LEGISLATIVE COUNCIL

Thursday 1 October 1981

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

MINISTERIAL STATEMENT: RIVERLAND CANNERY

The Hon. K. T. GRIFFIN (Attorney-General): I seek leave to make a statement.

Leave granted.

The Hon. K. T. GRIFFIN: I have been informed today by the joint Receivers/Managers of the Riverland Fruit Products Co-operative Limited that the co-operative is to be readvertised for sale at the fixed price of $2 250 000. The Receivers/Managers, Messrs J. B. Pridham and J. M. Harvey, informed employees at the co-operative this morning of their intentions and have since issued a general statement to the news media. I am informed that it is intended to advertise nationally the sale of the Riverland Cannery at the weekend and during next week.

The Riverland Fruit Products Co-operative Limited was offered for sale by tender in February this year. No tenders were received, however; interest was expressed by several interstate and overseas parties in the possible purchase of the cannery. I am informed that, in the process of re-advertising the sale, contact will be made with those interstate and overseas groups who earlier expressed interest and with whom some negotiations took place.

The cannery recently negotiated an agreement in principle with Henry Jones Limited to produce that company's 1982 general products requirements and it is in light of this agreement that it has been decided to readvertise the sale of the cannery. It is envisaged that the coupling of this recently negotiated agreement with the fixed price being asked for the cannery will present an attractive proposition to any prospective buyers. The price of $2 250 000 represents the value of the land, the plant and equipment. It is anticipated that the purchaser will be able to give a commitment with respect to the continued operation of the cannery.

QUESTIONS

CO-OPERATIVE TAKE-OVERS

The Hon. B. A. CHATTERTON: I seek leave to make a short explanation before asking the Attorney-General a question about co-operative take-overs.

Leave granted.

The Hon. B. A. CHATTERTON: My question relates not to the Ministerial statement that the Attorney-General has just made but to a more general question involving the take-over of co-operative ventures. In this State, we have just had a take-over of the Safcol organisation by a group of investors. Also, there has recently been an offer from Hardy's Wines for the Barossa Co-operative Winery. In both cases it has been very difficult for the grower-producer members of the co-operatives to judge accurately the real value of their shareholdings. Because co-operative shares are not quoted on the Stock Exchange and are not readily sold, it is very difficult to find out the real value of the assets, goodwill, and so on that these shares represent. It has been very difficult for producers in both these instances to know whether they are getting a fair deal from the people who have been making an offer for those co-operatives.

Recently, legislation passed in this State providing a code of practice for company take-overs has improved that situation quite considerably. However, it seems as though there is a need for the Government to investigate the situation of take-over of co-operatives to try to provide a code or some independent assessment which would help producers to make a sensible decision regarding their shareholdings. Has the Attorney-General been able to investigate this situation and, if not, could he set up a working party or investigating committee to look into the matter of co-operative take-overs to try to resolve this problem of giving the producers an idea of the true value of their shareholdings?

The Hon. K. T. GRIFFIN: There are fewer than 100 co-operatives in South Australia. Notwithstanding that, some consideration has been given to the way in which the take-over of co-operatives ought to be managed. It is intended that, in the legislation which I hope to introduce later this year for a new Co-operatives Act, greater attention will be given to the take-over of co-operatives. This matter is most inadequately dealt with in the current Industrial and Provident Societies Act. For many members there is not the access to information that one ought to be able to expect, the sort of information which is readily available now under the new national companies and securities scheme legislation and which was required under the interim South Australian Company Take-overs Act.

I expect that some attention will be given to this question when the new legislation is introduced. The honourable member has mentioned two instances when take-overs have been proposed, one being the Safcol take-over. That was a rather complex case which, in addition to involving a co-operative, also involved a number of related companies, so that to some extent the provisions of the Company Take-overs Act applied in relation to those companies involved in the Safcol take-over. The Kaiser Stuhl issue is different because that is solely a co-operative. I am not able to make any comment on that case, except to indicate that, whilst there is not any direct power in the Industrial and Provident Societies Act to take action, certainly the situation is being monitored by the Corporate Affairs Commission. It really can only have a watching brief in this instance.

HOME FOR THE AGED

The Hon. J. R. CORNWALL: I seek leave to make a brief explanation prior to directing a question to the Minister of Community Welfare concerning the Magill Home for the Aged.

Leave granted.

The Hon. J. R. CORNWALL: The Magill Home for the Aged has been available for the aged poor of South Australia for very many years. It has provided both hostel and nursing home beds for the invalid and aged of South Australia since the Playford era, and indeed, before. Under successive Labor Administrations, the hostel accommodation was upgraded. There was also some improvement in infirmary accommodation. However, there seems to be evidence that, under the present Government, facilities at the home are being actively run down. In November last year, infirmary patients were transferred from the Atkinson Ward to the Queen Mary Ward pending substantial renovation and upgrading of Atkinson Ward. This ward would provide accommodation for 18 patients. Their accommodation in Queen Mary Ward is substandard.

Nursing staff told me, when I was on a recent visit to the Magill Home, that they were working in the ward under

intolerable conditions. My own observations confirmed that. Even worse, the patients, who are in the ward 24 hours a day seven days a week, are existing under appalling conditions. The accommodation situation, because that work has not proceeded in the Atkinson Ward, is such that there is a policy of non-admittance of patients to the nursing home beds. In other words, nursing home patients, despite the fact that they come from the poor aged, are not admitted. Despite this, work has not commenced on the upgrading of the Atkinson Ward, and despite an acute shortage of nursing home beds the building remains empty and derelict. There is no indication that the work will ever begin. Again, we see the high price of small government.

Does the Government have any intention of allocating funds to carry out the renovation and upgrading of Atkinson Ward? Have funds been made available in the 1981-82 Budget, and is there any substance in the report that Atkinson and Queen Mary Wards will be permanently closed and the beds transferred to Windana?

The Hon. J. C. BURDETT: A delay has been experienced in the total programme for redevelopment of Magill Home. Major redevelopments of three hostels and two infirmaries have been completed. It is anticipated that the work necessary to upgrade the remaining two infirmaries would cost about $2 000 000.

The Hon. J. R. Cornwall: This is scandalous; you ought to get another quote.

The PRESIDENT: Order!

The Hon. J. C. BURDETT: The dilemma of substandard accommodation needing to be upgraded and the amount of money which the upgrading would require has led the department to have discussions with the Health Commission about the availability of infirmary care facilities which are immediately available and of a high quality. A decision on the direction that Magill Home infirmary care should take will be made later this month and will be based on the needs of the residents currently in Magill Home infirmary care, the availability of suitable accommodation, and the availability of funds. The master plan for Magill Home development, which was approved in 1973, will be reviewed in the light of decisions about the immediate future of infirmary care. The results of this review should be available this month.

The Hon. J. R. CORNWALL: I wish to ask a supplementary question. Where is the infirmary accommodation of good quality, to which the Minister referred, located? Is it at Windana, and what is the estimated cost of upgrading Atkinson Ward?

The Hon. J. C. BURDETT: Windana is being considered. The estimated cost of upgrading Atkinson Ward, taken on its own, I am not aware of. I will ascertain a figure and advise the honourable member of it.

PLANNING APPROVAL

The Hon. C. J. SUMNER: I seek leave to make a brief explanation before asking the Minister of Local Government a question about planning approval and the Glenelg council.

Leave granted.

The Hon. C. J. SUMNER: My question relates to the approval given by the Glenelg council to a proposal to build a 12-storey residential apartment building at 20 South Esplanade, Glenelg. This matter has received prominence previously, because an allegation was made that the high-rise property would block the sunlight from an adjoining owner (who happens to be, I should say, the Attorney-General). There are a number of allegations which have been referred to me and which require further investigation. They are:

1. The zoning is R.2 and would not normally permit this sort of development.

2. The developer, Ray McGrath of Ray McGrath Pty Ltd, licensed land agents, was also a member of the Glenelg council when permission was granted, although he did not participate in the decision on this project at the council meeting.

3. The original application was for a nine-storey building only, but approval was eventually granted for a 12-storey building.

4. The property was owned by Saltram Investments Pty Ltd. It is alleged that Mr McGrath obtained an option to purchase the shares in Saltram Investments in September 1980 for approximately $375 000. The option was open until September 1981. In October 1980 an application was lodged through Ray McGrath for council approval and this was granted on 18 February 1981. On 23 September 1981 the property was transferred for $635 940 to another developer, McMahon Constructions.

5. If this is true then, McGrath's interest for a period of some 12 months in the investment has produced a huge profit for a very small outlay.

6. It has been alleged that on 6 November 1979, Mr McGrath, as Chairman of the Glenelg Planning Committee, used his casting vote to defeat a similar proposal for a nine-storey, 27 unit high-rise proposal at No. 10, North Esplanade, Glenelg.

These allegations, if true, are very disturbing and would warrant a thorough inquiry into the circumstances surrounding this development. Will the Minister investigate the above allegations with a view to an inquiry into the circumstances surrounding the granting of planning approval for this development?

The Hon. C. M. HILL: I will have the matter investigated.

FINANCIAL IMPACT STATEMENTS

The Hon. FRANK BLEVINS: I seek leave to make a brief explanation before asking the Attorney-General, representing the Treasurer, a question about financial impact statements.

Leave granted.

The Hon. FRANK BLEVINS: All members of the Council would be aware of the so-called family impact statements that are allegedly made prior to legislation coming before Parliament.

The Hon. B. A. Chatterton: They don't use them very often.

The Hon. Anne Levy: They don't tell us—

The Hon. FRANK BLEVINS: Whose question is this? I said 'alleged', because if they exist at all they are not made public, so we have no way of knowing whether they exist or, if they do, whether they are acted on. Since it seems as though the idea behind these statements has some merit, it is a pity that the Government does not provide them so that they can be evaluated. Recently, I was made aware of moves by the Federal Government to have financial impact statements made for all Bills and amendments to Bills coming before Federal Parliament. Some of the things that the proposed financial impact statements will take into account are the estimated revenue or loss of revenue implicit in a proposed Bill to the end of the first complete fiscal year; the estimated cost to the Government of implementing the proposed Bill and the probable recurring annual cost; and its estimated cost to industry or other sections of the community and the likely recurring annual

cost. It seems to me that that gives it a right to pursue anything. I believe that this matter is worth considering. Since the conservative side of politics is initiating these actions federally, I wonder what this Government is doing about it locally. Has the Government given any consideration to introducing a system of financial impact statements on the Bills and amending Bill put before this Parliament?

The Hon. K. T. GRIFFIN: Family impact statements are alive and well: they exist and they are acted on by the Government. Regarding financial impact statements, the Government in some respects has already been taking into account the financial impact of the various initiatives, including initiatives that require legislation, so that *de facto* some aspects of such statements exist at present. I will refer the detail of the question to the Premier and, if there is anything further to add, I will bring back a reply.

WORKERS COMPENSATION

The Hon. J. E. DUNFORD: I seek leave to make a brief explanation before asking the Attorney-General a question about workers compensation.

Leave granted.

The Hon. J. E. DUNFORD: You, Mr President, may recall that on 2 June I asked numerous questions about workers being robbed and ripped off with the collusion of the Industrial Commission in relation to section 41 (2) of the Workmen's Compensation Act. If one reads *Hansard* for that day, one will see that the Attorney stated that he did not know what I was talking about. He also said that I had made accusations and cited names of Labor and Liberal lawyers in this State ripping off the workers. The *Hansard* report for 2 June (page 3654) is as follows:

The Hon. J. E. DUNFORD: That was 11 May, and it is now 2 June, yet he [the Attorney-General] said that he was going to reply as soon as possible. This letter is all about workers being robbed in the workers compensation court—the Industrial Commission—and about workers having money taken out of their pockets . . .

The Hon. K. T. Griffin: What about Harrison?

The Hon. C. M. Hill: Which Harrison is that?

The Hon. J. E. DUNFORD: I am quoting from the official report. It continues:

The Hon. J. E. DUNFORD: He is mentioned in the letter. What about Genders, Wilson and Partners?

The Hon. N. K. Foster: He's a Minister!

The Hon. J. E. DUNFORD: He's a Minister. It is a breach of the Workmen's Compensation Act. I will now read section 41 (2) of the Workmen's Compensation Act.

The PRESIDENT: Order! Does that explain your question?

The Hon. J. E. DUNFORD: It certainly does, Mr President. Without reading this section I might just as well have said nothing at all. Section 41 (2) of the Workmen's Compensation Act states:

> No legal practitioner acting for a workman shall be entitled to recover from that workman any costs in respect of any proceedings under this Act or to claim a lien in respect of such costs on or to deduct such costs from any sum awarded as compensation unless those costs have been awarded by the Court.

That is the Industrial Court. At that time, the Attorney-General did not understand me, and wanted more information. I gave him the full particulars, including details of the person concerned and the date. The Attorney then said that he would act. Well, he has acted. I received from him a letter which was dated 7 September and which referred to fees and a lot of rubbish that I could not understand.

I have received a letter from a constituent who knows the Attorney's new duties and the people under his control. So that the Attorney will never be confused again, I will read to him this brief letter, which is addressed to me. It is as follows:

Dear Mr Dunford

Re: Trust Account Audits 1981—Section 41 Workers Compensation Act, 1971-1978

I refer to our earlier discussions and correspondence relative to the above topic. You will recall that last April—

that was not the date—

you asked questions in the House of the Attorney-General in relation to audits and asked him to table in the House my letter of 20 March 1981 to Mr Boehm. So far, as I understand it, nothing has occurred.

Enclosed is a copy letter of even date to the Registrar of the Supreme Court who has now taken over the duties of the Master in relation to audits. I believe that the Registrar is under the direct control of the Attorney-General.

You may find it of interest to present further questions to the Attorney-General on this topic. For example, what steps has he taken to see that all of those named in the letter to Mr Bollen, Q.C., have been thoroughly audited this year with a view to discovery whether section 41 has been breached?

The Hon. K. T. Griffin: Who is your constituent?

The Hon. J. E. DUNFORD: The Attorney-General knows this person and has mentioned him before, so I will not state his name now. I refer now to a letter from my constituent to a person under the Attorney's control, namely, the Registrar of the Supreme Court, regarding trust account audits in 1981. The letter states:

As you know, the honourable the Chief Justice ordered a special audit of my trust account for period 1 July 1977 to 3 August 1981 inclusive as a consequence of my appeal against a general audit as ordered by Master Boehm following upon the notice of motion and supporting affidavit in matter No. 553 of 1981. You have correspondence on file relative to that matter, but, for convenience, I enclose a further copy of my letter of appeal to Master Boehm of 20 March 1981 and its annexures. Particular attention is drawn to my copy letter to the President of the Law Society, Mr D. W. Bollen, Q.C., dated 12 February 1981 annexed thereto relative to deductions of costs by practitioners—

not just one person—

from compensation moneys. As you will see, Master Boehm called for a general audit of my Trust Account, on the face of it, back to 1967 on the basis of an unestablished action against me in the matter referred to above. That matter is now under 'appeal' to the Privy Council and the Report of the Statutory Committee is subject to an order *nisi* for *certiorari* to quash, but I put that to one side—

The letter continues:

The PRESIDENT: Order! How much longer is the letter?

The Hon. J. E. DUNFORD: It is very brief. It is important for me to get the message across, as my constituent has asked me to give the evidence—important evidence—in this Parliament. The letter continues:

—and I do not make any complaint to you relative to that. However, my auditors have now proceeded to inspect every one of my files, office and trust ledgers for the period 1.7.80 to 30.6.81 inclusive. The costs to me will be in excess of $8 000. Again, I do not complain if this is the new order of things.

My constituent does not complain if that is the new order of things. The letter continues:

It must be lived with. What I do object to is being singled out for special treatment and additional expenses.

Contemplate. When I was suspended from practice on 13 May last I had some $400 000 in trust and an additional amount has been paid in since then of about $200 000. My trust account has at no time been frozen by the court.

I understand that what the auditors are seeking to discover is whether I have deducted any moneys from compensation funds, during this financial year, in contravention of section 41 of the Workers Compensation Act or the similar provisions under the Criminal Injuries Compensation Act.

The PRESIDENT: Order! I am sure that the honourable member could convey some of this material to the Attorney-General—

The Hon. J. E. DUNFORD: The letter is nearly finished. The Attorney asked for more evidence. I have written to the Attorney and got no result at all. The letter has only two remaining paragraphs. The letter continues:

I now say that, if I am to be put to this difficulty and expense, then all other practitioners who have in the past deducted moneys from compensation either in the face of section 41 of the Workers Compensation Act or similar provisions of the Criminal Injuries Compensation Act, ought to have their trust accounts to be subject to the same rigorous audit. In this regard, I draw attention to the schedule attached to my letter to Mr Bollen, Q.C., President of the Law Society, dated 12 February 1981 now in exhibit MH (3) to my affidavit of 17 June 1981 in matter 1686 of 1981. I draw similar attention to the contents of exhibit MH (1) to my affidavit of 18 June 1981 in matter 1698 of 1981.

It is my respectful submission that, in order to eliminate any possible breaches of section 41 of the Workers Compensation Act and the similar provisions of the Criminal Injuries Compensation Act, it is necessary for you to ask each auditor to make a specific report this year as to the measures taken by those auditors to ensure that these provisions have not been breached. It is suggested, with respect, that such a directive should include a direction to the auditor Mr Wise, who I believe audits a number of trust accounts named in the schedule referred to above. My prediction is that, notwithstanding the continued use of 'all up figures'—

The PRESIDENT: Order! The honourable member did say he had only two paragraphs to read. I have been as tolerant as one could expect.

The Hon. J. E. DUNFORD: There are only three lines remaining.

The PRESIDENT: Three lines will be the finish.

The Hon. J. E. DUNFORD: The letter continues:

My prediction is that, notwithstanding the continued use of 'all up figures' in Industrial Court settlement orders and similar problems relating to settlements under the Criminal Injuries Compensation Act in other courts:

(a) Some 50 per cent of practitioners will continue not to send out trust statements.

(b) Deductions will continue to be made from compensation moneys for costs not sanctioned by the court despite the decision of Stanley DP in *Hubbard v State of South Australia.*

(c) But it is not likely that you will receive any audit reports which make complaint of these situations.

I have explained the question before. If the Attorney looks at the matter, he will see that the workers are being robbed.

The PRESIDENT: After that explanation, have you a question?

The Hon. J. E. DUNFORD: My question is this: will the Attorney take into consideration the information that he requested previously so that, if he is to sue one lawyer for breach of section 41d, he will also consider the information that I have made available to him and sue every lawyer who has robbed workers in this State, and challenge the judges of the Industrial Court who have allowed this Act to be breached? Will the Attorney also pursue all the questions I have asked and give an honest answer? One cannot make a law for one group and not for another.

The Hon. K. T. GRIFFIN: All my answers are honest. The honourable member is obviously raising matters which are currently before the courts—

The Hon. J. E. Dunford: They are not *sub judice.*

The PRESIDENT: Order!

The Hon. K. T. GRIFFIN: —in respect of his constituent. Accordingly, I am not prepared to answer any question which relates to that person's activities or the initiatives being taken under the Legal Practitioners Act in various jurisdictions.

The Hon. Mr Dunford is under a misapprehension that I am in fact prosecuting his constituent; that is not so. He has been investigated by the Statutory Committee; then the matter is in the hands of the Supreme Court. I do not prosecute in any of those cases. Discipline cases are matters for the Statutory Committee and then the Full Supreme Court of South Australia. The Attorney-General does not act as prosecutor. It is wrong for the honourable member to suggest that either I am prosecuting his constituent or that I should prosecute other practitioners for some other rather obscure reason which seems to me to be an attempt by the Hon. Mr Dunford's constituent to drag others into the mire into which that constituent already is.

The Hon. J. E. Dunford: You are probably in it yourself.

The PRESIDENT: Order!

The Hon. K. T. GRIFFIN: I will endeavour to understand what the honourable member has read into *Hansard.* If it requires further action, I will attend to it. If not, that will be the end of it.

The Hon. C. J. SUMNER: I desire to ask a supplementary question. Will the Attorney-General investigate allegations that other practitioners or other firms of practitioners have been in breach of section 41d of the Workers Compensation Act in deducting costs from lump-sum amounts, when that section prohibits that practice?

The Hon. K. T. GRIFFIN: I have had no indication that there has been any breach of the law. The Hon. Mr Dunford makes wild allegations, but there is no evidence to establish even a *prima facie* reason before any inquiry.

The Legal Practitioners Act requires audits to be undertaken of legal practitioners' trust accounts. I have no responsibility for those audits. The auditors are directly responsible under the Legal Practitioners Act to file statements with the master of the Supreme Court. The industrial jurisdiction is not within my responsibility, and the area of workers' compensation is properly a matter within the jurisdiction of the Industrial Court. Any settlement which has been recorded in the Industrial Court is really a matter for that court.

The Hon. J. E. DUNFORD: By way of supplementary question, it appears that the Attorney-General has brushed me off again. I believe that he does not understand what I said. He wanted more information. Can I inform the Attorney-General of cases of which I am aware?

The PRESIDENT: You are asking a supplementary question?

The Hon. J. E. DUNFORD: Will the Attorney-General investigate the cases that I now report to him?

The Hon. K. T. GRIFFIN: If the honourable member would care to forward whatever information he says he has I would certainly be happy to look at it.

The Hon. J. E. DUNFORD: That is not satisfactory to me. I want to table it in the Council.

The PRESIDENT: Do you wish to ask a supplementary question?

The Hon. J. E. DUNFORD: Will the Attorney-General investigate the following complaints:

No.	Date	Name of Worker	Firm Acting For Worker
1383A/76	22.3.78	G. Mortino	Wallman & Partners.
1362A/78	25.8.80	M. Halliwell	Groom Carabelas.
192/77	25.7.78	R. R. Ballantyne	Scammell Skipper.
2359/77	1.12.78	E. C. Jordon	Stanley & Partners.
2045/74	23.3.77	A. Millani	Penna & Co.
510/76		K. Sakolevidis	Floriani & Fuller.
1546/76	23.3.77	T. Grasso	J. Pertl.
3606/76	26.4.77	E. K. Nezeris	N. Niarchos.
1195/76	22.9.77	A. Sharp	Tucker & Sons
2785/75	27.5.77	R. Lee	Johnston Layton Withers & Co.
3265/76	9.5.77	A. Erceg	Grivec Grasso & Co.
898/77	17.5.77	E. Albanese	Mouldens

Members interjecting:

The Hon. J. E. DUNFORD: It may be a laughing matter to the Attorney-General, who brushed it off a few months ago. Really, as it involves workers, their future and their money, it is no laughing matter. I ask you, Mr President, to bring the Council to order. The list continues:

No.	Date	Name of Worker	Firm Acting For Worker
2528/76	5.5.77	A. Panakis	Jarratt & Ass.
939/76	28.4.77	G. J. Brown	Cocks Duncan & Co.
257/79	16.7.79	A. Daldry	Davey Dyke & Co.
3080/76	13.7.77	J. T. Burford	Anderson Evans & Co.

The Hon. M. B. Cameron interjecting:

The Hon. J. E. DUNFORD: Mr President, I ask you to control Mr Cameron.

The PRESIDENT: I ask the Hon. Mr Dunford to continue.

The Hon. J. E. DUNFORD: I plead for your protection, Mr President. The list continues:

No.	Date	Name of Worker	Firm Acting For Worker
3355/76	14.11.77	V. Andresakis	A. F. Johnson & Co.
267/76	1.4.77	K. F. Duggan	Groom & Co.
278/76		S. Caperna	Genders Wilson & Co.
3266/77	11.1.80	P. Dais	Tindal Gask & Co.
2948/78	23.5.80	A. Kolouos	Johnston Withers McCusker & Co.

Finally, I inform the Attorney-General that the list is still continuing.

The Hon. K. T. Griffin: Is this part of your question?

The Hon. J. E. DUNFORD: I am continuing by saying that the Attorney-General has a duty as Leader of the Government in this Council to investigate the worst type of crime that I have ever seen. I know that he will brush it off.

The Hon. K. T. GRIFFIN: I rise on a point of order. The honourable member did not obtain leave to make a statement. The names were part of his question, and he is now digressing from the question.

The PRESIDENT: I uphold the point of order.

The Hon. J. E. DUNFORD: I have left four names out. The list continues:

No.	Date	Name of Worker	Firm Acting For Worker
2462/78	20.2.80	G. L. M. Painter	D. H. Wilson
445/73	22.5.73	R. A. Reid	Reilly Ahern & Kerin
1435A/78	19.6.79	N. B. Dunlop	Bowen Pain Morris and Company
2204/76	7.6.79	M. Milos	Lee & Partners
2926A/78		D. Varsos	Christou & Co.

If the Attorney-General is concerned about the welfare of workers under the Workers Compensation Act and if he is concerned about the law of this State, will he investigate the matter and give a full report to the Council?

The Hon. K. T. GRIFFIN: I will examine the information that the honourable member has read into *Hansard*.

EDUCATION FUNDING

The Hon. ANNE LEVY: I seek leave to make a brief explanation before directing a question to the Minister of Local Government, representing the Minister of Education, about funding within the Department of Further Education.

Leave granted.

The Hon. ANNE LEVY: I raise this matter as I sometimes fear that the priorities which are being applied by the Department of Further Education may be discriminating, either intentionally or otherwise, against disadvantaged groups in our community. It is a well documented fact that women have been disadvantaged educationally. They have, on average, fewer years of schooling, and they are less likely to have education in the science, technology and trade areas than are men. It is very important, then, for them to have entry to education readily available, and special provisions should be made for them to have second chances through the Department of Further Education.

It is certainly also well known that women tend to be very rare in D.F.E. trade training courses. It is also a fact that they are much closer to equality of numbers with men, and perhaps even exceed them, in adult Matriculation courses and adult pre-Matriculation courses, so that any cut in funds for adult Matriculation courses and pre-Matriculation courses will disproportionately affect women, while increasing funds for trade training courses will disproportionately benefit men. If such a transfer is occurring within the Department of Further Education, it would then be a transfer from a disadvantaged group (that is, women) to men.

The question I wish to ask cannot be determined from the statement of receipts and payments which was presented to this Chamber a week or so ago. It may be that the information will be readily available from the programme performance budget when it becomes available. I know that this has been promised to us, but it is not yet possible to see whether the information will be obtainable. First, what is the total sum to be spent on adult Matriculation and pre-Matriculation classes by the Department of Further Education in 1981-82, and what sum was spent on the same classes in 1980-81? Secondly, what total sum is being spent on trade training courses by the Department of Further Education in 1981-82, and what sum was spent on these same courses in 1980-81? Also, are any special efforts being made to attract women into the trade training courses and, if so, what are those efforts?

The Hon. C. M. HILL: I will find out that information from my colleague and bring it back to the honourable member.

INSURANCE BROKERS

The Hon. C. J. SUMNER: Is it the intention of the Minister of Consumer Affairs to introduce legislation to deal with insurance brokers and, if so, when?

The Hon. J. C. BURDETT: Yes, it is my intention to introduce such legislation, as I have announced publicly. I will introduce the legislation as soon as I can get it drafted and before the Council. It is in an advanced stage of preparation.

CONSTITUTIONAL CONVENTION

The Hon. C. J. SUMNER: I seek leave to make a brief explanation before directing a question to the Attorney-General about the Constitutional Convention.

Leave granted.

The Hon. C. J. SUMNER: In September 1979 the Premier promised that a Constitutional Convention would be held in South Australia to discuss a number of matters, including the calling of early elections. That convention was apparently to include public participation. Since that time, various statements have been made about this matter by the Premier and the Attorney-General: the last time, I think, in this Council in July. I have put the view that, if such a convention is to be held, it will be pointless if all it

does is discuss the narrow issue of the early calling of elections. I understand that the Attorney-General indicated that the convention would be held in November.

First, how is planning proceeding for the Constitutional Convention? Secondly, can the Attorney advise the Council when it will be held and what will be the format of the convention? Also, who will be the delegates and what topics will be discussed?

The Hon. K. T. GRIFFIN: Planning is well advanced, and dates have been arranged. It is a matter of tying up some loose ends before all the details are made public.

The Hon. C. J. Sumner: What are the dates?

The Hon. K. T. GRIFFIN: I would expect that by the time we resume I will be in a position to give detailed information to the Council as to the arrangements for that conference.

CLASS SIZES

The Hon. ANNE LEVY: I seek leave to make a brief explanation before directing a question to the Minister of Local Government, representing the Minister of Education, about minimum class sizes.

Leave granted.

The Hon. ANNE LEVY: I have been given to understand that there is an unofficial limit on class sizes of seven students, below which the Education Department and the Department of Further Education will not consider running a class. In other words, if a class within the Department of Further Education falls below seven students in number, it is then to be discontinued as not being worth pursuing, even though the people may have enrolled in good faith, expecting to receive the course of instruction. On the other hand, I believe that there is a school in this State in the metropolitan area which has a total enrolment of six students. It is a private school with an enrolment of fewer than seven pupils. As I have said, the Education Department does not feel that it is worth having a class of that size.

The Hon. R. J. Ritson: Are they all of one family?

The Hon. ANNE LEVY: No, I believe not. It is a private high school which had a total enrolment, I am told, of four students last year and six students this year. Will the Minister say whether the same guidelines in relation to the size of a school apply in relation to the registration of private schools? Is a private school with an enrolment of six or seven pupils eligible to be registered and to receive subsidies from the Government? If the answers to both those questions is 'Yes', how can the Government square that with the fact that it will not provide classes in public school where less than seven students are involved?

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

HOUSING

The Hon. BARBARA WIESE (on notice) asked the Minister of Community Welfare:

1. How many properties does the Department of Community Welfare own which are or could be made suitable for housing?
2. How many of these are currently used for that purpose?
3. How many are vacant?
4. Can the Minister estimate how many people could potentially be housed in currently vacant Department of Community Welfare properties?

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

1. *(a)* 23 properties. Used for purposes other than staff accommodation.

(b) 126 properties. Used for staff accommodation.

2. *(a)* 22 properties. These are currently used for residential care purposes.

(b) 111 properties. These are currently used for staff housing.

3. *(a)* 1 property.

(b) 15 properties. Of these, one is in the metropolitan area and residential use is planned. The remainder are in country locations. Some are waiting staff to be allocated to the area. Others are temporarily vacant because staff have acquired their own home.

4. *(a)* Alterations are needed to the one property if housing is to be considered.

(b) None in the metropolitan area or country areas.

The Hon. BARABARA WIESE (on notice) asked the Attorney-General:

1. How many properties does the Highways Department own which are or could be made suitable for housing?
2. How many of these are currently used for this purpose?
3. How many are vacant?
4. Can the Minister estimate how many people could potentially be housed in currently vacant Highways Department properties?

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

1. 864, comprising 803 houses and 61 flats.
2. 829, comprising 776 houses and 53 flats.
3. 35, comprising 27 houses and 8 flats.
4. The circumstances of the 35 vacant properties are as follows:

(i) under negotiation to let	3
(ii) awaiting demolition for roadworks	6
(iii) unsuitable for letting because of structural failure and other serious structural deficiencies, condition is beyond economic repair and demolition is impractical because of semi-detached status with other sound structures	9
(iv) occupied by squatters	3
(v) under repair prior to reletting	8
(vi) declared surplus and in process of being sold	6
Total	35

Accordingly, of the 35, 14 can be expected to be ultimately let to legal tenants and 6 sold to provide private accommodation. The Department is unable to estimate how many people would be housed.

BUDGET PAPERS

Adjourned debate on motion of Hon. K. T. Griffin:

That the Council take note of the papers relating to the Estimates of Payments and Receipts, 1981-82.

(Continued from 30 September. Page 1280.)

The Hon. B. A. CHATTERTON: The Government's Budget is obviously an embarrassment to the Liberal Party. After many years of rhetoric about the immorality of Budget deficits, it is a continuing embarrassment to the Government that it has had Budget deficits of record proportions with record transfers of loan funds to recurrent expenditure. It is very interesting to see how superficially

the Hon. Mr Davis treated this whole matter in his contribution. Yesterday, he felt that he could dismiss the Budget deficit by referring to a few emotive matters of expenditure and saying that the deficit was not really the present Government's fault but that it was the fault of the previous Labor Government. The Hon. Mr Davis felt that he just had to mention names such as Golden Breed, the Frozen Food Factory, Samcor, and the Land Commission. He never really explained why those items of expenditure could be incorporated into a Labor Budget without causing a deficit yet, when the Liberals came to power, they were unable to cover recurrent expenditure.

The Treasurer has said that everything will be all right in the future. He seems to be very optimistic that investment in this State will solve the Government's problems. He mentioned mining ventures, an oil refinery at Whyalla and other projects. I would like to examine in detail one of the industrial development projects that the Premier has been fostering which, according to the Premier's statements, will be in operation very soon. I refer to the proposed A.P.M. plant at Snuggery which will produce t.m.p. pulp. If this particular industrial development is an example of the industrial development that the Premier is aiming for in this State, we will see a further decline in this State's economy, and employment in this State will certainly not expand to its potential level.

In late 1979 and early 1980 the Premier and the Minister of Forests had a brainstorm. They thought it would be a good idea to try and one-up the Labor Party's proposal to export wood chips by moving on to the next stage and establishing a t.m.p. plant. They instituted a feasibility study to investigate the whole proposal. Unfortunately, a few months later they disbanded the feasibility study team before it produced any reports. Since then there has been a headlong rush into the project without any analysis of the costs or the benefits for South Australia. I have examined the proposal and the various options that are available to the Government.

The first option was the export of wood chips, which was the original proposal that the Government had before it when it came to power. This involved the export of 3 000 000 tonnes of wood chips from Portland over 10 years. At that stage the Government held 60 per cent of the shares in the Punwood company, which was to export wood chips. The estimated cost of building the wood chip loader, which was the only major item of expenditure required, was $8 000 000. The provision of 300 000 tonnes a year, which was included in that contract, came from not only the sustained yield of the forest but also from an accumulated surplus of small round wood thinnings. After 1990, it would not have been possible to sustain an annual harvest of 300 000 tonnes, and the export of chips would have had to be reduced to a figure of about 230 000 tonnes a year.

The estimated employment in forests from wood chipping, transport, and so on, would have been about 140 people. Now, we have before us a proposal for A.P.M. to build a plant at Snuggery to process the wood chips into wood pulp. Because the life of that plant is probably more than 50 years, it is uneconomic to build a plant that would process 300 000 tonnes of wood chips annually in the knowledge that that level of production could not be sustained for more than 10 years. The Government's proposal involves a contract with A.P.M. for 230 000 additional tonnes of wood chips. A.P.M. currently owns the Cellulose company, which uses 30 000 tonnes, so when the new t.m.p. plant is in operation, it will utilise 260 000 tonnes.

The utilisation of small round wood thinnings in the South-East is so much lower than what would have been the case with the export of wood chips. A problem arises in regard to forests that are not adequately thinned. The Assistant Director of the Woods and Forests Department has already warned the Government that the time delays involved in the A.P.M. proposal and the lower level of exploitation of thinnings will put great stress on the management of the forests in the South-East in regard to saw log. Saw log is the most important output of the forests and, of course, it is the basic resource for Government and private sawmills in the South-East. These sawmills are the largest employers. If the forests are not thinned adequately at this stage, in 10 or 15 years, when the first thinnings of saw log are taken from them, the production will be reduced considerably.

Therefore, the Assistant Director of the Woods and Forests Department has recommended that the department not wait until this project is in operation but begin thinning operations immediately by cutting trees and letting them lie on the ground to rot. He believes that this would be a good investment in the long term. According to my analysis of the project, there are three options: the wood chip option; the A.P.M. proposed plant with good forest management, that is, the cutting of surplus thinnings for waste; and bad forest management, that is, to leave the forests unthinned but to take the consequent loss in production of saw log into the 1990s and beyond. Examining these three options, I have been able to compare the Government's revenue in each particular case. I seek leave to have incorporated in *Hansard* without my reading it a table of figures relating to Government revenue from the forests under the three options.

Leave granted.

GOVERNMENT REVENUE COMPARISONS

	Punwood woodchip exports	A.P.M. proposed t.m.p. plant	
		Good forest management	Bad forest management
	$m	$m	$m
1981	2.07	−.4	—
1982	2.07	−.4	—
1983	2.07	−.4	—
1984	2.07	1.104	1.104
1985	2.07	1.38	1.38
1986	2.07	1.587	1.587
Total to 1990	20.70	9.219	10.419

The Hon. B. A. CHATTERTON: The table is a summary of the royalties received by the forest owners and indicates that to the year 1990 the total revenue that the forest owners would receive under the wood chip export proposal is $20 700 000, at the rate of $6.90 a cubic metre, which is the rate for pulp wood. Under the proposal that is before the Government at present involving the A.P.M. plant with good forest management, the Government would receive $9 200 000, or slightly less than half what it would receive under the wood chip proposal. In regard to the poor forest management scheme, which ignores the long-term effect on saw log production, the Government would receive $10 400 000, or slightly more than half the amount it would receive in regard to the export of wood chips alone.

If one considers the employment side of the project, one sees that the Minister of Forests has already explained, in answer to a question in the House of Assembly, that the new pulp plant will provide only 10 additional jobs in the South-East. That is in the pulp plant itself. Of course, the Minister has estimated that 100 additional jobs will be created in forestry and transport. I have also made a comparison of the three options in terms of employment from 1981 to 1990, and I seek leave to incorporate this table in *Hansard* without my reading it.

Leave granted.

EMPLOYMENT COMPARISONS

	Punwood wood chips exports total	A.P.M. proposed t.m.p. plant Good forest management		Bad forest management	
		Forest	Mill	Forest	Mill
1981	140	30	—	—	—
1982	140	30	—	—	—
1983	140	30	—	—	—
1984	140	70	10	70	10
1985	140	87	10	87	10
1986	140	100	10	100	10
1987	140	100	10	100	10
Total of jobs persons/years to 1990	1 400	847	—	727	—

The Hon. B. A. CHATTERTON: The table indicates that, in terms of person/years, the total number of jobs provided by the options to the year 1990 is 1 400 for wood chip export, 847 for the pulp plant and good forest management, and only 727 for poor forest management and the pulp plant. It is obvious from these figures that, if this is the type of industrial development that the Premier and the Minister of Forests intend to use to expand employment in South Australia and to expand Government revenues, we will be in a worse state than we are at present. Their adventures in this field have resulted in a loss of Government revenue and a loss of potential jobs. I have no doubt that the Government will try to misrepresent the comparison that I have made as an attack on the A.P.M. proposal. I am certainly not opposed to that project: after all, it is all we have.

The Minister of Forests has competely sabotaged the export of wood chips, and we would be better off with this proposal than no proposal at all, with no jobs and no way of utilising the surplus thinnings. This is an example of very poor decision making, poor analysis of the options, and certainly not the type of industrial planning or development of which the Government can in any way be proud.

I am very concerned about the growing lack of credibility regarding the Department of Agriculture. The department is suffering from the large number of reports which it has produced and which have been manipulated by the Minister for certain political purposes. The Department of Agriculture has a very high reputation in this State, and it is very disturbing to see it being used in this way and losing a great deal of the credibility that it has with South Australia's farmers.

We have seen a situation in which the Minister has tried to get the department to alter its opinion on the question of building a Kangaroo Island abattoir. The Minister tried to get the officers concerned to go against their considered expert opinion to produce a case to build the abattoir, despite the fact that they could not find evidence to justify its economic viability.

We have also seen in another place that the department's report on the clearing of Crown land on Kangaroo Island was altered by the Minister. He did not like the facts surrounding salinity on the island; nor did he like the fact that the department was recommending that the farmers would do better buying an existing property rather than developing new Crown land on the island. I believe that that report has been shredded.

We have also seen a situation in which the department produced a report on the management of land on Kangaroo Island, where problems have been experienced with yarloop clover. That report has never seen the light of day, and the Minister is continuing to suppress that report on the rather threadbare excuse that it is *sub judice*. Lately, we have also seen the Minister suppress years of work done by the department on the evidence of the PERI urban report on land development in the Adelaide Hills.

There was an incredible situation when the Director-General of the department authorised the release of that report and then denied that he had given permission for its release. We have heard about tape recordings, and much acrimony in the department. Again, this report has been suppressed or embargoed, whatever one likes to call it. Certainly, it is not doing anything for the department's credibility and the free flow of information.

Lately, the Minister was able to produce a further report to the Parliament concerning the export of live sheep. I do not have any evidence that the Minister of Agriculture influenced the authors of that report to produce a paper that would suit any particular Government policy. However, at this stage, anyway, it appears to do nothing to add to the department's credibility.

The report is, frankly, very poorly prepared and its research sloppy. To be specific, the report claims that the decline in the number of jobs in this field is due not to the export of live sheep but to a number of other factors. The two principal factors include the decline in the number of cattle slaughtered. It is stated that between 1975 and 1981 (the period during which the number of live sheep exported jumped very substantially from 1 300 000 to 5 700 000) the number of cattle slaughtered declined by 2 000 000.

Obviously that does have an effect on employment. However, one would think that the authors this report, of whom there were a number within the Department of Agriculture, would have taken the trouble to try to quantify what employment was lost in abattoirs because the number of cattle slaughtered had declined by about 20 per cent. However, the authors do not try to make that analysis or judgment at all. That is not good or well-documented research.

The report also puts forward the argument that the profitability of the export of live sheep has resulted in a substantial change in the Australian flock structure. They suggest that over the past decade the number of ewes in the national flock has increased from 41 per cent to 43.7 per cent, and that that increase is due to the response of producers to a new and profitable export trade.

The report continues to make an analysis of how many extra sheep would be produced from that change in flock structure. Their analysis is that an extra 2 700 000 sheep would be produced annually in Australia and, of course, that accounts for a large proportion of the increase in live sheep exports from Australia. The obvious conclusion to that argument is that the profitability has increased production and that, therefore, the workers should not be concerned. However, that argument is not properly researched.

If one tries to break down the figures into the change in flock structure in each State, one does not get any consistent results. Western Australia has had the largest number of live sheep exports over the longest period, so one would expect, if the Department of Agriculture's thesis was correct, that the proportion of ewes in the Western Australian flock would have increased more than had those in other States. In the Eastern States, particularly New South Wales, there would have been fewer live sheep exports. Therefore, one would expect a smaller change. However, if one looks at the breakdown of the figures State by State, one sees that there is no consistent pattern. Therefore, the argument advanced by the department has very little validity.

In trying to produce an analysis of the number of jobs created by live sheep exports, the Department of Agriculture has had to throw its net wide indeed. Because the export of live sheep produced very few jobs directly, the authors included in their analysis of the job-creating pos-

sibilities of live sheep exports many ancillary industries. They have looked at transport, skins, production of sheep pellets, and all those ancillary spin-off employment areas.

Of course, this is a specious argument because, if it is used, one must do the same thing in relation to the employment generated by the same ancillary industries associated with slaughtering. If those jobs are to be included in the analysis, one should include such industries as fellmongering, tallow processing and production of meat meal as being ancillary to the process of slaughtering, but the report does not do that, and seems to want to come to a specific conclusion.

As I have said, this report is one that has been produced by the department and released by the Minister. There have been a number of public statements saying that it conclusively proves that live sheep exports are not creating job losses in this country. In fact, it does nothing of the sort. The report advances some arguments that are not really well researched, and they do not conclusively prove the case that they have sought to make.

Finally, I wish to discuss the great concern I have about the Government's policies in the area of fisheries. The major policy initiative that the Minister of Fisheries had when he came to power was the policy of making all licences or authorities in the State saleable for profit. The first group of licences which were not previously transferable or saleable was abalone permits, and they have now been saleable for more than 12 months. It is incredible to see the increase in value of these permits. Abalone divers are now able to reap windfall profits of about $150 000 for their permits when they sell them. This information was recently published in the *Sydney Morning Herald* when, on 19 September this year, the sum of $150 000 was quoted. That is an extraordinary increase in 12 months for a licence or authority that cost the individual diver virtually nothing. I am not sure what the Government's attitude is towards this incredible inflation in premiums on licences, but it will certainly not do anything for the long-term management or stability of the fishery.

I think that the Government is perhaps a little embarrassed about the figures and about the obvious growth in premiums, because its official statistics are certainly biased towards understating the income of the abalone fisheries. I have not been able to understand the price that the Government has used for abalone in this matter, and the resultant value of the catch, which is between one-quarter and one-third of the prices quoted to divers by Safcol. Somewhere there is a desire by the Government not to show what a profitable industry this is, not to show the fact that it could obviously sustain more divers if that is the income that divers are receiving, and not to show the fact that these premiums are in fact being paid on those very high revenues that are being obtained. It is certainly of great concern that this type of management of the fishery is becoming more prevalent in this State.

The whole question of premiums on licences undermines the basic nature of fisheries management. The original concept of fisheries management was to try to control the wasteful competition in the fishing industry and to allow individual fishermen who worked in the fishery to have a fair share of the rent of that resource, instead of dissipating that rent of the resource through the high cost associated with wasteful competition. Now we have a situation where the practising fishermen do not share that rent but pay it in a capitalised way to the preceding fisherman. The original concept is being undermined.

The practising fishermen, the operators, are not getting what they deserve from the fishery and, in fact, a mortgage is being taken out over future profits in the fishery by the people who are selling their licences. Those questions about the fishery and the Government's policies are leading to problems of transfer and premiums and are of great concern. They are matters that I will take up later in Committee, when I will try to ascertain from the Government exactly what are its policies on this matter.

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

MINING ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 30 September. Page 1273.)

The Hon. K. T. GRIFFIN (Attorney-General): Several matters were raised by honourable members in their consideration of the Bill. One matter was raised by both the Hon. Mr Laidlaw and the Hon. Mr DeGaris and is now the subject of an amendment which is on file and which relates to the question of royalties. The amendment will alleviate the difficulty envisaged by those two speakers.

Another matter raised relates to the length of the exploration entitlement, which is increased from two years to five years. A suggestion was made by one honourable member that perhaps there ought to be power to allow the Minister to issue what are, in effect, current exploration licences, but for other minerals. The information that I have been given by my officers is that those companies which do undertake extensive exploration would be concerned to have the uncertainty which is inherent in a short period of exploration licence and also in the prospect of an overlapping exploration licence, with another company looking for other minerals.

I can see that in day-to-day practice the operation of an exploration licence would be somewhat uncertain, with other people involved in exploration in the same area but for different minerals. Accordingly, I do not intend to move any amendments in relation to that matter. I thank honourable members for their attention to the Bill and for their indication of support for the second reading.

Bill read a second time.

In Committee.

Clauses 1 to 8 passed.

Clause 9—'Royalty.'

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

Page 4—

Lines 23 and 24—Leave out 'or at some closer point of delivery determined by the Minister'.

Lines 27 to 32—Leave out subsection (11) and insert subsection as follows:

(11) The Minister may, upon the application of a person liable to pay royalty, having regard to the effect that payment of royalty as required by this section would be likely to have on the viability or profitability of mining operations or related processing operations carried on by that person, waive payment of royalty, or reduce the rate at which royalty is payable, on minerals recovered in the course of those operations.

The amendment picks up the points which some honourable members have raised that, for some existing mining leases, the variation in the method of calculating royalty results in an unintended imposition upon them which is out of proportion with what is generally intended by the amendment. Accordingly, the redraft is intended to allow the Minister, when anyone who is liable to pay a royalty makes application to him, to make some variation in the royalty, either by waiving payment or by reducing the rate on conditions which the Minister may deem appropriate, where the payment of the royalty under the amendment is likely to have an impact on viability or profitability of mining operations or related processing operations.

There is a distinction between what is proposed in the amendment and what is in the Bill, because the subclause really relates to uneconomic operations and not just to an effect on viability or profitability which in itself may not result in an uneconomic operation. I believe that these amendments pick up the criticisms made by honourable members, and now give the Minister an opportunity to exercise a wider discretion in the cases referred to.

The Hon. D. H . LAIDLAW: I support the amendments. As originally drafted, the Bill did not give the Minister sufficient power to help a mining operation which was starting up, and it did not help mining operations when world metal prices were very low. Also, as in the example I gave yesterday, it does not help a mining operation that has almost run out of reserves and needs to spend whatever profit it makes in searching for new deposits. The Bill changes the basis of assessing royalty, from the value of the mineral immediately on extraction from the earth to the value of processed minerals at the nearest port. This can vary considerably depending on the extent to which that value increases after processing.

I noted in the Budget papers that the Treasurer expects to receive an increase of 38 per cent in mining royalties this year, compared with the sum received last year, whereas in the instance I gave yesterday that mining company's royalty would be increased by more than 200 per cent. I do not think the Minister intended to place such an impost on a small company which is the principal employer in a country town and whose profitability relies on its spending whatever profit it makes on finding new deposits. As it is a profit-making organisation, it could not say to the Minister that it would be rendered uneconomic by the impost of a 200 per cent increase in mining royalties. However, it would be restricted in the amount of money it could spend on new exploration. Since the amendment now proposed by the Attorney-General covers this case and others which I have mentioned, I support it.

The Hon. C. W. CREEDON: The Opposition supports the amendment. It widens the powers of the Minister. It is less restrictive and cuts out the reference to uneconomic operations, which could cause trouble. The Hon. Mr Laidlaw referred to the effect on exploration for ore. I am concerned about possible rerenchments of manpower, where jobs could be lost because certain payments were required regardless of the effect. The Opposition is happy to support the amendment.

Amendment carried; clause as amended passed.

Clauses 10 to 29 passed.

Clause 30—'Issue of precious stones prospecting permit.'

The Hon. R. C. DeGARIS: In the second reading debate, I raised the question of the reason for a precious stones prospecting permit not to be issued to a body corporate. I pointed out that one of the most important things being encouraged is the search for new precious stones fields. Whilst I understand the opposition to large organisations getting precious stones prospecting permits, nevertheless I hope that this amendment does not restrict the searches being conducted for new precious stones fields. The prospecting permit does not apply in a proclaimed precious stones field. Therefore, in that context I believe it is good to encourage such searches outside proclaimed fields. Will the Attorney-General comment on this clause?

The Hon. K. T. GRIFFIN: My understanding is that this is a problem which occurs in precious stones areas where one permit is to be held by each person. A person, under the Acts Interpretation Act, includes a body corporate.

To avoid the limitation of one precious stones permit per person, the device being adopted was that a number of companies would be formed, each holding a precious stones prospecting permit so that the one individual could, in fact, have an interest in a number of companies. That one individual may have one precious stones prospecting permit, but the companies in which that person has an interest may each have a precious stones prospecting permit, so that instead of one per person it is, in fact, possible for a multiplicity of permits to be held, either by that individual or by companies in which that person has an interest. Thereby, the provisions of the Act are circumvented. This provision, as I understand it, is directed to preventing that circumvention of the Act.

The Hon. R. C. DeGARIS: Can a body corporate peg a precious stones claim rather than a person?

The Hon. K. T. GRIFFIN: I am informed that a company can peg a precious stones claim. However, I will certainly have that matter checked and let the honourable member have an answer.

The Hon. R. C. DeGARIS: The point that I am making is that, while a prospecting permit is issued, I understand that issuing that particular permit does restrict the pegging of a claim to one claim for that particular company. In the search permit there would be certain obligations on that company to carry out certain works, and also to supply that information to the Department of Mines and Energy. I am concerned that in this clause we may be restricting the discovery of new precious stones fields. I do not intend pressing the matter much further, except to say that I understand the reasons for it, but in the long term I believe it may not be in the best interests of research and discovery of precious stones fields in the State.

The Hon. K. T. GRIFFIN: I just indicate that section 44 of the principal Act does provide for a person who holds a precious stones prospecting permit to peg out a precious stones claim, so obviously a body corporate does have a right, as the holder of a precious stones prospecting permit, to peg a precious stones claim. I appreciate what the honourable member is putting in respect of this matter. If, in fact, at a later stage it appears that there is some difficulty in respect of the discovery of new precious stones fields, then certainly the matter will come back to Parliament. However, on the advice I have received from officers, they do not envisage that sort of difficulty, certainly not at the present time.

The CHAIRMAN: Is the Hon. Mr DeGaris satisfied with that explanation?

The Hon. R. C. DeGARIS: I am satisfied with the explanation, Sir, but not with the policy.

Clause passed.

Remaining clauses (31 to 59) and title passed.

Bill read a third time and passed.

ESTIMATES COMMITTEES

A message was received from the House of Assembly requesting that the Legislative Council give permission for the Attorney-General (Hon. K. T. Griffin), the Minister of Local Government (Hon. C. M. Hill), and the Minister of Community Welfare (Hon. J. C. Burdett) to attend and give evidence before the Estimates Committees of the House of Assembly on the Appropriation Bill (No. 2).

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

That the Attorney-General, the Minister of Local Government and the Minister of Community Welfare have leave to attend and give evidence before the Estimates Committees of the House of Assembly on the Appropriation Bill (No. 2), if they think fit.

The Hon. C. J. SUMNER (Leader of the Opposition): This motion will enable the Attorney-General, the Minister

of Community Welfare and the Minister of Local Government to attend before a committee of the House of Assembly to give evidence on the Budget which has been presented by the Premier. I am quite happy for these Ministers to be subjected to the searching examination that will be carried out by members of the House of Assembly. However, I feel somewhat left out, because I am shadow Attorney-General and Minister of Corporate Affairs, and I feel that I could probably direct a few questions to my counterparts in this House if I were permitted to attend before the Estimates Committee and direct those questions.

The Hon. J. C. Burdett: Dr Cornwall did a good job in writing his questions out last year—you could do the same thing.

The Hon. C. J. SUMNER: I appreciate that, but it takes twice as much work.

The Hon. K. T. Griffin: Are you scared of work?

The Hon. C. J. SUMNER: I am not scared of work; I just have a lot to do. Unlike honourable members opposite, who have a huge bureaucracy to back them up with a huge personal staff, press secretaries and research assistants all helping to keep their show on the road, I have to do it all by myself with only the support of a, albeit very efficient, stenographer. I have none of the asistance which honourable members opposite receive. The Estimates Committees will double the amount of work that I have to fit into my very busy programme. I merely raise the question of whether the Council will give me permission to attend and cross-examine Ministers in another place.

Motion carried.

ADJOURNMENT

At 4.20 p.m. the Council adjourned until Tuesday 20 October at 2.15 p.m.