LEGISLATIVE COUNCIL

Thursday 29 March 1984

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

STATE LIBRARY

The PRESIDENT laid on the table the report by the Parliamentary Standing Committee on Public Works, together with minutes of evidence, on the upgrading of the Jervois Wing of the State Library.

QUESTIONS

URANIUM

The Hon. M.B. CAMERON: I seek leave to give an explanation before asking the Attorney-General a question regarding uranium.

Leave granted.

The Hon. M.B. CAMERON: Well the Attorney might wince. Uranium mining has particular reference to South Australia and, as a result of a rather ridiculous policy followed by the ALP, this State has been severely disadvantaged. Let me detail how stupid the policy is. There are four different types of uranium in Australia under Labor Party policy. First, there is uranium in a pure form where mining commenced before 2 July 1982. That uranium is safe and can be mined. Then, after an ALP meeting in 1982 there comes a change. I suppose that one could think that there had been a chemical change in the substance as a result of that meeting. The second form of uranium is a pure form found after 2 July 1982, where mining has not commenced. This uranium is unsafe and cannot be mined.

The third and fourth types of uranium are either discovered or are future finds which contain other metals in collusion with the uranium, such as copper (no details are available in this policy on what percentage of these other metals is needed to make the uranium safe). However, with an undisclosed amount of another mineral this uranium is safe and can be mined and sold. South Australia is both fortunate and unfortunate in this most peculiar and irrational policy.

Roxby Downs can proceed because it has copper in collusion with the uranium. Beverley and Honeymoon must stay in mothballs because they were not mined before 2 July 1982. Honeymoon could already be creating jobs for the unemployed and royalties for Government revenue and hence a reduction in some need for taxes on the South Australian public, but they have both been stopped by this stupid policy. Beverley was not as advanced, but it could well be on the way to the mining stage by this time if this policy were not in force, if the Government were more honest. Today, the Premier refused to deny that he would stand down if this ALP policy changed to a point where Roxby Downs was also cast on the scrap heap. My questions are:

1. Will the Attorney-General indicate whether he will take the necessary steps to ensure the South Australian delegates to the ALP National Convention move for the ALP policy on uranium to be changed to enable both the Beverley and Honeymoon uranium deposits to be mined and the product sold, from which benefits will flow to all South Australians—not only the unemployed but also the rest of South Australia?
2. Will he ensure that these South Australian delegates resist any alteration that would narrow this policy and hence jeopardise Roxby Downs?
3. Will the Attorney-General indicate whether he will resign if the policy is changed to the point that Roxby Downs is halted?

The Hon. C.J. SUMNER: We seem to be having a rerun of several questions which the honourable member asked several times last year.

Members interjecting:

The Hon. C.J. SUMNER: You can continue to ask them, and I suppose all I need to say is that I refer the honourable member to the answers that I gave previously. There is nothing new in what the honourable member asked. The Government is committed to the development of Roxby Downs. That has been said by me and by the Premier on a number of occasions and that happens to be the policy.

The Hon. M.B. Cameron: These questions are quite specific and different.

The Hon. C.J. SUMNER: They are not different.

The Hon. M.B. Cameron: I will ask them again so the Attorney can understand them.

The Hon. C.J. SUMNER: I fully understand them: they relate to the same matters which the honourable member raised on a number of occasions in this Council previously. All I can say is that I am not in a position to add more to the answers that I gave previously. As I said, this Government is committed to the development of Roxby Downs. There will be a Federal Conference of the Labor Party later this year at which, I am sure, the question of uranium mining and the nuclear fuel cycle will be discussed, but I can assure the Council that this Government and the Premier will be going to that conference with a firm view, as we did at the last Federal Conference of the Labor Party, that Roxby Downs should proceed. The policy is quite clear and has been enunciated previously.

The Hon. J.C. Burdett: What is it?

The Hon. C.J. SUMNER: Under the present policy of the Labor Party, Roxby Downs can proceed. That has been made clear in this Council, it has been made clear by the Premier, and I am not sure whether I have to repeat it again.

The Hon. L.H. Davis: Don't you think that it is strange that it can proceed even though it was discovered after Honeymoon and Beverley?

The PRESIDENT: Order! There are enough interjections.

The Hon. C.J. SUMNER: Thank you, Mr President. That matter has been answered previously. All that I can do is refer honourable members to the answers that I have given on a previous occasion.

The Hon. M.B. CAMERON: I ask a supplementary question. The Attorney-General has not answered the first question. I will repeat it for his benefit because obviously he has had a memory lapse. Will the Attorney-General indicate whether he will take the necessary steps to ensure that South Australian delegates to the ALP national convention will move for the ALP policy on uranium to be changed to enable both Beverley and Honeymoon uranium deposits to be mined and the products sold, from which benefits will flow to South Australia? A 'yes' or 'no' will do.

The Hon. C.J. SUMNER: I have already answsered the question.

The Hon. L.H. Davis: You have not.

The Hon. C.J. SUMNER: I have answered it on previous occasions when the honourable Mr Cameron has—

The Hon. L.H. Davis interjecting:

The Hon. C.J. SUMNER: The Hon. Mr Cameron seems to think that I have some kind of miraculous powers and that I am able to wave a wand and instruct every member of the Labor Party in South Australia how to vote on a

particular issue. I do not, regrettably, have those powers; nor does the Hon. Mr Cameron with respect to the Liberal Party; in fact, he probably has considerably less power in the Liberal Party and considerably less power to influence its policies than I have in the Labor Party. The fact is that Parties do not work that way. There are many people in the Liberal Party and in the Labor Party; they all have different views on issues. Those issues are determined through the proper forums of the Parties; they are determined through the forums of the Liberal Party just as they are in the Labor Party. I am not in a position to wave a magic wand and insist that all delegates from South Australia vote in a particular way on any issue, including this one.

The Hon. M.B. CAMERON: I wish to ask a supplementary question, Sir.

The PRESIDENT: The last one was not really a supplementary question. I hope that this one will be.

The Hon. M.B. CAMERON: Will the Attorney-General answer my third question: that is, will the Attorney-General give an indication as to whether he would resign if the policy was changed to the point that Roxby Downs was halted?

The Hon. C.J. SUMNER: I will give no such indication one way or the other.

KANGAROO ISLAND FERRY

The Hon. J.C. BURDETT: I seek leave to ask the Minister of Agriculture, representing the Minister of Transport, a question about the replacement of the MV *Troubridge.*

Leave granted.

The Hon. J.C. BURDETT: Yesterday the Minister of Marine announced that the Government would seek a replacement for the MV *Troubridge* at a cost of $11.4 million. It is expected this financial year that the public subsidy of operating the *Troubridge* will be $3 million (which a Minister in the Lower House this morning indicated quite insultingly was probably more than Kangaroo Island was worth), and the Government has indicated that to avoid continuation of such subsidy a new pricing policy will be introduced when the new ship is operational.

The new policy will be a 25 per cent increase in revenue in the first year, with subsequent year charges being increased by the CPI plus 10 per cent. This clearly will pose a serious threat to the agricultural viability of Kangaroo Island, as the *Troubridge* is the major source of transferral of agricultural products. Without adequately and correctly priced transport for the transmission of products such as grain, livestock and wool, the farmers of Kangaroo Island and, indeed, the entire Island economy will be seriously undermined.

If the Minister proceeds with this part of the overall proposal he will also breach a commitment given by one of his predecessors, (Hon. Geoff Virgo) and subsequently reaffirmed by the Liberal Minister (Hon. Michael Wilson), that:

> Space rates on the Government's vehicular ferry service to Kangaroo Island would become consistent with mainland public rail space rates applicable over comparable distance.

If the Government insists on its proposed new vessel design and adopts its announced space charging formula, the Island will have a first class facility that it cannot afford to use.

Is the Minister in agreement with the decision to impose additional and substantial costs on the Kangaroo Island rural economy? Has the Government given consideration to removing any passenger component from the new vessel, as a number of alternative passenger transport options exist and as this would save costs substantially? What consultation took place about the proposed increases in freight charges?

The Hon. FRANK BLEVINS: If I heard correctly, this question was addressed to the Minister of Transport. I will refer the question to my colleague in another place and bring down a reply.

FRITZ VAN BEELEN

The Hon. K.T. GRIFFIN: Has the Attorney-General a reply to the question I asked about Fritz van Beelen on 22 March 1984?

The Hon. C.J. SUMNER: I refer to the honourable member's question regarding an application by van Beelen to the Supreme Court to have a non-parole period fixed. Van Beelen was sentenced to life imprisonment in 1971 and with a non-parole period not having been set he cannot be released on parole.

The Crown Prosecutor, Mr Brian Martin, appeared at the Supreme Court hearing of van Beelen's application. He has informed me that submissions upon the question of fixing a non-parole period were not presented because of the request that a psychiatric report be obtained (a fair and proper request to which the Crown Prosecutor assented). The appropriate time to present submissions re the non-parole period will be when the application is called on again.

In this and other cases of prisoners serving life sentences for murder, the Crown does not 'support' or 'oppose' the application. It is an application to set a non-parole period, not to reduce a sentence or non-parole period. If an exceptional case arises where there is a sound reason to oppose the setting of a non-parole period, the Crown will do so.

CONSULAR CORPS

The Hon. C.M. HILL: I seek leave to make a short statement before asking the Attorney-General a question about the rights of the consular corps in South Australia.

Leave granted.

The Hon. C.M. HILL: A senior member of the consular corps in South Australia has brought to my notice that the Government is claiming financial institutions duty through the respective trading banks on accounts kept by official Consulates in this State. By 'official Consulates', I mean Consulates other than the offices of honorary consuls.

The Hon. C.J. Sumner: Who told you?

The Hon. C.M. HILL: Never mind who told me. I am informed that article 39 of the Vienna Convention of 1963 states that, in respect of consular posts, no tax, duties or levies are paid on official bank accounts to Federal, State or municipal governments. The Government has power to assist the official Consulates here by exempting their bank accounts from the provisions of the FID legislation. This can be achieved through section 31 of that Act. Therefore, I ask the Attorney to take up this matter with the Treasurer, not only to help the official Consulates with their costs but to avoid the embarrassment of this Government's simply not understanding the diplomatic rules and conventions that apply throughout the world.

The Hon. C.J. SUMNER: I do not think that the costs imposed on Consulates by the FID will cause any great problems to the finances of the countries concerned, because it is a fairly minimal amount. The question of whether the FID comes within the provisions of the Vienna Convention is a matter that has been referred to the Department of Foreign Affairs in Canberra. Only this morning I spoke to Mr Bassett, who is the local representative of the Department of Foreign Affairs. He has provided the Department in Canberra with a full briefing on the situation.

He advised me that the point had been raised in other States that have FID, and he is to obtain advice and inform me whether FID is to be excluded from imposition on Consulates as a result of the Vienna Convention. I understand that sales tax, for instance, when part of the overall price of goods purchased by Consulates, is paid by them and is not exempt under the terms of the Vienna Convention.

A tax that is a levy for services rendered is also payable by Consulates. Of course FID is a tax imposed on and collected by the banks, which pass it on to their customers. The question is whether or not it is such a direct tax as to attract the Vienna Convention conditions. In answer to the honourable member's question, there is no major financial problem for the Consulates.

The Hon. C.M. Hill: Their financial situation in this State is not very bright. You should understand them better.

The Hon. C.J. SUMNER: I understand that a figure of $20 was given as an outstanding amount as a result of the imposition of FID. I do not think that that will cause any Consulates great concern. It is not the amount that is of any concern to overseas Governments, and I would not expect that it would be. They pay certain imposts placed on them by Federal, State, and local authorities. There is a question of whether or not this tax can be characterised as one which comes within the terms of the Vienna Convention. That point has been investigated and, as soon as I have a response to my inquiry to the Department of Foreign Affairs in Canberra, I will take up the matter with the Treasurer and a decision will be made.

TIMBER SALES

The Hon. PETER DUNN: I seek leave to make a brief explanation prior to asking the Minister of Forests a question on timber sales to Malaysia.

Leave granted.

The Hon. PETER DUNN: An article on page 6 of the *News* of 4 March 1984 stated that the Minister of Forests, the Hon. Mr Blevins, was reported as having sent his Forestry Department Director, Mr Peter South, to Singapore and Malaysia in a bid to drum up new sales. It is understood that the Director left on 14 March and has already returned to South Australia. It is further alleged that the true purpose of his visit to Malaysia was to deliver a paper on forestry administration to an industry conference held in that region.

In correspondence to the Liberal Party in late March 1984, it was alleged that the Department is having difficulty in fulfilling orders, and that delivery delays vary from two to three months. Therefore, how many timber sales did the Director of Woods and Forests secure during his recent visit? Can the Minister say whether his Department is now meeting demands for timber products?

The Hon. FRANK BLEVINS: I am a little bemused at what thought lies behind this question. Do I take it that there is some criticism of the South Australian Timber Corporation seeking markets for timber overseas, particularly in the South-East Asian region? Was that the intent or purpose of the honourable member in asking this question? Was it whether the Director had been to Bangkok to deliver a paper to a very important conference there? I am not sure, as it was something of a scatter-gun approach.

Because there is a shortage of timber at present there are delays in fulfilling orders: there is no secret about that. We wish that we could fulfil immediately all our orders but, as the Hon. Mr Dunn apparently does not know, the timber industry is a very volatile and cyclical industry where supply and demand very frequently do not coincide. There is nothing new or strange in that. I believe that we should take it as an indication of the way in which the South Australian Government has boosted the housing industry in particular. We are going through something of a boom in the housing industry, and that is reflected in orders not only to the South Australian Department of Woods and Forests but also to other timber suppliers in this State.

The timber industry is fairly volatile, and this Government, and I assume previous Governments, has wanted to broaden the base of timber sales not only in South Australia but also in Australia and possibly internationally so that, when downturns come (as inevitably they do) in the timber industry hopefully there will still be a very sound base with our overseas markets. I would have thought that that was impeccable business practice and that this Government, and the previous Government, would be applauded for attempting to ensure that we have a much broader base for our timber.

Those members who live in the South-East would appreciate the need for that action. However, whether or not members live in the South-East, I would have thought that all honourable members who claim some association with or expertise in business would see that as highly desirable. I am not sure whether criticism was intended. It was not a very well constructed question, and possibly the answer is not well constructed. However, I will attempt to ascertain the period of delay on orders. It will be difficult, because different grades of timber are available in different quantities at different times, but I will do my best to obtain the detail that the Hon. Mr Dunn requires. However, I would have thought that, rather than imply criticism of the Woods and Forests Department and the South Australian Timber Corporation, the Hon. Mr Dunn and other members would applaud the way in which we are trying to broaden the base of this very important South Australian industry.

The Hon. PETER DUNN: I wish to ask a supplementary question, because my initial question was not answered: I asked how many timber sales the Director of Woods and Forests had secured.

The Hon. FRANK BLEVINS: I will attempt to obtain that information for the Hon. Mr Dunn. This seems to be a very simplistic and rather nasty sort of question. We already have clients in Singapore and Malaysia, and, as the Director of Woods and Forests was in the region, it would seem to be a very important part of customer relations that he service clients, to ascertain whether further contracts were available, and to undertake normal commercial contacts of that nature. To suggest that people should come back after two days in Singapore or three days in Kuala Lumpur and say that contracts for a few metres of timber had been obtained is really quite silly. I will certainly attempt to obtain the information, but the question reflects very poorly on the Hon. Mr Dunn.

TOBACCO ADVERTISING

The Hon. R.I. LUCAS: I seek leave to make a brief explanation before asking the Minister of Health a question about tobacco advertising.

Leave granted.

The Hon. R.I. LUCAS: After six days of listening to the Hon. Mr Blevins I am delighted to have this opportunity to ask a question. In the Senate on Wednesday 7 March this year the Federal Minister for Social Security indicated that he did not believe that the present voluntary code of standards for tobacco advertising was sufficient. Members will be aware that standards are used in the advertising industry, and amongst those standards are requirements that advertisements do not unduly glamorise the product and do not include children, so that the advertisements are not

used to appeal to children to take up smoking. Senator Grimes is reported to have said:

> If we are to retain the advertising of cigarettes in the print media, the State and Federal Ministers will have to legislate to ensure that that code is complied with . . . In the meantime, the Department of Health will continue its monitoring role, but I suppose that until it has some teeth to take some action, in so far as that monitoring is concerned, we will have . . . difficulties.

The PRESIDENT: Is the honourable member reading from a letter?

The Hon. R.I. LUCAS: This was reported by the Melbourne *Age* on 8 March, and that paper states it is a direct take of Senator Grimes in the Senate on 7 March. Does this State's Minister of Health support proposals to legislate for such standards in South Australia and, therefore, not to rely on the voluntary code? Are there any departmental or Ministerial officers in South Australia working on such proposals? Is the Minister undertaking any action to have the Tobacco Advertising Prohibition Bill, which members will be aware was introduced by the Hon. Mr Milne in the last session, again debated in this Parliament?

The Hon. J.R. CORNWALL: I think that the honourable member is somewhat behind the times. He is quoting at some length from Senator Grimes. He should really be quoting at length from Senator Gareth Evans from this morning's Melbourne *Age* and *AM* radio programme. Senator Evans produced an opinion that states that apparently the present legislation and powers of the Commonwealth meant it may be able to move to ban advertising in the print and electronic media, direct and indirect, corporate and otherwise. This is an enormously interesting development. I have consistently said, as Minister of Health and on behalf of the South Australian Government, that our position is that the only effective way in which these bans could be put in place would be by action at national level.

If the opinion expressed by Senator Evans as Federal Attorney-General is accurate, and there would be little reason to suppose otherwise, then we are in an interesting position where it would seem that the Hawke Government may well be able to achieve, nationally, the banning of both direct advertising, where it still survives, and advertising through corporate sponsorship on television. I have not had any official communication from Canberra on the matter. I only know what I read in the Melbourne *Age* article this morning and what I heard on the radio programme *AM*, so, I am unable to comment in any detail as to the opinion of the Federal Attorney-General.

The questions about the proposals to legislate and so forth, therefore, to some extent, are irrelevant. I repeat the position of the South Australian Government, as I have done in this place several times, and elsewhere I have been asked: that is, that we would support in general terms any moves at the national level to impose bans on remaining direct advertising or indirect advertising through corporate sponsorship. I make absolutely clear that the Government would insist that there be an interim period during which any sporting body or cultural organisation, which would be affected by the loss of corporate sponsorship from the tobacco industry, should be allowed adequate time to seek alternative sponsors and, during that time, should be assisted by Government, preferably and I would think reasonably by the national Government, so that those bodies do not suffer any marked financial disadvantage. That has been the position as enunciated in the Party's platform before the State election, and it has been the position I have enunciated regularly ever since.

The Hon. L.H. Davis: You didn't vote for it though in the Lower House.

The Hon. C.J. Sumner: He's not in the Lower House.

The Hon. J.R. CORNWALL: I suggested to them that in their wisdom they might find a seat for me down there, but it all seemed too hard. Regarding whether or not I have departmental or Ministerial officers working on codes, draft legislation, or whatever, I do not quite follow that question. I do not have a Department, so I have no departmental officers working on anything. As to whether anyone in the Health Commission is directly involved in the matter before the Standing Committee of Health Ministers, that is quite possible. I do not keep my finger on the standing committees one way or the other. A working party will be reporting to the Health Ministers' conference in Melbourne on 12 and 13 April.

The Hon. R.I. Lucas: On the voluntary code?

The Hon. J.R. CORNWALL: No, on draft legislation. That was initiated by me at the last Health Ministers' meeting in Sydney when the industry thumbed its nose at us for the third consecutive time. I really did not think that that was good enough for the Health Ministers from six States and the Commonwealth. That is being prepared for consideration, and would impose a more stringent code regarding advertising.

The Hon. R.I. Lucas: By legislation?

The Hon. J.R. CORNWALL: By legislation: it will be draft uniform legislation.

The Hon. R.I. Lucas: That was the question.

The Hon. J.R. CORNWALL: It was very poorly phrased. All of the honourable member's questions, of course, were overwhelmed by the fact that he had not kept up with contemperary events. The statement by Senator Evans was widely reported this morning in newspapers around the country and on the ABC radio programme *AM*.

WOMEN'S HEALTH POLICY

The Hon. DIANA LAIDLAW: I seek leave to make a statement before asking the Minister of Health a question regarding the women's health policy.

Leave granted.

The Hon. DIANA LAIDLAW: The Minister will be aware that in October 1982, at the request of the former Minister of Health, the Hon. Mrs Adamson, the South Australian Health Commission established a working party of seven people, chaired by Mrs Anne Prior, to examine the provision of health care services for women in South Australia. The working party produced, within two months of its establishment, a discussion paper on the subject. This was no mean feat, because little or no work had ever been done on this subject before, either in South Australia or elsewhere in Australia.

In early December 1982 the discussion paper was released and widely circulated for comment, which was sought by the end of February 1983. Although the timetable for comments was concentrated over the Christmas holiday period, I understand that hosts of submissions were received from individuals and groups—a response, which is, I suggest, indicative of the high level of community concern about past levels of neglect in this area.

Following receipt of submissions at the end of February 1982, the working party worked conscientiously to produce by June last year a final report on women's health policy. I understand that in the same month the South Australian Health Commission approved that policy. Since June, however, in marked contrast to the earlier nine months of intense activity by the working party, the policy has lain idle in the Minister's possession. I suggest that, in these circumstances, it is not surprising that the number of individuals and groups who have increasingly contacted both

the Minister's office and the South Australian Health Commission—

The Hon. J.R. Cornwall: Not my office, my dear!

The Hon. DIANA LAIDLAW: Then the messages are not getting through to the Minister, because I am well aware that people have been ringing your office.

The Hon. J.R. Cornwall: That is a dreadful allegation to make.

The Hon. DIANA LAIDLAW: It is not an allegation. The Minister should keep in touch with his office.

The Hon. J.R. Cornwall: What a heinous allegation. I have the best Ministerial officers—

The PRESIDENT: Order!

The Hon. DIANA LAIDLAW: In increasing numbers these people have been contacting the Commission and the Minister's office for a copy of both the final report and, at best, an indication of the Government's attitude. My questions to the Minister are:

1. Will he advise why he has considered it necessary to delay (to date for nine months) the release of the working party's report on Women's Health Policy?

2. When will he release the report?

3. When can those interested in the provision of health care services to women in South Australia expect the Minister to announce the Government's response to the report?

The Hon. J.R. CORNWALL: The honourable member should really not get into these hyperbolic responses and try to beat it up about my office being deluged with requests. I have probably the best staff and the best run Ministerial office in South Australia. I inherited it by and large, so I am not making any elaborate claims. However, I resent very deeply the implication that any of the 12 staff on my floor have not acted properly or passed messages on to me. I resent that very deeply because the morale on my floor is very good, and the staff on my floor is very goood.

The Hon. Diana Laidlaw: I am not saying the morale in your office is not good.

The Hon. J.R. CORNWALL: The honourable member implied that staff on my floor were either incompetent or for some extraordinary reason had not passed messages on to the Minister. I resent that deeply and I want that on the record: that the Hon. Miss Laidlaw has been destructively critical of the staff in my office. However, having said that—

The Hon. Diana Laidlaw: You have over reacted.

The Hon. J.R. CORNWALL: No, the honourable member was quite critical. You read *Hansard* tomorrow. You were overly and clearly critical of the staff in my office.

The Hon. L.H. Davis: She may well be justified.

The Hon. J.R. CORNWALL: The Hon. Mr Davis—Legh the flea—says, 'She may well be justified.' That should be on the record, too, so that the apolitical staff in my office (there are a dozen of them) are aware that they have been the victims of a cowardly attack in the Council. Having said that I think it is timely that Ms Laidlaw (Miss or Ms, I am not sure—whichever appellation she prefers) should ask the question because only this morning I discussed this matter with the Chairman of the South Australian Health Commission and the Women's Adviser on Health, Ms Elizabeth Furler. What happened is that the early history as related is true. A working party was set up by the previous Health Commission under the chairmanship of Mrs Anne Prior. They produced a report on Women's Health Policy, which was quite a good and competent document. However, there were may aspects of that which were very much motherhood sorts of statements. In that respect I felt that there was not a great deal in it from which we could have developed a comprehensive implementation plan. In the meantime, of course, the South Australian Government—

Members interjecting:

The PRESIDENT: Order!

The Hon. J.R. CORNWALL: It is a very important matter. As I was about to say, in the meantime I appointed the first Women's Health Adviser in Australia.

The Hon. C.M. Hill: Here we go again.

The Hon. J.R. CORNWALL: It just happens to be a fact. Miss Elizabeth Furler is the first Women's Health Adviser to be appointed at either the State or Federal level in Australia—and an extraordinary good appointee she is, too. Shortly after that, I took up with her the matter of that document which had been produced by the working party. By that time, as the Hon. Miss Laidlaw said, it had been around for comment, consultation and collation. I asked her, arising out of that, to develop a Women's Health Policy for the Commission which could be adopted by the Government.

The Hon. Diana Laidlaw interjecting:

The Hon. J.R. CORNWALL: That was back in the days when we had part-time amateurs who used enthusiastically to—

An honourable member: That is an insult.

The Hon. J.R. CORNWALL: That is precisely—

Members interjecting:

The Hon. J.R. CORNWALL: No, it is a slur on the previous Health Minister.

The Hon. R.I. Lucas: You said part-timer amateurs.

The Hon. J.R. CORNWALL: Yes, they were enthusiastic, but they thought that they were in the business of developing Government policy, which is not the role of Commissioners. The role of the South Australian Health Commissioners and of the Commission acting as such when those Commissioners meet is not to develop Government policy but to defer quite clearly to Government policy. I do not know whether or not honourable members suffer from acute memory loss, but specifically the Health Commision Act was amended so that I could change the structure of the Commission. That was recommended by the Alexander Report. Originally, we had five part-time Commissioners who frankly did not know whether their role was to scoot around developing policies in a whole range of areas, whether they were in the business of corporate management, whether they were in the business of being involved in the day-to-day conduct of the Commission, or anything else. There was a good deal of confusion, none of which is to reflect on individual Commissioners at all.

The Hon. L.H. Davis: You did earlier. Just read *Hansard* tomorrow.

The Hon. J.R. CORNWALL: None of which is to reflect on individual Commissioners at all. What it did reflect was the fact that they were not producing.

The Hon. Diana Laidlaw interjecting:

The PRESIDENT: Order! I call the Hon. Miss Laidlaw to order.

The Hon. J.R. CORNWALL: Do not be so foolish: you are a foolish woman. I was explaining what they did when these crows on the back-bench—the cackling ones, Legh the flea and his mad mate—set upon me. If they will be quiet, I will finish telling them. This happens to be a very serious issue. I have appointed the first Women's Health Adviser in Australia and I have asked her to pick up the final document and to respond to it. This morning she was in my office with the Chairman of the South Australian Health Commission, Professor Garry Andrews, and she had developed from that a policy on 'Women and Health', which is the title of the thing.

I have now asked for further specific comment and response from the executive panel of the Commission, which I also have put in as part of the reform in order to make the Commission work. It will go to the executive panel; from that point a Cabinet submission will be developed

with it. I intend to appoint a consultative committee to overview the implementation of that policy on women and health. It will go to Cabinet, not as some esoteric airy-fairy document, as was initiated by my predecessor, but as a five page, plain statement that can be understood by anybody. It will set out comprehensively precisely what the policy of the South Australian Health Commision and the Bannon Government is. There will be a consultative committee of women who will be widely representative of women's attitudes in the community. When that is adopted by Cabinet, it will take an overview of the progressive implementation of those policies. I might say with due humility—and I resent the criticism that I have not done anything about women's health policy—

The Hon. Diana Laidlaw interjecting:

The Hon. J.R. CORNWALL: The honourable member should not try to emulate these two jackasses because it ill-becomes her: it is not her style. I would say with due humility that I have done more for women's health in South Australia in the 16 months in which we have been in Government than anybody did in the previous 16 years, and I have the record to prove it. I will explain that, too, if honourable members like. The Government has spent $500 000—

Members interjecting:

The PRESIDENT: Order! At least I must be able to hear one of you clearly.

The Hon. J.R. CORNWALL: —acquiring new premises for the Adelaide Women's Health Centre, which will be officially opened in the near future. In addition to that, we have established a new women's health centre at Elizabeth; that is up and running and will be officially opened in the very near future. We have established a women's health centre at Noarlunga-Christies Beach; that is very close to up and running and will be officially opened before the middle of the year.

The Hon. C.M. Hill: A good Labor area.

The Hon. J.R. CORNWALL: Indeed. It is about time that someone did something for the good Labor areas.

An honourable member: You did it.

The Hon. J.R. CORNWALL: And I am doing it quite consciously, as a matter of policy.

Members interjecting:

The PRESIDENT: Order!

The Hon. Diana Laidlaw: Your women's health policy is dictated by public opinion polls.

The Hon. J.R. CORNWALL: You have not got the right timbre to your voice to get into this sort of rough and tumble, Miss Laidlaw; I suggest that you stay out of it. I have long since set up a working party to advise me on the establishment of a women's health centre at Port Adelaide. I have that report. We are now looking at leasing suitable premises. I anticipate that we will have a women's health centre established in Port Adelaide within the next nine months. So we have in Elizabeth, in Christies Beach and soon in Port Adelaide three women's health centres that have been established during the past few months, virtually, in addition to the $500 000 that we spent on the Adelaide Women's Health Centre. The smarties across the way interject and say, 'Ha, ha, putting them into good Labor areas.' There is a damned good reason—

The Hon. R.I. Lucas: It's your foot in your mouth. Keep talking.

The Hon. J.R. CORNWALL: A traitor to the working classes, Mr Lucas. I knew him when he was a boy with the seat out of his trousers. Gambier East—a traitor to the working classes.

Members interjecting:

The PRESIDENT: Order! I hope that members do not keep shouting so loudly. It is bad on the ears. The other point is that about now we ought to get back—

The Hon. Diana Laidlaw: To answering my question.

The PRESIDENT: —to some section of the question.

The Hon. J.R. CORNWALL: I have answered the question in great detail, Mr President. I was just winding up.

The PRESIDENT: There are others who want to ask questions, I am sure.

The Hon. J.R. CORNWALL: Mr President, why do you reflect on me from the Chair so frequently?

The PRESIDENT: I really was not reflecting—

The Hon. J.R. CORNWALL: I do not find it at all amusing, Sir. Some of the remarks that you made yesterday were quite inappropriate.

The PRESIDENT: The Minister started that yesterday. Does he wish to continue that, because I told him yesterday exactly what I would do? If the Minister reflects on the Chair once more today, I will take the appropriate action.

The Hon. J.R. CORNWALL: Well, if you comment, Sir, while I am on my feet—

The PRESIDENT: I am not commenting. I am just asking that there be some relevance to the question.

The Hon. J.R. CORNWALL: You were.

The PRESIDENT: I called for some order in the Chamber. The Minister was the next and I called on you to continue. Immediately, instead of continuing with his answer, the Minister made some request about how I should conduct the Chair. The honourable Attorney-General, you have some—

The Hon. J.R. CORNWALL: I have not finished.

The PRESIDENT: The Minister has not finished.

The Hon. J.R. CORNWALL: I was just finishing off. In response to those interjections, before you started commenting, Sir: I make no apology for putting women's health centres in working class areas. There is a very good reason for doing it. It happens to be that that is where they are most badly needed. I am proud of what we have been able to do with regard to women's health in a relatively brief period. The record is there for all to see. Notwithstanding the cackling jackasses or the comments, I stand on my record in that area.

With regard to what Miss Laidlaw asked, I have answered that comprehensively. The matter will be with Cabinet in a matter of a few short weeks, and the comprehensive programme will be announced within the next two months.

The PRESIDENT: The Hon. Mr Gilfillan.

The Hon. DIANA LAIDLAW: I wish to ask a supplementary question. One of the three questions that I asked the Minister was when he would release the report of the women's working party. His answer seems to indicate that he has no intention of releasing that report. I would like him to confirm or deny that.

The Hon. J.R. CORNWALL: The report will be released at the same time as the policy and the implementation programme, and the establishment of the consultative committee.

The Hon. Diana Laidlaw: The women's advisory report or the working party report?

The Hon. J.R. CORNWALL: The working party's report.

The PRESIDENT: The Hon. Ms Levy, is your question supplementary?

The Hon. ANNE LEVY: No, I wish to ask a question—

The PRESIDENT: I called on the Hon. Mr Gilfillan.

The Hon. ANNE LEVY: None on this side today?

Members interjecting:

The PRESIDENT: Order! Let me explain.

The Hon. J.R. Cornwall: You lost control of the Council and you did not give us a question.

The PRESIDENT: Order! What I really try to do is to see that all parties concerned also get some possibility of a question. The Hon. Mr Gilfillan was the first on his feet. Had I seen the Hon. Ms Levy first on her feet it would have been her.

TROUBRIDGE

The Hon. I. GILFILLAN: I congratulate you on your recognition, Sir, that the meek shall inherit the earth. Has the Attorney-General an answer to my question of 21 March 1984 about the *Troubridge*?

The Hon. C.J. SUMNER: This is something of an anti-climax because it has been overtaken by events. The MV *Troubridge* has been exempted from industrial action by the Australian Government Workers Union and sailed for Kangaroo Island at 11.45 a.m. on Friday 23 March.

NON-GOVERNMENT SCHOOLS

The Hon. ANNE LEVY: I seek leave to make a very brief explanation before asking the Minister of Agriculture, representing the Minister of Education, a question about non-Government schools.

Leave granted.

The Hon. ANNE LEVY: Last week the Minister tabled in the Council some figures on the resources received and expended per student for a series of comparable Government and non-Government schools. As I am sure that all would admit, a great deal of interest has been aroused by these figures. I, along with many other people, have been studying these figures. Will the Minister agree that for some A and B category schools the effect of Government subsidy is to enable them to operate at resource levels significantly above comparable Government schools almost exactly by the degree of subsidisation?

Also, will the Minister confer with those responsible for the administration of low resource non-Government schools to ascertain whether they are concerned about the supposedly needs based allocation of Government money among non-Government schools, which has resulted, as shown in those tables, in the wide disparity in resources available between high and low resource non-Government schools?

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

ATTORNEY-GENERAL'S OVERSEAS VISIT

The Hon. C.M. HILL (on notice) asked the Attorney-General: In respect of the Minister's recent overseas travel:

1. Was the travel or any part of it at Government expense?
2. For what period was he overseas?
3. What part was at Government expense?
4. What countries were visited by the Minister?
5. What was the purpose of the overseas travel?
6. Who accompanied the Minister at Government expense?
7. What was the total cost to the Government of the Minister's tour, including the cost to the Government of those accompanying him?
8. Who were the officials the Minister met whilst away?
9. What were the matters discussed with such officials?
10. Does the Minister intend to prepare a formal report of this Ministerial overseas tour?

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

1. Yes.
2. 18 December 1983 to 14 February 1984.
3. From 25 January 1984 to 14 February 1984 was an official Ministerial visit. From 19 December 1983 to 3 January 1984 and from 21 January 1984 to 25 January 1984 was a Parliamentary study tour pursuant to the Parliamentary study tour rules.
4. Italy, Germany, Yugoslavia, Greece, Bulgaria and Cyprus.
5. The specific purposes of the Minister's visit were to:
   re-establish at the highest political and administrative level, formal contact between the Labor Government of South Australia and the Governments of Italy, Greece, Bulgaria, Yugoslavia, and Cyprus.
   to further discussions with the representatives of those countries, and in particular their educational officials, on the possibility of establishing teacher exchange arrangements between South Australia and Italy, Greece and possibly Yugoslavia.
   to provide a background briefing to cultural and educational officials on the proposed South Australian Museum of Migration and Settlement, due to be formally opened on South Australia's 150th Anniversary of European Settlement in 1986.
   to discuss a range of educational and cultural matters which could be pursued between South Australia and the Governments visited, in the context of extending the contact between the two countries and in terms of giving some flesh to the bones of various cultural agreements between Australia and other countries.
   to discuss with Emigration Officials matters of concern and interest affecting their emigrants in South Australia.
   specifically in Italy, to visit the earthquake projects that had been funded by donations from Australia.

   In addition to these objectives and purposes of the official Ministerial visit, I also undertook a private language course in the Italian language, and wrote papers which will be submitted for the Diploma of Community Languages course for which I am currently enrolled at the South Australian College of Advanced Education. This was part of the Parliamentary study tour from 23 December 1983 to 3 January 1984.
6. My wife accompanied me on the Parliamentary study tour in accordance with the rules. Mr M. Duigan, Ministerial Officer, accompanied me for the official Ministerial visit to Yugoslavia, Bulgaria, Greece and Cyprus and during my visit to the Veneto/Friuli-Venezia Giulia regions of Italy.
7. The total cost to the Government for the Ministerial tour was approximately $9 310. This figure may be subject to minor variation due to some accounts being assessed in foreign currencies. The portion of the cost to the Government of Mr Duigan joining and accompanying the Minister was $4 440.

   This compares with the cost of the overseas Ministerial visit by the former Ethnic Affairs Minister, the Hon. C.M. Hill, in 1982, of approximately $30 000.

   Mr Hill was accompanied for the duration of the 35-day visit by his wife; by the Director of the Department of the Arts for 10 days and by the Chairman of the Ethnic Affairs Commission for 16 days. Further, by way of comparison, the 35-day overseas visit by the former Attorney-General, Mr Trevor Griffin, cost approximately $43 000 (compared, I might add, with the $9 000 cost of my own visit). He was accompanied by his wife, a press officer and an officer from the Premier's Department. Three people accompanied the Hon. Mr Griffin.
8. ITALY:
   Mr Sergio Berlinguer, Director-General, Immigration Ministry of Foreign Affairs, Rome.
   Dr Scauso, Official at Ministry of Foreign Affairs, Rome.

Mr R.C. Whitty, Charge d'Affaires, Australian Embassy, Rome.
Dr Rubens Fidele, Dr Paolo Massa, Former Consuls in South Australia.
Mr Dino Pellice, President, FILEF.
Senator Learco Saporito, President, ANFE.
Mr Lorenzo Pinaroli, Mayor of Asiago.
Mr Brugnaro, President, Mountain Community (Asiago).
Dr Aldo Lorigiola, President ANEA (Associazione Nationale Emigrati ed ex-Emigrati in Australia).
Avocato Angelo Candonini, Mayor of Udine.
Dr Franco Richette, Mayor of Trieste.

Total Official Appointments—Italy—8

YUGOSLAVIA

Slovenia (Ljubljana)
Mr Matjaz Jancar, President, Slovenska Izseljenska, Matica
Mr Marco Pogacnik, Secretary, S.I.M. (Association for Slovenian Emigrants abroad)
Mr Silvo Devetak, Director, Institute for Ethnic Problems
Professor dr Janez Mulcinski, President of the Slovene Academy for Arts & Science
Professor dr Janez Stanonik, Head, Institute for Immigration at Slovene Academy for Arts & Science
Mr Dusan Sinigoj, Deputy Premier of the Socialist Republic of Slovenia
Ms Majola Poljansek, President of the Education Committee for Slovenia (that is, Minister of Education)

Croatia
Matica Iseljenika Hrvatske—Association for Croatian Emigrants Abroad
Vanja Vranjican, President
Stjepan Blazenkovic, Deputy President
Petro Maravic, Deputy President
Silvija Letica, Aust/NZ Field Officer
Croatian Committee (Department) for Education
Dr Aleksandra Kolka, Director
Mr Mijatovic, Deputy Director
Mr Ante Barbir, former Sydney Consul-General for Yugoslavia and now Director, Croatian Committee (Department) for Foreign Affairs
Mr Nicola Ban, President (Minister) of the Information Committee for Croatia (including information for and from Croatians overseas)
Dr M. Radmilovic, President (Minister) of Health. He was also the personal physician, I think, to President Tito.

Serbia
Mrs Ljubica Puric, President, Home Office of Serbian Emigrants
Mr Zivorad Stankovic, President (Minister) of Committee for Relations with Religious Communities
Mr Vukoje Bulatovic, Vice President, Executive Council of Serbia (Deputy Premier)
Mrs Ksenija Gacinovic, Deputy Director, Education Committee (Department)
Mr Slavoljub Dragoslavic, Adviser, Education Committee (Department)
Mr Milos Kristic, President (Minister), Serbian Committee for Foreign Affairs
Mr Mihajlo Adamovic, Assistant President (Director-General), Committee (Department) for Foreign Affairs

(Yugoslav) Macedonia
Mr Koco Tulevski, Vice President, Macedonian Executive Council (Deputy Premier)
Mr Tomislav Simouski, President (Minister) for the Macedonian Foreign Relations Committee
Mr Antaolij Damjanovski, President (Minister) of the Committee for Education
Mr Mateja Matevski, President (Minister) of the Overseas Cultural Relations Commission
Mr M. Bande, Assistant to the President (Director) of the Overseas Cultural Relations Commission
Mr D. Mojsov, President (Minister) of the Committee for Labour Relations
Mr Tomislav Simouski, President (Minister) for the Macedonian Foreign Relations Committee
Mr Boge Sotirovski, President, Office for Macedonian Emigrants
Mr Vanch Andronov, Official of the Executive Council and former diplomat for Australia and the United States.
Representatives of Macedonian Orthodox Church National
Dr Djordje Jakovljevic, President (Minister) Federal Committee (Department) for Labour, Health and Social Welfare
Mr Miljenko Zrelec, Director, Federal Office for International Co-operation
Mr Zelenko Svete, Assistant Federal Secretary for Foreign Affairs
Mr Michael Wilson, Australian Ambassador to Yugoslavia

Total Official Appointments—Yugoslavia—30

BULGARIA

Sofia
Mr P. Berbenliev, Deputy Minister for Culture
Mr K. Kimirsky, Director, Overseas Cultural Relations Division of Department of Culture
Dr P. Vutov, Chairman, Inter-Parliamentary Group of the National Bulgaria Assembly
Mr A. Dimitrov, Secretary, Bulgarian Agrarian Union
Ms Sv. Daskalova, Minister for Justice
Mr B. Dimitrov, Deputy Chairman, International Relations Committee, Bulgarian Communist Party
Mr L. Popov, Deputy Minister for Foreign Affairs. He was a very interesting gentleman. He had been Bulgarian Ambassador to Washington during a number of years in the 1960s and 1970s, including those years during the terms of Presidents Kennedy, Johnson, Nixon and Ford.
Dr Penko Puntev, Director, Bulgarian National Ethnographic Museum

Committee for Bulgarians Abroad
Mr Paul Martev, Chairman
Mr Tsanko Vasilev, Secretary
Mr Toshko Tochev, Australian Field Office

Total Official Appointments—Bulgaria—9

GREECE

Thessaloniki
Mr Vassilis Intzes, Minister for Northern Greece
Mr Mecauris Kyratsous, Secretary-General, Ministry, Northern Greece
Mr Elias Dimitricopoulos, Director, Foreign Affairs in Ministry of Northern Greece
Mr Teocharis, Manavis, Mayor of Thessaloniki
Mr Guigas Chardalias, Deputy Mayor
Mr George Adamopolous (Regional Governor), Pella
Mayor of Edessa
Archeologist for Pella
Mr Lambrinos, President, Society of Editors & Publishers of Northern Greece
Mr Assimakis Fotilas, host to Mr Sumner, Minister for Greeks Abroad

Ambassador Menglides, Department of Foreign Affairs, Division for Greeks Abroad
Ms Melina Mercouri, Minister for Culture & Science
Mr Petros Maralis, Assistant Minister for Education
Mr M.L. Johnston, A.O., Australian Ambassador to Greece
Total Official Appointments—Greece—12

CYPRUS
Mr C. Veniamin, host to Mr Sumner, Minister for Defence and Interior.
Mr Kyrianas Cristofi, Director-General, Department of Interior.
Mr G. Iacovou, Minister of Foreign Affairs.
Mr C. Michaelides, Minister to the President of Cyprus.
Mr Petras Voskarides, Ambassador responsible for Cypriots in overseas countries.
Mr Christos Mavrellis, Minister of Communication and Works.
Commander Don Morrison, Head, Australian Police. Contingent to United Nations Peace-Keeping Force.
Mr Fotis Colakides, Mayor of Limassol (in company with the Mayors of Turkish-occupied Famagusta and Kyrenia).
Mr John Agrotis, Mayor of Paphos.
Dr V. Lyssarides, Leader, Socialist Party of Cyprus.
Ms Mary McPherson, Australian High Commissioner to Cyprus.
Total Official Appointments—Cyprus—8

The official Ministerial visit to Yugoslavia, Bulgaria, Greece and Cyprus (20 days) involved 59 appointments and 25 official luncheon or dinner engagements, many of which required speeches on behalf of the South Australian Government.

9. The primary purpose of the discussions with these officials was to meet the objectives of the tour, and therefore most of the discussion centred round the teacher exchange arrangement and the establishment of a museum of migration and settlement. In addition, however, a variety of other matters were discussed which I can elucidate if honourable members wish. Alternatively, I seek leave to have the answer to question 9 inserted in *Hansard* without my reading it.

Leave granted.

Reply to Question 9

ITALY
Social Security Agreement between Italy and Australia.
Problems of Italian migrants abroad.
Problems with the import to Australia of pasta which is underweight.
The possible visit of the band of Carabinieri to Adelaide for the 1986 Festival.

YUGOSLAVIA
The treatment of national minorities.
A number of border issues and the ease of communication with neighbouring countries.
Foreign policy matters, particularly relations with Australia.
The nature of the Yugoslav economy and the methods being used to overcome high inflation and high unemployment.
Peace and nuclear disarmament.

BULGARIA
Matters of foreign policy in relation to both the Warsaw pact countries and the NATO countries.
The question of the treatment of minorities.
The extensive international culture programme of the Bulgarian Government.
Peace and nuclear disarmament in the Balkans.
The Bulgarian economy.

GREECE
General matters about the relations with Australia and the attitude towards Greeks abroad, including their voting entitlements and their nationality.
The rights to social security entitlements of those Greeks who return to Greece.
Peace and nuclear disarmament in the Balkans.

CYPRUS
Propositions relating to a solution of 'the Cyprus problem'.
General matters affecting Cypriots abroad.

The Hon. C.J. SUMNER: The answer to question 10 is as follows:

10. A briefing has been given to both the History Trust and the Museum of Migration and Settlement on those parts of the trip relating to the museum and a report has been prepared for the Minister of Education on the matters relating to the steps that need to be taken to formalise teacher exchange arrangements between South Australia and various of the countries visited.

A formal report of the Parliamentary part of the overseas tour has been prepared, and will be lodged with the Parliamentary Library.

OMBUDSMAN ACT AMENDMENT BILL

Second reading.

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

That this Bill be now read a second time.

As this Bill has come from the House of Assembly, I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Bill

The Ombudsman, in his report to Parliament in 1982, indicated that the duty placed on him to give notice before he formally exercises powers of investigation, vested in him under the Ombudsman Act, 1972, unduly hampers his efforts to properly investigate complaints. This Bill seeks to give the Ombudsman power to conduct preliminary investigations of complaints before a public agency is formally notified of his intention to conduct a full investigation of a complaint.

In practice, the Bill seeks to formalise an existing procedure adopted by the Ombudsman's Office, whereby information about a complaint is sought from an agency before a full investigation is embarked upon as a means of establishing whether a full investigation is warranted. This preliminary procedure also helps in the satisfactory resolution of complaints without proceeding to the more formal processes of a full investigation. With the adoption of this Bill, any doubt as to the Ombudsman's power to conduct these preliminary investigations of complaints will be removed.

The Bill, however, preserves the existing duty of the Ombudsman to notify an agency before a full investigation of a complaint is embarked upon. The more formal processes of a full investigation require notification in fairness to all concerned in the resolution of the complaint. The Ombudsman has been fully consulted as to the content of the Bill and has expressed satisfaction with it.

Clause 1 is formal. Clause 2 replaces subsection (1) of section 18 with two new subsections. Subsection (1) will

enable him to make a preliminary investigation to determine whether he should proceed with a full investigation. If he decides to do so he is required by subsection (1a) to give notice of his decision to the authority concerned.

The Hon. K.T. GRIFFIN secured the adjournment of the debate.

INDUSTRIAL CONCILIATION AND ARBITRATION ACT AMENDMENT BILL (No. 4)

Adjourned debate on second reading.
(Continued from 22 March. Page 2746.)

The Hon. M.B. CAMERON (Leader of the Opposition): I oppose this legislation as it presently stands. It contains a number of provisions that I feel compelled to oppose on philosophical grounds alone. Other provisions are quite unacceptable because of their practical implications. Although I oppose the Bill, I will support the second reading, seek amendment and see what happens to it in the processes. It is not to overstate the case to say that a number of proposed amendments seriously undermine the principles of freedom of association and freedom of choice—principles which are fundamental in a liberal democratic society.

Parts of the Bill will prevent employees and small businessmen from freely exercising their will to join or not to join a trade union. They will have no option. They will be forced to join if they want to work. This is anathema to the Liberal Party, which holds freedom of choice as a fundamental tenet of its principles. Freedom of association is an important principle which has, as its corollary, freedom to dissociate. Both are rights of equal significance. Over many years our individual rights have been steadily eroded. There must come a time—and I suggest that it will not be too far off—when people will demand and receive the return of some of their basic freedom. I believe that there should be a ban on any form of coercion for a person to be a member of an organisation and that such a principle should be enshrined within the Federal Constitution.

How can we claim to live in a democracy yet allow people to be forced to join organisations is quite beyond me. It certainly does not fit into my concept of democracy and it is certainly totally contrary to my concept of liberalism.

Indeed, I believe that Parliament should proscribe all forms of preference to trade unionists, trade associations or other organisations' members. A trade union should win members—not draft them. If a trade union is good enough it will win membership. If it offers its membership something constructive, it will remain healthy; if not, it will fail. I hold this view very strongly. Indeed, I believe that the Council for Civil Liberties has failed completely in this area. How often do we hear the civil libertarians complain and protest about the loss of the fundamental freedom to associate? I would suggest rarely, if ever. I believe it is time that a new organisation was formed to pursue the important task of ensuring this concern is understood.

The preference to unionists or compulsory unionism principle contained within this legislation is anathema to the principles of a free society. I fiercely resent that a Government in an allegedly 'free country' such as ours insists on such an unacceptable provision. There is only one way to stop politicians, employers and employees from doing sweetheart deals regarding union or association membership. That is by outlawing preference to unionists or compulsory unionism in our national Constitution.

Regrettably, too many large employers are prepared to abdicate their responsibility and commitment to the free enterprise system for the sake of convenience. They find it easier to give in to trade union pressure and allow closed shops because, being large, they can often pass on increased costs which result in a direct cost to the consumer. In other words, they do deals with trade unions to exploit their monopoly or privileged positions and the public pays the costs. Often their privileged position results from preferential treatment by way of high protection given to Australian companies. While some protection is necessary, it should not be used to allow people to pass on costs relating to compulsory unionism.

Much has been said by the Government about the way this legislation has resulted from unparalleled consultation and the efforts of the Industrial Relations Advisory Council (IRAC). In fact, I believe that the Deputy Premier in particular has, to use an appropriate term, attempted to 'fudge' the issue. His praise for consultation is hollow. Consultation under duress is really not consultation at all and the way the Minister approached this legislation indicates that his commitment to consultation was cosmetic. There is no doubt that what has occurred in relation to the Industrial Relations Advisory Council's supposed endorsement of the Bill, is that members were faced with a draft which has a series of ambit proposals.

The council, faced with a totally unacceptable ambit proposal, was then allowed to negotiate back to a less horrendous position. Now the employer members in particular are expected to be grateful. To use an analogy, when initially faced with the threat of having their arms broken in two places, they should now be grateful that only their wrists will be broken!

The so-called consultation can hardly have been widespread when the very provisions of the Industrial Relations Advisory Council Act in clause 9 (7) *(c)* provide that:

> The views of members expressed at meetings of the council . . . should be kept confidential.

How can such a requirement encourage open and frank consultation? Yet this is what the Government alleges it has encouraged! Despite what the Government has said, this legislation does not have widespread support—especially amongst the business community. Let me give some examples lest the Government disputes this. Consider, for example, the case of the Metal Industries Association. This Association is strongly opposed to the Government's proposals. To quote from its letter to members of 13 February 1984:

> The Government mischievously has allowed the impression to be obtained by the public that employers support the proposals. MIASA has not, did not indicate approval, nor approve the proposed amendments. Assertions of this kind create opposition and unwarranted polarisation of opinion.

That is a very clear statement. How could the Government possibly get it so wrong? The letter went on—

> At the same time we sought correction of this impression by the media, but were unsuccessful.

The Metal Industries Association is not alone in its concern. The Concrete Masonry Association of Australia, in a letter dated 26 March from Mr B. Smith, indicated:

> Our Association is concerned that the amendments to the South Australian Conciliation and Arbitration Act have passed through the House of Assembly, and request that you oppose the amendments in the Legislative Council. We believe the recommendations of the Industrial Relations Advisory Council, based on the 'Cawthorne Report', would place South Australian industry at a disadvantage with other States. Moreover, the consequences of this legislation will be higher building and construction costs to the community at large.

The Hon. R.I. Lucas: That point is very important for the Hon. Mr Milne, because he is always saying that.

The Hon. M.B. CAMERON: It is important not only for Mr Milne but also for the community at large.

The Hon. R.I. Lucas: The Hon. Mr Gilfillan is here: perhaps he will pass on the message.

The Hon. M.B. CAMERON: Yes. I will provide the Hon. Mr Gilfillan with a copy of the correspondence, if he wants to consider the views.

The Hon. I. Gilfillan: We have been blessed with a copy.

The Hon. M.B. CAMERON: Very good. It is further stated:

> Some areas of our industry which are currently undergoing rapid growth, thereby creating new employment opportunities, would be stifled.

It is that concern which has been echoed time and again throughout the community. It is a concern about the impact which this legislation will have on employment, on house prices, on industrial relations and on freedom of choice. This legislation will cost jobs, not create them. It will cause house prices to rise considerably. There has been some argument about the extent of the increase. The figure of 10 per cent was cited, but I have seen an article in one of the daily newspapers in which the Master Builders Association warned that construction costs would increase by up to 30 per cent. The Executive Director of the Masters Builders Association stated that he believes that building costs will increase by up to 30 per cent. If that is correct, it will be a very significant increase, and it will cause the State's industrial relations record to deteriorate—pitting, as it does, worker against worker, employee against employee, unionist against non-unionist, and the relatively advantaged (the employed) against the unemployed. It will also erode our State's capacity to compete with other States. This is indicated in a letter from the State Manager of Monier Limited of 26 March:

> As a company employing over 500 personnel in this State, we believe the recommendations of the Industrial Relations Advisory Council based on the 'Cawthorne Report' would place South Australian industry at a disadvantage with other States and could very well increase costs to a degree whereby some of our operations may become unworkable.

At a time when our unemployment levels are at their highest, we would be foolish to endorse a Bill such as this which will only discourage employment. Every major employer or business association has expressed dissatisfaction with all or parts of this legislation. The Chamber of Commerce stated in its submission to the Government:

> The Chamber of Commerce and Industry (South Australia) Inc. has some reservations and disagreements with certain aspects of the Government's Bill to amend the Industrial Conciliation and Arbitration Act.

The Employers Federation is strongly opposed to many provisions of the Bill. This same view is held by the Printing and Allied Trades Employers Federation of Australia and the Master Builders Association. One wonders then how the Deputy Premier can claim, during debates in another place:

> As I stated before, every one of the clauses has been agreed to by representatives of employer and union bodies.

I do not know how he can say that after the correspondence and the views that have been presented to me and many other members of this Council. In the *Australian* of 5 December the Minister stated:

> I have been on cloud 9 ever since we achieved agreement between employer and union groups.

It must have been a very thundery cloud, because a lot of lightning has come from it since. While the Deputy Premier and his colleagues floated blissfully on cloud 9, storm clouds were closing in around them—the very people who were supposed to have been in agreement on the issue. It was quite perceptive of the Deputy Premier to make that statement and to imply the support of employers for this Bill! As I said, in my opinion an ambit proposal was put before IRAC and, after the committee considered the Minister's proposal, it was grateful to get back to something that appeared to be a little less horrendous but certainly still not acceptable.

The Government has, where it suits it, used the Cawthorne Report as the basis for this Bill. It is important to stress, however, that in a number of key areas the Bill goes substantially and dangerously further than Cawthorne suggests. Regrettably, the real basis for this Bill is the appeasement of Trades Hall. The average unionist or non-unionist will not benefit from the majority of these provisions. Trade union officials, however, will have their personal and political power strengthened.

As I have said, this legislation goes further than Cawthorne suggested in a number of important areas. Preference for unionists (in effect, compulsory unionism when interpreted by the Labor Party) is carried beyond what Cawthorne proposed. True, Cawthorne gave some support for preference to unionists, but within clearly defined parameters. What this Bill proposes is that preference to unionists shall be awarded in the interests of industrial peace. That is not what Cawthorne had to say, and I quote:

> While on the issue of preference, it is my view that, if a decision is made to allow the Commission a discretion to award preference to unionists, then it should be able to award preference in favour of members of a particular union. This power could be of use in demarking areas of employment.

What the Government, as the political wing of the trade union movement, wants is much more than that. By allowing preference to unionists in the interests of industrial peace, the Government is endorsing a situation where unions will be able to create disruptive situations, which they will offer to resolve if preferential unionism is introduced in an area or industry. In other words, employers will be able to obtain industrial peace if the Commission requires a closed shop. This is blackmail. Such an approach will wreak havoc on the building and subcontracting areas especially.

Another area of the Bill relates to demotion provisions. The Cawthorne Report contained no recommendations regarding these provisions. The Cawthorne Report suggested that the Industrial Commission might be given the power to inquire into matters of industrial importance. The Government, however, has decided against Cawthorne's proposals and, instead, gives the Commission power to inquire into any matter at all.

Instead of adopting Cawthorne's proposals regarding the hearing of dismissal disputes within a judicial situation in the court, with the possibility of settling issues in a pre-trial conference in the Commission, the Government seeks to put these matters in the hands of a single Commissioner. This is totally contrary to Cawthorne's suggestions.

The Opposition firmly believes that the right place for judicial judgments is a court. The Bill seeks to exclude unregistered associations from being a party to an industrial agreement. Any recommendation along these lines was made by Cawthorne and the Government's proposals are an unnecessary infringement on workers' rights. In fact, Cawthorne made his attitude very clear as to the involvement of unregistered associations in industrial agreements. He said:

> You will be aware that at present the Act permits unregistered associations to enter into industrial agreements which themselves may be registered under the Act and, thereafter, be of similar effect to an award. This procedure has been of benefit to some employers who have persuaded their employees to form staff associations and who, thereafter, enter into agreements relating to wages and conditions with those associations. Thus, for example, in the case of a number of independent schools, industrial agreements have been entered into by the schools with staff associations comprised of clerks, general assistants, domestics, gardeners, groundsmen, and so on. This has the obvious advantage to the employer of bringing all staff under the one general agreement, rather than having, in many cases, each classification covered by a different award with varying terms and conditions. Statistics show that up until 1 June 1981 there were 459 registered agreements, 156 (or 35.5 per cent) of which had been entered into by unregistered associations. Whilst that may be so, I am not persuaded at this point that there should be an absolute prohibition

on the right of an unregistered association to enter into an industrial agreement.

It is clear that if there was a dichotomy between the points of view of the United Trades and Labor Council and Cawthorne, then the UTLC view won through. I oppose the way in which unregistered associations are prohibited, under this Bill, from approaching the Industrial Commission, and the way in which they are circumscribed in this Bill. Of concern to the Opposition is the way the Government has seized on Cawthorne's proposals regarding the regulation of contract labour (the definition for which comes under the definition of 'employees' in clause 4 of this Bill), and which it extended with glee.

The Liberal Party and the great majority of employers of subcontractors are absolutely and totally opposed to the intent of clause 4. The aim of the Government is to unionise subcontract labour. This will have a disastrous effect on the building industry as quotations are referred to include. Surely, in our society if a man wants to work hard at a rate acceptable to him and he is fully satisfied with that rate, then he has the right to do so. Subcontractors appreciate their freedom. They are small businessmen, not employees, and their rights should remain.

All members know how, in the construction and building industries, the guerilla tactics of the trade union minorities can totally undermine a project. If subcontractors are to be considered as employees and then required to join an appropriate union, industrial anarchy can result. The Master Builders Association has clearly outlined the effects of the legislation. In reference to clause 4, the MBA which as late as today again indicated its concerns, said:

> The building and construction industry, together with many other industries, are based heavily, and rely to a considerable extent for their cost efficiency, on small business, including businesses operated by one, two or a similar small number of persons. In Australia generally, and including South Australia, these small businesses provide Australian citizens with a standard of residential accommodation which is equal to any anywhere in the world. In Australia however, the affordability of such a high standard of accommodation is directly attributable to the industry, application and efficiency of the small businesses which provide bricklaying, carpentry, painting, plumbing, electrical installation and similar skills for the construction of houses, units and other types of residential accommodation. We see potential for these businesses to have their legal standing as sole traders and partnerships seriously distorted in the industrial law context by the paragraph *(ab)* of section 6 which the Bill proposes. Accordingly, in the interests of small business and in the interests of the maintenance of the standard of residential accommodation which South Australian citizens enjoy, it is our recommendation that paragraphs *(a)* and *(b)* of clause 6 be deleted from the Bill.

Every major submission which the Opposition has received supports the views expressed by the Master Builders. Estimates of additional costs are as high, as I indicated earlier, as 30 per cent on the average house. The Housing Industry Association has echoed these views. Indeed, in a recent article the Association said:

> At a time when the housing industry is showing signs of recovery, leading hopefully to an improvement in the overall South Australian economy, the State Government is making moves which may jeopardise this... It is hard to understand the rationale behind the move at a time when there is massive unemployment in South Australia, relieved only by the efforts of both the Government and private sector housing to change the situation. Not only will costs of housing rise, but also the number of houses built will be reduced and employment will not be increased to the extent which the industry considers possible.

One of the most concerning aspects of this entire legislation is the complete withdrawal of rights for non-unionists. For example, in relation to the safeguards given to employees on the issue of dismissals, the rights of non-unionists are eroded. The original Act refers to a union or non-union member not being discriminated against. Now there will be no protection for non-unionists. This Government, in fact, wants to penalise non-unionists. The Liberal Party will oppose, most strongly, any preference to unionists and any singling out for discrimination of non-union members.

The Liberal Party will strongly oppose the effective removal of a citizen's capacity to undertake tort actions. The Government's Bill aims to stop a person from suing for economic loss. If a person is unable to act to recover economic loss as a result of some action by a unionist, then he really has no rights to tort action at all. Removal of the capacity to undertake tort actions could well lead to such economic loss that businesses and individuals will go to the wall as they run the full processes of conciliation and arbitration.

I indicated that the Cawthorne Report does not go as far as the Government in certain important areas. I indicated, too, that in some areas the Government goes totally against what Cawthorne is recommending.

There are other areas where Cawthorne's views are totally ignored. Details of those will come up during the Committee stage when amendments will be moved on a number of sections of the Bill. I indicate that, if the amendments are not accepted, then the Liberal Party will fight this Bill right to the bitter end in the Council because it is a Bill designed to absolutely destroy the State's economic advantage compared to other States.

The Hon. K.T. GRIFFIN secured the adjournment of the debate.

COMPANIES (ADMINISTRATION) ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 27 March. Page 2824.)

The Hon. K.T. GRIFFIN: I am willing to make some observations on the Bill now, even though it was introduced only a day or so ago. The Companies (Administration) Act, 1982, establishes the Corporate Affairs Commission as a Commission that continues from the old Companies Act of 1962-1981. In 1979 extensive amendments to the South Australian Companies Act established the Corporate Affairs Commission. That was continued under the uniform scheme legislation, which is reflected partially in the Companies (Administration) Act, 1982 in which section 9 provides that there shall be a Commissioner for Corporate Affairs. Section 10 provides that there shall be a Deputy Commissioner for Corporate Affairs. Section 11 provides that there shall be an Assistant Commissioner for Corporate Affairs.

Under section 6 (3) the Corporate Affairs Commission is to be constituted of the Commissioner or the Deputy Commissioner. This Bill seeks to extend that to include the Assistant Commissioner for Corporate Affairs, who is already provided for in section 11 of the Companies (Administration) Act, 1982. The Assistant Commissioner already appears in the Act, and the only question is whether or not it is reasonable for him to comprise the Commission in addition to the Commissioner and the Deputy Commissioner. If it is necessary to facilitate the work of the Corporate Affairs Commission, I am willing to support that provision.

In his second reading explanation the Attorney-General refers to this amendment as arising from a comprehensive review of the structure of the Department of the Corporate Affairs Commission by the Public Service Board in late 1983. The second reading explanation refers to the creation of a new senior position of Assistant Commissioner for Corporate Affairs as necessary to strengthen the Commission's corporate law enforcement role. The duties of the Assistant Commissioner are briefly set out in the second reading explanation and indicate that the Assistant Com-

missioner is to have specific responsibilities in the direction and co-ordination of the work of the Corporate Affairs Commission's legal officers, investigators and seconded police officers.

In Committee I would like the Attorney to give some information to the Chamber about any changes in the structure of the Commission which arise from the review of the Public Service Board, and identify the lines of responsibility through the Commission up to the Commissioner. Also, I would like the Attorney to give some information about the numbers in the respective sections of the Commission and indicate whether or not there has been any increase in staffing levels. If there have been increases in staffing levels I would like the Attorney to provide details of the changes in those levels.

I do not make any criticism of any changes in staffing levels because, when I was Minister, the Liberal Government increased the number of staff in the Commission in one instance to deal with intensive micro-filming programmes and, in another instance, to increase the number of investigating officers in the law enforcement section. That became necessary as a result of the additional investigative work the Commission was required to undertake. There were some changes in staffing levels, but only relatively small changes when the Uniform Companies and Securities Code became fully operational.

I know that the new scheme placed a considerable burden on the Corporate Affairs Commission and its staff in addition to the work load previously applying. Mainly, I suspect, because of the reporting requirements to the national Commission, although there was an in-principle decision by the Ministerial council that as much responsibility as possible ought to be left with the local Commission or officers and not be focused in the national Commission with the consequent increase in reporting and other responsibilities.

As I say, I make no criticism of any increase in staffing levels. The Corporate Affairs Commission has always been—at least in recent years—a very tightly run department carrying out very efficiently its responsibilities and pursuing its statutory obligations effectively. I have no reason to doubt that that is continuing under this Administration, because the Department is staffed by professionals who are very conscientious in maintaining their level of output and undertaking their statutory responsibilities.

If the Attorney-General could give the information in Committee, I would appreciate it. He may also care to give the Chamber some indication as to who constitutes the Commission in the sense that, if all three Commission officers—the Commissioner, Deputy Commissioner and Assistant Commissioner—comprise the Commission, is there any hierarchy, for example, that would put the Commissioner for Corporate Affairs at the top of the ladder exercising the responsibilities of the Commission and the others acting only in the Commissioner's absence, or is there a concurrent exercising of responsibilities albeit in different areas of activity of the Commission?

Clause 3 provides for the tabling or preparation and tabling of an annual report by the Commission. As the second reading indicates, the previous Companies Act of 1962 required the provision of an annual report by the Commission. That requirement was introduced in 1979, and required a report to be delivered to the Minister as soon as practicable after 30 June in each year and for the report to be tabled as soon as practicable. Clause 3 fixes a deadline of 31 December each year for the presentation of the report to the Minister.

That is a wise move. All statutory bodies ought to have a date by which they are required to report to the Minister. It is also important specifically to require the Minister to table the report before each House of Parliament. I support the second reading of the Bill, and hope that the Attorney-General will be able to give answers in Committee.

Bill read a second time.

In Committee.

Clause 1 passed.

Progress reported; Committee to sit again.

ROAD TRAFFIC ACT AMENDMENT BILL

Second reading.

The Hon. FRANK BLEVINS (Minister of Agriculture): I move:

That this Bill be now read a second time.

This Bill contains a number of miscellaneous amendments to the Road Traffic Act. The Bill provides that where road maintenance equipment is forced to operate against the flow of traffic, its driver is excused from compliance with the Act. The opportunity has been taken to provide for the use of part-time and conditional traffic regulation signs. Power is conferred upon members of the Police Force and officers of local councils to remove vehicles that are parked in such a manner as to obstruct entrances to properties adjacent to roads and footpaths.

An important aspect of the Bill is the provision of a specific penalty of $1 000 for breach of the provisions dealing with inspection and maintenance of buses and tow trucks. This level of penalty is considered to be appropriate in the context of these provisions. The penalty for failing to comply with a direction of an inspector or member of the Police Force not to drive a vehicle on a road in circumstances where the mass carried on the vehicle exceeds the permitted maximum has been amended to reflect the penalty applicable to the actual offence of driving a vehicle on a road in such circumstances.

The opportunity has been taken to revise penalties applicable to offences relating to requirements as to stopping and weighing vehicles. The Bill also empowers inspectors and members of the Police Force to direct drivers not to operate vehicles in circumstances in which the vehicles do not comply with the provisions relating to length, height, and width of vehicles. The provisions of the Bill are more fully explained in the detailed explanation of the clauses. I seek leave to have the detailed explanation of clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clauses 1 and 2 are formal. Clause 3 amends section 40 of the principal Act, which deals with the exemption of certain vehicles from compliance with particular provisions. The amendment provides that while a vehicle is an exempt vehicle by virtue of the fact that it is a vehicle of a specified class being used for road making purposes, the following matters shall not apply in relation to the driving of the vehicle:

(a) driving or standing on any side or part of a road;

(b) passing another vehicle on a specified side of that other vehicle:

(c) the mode of making right-hand turns.

The amendment further provides that where an exempt vehicle is used in a manner that would, but for the fact that it is an exempt vehicle, constitute a breach of the Act and the driving of the vehicle in that manner would endanger a person in the vicinity, that person is excused from compliance with the Act for the purpose of avoiding the danger.

Clause 4 provides for the insertion in section 42 of a specific penalty (namely, $1 000) for failing to comply with

an authorised direction to stop a vehicle. Clause 5 provides for the repeal of sections 76 and 77 and the insertion of new section 76. The new section deals with 'traffic signs' (defined as a sign or mark on or near a road for the purpose of regulating the movement of traffic or the parking or standing of motor vehicles). The driver of a motor vehicle must comply with instructions on traffic signs. Such instructions may be expressed to be subject to specified exceptions or qualifications and, if so expressed, have effect subject to those exceptions or qualifications. Regulations may be made providing that specified words or symbols be interpreted in terms set out in the regulation, and the signs or symbols shall be interpreted accordingly. In proceedings for offences against the section, it shall be presumed in the absence of proof to the contrary that a traffic sign is lawfully erected. The section is expressed not to derogate from the operation of any other provision of the Act.

Clause 6 is consequential on clause 5. It repeals section 78a. Clause 7 amends section 86 of the principal Act which deals with the removal of vehicles causing obstruction or danger. The breadth of the section is increased so that it deals with vehicles placed on roads or footpaths so as to obstruct or hinder vehicles from entering or leaving adjacent land.

Clause 8 makes an amendment to section 134 of the principal Act. The amendment provides that the section (which forbids the installation on vehicles other than certain specified vehicles, of bells or sirens) does not prevent the installation on vehicles of bells or sirens in connection with burglar alarms. Clause 9 inserts new section 143 into the principal Act. The new section provides that, where an inspector or member of the Police Force considers that sections 140, 141, and 142 are not being complied with, he may direct that the vehicle be driven to a specified place, and that the vehicle not be driven until the requirements of those sections have been complied with. The penalty for non-compliance with such a direction is $1 000.

Clause 10 provides for an increase in the penalty contained in subsection (2) of section 152 from $600 to $2 000. Clause 11 amends section 156 of the principal Act. The amendment provides that the penalty for failing to comply with the direction of an inspector or police officer under the section is calculated by reference to the amount by which the mass carried on the vehicle exceeds the maximum permitted by the Act. The penalty is—

(a) not less than $1.75 and not more than $10 for every 50 kilograms of the first tonne of the mass carried in excess of the prescribed maximum;

and

(b) not less than $10 and not more than $20 for every 50 kilograms thereafter.

Clause 12 amends section 160 of the principal Act to allow inspectors to exercise the same powers as police officers for certain purposes. Clause 13 inserts new section 163ka in the principal Act providing a specific penalty for offences against Part IVA. Clause 14 amends section 176 of the principal Act by striking out from paragraph *(p)* of subsection (1) the passage '(not exceeding twenty dollars)', thus removing a limitation of the amount of fees that may be charged in respect of specified matters.

The Hon. K.T. GRIFFIN secured the adjournment of the debate.

[*Sitting suspended from 4.15 to 4.35 p.m.*]

CLEAN AIR BILL

Second reading.

The Hon. FRANK BLEVINS (Minister of Agriculture): I move:

That this Bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Bill

I propose to introduce a Clean Air Bill, 1983, which will give the Minister for Environment and Planning direct responsibility for overall air quality management of the State. In my view the proposal is a key piece of environmental legislation in that measures to control air pollution will be contained in one comprehensive enactment rather than scattered throughout a variety of statutory instruments such as Health Regulations, local government by-laws, indentures, etc.

Responsibility for air quality management and the prevention and control of air pollution is currently the responsibility of the Department of Environment and Planning, which administers the Clean Air Regulations made under the Health Act. Administration of these regulations is carried out by the Air Quality Branch on behalf of, and with delegated authority from, the South Australian Health Commission.

The Clean Air Regulations, 1969-1981, are administered by Local Boards of Health. These regulations prohibit the emissions of 'dark smoke' except during certain specified periods of time, and also prohibit the burning of open fires on land used as a tip, except in certain areas specified in a Schedule. In those areas, and on land used for any other purpose, burning in the open requires the written approval of the Local Board of Health.

The Clean Air Regulations, 1972-1978, require the owner or occupier of premises to maintain fuel-burning equipment and control equipment for the purposes of minimising air pollution, prohibit the emission of air impurities in excess of certain standards and establish a distinction between major and minor industrial sources of air pollution by requiring registration of the former as 'scheduled premises'. Occupiers of such premises may not operate without first obtaining a certificate of registration which may be subject to conditions considered necessary for control of air pollution.

Neither set of regulations applies to domestic premises. A Clean Air Bill, similar in scope to the Clean Air Regulations, was introduced into Parliament in October, 1982. That Bill lapsed on the prorogation of Parliament. Early in 1983 the Minister for Environment and Planning requested an extensive review of that Bill as part of the Government's programme to examine and, where possible, strengthen environmental contaminants legislation. That review, which was made in consultation with other interested organisations, concluded that the 1982 Bill provided a foundation for legislation to control and mitigate air pollution, but did not meet all the requirements for effective air quality management.

Accordingly, this new Clean Air Bill is presented, which I believe addresses all the issues necessary for adequate control of air pollution and achieves the desired balance between the operational needs of industry and the aspirations of the public for clean air. Experience in administering the existing regulations has proven the need for consideration of air pollution controls at the initial planning stage to avoid

inappropriate location of potentially polluting industries. The results of inappropriate location have included damage to neighbouring premises, adverse health effects and increased expenditure by the developer on pollution abatement.

Some activities for which no economically practicable control technology exists may subsequently need relocation and this is in itself expensive. It is therefore proposed to minimise the potential for such conflicts by amending the Planning Act to ensure that the air pollution impact of a potentially polluting development is properly considered at the planning approval stage.

The consequential amendment to the Planning Act provides for the integration of the Minister's advice on air quality matters with the planning authorisation process.

Provisions of the Planning Act are not always applicable to the establishment of potentially polluting industries. Certain areas of the State fall outside the jurisdiction of the Planning Act, as do large projects under indenture agreements and certain classes of change to factory use. An equivalent 'planning' procedure which requires the Minister's approval prior to the establishment of prescribed activities has therefore been included in the Clean Air Bill. To avoid duplication of approvals, this provision does not apply where planning authorisation is required under the Planning Act.

The Bill follows the existing regulations in making a distinction between industries which are a major source of air pollution and which are a minor source. Major sources, to be known as 'prescribed activities' will be subject to a licence procedures and conditions similar to those which apply to 'scheduled premises' under the existing regulations.

The Bill does differ from the present regulations in that it specifies those matters which will be taken into account in determining an application for approval of a licence such as location, technology, meteorology, public health, effects on property and the like. Further, it provides that either type of application may be refused on the grounds that the proposed operations would give rise to an unacceptable level of air pollution. The present regulations neither specify the matters considered on licence or approval applications nor permit a licence applicable to be refused.

At present, the fact that a licence must be granted upon request can lead to the imposition of stringent operating conditions. It is believed that effective exercise of this new power to refuse an application will benefit not only the community, which gains by the location of industry in less sensitive areas, but industry itself which, as a result of being located in acceptable areas, will receive more attractive operating conditions.

Other features of the Bill are as follows: the use of best practicable technology is required where no emission standards have been prescribed. The concept is considered an essential component of the legislation since, in many cases, it will not be possible to prescribe suitable emission standards. The approach is specifically applied where air pollutants are generated from a large area source.

The Bill prohibits the emission of excessive odours from premises. Complaints of odorous emissions constitute the majority of air pollution complaints received by the Department. The Bill provides that an odour is to be regarded as offensive if, following receipt of a complaint from the public, the smell is detected by an authorised officer solely using his sense of smell and is in his opinion offensive, likely to cause discomfort beyond reasonable tolerance and is excessive. A defence for the unavoidable release of odour has been included. In addition, the Minister has power to grant a total or conditional exemption from compliance with the section to allow implementation of control in accordance with a mutually agreeable programme of improvement.

The Bill parallels the provision in the existing Clean Air Regulations which gives a power to the Health Commission to require certain action to be taken to control air pollution, but extends this provision by setting out in greater detail which activities can be prohibited and the precise nature of actions required to be taken. It is considered that as all the actions specified may need to be taken from time to time, their inclusion is necessary to ensure the Act is workable. This provision is essential for dealing with justifiable complaints by the public about environmentally unacceptable discharges.

The Ministerial powers referred to above do not provide adequate means of dealing with emergencies where air pollution is likely to be injurious to public health or cause serious discomfort or inconvenience. The Bill thus provides that in these circumstances an authorised officer may require such action as he thinks necessary for stopping, controlling or mitigating the pollution. This provision is not contained in the Clean Air Act Regulations, but similar provisions exist in the Industrial Safety, Health and Welfare Act, 1972, and the Mines and Works Inspections Act, 1920, where inspectors for the purposes of those Acts may require occupiers to take remedial action in emergencies.

An example of the situations in which use of this power is envisaged is the escape of the solid fumigant chloropicrin from metropolitan glasshouses at night due to carelessness. Dispersion of this offensive tear-causing gas has resulted in evacuation of an area because there was no power to order remedial action. It is obviously desirable under such circumstances to be able to order effective watering of the soil immediately rather than wait until the next day to obtain an order from the Minister.

It is proposed to include controls over domestic burning to restrict the hours during which burning may be carried out to between 10 a.m. and 3 p.m. It is also proposed to limit the materials which may be burned. Notwithstanding that general time limits are to be specified in the regulations, the Bill provides for total prohibition during adverse meteorological conditions. This prohibition will replace the present occasional 'all day' A.P.P. warning which is only advisory and which is now increasingly ignored. As local councils are to be responsible for the administration of this provision and for regulations relating to fires in domestic incinerators and open fires, the Bill gives a power to councils to appoint authorised officers for those purposes.

Existing legislation has previously been directed at air pollution from industry and from motor vehicles, leaving backyard burning, which is the third major contributor to air pollution in the metropolitan area, uncontrolled. The proposed legislation corrects that anomaly and will help overcome the widespread problems of households suffering from the intrusion of smoke and odour from backyard burning.

In summary, I believe that this Bill is a significant step toward improved air quality management in this State. I must add that industry is, in general, conscientious in its efforts to control air pollution and the relationship between pollution-prone industries and the Department of Environment and Planning is good. The Department is seen by most as a welcome adviser in a complex technical area. This Bill will provide an improved framework within which that co-operation can continue.

The provisions of the Bill are as follows: clause 1 is formal. Clause 2 provides for the commencement of the Act upon proclamation with the usual power of suspension. Clause 3 provides necessary definitions. It is made clear in the definition of 'fuel-burning equipment' that the Act does not apply to motor vehicles. The Act does apply, by virtue of the definition of 'motor vehicle', to cranes, vessels and railway locomotives, and may, by way of regulation, apply

to motor fuel. The industries, operations or processes for which a licence must be obtained will be set out in the regulations.

Clause 4 provides that the Act does not apply in relation to household cooking or stoves. Small incinerators used on domestic premises and serving no more than three households do not fall within the ambit of the general body of the Act, nor does the burning of garden refuse by open fire on domestic premises. The exceptions to this exclusion are the provisions relating to A.P.P. orders and Ministerial air pollution emergency notices, any regulations prescribing the types of incinerators that may be used on any premises, or prohibiting or regulating domestic burning, and the provisions relating to the enforcement of such orders, notices or regulations.

Clause 5 binds the Crown. Clauses 6 to 13 establish the Clean Air Advisory Committee whose functions are to set objectives and formulate policies relating to clean air, to monitor the administration and operation of the Act, and to make recommendations to the Minister for changes and improvements. The Committee will consist of 10 people chosen from a wide range of areas of interest and expertise.

Clause 14 provides that a person who proposes to construct or alter premises, or to install or alter plant or equipment, for the purpose of carrying out a prescribed activity in respect of which no current licence under the Act exists, must obtain the approval of the Minister. This requirement does not apply to a development for which a planning authorisation is required by virtue of the Planning Act. The Minister may only refuse to give approval if he is satisfied that there would be air pollution from the premises that would contravene the Act, or that would be likely to pose a threat to public health or to cause serious discomfort or inconvenience to persons or damage to property. The Minister is obliged, when considering an application for approval, to take into consideration the prescribed matters (these are set out in a definition in clause 3).

Clause 15 provides that a person shall not carry out a prescribed activity on premises unless he holds a licence to do so in respect of those premises. A three-month period is given for obtaining a licence under this Act after the Act first comes into operation. During that period, the current Health Act regulations will continue to apply.

Clauses 16 and 17 deal with applications for licences and the grant of licences by the Minister. Clause 18 provides that again a licence may be refused only where the Minister is satisfied that there would be air pollution from the premises that would contravene the Act, or that would be injurious to public health, etc. The Minister may not refuse a licence if he has already given approval to construct or alter premises, etc., under the previous section, except where the applicant failed to comply with the conditions of the approval. An unsuccessful applicant for a licence has a right of appeal.

Clause 19 gives persons carrying out prescribed activities at the commencement of the Act the right to be granted a licence. Clause 20 requires the Minister to take the prescribed matters (as defined) into consideration when determining applications for licences. Clause 21 provides for the annual renewal of licences. Clause 22 provides that a licence holder may surrender his licence at any time. Clause 23 empowers the Minister to revoke or suspend a licence where the holder is guilty of certain actions. Clause 24 provides that licences are transferable from one person to another provided that application in the due manner is made and the prescribed fee paid. Clause 25 provides for the keeping of a register of licence holders.

Clause 26 sets out a mandatory condition of all licences. A licence holder may not, without the Minister's approval, alter or change certain things that are specified in the licence, nor alter the premises or any plant or equipment (particularly fuel-burning equipment) where to do so would be likely to cause air pollution, or a change in the composition of impurities emitted from the premises. An approval may itself be subject to conditions.

Clause 27 provides that licences may be subject to further conditions if the Minister thinks fit. Clause 28 requires a licence holder to comply with the conditions of his licence. Clause 29 empowers the Minister to vary, revoke or waive conditions, and to impose further conditions at any time. Clause 30 obliges the Minister to take the prescribed matters into consideration when exercising his powers under this Division relating to condition of licences.

Clause 31 places an obligation upon an occupier of premises (whether or not he is carrying out a prescribed activity) not to cause air pollution as a result of failure to maintain or operate fuel-burning equipment or control equipment properly, or through failure to handle or process goods properly.

Clause 32 provides that certain classes of air pollution (to be prescribed by the regulations) must not exceed the standards or levels prescribed by the regulations. An occupier of premises who emits air pollution that is not covered by the regulations is under a general duty to take all reasonable steps to prevent or mitigate that air pollution. The Minister has a power to exempt an occupier from any provision of this section, subject to conditions where appropriate.

Clause 33 provides that an occupier of premises must not cause the emission of an excessive odour. There is no technology for the measurement of odour, and therefore the test must be a subjective one. An authorised officer will have the task of determining whether an odour is excessive. A complaint will have to be lodged with the Department by a member of the public, and the authorised officer will then have to be able to detect the odour outside the premises from which it is alleged to have been emitted.

The officer may take proceedings if he believes the odour to be abnormal, and to be offensive or to cause discomfort to a degree that persons in the area ought not reasonably be expected to tolerate. The occupier of the premises has a good defence if he can establish that even with the exercise of reasonable diligence he could not have prevented the emission of the odour.

Clause 34 empowers the Minister to require the erection or alteration of chimneys on premises that contain any equipment that causes air pollution. Once a chimney has been provided, impurities may only be emitted into the air through that chimney, unless the Minister approves otherwise in relation to any specific occasion.

Clause 35 empowers the Minister to require an occupier of premises to take certain specified action where the Minister believes that air pollution has occurred, is occurring or is likely to occur. The Minister must consult with the occupier first before he issues a notice under this section. He cannot cause the total closing down of an entire operation unless he has first consulted with the Minister for State Development.

Clause 36 again requires the Minister to take the prescribed matters into consideration when exercising his powers under clauses 31 to 35. Clause 37 deals with emergency situations where air pollution has occurred and is causing, or is likely to cause, injury to public health or serious discomfort or inconvenience to any person. An authorised officer may require any person in charge of the premises on the activity causing the pollution to take certain specified action. As this power is to be used in emergencies, the penalty for failing to comply with the notice is a maximum of ten thousand dollars, with a default penalty of up to two thousand dollars a day. The person has a defence if he could not reasonably comply with the notice.

Clause 38 empowers the Minister to prohibit the use of certain fuels, fuel-burning equipment or other equipment for a specified period where he considers air pollution has built up to an extent that it is injurious to public health, is causing undue damage or injury to property, plants or animals, or is having an adverse impact on the environment. This notice will be of general application, and not addressed to a specific person, but may be limited to a specified area.

Clause 39 empowers the Director-General to issue A.P.P. (Air Pollution Potential) orders in certain circumstances. It will be an offence to contravene such an order. Clause 40 empowers the Minister to cause an authorised person to enter premises where a notice issued under this Part has not been complied with, and to do such things as may be necessary to comply with the notice. An authorised person may not break into premises except upon a warrant issued by a justice, unless he believes it is an emergency situation. The Minister can recover any costs incurred by him under this section from the defaulting person.

Clauses 41 to 46 establish the Air Pollution Appeal Tribunal, a three-man body chaired by a judge of the Local and District Criminal Courts. Clause 47 gives any person dissatisfied with a decision of the Minister made in relation to him a right of appeal to the Tribunal. There is no right of appeal against a decision of the Minister under section 14. Any person to whom a notice issued by the Minister or an authorised officer relates also has a right of appeal. Any notice or decision appealed against is suspended pending the appeal, except for those notices issued under clause 35 or 38 that deal with emergency situations. Such a notice will be suspended only upon order of the Tribunal. Appeals are to be conducted as full re-hearings.

Clauses 48 to 50 set out the usual powers and duties of a tribunal. Clause 51 provides that decisions of the Tribunal are final. Clause 52 provides for the appointment of authorised officers.

Clause 53 sets out the powers of authorised officers. Licensed premises may be inspected at any time during working hours. Any premises (including licensed premises) may be entered or broken into at any time where the officer suspects on reasonable grounds that an offence under the Act has been committed or is being committed. An officer may not break into premises except upon a warrant issued by a justice, unless he believes the situation to be an emergency.

Clause 54 provides that a council is responsible for enforcing within its area the A.P.P. provision and the domestic burning regulations. Clause 55 provides the usual power of delegation for the Minister and the Director-General. Clause 56 gives the usual immunity from personal liability to those person exercising powers under the Act. Clause 57 provides for the manner in which notices given under the Act may be used. Clause 58 creates an offence of divulging trade secrets, or using trade secrets for gain, where the information has been obtained during the course of administering or enforcing the Act.

Clause 59 provides the penalties for offences against the Act for which individual penalties have not been specified. Offences committed by companies attract penalties of up to ten thousand dollars with two thousand dollar default penalties, while all other cases attract maximum penalties of five thousand dollars and one thousand dollar default penalties. The court may also order restitution of damage caused by the offence.

Clause 60 provides that company directors are liable for offences committed by the company except where they exercised all reasonable diligence to prevent the offence. Clause 61 provides that offences are to be dealt with in a summary manner. Authorised officers and police officers are the only persons permitted to institute proceedings. Clause 62 sets out the necessary evidentiary provisions. Clause 63 is the usual clause relating to the moneys needed for the purposes of the Act. Clause 64 is the regulation-making power. It should be noted that open burning and incinerator burning on any premises may be controlled by regulation. The type of incinerators that may be used will also be regulated. The composition of motor fuel used in motor vehicles may be regulated.

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

SMALL BUSINESS CORPORATION OF SOUTH AUSTRALIA BILL

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

The Hon. FRANK BLEVINS (Minister of Agriculture): I move:

That this Bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Bill

This Bill fulfils a major commitment of my Government to actively encourage the development of small business in South Australia and is designed to upgrade the assistance provided to small business by Government so that our enterprises are given the best chance to survive and prosper. It establishes the Small Business Corporation of South Australia, which will be directed to increasing the number of viable small businesses in South Australia, promoting the expansion of existing small businesses, and reducing the rate of small business failure in this State.

The decision by my Government to establish the Corporation is the result of intensive research, analysis, and consultation over several years, and follows on from proposals outlined in October 1982 in our policy document 'Small Business: Growth Sector for the '80s'. In June 1983 my Government set up a comprehensive inquiry into the needs of small business in South Australia so that detailed policies could then be considered for implementation.

That study sought to identify the real needs of small businesses and the respective responsibilities of the Federal and State Governments in meeting those needs; the appropriateness and effectiveness of existing assistance and services provided to small business; and to make recommendations on appropriate State Government measures aimed at achieving a vigorous and viable small business sector. During the course of the inquiry, the working party received public submissions and interviewed a wide cross-section of individuals involved in all aspects of small business.

The report, handed to my Government in August 1983, confirmed our view that a vigorous and viable small business sector is essential to the economic and social well-being of the State, and that the small business sector is not realising its full potential as a generator of economic activity and new employment opportunities. According to the report, endorsed in principle by my Government, additional State Government resources need to be directed to assistance and services to small business to enable this sector to make an optimum contribution to the development of our State.

A key recommendation of the inquiry was that the Small Business Corporation of South Australia be established to replace the operations of the Small Business Advisory Bureau

set up in 1977 by the Dunstan Government. It was the view of the working party, after consideration of alternative organisational structures, that a statutory authority would be the most appropriate framework to give effect to the Government's small business policies and programmes. In the words of the working party as stated in its report: 'the working party considers a statutory authority essential for reasons of autonomy and to establish credibility, acceptability and visibility within the business community . . . The success or otherwise of the recommended initiatives will depend upon the establishment of a visible, vital organisation, highlighting itself as a caring, empathetic, highly professional service at arms length from the Government'.

The advantages of the Corporation model are well illustrated by the Victorian Small Business Development Corporation, widely regarded as an effective and highly motivated organisation, which has developed and implemented a range of innovative and useful programmes. It is my Government's view that the advantages of the Corporation model are significant: enhanced acceptance by small business; ability to act as an advocate for small business; ability to tap private sector expertise through the board; and the potential to attract private sector sponsorship for its programmes. The working party made a number of recommendations on needs of and assistance to small business which the Board of the Corporation will examine and develop.

Major initiatives empowered by this Bill include the upgrading and expansion of advisory and counselling services; the co-ordination, promotion and possible conduct of training and educational programmes for small business management; and the provision of financial assistance to small business by way of grants or loan guarantees to enhance the efficiency of a small business operation. The Corporation also will perform an important advocacy role and will monitor the impact on small business of all new legislation and regulations.

It is intended in this legislation to establish a facility which wil co-ordinate all available sources of assistance and information for the benefit of small business. The Corporation is intended to be a 'one-step shop' for people intending to start a small business, wishing to expand existing operations, or experiencing difficulty and needing advice.

The Bill before you gives the Corporation the ability to design and implement a range of initiatives to assist small business, and allows a degree of flexibility to the Corporation in carrying out its functions. The Board of the Corporation will be able to direct their skills and business knowledge in the best interests of small business.

The Board will be comprised of seven members, all but one of whom will be drawn from the private sector. Members will come from a wide spectrum of business and possess considerable expertise in small business matters. The Director of the Department of State Development also will become a member of the Board in order to facilitate a productive relationship between the Corporation and the Department and to avoid unnecessary overlapping of functions and duplication of services.

The Government strongly believes that these initiatives will provide substantial encouragement to small business in South Australia enabling it to realise its full job creation potential. When combined with our other measures specifically designed to assist small business, such as increased pay-roll tax exemption levels, the Government's intent to encourage small business development is clear.

After a long period of deep economic recession throughout Australia and especially in South Australia, we are now experiencing some encouraging improvements in economic conditions. Production and employment are steadily rising; unemployment is slowly falling; and building activity, particularly in the housing sector, is strong and is exerting a significant impact on activity in industries supplying materials and household fittings.

Most of the economic indicators point to a strengthening in the State and national economies. But, recovery is by no means assure and it is the view of my Government that continued improvement will involve a co-operative approach by all sectors of the community and an innovative approach by Government.

As my Government consistently has stated, our economic future depends on a strong partnership between public enterprise and the private business sector. Within that partnership it will often be the public sector which takes the initiative or directs the course of events. But equally, we accept the responsibility to set the framework within which the private business sector can create opportunities for the kind of growth and development required to sustain and improve the living standards of South Australians.

This kind of approach to economic development of the State is exemplified by this Bill which establishes the Small Business Corporation of South Australia and will facilitate the upgrading and extension of Government assistance to the small business sector.

Development of the small business sector is a key component of my Government's economic strategy. That strategy is directed towards the achievement of five principal objectives. First, to encourage the expansion of long-term employment opportunities in the State, and improve the economic well-being of its citizens. Secondly, to strengthen the State's economic base and make it less vulnerable to national and international economic fluctuations. Thirdly, to foster a favourable investment climate within the State. Fourthly, to ensure the effective use of labour skills and technologies to enable South Australian businesses to be internationally competitive. And, fifthly, to work with industry to develop new products and new markets. Each of these objectives will be met to some degree by the operations of the Corporation.

Support for, and encouragement to, small business is seen by my Government as essential to the creation of new jobs and the maintenance of existing jobs in this State. Small business dominates the retailing, wholesaling and manufacturing sectors in South Australia. It is a major employer of labour in our State, providing about 60 per cent of total employment in the private sector. The performance of small business is thus vital to our future economic development.

Clause 1 is formal. Clause 2 provides that the measure is to come into operation on a day to be fixed by proclamation. Clause 3 sets out definitions of expressions used in the measure. 'Small business' is defined by the clause to mean a business that is wholly owned by a natural person or natural persons in partnership or by a proprietary company; is personally managed by the owner or one or more of the owners or directors; and does not form part of a larger business. Under the clause, 'small business' may include, in addition, a business or undertaking, or one of a class, declared by the Minister, by notice published in the *Gazette,* to be a small business or class of small businesses.

Clause 4 provides for the establishment of the 'Small Business Corporation of South Australia'. The clause provides that the Corporation is to be a body corporate with the usual corporate capacities.

Clause 5 provides for the constitution of the Corporation. Under the clause, the Corporation is to consist of seven members of whom one shall be the permanent head of the Department of State Development or the person holding or acting in an office in that Department nominated by the permanent head and the remainder are to be persons appointed by the Governor upon the nomination of the Minister. A chairman and a deputy chairman of the Cor-

poration are to be appointed upon the nomination of the Minister from amongst the members.

Clause 6 provides for the term of office and conditions of office of members of the Corporation. Under the clause, those members appointed by the Governor are to hold office for a term not exceeding three years, and upon conditions, determined by the Governor on the recommendation of the Minister. Clause 7 provides for the quorum and regulates the procedure for meetings of the Corporation. Clause 8 is the usual provision ensuring the validity of acts of the Corporation and the immunity of its members in certain circumstances.

Clause 9 requires a member of the Corporation who is directly or indirectly interested in a contract or proposed contract of the Corporation to disclose the nature of his interest to the Corporation and to refrain from taking part in any deliberations or decision with respect to the contract.

Clause 10 sets out the functions and powers of the Corporation. The Corporation is to have the functions of providing advice to persons engaged in, or proposing to establish, small businesses; promoting awareness of the value of proper management practices in the conduct of small businesses and of promoting, co-ordinating and, if necessary, conducting management training and educational programmes; disseminating information for the guidance of persons engaged in, or proposing to establish, small businesses; monitoring and making representations with respect to the impact upon small business of the policies, practices and laws of the various branches of government; consulting and co-operating with persons representative of small business and, where appropriate, putting their views to governments; providing financial assistance to small businesses through the guarantee of loans or grants; and generally, promoting and assisting the development of the small business sector of the State's economy. The clause goes on to empower the Corporation to acquire property, make contracts and do the other things necessary for the performance of its functions.

Clause 11 provides that the Corporation is to be subject to the general control and direction of the Minister. Clause 12 provides for the appointment of staff for the purposes of the Corporation. Under the clause, persons may be appointed under the Public Service Act in the normal way, or under that Act but upon a modified basis, or by the Corporation and outside the scope of the Public Service Act. The Corporation is also empowered to make use of the services of officers or facilities of a department of the public service with the approval of the responsible Minister.

Clause 13 provides that the Corporation may guarantee liabilities of a person under a loan entered into, or to be entered into, for the purposes of a small business or proposed small business. The clause provides for upper limits to be fixed by the Treasurer on the total amount of the liabilities of any particular person that may be guaranteed by the Corporation and on the total amount of all liabilities that may be the subject of guarantees by the Corporation. The Corporation must, before giving the guarantee, be satisfied that the person is not able to obtain the loan upon reasonable terms and conditions without the guarantee; that it is in the public interest to give the guarantee; and that there are reasonable prospects of the business being financially viable. The clause provides for appropriate terms and conditions of guarantees by the Corporation. Under the clause, any liabilities of the Corporation arising through a guarantee are, in turn, guaranteed by the Treasurer.

Clause 14 provides that the Corporation may make a grant to assist a person conducting or engaged in a small business to obtain advice with respect to the management of the business or to undertake management training or educational programmes or to improve by any other means the efficiency of the business. The clause provides that the total amount paid in relation to each business by way of grants must not exceed such limit as is fixed by the Treasurer. Under the clause, the Corporation must be satisfied that it is in the public interest to make the grant and that there are reasonable prospects of significantly improving the efficiency of the business and of it being financially viable. The Corporation is also empowered to impose conditions designed to secure the objects of the grant.

Clause 15 empowers the Corporation to borrow moneys from the Treasurer or, with the consent of the Treasurer, from any other person. The clause provides for the guarantee by the Treasurer of liabilities under a loan obtained by the Corporation from a person other than the Treasurer. The Corporation is also empowered by the clause to invest any of its moneys that are not immediately required for its purposes in such manner as may be approved by the Treasurer.

Clause 16 provides for delegation by the Corporation. Clause 17 requires the Corporation to expend money only in accordance with a budget approved by the Minister and the Treasurer or as authorised by the Minister and the Treasurer. Clause 18 provides that the Corporation is to be liable to pay fees in respect of guarantees of the Treasurer. Clause 19 regulates the accounts of the Corporation and their audit. Clause 20 requires the Corporation to prepare an annual report and provides for the report to be laid before Parliament.

Clause 21 requires applications to the Corporation for guarantees or grants to be in writing and requires applicants to furnish such information as the Corporation may require. The clause provides that it is to be an offence if a person provides information to the Corporation that is to his knowledge false or misleading in a material particular.

Clause 21a requires that information furnished by applicants for guarantees or grants be kept confidential. Clause 22 provides that proceedings for offences under the measure are to be disposed of summarily. Clause 23 provides for the making of regulations.

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

ADJOURNMENT

At 4.38 p.m. the Council adjourned until Tuesday 3 April at 2.15 p.m.