin (teller), C. M. Hill, D. H. Laidlaw, K. L. Milne, and R. J. Ritson.

Noes (9)—The Hons. Frank Blevins, G. L. Bruce, B. A. Chatterton, J. R. Cornwall, C. W. Creedon, J. E. Dunford, Anne Levy, C. J. Sumner (teller), and Barbara Wiese.

Pair—Aye—The Hon. M. B. Cameron. No—The Hon. N. K. Foster.

Majority of 1 for the Ayes.

Motion thus carried.

ADMINISTRATION AND PROBATE ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 6 August. Page 335.)

The Hon. C. J. SUMNER (Leader of the Opposition): I support this Bill but, in doing so, want roundly to condemn the Government for its attitude to this Council. What it has done—

The Hon. K. T. GRIFFIN: On a point of order, that comment is irrelevant to the contents of the Bill.

The PRESIDENT: It could be, and if the Hon. Mr Sumner continues a little further in that vein I will know that he is absolutely out of order.

The Hon. C. J. SUMNER: What we have witnessed here today is a complete contempt of Parliament. The normal courtesies have not been done to the Opposition by the Government. The Opposition—

The PRESIDENT: Order! The Leader of the Opposition knows very well what he wants to say and get through to the Council, but it is quite out of order in the context of the Bill on which he has risen to speak. I draw the Leader's attention to that. There may perhaps be some way in which he can condemn the Attorney's action, but certainly he cannot do so in the debate on this Bill.

The Hon. C. J. SUMNER: I realise that the Government does not want this matter aired; nor does it want its complete bad faith on this issue aired. It does not want its failure to notify the Opposition about the change of programme—

The PRESIDENT: Order! I ask the Leader to relate his remarks to the Administration and Probate Act Amendment Bill, on which he rose to speak.

The Hon. C. J. SUMNER: Although I support the Bill, I am most concerned that today we are being forced to debate this Bill, when it could have been debated tomorrow. Furthermore, there are on today's Notice Paper items that could have been on tomorrow's Notice Paper. The Opposition planned its programme on the basis that Parliament was sitting this week.

The Hon. K. T. GRIFFIN: I rise on a further point of order. Again, the honourable member is digressing from the subject matter of the Bill.

The PRESIDENT: I have already asked the Leader not to do so, and I will not allow him to flout my request. I do not want to have continually to interrupt the Leader with points of order being raised. The Leader knows exactly what he should be doing and, indeed, what he is doing. I therefore ask him not to continue in this vein.

The Hon. C. J. SUMNER: I realise the reasons for the points of order that are being raised by the Attorney-General, because he has completely fouled up the sittings of the Council for this week.

The Hon. M. B. Cameron: You did it all the time when you were in office.

The Hon. J. C. BURDETT: I rise on a point of order. The Leader is again digressing from the subject matter of the Bill.

The PRESIDENT: Quite. The Hon. Mr Sumner must on this occasion debate the Bill, or I will have to take action and ask him to remain in his seat.

The Hon. C. J. SUMNER: The Hon. Mr Cameron has said that when we were in Government the Council used to adjourn when there was no—

The Hon. J. C. BURDETT: I rise on a further point of order.

The Hon. C. J. SUMNER: The Hon. Mr Cameron interjected, and I am answering that interjection.

The PRESIDENT: Order! The Hon. Mr Sumner apparently does not wish to address his remarks to this Bill. I therefore ask him to remain seated.

The Hon. C. J. SUMNER: There is no way, Mr President, in which you can require an honourable member to remain seated. I am debating an issue on the Notice Paper, and I have a right to do so.

The PRESIDENT: Order! For the Leader's benefit, I will read Standing Order 186, which provides:

The President may call attention to the conduct of a member who persists in continued irrelevance, prolixity, or tedious repetition, and may direct such member to discontinue his speech. The member so directed shall resume his seat and not be again heard during the same debate.

The Hon. C. J. SUMNER: I am concerned about the fact that this Bill has come on today in this way—

The PRESIDENT: Order!

The Hon. C. J. SUMNER: —because the Opposition—

The PRESIDENT: Order!

The Hon. C. J. SUMNER: —has been denied—

The PRESIDENT: Order!

The Hon. C. J. SUMNER: —the opportunity—

The PRESIDENT: Order! I will have no option but to name the Leader of the Opposition for refusing—

The Hon. Frank Blevins: He can give an explanation.

The PRESIDENT: Order! I have warned the Leader. Does any other honourable member wish to speak on this Bill?

The Hon. C. J. SUMNER: Mr President, I am speaking on it. Am I being denied my right to speak in this Council?

The PRESIDENT: Yes, indeed, if the Leader will not relate his remarks to the Bill.

The Hon. C. J. SUMNER: That is an even greater travesty than the Government's action. Why was the Opposition not advised that the Council was not going to sit tomorrow? Why were we told only an hour ago that the Council would not sit tomorrow? Why has the Government behaved in this totally disparaging manner? That is what I want to know.

The PRESIDENT: Order!

The Hon. C. J. SUMNER: Parliament ought to sit when the Government lays down its programme. This Government does not want to subject itself to the scrutiny of—

The PRESIDENT: Order!

The Hon. C. J. SUMNER: —Opposition members.

The PRESIDENT: Order! I hope that I have finally got through to the honourable Leader. I intend to name the Leader.

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

That the honourable Leader of the Opposition be suspended from the service of the Council.

The Hon. FRANK BLEVINS: I rise on a point of order. I believe that the Leader of the Opposition has a right to make an explanation to you to explain his behaviour. It may well be that that explanation is not to your satisfaction. However, the Leader has the right to attempt to explain to your satisfaction, before you continue with the motion.

The PRESIDENT: I take the point of order but it is not upheld, because the Leader was named for disregarding the authority of the Chair.

The Hon. FRANK BLEVINS: Therefore, Mr President, I move dissent from your ruling.

The PRESIDENT: There is a motion before the Chair, and we have not dealt with it. The question is 'That the honourable Leader of the Opposition be suspended from the service of the Council'.

The Hon. C. J. Sumner having withdrawn from the Chamber:

The Council divided on the motion:

Ayes (10)—The Hons. J. C. Burdett, J. A. Carnie, L. H. Davis, M. B. Dawkins, R. C. DeGaris, K. T. Griffin (teller), C. M. Hill, D. H. Laidlaw, K. L. Milne, and R. J. Ritson.

Noes (8)—The Hons. Frank Blevins, G. L. Bruce, B. A. Chatterton (teller), J. R. Cornwall, C. W. Creedon, J. E. Dunford, Anne Levy, and Barbara Wiese.

Pair—Aye—The Hon. M. B. Cameron. No—The Hon. N. K. Foster.

Majority of 2 for the Ayes.

Motion thus carried.

The Hon. FRANK BLEVINS: This is an important Bill, although it is only short. In the interests of people who read *Hansard*, I will read it into *Hansard*. I have on my list about 30 people who take a deep and abiding interest in the *Hansard* report, and they will be interested to know what is in the Bill.

The Hon. L. H. Davis: They're not going to know, are they?

The Hon. FRANK BLEVINS: Yes, they are, because I am going to read the Bill into the *Hansard* record. One can hardly say that that is not speaking on the Bill; it is precisely on the Bill because it is the Bill itself. The Bill is an Act to amend the Administration and Probate Act, 1919-1980, and I seek leave to conclude my remarks.

Leave granted; debate adjourned.

NOTICES OF MOTION

The PRESIDENT: The Hon. Dr Cornwall has Notices of Motion on the Notice Paper and, before I call on him, I would like to point out that, had I picked up quickly what is contained in Standing Order 72, it would have indicated to me that a Notice of Motion called on in order and not moved shall lapse. Thus, in actual fact, because I was not quick enough in my interpretation of that Standing Order, the Hon. Dr Cornwall has the opportunity now to proceed with the Notices of Motion. I raise that point, because I do not want what has happened to be a precedent. I gave a ruling, and I made a mistake. I have made this point, because I want to stress that I rule in accordance with the book.

The Hon. J. R. CORNWALL: Yes, Mr President. I am therefore in order in moving:

That Notices of Motion, Private Business, Nos. 3 and 4 and Order of the Day, Private Business, No. 3 be Orders of the Day for the next day of sitting.

Motion carried.

ADJOURNMENT

At 5.4 p.m. the Council adjourned until Tuesday 25 August at 2.15 p.m.