LEGISLATIVE COUNCIL

Tuesday 3 May 1983

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

ASSENT TO BILLS

His Excellency the Governor, by message, intimated his assent to the following Bills:

Motor Vehicles Act Amendment (No. 2),
Racing Act Amendment (1983),
River Murray Waters,
South-Eastern Drainage Act Amendment.

PUBLIC WORKS COMMITTEE REPORTS

The PRESIDENT laid on the table the following interim reports by the Parliamentary Standing Committee on Public Works:

Stirling-Heathfield Water Supply Augmentation,
North Adelaide School of Art and Crafts Upgrading.

The PRESIDENT laid on the table the following report by the Parliamentary Standing Committee, together with minutes of evidence:

Hackham South Primary School—Stage II.

PAPERS TABLED

The following papers were laid on the table:

By the Attorney-General (Hon. C.J. Sumner):

Pursuant to Statute—

Department of Correctional Services—Report, 1980-81.
Friendly Societies Act, 1919-1975—
National Health Services Association of South Australia;
Independent Order of Odd Fellows Grand Lodge of South Australia;
Independent Order of Rechabites Albert District No. 83;
Friendly Societies Medical Association Inc.;
Foresters Friendly Society—Amendments of General Laws.
Public Service Act, 1967-1981—Regulations—Certificate for Contagious Illness.
Supplementary Estimates of Payments, 1982-83.

By the Minister of Health (Hon. J.R. Cornwall):

Pursuant to Statute—

Community Welfare Act, 1972-1981—General Regulations.
Food and Drugs Act, 1908-1981—Regulations—Restrictions on Poisons.
Local Government Act, 1934-1982—Memorandum of Lease—'Jolley's Boathouse'.
Planning Act, 1982—Crown Development Reports by South Australian Planning Commission on—
Proposed Police Residence at Berri.
Proposed Extensions to Angle Vale Primary School.
Proposed Division of Land for future Road Purposes, Potts Road, Evanston Gardens.
Acquisition and Transfer of Land for Road Purposes.
City of Tea Tree Gully—By-law No. 12—Garbage Containers.
District Council of Mount Barker—By-law No. 11—Garbage Bins.

By the Minister of Agriculture (Hon. Frank Blevins):

Pursuant to Statute—

Road Traffic Act, 1961-1981—Regulations—Declared Hospital for Blood Analysis (Riverton).
Salisbury College of Advanced Education—Report, 1981.
Stony Point (Liquids Project) Ratification Act, 1981—Regulations—Borrow Pit Extension.

By the Minister of Forests (Hon. Frank Blevins):

Pursuant to Statute—

Forestry Act, 1950-1981—Proc.: Hd of Penola—Forest Reserve Resumed.

QUESTIONS

ABATTOIRS

The Hon. M.B. CAMERON: I seek leave to make a short explanation before asking the Minister of Agriculture a question about abattoirs.

Leave granted.

The Hon. M.B. CAMERON: Before beginning the explanation of my question, I extend my congratulations to the new Minister of Agriculture and apologise for the fact that my first question today is addressed to him. I am deeply disturbed by an apparent lack of action by the Government on a matter I have raised on a number of occasions in this place regarding slaughter penalty rates charged by an abattoir, S.E. Meat, on stock from bushfire areas in the South-East.

On Tuesday 19 April, I gave details in the Council of a case of an owner who received a total sum of $1.05 for 189 lambs. The owner had been paid what appeared to be one-third of the true value per kilogram, and $4 per head penalty killing fee was deducted though the lambs were killed on a Thursday. I have asked a series of questions following an inference by the former Minister that the investigation that he indicated was taking place was awaiting the return from holidays of Mr Tonkin, the Secretary of the Meat Industry Employees Union. I asked a further question of the former Minister on Thursday 21 April following a statement by the Manager of S.E. Meat that weekend killing was the reason for penalties being charged and that owners had been notified. He indicated that owners would be informed of the proposed killing fee. I now have a copy of a statement given to the *Naracoorte Herald* by S.E. Meat as follows:

The *Herald* today spoke to the Hynam meatworks manager, Mr Greg Kimpton, and the South Australian manager of the Angliss group, Mr Bob Jeffery. Both said it was made clear that deductions would be made from the account sales for fire-affected stock, particularly as most of these stock were processed on a Saturday. Mr Kimpton said the meatworks had rescheduled its normal kills to enable it to process fire-affected stock supplied by Angliss.

S.E. Meat paid its employees the penalty rates prescribed for working on Saturday and for processing fire-affected stock. These extra expenses were passed on to Angliss. 'We didn't profit from that at all,' Mr Kimpton said. 'It was purely on a break-even basis.'

From the Angliss point of view, Mr Jeffery said S.E. Meat had operated its meatworks according to the award terms and conditions and agreements with the union. Extra rates were payable for operating on a weekend—'It's as simple as that.'

I have contacted Elders Millicent which was heavily involved in the clean-up of stock from the fire areas and it has made it absolutely clear to me that at no time was there any discussion or consideration given to them of an intention to charge penalty fees. Similarly, no owners were warned of penalty fees; in fact, none of them had a phone after the fire, so they relied entirely on their stock agent for communication with the abattoirs.

Elders Millicent and other agents have had no queries from departmental personnel who are supposed to be conducting this inquiry. That particular stock agent had 12 clients from whom stock were forwarded to S.E. Meat and from whom penalty fees were deducted. Surely any investigation should be commenced by contacting agents to ascertain who and how many farmers were affected.

Regarding penalty rates for weekend killing, I point out to the Council again that many of the stock were killed

during the following week, not on the weekend, so one would assume that penalty fees would not operate, yet they were still deducted. This morning I had another call from a constituent, Mr Bruce Varcoe of Kalangadoo, who sent 39 cattle to South-East Meat. These cattle were in an area of his property that the fire passed around. They were sent up on a Monday and killed on Tuesday—not on the weekend. Penalty fees were deducted and 160 kilograms of burnt meat were deducted.

No hides were deducted, so one would presume that they were not fire affected. He asked the abattoir manager about the burnt meat and he said he gained the impression that every animal booked in from the fire area had penalty fees deducted regardless of when they were killed. At no stage was it confirmed with him that penalty fees would be deducted and the first time he became aware of these fees was when he received his account sales. He sent the calves off these cows on the same day to City Meat and no deductions were made for burnt meat and no penalty fees were charged. One would presume that they were closer to the ground. I am informed that some departmental personnel have expressed surprise that no contact has been made from Adelaide or the investigator to obtain information from them about this subject as I understand some departmental personnel do have some information available.

I am afraid that this important matter may have been neglected as a result of the so-called Algerian problem. My questions to the Minister are as follows:

1. Who has been conducting the investigation to this point?
2. What people have been contacted by the investigator?
3. Has Mr Tonkin been contacted, and, if so, did the union insist on penalty rates for fire-affected stock?
4. How many stock were slaughtered on the weekend immediately after the fire and how many on succeeding week days, and could that be determined by the investigators?
5. Will he also investigate whether farmers or stock agents representing farmers were notified of proposed penalty fees prior to sending stock to South-East Meat.
6. Will he also take up the other questions that I directed to his predecessor, which included tracing the value received for the 189 lambs from which the owner netted $1.05, and whether this matter can be rectified by the refunding of these penalty fees to the farmers concerned?

The Hon. FRANK BLEVINS: I thank the Hon. Mr Cameron for his congratulations and take this opportunity to thank all members of the Council who have been so kind as to congratulate me and say a few kind words about my appointment as a Minister. I would have preferred the circumstances of my moving to the front bench to have been different. However, 'It is an ill wind . . .' It was alarming to hear the Hon. Mr Cameron continue with an outline of some of the problems that stock owners are having, or have had, with South-East Meat. However, I reject totally the comment that there has been a lack of action by the department and the Minister on this question. Certainly, it was quite gratuitous for the Leader to mention Algeria in this context as there is obviously no connection there—it was quite unwarranted. I will examine the files on this matter to ascertain whether there is any further action I can take on this matter. I am sure that the Hon. Mr Cameron appreciates that I cannot give detailed answers to all his questions off the top of my head (although I could answer some of them now) so I will bring him detailed replies as soon as possible. I assure the Council that I consider this to be a serious matter and anything I can do to ensure that stock owners are treated, and have been treated, fairly in their dealings with the abattoirs I will certainly do.

ST JOHN AMBULANCE

The Hon. J.C. BURDETT: Will the Minister of Health say whether Professor Opit, who recently conducted an inquiry into the St John Ambulance Service, has reported to the Minister or delivered a preliminary report? If he has, when did he report and when will the report be released? Has the Minister made any decision on how to act on the report and, if so, what does the Minister propose to do?

The Hon. J.R. CORNWALL: From recollection, I saw the first draft of Professor Opit's interim report a fortnight ago. At that time Professor Opit had not written his recommendations: he came back to Adelaide to meet the Minister and to talk to the parties involved—St John Ambulance and the A.E.A. in particular. I saw the finished product for the first time last night. I will now take the report to Cabinet according to the normal courtesies and procedures. I will recommend to Cabinet that the report be released as a public document. I anticipate we will do that shortly after we have gone through the formalities. At present, adequate copies are being supplied for my taking the report to Cabinet, which I intend to do next Monday.

WASTE MANAGEMENT COMMISSION

The Hon. K.T. GRIFFIN: I seek leave to make a brief explanation before asking the Attorney-General, as Leader of the Government in this Council, a question about the Waste Management Commission.

Leave granted.

The Hon. K.T. GRIFFIN: A company by the name of Re-Use-It Pty Ltd owns 30 acres of land at Wingfield on the corner of Wingfield Road and South Terrace on which it desires to operate a resource recovery depot. The company bought the land in early 1981. The land at the north-east corner is a dump operated by Cleanaway, and to its north is a dump operated by Tetrax and used by the Adelaide City Council. Cleanaway and Tetrax are business names, both businesses being operated by Brambles Holdings Ltd.

Both Cleanaway and Tetrax have licences from the Waste Management Commission, but operate in what can only be described as substandard conditions. In fact, by letter dated 14 March 1983 the Waste Management Commission made an order against the Adelaide City Council based upon a conclusion of the commission that the council was not complying with the Waste Management Act and, in consequence, 'a nuisance or offensive condition and conditions injurious to health or safety and damage to the environment have been caused and are threatened'.

The area of Re-Use-It's land is zoned by the Enfield council for 'special uses', which enables it to be used, with the consent of the council, for a factory for receival, processing and transfer of waste products. In fact, the company applied to the council on 3 March 1982 for council approval to use the land for this purpose, and that was granted on 4 May 1982. Of course, work must be substantially commenced within 12 months and, because of the delay, the company has had to apply to the Enfield council for an extension of its planning approval. From 1981 the company was negotiating with the Waste Management Commission for a licence and on 22 June 1982 Re-Use-It Pty Ltd applied to the Waste Management Commission for the appropriate licence to establish and operate a recycling centre.

By contrast with the Enfield council, the Waste Management Commission dithered and delayed. Letters passed

backwards and forward between the company and its agents and the Waste Management Commission until the licence was granted on 23 September 1982. On 23 August 1982, the commission wrote to the company's accountants saying that 'generally the plans and written description of the operation of the depot were considered to be satisfactory'. However, the commission deferred consideration, requesting further information so that it could consider the application 'in the light of the recommendations made in the comprehensive waste management plan for metropolitan Adelaide'.

Some of that information was irrelevant to the application, information such as that relating to the economic viability of the operation, whether or not firm contracts had been entered into or would be entered into for the sale of recyclable material, estimated operation and maintenance costs, and the anticipated costs of transport and disposal of outgoing residual waste.

Curiously, and perhaps not by coincidence, Cleanaway, which had purchased the Bill Paull dump on 1 July 1982, wrote to the Waste Management Commission one month earlier (on 26 July) urging the commission to delay granting a licence to Re-Use-It Pty Ltd for 18 months so that it could get its operation moving; it expressed a concern about competition from Re-Use-It Pty Ltd. The letter says, in part:

> Cleanaway considers that if the proposed depot is established it [Cleanaway] will not be able to carry out the high cost of initial establishment of the project [its project] and therefore the entire environmental development package will be placed in jeopardy. It also fears a 'price-cutting war' would ensue to obtain clientele.

At this stage, so that it is not construed as being out of context, I seek leave to table that letter from Cleanaway to the Waste Management Commission, written on 26 July 1982.

Leave granted.

The Hon. K.T. GRIFFIN: According to that letter, apparently Brambles Holdings Ltd wants a monopoly. The licence was granted by the Waste Management Commission to Re-Use-It Pty Ltd on 23 September 1982 and, on 8 November 1982, the Waste Management Commission wrote to the company, informing it that Cleanaway had objected to the granting of the licence. That objection has not yet been heard, after more than six months. But the catalogue of delay and maladministration does not end there, because the commission would not hand over the formal piece of paper granting the licence. The company finally received it after much cajoling on 26 February 1983, five months after it was granted, thus seriously prejudicing the opportunity for the company to seek finance to undertake the development for which it had at last obtained approval, a development likely to cost around $300 000. By this time, Re-Use-It was, quite understandably, frustrated by the delay. The company dug a trench to start its landscaping and said that it would fill it with hard rubbish to get the project moving. This brought the company into conflict with the Enfield Council, but peace has been made in that quarter.

However, the saga of the Waste Management Commission's activities continues. The commission purported to revoke the licence on 14 March 1983, even though Re-Use-It Pty Ltd was not charged with or convicted of any offence, and the licence was, in any event, being objected to by Cleanaway. The licence was clearly revoked by the commission without any mandate or authority given under the Waste Management Act. Re-Use-It Pty Ltd strenuously objects to the commission's illegal action, and will pursue its rights.

The next episode is even more appalling. On 17, 18 and 19 March 1983, representatives of the Waste Management Commission stood at the entrance to the Re-Use-It property, stopped tip-trucks and private vehicles, and informed persons using the Re-Use-It facilities that they would be liable to a $2 000 fine if they disposed of their loads at the Re-Use-It site. The fine quoted varied from day to day. On one day, for some reason, it was reduced to $500.

The action of the Waste Management Commission representatives did not stop there. They then directed the drivers of these vehicles to dump their loads at the Cleanaway dump, purporting to act under section 43 of the Waste Management Act, a section which, in my view, does not give the commission power to undertake this extraordinary exercise. When the manager of Re-Use-It asked one of the commission representatives at the site why he was preventing some tip-trucks from dumping building rubble on his site but not stopping the dumping of this sort of rubble on other sites, including building sites, around metropolitan Adelaide, the Waste Management Commission representative responded, 'I don't care about them. All I am worried about is you and your place.'

This whole saga of delay and harassment must concern every responsible citizen. The activities suggest that someone in the Waste Management Commission does not want the enterprise and initiative of Re-Use-It to be successful in either the granting of a licence or the establishment of a waste recycling depot in competition with Cleanaway and Tetrax. There is also grave inconsistency in the way in which the Waste Management Commission appears to deal with Cleanaway and Tetrax with what appear to be substandard conditions, on the one hand, and Re-Use-It Pty Ltd, with its properly designed proposals, on the other.

It indicates quite clearly that Re-Use-It's rights are being trampled on, and the administration of the Waste Management Act abused. The company's manager, Mr Chernabaeff, has attempted to see the Premier to try to sort this out, but he cannot get anywhere near the Premier. Therefore, my questions to the Attorney-General, as Leader of the Government, in a matter of extreme concern, are as follows:

1. Will the Attorney-General have this matter investigated immediately and the investigations completed as a matter of urgency?
2. Has any member of the Waste Management Commission a conflict of interest or potential conflict of interest in respect of Re-Use-It's application?
3. If yes, was that conflict disclosed to the commission?
4. Will the Attorney-General ensure that objections and appeals pending are heard and disposed of as a matter of urgency?
5. Will the Attorney-General ensure that Waste Management Commission harassment of Re-Use-It Pty Ltd ceases and does not occur again?

The Hon. C.J. SUMNER: I am not entirely sure why the honourable member directed that question to me, as Attorney-General. I do not have any responsibility for the Waste Management Commission. I understand that the Minister of Local Government has the Waste Management Commission Act under his authority, and at some point in the honourable member's explanation I almost wondered whether the former Minister of Local Government could have provided an answer to some of the questions being asked. Naturally, I do not have any personal knowledge of the detail in the prolix explanation given by the honourable member, but I will certainly attempt to obtain some information on it. In specific answer to two questions: first, yes, I will have the matter inquired into as a matter of urgency; secondly, I do not know about any conflict of interest, but I will have the matter inquired into. The remaining questions will be taken up by the inquiries that I have undertaken to make.

PERSONAL AFFAIRS

The Hon. R.C. DeGARIS: Can the Attorney-General say whether, in the decision of the Government to provide information involving the personal affairs of individuals in the Public Service to trade union organisations, did Cabinet seek an opinion from the Attorney-General on the legality of providing such information to outside organisations?

If Cabinet sought that view from the Attorney-General, will he inform the Council of the opinion he provided? If Cabinet did not seek any such advice from the Attorney-General will the Attorney-General report to the Council on the question of the legality of the Cabinet decision? If any other outside organisation sought specific information involving the personal affairs of individuals in the Public Service, would the Government willingly provide that information?

The Hon. C.J. SUMNER: No opinion was sought from me specifically about the legality of the action, although I would have thought that there was nothing illegal about it. Whether any informal advice was obtained at departmental level, I am not able to say. My view of the position is that it would not involve a matter of legality or otherwise, whatever other considerations may be involved in it.

FIXED PARLIAMENTARY TERMS

The Hon. G.L. BRUCE: I seek leave to make a brief statement before asking the Attorney-General a question about fixed terms of Parliament.

Leave granted.

The Hon. G.L. BRUCE: During the recent Constitutional Convention the issue of fixed Parliamentary terms was raised. I understand that the Labor Party, State and Federal, was in agreement with fixed terms of Parliament but that the Liberal Parties were split, with Victoria and New South Wales supporting it and Western Australia, Queensland, Tasmania, and South Australia opposing it. I saw in yesterday's *Advertiser* a summary of what is happening. The summary refers to the State Council of the South Australian Liberal Party, as follows:

> The State Council of the South Australian Liberal Party has voted overwhelmingly for fixed terms for Parliament. The 240-member council voted two-to-one in favor of a motion calling for four-year fixed terms on Friday. This was the day after all five South Australian Liberal delegates to the Constitutional Convention voted against a Labor-initiated proposal for fixed terms.
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> The Constitutional Convention rejected 50-36 a proposal from the Federal Attorney-General, Senator Evans, for fixed terms for Federal Parliament. The State council is the governing body of the South Australian Liberal Party. The Leader of the Opposition, Mr Olsen, said yesterday the Parliamentary wing of the Party was not bound by resolutions of the organisational wing.
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> The Parliamentary Party would consider fixed terms in June. A move for fixed terms for the South Australian Parliament is expected soon from the Attorney-General.

In light of this, can the Attorney-General advise the Council of the Government's attitude to fixed-term Parliaments and say what, if anything, the Government will be doing about this matter in future?

The Hon. C.J. SUMNER: The Government supports the motion of fixed terms for Parliament, and will attempt during the course of this Parliament to introduce that policy. It is also the policy of the Federal Labor Party. It was somewhat disappointing that a completely narrow political approach was adopted to this issue at the recent Constitutional Convention. In fact, there were a number of issues at the Convention which the Federal Liberal Party had raised and supported when in Government, such as the transfer of the family law powers from the States to the Federal Parliament but, when it came to debating the matter in a forum such as the Constitutional Convention, it switched its view. I believe that that occurred also in relation to some members as far as the fixed-term proposition was concerned at the Constitutional Convention. The honourable member asks what the Government's attitude is: we support a fixed term. I hope to be able to make an announcement in the near future as to what action the Government intends to take.

SMOKING

The Hon. ANNE LEVY: I seek leave to make a brief statement before asking the Minister of Health a question about smoking.

Leave granted.

The Hon. ANNE LEVY: The Australian Health Ministers met last week in Hobart, and I read that they adopted as a goal the achievement of a non-smoking generation by the year 2000. I understand that the Ministers also agreed that the present voluntary advertising code was a farce and declared unacceptable the association of smoking with sport through sponsorship. Since that conference in Hobart there has been some publicity in the media of a so-called survey conducted by channel 9.

I gather that, according to channel 9, more than half of those who participated in the survey were in favour of advertising and sponsorship of sport by tobacco companies. Is the Minister of Health aware of channel 9's claim? Will the Government's policy on smoking take into account the concerns expressed by sporting and cultural organisations in South Australia that there could be massive disruption if financial support from tobacco interests was abruptly cut off because of a prohibition on advertising?

The Hon. J.R. CORNWALL: The meeting of Health Ministers in Hobart took a number of important decisions to combat smoking and its toll on the Australian community, which is devastating both in terms of loss of life and the cost of treating tobacco-related illness. I think I should make it clear, however, that Ministers did not decide on a total ban on tobacco advertising or immediate action to stop sponsorship and the promotion of tobacco through sport and culture. While they declared that sponsorship of sports amounts to a definite form of tobacco advertising and promotion, only the West Australian Government indicated that it would legislate to stop sponsorship and provide $1 500 000 to assist affected sporting and cultural bodies.

I took some time to set out the South Australian position. Whilst we agree with the aims of Western Australia, we are simply not in a position to stop sponsorship immediately. My submission and the Government's decision is that the South Australian Government cannot act unilaterally. However, we strongly supported the conference request to the Federal Government to find ways to give financial support to the States so that they, in turn, can offer assistance to sporting and cultural interests who lose tobacco money.

I take this opportunity to compliment my colleague, Dr Blewett, the Australian Minister for Health, for his constructive and co-operative attitude to the problems raised by State Health Ministers. We have asked Dr Blewett to relay to the Federal Government our request to prevent, by legislation if necessary, the flouting of the law on so-called indirect advertising. As a measure of the effectiveness of the actions of tobacco companies and advertising agencies in evading Parliament's intent, the Tobacco Products Subcommittee reported that the Benson and Hedges brand name appeared on the channel 9 television network more than 40 000 times during the 1981-82 cricket season. We have also asked the Federal Government to increase tobacco excise and to allocate at least part of that additional revenue

to smoking control programmes. In addition, we are pressing for annual increases in taxation on tobacco products to at least maintain their real price in the consumer market.

Whilst I regret that the Queensland Minister of Health was forced to abstain on several key issues by direction of his Cabinet, I believe the overall impact of the decisions taken will be considerable. The South Australian Government's policy was stated explicitly in our policy document before we were voted into office. We promised to develop well-designed and evaluated programmes to assist people to stop smoking and to develop effective programmes, particularly for primary schools, for preventing smoking and drug abuse. Our actions to date, including the launching of a $160 000 pilot anti-smoking campaign in the Iron Triangle, show that we are keeping our promise. We also undertook to press for a national programme to restrict advertising and sponsorship by tobacco companies, with Federal Government assistance for sporting bodies to obtain alternative sponsors during the transition period. The Hobart conference decisions take us well down the track.

Shortly, I will be recommending to Cabinet that I should write to all sporting and cultural organisations in South Australia to seek their support in establishing the extent of sponsorship by tobacco companies. There are all sorts of conflicting estimates of the extent of sponsorship, ranging from $5 000 000 to $20 000 000 throughout Australia. I believe that it is time to document the exact amount so that we can make sensible decisions for the future. I have always been aware of the need to take into account the interests of those citizens and organisations which have come to depend upon sponsorship from tobacco companies. I believe that we can best help them and the community at large by establishing exactly the extent of that dependence. The need to be informed extends to other areas as well.

I have asked Health Commission officers to examine the question of tobacco advertising in cinemas, on billboards and in newspapers to gauge the extent of the problem and canvass the steps that we might take. As to the specific matter of the survey by channel 9, I think the honourable member is correct to question the validity of such an exercise by describing it as a 'so-called' survey. It was claimed that about 56 per cent of those who recorded a vote favoured the proposition. All I can say about such an unscientific exercise is that there can be no suggestion that half the people of South Australia favour tobacco sponsorship in sport. It cannot be claimed that the survey response was representative or that there was any mechanism to prevent individuals from phoning more than once or organisations from arranging groups of calls.

Perhaps I can offer honourable members a more accurate assessment of feeling within the Australian community. The Tobacco Subcommittee presented the Health Ministers' conference with results of a survey conducted by McNair Anderson, using a sample twice the normal size to produce extremely reliable figures. A specific question in that survey was 'Should televised sporting events, which can be seen by children, be used to promote cigarettes?' Seventy-nine per cent of those surveyed answered, 'No'. Even more impressive is the fact that the response of smokers to that same question was monitored separately, and 72 per cent of smokers indicated that they opposed the promotion of cigarettes at televised sporting events which can be seen by children.

I believe that that is an accurate reflection of the growing concern in the Australian community about the damage caused by smoking. The decisions taken by Australian Health Ministers in Hobart show that we are reacting properly and positively to that concern.

ART GALLERY

The Hon. C.M. HILL: I seek leave to make a short explanation before asking the Attorney-General, representing the Minister of the Arts, a question about Art Gallery appointments.

Leave granted.

The Hon. C.M. HILL: Following the retirement of the Deputy Director of the South Australian Art Gallery in 1982, the position was not filled, and an inquiry was instigated into whether or not a new appointment should be made and also into the general restructuring of senior appointments to the Art Gallery as a result of that vacancy. Has the inquiry brought down its report and, if so, what is the Government's decision?

The Hon. C.J. SUMNER: I will obtain an answer for the honourable member and bring down a reply.

TRAVEL CONCESSION CARDS

The Hon. M.S. FELEPPA: I seek leave to make a brief explanation before asking the Minister of Ethnic Affairs a question about travel concession cards.

Leave granted.

The Hon. M.S. FELEPPA: It has been brought to my attention that many migrant pensioners are not aware that their concession cards must be signed. According to rules (I presume of the State Transport Authority), because the cards are not signed those pensioners are charged full fare when boarding a bus. Will the Minister investigate this matter and will he approach the Ethnic Affairs Commission, requesting it to advertise on ethnic radio and in ethnic newspapers information for migrant pensioners in their language so that they can enjoy the travel concessions enjoyed by all other pensioners?

The Hon. C.J. SUMNER: I am happy to comply with the honourable member's request.

MINISTER'S PAST STATEMENTS

The Hon. M.B. CAMERON: I seek leave to make a short explanation before asking the Minister of Agriculture a question about past statements.

Leave granted.

The Hon. M.B. CAMERON: I want to give the new Minister of Agriculture a feeling of *deja vu* . On 13 August 1975, in his Address in Reply speech, the new Minister of Agriculture stated:

> Regarding the role of the Council itself and my attitude to its continuing, my attitude is clear and firm. I see no role at all in a democratic society for Upper Houses of Parliament. The sooner the people do away with all of them, the better.
>
> I dislike the idea of Upper Houses because of the reason they were created. They were brought into being to preserve the privileged position of those people who imagined they were born to rule. These people could not afford to have democratically elected Parliaments interfere in any way with their alleged right to exploit their fellow human beings to their own personal and financial advantage. That was the concept, Mr President, and nothing I have seen or heard about this particular Upper House makes me think it is any different from all the others and worth preserving—other than perhaps as a museum! In fact, it is far worse than any other Upper House I have ever heard of. It is the type of Upper House that gives all other Upper Houses a bad name.

Has the Minister had any change of heart about this institution since that time? Does he still support the abolition of this place and, as a responsible Minister, does he still believe that this Council has no future role other than as a museum?

The Hon. FRANK BLEVINS: I appreciate the whimsy of the Hon. Mr Cameron in asking the question. The question is a little mischievious and surely not one to be taken seriously. I should have thought that there were far more important matters pertaining to my portfolios on which the Hon. Mr Cameron could have asked questions rather than his going into this area. However, I am happy to answer his question directly. First, I must comment that, on hearing my speech after all these years, I consider that it has certainly worn well. It was an excellent address and I will read it again to refresh my memory on it.

What I say regarding the role of this Upper House depends on how long we have got. I certainly stand by those remarks. I can understand why there are arguments for an Upper House in a federal system. Some good arguments can be advanced in that area, even though they do not totally sway me. Without the existence of the Senate, I do not think that there would have been an Australia for very many years. On that basis alone, there would not have been a Federation, and there is some argument for retaining the Federal Upper House.

Our policy is quite clear on this Upper House, and the statement that I made in that Address in Reply debate was totally consistent with Labor Party policy, which has been well known to everybody in South Australia for many years. I am quite happy to expand on that policy for this Council. The Labor Party does not believe that there is a role for Upper Houses in the States and would be pleased to abolish this Upper House provided (and this also is in our policy) that the people of South Australia agreed. We say that this matter will eventually (who knows when) be put to a referendum of the people, who will decide whether or not they want an Upper House.

I should have thought that any honourable member who supports the concept of democracy could not quibble with a proposition that states quite clearly that there will be a referendum—

An honourable member: Would you put it up?

The PRESIDENT: Order!

The Hon. FRANK BLEVINS: If both Houses decided that there would be a referendum, the decision would, of course, be made by the people as a whole. If the people of South Australia want to retain this place, that is their prerogative. Obviously the decision of a referendum would be the end of the matter for that particular time. So, what is to change that? I am a strong believer in democracy and in the concept of referendums, so I am quite happy to answer the honourable member's question and to stand by the statement that I made in the Address in Reply speech to which he referred. I thank the honourable member for his question.

HONEYMOON URANIUM MINE

The Hon. R.C. DeGARIS: Has the Attorney-General an answer to the question that I asked on 23 March regarding the Honeymoon uranium mine?

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

1. No.

2. Not directly. However, the Chairman of UEGA has indicated that the activities of the group have been 'put on ice' pending further discussion and clarification of the Federal Government's uranium policy.

3. The Federal Government's uranium policy specifically rejects the conversion and enrichment of uranium in Australia. It is difficult to envisage what other form of processing the honourable member is referring to. The question is, in any event, hypothetical.

4. Given that the present Federal Government policy opposes the conversion and enrichment of uranium in all States, such factors as uranium production at Roxby Downs are irrelevant. Queensland is in the same position as South Australia in this matter.

5. In the Government's view, it is too early to pass judgment on the viability of an enrichment industry in South Australia. Such a judgment would need to await the findings of a uranium market study and an enrichment plant feasibility study proposed by UEGA.

YATALA LABOUR PRISON

The Hon. ANNE LEVY: Has the Attorney-General an answer to my question of 30 March about the Yatala Labour Prison?

The Hon. C.J. SUMNER: I have approached my colleague, the Chief Secretary, in order to obtain a reply to the questions raised by the honourable member in this Council on 30 March 1983, which related to the parole system and Yatala Labour Prison.

As the honourable member is aware, the Chief Secretary has commenced a review of the parole system. As part of this review, the Minister has undertaken inspections of the systems which operate in New South Wales and Victoria, and has also approached a number of bodies within South Australia in order to obtain their views as to the type and extent of any changes which may be desirable.

It is not possible to give an indication at this time of the date by which the review will be completed. To a large extent this is dependent upon the amount of time taken by the interested bodies to make submissions and the course of action which is indicated. In reply to the honourable member's second question, the Chief Secretary visited Yatala Labour Prison on 31 March and spoke with a representative group of inmates.

SCHOOL FUNDING

The Hon. R.J. RITSON: I seek leave to make a brief explanation before asking the Minister of Agriculture, representing the Minister of Education, a question about school funding.

Leave granted.

The Hon. R.J. RITSON: Several weeks ago in this Chamber the Hon. Anne Levy, when making an explanation pertinent to a question on the funding of non-government schools, made a number of remarks out of context which indicated an excessive expenditure by Governments on the funding of non-government schools.

The Hon. Anne Levy: I did not, I quoted figures and they were not out of context.

The PRESIDENT: Order!

The Hon. R.J. RITSON: I asked, by way of a supplementary question, whether the Minister would publish, in addition to the figures for which the Honourable Ms Levy asked, figures indicating the comparative costs of funding Government schools. I had expected that in the ordinary course I would receive an answer consisting of another bald figure taken out of context but thought that perhaps it did not matter very much. However, a couple of days ago I received a letter from one of those rare creatures, a *Hansard* reader, as follows:

My attention was drawn today to a copy of *Hansard* for 29 March, and I was very pleased to read your timely and telling intervention in the matter of private school grants, introduced by Anne Levy. It is good to know that we have someone in Parliament who understands the situation and who will see that both sides of the picture are presented. I have no doubt that it will not be

easy to persuade authorities to publish the Government school comparative costs, and yet they are essential, as you indicated, to a fair assessment of the situation re grants. I look forward to hearing the sequel to this question. I have sent a copy to John McDonald just in case he had not seen it in *Hansard.*

The letter is signed by a senior official of the Catholic Education Office in one of the diocese of South Australia. Figures regarding education funding are bandied around in ways which amount to very frank dishonesty, a prime example of this is being the utterances of some left-wing members of the executive of the South Australian Institute of Teachers.

The true purpose was to defeat the Tonkin Government, and over three years the organisation claimed that we at the State level were guilty of great education cuts. Having achieved its purpose of defeating the Tonkin Government, this group then turned its attention to the defeat of the Fraser Government, claiming (and this is very significant) that recent increases in State Government education funding had masked Federal education cuts. That is an indication of the level of perfidious utterances that surrounded the whole question of fiddling with education fund statistics.

I therefore ask very specifically, first, whether the Minister will obtain an answer (and tell the Council):

1. What was the total combined State/Federal expenditure on education on South Australian schoolchildren in State Government schools for the calendar year 1982?

2. What was the combined State and Federal per capita expenditure on education of South Australian children in State Government schools in the 1982 calendar year?

3. What was the total combined State and Federal expenditure on the education of South Australian children in South Australian independent schools for the calendar year 1982?

4. What was the combined State and Federal per capita expenditure on education of South Australian schoolchildren in South Australian independent schools in the calendar year 1982?

5. What percentage of the total State/Federal combined expenditure on schools in South Australia was expended by independent schools?

6. What percentage of South Australian schoolchildren attended independent schools during that year?

The Hon. FRANK BLEVINS: I will refer the honourable member's question to my colleague and bring back a reply.

COMMERCIAL AND PRIVATE AGENTS ACT

The Hon. J.C. BURDETT: Has the Attorney-General a reply to a question that I asked on 30 March about the Commercial and Private Agents Act?

The Hon. C.J. SUMNER: Associated Grocers Co-operative Limited employs a number of persons as security staff to overview the operations of its warehouse at Kidman Park. The co-operative also conducts its retail operation as Target supermarkets, and for this purpose the security staff are licensed as store security officers pursuant to the Act. The same staff also act as store security officers in the stores owned by the shareholders of the co-operative.

In performing a security role for its members, the co-operative was, under the requirements of the Commercial and Private Agents Act, regarded as an external security agency and, as such, both it and its employee security staff were obliged to hold licences as inquiry agents, security agents and security guards in addition to the security licences already held by its relevant employees.

In response to a request from the co-operative, the Government considered the situation and was prepared to regard this proliferation of licences as unnecessary. It was considered that all the co-operative should have by way of licences was the store security licence held by its employees. It should also be appreciated that the exemption is limited and operates only to the extent that the co-operative and its employees act on behalf of its member stores and does not permit it to carry out a security function for any other store or business. I have established a working party to review the Act and, in one of its terms of reference, the working party will be examining the extent to which licences established under the Act can be simplified and the paperwork associated with their administration reduced.

PERSONAL EXPLANATION: SCHOOL FUNDING

The Hon. ANNE LEVY: I seek leave to make a very brief personal explanation.

Leave granted.

The Hon. ANNE LEVY: The Hon. Dr Ritson, a minute ago, made a comment regarding a question which I asked on 29 March and which is printed at page 671 of *Hansard.* I would ask all honourable members to read that question. I completely refute the allegations that the honourable member made regarding my quoting figures out of context and implying that I placed any value judgment whatsoever on the amounts that are granted. Any honest reading of the question that I asked would show that I ventured no opinion whatsoever as to whether the grants to particular schools were too large, too small, or just right. There was no value judgment whatsoever in my question, and I utterly refute any suggestion by the honourable member that I so concluded.

RAPE

The Hon. ANNE LEVY (on notice) asked the Attorney-General: In the past 12 months, in South Australia—

1. How many people have been charged with rape?

2. How many of those charged with rape were arrested?

3. How many of those charged with rape received a summons?

The Hon. C.J. SUMNER: Information for cases heard in the courts of summary jurisdiction for the six-month period 1 July to 31 December 1981 is as follows:

1. 38 people were charged with rape, five for attempted rape.

2. 33 people charged with rape were arrested, and all five charged with attempted rape were arrested.

3. Five people charged with rape received a summons.

YATALA LABOUR PRISON

The Hon. ANNE LEVY (on notice) asked the Attorney-General: On any particular day, what proportion of prisoners in Yatala Gaol are serving sentences of—

1. less than 28 days;
2. between 28 days and three months;
3. between three months and six months;
4. between six months and one year;
5. between one year and two years;
6. between two years and five years;
7. between five years and ten years;
8. greater than 10 years; and
9. life imprisonment?

The Hon. C.J. SUMNER: For the date 30 June 1982, the date of the last census of prisoners in South Australia, the distribution of aggregate sentences for Yatala was as follows, and I seek leave to have the remainder of the reply,

as it is of a statistical nature, inserted in *Hansard* without my reading it.

Leave granted.

Remainder of Reply

Sentence Length	Percentage of Prisoners
Less than 28 days	0.0
Between 28 days and 3 months	3.0
Between 3 months and 6 months	4.2
Between 6 months and 1 year	10.8
Between 1 year and 2 years	18.6
Between 2 years and 5 years	34.0
Between 5 years and 10 years	19.2
Greater than 10 years (determinate)	2.7
Life imprisonment	7.5

PUBLIC SERVANTS

The Hon. K.T. GRIFFIN (on notice) asked the Attorney-General:

1. What were the numbers of public servants in each Government department as at 6 November 1982?
2. What were the numbers of public servants in each Government department as at 28 February 1983?
3. What were the number of teachers in the State education system as at 6 November 1982?
4. What were the number of teachers in the State education system as at 28 February 1983?
5. What were the numbers of daily paid and weekly paid employees, respectively, in each Government department as at 6 November 1982?
6. What were the numbers of daily paid and weekly paid employees, respectively, in each Government department as at 28 February 1983?
7. What were the number of employees in the Health Commission as at 6 November 1982?
8. What were the number of employees in the Health Commission as at 28 February 1983?

The Hon. C.J. SUMNER: Regrettably, I have not obtained all the information requested by the honourable member. Yesterday, I saw a draft of the reply that contained most of the information, but some departments have still not completed the information requested by the honourable member. I can assure the honourable member that an answer will be provided, but it is a matter of indicating at this stage that some outstanding figures were still not available from one department when I viewed the reply yesterday.

ASSOCIATIONS INCORPORATION BILL

Adjourned debate on second reading.

(Continued from 17 March. Page 434.)

The Hon. K.T. GRIFFIN: The matter of associations incorporation has a long history in South Australia. It benefits thousands of small associations of incorporation that have been well established for decades. With the benefit of simple, cheap incorporation with minimum obligations on associations such as church groups, tennis clubs, other sporting clubs, the R.S.L., and many other community-based groups, there comes a number of advantages. There is continuity in the holding of the assets of the association, so that, instead of it holding property in the name of trustees and having to register a change in those trustees each time there is either a death, a retirement, or the appointment of additional trustees, the incorporated body is continued in perpetuity. There is also the advantage that, when the association incurs a debt, if the association is incorporated, the debt is incurred by the incorporated body and not by each and every member of the association. If there happens to be a deficiency in an association's funds, ordinarily a call is made on members of the association for sufficient funds to pay the outstanding liability.

Another major advantage for those dealing with an association is that with incorporation comes a much better facility for being able to sue the association; instead of having to sue each member of an unincorporated association or obtaining a representation order in the court to enable a group of members representative of the whole to be sued, the incorporated body is sued, and one does not have to worry about changes in the membership during the course of litigation.

In our society we rely particularly heavily upon volunteers, and we place very great emphasis upon groups of people with a common interest being able to join together in association to carry out functions for which they have come together. Most of those organisations comprise voluntary workers who themselves put in a great deal of individual effort to the activities of the associations.

If incorporation is presently required to facilitate the operation of that association it can be achieved relatively simply, with little expense and with minimal obligations placed on members either on a one-off basis or on a recurring basis. It would be a very great pity if, in reviewing the law relating to associations, we were to make the legislation so onerous on small associations and on individual volunteer members that they decided not to take the benefits of incorporation but to remain in an unincorporated state. It would be a very great pity if, in the review of the legislation, we were to place such continuing burdens upon associations which may seek to benefit from incorporation that, again, they do not seek to take benefits of that incorporation.

The history of associations incorporation is quite a long one; the present legislation in South Australia was passed in 1956. Some amendments, but no extensive amendments, have been made since that time; it really has not been subject to review. In 1978, the then Attorney-General and Minister of Corporate Affairs, Mr Peter Duncan, M.P., introduced the Incorporated Associations Bill, which created considerable controversy because of its wide-ranging and onerous provisions. As a result of the controversy which ensued at that time, that Bill did not proceed.

Part way through my term as Attorney-General and Minister of Corporate Affairs, I gave instruction to the Corporate Affairs Commission to begin reviewing the Associations Incorporation Act of 1956 because, as I see it, it had not been reviewed comprehensively since its enactment, and a number of its provisions were outdated, cumbersome or otherwise inappropriate for dealing with the affairs of associations. Particularly did that apply to those associations formed essentially with a view to making a profit and for the purpose of carrying on a business. My instructions as Attorney-General were that, if possible, the Bill which should result from that review should be a series of amendments to the 1956 Act. However, as the review progressed it became obvious that there would need to be a new Bill which, as far as possible, followed the principles of the 1956 Act.

My other requirement in requesting the Corporate Affairs Commission to review the legislation was that my Bill should not be introduced until there had been extensive and adequate consultation with all those likely to be affected by the provisions of the Bill. A draft Bill was prepared, but it was unsatisfactory.

After extensive consultation with officers of the Corporate Affairs Commission, a further Bill was prepared. After refinement it was forwarded by me to several legal practi-

tioners who had had extensive experience with these sorts of voluntary associations. The officers of the Corporate Affairs Commission were also to consult with them when responses had been received. After responses had been received from several legal practitioners the Bill was further redrafted, but then the election intervened and I was not in a position to proceed with the redrafting. I had intended not to have the Bill introduced into Parliament until I was absolutely certain that it met with a large measure of public support. As part of the consultative process, I had planned to circulate the redrafted Bill to some of the legal practitioners who previously had made recommendations, with a view to personally having conferences with them. Then, any further changes would have been made to the Bill and it would have been circulated to associations for comment before any further introduction.

I am not sure what level of consultation the present Attorney-General has had, but it seems to me that he somewhat feared that I would endeavour to pre-empt him by introducing the Bill which had been presented to me midway through consultation prior to the election. Maybe he had some justification for that because I did introduce the Co-operatives Bill, which had come to fruition when I was Minister just prior to the election, and the Bill relating to the abolition of the crime of suicide. I am afraid to say that he misjudged the position completely because I had no intention personally of seeking to introduce the Bill as a private member's Bill during the course of this Parliament.

The present Bill was introduced, and any person or body which wanted to make a submission had to do so by 22 April 1983. I understand that a significant number of submissions were made to the Corporate Affairs Commission. I myself took the opportunity of circulating the Bill to a number of people and organisations and, as a result of that consultation, I have received extensive submissions expressing concern about various aspects of the Bill.

The Council has not had an opportunity yet to hear the result of the submissions which the Corporate Affairs Commission received, but I would imagine from the content of the submissions I have received that the work involved in assessing the submissions and reaching some conclusions on amendments to the Bill and consulting properly with those likely to be affected by it might take some time.

For the benefit of the Council I want to identify some of the concerns which have been expressed to me and about which I also have concern. The first relates to clause 38 of the Bill, which must be read in conjunction with the definition of a member of an association in clause 4. Clause 4 defines a member as:

> A person who is under the rules of the association a member of the association and, where the rules do not provide for membership of the association, a person who is a member of the association by virtue of subsection (2):

Subsection (2) provides that:

> For the purposes of this Act, where the rules of an association do not provide for the membership of the association, the members of the committee of the association are the members of the association.

Clause 38 (1) provides:

> An incorporated association shall not invite the public to deposit moneys with, or lend moneys to, the association.

That is fair enough, but the difficulty arises in regard to subclause (2) which provides:

> This section does not prevent an incorporated association from inviting members of the association, or applicants for membership of the association, to deposit moneys with, or lend moneys to, the association.

The difficulty with that is that there are a number of incorporated associations that do not have members and a number of these sorts of incorporated associations are linked with various denominations of the church, particularly in respect of the capital development funds of the churches. Those funds are incorporated and their membership, if one can describe it in this way, comprises the principal church governing body. The Council can see that, as the Bill is drafted, if the incorporated capital fund of a church were to make information available to the various members of the church at large, the capital fund would be in breach of the Act, because it would be making information available to, and soliciting funds from, persons who have an association with the church but who are not members of that particular association.

Across a wide range of denominations of the church there is real concern about this aspect of the Bill. Related to that is concern which has been expressed to me by various agencies promoting resident-funded accommodation. They are agencies of a charitable nature, some with no membership but which provide accommodation to, for example, aged persons on the basis that those persons provide a loan or donation to the organisation in return for the right to exclusive occupation of the unit which is being acquired.

In those circumstances, it would seem to me that because the association does not have a membership as such, the very fact that the association promotes the availability of resident-funded accommodation, and obtains loans or donations from individuals who may seek to occupy one of the units in any scheme, means that it would be in breach of clause 38. If the Bill is to proceed, I hope that those matters in particular will be attended to by the Attorney.

There is anxiety about the requirement to lodge accounts, the requirement to lodge lists of members of the association and, in some cases, members of the committees and the requirement to audit accounts.

Clause 26 in Division II relates to accounts and audit. It provides that certain association within the categories referred to in clause 26 must have their accounts audited on an annual basis by registered company auditors and within a fixed period of time lodge those accounts with the Corporate Affairs Commission after tabling them at an annual meeting of members of the association. Obviously, there are many church organisations, the R.S.L. and other groups having a total membership of more than 200 persons. Even if their annual income does not exceed $100 000, they will be required to go to the expense of having their accounts audited by a registered company auditor and laying them before the annual meeting of the association and lodging them for public inspection at the Corporate Affairs Commission. Even if the membership does not exceed 200 persons, it may be that the subscriptions and income by way of gifts may exceed $100 000, yet the association may not be formed for the purpose of profit. It may be formed for charitable purposes or other purposes within the ambit of the Bill, and yet be required to go to the expense of having the accounts audited by a registered company auditor.

Those two aspects are of considerable concern to a variety of organisations which have communicated with me. Some of them, I understand, have informed the Corporate Affairs Commission of that concern. The other concern is about the need to lodge accounts with the Corporate Affairs Commission. There is some concern by some relatively small organisations not dealing with the public at large that the requirement to table accounts makes them publicly accessible where previously they were not so accessible and in circumstances where ordinarily that sort of information should not necessarily be available to members of the public at large. The information is largely of a private nature, personal to members of the association and should not be accessible to the public. That matter must be addressed.

I should say at this point that the requirement to lodge accounts and the requirement to list all members of an association is something which also creates concern. The

requirement to lodge accounts is something that exempt proprietary companies are not bound to do. There needs to be some clarification between what exempt proprietary companies are required to do in this context and the position of charitable and non-profit associations under this Bill.

Another concern is about the list of members having to be tabled, and that is not clear by any means, but is possibly required under either the regulation making power or clause 28. Large organisations with a large membership will suddenly have the details of their membership disclosed publicly and made available to those who seek to use that information for purposes other than those for which it was intended, such as mail order circularisation of material, soliciting funds, or soliciting to sell goods and services; in fact, a whole range of what the Hon. Anne Levy at one stage in the last Parliament referred to as 'junk mail' being put in the letter box or otherwise distributed to householders or members of an association.

There is concern about alterations to the rules of an association not being binding on members of the association until registered by the Corporate Affairs Commission; the alterations do not become effective until the point of registration. It is not clear from the Bill what is the point of registration or whether there is any incentive to the commission to process the alterations expeditiously, but it has been drawn to my attention by some organisations that, when they make changes to the rules under their constitution, they also make what are tantamount to by-laws or regulations which come into force concurrently with that change to the constitution; if the change in the constitution does not become effective until the registration of the change by the commission, it will seriously affect the operation of some organisations. With small incorporated organisations where ordinary people are involved in the administration and having no expertise in the administration of an association under the legislation, it may be that amendments are not lodged for quite some time.

Any action taken under those amendments will be invalid up to the time of registration and could create a great deal of confusion at the association level. I point out that this provision is different from provisions under the Companies Code, where there is a penalty for late lodgment of any change in the memorandum and articles of association of a company. However, there is no provision that the amendments in relation to the memorandum and articles of association will not become effective until registration by the Corporate Affairs Commission. I suggest that the Minister should look carefully at this provision to ensure that it does not place upon small voluntary associations burdens which companies are not required to bear under the Companies Code.

Concern has also been expressed about the complexity of the winding-up provisions and the breadth of the powers of inspection of the Corporate Affairs Commission. Those powers are included in clauses 10 and 31. I think that there is some substance to that concern. The concern is expressed in two parts: first, that the Bill merely translates the relevant provisions of the Companies Code into the association's legislation without expressly setting them out in the Bill; and, secondly, that the provisions are much too complex in any event.

When one is dealing with ordinary people in voluntary associations, it is important to provide in one piece of legislation all the provisions that are likely to affect the operation of such an association. I suggest that, notwithstanding the possible linking of the winding-up provisions of the Companies Code and the inspection provisions of that code, serious consideration be given to incorporating them in full with appropriate amendments in this Bill.

The present Act provides a fairly simple mechanism for winding up small associations. It would be quite ridiculous if we were to insist only on the appointment of a liquidator or a procedure whereby the Minister had to give a certificate after which the association could be wound up. There must be more appropriate and less cumbersome mechanisms for achieving the winding up of an organisation, with certain safeguards in those cases where, for example, there might be allegations of malpractice or suggestions that assets have mysteriously disappeared.

In relation to powers of inspection, a number of associations have expressed concern that the powers are too wide and that any claimant, even without a direct and substantial interest, may be able to assert the need for an investigation of an association, thus putting it under threat and to some possible considerable expense. I tend to agree with that, although I believe that there is a need for some power of inspection in certain circumstances.

There are other provisions of the Bill that I should refer to, if only for the benefit of the Corporate Affairs Commission when it is considering the submissions that have been made and for the benefit of the Attorney-General when he considers what is likely to happen to the Bill.

The Hon. C.J. Sumner: Are you supporting the Bill?

The Hon. K.T. GRIFFIN: I am coming to that. In clause 4 it appears that the definition of 'financial year' is too restrictive for those organisations arranged on an hierarchical basis where there may be a national governing body, a State governing body, regional governing bodies within a State and, finally, a local body. It has been pointed out to me that, if there were rigid constraints on the definition of 'financial year' provided in clause 4, it would be an impossible burden on organisations to prepare and adequately deal with their respective accounts under the provisions of this Bill.

Clause 11 details the associations which may be incorporated. In one submission to the Attorney-General, a copy of which the correspondent forwarded to me, it was claimed that clause 11 is not wide enough to cover all of the bodies which are presently incorporated or which, in circumstances similar to those presently incorporated, may subsequently seek to be incorporated. Bodies referred to included R.S.L. sub-branches, old scholars associations, masonic or other lodges, agricultural show societies, ethnic clubs, debating societies, superannuation funds, and some trusts. I draw the Attorney-General's attention to that. It is important that the range of bodies that can be incorporated at the moment continue to have that facility available to them, unless they are established with a view to carrying on extensive business or obtaining a profit for their members; in that case, some other statutory basis for incorporation (such as the co-operatives legislation or the Companies Code) may be more appropriate.

Clause 11 (2) provides:

> . . . an association which is formed for the purpose of furthering or protecting the interests of employers or employees and which is eligible for registration under the Industrial Conciliation and Arbitration Act, 1972-1982, is not, unless the Minister otherwise approves, eligible to be incorporated under this Act.

That is a long running matter for debate and I understand that it has a long history. I will focus more attention on that matter during the Committee stages of the Bill. Clause 15 (5) provides:

> The commission may decline to incorporate an association . . . if in its opinion—
>
> *(b)* the rules of the association contain oppressive or unreasonable provisions affecting the rights of members.

There is a similar provision in clause 17 relating to any amendment to the rules where, if in the opinion of the commission the amendment contains an 'oppressive or unreasonable provision affecting the rights of members',

registration can be rejected. A number of questions arise in this context. How does one define 'oppressive or unreasonable provisions affecting the rights of members'? Should the Corporate Affairs Commission have this power in any event? Companies are not required to submit their changes in articles to the Corporate Affairs Commission until they have been passed by the members of the corporation. The Corporate Affairs Commission does not have power to disallow any rules that might be regarded as oppressive or unreasonable in relation to the rights of members of a corporation. There are extensive provisions under the Companies Code relating to the way in which members of a corporation exercise their powers. There are rights of minorities where they believe that they have been oppressed. However, the Corporate Affairs Commission does not have power to disallow any articles of association or the memorandum of the corporation containing such a provision. I seriously question whether that power ought to be included in this Bill. Some correspondents have drawn to my attention clause 22 (3), which states:

> Subject to the rules of the association, no employee of an incorporated association shall be precluded by reason of that employment from being appointed as a member of the committee of the association.

In some circumstances it may be appropriate to provide that any person who is employed by the association shall not be a member of the committee of that association. Quite obviously, there may be potential conflicts of interest. I suggest to the Council that that provision be removed.

I have already dealt with clause 28, which requires the association to lodge with the commission such periodic returns, containing accounts, and other information relevant to the financial affairs of the association, as the regulations may require. Clause 28 (2) states:

> The requirements of the regulations in relation to periodic returns and the accounts and other information to be contained in them may vary according to the various classes of associations to which the regulations are expressed to apply.

If one reads that in conjunction with the regulation-making power in 47 (2) *(c)*, which states that the Government may by regulation require associations, or specified classes of incorporated associations, to furnish periodic or other returns to the commission containing information required by the regulations, then one can imagine the concern of a number of organisations about the burdens that will be placed upon them for no apparent public-interest reasons in complying with these provisions of the Bill. Again, I believe that that is a matter which needs careful consideration before this Bill passes the Parliament.

Several organisations have expressed concern about clause 39 of the Bill which requires an incorporated association to cause its name to be legibly printed, stamped or endorsed on every notice, advertisement, bill of exchange, receipt or other document given, published, drawn or issued by the association. I believe that that principle is appropriate, but I am concerned that there is no power for exempting any association from it. There are associations such as the churches which, when they communicate with members seeking funds for development or other purposes for the church, do not refer to the full name of the incorporated capital or development fund; members give those funds under the name of the governing body of the church. Obviously, that is a proper process. I think that provision ought to be made in the Bill for that practice to continue.

I turn to clause 43, which places a particularly onerous provision on members of the committee of an incorporated association because, where a member of the committee fails to take all reasonable steps to secure compliance by the association with its obligations under this Act, that person shall be guilty of an offence and liable to a penalty not exceeding $500.

That provision might be all very well for large associations where there is a deal of expertise on the governing body and in management. However, in the thousands of smaller associations taking the benefit of incorporation, I suggest that 99 per cent of those involved have no special expertise in the administration of associations and might easily be unaware of their statutory obligations under clause 43.

They may inadvertently commit a breach of the Act if they do not encourage the association to comply with the Bill. They are but a few of the matters which have been raised with me. There are a number of other matters that, if the Bill gets to the Committee stage, I will explore in detail.

I accept the need to review the Associations Incorporation Act, 1956-1965. I accept that, for those associations where large amounts of public money are being handled and there is a significant business being carried on by the association with a view to making substantial profits, the accountability of those incorporated associations should be improved and wider powers given to the Corporate Affairs Commission. However, I do not believe that the majority of incorporated associations, the very small associations, should have the weight of this Bill brought to bear upon them.

I suggest to the Attorney-General that he indicate to the Council that, rather than proceeding with this Bill at this stage, within the remaining two weeks of this session and during the recess he properly assess the submissions that have been made to the Corporate Affairs Commission by a wide range of people, interests and associations and that there be further consultations with those organisations and that a new Bill be brought back to the Parliament in the session commencing 28 July. If that is done, I suggest that there will be much less concern felt by the hundreds of thousands of members of the community directly or indirectly affected by this legislation by reason of their membership of or involvement with incorporated associations. If that occurs, then the Opposition will facilitate the debate on that legislation, and its passing.

If, in fact, the Attorney-General insists on proceeding with this Bill either this week or next week I regret to say that, notwithstanding the fact that we support a review of the present legislation, we will have no alternative but to oppose the second reading. I hope that it will not get to that point. I suggest to the Attorney-General that, because of the very substantial submissions that have been received by the Corporate Affairs Commission (certainly, if they are anything like the ones received by me, then they will be substantial), it would be in the interests of avoiding public controversy about this Bill that further consideration of it be postponed. If that occurs, we will certainly facilitate consideration of it during the next session because we agree that it does need upgrading in respect to certain areas of the law. If it is not to be deferred, then, regrettably, we will have no option but to oppose the second reading.

The Hon. L.H. DAVIS secured the adjournment of the debate.

JOINT COMMITTEE ON SUBORDINATE LEGISLATION

The Hon. C.J. SUMNER (Attorney-General): By leave, I move:

> That the Hon. Barbara Wiese be appointed a member of the Joint Committee on Subordinate Legislation in place of the Hon. Frank Blevins, resigned.

Motion carried.

WHEAT MARKETING ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 20 April. Page 903.)

The Hon. H.P.K. DUNN: I fully support this Bill and do not wish to speak at length on it, as it is mainly procedural and was agreed to in principle by the Liberal Government prior to the last election. It does introduce some new features to the marketing of wheat which in my opinion can only help. Ever since the formation of the Australian Wheat Board its role as Marketer of the nation's wheat crop has not been a simple one. The formation of this organised marketing system has been quite a success story, and has contributed to the very big industry in Australia that the growing and selling of wheat on the world market now is.

Competition for the sale of wheat on world markets has, by its very nature, been variable, and this variability causes fluctuations in prices and returns to growers and processors. These price fluctuations are not always closely aligned to the stocks of wheat held throughout the world; in fact, they appear to be more aligned to the stocks of corn or maize in America (but that is a side observation).

This Bill, amongst other things, is attempting to even out the returns to growers by giving the Wheat Board greater flexibility so that they may trade in wheat futures. This process of hedging will help those people marketing the product to borrow funds necessary for the whole operation. The amendments to section 7 of the principal Act, allowing for the trading in futures, are safeguarded by having to be in accordance with the guidelines as laid down in section 12 (1) *(c)* of the Commonwealth Act.

Clause 5, allowing payment to the grower by lump sum or instalment, gives the grower more flexibility. The grower may wish to receive a large sum to offset, for example, a payment on plant he may have purchased recently, or he may choose to receive payment over a longer period with increased return. Clause 7, amending section 17a of the Act, fine tunes the accounting of the board and will allow it to make earlier payments, or debits, to the producers, as the case may be, thus making it appealing to growers by speeding up the process of payment.

Clause 9, dealing with section 21, allows for producers to take delivery of grain from the board and debit those purchases against moneys still owing from the pool, with the necessary adjustments. In times of drought, this is a very sensible action. Until now producers needing stock feed in times of drought have had to pay the full home consumption price, even though payments from the pool were owing to them. This clause will help offset their having to find carry-on finance during times of drought or need. The Bill, which I support, brings South Australia into line with the Federal legislation, and is supported by the industry.

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

METROPOLITAN MILK SUPPLY ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 20 April. Page 903.)

The Hon. M.B. CAMERON (Leader of the Opposition): The Opposition supports this Bill. It is designed to ensure that the milk testing laboratories in this State continue and that milk that is delivered to the Metropolitan Milk Board can be identified back to owners to enable owners to continue herd testing. I understand that there have been numerous problems in regard to this testing being carried out by a private organisation. There is a need for updated equipment and also for closer liaison between the point of milk delivery and the point of testing. It is sensible at this stage that the milk that is tested should come under the umbrella of the Metropolitan Milk Board. We have absolutely no argument with this Bill.

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

BARLEY MARKETING ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 20 April. Page 905.)

The Hon. H.P.K. DUNN: The Opposition agrees with this Bill. The amendments to the Barley Marketing Act are like those in regard to the Wheat Marketing Act: they are formal and agreed to by the industry, the Barley Marketing Board, and the Victorian Minister of Agriculture. The first two clauses need no comment. However, clause 6, amending section 9 of the principal Act, has been included specifically to give further flexibility to the board, enabling it to borrow the necessary funds to honour the barley delivered to the respective pools. With the high cost of money today, many producers are asking to be paid a maximum first advance to help offset their own borrowings.

The use of futures trading will give the board the opportunity to hedge in the market place, allowing it to be more specific when setting first advances and final payments of pools. Regarding clause 4, I agree with the appointment of a Deputy Chairman and the staggering of terms of office of the board. While dealing with traders from overseas, continuity of knowledge of previous transactions and personalities is desirable.

Clause 7 introduces a new section 10a. This clause has been added to facilitate the board's gathering of exact information from growers who may be delivering barley across the interstate border to advantage themselves by receiving higher payments that may be available because of State accounting. This practice is not condoned by growers living great distances from the State boundaries, and so this clause makes equal opportunity and payments to growers anywhere in the State.

Clause 10 deals with the principal Act, which terminates in the season 1982-83. It will be renewed for a further five years to the season 1987-88. I recommend that this period be reviewed with the object of lengthening the period so that it is similar to that in the Wheat Marketing Act. I have spoken to the industry about this measure, and find there is no objection. I support the Bill.

Bill read a second time.

In Committee.

Clauses 1 to 9 passed.

Clause 10—'Application of Act'.

The Hon. H.P.K. DUNN: Clause 10 deals with the principal Act and the period for which it is in force. Maybe this whole Act ought to be looked at again in relation to this five-year period with the object of inserting a clause to wind it up in the event of a poll of growers deciding to wind up the Barley Board. If this were the case, there would appear to be nothing to allow the winding down of the pool, the finishing-up payments of moneys within the pool, and the extension of proposed trading contracts that may have taken place during the period of the life of that pool (one year). I am not sure at this stage whether there is any mechanism within this Bill to deal with that, and it may need a sunset clause or something similar to wind it up. I believe that at this stage it has not been deemed necessary by the industry; it may be necessary to look at it in the future.

The Hon. FRANK BLEVINS: I have taken note of the comments made by the Hon. Mr Dunn in his speaking to this clause. Certainly, if it is envisaged in the future that such a clause is desirable, I will have discussions with the industry, and will be happy to bring in an amendment to the Bill if it is thought desirable.

Clause passed.

Clause 11 and title passed.

Bill read a third time and passed.

CRIMINAL LAW CONSOLIDATION ACT AMENDMENT BILL (No. 2)

Adjourned debate on second reading.

(Continued from 20 April. Page 905.)

The Hon. K.T. GRIFFIN: The Opposition supports the Bill, which makes changes of a non-controversial nature. It seeks to remove the inadequate maximum monetary penalty of $500 presently provided in sections 14 and 38 of the principal Act. There are offences in sections 14 and 38 which carry penalties of imprisonment of up to seven years, relating to driving offences. Section 14 of the principal Act deals with the offence of causing death by negligent driving, while section 38 deals with injuring persons by dangerous or negligent riding or driving. In those circumstances, I am certainly pleased to support the removal of the monetary penalty of $500 and allowing the courts, under section 313 of the principal Act, to propose what is in effect an unlimited monetary penalty in lieu of imprisonment if that is the way the court is inclined.

I am pleased to see that the penalty for unlawful wounding in the circumstances referred to in the Bill has been increased from three to five years and, where the victim is under 12 at the time of the offence, a maximum of eight years imprisonment. That matter should have been picked up when the Liberal Government undertook its comprehensive review of penalties for offences against the person, but it was inadvertently overlooked. It was in a draft Bill which was to have been dealt with by the previous Parliament but, because of the election, that was not possible. So, I am pleased to be able to support that.

I am pleased also to be able to support that part of the Bill which allows a jury to bring in an alternative verdict of driving without due care or driving recklessly or at a speed or in a manner dangerous to the public where manslaughter has been charged and the offence arises out of the use of a motor vehicle. I see no reason at all why the jury ought to be in any way limited in this context in its opportunity to bring in an alternative verdict. The other provisions of the Bill are essentially consequential and non-controversial. I support the Bill.

The Hon. C.J. SUMNER (Attorney-General): I thank the Opposition and the Hon. Mr Griffin for their support of the legislation.

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

AIRCRAFT OFFENCES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 20 April. Page 905.)

The Hon. K.T. GRIFFIN: The Opposition supports the Bill. As the second reading explanation of the Attorney indicates, it is to deal with what in effect constitutes an anomaly by removing the provisions of the principal Act which limit the application of the Bill to a journey by aircraft commencing in one geographical area and ending in another. Of course, that does not cover the position where the aircraft journey commences in one geographical area and ends in the same geographical area. The amendment is not contested by the Opposition.

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

LAW COURTS (MAINTENANCE OF ORDER) ACT AMENDMENT BILL

Consideration in Committee of the House of Assembly's amendments:

No. 1. Clause 10, page 3, line 45—

Leave out 'performing' and insert 'the performance or purported performance of'.

No. 2. Clause 10, page 4, line 4—

Leave out 'in the course of performing those duties' and insert 'by him in good faith and in the course of the performance or purported performance of duties assigned to him by or under this Part'.

The Hon. C.J. SUMNER: I move:

That the House of Assembly's amendments be agreed to.

These amendments were instigated by the Government in another place as it was believed that there was some defect in the drafting of clause 10, which gives protection to orderlies operating under the Law Courts (Maintenance of Order) Act. The standard amendment provides that an orderly who is acting in the performance of his duty incurs no personal liability in tort. That was the original provision in the Bill. The amendment provides that the immunity against personal liability in tort exists provided the orderly is acting in the course of the performance of his duties but is also acting in good faith. The amendment is to provide that a court orderly incurs no personal liability in tort for any act or omission by him in good faith in the performance or the purported performance of duties by him under this Part. That is consistent with clauses that appear in other legislation, and I commend the amendment to the Committee.

The Hon. K.T. GRIFFIN: I support the motion. Generally speaking, the Liberal Government was prepared to accept that officers of the Crown in a position similar to, for example, police officers who may have to act quickly without thinking whether they are technically within the authority of the Act under which they are operating should be indemnified against the discharge or purported discharge of their duties in good faith. However, we do not agree with an extension in relation to all those performing a statutory function, for example, members of committees or boards where there is not the same urgency in some circumstances to take action. The proposal before the Committee is consistent with the policy that the Liberal Government adopted, and for that reason I am prepared to support it.

Motion carried.

LOCAL GOVERNMENT ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 20 April. Page 910.)

The Hon. C.M. HILL: In the many years that I have been a member of this Council, I do not think a session has passed in which we have not had a Local Government Act Amendment Bill before us.

The Hon. R.C. DeGaris: Isn't it time that it was redrafted altogether?

The Hon. C.M. HILL: Yes, and I will come to that. These Bills deal with bread-and-butter issues as they affect

the day-to-day operations of local government. It has been a process of keeping local government legislation up to date. One of the basic reasons for the necessity to bring these Bills before Parliament is that the parent Act is outdated. Because the parent Act has not been updated in totality, we see a continuous procession of amending Bills before Parliament.

Late in 1981, the then Government proposed to rewrite the Local Government Act. Naturally, that took a lot of consultation, time and public discussion because it is a major task. When one looks at the history of procrastination and delay, it is a poor reflection on all concerned in the local government administrative area that so many years have passed and still we do not have a Bill before us to update the Local Government Act. Instead, we are messing around with bread-and-butter Bills similar to the one now before us.

The history goes back to at least the mid 1960s when it was contemplated that a large review of the local government area should be conducted. In fact, between 1967 and 1970 the Local Government Act Review Commission did sit and in 1970 finally brought down a large report on its investigation into updating local government legislation in this State. When Labor was in office between 1970 and 1979, nothing was done about this reform. In 1979, the Liberal Party came to office and grasped the nettle, and between 1979 and 1980 we made some endeavours to rewrite the Act. This process took shape between 1981 and 1982. Indeed, following a lot of consultation, the first of a series of Bills to achieve the rewriting of this Act in totality was approved by the Government in late 1982. However, Labor was voted back into office before that legislation came before Parliament. I do not think anyone really knows what stage this matter has reached in the six months following the election in November last year.

Labor has returned to its pattern of indecision, procrastination and Ministerial incompetence. All this is occurring in the name of consultation. When the present Minister is asked by local government throughout the length and breadth of this State what is happening in relation to the new local government legislation, he replies that consultations are taking place. The Minister says that he will do nothing relative to local government without consulting councils beforehand. That claim is false. Within a week of coming to office the Minister deregulated the control of Alsatian dogs on Kangaroo Island without any reference to the local governing body on that island. Further, the Minister did not forward this Bill to the Local Government Association for comment.

At the last annual general meeting of the Local Government Association, with quite a ridiculous giggle and an even more ridiculous comment about the previous Minister of Local Government, the Minister continued to state that he would not do anything without consultation. However, in the same breath he said, 'You are going to have to live with three-year terms in future.' When it was obvious that the meeting could see the ridiculous content of his statement, the Minister said with a smile, 'Well, we are being kind to you; we are not imposing compulsory voting on you.' Frankly, with a Minister like that, it is little wonder that a new Local Government Act has somehow or other been lost in the wilderness. Such legislation should be before the Council now instead of this bread-and-butter Bill.

We are going back into the past, back into the old practice of regularly considering updating Bills. I suggest that the only hope for the Minister to get a new Local Government Act into Parliament is for him to take a little more notice of his competent staff in the local government office. Hopefully, in time, they might influence him to a point where he can get on with the job and achieve for local government just what local government deserves—that is, modern and up-to-date local government legislation.

The measure before us includes many diverse subjects. Most of them, if not all, were considered by the local government office and by me as Minister in 1982. At that time I can recall deferring the overall basket of issues because I said that we should finish with this type of legislation and wait for new legislation to overhaul the old Act. Without such legislation, it is necessary that help be given to local government through measures such as the one now before us. In essence, this is a Committee Bill, and I think the best time to debate its various parts and subjects is in Committee.

The Minister, when he presented the Bill to this Council, went into considerable detail about these various points and the clauses in the Bill. I do not, therefore, wish to be repetitious or to go over the same matters again. However, some of the important matters deal with the option to be given to councils to either refund or hold rates paid that are proved to be in excess of what the ratepayer should have paid by a successful appeal to the Valuer-General. The Government has taken the line in this Bill that the council can retain such rates but suggests that it should pay the ratepayer 10 per cent interest on the amount of rate retained. I would like the Minister (and I can see he is very interested in this Bill because he is not in his place)—

The Hon. Frank Blevins: He has been called out for a moment. That is unavoidable. I am here.

The Hon. C.M. HILL: What is more important than being in the House when one's own Bill is being debated? I ask the Minister whether the Government might consider adopting a policy in relation to this Bill of refunding excess rates.

The Hon. Frank Blevins: That kind of remark about the Minister would be understandable from a member in his first three months, but he certainly then learns a little courtesy and manners.

The Hon. C.M. HILL: What does the honourable member mean 'A Minister in his first three months'? This Minister is within three days of his first six months.

The Hon. Frank Blevins: I am talking about the Hon. Mr Hill.

The Hon. Barbara Wiese: The honourable member is acting like a new member instead of an experienced statesperson.

The Hon. C.M. HILL: I am only echoing the criticisms which have come from outside, and this is the forum in which they should be voiced. I am not having councils and members of local government complaining to me and then not repeat those complaints here. That is why I am repeating them. I do not know why Government members should be critical of this attitude. Did they sit here mute when in Opposition? Of course they did not! I would like the Minister to consider making councils return rate moneys which have been paid and which have been proven by a successful appeal to the Valuer-General to be in excess of those that should have been paid. I appreciate that some endeavour is being made in this legislation to meet this matter by requiring that ratepayers be paid 10 per cent interest on money held by a council. However, what is the reason for not providing that that money should go back to the person who is its true owner? I think that this point ought to be looked at. However, if the Government has some reason whereby it can justify adopting the stance that it has taken in this measure, I think that, in many instances, an interest rate of 10 per cent is too low. For instance, many ratepayers have bank overdrafts and, therefore, if they do not get from local government an interest rate comparable with what they are paying to their bank, I think that that is unfair and that the matter must be looked at closely during the Committee stages of this Bill.

I notice that a much better arrangement is being provided in the Bill for the nomination of councillors for the office of alderman or mayor. The machinery for this in the old Act was poor. The question of portability of long service and sick leave payments is being pursued for an employee who transfers from one council to another. This is dealt with much more efficiently than it was in the past. Also, payments of allowances to mayors and chairmen are being dealt with more efficiently, if I can use that word. In other words, if councils agree to such payments the recipients can obtain money at more convenient times under the provisions of this Bill than they can at present.

The Government is endeavouring to provide uniformity in voting requirements when the fixing of various rates comes before council. In other words, the three categories of rates—general, differential general and special—at present require different majorities in council voting, but this Bill is endeavouring to make this uniform on the basis of a normal absolute majority. I think that, in principle, that has a lot of merit, although there seems to be some unfairness regarding one matter which will be dealt with in Committee and about which I have an amendment on file.

The matters of private roads, their making and costing, and the payment for private roads by adjacent landowners are dealt with in considerable detail in this measure. I think that it is proper that that problem area should be tidied up. I am satisfied that the Bill does that by way of a relevant clause. I do not think that there is any point in going into further details, because in Committee we can discuss the Bill in general terms.

I hope that we will hear more about what the Government is doing about rewriting the the Local Government Act and that it will not be long before the people involved in this third tier of Government are given legislation that they desire. It was back in 1967 that the first major inquiry into this legislation took place. That is a long time ago. The present Minister had the first Bill to bring about this improvement on his desk in November 1982, yet it still has not seen the light of day. I support the second reading.

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

CROWN LANDS ACT AMENDMENT BILL

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

ADJOURNMENT

At 4.51 p.m. the Council adjourned until Wednesday 4 May at 2.15 p.m.