LEGISLATIVE COUNCIL

Thursday 5 May 1983

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

MOTOR VEHICLES ACT AMENDMENT BILL

At 2.16 p.m. the following recommendations of the conference were reported to the Council:

As to Amendment No. 1:

That the Legislative Council do not further insist on this amendment.

As to Amendment No. 2:

That the Legislative Council do not further insist upon this amendment but make the following amendment in lieu thereof:

Clause 3, page 1, line 18—After 'is amended' insert—

(a) by inserting after subsection (1) the following subsection:

(1aa) Notwithstanding subsection (1), where the applicant for the issue of a driver's licence has previously held a licence issued under this Act or under the law of a place outside this State but not during the period of three years immediately preceding the date of his application, the Registrar may issue him with a licence without endorsing upon the licence the conditions required by that subsection.;

and

(b).

and that the House of Assembly agree thereto.

Consideration in Committee.

The Hon. FRANK BLEVINS: I move:

That the recommendations of the conference be agreed to.

The conference was held in a most amicable atmosphere and the result achieved by the conference was satisfactory. It demonstrated, if any further demonstration was required, the worth of these conferences, which is something that I have come to appreciate more over the years. The problem was not a major one. It was one that could perhaps cause some embarrassment to people who were experienced drivers over a long period but who had not held a licence for a number of years.

The solution arrived at by the conference is completely satisfactory. It achieves a position where no embarrassment is caused to anyone, but the P plate system is not devalued in our driving licence programme. I urge the Committee to support the recommendations.

The Hon. M.B. CAMERON: I support the recommendations of the conference. I appreciate the attitude adopted by the Hon. Mr Blevins. He must realise that it demonstrates not only the value of the conference procedure but also the value of this Council. Eventually, the Hon. Mr Blevins may come to realise the true value of this Council. Without this Council we could not have conferences and these worthwhile compromises could not be achieved. I appreciate the fact that the Hon. Mr Blevins has changed the attitude he expressed some days ago in relation to the Council.

The effect of this amendment is that people who for one reason or another do not renew their licences for a three-year period (and there could be many reasons, but I will not go through them) are faced with the rather annoying procedure of having to go through the whole 'P' plate system when they might have been driving for a number of years. Of course, it is possible that few people are affected in this way per year. The holder of a 'P' plate licence must drive at less than 80 kilometres per hour for 12 months. That is not so much an embarrassment as an annoyance. There has been an attempt to imply, not by the Minister of Agriculture but by others, that this amendment was an attempt to save people from embarrassment. I repeat: it is not so much the embarrassment as the annoyance of having to go through the 'P' plate procedure when one might be a perfectly competent driver.

The effect of the amendment does not mean that people who have failed to renew their licences will automatically not have to go through the 'P' plate period. There may be good reasons why people should undertake that 'P' plate period again. Nevertheless, the amendment gives the Registrar of Motor Vehicles some leeway. I think it is important that he has some discretion. The amendment means that the people affected will have to go through a theoretical test and a practical driving test. That should present no problem for those people who are competent drivers. From that point on the Registrar will be able to offset the requirement that a driver in this category must carry 'P' plates for a period of 12 months. The amendment achieves what the Legislative Council wanted in its original amendment and, therefore, I support the motion.

The Hon. I. GILFILLAN: I place on record the gratitude of the Australian Democrats for the work of the conference, and I support with pleasure the motion now before the Committee.

Motion carried.

QUESTIONS

POLICE GREYS

The Hon. M.B. CAMERON: I seek leave to make a brief explanation before asking the Attorney-General a question about the Police greys.

Leave granted.

The Hon. M.B. CAMERON: No doubt many members have been as shocked as I to read reports that the future of the Police greys is in doubt. I suppose one could describe this particular unit of the Police Force as a part of the history of the State. Of course, it is more than that: it is part of the living history of the State because these horses and the people who exercise them are useful within the community and may well prove to be more useful in the future. I think that it would be a shame if such a group were disbanded, restricted or reduced to a point where they no longer breed their own replacement horses. There has been much talk about the attitude of a member in another place, Mr Duncan, the former Attorney-General, to these horses and this group in the Police Force. It seems to me that he has always been somewhat paranoid about them, and has always been of the view that they should be abolished. I would be particularly concerned if his feeling towards the greys has now caused the Government to take steps to abolish this section of the Police Force, or to at least downgrade it.

All South Australians hold strong feelings for the Police greys, which have become very much an institution in this State. Like the Police band and the motor cycle squad, their performances throughout the State, from the city to the remotest areas, are well attended and eagerly awaited. The Police greys are an important and vital reason for the strong goodwill that exists between the public and Police in this State. Little wonder, then, my shock on reading a report in today's *Advertiser* that our famous Police greys may go. The report states:

The future of the Police greys—the horses which have been the pride of South Australia for generations—is under threat.

Breeding stock at the Police Force's Echunga stud are to be phased out . . . The Police Commissioner, Mr J.B. Giles, said today he would have discussions later this month on the culling of the grey stock . . . The decision had been made on 'a cost effective basis' . . . Breeding would be replaced with an acquisition programme from outside sources to sustain numbers.

The greys have brought pomp and glamour to ceremonial occasions and have been adored by adults and children at pageants

and other functions. That the greys could disappear was condemned today by horse experts and a former Police chief... Equestrian Federation of Australia South Australia president and national vice-president, Mr M.A. Trenerry, said the move would threaten the continued existence of the Police greys.

'The browns and bays used interstate do not even look like Police horses,' he said. A spokesman for South Australian bloodstock agents, the Australian Breeders Co-op., said he doubted an all-grey Police cadre could be sustained by acquiring greys.

Former Deputy Police Commissioner, Mr G.M. Leane, said the cost of keeping the horses was more than off-set by their public relations value. 'If my father, who was Police Commissioner for 24 years, knew about this, he would turn in his grave,' he said.

Equestrian Federation acting secretary-administrator, Miss S. Robins, said the move would spell the end of the South Australian 'Police grey family as we have known it'.

'To find sufficient greys outside the force would be difficult. To find one of about 16 hands—which has been their requirement—would be extremely difficult. To find one with the same temperament—

and this is important—

would be virtually impossible,' she said... Although the unit would continue taking part in ceremonials, such as the opening of Parliament and Royal tours, public relations activities such as some show jumping would be cut back.

The statement was made by Mr Giles and issued through the Chief Secretary, Mr Keneally. The cost per head to the community of this force is small. Nevertheless, it is an important part of our Police Force as people (and I am talking about the general public) see it. We all know that the present Government and some of its backbenchers in particular have no love for the South Australian Police Force, but I wonder just how far this Government's cost-cutting economies will go. We have here an institution recognised throughout Australia which provides enormous goodwill and pleasure to thousands of people every year, yet this is all to change.

I for one believe that, if the Government wishes to cut back performances of the Police greys, it should do so in the area of official ceremonies which often are not all that significant to the majority of South Australians, and allow the greys to perform amongst the people—at shows and at displays, not just at select metropolitan performances. The action of the Government to save a few dollars at the expense of enormous public relations potential and immeasurable goodwill, while using taxpayers' money to become collecting agents for trade unions as part of a post-election pay-off, is like, to coin a phrase, shutting the stable door after the horse has bolted. Accordingly, I ask the Attorney-General the following questions:

1. Will the Attorney raise this matter with the Chief Secretary, and if necessary with Cabinet, to ensure that, if such a decision has been taken, it is reversed?

2. Is it likely that, following this action, the Police band and the motor cycle squad, which also provide great entertainment, will be under similar threat from this Government?

The PRESIDENT: Order! Before the Minister replies, we will accept a message from the Governor.

The Hon. C.J. Sumner: I want to reply first.

The PRESIDENT: I have ruled that we will receive a message from the Governor first.

ASSENT TO BILLS

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

Alsatian Dogs Act Repeal,

Death (Definition),

South Australian Oil and Gas (Capital Reconstruction),

Transplantation and Anatomy.

QUESTIONS RESUMED

POLICE GREYS

The PRESIDENT: I call on the Attorney-General.

The Hon. C.J. SUMNER: The Police Force, as the honourable member well knows, is under the administration of the Chief Secretary. The honourable member's statement was very strong on accusation but incredibly short on fact. The honourable member referred to an article that reflected the views not of a Government spokesman in relation to Police greys—there was a statement from the Commissioner of Police, Mr Giles, who, of course, has the responsibility for the day-to-day running of the Police Force.

The Leader of the Opposition in his statement seems to be trying to develop some disquiet or uncertainty about the position by using such words as 'decisions of the Government' and 'threats to Police greys, the Police band and the motor cycle squad'.

The Hon. C.M. Hill: It is a very grey area.

The Hon. C.J. SUMNER: It is very grey—certainly as far as the Hon. Mr Cameron is concerned. I thank the honourable member for his assistance. This is not a matter which, to my knowledge, has had a Cabinet decision taken on it. It certainly has not come to my attention. From the statement that the honourable member read to the Council, it does not appear that the Police greys will be disbanded or that that section will be run down. No decision has been taken at Cabinet level to indicate that there is any threat to the Police band, the motor cycle squad or Police greys. If the honourable member is concerned about it and, if what I have said is not correct, I will obtain details from the Chief Secretary and bring back a reply.

MEDICARE

The Hon. J.C. BURDETT: I seek leave to make a brief explanation before asking the Minister of Health a question about Medicare.

Leave granted.

The Hon. J.C. BURDETT: The Minister has previously in this place expressed his delight that Medicare will operate throughout Australia. In today's *News*, under the headline 'Medicare risk to $millions in South Australia', the following is stated:

South Australia would lose hundreds of millions of dollars in investment if local health funds were not incorporated in Medicare—the proposed national health scheme.

This was the warning given today by Voluntary Health Insurance Association vice-president, Mr W. Cousins.

'If we are not allowed to act as agents for Medicare the loss to South Australia would run into hundreds of millions of dollars because our investments are all internal, exclusively within the State,' said Mr Cousins, who also is N.H.S.A. general manager.

He also warned the exclusion of the health funds from Medicare would mean an initial loss of about 500 jobs within the existing industry in South Australia.

But Mr Cousins acknowledged some of the retrenched workers would find jobs within the new organisation.

The 400 000 members of the two major local organisations, Mutual Health and N.H.S.A., also would suffer the inconvenience of having to transfer to the new organisation. The Hawke Government is committed to implementing a national health insurance system expected to be run along the lines of its predecessor, Medibank, by a separate Government entity to be known as Medicare.

But the voluntary health funds have argued in a submission to the Federal Government that they have the resources and capacity to act as agents for the new scheme.

'It doesn't seem logical that in the present tight economic situation, $65 000 000 should be spent on gearing Medibank for this effort throughout Australia, when they can virtually do the same thing through the present system for no cost,' said Mr Cousins.

Under Medicare, which starts on 1 January, Australians will be taxed an extra 1 per cent for universal health care.

Will the Minister take up with his Federal colleague the possibility and feasibility of the funds I have mentioned being used as agents for Medicare?

The Hon. J.R. CORNWALL: I repeat what I said in this Council on several occasions: I most certainly will welcome Medicare when it comes in on 1 January 1984. I am on record at Streaky Bay as having told the Chairman of one of the hospitals over there that I intend to hold a street party.

An honourable member: At Streaky Bay?

The Hon. J.R. CORNWALL: No. That might have been a somewhat rash promise, but it was an expression of the delight with which I will greet the new arrangements. There are some very good reasons for that—something like 20 000 000 good reasons for it if one looks at the financial year 1982-83, the matter raised yesterday by the Hon. Mr Lucas.

It will mean that we will no longer have any bad debts in our public hospitals. That, for a start, will be a huge advantage, and it will certainly make things very much easier for the Health Commission and hospital administrators. I would be surprised if the hospital administrators themselves are not holding parties around New Year's Day 1984, because no longer will we have to go through this enormously difficult processing of accounts for every patient—both out-patient and in-patient—that goes through these hospitals. Of course, there are many hundreds of thousands a year—more than 100 000 in casualty at Royal Adelaide alone and more than 100 000 out-patients in addition to that. So, one can see how much easier it will be instantly for the management and administrators of our hospitals.

As I understand it from some of the discussions that I have had with my colleague, Dr Blewett, at both a formal and an informal level, the Federal Government is currently considering at least three options to put Medicare into place mechanically. One option that is available to the Federal Government is to create a new organisation, of course. Another is to use the existing infrastructure of Medibank Private, which has a national distribution and very considerable computer facilities. It has been put to the Government very strongly that yet another is to use the existing funds. To the best of my knowledge, no decision has been taken at this point as to which of these three options or any other may be adopted.

In the circumstances, Bill Cousins is being rather premature. I would think that he is doing a bid of shadow sparring or, alternatively, a bit of up-market lobbying. Either of those two roles is perfectly legitimate for the private funds to adopt, but I believe that they would be best doing that lobbying direct in Canberra rather than through the columns of the daily newspapers.

As I see it, all these things are possible and feasible. The suggestion of a loss of 500 jobs, of course, is complete nonsense. There may be a job transfer, but it is my understanding that there would be little, if any, net loss of employment, no matter which option is adopted by the Government.

The other thing, of course, is that the private funds, regardless of what happens, will still be able to provide private hospital insurance. That was always clearly understood. Whether or not one is a supporter of it, there is no doubt that it has always been made very clear that the new Medicare arrangements will underwrite fee for service medicine.

So, we will have that additional insurance available for private hospital patients and, of course, the funds will also continue to provide cover in the extras areas such as dental, physiotherapy, and so on. While there may certainly have to be some major adjustments within the health funds of the State and around Australia, the enormous benefits which will flow in other areas, particularly in our hospital areas, will more than offset any relatively minor disruption which may occur as far as the funds are concerned.

JUSTICE INFORMATION SYSTEM

The Hon. K.T. GRIFFIN: I seek leave to make an explanation prior to asking the Attorney-General a question about the justice information system.

Leave granted.

The Hon. K.T. GRIFFIN: The Liberal Government approved moves to establish a computer-based justice information system involving the Police Department, the Attorney-General's Department, the Correctional Services Department, the Community Welfare Department and, in some respects, the Courts Department. Funds were made available to fund a consultancy designed to move the project to implementation. Project manager for the consultancy was Mr Malcolm Hill of the Data Processing Board, and Mr Paul Le Forte of Touche Ross Services, Chicago, was the lead consultant.

The steering committee was established, and the Chairman was the Deputy Police Commissioner, David Hunt, because the Police Deparment was the department with the most substantial involvement with the justice information system. Mr Guerin of the Data Processing Board was also involved, and the committee was responsible to the Attorney-General. The committee met on a regular basis whilst I was Attorney-General.

The consultancy commenced and, during my term as Attorney-General, was scheduled to be completed towards the end of 1982, and then the next stage of implementation was to be assessed and proceeded with. Assessments were made suggesting that dramatic savings could be made of at least $750 000 a year, largely in the police area if an offender-based tracking system, which was the basis of the justice information system, were to be implemented, and considerable administrative benefits would flow to the participating departments, the public and others affected by the judicial process as offenders moved through the system from apprehension, trial, sentencing, imprisonment if appropriate, and then release. In the light of Mr Guerin's move to the Department of the Premier and Cabinet and in view of the Governments tight budgetary situation, my questions are as follows:

1. Is Mr Guerin still involved with the implementation of the justice information system and, if he is, to what extent?
2. Is the steering committee still in existence and actively pursuing its objective?
3. Is the objective of the committee to implement a justice information system the same now as it was under the Liberal Government? If it is not, what changes have been made?
4. Has Mr Le Forte's report been received? If it has, can it be released?
5. What is the time frame for implementation of the justice information system?

The Hon. C.J. SUMNER: The justice information system inquiry has proceeded under this Government just as it was proceeding under the former Government. No direction to the contrary has been given, and no final report has been received by me, although I have had various interim briefings on it. The consultancy to which the honourable member refers was engaged; I understand that there were some matters of clarification that had to be resolved. That occurred some weeks ago, I must confess, and it was following the clarifi-

cation of that consultant's report to the steering committee that further work was to proceed by the committee with a view to presenting a final report to the Government.

I do not have that final report. Obviously, any decisions on whether to proceed with the whole system will have to be made by the Government when the report is received. Indeed, that was the intention of the former Government. In fact, the inquiry is a feasibility study into whether or not a justice information system would be established in this State.

The Hon. K.T. Griffin: The commitment was to implement it.

The Hon. C.J. SUMNER: That may be. I am saying that no counter-direction was given to the steering committee but that ultimately the final decision must rest with the Government on receipt of the report. It must take into account any financial implications and the cost benefits of such a system. As the honourable member will realise, it cannot be assessed until the report has been received. I repeat that no counter-directions were given to the committee by the incoming Government, and that the matter is proceeding, to my knowledge, as it would have under the former Government. I do not know the time frame exactly but, as soon as the report is received, I will be in a position to obtain the Government's attitude on the matter.

The Hon. K.T. Griffin: Is Mr Guerin still involved?

The Hon. C.J. SUMNER: I am not sure of Mr Guerin's involvement in view of his appointment as Director-General of the Premier's Department, but I imagine that he would be involved in some sort of consultative capacity. I have no information on his having resigned from the committee. If the honourable member wants me to ascertain that information, I would be willing to do so.

The Hon. K.T. Griffin: I should be pleased if the Attorney-General would do so.

RURAL HEALTH SERVICES

The Hon. R.J. RITSON: I seek leave to make a brief explanation before asking the Minister of Health a question about rural health services.

Leave granted.

The Hon. R.J. RITSON: As the Minister knows, those people who live in remote areas in order to produce food and earn export income for our nation suffer a number of hardships as a consequence of their geographical isolation. Not the least of these difficulties is access to proper medical care. There can be no criticism of individual health professionals, but I think it is fair to say that, due to geographical factors, the rural population has more limited access to emergency treatment and sophisticated specialist services than does the urban population.

Granted that for the most part, country people accept this as a consequence of their chosen way of life. Nevertheless, rural communities do an outstanding job in making the best of the facilities that are available to them. However, if history is any guide to the future, the advent of Medicare may very well sell the country people short. Whereas a comprehensive free public hospital system in the city can be serviced by a wide range of staff professionals, the small country hospital served by one or two general practitioners and a gallant band of nurses cannot hope to provide the range of services which will be paid for but not received by the rural taxpayer.

One defect of the original Medibank proposal was that it purported to give 'free services' through recognised public hospitals in rural areas, without any idea of how to attract people to render those services.

Furthermore, at that time there were ideological objections within the A.L.P. in relation to the sending of bills to patients for subsequent reimbursement. I was pleased to hear the Minister state a few moments ago that he was sure that Medibank would preserve fee for service payments. When I have explained my question I will request him to refine that statement.

Certainly, the original Medibank system did not envisage that. Although it was never executed, it was proposed that private health insurance should be prohibited by legislation. I heard with my own ears the reason behind that suggestion from the architects of that scheme, namely, that, if the two systems were allowed to exist side by side, the public system might be seen to be inferior. I am comforted that the Minister has indicated today that that thinking has long since gone out the window.

The problem of recruitment into the new Medicare system in rural areas is very thorny. Past history indicates not only that people who were paying taxes which theoretically entitled them to a full range of free medical services were living in places where these services did not exist anyway, but also that, because of ideological confrontations that occurred between the administrators and health professionals, a stand-off position was reached which left a great deal of bitterness and obstructed the workings of the system in certain areas of the State. I ask the Minister whether his dedicated support for fee for service medicine—

The Hon. J.R. Cornwall: I am being totally misquoted. I did not express that opinion. Whether or not one likes it, the Medicare system will underwrite fee for service medicine.

The Hon. R.J. RITSON: Obviously, the Minister is not prepared to accept the words that I have tried to put into his mouth. It is not clear whether the Minister intends to permit a system in which doctors in country towns can practise from country hospitals on a fee for service basis and at the same time care for in-patients in those hospitals on that basis.

It is not clear whether that will occur after Medicare is instituted or whether the fee for service component will exist in private consulting rooms. Further, it is unclear whether those hospitals will once again be directed to offer the sort of salaried contractual agreements which in the past were so ineffective in attracting medical manpower to the system.

I am indeed anxious that Medicare may erode the service available to people in the rural community. I ask the Minister to bear this in mind and to do all in his power to ensure that there are no such confrontations in South Australian rural hospitals, because the Federal and States' portfolios are inextricably bound up in the practical execution of such a plan. I look forward eagerly to hearing the Minister's reply.

The Hon. J.R. CORNWALL: I must say that the honourable member's question was most excursive, although I am not sure whether he got to the nub of his question. However, I will answer his questions as he asked them. First, I refer to the alleged difficulties of attracting medical manpower (doctors) to rural areas. The position in 1983 is vastly different to what it was in the early 1970s.

I am sure that the honourable member will recall that a decade ago we were throughout this country still quite actively recruiting overseas graduates, as a result of which we had situations such as the Port Augusta experience. A decade later, the situation is quite different, and we now have a substantial over-supply of doctors. I think that is agreed by everyone.

There is very little relative difficulty in getting doctors to go to quite remote areas. By and large, it is a question of supply and demand. Of course, it is still relatively more difficult to get doctors to live in remote areas 700 or 800

kilometres from the metropolitan area if they think they can obtain a lucrative practice in metropolitan Adelaide. That is a fact of life and one of those things that happen, people being what they are.

The Hon. R.J. Ritson: How will you ensure that Medicare does not alter that situation?

The Hon. J.R. CORNWALL: I will take the honourable member's questions one at a time. The honourable member referred to the free public hospital system in the metropolitan area, *vis-a-vis* the small country hospital services with only one or two doctors. Of course, the original Medibank arrangements did take significant congnisance of this. We had a new category of what are known as country recognised hospitals, which still exist and which take both so-called private patients and public patients. The situation becomes more difficult when we look at hospitals such as the Keith Hospital, which never opted to join the system and which, in 1983, can still admit insured patients only. There is no facility at Keith for public patients.

Of course, this situation gives rise to some quite bizarre anomalies. There are patients in the Keith Hospital up to 93 years of age who have been there for up to seven years and who are still classified as acute patients. It is anticipated that they will go home from time to time, but they never seem to get over the 60-day period: whenever it approaches, they go into a new form of 'rehabilitation' and are moved to another room. Of course, that is a rip-off on the insurance funds and, quite frankly, it is something that I do not think that the general public ought to tolerate (never mind the responsible administrators in that area).

I see no disruption to the present system of country recognised hospitals. By and large, I think that that system has worked very well. Clearly, we can never have at the Streaky Bay Hospital the sort of facilities that are available at the Royal Adelaide Hospital or the Flinders Medical Centre. However, we can provide the very best facilities that are available within the limits of a one-doctor or two-doctor district. I will certainly do everything possible and reasonable to encourage the continuance of that system.

The Hon. R.J. Ritson: Including the fee for service, in-patient treatment under Medicare?

The Hon. J.R. CORNWALL: I am not sure what arrangements will be made in that area. I am not particularly satisfied with the arrangements as they currently exist in places such as Mount Gambier, for example. The previous Government and my predecessor, Mrs Adamson, tried at various times to make some sort of arrangements for an out-patient service at the Mount Gambier Hospital, but they were unsuccessful.

The local medical fraternity in Mount Gambier and in all other ex-government hospitals in the non-metropolitan area have persistently refused to co-operate in working on any sort of a sessional basis. That means that some sort of comparable public hospital out-patient facility could be made available in the same way that it is available to people living in the metropolitan area.

I would be more than delighted to arrange that type of service in places such as Mount Gambier, Port Augusta and Whyalla (to name but three) if the local medical practitioners were prepared to make some sort of scheme of arrangement. I do not intend to try to impose that system on them. There is no way that I intend to get into any sort of confrontation with the medical profession, because some of my best friends are doctors.

Private medical insurance, of course, will not be necessary under the new Medicare arrangements. This has been done specifically at the request of the medical profession and, more particularly, the A.M.A. itself. It submitted during negotiations over the past two years that gap insurance should not be available and that there should be a small moiety (or a small front-end gap, if you like), and it is intended that the universal medical insurance for treatment by a doctor will cover only 85 per cent with a maximum gap of $5, so there will be a small moiety there. It will all be covered; there will be no necessity for private insurance.

If one wants to stay with a doctor of choice, so called (or doctor of doctor's choice, as I prefer to call it), it will be necessary to have private hospital insurance. That is proposed, and there is no question that that has been outlined specifically. Again, whether one likes it or not, we will still have public and private patients. I express no specific point of view on that matter at this time. I could not at this point envisage why there would be any difficulty for doctors in country towns proceeding on a fee-for-service basis in a hospital setting, more particularly if they were treating privately insured patients, any more than I can envisage any trouble for doctors treating people on a fee-for-service basis in a community or private hospital in the metropolitan area. What precise arrangements may be made in regard to public patients in country areas is not entirely clear to me at this stage. I would imagine that the profession will be insisting on a fee-for-service modified, bulk-billing sort of arrangement, but I know, because it has been clearly stated, that there will be free public hospitalisation (that is, free at the point of delivery—there is no such thing as free hospitalisation, anyhow).

There will be free public hospitalisation and free medical treatment for patients who elect to accept their Medicare cover, both medical and hospital, and go to a public hospital. I hope that I have not confused the honourable member, but that is basically the situation. I cannot, at this stage, envisage any way in which country residents would be disadvantaged, more particularly *vis-a-vis* what now exists. If there was any suggestion that they would be, I would have a right and duty, as Minister of Health, to intervene on their behalf, and I would do so.

BOOKLET FOR SCHOOLCHILDREN

The Hon. ANNE LEVY: I seek leave to make a brief explanation before asking you, Mr President, a question about a booklet for schoolchildren.

Leave granted.

The Hon. ANNE LEVY: Mr President, in common with many other members of Parliament I often show parties of schoolchildren around Parliament House. It is standard practice, as all members know, to take schoolchildren to view the House of Assembly Chamber, the Legislative Council Chamber and, if there is time, the Parliamentary Library. I am sure that all members have participated in these tours and know the information about the two Houses and our system of government which they relate to children, modified, of course, according to the age and understanding of the children involved.

The House of Assembly currently produces a small booklet (about that House only) which is provided to all children who take part in such visits. There is also a more comprehensive booklet, which is available for the teacher accompanying the schoolchildren. However, these booklets contain no information about the Legislative Council, so that the information regarding Parliament which children take away with them concerns only the House of Assembly.

It seems to me highly desirable that a booklet should be available which combines information about the House of Assembly and the Legislative Council. This seems preferable to having two separate booklets, one on the House of Assembly and one on the Legislative Council; however, if necessary, it may be that two booklets will have to be provided. I wonder whether you, Mr President, would take

up this matter with the Speaker to ascertain whether it is possible to have prepared a booklet combining information about the whole of this Parliament which would then be available for visiting school parties.

I am sure, without having asked, that the Parliamentary Library would be able to provide the research and expertise necessary to prepare the material for such a booklet. It seems to me highly desirable that such a booklet dealing with the whole of Parliament is available rather than just a booklet dealing with the House of Assembly. My question, therefore, Mr President, is whether you could look into this matter, perhaps in consultation with the Speaker in another place.

The PRESIDENT: I will be happy to do that. I agree entirely with the honourable member that such information should be freely available for those who have sufficient interest to come into this place to gain knowledge of its workings. There has been a reprint recently, and although I have not perused it closely I am surprised that it does not contain the required information.

The Hon. Anne Levy: It is all about the House of Assembly.

The PRESIDENT: If that is so, I am pleased that the honourable member has brought this matter to my attention. I will certainly investigate it and come back, even perhaps with a suggestion that we form a joint committee to supervise a reprinting.

INVESTMENT ADVISERS

The Hon. L.H. DAVIS: I seek leave to make a brief explanation before asking the Minister of Corporate Affairs a question about investment advisers licences.

Leave granted.

The Hon. L.H. DAVIS: In recent years there has been a dramatic increase in the size of lump sum payouts to people retiring from the work force. This is especially true of people employed in the private sector, where about 90 per cent of retirees receive a lump sum payment, rather than a pension or pension and lump sum, as is the case with retiring public servants. Not surprisingly, there has been an explosion in the numbers of persons or institutions which offer retirement investment services. There are well established groups such as banks, sharebrokers and insurance houses which have become specialists in this area. However, there is also a large number of recently established groups or individuals which have moved into this field. In many cases they have plush offices, silver tongues and heavy media advertising but no formal qualifications in the field in which they profess expertise.

Many people who are now retiring have spent most of their working life educating children and paying off the house. For them, a large sum of money is a new experience—not unlike winning a lottery, except that they have had prior warning.

Understandably, many retirees are gullible in investment matters. They are easily persuaded by slick advertising and silver tongues. Over the past five years I have had an interest in helping people prepare for retirement. I have seen and heard of many cases where people have been sold an investment package which was quite inappropriate for their needs. Hopefully, both employers and trade unions will play an increasingly active role in helping prepare their employees or members for retirement and point them in the direction of counsellors who have expertise and integrity.

It would seem appropriate for the Government to examine the qualifications of those seeking to provide investment advice. It seems anomalous that whereas a lawyer or doctor is required to undergo years of training, an investment adviser or dealer who may handle the investment of lump sum amounts, often well in excess of $100 000, is not required to have any formal qualifications. This matter is of growing concern in the community.

Only recently publicity was given to the fact that an independent Adelaide retirement investment consultant disappeared with a retirement cheque in excess of $100 000. Also recently I heard of an example where another consultant gave quite straightforward advice to a person who subsequently chose to take his business elsewhere. Although this advice would have been free through groups such as banks, stockbrokers or insurance offices, the person subsequently received a bill for $550.

The Securities Industry Act and regulations provide that an applicant for a dealers licence, an investment advisers licence, or a representatives licence has to provide basic information including employment and business activities during the previous five years. I understand that as a matter of course the Corporate Affairs Commission checks out all applications with the Police Department and Commonwealth bankruptcy administration.

However, there does seem to be a strong case for reviewing the qualifications required by applicants for an investment advisers licence or a dealers licence. There are existing educational courses available which could be used as a base requirement for all applicants. Will the Attorney-General review this matter and take it up with other Attorneys-General, because I know my concern is shared by people in other States also?

The Hon. C.J. SUMNER: I appreciate that the honourable member has drawn this matter to the attention of the Council. I am not in a position to provide a specific answer to the question at this stage, as I am sure the honourable member appreciates. In short, my answer to his question is, 'Yes, I will review the situation outlined and advise the Council of any action that the Government deems desirable.'

SAGRIC

The Hon. H.P.K. DUNN: I seek leave to make a brief explanation before asking the Minister of Agriculture a question about SAGRIC.

Leave granted.

The Hon. H.P.K. DUNN: Honourable members are well aware of the series of allegations and counter allegations being hurled between Ministers of the Crown and the recently resigned Minister of Agriculture (Hon. B.A. Chatterton) and his wife over the Hon. Mr Chatterton's reasons for resigning. We have seen as part of this whole, calamitous affair a number of public statements by Ministers, the ex-Minister and his spouse. Today that saga continues with yet another letter to the Editor from Mrs Chatterton. In her letter, which appeared in the *Advertiser* newspaper, Mrs Chatterton alleges that the Chairman of SAGRIC refused in writing to carry out Labor Government policy. This is an extraordinary allegation against a senior public officer in this State.

Accordingly, I ask the Minister of Agriculture these questions: which Labor Government policies did the Chairman of SAGRIC refuse to carry out; will the Minister immediately table the letter in which this refusal was expressed; and does the Minister have total confidence in the management and staff of SAGRIC?

The Hon. FRANK BLEVINS: The honourable member will have to bear with me: he will have to speak a little slower when he asks questions. I cannot write as fast as he can talk. The honourable member stated that this was a calamitous affair—it was not totally calamitous; I certainly reject that suggestion. Obviously, by the very nature of the question, I will have to provide a reply when I have considered the matter.

PUBLIC SERVANTS

The Hon. R.I. LUCAS: I seek leave to make a brief explanation before asking the Attorney-General a question about senior Public Service appointments.

Leave granted.

The Hon. R.I. LUCAS: In the very same letter to the Editor, to which the Hon. Mr Dunn referred, Mrs Chatterton, wife of the recently resigned Minister of Agriculture, made the following claim concerning allegations that she sought an agriculture-oriented job within the Government:

> I had no wish to be either Director-General of Agriculture nor Manager of SAGRIC International. My husband had perfectly competent males in mind for both these positions and they would have been duly appointed had he not been forced into such an untenable position that he had to resign.

Our Public Service system relies heavily on the principles of impartiality and independence of officers of the Public Service from the Government of the day. To suggest that a Minister may have lined up appointments would go against standard convention. As members well know, it is normal and accepted procedure for Public Service positions to be advertised, interviews held, and the successful applicant subsequently appointed to the job.

This process should take place and should be seen to take place under the auspices of the Public Service Board. It is worrying therefore to note tha' the former Minister apparently had new appointments in mind (according to his wife) and that these would have been made without consultation with the Public Service Board. Accordingly, I ask the Minister the following questions: first, was the Attorney-General or was the Government aware of Mr Chatterton's intention to circumvent the usual procedures involved in appointing senior Public Service officers; secondly, does the Attorney-General or the Government support the practice of Ministers making Public Service appointments on their own initiative and circumventing the usual procedures?

The Hon. C.J. SUMNER: The simple fact is that there was no attempt to circumvent normal procedures in relation to any appointments in the Public Service. I have no knowledge of any individual being lined up for appointment as Director-General of the Department of Agriculture or Manager of SAGRIC. Certainly, appointments within the Public Service involve consultation with the Public Service Board. Advertisements must be called in those cases and normal procedures are followed.

In the case of appointments for senior positions in the Public Service, it is always the practice of the board to consult with the Minister concerned, as indeed should be the case, and that practice has been followed by successive Governments, including the previous Government. What the honourable member said has no basis in so far as he was alleging that there was an attempt to circumvent Public Service practice.

MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) BILL

In Committee.

(Continued from 4 May. Page 1146.)

The Hon. C.J. SUMNER: I ask that the Committee report progress and seek leave to sit again. Both Mr Griffin and I have amendments to certain clauses but they have not been circulated at this time.

Progress reported; Committee to sit again.

STATUTES AMENDMENT (IRRIGATION) BILL

Adjourned debate on second reading.

(Continued from 4 May. Page 1136.)

The Hon. C.M. HILL: I support the Bill, which simply requires that arrears in the payment of irrigation rates bear interest in the same way that arrears in local government rates bear interest. The measure was proposed by the previous Government last year and, indeed, was pursued through the Parliamentary processes last year although it did not come onto the Statute Book. The present Government has picked it up and wishes to formalise the procedure.

Because a considerable amount of money is in arrears in regard to irrigation rates, it seems quite proper that some interest should be charged on the arrears. It is hoped that, once this procedure is set in train, the arrears that now exist in total will not be as great in the future as they are presently. The Minister has explained the proposition quite fully in his second reading explanation, and the matter covers the five separate Acts named within the Bill. I therefore see no reason to object to it, and thus support the second reading.

The Hon. FRANK BLEVINS (Minister of Agriculture): I thank the honourable member for his response to the debate and thank the Opposition for its support.

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

CROWN LANDS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 4 May. Page 1127.)

The Hon. C.M. HILL: I support this very short Bill, which simply formalises an existing practice within the Lands Department. The Crown Lands Act includes a provision that a lessee or purchaser of Crown land must clear certain native vegetation from that land. That, of course, becomes part of the agreement entered into by the lessee or purchaser.

For at least five years the Minister of the day has not enforced this provision. Of course, there is a modern view that is becoming stronger and stronger as time passes that all vegetation, particularly native vegetation, should not be cleared from such land; so all this Bill does is simply remove that existing requirement which is not being enforced. It would appear to be somewhat of a tidying up process and it is quite appropriate that it should be formalised. Accordingly, I support the Bill.

The Hon. J.R. CORNWALL (Minister of Health): I do not have anything to add. The sooner we get this Bill into Committee the better, because I would not like this great spirit of consensus to evaporate in the next few minutes. I thank the Hon. Mr Hill for his co-operation.

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

ASSOCIATIONS INCORPORATION BILL

Adjourned debate on second reading.

(Continued from 3 May. Page 1038.)

The Hon. L.H. DAVIS: The Attorney-General in his second reading explanation made the point that this legislation affects more than 7 000 associations, big and small, in the country and in the city. The advantages of such

legislation are obvious, not the least being the simplicity of and protection afforded by incorporation and the consequent continuity of existence provided for an association irrespective of a change in office holders.

The Attorney-General made the point that this Bill is not dissimilar from the Bill which had been prepared by the previous Liberal Administration. However, the Hon. Mr Griffin, in his comprehensive second reading speech, made the point that many submissions have been and are still being received. The Hon. Mr Sumner, in introducing the Bill on 17 March, said that he would allow public comment until 22 April 1983. That is a period of little more than a month, which I do not believe is long enough for many associations which may not meet more than monthly.

The Hon. Mr Sumner said that the Bill seeks to balance the needs of small associations such as the R.S.L., sporting clubs and religious clubs which service their members and have no public links, and the larger associations which have some public links. This Bill repeals legislation which has had no substantive amendment since 1956. As I have mentioned, it affects more than 7 000 associations and literally hundreds of thousands of people.

It is worth noting that when we had similar legislation which affected the lives of many people in this State, namely, new legislation affecting local government, that was circularised for many months, for the very good reason that it was complex legislation which affected many people. Therefore, I believe that a similar approach should be adopted in respect of this Bill.

The Hon. Mr Griffin, in his second reading speech, covered many points which have been raised by associations already and which suggest that this legislation is still very much in embryonic form. The Hon. Mr Griffin, as the previous Attorney-General, indicated in his second reading speech that this was legislation which he had prepared, but certainly was not contemplating introducing to this Council in this form. He believes that the introduction of this legislation, is premature, and I certainly support his view. Indeed, members on this side of the Chamber, I am sure, have received a number of criticisms of the Bill as it is now drafted. The Hon. Mr Griffin has specifically mentioned several of them, and I will mention just one of them, namely, clause 38.

There have been representations to me from a registered association which provides retirement housing. That development has proceeded entirely as a resident-funded development and it plans eventually 190 units for people in retirement.

It is a large organisation but it has substantial concerns about clause 38. Those concerns have been voiced to the Commissioner of Corporate Affairs. With this Bill being tabled only one month ago, I am concerned that there are many organisations (small and large) which simply have not had an opportunity to properly review this legislation. For my part, I give the Attorney-General an assurance that I will support the Bill, provided it is given a certain breathing space, so that associations affected by its provisions can make proper representations to the Commissioner of Corporate Affairs.

I would hope that the Attorney accepts the suggestion of the Hon. Mr Griffin that this course of action be adopted. I hope that the Attorney will reintroduce this Bill, doubtless with substantial amendments following the community representations that he is receiving, when Parliament reconvenes in late July or early August.

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

STATUTES REPEAL (AGRICULTURE) BILL

Adjourned debate on second reading.
(Continued from 4 May. Page 1123.)

The Hon. G.L. BRUCE: It gives me much pleasure to reply on behalf of the Government to this simple Bill which was introduced by a private member. I hope the Opposition notes that there is no pettiness by this Government when it comes to accepting a Bill on its merits. The Government is willing to accept the Bill, and I must say that we did not encounter the same co-operation when we were in Opposition.

The Bill seeks to repeal certain Acts that are obsolete. The Bill covers the Chaff and Hay Acquisition Act of 1944 and goes through a range of Acts and Statutes, including the Wheat Price Stabilisation Scheme Act of 1948. The aim of the Bill is to consolidate legislation and remove Acts that are no longer valid from the Statute Books. The Government has much pleasure in supporting this Bill from a private member and hopes that the Opposition takes note.

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

[Sitting suspended from 3.53 to 4.17 p.m.]

MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) BILL

Bill recommitted.
(Continued from page 1221.)

Clause 2—'Interpretation.'

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

Page 1—
Line 14—Leave out 'person' and insert 'Member'.
Line 15—Leave out 'person' and insert 'Member'.
Line 17—Leave out 'person' and insert 'Member'.
Line 18—Leave out 'person' and insert 'Member'.
Lines 21 and 22—Leave out 'or a member of his family'.
Line 23—Leave out 'or member of his family'.
Line 26—Leave out 'or a member of his family'.
Line 28—Leave out 'or member of his family'.
Lines 33 and 34—Leave out 'or a member of his family'.
Page 2—
Line 3—Leave out 'or a member of his family'.

My amendments to this clause can be divided into two parts. The first four amendments are consequential upon the removal of candidates from the obligations under the Bill. As the Committee will appreciate, the Government legislation provided that candidates should disclose their interests in the same way that members must disclose their interests. That principle was debated by the Committee yesterday. Despite my opposition to the removal of candidates from the Bill, the Committee felt that that course of action should be followed.

My amendments do not imply on my part any support for the proposition that candidates should be removed from the Bill. I merely move these amendments as a machinery procedure to make the Bill consistent. They are consequential amendments following the matter of principle that was determined yesterday. I move the amendments as a matter of form but without any indication that I accept the principle that candidates should be removed from the Bill.

My second batch of amendments are of a drafting nature only. The reference to a member of Parliament's family in relation to financial benefit from an income source is not necessary because that reference is made in clauses 5 (1) *(a)* and 5 (2) *(a)*. The batch of amendments deleting the words 'or a member of his family', are purely of a drafting nature and do not affect the principles of the Bill in any way.

The Hon. K.T. GRIFFIN: I accept the amendments. They are consequential upon the amendments that were passed in the early hours of this morning to remove candidates from the ambit of the Bill.

Amendments carried; clause as further amended passed.

Clauses 3 and 4 passed.

Clause 5—'Content of returns.'

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

Page 3—

Line 6—Leave out 'or other body, corporate or unincorporate', and insert ', building society, friendly society, credit union, or co-operative or any other body, corporate or unincorporate, formed for the purpose of securing profit or engaging in trade or commerce'.

Line 17—After 'held' insert 'during the return period'.

Lines 18 and 19—Leave out 'or other body, corporate or unincorporate, during the return period' and insert ', building society, friendly society, credit union or co-operative or any other body, corporate or unincorporate, formed for the purpose of securing profit or engaging in trade or commerce'.

I am moving my amendments in a different form from those moved on the last occasion the Bill was before the Committee. My amendments pick up some of the difficulties that the Attorney-General had with my previous amendments. I was seeking to avoid the necessity for members of Parliament to have to disclose long lists of incorporated and unincorporated associations in which they hold office (and that could be as a patron, vice-patron, member of committee or some other office).

Although the Attorney-General referred to organisations like the R.A.A. as being a particularly effective lobby group, I do not believe that that is relevant to the general principle of this Bill. I accept that it should be possible for members of Parliament to disclose whether or not they hold office in bodies such as building societies, friendly societies, credit unions, co-operatives or any other body, corporate or unincorporate, established for the express purpose of securing profit or to engage in trade or commerce. The pecuniary interest aspect of this definition coincides with the pecuniary interest emphasis of the other parts of the Bill. I suggest that my amendments are now in a more appropriate form they now require disclosure of all those interests that are relevant to a decision in which a member of Parliament may participate.

The Hon. C.J. SUMNER: The honourable member's amendments may well be in a more appropriate form, but they are not yet in a completely appropriate form. I believe that the Bill as it was introduced was satisfactory. Although the honourable member's amendments pick up my criticisms of his original amendments, I believe that perhaps building societies, friendly societies and credit unions would not be covered and that, therefore, a member would not have to disclose his interest if he held office in any of those organisations.

Although that matter has now been taken up, I still do not believe that the amendment is broad enough. I think that the clause as it stands should be sustained by the Committee, as it was last evening, as the amendment makes it far too narrow. I pointed out yesterday that there could be a number of bodies the objectives of which are not to secure profits, or engage in trade or commerce but which are still important to know about in terms of potential conflict of interests. I mention, for instance, the Royal Automobile Association. There is no doubt that there are many other associations in that category that I could cite.

I also cited yesterday membership of the board of a hospital. For instance, a hospital might not be established for the purposes of making a profit, but nevertheless it could be important to know whether a member of Parliament was an officer of such an organisation. I am not sure that the honourable member's amendment even now picks up the racing industry, for instance, the South Australian Jockey Club. Therefore, I cannot agree to the amendment moved by the honourable member, despite the fact that it does pick up some of the criticisms that I made yesterday.

The Hon. I. GILFILLAN: I oppose the amendments. I fully sympathise with the Hon. Mr Griffin's attempts to simplify matters. It may be that in years to come this section will need amending. However, I agree that the risk of not including quite significant bodies could occur if these amendments were accepted at this stage. Therefore, I oppose them.

The Committee divided on the amendments:

Ayes (9)—The Hons J.C. Burdett, M.B. Cameron, L.H. Davis, R.C. DeGaris, H.P.K. Dunn, K.T. Griffin (teller), C.M. Hill, Diana Laidlaw, and R.J. Ritson.

Noes (12)—The Hons Frank Blevins, G.L. Bruce, B.A. Chatterton, J.R. Cornwall, C.W. Creedon, M.S. Feleppa, I. Gilfillan, Anne Levy, R.I. Lucas, K.L. Milne, C.J. Sumner (teller), and Barbara Wiese.

Majority of 3 for the Noes.

Amendments thus negatived; clause, as previously amended, passed.

Clause 6, as previously amended, passed.

Clause 7—'Restrictions on publications.'

The Hon. C.J. SUMNER: My proposed amendment to this clause deals with the matter of a penalty for wrongful publication of material derived from the register by a newspaper or any person. Newspapers were the example used most yesterday when considering this clause and when the amendment moved by the Hon. Mr Griffin was passed by this Council fixing the penalty at $50 000 for wrongful publication of material. The penalty in the Bill as drafted was $5 000. I foreshadowed a compromise, which was a penalty of $5 000 for individual and $10 000 for corporate contraventions of the clause.

My proposition was not put to the Committee which supported the Hon. Mr Griffin's penalty of $50 000. In other words, at present clause 7 of this Bill provides for a penalty of $50 000 for any wrongful use of information derived from the register. The Bill was recommitted by the Council last night and we have already considered a couple of recommitted clauses. It is open to me now to move a further amendment to clause 7, which I have not done because I would like some indication from honourable members whether the compromise I am now putting is acceptable to them before I move it.

The alternative is that we proceed with the Bill as it currently stands, providing for a $50 000 penalty; the matter will then go to the House of Assembly, which will make known its views on that amendment. The question can be considered when the Bill is returned to this Council in relation to the views of the House of Assembly to the penalty in clause 7.

Should honourable members wish to consider the issue, I would be prepared to put the matter before the Committee at this stage and to propose a compromise position to provide that a corporation will be subject to a penalty not exceeding $10 000 but, in any other case (that is, in the case of an individual, which would involve an individual directly publishing material or an individual authorising the publication of material), a penalty not exceeding $5 000 or imprisonment for three months will apply. In other words, I have included the possibility of imprisonment but maintained the monetary limit according to my original proposal, rather than $50 000.

I believe there is some logic in this provision, because the penalties that I now suggest are consistent with those provided under section 8 of the Wrongs Act, which deals with penalties for unfair and inaccurate reports of the proceedings of Parliament. In that case the penalty is $2 000 or three months imprisonment. I believe there is some logic

in applying to this Bill a provision which is similar to the provisions of the Wrongs Act in relation to unfair and inaccurate reports of the proceedings of Parliament.

The Hon. K.T. Griffin: That penalty would have been fixed a long time ago.

The Hon. C.J. SUMNER: That is probably true.

The Hon. K.T. Griffin: We are dealing with corporations and individuals.

The Hon. C.J. SUMNER: We are not dealing with the Wrongs Act at this stage. Under my proposal, the penalty in regard to an individual would be $5 000, which is considerably more than that provided in the Wrongs Act. The principle of a monetary fine or an alternative of imprisonment for contravention is established in the Wrongs Act, and in that case the penalty relates to unfair or inaccurate reports of proceedings of Parliament.

I have just been informed that that penalty was fixed only a short time ago in an amendment to the Wrongs Act. In fact, the matter has been referred to a select committee. We may have to consider further the issue and the penalties. An intention to increase a penalty was incorporated in the Bill that was recently considered. There is some potential consistency between the two proposals.

The Council did not object to a monetary penalty and a term of imprisonment in regard to unfair or inaccurate reports of the proceedings of Parliament, and I should have thought that on this occasion the compromise involving a term of three months imprisonment would be reasonable, rather than our pursuing a $50 000 maximum penalty that would apply to individuals and corporations for contravention of this clause. I will not move the amendment at this stage, but I put it forward for consideration.

The Hon. K.T. GRIFFIN: I still believe that the way in which the Attorney is presenting this matter to the Parliament will make it significantly harder to obtain a conviction in circumstances where information has been misused. The onus of proof in establishing wilful contravention is on the Crown, and involves proof beyond reasonable doubt. I would suggest that that is particularly difficult to establish. A corporation that offends would be fined $10 000. When the Bill was last before the Committee, it was suggested that a penalty of $10 000, applied to a corporation that might have something significant to gain as a result of an election, might well be worth its while. A fine of $50 000 would be much more of a deterrent.

I appreciate the inclusion of the penalty of imprisonment, which toughens the situation in regard to an individual, but I still believe that the amendment which I moved and which has now been incorporated in the Bill to provide for a $50 000 penalty across the board is the cleanest way of dealing with the matter, and that provision is more likely to deter any person or corporation that may seek to misuse information, recognising the particularly vulnerable position in which members of Parliament are placed.

I would not object significantly to the amendment to the first part of clause 7 (page 4, line 45), because publication within the Parliament is likely to be wilful. It will be very difficult for anyone to avoid the conclusion that publication is wilful if a person has sought to misuse information under Parliamentary privilege. I am not so worried about that amendment, but I am concerned about possible new subclause (3).

The Hon. I. GILFILLAN: I would oppose the Attorney's amendment. This has been a rather difficult decision, because serious efforts have been made to provide a penalty that fits the crime. It is a matter of varying interpretation of the seriousness of the crime. The amended Bill is acceptable to me, but, if the Attorney moves the first part of the intended amendment, to insert 'wilful contravention' on line 45, page 4, I would see that as an improvement and I would support it.

The Hon. C.J. SUMNER: Obviously, I do not have the numbers, and thus I prefer to leave the clause as it is. The matter will go to the House of Assembly and, if this provision is accepted in that place, that will be the end of the matter. However, if it is not accepted, the Bill will come back to the Council, and in the meantime members may consider the quite reasonable compromise that I foreshadowed; perhaps agreement can be reached at that time. I still believe that the proposition which I foreshadowed and which involves a term of imprisonment as a potential deterrent of contravention of the Act is sufficient. It will apply to any individual who is responsible for the wrongful use of material declared by a member of Parliament.

I am sure that the deterrent of a potential three months imprisonment would be quite enough for anyone contemplating breaching the Act. I prefer to leave the matter as it is, and perhaps further consideration can be given to it if the House of Assembly chooses to disagree with the amendments made by the Council to this clause.

The Hon. K.L. MILNE: I support the Attorney-General. I believe that it is the best thing to do at this stage. It is the prerogative of the House of Assembly to change it, and it would be better for that House to make a change if it so desired.

Clause, as previously amended, passed.

Clause 9, as previously amended, passed.

Bill read a third time and passed.

ADJOURNMENT

At 4.53 p.m. the Council adjourned until Tuesday 10 May at 2.15 p.m.