LEGISLATIVE COUNCIL

Tuesday 14 August 1984

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

PETITION: FIREARMS

A petition signed by 42 electors of South Australia praying that the Council will defeat any firearms legislation which is further restrictive; consider the effectiveness of present legislation; refuse further unwarranted increases in fees; and apply a significant part of the revenue gained to promote and assist sporting activities associated with firearms, was presented by the Hon. G.L. Bruce.

Petition received.

PAPERS TABLED

The following papers were laid on the table:

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

Pursuant to Statute—

Clean Air Act, 1984—Regulations—Fire Exemptions.

Planning Act, 1982—Crown Development Reports by South Australian Planning Commission on—

Proposed additions at the Victor Harbor High School.

Proposed Wudinna Depot Office.

Proposed division of land on Part Section 5629, Hundred of Yatala, Tea Tree Gully.

Proposed additions at the Strathalbyn High School.

Corporation of the Town of Hindmarsh—By-laws—

No. 21—Penalties and Repeal of Redundant By-laws.

No. 23—Traffic.

District Council of Crystal Brook—By-law No. 28—Rubbish and Refuse Tips.

District Council of Wakefield Plains—By-law No. 6—Garbage Bins.

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

Pursuant to Statute—

Harbors Act, 1936—Regulations—Wharfage, Tonnage Rates and Conservancy Dues (Amendment).

QUESTIONS

SECONDARY BOYCOTTS

The Hon. M.B. CAMERON: I seek leave to make a statement before asking the Attorney-General a question about sections 45D and 45E of the Trade Practices Act.

Leave granted.

The Hon. M.B. CAMERON: The Federal Government has indicated that during the forthcoming Budget session it will repeal sections 45D and 45E of the Trade Practices Act governing secondary boycotts. Secondary boycotts have been a tool used by trade unions to apply pressure on employers in a most unfair and improper way. The most notable and recent example in South Australia related to the Mabarrack Brothers funiture company.

As honourable members would be aware, a ban on postal services to Mabarrack was imposed by postal workers because employees at that factory had chosen freely not to join a trade union. Such action was deplorable. It was only after the threat of action under section 45D that postal workers withdrew their bans. Without this clause, which prevents such secondary boycotts, Mabarrack Brothers would have been deprived of mail and ultimately they would have suffered serious economic loss—limiting their capacity to employ anyone, whether they be unionists or not.

Sections 45D and 45E are clearly necessary to protect employers and employees from the misuse of union muscle. Does the State Government support the repeal of sections 45D and 45E of the Trade Practices Act? If so, what alternative protection will be available to employers in South Australia from the threatened impact of secondary boycotts?

The Hon. C.J. SUMNER: The question of the repeal or otherwise of sections 45D and 45E is a matter for Federal Parliament. As the matter will be before Federal Parliament for debate, I do not intend to enter into that controversy. However, I point out to the honourable member that, as a result of legislation passed in the last session of this Parliament, amendments to the Industrial Conciliation and Arbitration Act provide procedures to put these sorts of disputes, in the first instance, before the Industrial Commission in an attempt to resolve any problems. As was clear from the passage of that legislation, if a situation arises where a matter cannot be resolved by resort to the Industrial Commission, which is where these issues should be resolved if at all possible, there is still the reserve power which currently exists under general law.

The Hon. K.T. Griffin interjecting:

The PRESIDENT: Order!

The Hon. C.J. SUMNER: The substantive law itself has not been weakened or changed, as even the Hon. Mr Griffin would know. What has changed is that, before proceedings are taken in the Supreme Court on the tort of conspiring to breach a contract in industrial circumstances, the matter must first be referred to the Industrial Commission to see whether it can resolve what is essentially an industrial dispute. The provisions will still exist at State level, irrespective of the fate of section 45D.

BILL OF RIGHTS

The Hon. K.T. GRIFFIN: I seek leave to make a brief explanation before asking the Attorney-General a question about a Bill of Rights.

Leave granted.

The Hon. K.T. GRIFFIN: On 8 July a report appeared in the *Sunday Mail* to the effect that the Minister of Community Welfare, who was then half way through a tour of the United States of America and Europe, had said that Australian courts should be given the power to strike down unjust laws. Mr Crafter made some rather confused statements, basing his claim that there is a need for a Bill of Rights on the following assertion:

> We have real problems in Australia in bringing court actions on behalf of poor people.

He also said:

> An Australian Bill of Rights would be one way we could turn that situation around.

I certainly do not share that view. However, that is the basis upon which Mr Crafter asserted a need for a Bill of Rights. He obviously sees the courts as having wider powers to achieve social change, which is really a function of the elected representatives in Parliament and not the courts.

Mr Crafter is also reported to have said that he will seek talks with the South Australian and Federal Attorneys-General to discuss the drafting of an Australian Bill of Rights. Perhaps Mr Crafter was not then aware that the controversial proposal by the Federal Attorney-General for a Bill of Rights has been put on the back burner until a Federal election is out of the way because of the controversy that it would raise. However, many South Australians who have considered the proposal for a Bill of Rights have expressed concern about it, particularly because it can be used as much as an instrument for oppression and chaos as it can be for the protection of liberty. My questions to the Attorney-General are as follows:

1. Has Mr Crafter raised this issue with the Attorney-General since Mr Crafter's return from overseas?

2. Will the Attorney-General propose support for a Bill of Rights either at the State or Federal level?

3. If at the Federal level, does the Attorney support a proposal for the Bill to override or modify traditionally State laws?

The Hon. C.J. SUMNER: No, Mr Crafter has not raised that question with me. I would agree with the honourable member that the appropriate places for policy decisions to be made on behalf of the Australian and South Australian community are the Federal Parliament and the State Parliament. I do not believe that anyone would want to argue with that. In fact, if one could get broadly philosophical for a moment, one could say that there is a tendency for everyone to want to try to do a Parliamentarian's job, and it may well be that that occurs by the establishment of Royal Commissions and administrative appeals mechanisms, which I support but which I believe need to be constrained in their scope such that they investigate only administrative appeals and do not branch out into all sorts of policy issues. The questions of policy and the responsibility for policy rest very squarely with the elected representatives of the people in Parliament, and I would agree with the honourable member on that point.

However, that does not necessarily invalidate the argument for a Bill of Rights. This is a matter of some controversy in the Australian community and, I suppose, in most communities that have inherited the British system of law. The United Kingdom, of course, has not entrenched in its constitutional system a Bill of Rights that is superior law. Certainly, constitutional principles are entrenched, I suppose, by convention in United Kingdom law. On the other hand, the United States of America opted for an entrenched Bill of Rights which was superior law and which could be used to strike down Federal or State laws that contravened it.

That issue is currently under discussion by the Federal Cabinet. At a State level, the Government is adopting a wait and see position in relation to Federal moves. Mr Crafter has not raised the issue with me. I believe that the Federal Cabinet and the Federal Attorney-General are considering a Federal Bill of Rights. I imagine that the matter will be discussed—

The Hon. K.T. Griffin: Have they consulted with you at all?

The Hon. C.J. SUMNER: There are reasonably regular meetings of Ministers concerned with human rights: they occur at the same time as the Standing Committee of Attorneys-General, because it is the Attorneys-General who have responsibility for the question of human rights. When he was Attorney-General, the honourable member was involved in discussions on the legislation that established the Human Rights Commission. Similarly, human rights issues concerning this Government are taken up with the Ministerial Council on Human Rights which meets not on every occasion but in conjunction with the Standing Committee of Attorneys-General. I understand that the Federal Attorney is considering the matter. Although there have been discussions, no specific proposal has been agreed by the Federal Cabinet or the State Cabinet at this point in time.

WATER CONSERVATION

The Hon. M.S. FELEPPA: I seek leave to make a brief explanation before asking the Minister of Health, representing the Minister of Water Resources and the Minister of Housing, a question about water conservation.

Leave granted.

The Hon. M.S. FELEPPA: On 7 August an article regarding our water problems and resources entitled, 'Murray Water pumped to the Torrens', was published in the *Advertiser*. I quote:

> Water is being pumped from the Murray River to the Torrens catchment system this week. A spokesman for the Minister of Water Resources, Mr Slater, said yesterday that, because of low rainfall and maintenance work on the Adelaide-Mannum pipeline, the pumping would continue for another two one-week periods in the next few months.
>
> Adelaide's metropolitan water-catchment areas are only 41 per cent full because of below-average rainfall this year. The spokesman said catchment areas in August last year had been 50 per cent full and had peaked at 80 per cent in September. Of the five metropolitan catchment areas, the Onkaparinga system was the lowest at 28 per cent of capacity compared with 63 per cent this time last year.
>
> The rainfall has been disappointing, and we would definitely like to see more rain or we will have to increase pumping from the Murray River this summer—and that would cost the State millions of dollars, the spokesman said.

The quantity of rainfall that we have had in the past few years is indeed a matter of great concern. More disappointing, however, is our complacency about taking more serious action to conserve our limited water resources. On 9 May this year my colleague in the House of Assembly, Mr John Trainer, expressed his concern by asking a similar question to the Minister of Water Resources. The Minister launched a water conservation campaign in November last year and, although I commend his initiative, I think that this course of action alone is not sufficient. More effective measures are necessary if we want the people of this State to seriously conserve our precious waters.

My question to the Minister of Housing is: will the Housing Trust, which is the biggest home builder and provider in South Australia, back the Government's water conservation campaign by ensuring more effectively that all new homes built by the Trust are: *(a)* provided with a rainwater tank; and *(b)* fitted with a double flush toilet cistern as a standard requirement? Moreover, will the Minister ensure that when due for replacement the existing cisterns within the homes of the Trust will be replaced with a double flush cistern?

The Hon. Diana Laidlaw: Are you asking about the bidet?

The Hon. M.S. FELEPPA: That will come later. I am tempted to direct my next question also to the Minister of Health, not intentionally bypassing the Minister of Agriculture. My questions for the Minister of Water Resources are:

1. Is the Minister aware that on 17 May this year the Victorian Metropolitan Waters Board decided to make mandatory the double flush toilet cisterns in all new and replacement installations as from 1 July 1984?

2. Will the Minister consult with the manufacturers supplying toilet cisterns in South Australia about the possible conversion of their present single flush to double flush cisterns?

3. Will the Minister advise this Council whether the design services, property and survey, and construction services of the E. & W.S. Department have taken any action to install the double flush toilet cistern in all public toilets where no urinal is installed, in all toilets of new departmental buildings and in all departmental houses, as well as when replacing cisterns?

The Hon. J.R. CORNWALL: The member appears perhaps to be flushed by his recent successes. I am not able to answer those questions immediately, but I will be very pleased to refer them to my colleagues the Minister of Housing and the Minister of Water Resources and to bring back a reply.

STATE FUNDING OF ELECTIONS

The Hon. R.I. LUCAS: I direct the following questions to the Attorney-General:

1. Is it State Government policy to legislate for public funding of State elections?

2. Will the State Government be introducing legislation in relation to this matter during this session or during the remainder of the term of this Parliament and, if not, why not?

The Hon. C.J. SUMNER: The honourable member will have to await the presentation of a comprehensive Electoral Act Amendment Bill, which is planned for this session.

The Hon. R.I. Lucas interjecting:

The Hon. C.J. SUMNER: The honourable member should not jump the gun on any particular issue. I have outlined before the Government's policy on this matter. Decisions will be made in due course which involve the whole Electoral Act. As the honourable member knows (and as I have explained before in this Council), a comprehensive report was presented by the Electoral Commissioner following the last election. There are certain aspects of Labor Party policy that are under consideration, including the power of the Legislative Council to block Supply, and other matters relating to electoral and constitutional reform. Those matters will be dealt with in a Bill that I trust will be introduced well before Christmas. The honourable member will then have the opportunity to debate those issues. However, at this stage I do not wish to pre-empt the final decisions that have to be made by this Government on that Bill.

DRIVERS' LICENCES

The Hon. PETER DUNN: I seek leave to make a brief explanation before asking the Minister of Agriculture, representing the Minister of Transport, a question about drivers' licences.

Leave granted.

The Hon. PETER DUNN: It is reported that the Government intends to introduce a graduated system of drivers' licences as follows:

1. Licence with adult supervision, day driving only and no passengers.

2. Licence with adult supervision, only family as passengers and night driving.

3. Solo driving with no passengers during the day.

4. Solo driving with no passengers at night.

I can understand this supervision and grading of licences in the metropolitan area, although I believe that good tuition prior to a licence test would suffice. However, in the country there are different factors that affect individuals: for example, a newly licensed person having to travel to work as there is no public transport; a newly licensed person having to travel between properties on public roads; and farm hands shifting stock and plant between farms and service depots. All these actions will be affected by the proposed introduction of the first two proposals I have outlined.

Will the Minister assure me that the above considerations have been taken into account in formulating the graduated licence system? If not, will the Minister give me an assurance that he will use his good offices to influence the Minister concerned of the necessity to have more latitude for people travelling in their own vehicles about the country in order to carry out their normal work pattern?

The Hon. FRANK BLEVINS: I will refer that question to my colleague in another place and bring back a reply. I point out that the proposal is designed primarily as a road safety measure. I think that the deaths that occur on country roads are equally as horrifying and numerous as those that occur on metropolitan roads. However, the points mentioned by the honourable member will be drawn to the attention of the Minister of Transport.

PUBLIC SERVICE SUPERANNUATION FUND

The Hon. R.C. DeGARIS: I seek leave to make a brief explanation before asking the Attorney-General, representing the Premier, a question about Public Service superannuation.

Leave granted.

The Hon. R.C. DeGARIS: The report on the South Australian Superannuation Fund to 30 June 1983, which has been tabled in this Chamber is, I believe, the best report that has come before Parliament concerning this fund. However, on page 45 of appendix 8 of the report, under the heading 'Current liabilities for the fund', it states that those liabilities are $572 882 000. Will the Attorney have the current liabilities assessed in the same way as is the Government's share of the superannuation payments? What percentage of the total amount which is a Government responsibility is related to the Government supplementation requirement?

The Hon. C.J. SUMNER: I will attempt to obtain that information for the honourable member.

NEW ORLEANS WORLD FAIR

The Hon. L.H. DAVIS: I seek leave to make a brief explanation before asking the Attorney-General, representing the Minister of State Development, a question about the New Orleans World Fair.

Leave granted.

The Hon. L.H. DAVIS: In July I visited the New Orleans World Fair. It was an exciting and lavish exposition featuring displays by many countries ranging from the space shuttle Columbia, art from the Vatican and a superb presentation by Australia entitled 'Water down under', featuring static and audio-visual displays. It is hoped that over 9.5 million people will attend the exposition and, obviously, a large majority will visit the Australian display. However, the impressive pamphlet that was being distributed to visitors contained no reference to Adelaide or South Australia; nor was there reference to Adelaide or South Australia in the two continuous audio-visual displays, which featured Melbourne, Brisbane, Perth, Canberra and Sydney. Millions of Americans and overseas visitors would have left this impressive display blissfully unaware of Adelaide, the Flinders Ranges and other attractions of South Australia. I spoke to one of the Australians on duty at the display about this notable omission, and she admitted that many other Australians and South Australians had commented on this fact.

Was the Government aware of the New Orleans World Fair and was it approached to participate in it? If so, why did it not participate? What is Government policy in respect of South Australia's participation in major international expositions and trade fairs such as that in New Orleans?

The Hon. C.J. SUMNER: I assume that the document to which the honourable member is referring is a composite document that was prepared by the Federal Government.

The Hon. L.H. Davis: It is not clear from the document. I will give the Attorney a copy of it.

The Hon. C.J. SUMNER: I will attempt to obtain that information for the honourable member. Obviously, it is not something about which I am personally aware. It would be interesting to know from the honourable member who was responsible for the preparation of this document or pamphlet.

The Hon. L.H. Davis: It appears to be published by the Australian Government.

The Hon. C.J. SUMNER: The honourable member now says that it appears to be the Australian Government. If it was prepared by it, I would consider it disappointing if

Adelaide and South Australia were not mentioned in it. To what extent the South Australian Government was approached about it prior to the presentation or production of the document I do not know. I know that South Australia has participated in the past in some international trade fairs: for instance, the Milan trade fair. I know that in the past some attempts have been made to promote South Australia through those means as part of an overall Australian effort.

Perhaps I can obtain the information the honourable member wants in regard to that promotion of South Australia. As far as we are concerned, there is no point in just promoting ourselves through these means for the sake of it. One has to see something tangible at the end. If is for that reason that there might be some concern as to full-scale participation by South Australia on a one-off or a unilateral basis in such fairs. However, in this case, if Australia was being promoted, it is only reasonable that South Australia should have been included in the brochure, but I do not know the details of the pamphlet that the honourable member apparently secured while he was in the United States. If he likes to let me have a copy of it I will certainly refer his question to the Minister of State Development and bring back a reply.

SOUTH AUSTRALIAN PROMOTION

The Hon. ANNE LEVY: I seek leave to make a brief statement before directing a question to the Leader of the Government about the promotion of South Australia.

Leave granted.

The Hon. ANNE LEVY: The question asked by the Hon. Mr Davis brought to our attention what is not an isolated incident in regard to the non-promotion of South Australia. Not long ago I had to spend two hours at Kingsford Smith International Airport, Sydney, and while wandering up and down the corridors—

Members interjecting:

The Hon. ANNE LEVY: I have already spoken about mine. These corridors would be seen by any person leaving or entering Australia. Large posters are displayed along the corridors with scenes from Western Australia, Victoria, Tasmania, Queensland, and New South Wales, but there are no posters showing any facet of Adelaide or any part of South Australia. I realise that this is a Federal matter resting with the Department of Civil Aviation, which is responsible for the decorating of corridors at Kingsford Smith International Airport. However, I was certainly struck at the lack of any mention of anything in South Australia in the posters along these walls. Will the Government take up this question with the appropriate Federal Government department so that the administration of our international airports will give equal prominence to all the Australian States in airport decorations?

The Hon. C.J. SUMNER: I shall be happy to refer that question to the Minister of Tourism to investigate the matter. Certainly, I would agree with the honourable member that South Australia should not miss out on promotional opportunities that might occur at Australia's international airports. Also, I must confess, having looked briefly at the document that the Hon. Mr Davis went to the United States to obtain for us, it seems to be a curious document. Probably it was produced before March 1983, but I am really not quite sure what its purpose is. Whatever its purpose, I do not think it does it very successfully, apart from the fact that South Australia is not mentioned in it.

PRESIDENT'S POWERS

The Hon. K.T. GRIFFIN: I seek leave to make a brief explanation before asking the Attorney-General a question about the President's powers.

Leave granted.

The Hon. K.T. GRIFFIN: Honourable members will no doubt remember the flurry of activity at the end of last year when the Maralinga Land Rights Bill was before this Council, and the Attorney-General took great pains to make a Ministerial statement and to table an opinion from the Solicitor-General as to the Solicitor-General's view of the President's powers. That matter again raised its head when we were debating the Planning Act Amendment Bill at the end of last session, and some four days after the end of the last session (namely, on 14 May) as reported in the *Advertiser* on 15 May, the Attorney-General announced that Cabinet had accepted a recommendation that no further action should be taken in respect of the reported action that the Government was going to take to challenge the exercise by the President of a power to concur or not to concur in any vote on the second or third reading of any Bill.

The newspaper report, which referred to the Attorney-General's announcement that no action was to be taken by the State Government, indicated that the recommendation had been based on an opinion received from the Solicitor-General that proceedings should not be pursued. Consistent with the decision taken by the Attorney-General to table the Solicitor-General's first opinion, it seems to me to be appropriate that he now also tables the second opinion, which relates to the same matter. Accordingly, will he now table the opinion by the Solicitor-General he claimed and which may in fact recommend to the Government that no further action be taken in respect of that occasion when the President exercised a right given by the Constitution Act?

The Hon. C.J. SUMNER: The right was not given by the Constitution Act. That was clear or reasonably clear at least from the three opinions that were eventually tabled on this topic.

The Hon. K.T. Griffin interjecting:

The Hon. C.J. SUMNER: The three have now been tabled. They were subsequently tabled and are available for the honourable member to peruse. The opinion of the Solicitor-General, Mr Gray, was tabled last year; the opinion of Mr Casten of the Victorian Bar was tabled this year; along with the opinion of Mr J.J. Doyle, Q.C. The opinions of the three silks tabled all supported the Government's position. That was not why the Government, or at least I, accepted that the proceedings to obtain a ruling from the court on this matter should not proceed. The basis for that was that the Planning Act Amendment Bill passed Parliament. It passed the third reading. Honourable members will recall that when you, Mr President, purported to exercise a deliberative vote on the third reading on a non-constitutional Bill, as a result the numbers were tied and the Bill failed to pass.

I then moved that the Bill be read a third time on a subsequent day. Following that, the Bill was passed. The problem then arose as to whether there was anything for the courts to determine. The Hon. Mr Griffin would be aware that it has been the tradition of our courts not to entertain theoretical or hypothetical questions. Concerning these proceedings, following the passage of the Planning Act Amendment Bill, it was the opinion of Crown Law officers that the court could well see the matter as a hypothetical question and not one that it would entertain. Therefore, there would be a threshold issue to be argued immediately. In the light of that and the probability that the court would say, 'The Bill has passed, what are you now seeking a determination about?', on my advice and that of Crown

Law officers, the Government decided not to proceed with the action announced by the Government to challenge the President's right to exercise a deliberative vote on the second or third reading of a non-constitutional Bill.

That was the basis for the decision not to proceed: it was not that the Government had changed its mind on the merits of the situation. It was just that it was considered that there may not be anything of a substantive nature to bring before the courts, given that the Planning Act Amendment Bill had passed. The Hon. Mr Griffin as Attorney-General adopted the course of action, I think consistently, that the advice of Crown Law officers to him would not be tabled in Parliament.

The Hon. K.T. Griffin: It was good enough for you to obtain the Solicitor-General's opinion.

The Hon. C.J. SUMNER: The honourable member interjects—

The Hon. K.T. Griffin: You can't have it both ways.

The PRESIDENT: Order!

The Hon. C.J. SUMNER: The honourable member had it both ways on a number of issues when he was Attorney-General.

The Hon. K.T. Griffin: I never tabled the Crown Solicitor's opinion.

The Hon. C.J. SUMNER: I never, either.

The Hon. K.T. Griffin: You have. You tabled it last year.

The PRESIDENT: Order! The honourable member can ask another question if he is not satisfied.

The Hon. C.J. SUMNER: The honourable member is very confused. I tabled the Solicitor-General's opinion; I did not table the Crown Solicitor's opinion. The honourable member is mistaken. I know—

The Hon. K.T. Griffin: You've got something to hide then.

The Hon. C.J. SUMNER: Nothing at all. The honourable member resisted the tabling of Crown Law officer opinions to him when he was Attorney-General. The general practice has been that they are not tabled in Parliament. It is the Attorney-General who takes the ultimate responsibility for the advice that is given. However, the honourable member has raised the question, and in light of the fact that the Solicitor-General's opinion was ultimately tabled along with two other opinions on this topic on a previous occasion, I will examine the matter and see whether I can comply with the honourable member's request.

SURGERY

The Hon. R.J. RITSON: I seek leave to make a brief explanation before asking the Minister of Health a question about surgery by inappropriately qualified persons.

Leave granted.

The Hon. R.J. RITSON: The present Chiropodists Act provides, among other things, a definition of chiropody or, as it is now known, podiatry. This definition includes surgery of parts of the body below the knee. It is common knowledge amongst certain professions that a particular podiatrist (whom I will not name under privilege) performs major orthopaedic surgery, including osteotomies, the cutting of tendons and the cutting of bones in the foot under general anaesthesia.

The Minister would know that the minimum appropriate training of persons who wish to perform such procedures lying in the depths of the specialty of orthopaedic surgery consists of, first, a top Matriculation followed by six years full-time under-graduate medical studies, one year internship, and then several years of general post-graduate surgical training, the passing of both parts of the examination of the Royal Australasian College of Surgeons, and entry into a post-graduate orthopaedic training programme. The appropriate training involves 10 to 15 years of full-time study to achieve average competence in the specialty that normally deals with these operations. My questions are as follows:

1. Does the Minister believe that a short post-secondary diploma can qualify a podiatrist to perform major surgery for any condition as long as it is below the knee?

2. Does the Minister really believe that hospitals permitting this would be or should be accredited?

3. Does the Minister really care about patient care (I am sure that he will answer 'Yes')?

4. If the Minister does care about patient care, will he please close this loophole by a simple amendment to remove reference to surgery from the definition clause and provide for the prescribing of certain minor surgery in such regulations as need to be made after appropriate consultation with experts?

The Hon. J.R. CORNWALL: I make it a principle never to buy into demarcation disputes if I can possibly help it, whatever area of the body it might be—the head, neck or feet. I understand that the podiatrist to whom the honourable member refers is, among other things, podiatrist to a very well known member of the South Australian Parliament. In fact, he has admitting or clinical privileges at a particular hospital, which is completely regular. There is nothing untoward, illegal, or any hint of any irregularity in the admitting privileges that he has to that hospital. Also, there is an anaesthetist who is prepared to give general anaesthetics for the procedures undertaken.

At this stage, I am not about to buy into what I think is, by and large, a non-argument. I am not a great supporter of professional exclusivity. I know that there is one particular teaching hospital in which one of the doyens of orthopaedic surgery has taken it upon himself not to have a podiatrist in the hospital at all, such is the depth of feeling. There are certainly procedures in which podiatrists can deal competently below the knee, not the least of which is the removal of bunions. In this area, as in most others, I keep my ear to the ground and I am sensitively in touch with what is going on. On all the advice that I receive there is nothing at the moment to cause anyone any alarm whatsoever. As to the honourable member's question about whether I care about patients, I will let my record speak for that; I believe that self-praise is no recommendation.

The Hon. R.J. RITSON: I desire to ask a supplementary question. Will the Minister, without in any way identifying the person in question, inform the Council of the person's qualifications, in particular where he learnt to perform operations, under which surgeons did he study, in which institutions, and for how many years did he train in orthopaedic surgery of the bones of the foot?

The Hon. J.R. CORNWALL: I am flattered that the Hon. Dr Ritson would think that I carry the individual qualifications of every health professional in South Australia in my head, but I do not. I would be very pleased to take that question on notice and bring back the details requested as soon as I reasonably can.

CRIMINAL INJURIES COMPENSATION

The Hon. K.T. GRIFFIN: I seek leave to make a brief explanation before asking the Attorney-General a question about criminal injuries compensation.

Leave granted.

The Hon. K.T. GRIFFIN: On 28 June an article in the *Advertiser* under the heading 'Judge questions injury claim' reported a case in the District Court involving a claim by a police officer for criminal injuries compensation where

the police officer, having been injured in the course of his duty, received workers compensation for loss of wages, medical expenses and other costs but was not fully compensated for the loss he sustained. It is obvious that he made a claim under the Criminal Injuries Compensation Act and, in fact, an award of $10 000 was made by Judge D.R. Newman. Judge Newman commented about the matter as follows:

'It seems to me that Parliament might very well consider whether it is appropriate that compensation should be awarded under the . . . Act to persons . . . entitled to workers compensation payments in respect of the same injuries,' Judge Newman said.

He said Parliament should also consider whether policemen assaulted in the course of duty should be entitled to criminal injuries compensation, and whether policemen injured on duty were strictly entitled to workers compensation.

He said he wondered whether it was appropriate that the South Australian public, through State taxation, should pay compensation to victims who also received workers compensation payments from a fund to which the employer paid insurance premiums. But it was 'just a philosophical matter' which became a question of Government policy.

Further in the article the Attorney-General, after he had been asked to comment by an *Advertiser* journalist, was reported as saying that he would study Judge Newman's remarks. I do not comment on the merits of one or other course of action but, in the light of that statement by Judge Newman and the reported reference to the Attorney-General's considering those remarks, has the Attorney-General considered the comments made by Judge Newman in that case? Secondly, has the Attorney-General reached any conclusions on the questions raised and, if he has, what are those conclusions?

The Hon. C.J. SUMNER: I am surprised that the honourable member is directing this question to me. Judge Newman said that he wondered whether the Parliament might consider certain issues. The honourable member is a member of Parliament and he appears now to be not prepared to offer any views on the matters that Judge Newman invited him to consider.

The Hon. K.T. Griffin interjecting:

The Hon. C.J. SUMNER: I find that surprising, but I suppose that that is the means that the honourable member has designed to ask this question. I repeat that Judge Newman said that Parliament might like to consider the matter, and I would be very interested in the honourable member's views on this topic, despite the fact that he has said that he does not intend to comment on the merits of the issues. In view of Judge Newman's invitation to the honourable member, I find it surprising that the honourable member has side-stepped the issue.

The Hon. K.T Griffin: You are doing the side-stepping.

The PRESIDENT: Order!

The Hon. C.J. SUMNER: I will respond by saying that the Government is considering the whole question of criminal injuries compensation and assistance to victims of crime. Indeed, I received an approach recently from Mr Whitrod, who is involved in the Victims of Crime organisation and who wanted State Government assistance for the development of, in effect, a standard of rights for the victims of crime, as this will be a topic to be considered by the United Nations. I agreed that we would provide assistance in that area, and an officer of the Attorney-General's Department will be working with Mr Whitrod to provide whatever assistance we can to the Federal Government and thereby through the Federal Government to the United Nations in developing a code of standards that should apply to people who are unfortunate enough to become victims of crime.

In addition, an officer of the Attorney-General's Department is examining the Criminal Injuries Compensation Act and the general question of criminal injuries compensation and assistance to victims of crime. I have referred Judge Newman's comments to that officer for consideration in relation to the Criminal Injuries Compensation Act. The Government does not believe that police officers should be deprived of workers compensation because they are injured in the course of their duties. There is no intention to alter workers compensation legislation to exclude police officers from its operation in these circumstances. That is a very odd suggestion, with due respect to the judge—if that was the suggestion made. It is not a suggestion to which the Government would be prepared to accede. However, the question of criminal injuries compensation will be addressed as part of the general review.

PSYCHOLOGICAL PRACTICES

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

Leave granted.

The Hon. R.J. RITSON: In recent months there have been many comments in the daily press and some warnings and cautions about a number of people who appear to be making money by selling subliminal tapes or courses of psychological instruction involving subliminal tapes. I want to draw the Minister's attention to an advertisement (a copy of which I will give him) under the heading 'Do you live your life at breaking point?' The advertisement invites the public to send a cheque for $59.95 plus $2 for postage in return for which the people will receive a psychological questionnaire, upon returning which they receive a tape that is appropriate to their personality type.

The whole thing smacks of a money making commercial exercise. The advertisement also advises that ideally one must also buy a stereo tape set, because there is a different message for each side of the brain and therefore the tape should be listened to in stereo. Every neurologist whose attention I have drawn to this has said that that is gobbledegook unless, of course, a person has had psychosurgery and has had his brain split.

The Minister, when he reads the advertisement, will see the commercial nature of this exercise and he will see that it is two registered psychologists who are advertising to all and sundry to purchase relief from stress in this way without personal consultation. One thing is for sure—if a psychiatrist was to advertise in these terms, he would be standing to attention before the Medical Board in a matter of minutes. Will the Minister have discussions with the Psychological Board and inform the Council whether or not the Board considers this type of advertising to be within a desirable standard of ethics?

The Hon. J.R. CORNWALL: If the Hon. Dr Ritson wishes to refer the complaint to the Psychological Board, he is at liberty to do so, as is any other person in South Australia. I am not about to interfere with the conduct of the Board: it would be quite improper for me to do so, just as it would be quite improper for me to interfere with any other board established by Statute, including the Medical Board. One of the great difficulties is the definition of 'psychology'.

It is true that we are considering a number of amendments to the Psychological Practices Act. They have been considered by the Board, which itself only very recently has made a major submission to me as Minister of Health. They are all being considered, but one of the real difficulties is in defining the practice of psychology itself. As I recall, the original Psychological Practices Act was introduced in order to control the then activities—I think that it was as long ago as 1967—of the Church of Scientology. It has never been successful

in that. It is extremely difficult to be restrictive in the definition of what constitutes the practice of psychology without interfering with, among other things, the traditional churches. So it is an area in which we have to proceed with great caution.

QUESTIONS ON NOTICE

DETAILS OF ORGANISATIONS

The Hon. R.I. LUCAS (on notice) asked the Attorney-General in relation to the undermentioned bodies:

(a) Council for Ethnic Disabled;
(b) Ethnic Grants Advisory Committee;
(c) Ethnic Youth Advisory Committee;
(d) Migrant Women Advisory Committee;
(e) Language Policy Advisory Committee;
(f) Immigration Advisory Committee;
(g) Human Services Advisory Commmittee,

to provide the following information:

1. Names of members of the bodies;
2. Level of fee, salary or allowance payable to the members;
3. Date of expiry of each member's term of office;
4. Terms of reference of each body.

The Hon. C.J. SUMNER: The answer is fairly lengthy. I seek leave to have it inserted in *Hansard* without my reading it. I can put the honourable member out of his misery by indicating that no fees are payable in relation to any of the bodies to which he referred.

Leave granted.

DETAILS OF ORGANISATIONS

(a) Council for Ethnic Disabled

1. Mr Cerferino Sanchez
   Ms Gilda Campbell
   Mr Joseph Bayer
   Mr Andrew Kyprianou
   Mr Jules Van Kekem
   Mrs Anna Young
   Mr Ivo Elts.
2. No fees are payable.
3. 2 April 1985 for all members.
4. (1) To provide maximum opportunity for disabled persons of non-English extraction (hereinafter called 'ethnic disabled') to make satisfactory physical, social and psychological adjustment.

(2) To promote all efforts to provide ethnic disabled persons with proper assistance, training, care and guidance and to make available opportunities for suitable work and to assist their full integration in society.

(3) To educate and inform the general public and to advise SAEAC of special difficulties confronting ethnic disabled persons and their rights and capabilities to participate in and contribute to various aspects of economic, social and political life, and to promote goodwill amongst ethnic disabled persons and their families and relatives and other members of the general community.

(b) Ethnic Grants Advisory Committee

1. and 3.
Ms B. Carvajal, 31 March 1986.
Mr A. Christou, 31 March 1986.
Mr B. Balin, 31 March 1986.
Mr A. Bernaitis, 31 March 1986.
Dr A. Dezsery, 31 March 1986.
Mrs V. Zuvela, 31 March 1985.
Mrs W. Douglas Broers, 31 March 1985.
Mr N. Ianera, 31 March 1985.
Mr I. Rozenbilds, 31 March 1985.
2. No fees are payable.
4. (1) To recommend grants in accordance with the priorities and criteria of funding established by the South Australian Ethnic Affairs Commission.

(2) To advise the Commission on matters regarding co-ordination of assistance to ethnic groups, ethnic festivals and ethnic arts.

(3) To act as a clearing house of information regarding funding of ethnic groups from Government sources.

(c) Ethnic Youth Advisory Committee

1. Ms R. Obrycht
   Ms A. Killen
   Mr J. Leung
   Ms L. Jankowiak
   Ms A. McKenzie
   Ms S. Omelczuk
   Mr S. Lim
   Ms L. Arman
   Mr A. Rudzinski
   Ms J. Evans
   Mr J. Fayad
   Ms Rosanna Severino
   Mr M. Klobas
   Mr N. Leane
   Ms H. Sardelis.
2. No fees are payable.
3. The Committee first met in July 1984, with members being appointed for one year. Membership will be reviewed at 30 June 1985.
4. (1) Identify present services, their accessibility and relevance to ethnic youth.

(2) Identify employment, vocational training and recreational needs of ethnic youth.

(3) Suggest means by which existing services and programmes can be made more accessible and relevant to ethnic youth.

(4) Assess the need for ethnic specific services: for example, services based in existing ethnic clubs, etc.

(d) Migrant Women's Advisory Committee

1. and 3.
Ms A. Marovich, 16 May 1986.
Ms A. Devetzidis, 16 May 1985.
Ms I. Ciurak, 16 May 1985.
Ms L. Sheehan, 16 May 1985.
Ms V. Crossley, 16 May 1986.
Ms T. Karanastasis, 16 May 1986.
Ms A. Loro, 16 May 1986.
Ms D. Romanowska, 16 May 1986.
Ms T. Linh Sam, 16 May 1986.
Ms M. Rothauser, 16 May 1986.
Ms D. O'Brien, 16 May 1986.
Ms B. Good, 16 May 1986.
Ms L. Botsiakis, 16 May 1986.
Ms C. Caust, 16 May 1985.
Ms B. Fergusson, 16 May 1985.
Ms G. Campbell, 16 May 1985.
2. No fees are payable.
4. (1) To investigate and report to the Commission on the effective dissemination of information on industrial matters (These should include the role of trade unions, rights and obligations as workers and education and training.)

(2) To advise the Commission on the child care needs of immigrant families (an evaluation of the Coleman Report, 'Review of Early Childhood Services in South Australia' and the Report of the Childhood Services Council, 'Children's Services in Metropolitan Adelaide').

(3) To advise the Commission on any matters referred to it by the Commission.

(4) To identify other issues of importance to immigrant women and advise the Commission accordingly.

(e) Language Policy Advisory Committee

1. Dr J.J. Smolicz
   Dr A. Diamantis
   Mr A. Gardini
   Mr R. Lean
   Professor J. Priedkalns
2. No fees are payable.
3. Members are not appointed for a fixed term.
4. (1) Identify and consider the needs, concerns and interests of community groups with respect to languages;

(2) Prepare for endorsement by the Commission and approval by the Government, general guidelines for language policies and practices within Government departments and instrumentalities;

(3) On the basis of language policy guidelines approved by Government, consult with Government departments and instrumentalities and/or Ethnic Affairs Policy Task Forces within these departments and instrumentalities to develop appropriate policies and practices;

(4) Consider ways of ensuring appropriate co-ordination of language policies and practices within South Australia, between South Australia and other Australian States and territories;

(5) Consider ways to promote language policies and practices in the community;

(6) Prepare the Commission's submission to the Senate Inquiry on National Language Policy.

(f) Immigration Advisory Committee

1. An interdepartmental advisory committee, consisting of representatives of the following departments and authorities:
   Department of Community Welfare
   South Australian Housing Trust
   Department of Local Government
   South Australian Health Commission
   Department of Labour
   Department of Education
   Department of Environment and Planning
   Department of the Premier and Cabinet
   Department of Technical and Further Education
   South Australian Ethnic Affairs Commission.
2. No fees are payable.
3. The representatives do not serve for a fixed term.
4. (1) To monitor the level and composition of overseas migration and its impact on population trends in South Australia;

(2) To assess the costs and benefits of overseas migration to South Australia, with particular reference to costs involved in providing State services to migrants and refugees on first settlement;

(3) To provide policy advice on immigration and related population and settlement matters, with particular reference to matters relating to Conferences of Ministers of Immigration and Ethnic Affairs and associated officers' meetings, bilateral officers' discussions and joint Commonwealth/State research projects.

(g) Human Services Advisory Committee

This Committee is no longer functioning, its role having been taken over by other existing and proposed advisory committees of the South Australian Ethnic Affairs Commission.

ETSA AND PASA BOARD MEMBERS

The Hon. R.I. LUCAS (on notice) asked the Minister of Agriculture in relation to the undermentioned bodies:

(a) The Electricity Trust of South Australia;

(b) The Pipelines Authority of South Australia,

to provide the following information:

1. Names of members of the Boards of these bodies;
2. Level of fee, salary or allowance payable to the members;
3. Date of expiry of each member's term of office.

The Hon. FRANK BLEVINS: The length of this question is such that it is appropriate for it to be answered today. The answer is as follows:

Electricity Trust of South Australia Board:

Member	Annual Fee	Expiry Date
	$	
Mr W.H. Hayes (Chairman)	11 800	29 August 1984
Mr G.F. Seaman (Deputy Chairman)	10 950	29 August 1984
Mr K.W. Lewis	Public servant—no fee	29 August 1984
Hon. G.R. Broomhill	8 350	29 August 1985
Mr L.W. Parkin	8 350	3 December 1986
Mr J.A. Carnie	8 350	19 October 1986
Hon. G.T. Virgo	8 350	4 February 1987

Pipelines Authority of South Australia Board:

Member	Annual Fee	Expiry Date
	$	
Mr R.D. Barnes (Chairman)	Public servant—no fee	31 December 1984
Mr R.K. Johns	Public servant—no fee	31 December 1984
Mr J.D. Gitsham	5 625	31 December 1984
Mr L.W. Parkin	5 625	31 December 1984
Judge D.H. Taylor	Public servant—no fee	31 December 1984
Mr E.F. McArdle	5 625	31 December 1988

JURIES ACT AMENDMENT BILL

The Hon. C.J. SUMNER (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Juries Act, 1927; and to make a related amendment to the Local and District Criminal Courts Act, 1926. Read a first time.

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

That this Bill be now read a second time.

This Bill is designed to amend the Juries Act in a number of significant respects. It is substantially the same Bill as previously introduced in the March-May Parliamentary session. Review of the Juries Act has, in the past, been conducted in a piecemeal way and the Act is now in need of a comprehensive overhaul.

As all honourable members will no doubt recall, the trial last year of those accused of the murder of Miss Kerry Anne Friday highlighted the need for amendment to the Juries Act. It was necessary during the course of that trial for Mr Justice Cox to discharge the jury on three occasions because, for a variety of reasons, it was inappropriate for a particular

juror to continue as a member of the jury. This was not the first time that murder trials have run into problems with jurors. It is not rare for a judge to have to discharge the whole jury because of a matter personal to only one of their number. The consequences of false starts are serious and far reaching: there is the obvious waste of time, effort and public money as well as the added strain to those who are on trial and the witnesses.

In all cases other than murder or treason the Juries Act empowers a judge to discharge one or two jurors and to proceed with 10 or 11 jurors. Murder and treason were originally retained as exceptions because of the death penalty, but that situation has now changed. Whilst murder and treason are still the most serious crimes on the calendar, there is no reason why a judge should not be empowered to proceed with 10 or 11 jurors in the case of murder when sufficient reason exists for discharging one or two jurors during the course of the trial. This Bill therefore makes provision for a judge to allow for the discharge of up to two jurors in any trial including a murder trial and for the trial to continue in the absence of those jurors. However, the Bill retains the requirement of unanimous verdicts in cases of murder or treason.

The Bill provides for trial by judge alone at the option of the accused. Provision for non-jury criminal trials at the option of the accused was suggested by the Mitchell Committee. The Government has accepted this recommendation and the Bill is the first in any Australian State to provide an accused with the option to select trial by judge alone.

The Bill alters provisions relating to disqualifications from jury service. The present provision in this regard was described by the Mitchell Committee as 'clearly requiring the attention of the Legislature'. Section 12 currently reads:

> No person who has been convicted in any part of His Majesty's dominions of any treason, felony or crime that is infamous (unless he has obtained a free pardon thereof), or who is an undischarged bankrupt or insolvent, or who is of bad fame or repute, shall be qualified to serve as a juror.

This section is archaic and difficult to administer. It requires the Sheriff to exercise a discretion to exclude from the list any person whom he believes to be of 'bad fame or repute'. It is difficult for the Sheriff to establish with certainty whether a potential juror has been convicted 'in any part of His Majesty's dominions'. The method which the Mitchell Committee favoured to remedy the difficulties inherent in applying section 12 was to repeal it and replace it with a system similar to that in England. Provisions similar to the English provisions have since been implemented in New South Wales. The provision in clause 7 of the Bill is similar to the New South Wales provisions. Such provisions will provide a settled and objective method of determining who is and who is not disqualified from jury service in South Australia.

The Bill also curtails the categories of persons ineligible for jury service. At present there are a wide variety of people exempted from jury service, including officers of the Public Service of South Australia, school teachers, employees of ETSA, bank managers and tellers, etc. These exemptions are very wide and exclude some very competent and capable people from performing jury service. The Bill provides that persons who are mentally or physically unfit to carry out the duties of a juror, or who have insufficient command of English, are ineligible for jury service. In addition, a limited number of persons are specifically declared ineligible for jury service. Certain persons are excluded because of their position and the knowledge gained therefrom, whilst others are excluded because of the occupational involvement in the administration of justice. All other persons are eligible for jury service but provision is made for the Sheriff to excuse a prospective juror from attendance and for a review by a judge if the Sheriff declines to excuse a prospective juror. The minimum age for jury service has been lowered to 18 years. It is hoped these measures will result in South Australian juries more clearly reflecting the random cross-section of the community they are meant to represent. In addition, provision is made for the Sheriff to administer a questionnaire to all prospective jurors. References to civil juries have been deleted and anomolies between the manual method of balloting and the computer process have been dealt with.

This Bill contains several new provisions which did not appear in the Bill previously introduced. The provisions are as follows:

- specific provision has been made to ensure that a person on a recognisance to be of good behaviour or similar bond will be disqualified from jury service during the currency of the bond;
- the questionnaire to be administered by the Sheriff must be in a prescribed form. This is to ensure that the contents of the questionnaire will be subject to the scrutiny of the subordinate legislation processes of Parliament;
- Justices of the Peace who perform court duties will be ineligible for jury service.

A new section 57 has been included which clarifies the position relating to majority and alternative verdicts. New section 57 (1) and (2) states the position relating to majority verdicts. Section 57 (3) will operate so that, in all matters where an alternative is available to a jury upon the single count (for example murder/manslaughter), the jury must first consider whether the accused is guilty of the major charge before proceeding to consider whether the accused is guilty upon the alternative and, if the jury has reached a verdict of not guilty in respect of the major charge, but after due time is unable to agree upon a verdict in respect of the alternative, the jury may be discharged from giving a verdict in respect of that alternative and the accused person can be retried upon that lesser alternative.

The amendment will bring the alternatives situation (where they are contained in one count) into line with the procedure applicable when alternatives are charged in different counts. New section 57 (3) has the effect of overcoming two problems perceived in the operation of section 57 as it presently stands. The first problem is that is is unclear whether a jury must first decide on the question of guilty or not guilty of murder before proceeding to consider the question of guilty or not guilty of manslaughter. The position is made clear by new section 57 (3) *(a)*. The second problem is that it is unclear whether a unanimous or majority verdict of not guilty of murder is required before the jury can proceed to consider manslaughter. The amendment provides that the verdict of not guilty of a major offence can be reached by either a unanimous or majority verdict. The only verdict which requires a unanimous verdict is the verdict of guilty of murder or treason.

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

Leave granted.

Explanation of Clauses

Clause 1 is formal. Clause 2 provides for the commencement of the measure. Clause 3 provides for a new short title to the Act to provide consistency with comtemporary citations. Clause 4 provides for the deletion of a transitional provision that is now inoperative. Clause 5 provides for the repeal of sections 5, 6 and 7 and the substitution of new sections. It is proposed that provision no longer be made for the possibility of a trial by jury in civil actions as the

provisions relating to civil juries have fallen into disuse. Furthermore, provision is to be made for a person accused of a crime to have the option of electing to be tried by a judge without a jury, as recommended by the Mitchell Committee. However, the accused must first seek and receive legal advice in relation to his decision to elect.

Clause 6 effects an amendment to section 11 of the principal Act by striking out the paragraph that prescribes a minimum age of persons who may be jurors of 25 years. The Mitchell Committee recommended that the minimum age be reduced to 18 years, and the amendment effected by this clause would bring that recommendation into effect. Clause 7 proposes a new section 12 dealing with disqualification from jury service. This section was the subject of extensive discussion by the Mitchell Committee. It has been submitted that it is archaic and difficult to administer. The method that the Mitchell Committee favoured to reform the section was to repeal it and substitute a system similar to that applying in England and New South Wales. This has formed the basis of the proposed new section 12. Clause 8 proposes a new section 13. The effect of the amendment is that under section 13 a person will be ineligible for jury service if he is mentally or physically unfit to carry out the duties of a juror, he has insufficient command of the English language, or he is one of the persons specified in the third schedule.

Clause 9 proposes an amendment to clause 14 that will add consistency to terminology in the Act by virtue of this proposed amending Bill. Clause 10 provides for the recasting of section 15. The section will provide that no verdict may be impeached on the ground that a juror is disqualified from, or ineligible for, jury service unless the matter is raised before the juror is sworn. Clause 11 provides for the recasting of section 16. This provision will still allow the Sheriff to excuse a person from compliance with a summons for jury service by reason of ill health, conscientious objection or any other reasonable cause. In the event that the Sheriff declines to excuse a prospective juror, the person may apply to a judge for a review of the Sheriff's order.

Clause 12 provides a consequential amendment to section 17 of the principal Act to alter the term 'exempt' to 'excuse'. Clause 13 provides an amendment, to section 18, that also will provide consistency in terminology used in the Act. Clause 14 amends section 19 of the principal Act to provide further consistency. Clause 15 proposes a new provision in substitution with sections 23 and 23a of the principal Act. As part of this review of the Juries Act it was thought appropriate that the process of selecting names for the annual jury lists be simplified. This has been achieved by the proposed new section 23. Names will still be drawn from electoral rolls for electoral subdivisions in each jury district. The selection process will occur by ballot (under the supervision of the Electoral Commissioner) or by use of a computer. (Ineligible persons must be rejected.)

Clause 16 provides for the insertion of a new section 25, which would empower the Sheriff to send to any person whose name appears on the list of jurors a questionnaire to assist him to gather relevant information. It would be an offence to fail to fill in and return the questionnaire, or to provide in it false or misleading information. Clause 17 provides amendments to section 29 that are consequential upon the deletion of the availability of juries in civil actions. Clause 18 proposes amendments to section 31 relating to the availability of the lists of names of persons summoned to attend to render jury service. Presently, these lists may be inspected at the Sheriff's office and purchased upon payment of a fee of 10 cents. It is proposed that the Act provide that, instead, the Sheriff shall provide a copy of the list, without fee, to the Crown Solicitor or to the accused, his solicitor or his agent. Lists will no longer be displayed in gaols. Clause 19 provides amendments to section 32 of the principal Act that are consequential upon the deletion of the availability of juries in civil actions.

Clause 20 provides a consequential amendment to section 42 and also seeks to delete the requirement that the cards containing the names of the jury panel also contain the addresses and occupations of the persons comprising that panel. Clause 21 provides for the recasting of section 43. Clause 22 proposes a consequential amendment to section 46 as it may not be necessary to constitute a jury for the purpose of a criminal inquest. Clause 23 deletes an antiquated expression from section 47 of the Act. Clause 24 provides for the recasting of section 54 in contemporary language, the new section 54 providing that the Sheriff must make reasonable provision for the comfort and refreshment of the jury. Clause 25 inserts a new section 56 dealing with the power of a court to excuse a juror during the course of an inquest. Apart from deleting reference to civil inquests, the new provision will apply to all criminal inquests, including those for murder or treason. It will allow the presiding judge to release a juror for reasons of special urgency or importance. It also relates to the situation where a juror might absent himself without being excused and could then not be located. The inquest will be able to continue provided that the number of the jury does not fall below 10.

Clause 26 provides for the repeal of section 57 of the Act and the insertion of a new provision. Section 57 is concerned with the situation where a jury is unable to agree upon a verdict after at least four hours deliberation. Submissions have been received that, in relation to a trial for murder, the section is unclear as to whether to return a verdict of guilty of manslaughter all, or only majority, of the jurors must have decided that the accused was not guilty of murder. Accordingly, the section has been recast to avoid any uncertainty. Furthermore, there is some uncertainty as to the procedure that should be followed when an alternative verdict may be returned to the count charged. The Bill thus provides that the count charged must be considered before any alternative. Clause 27 provides for the repeal of section 58, which is concerned with the decision of juries in civil inquests.

Clauses 28 and 29 propose amendments to sections 59 and 61 respectively to provide consistency with other measurers in the Bill. Clause 30 substitutes references to the 'King' in section 62 with references to the 'Crown'. It is incorrect to refer to the King being a party to an inquest. Clause 31 proposes the repeal of sections 65 to 69 (inclusive) and the substitution of new sections. Proposed new section 65 expresses the right of each accused in a criminal inquest to challenge three jurors peremptorily. New section 66 provides for the right to challenge a juror on the ground of ineligibility or disqualification. New section 67 preserves any right of challenge at common law. Under new section 68, a challenge for cause may be tried by the presiding judge. It is anticipated that these four new sections will provide greater clarity in the rights of an accused to challenge jurors. Finally, new section 69 provides for the continuation of *tales*. This is the right to summon, at the direction of a court, other people to jury service in the event that sufficient jurors cannot otherwise be obtained. It may still be of some use in small country areas.

Clause 32 provides for the insertion of a new Part VIII. It is proposed that section 70, which provides that a person who applies for a jury must pay a prescribed fee, no longer apply. Furthermore, section 75 must be reviewed by reason that, as it presently stands, it is arguable that a person who takes special leave with pay to serve as a juror is in breach of the Act. It is proposed also that fees payable to jurors be set by regulation instead of by proclamation. Clause 33 provides for the striking out of section 78 (1) *(b)*, which

relates to talesmen. Clause 34 provides for the repeal of sections 80, 81 and 82 of the principal Act. It is inappropriate that these sections continue to apply. Clause 35 proposes amendments to section 88 of the Act that are consequential upon earlier provisions in the Bill. Clause 36 provides for the repeal of sections 90 and 91. These provisions no longer serve any useful purpose. Clause 37 provides for a new third schedule to the Act. This schedule prescribes the persons who are ineligible for jury service. The categories of persons who are ineligible are far fewer. Other people who are unable to perform jury service for some good reason will be able to apply to be excused from jury service under other provisions of the said Act.

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

ADDRESS IN REPLY

Adjourned debate on motion for adoption.
(Continued from 9 August. Page 159.)

The Hon. B.A. CHATTERTON: I support the motion. I would like, first, to congratulate the Hon. Mario Feleppa on his speech in this debate. It was an excellent contribution, calmly delivered, but with great force and conviction. I would also like to congratulate the Attorney-General for establishing a Joint Committee of the two Houses to review Parliamentary procedures. It is very disappointing that the Committee, which was established more than 18 months ago, has not yet reported. I am very concerned that time may be running out for effective recommendations to come from that Committee.

This Committee was established at a particularly opportune time as both major Parties had been in Government and in Opposition during the previous few years. The further we get away from those changes the more entrenched each side becomes in its current position and the less chance we have of achieving any rational reform of Parliamentary procedures. There is no doubt that reforms are necessary. One of the reasons that members of Parliament are not held in high regard by the public is our failure to organise the workings of the Parliament on a more rational basis. It is often asked, 'How can they organise the State if they cannot organise themselves?' Of course, it is not as simple as that. A Government wants to get its legislation through intact and an Opposition wants to defeat some Bills and amend others. Its powers, however, are limited, its main weapon being delay.

In international politics the very apt term 'chaos power' has been coined to define the activities of small nations with no real clout but with the ability to create a fuss. The use of chaos power by an Opposition, however, is very limited. The all-night filibuster that one might consider the ultimate weapon in chaos power politics is rapidly decreasing in its effectiveness. Only a few years ago it would have guaranteed an Opposition a lead story on the *News* or on the front page of the *Advertiser*. Now, it may not get a mention at all, the community just laugh at us for being so silly and shake their heads about the ability of politicians to make rational decisions at 3 o'clock or 4 o'clock in the morning. It seems to me that we should reorganise the workings of Parliament to bring some order and predictability into its sessions. This would not make Parliament the creature of the Government but would give every member an opportunity to more successfully plan his or her time.

Some of the specific ways in which this could be achieved are as follows. First, at present there are two agendas, the official one (that is, the Orders of the Day), and the unofficial one, which is the order of speakers. One is organised by the Clerks and the other by the Whips. I believe that the two should be merged and organised by the Clerks, who should contact the Whips and members to construct a real agenda that truly reflects the day's work. If the Clerks were provided with a simple word processor the construction of this agenda would be a simple task and could be revised quite easily even while the Council was sitting. It would not be necessary to have a printed agenda sheet as photocopies of the computer print-out could be made at 1 o'clock and any revision shown on a visual display unit in the Chamber and in the lounge.

While on the subject of word processors, it seems extraordinary that the Clerks have not been provided with them to assist in organising amendments to Bills. The whole point of a word processor is that it streamlines the old scissors and paste editing. Currently, each Bill must be laboriously cut and pasted with amendments, a task that could be done on a word processor in a fraction of the time.

Parliamentary Counsel, I believe, prepares Bills on word processors. Therefore, a disc with the final draft of a Bill could be supplied to the Clerks who can then insert the amendments and record the votes. The cost would not be high and the value to Parliament would be much greater than the elaborate security system that has recently been installed at great cost.

The Hon. Frank Blevins: It is so secure that members of Parliament cannot get in.

The Hon. B.A. CHATTERTON: Perhaps that will resolve the problems of organising the sessions. For the Clerks to compile an agenda that means anything, members will have to indicate how long they intend to speak. I do not think that this is a great burden to place on members as it is an obligation that they normally undertake when they speak in public.

The next question is how to shift more of the night sessions of Parliament into normal working hours. The problem has always been that Ministers need time in their offices and public servants will not work such ridiculous hours as politicians do. So, Ministers see public servants during ordinary working hours and members of Parliament hang about all night. One way to overcome the problem is to move some of the sittings to the morning and arrange that no votes be taken. This means that not all Ministers will have to be present during those sittings. This arrangement works in many Parliaments overseas where the Government and Opposition agree on the timing of votes so that members of Parliament can be in the House at that time. We could make a start by shifting private members' business to the morning and agreeing that all votes are taken without debate in the afternoon.

The next problem concerns the Committee stage of Bills where the length of debate is quite unpredictable. Again, there are sound reasons for changing the procedure. In many other Parliaments overseas the Committee sessions are taken separately as we do here with the Budget Estimates Committees. The Parliamentary programme could then be organised on the basis of, say, two weeks sittings and then a week of Committee sittings. While the Committee sittings would not be a Select Committee, they would, like the Budget Estimates Committees, allow the Minister to debate his own Bill and the public servants to give explanations directly and not through the archaic system of whispering in the ear of a Minister.

Many other reforms of the Parliamentary system should be undertaken if we are to regain the confidence of the community in its values. Although the reforms that I have outlined are relatively small, they would make a significant input into the workings of the Parliament, and I hope that

they will be discussed by the Committee that has been established by the Attorney-General. I support the motion.

The Hon. R.I. LUCAS: I, too, support the motion and express my personal sympathy to the families of those past members who have died since we last met. As my contribution to the Address in Reply debate, I want to look at Qangos in South Australia. In doing so, I will first look at the definition of 'statutory authority', which is easily defined as any body created by or pursuant to a State law, whether an Act of Parliament or subordinate legislation. A 'statutory corporation' is a statutory authority that has the legal status of being a body corporate. So, in effect, a statutory corporation is just a subset of what we know as a statutory authority.

The term 'Qango' originated some 17 years ago, in about 1967. 'Qango' originally was an acronym for quasi autonomous non-governmental organisations. The person given the honour, if that is an honour, of originally using the term was a fellow called Alan Pifer, the President of the Carnegie Corporation, who wrote an article entitled 'The quasi autonomous non-governmental organisation'. He included that article in the Carnegie Corporation's 1967 Annual Report. His original intention was to cover organisations which were private in form but which existed only for public purposes and by virtue of public financial support.

Roger Wettenhall, a quite prominent commentator in the area of Qangos and statutory authorities attributes the actual coining of the term 'Qango' to a gentleman called Tony Barker of Essex University. Therefore, the original meaning of 'Qango', was quite separate from what we have defined for a statutory authority. In fact, in the South Australian context the true Qangos are organisations like Red Cross, St John, the Royal Flying Doctor Service, and the Royal District Nursing Society—that is, private bodies that are being assisted by public funds to do public work.

As I indicated earlier, the terms 'Qango' and 'statutory authority' have become quite interchangeable over recent years. So, where did the distortions come from? As often happens, they originated with a politician. In this case a British member of Parliament, Mr Phillip Holland, in 1979 published two leaflets criticising the large number of Government bodies or statutory authorities, which he called 'Qangos', that were cutting into the preserve of private enterprise. Soon after 1979 other politicians such as Senator Peter Rae in Australia took up the term and used 'Qangos' interchangeably with 'statutory authorities' and 'governmental bodies'.

For the purpose of my contribution this afternoon, I will be using the term 'Qangos' in the widest possible sense and in the sense that most commentators are using it today—that is, to include statutory authorities but also to include a wide range of other bodies that have not necessarily been established specifically by Statute. There is no doubt in my view that the proliferation of Qangos is seen by many members of Parliament and political commentators as a significant problem. Everyone agrees that Qangos have a wide range of powers that affect the lives of all citizens of South Australia and Australia in a wide variety of ways. There is also a common view that most Qangos are not properly accountable to anyone, be it to Ministers of the Crown or, more particularly, to Parliament.

Senator Peter Rae, who has been at the forefront of investigations of Qangos in the Commonwealth arena, chaired a Senate Select Committee on Statutory Authorities of the Commonwealth. The fifth report on page 22 states:

> There seems to have been a tendency on the part of Governments, after taking the decision to undertake a new function, to create a new authority to perform it rather than absorb the functions into existing departmental structures. But, whatever the limitations of the departmental structure, it has a basic advantage over that of the statutory authority.
>
> When governmental functions being performed by departments change—for example, if they become obsolete or more or less important—the consequent structural alterations are relatively simple: the administrative orders can be changed and staff can be transferred. This makes departments more flexible than authorities. The creation of an authority by Statute enshrines its structure with a greater degree of permanency. If, in the future, a Government wishes to change the functions performed by the Authority, the problems of changing the Authority's structure are more intractable.

That is a statement that matches my personal view. The Rae Committee in the Commonwealth arena has gone on to investigate the number of statutory authorities and the problems that have developed over the years through the establishment of such a large number of Qangos. A similar committee in the Victorian Parliament, the Public Bodies Review Committee, has performed a similar function in the Victorian arena. In South Australia there has not yet been such a comprehensive study by any particular committee or body on the scope and extent of statutory authorities or Qangos in South Australia.

It is interesting to note that the Public Works Committee recently has estimated that as at June 1982 the outstanding liability of statutory bodies on which debt charges were payable amounted to over $1 billion.

The Hon. C.M. Hill: The Public Accounts Committee?

The Hon. R.I. LUCAS: No—Public Works. The Public Works Committee in a submission to the Joint Select Committee on Administration and Procedure quoted the figure of $1 billion. It stated that this represented a reduction of $86 million during the preceeding 12 months but that up until that time the debt had been increasing at a rate of about $60 million a year. Clearly, Qangos or statutory authorities in South Australia have a significant economic effect. In recent times there have been two attempts of which I have been aware to compile a list of Qangos in South Australia. One was printed in *Hansard* in about 1979-80 and indicated the existence of about 250 Qangos in South Australia.

More recently, Mr Richard Kleinig, Research Officer to the Joint Select Committee on the Law, Practice and Procedures of Parliament, has prepared a compilation of Qangos in South Australia. Whilst not being unduly critical of those two compilations, as it is an extraordinary complex area in which to try to come up with a definite list, I believe that both those lists are deficient and understate significantly the number of Qangos that have been created in South Australia. Over recent weeks I have attempted a compilation of my own of the number of Qangos in South Australia. I accept that there are probably errors in my list, but I offer it to help further informed debate in this area. I seek leave to have inserted in *Hansard* without my reading them 10 tables of a purely statistical nature, being a compilation of statutory authorities or Qangos in South Australia.

The Hon. FRANK BLEVINS: On a point of order, Mr President, I certainly have not seen these tables and I am not sure whether the Clerks have seen the tables either. It was my understanding that, if one was seeking the courtesy of the Council to insert material in *Hansard,* one showed it to a person on the front bench opposite and also to the Clerks to see whether it was appropriate material to be inserted in *Hansard.* Whilst I may have no objection to the material, I certainly have not seen it.

The PRESIDENT: I cannot even recall that having been a requirement. However, if there is any question that you wish to see the tables before they are inserted, you can refuse leave for them to be inserted until you have had an opportunity to look at them.

The Hon. M.B. CAMERON: I rise on a point of order, Mr President. It is normal for leave to be granted for statistical information only to be inserted in *Hansard* purely

to save the member having to explain the table and read it out. That seems fairly reasonable.

The PRESIDENT: The reason why the requirement to show the tables has been dispensed with is that we took the member's word that it was purely statistical material. If there is a question of the member's integrity, there is no reason why the Council should not ask for the material to be tabled first.

The Hon. FRANK BLEVINS: I make the point that perhaps I am old fashioned and like the courtesies of the Council, but 10 tables can mean 50 pages of *Hansard* and I have no knowledge of them.

Members interjecting:

The PRESIDENT: Order! Let us hear the point of order first. Is it the Minister's wish that he or I have the opportunity to study the tables before they are inserted in *Hansard?*

The Hon. FRANK BLEVINS: I believe that that is the appropriate way.

The Hon. R.I. LUCAS: I will solve the problem and read out all 300 authorities. I was trying to expedite the proceedings of the Council. If the Minister wants to be so petty and not allow a listing of statuory authorities—

The PRESIDENT: Order! Let us not have a debate. You sought leave and I will put it to the Council.

Leave granted.

TABLE 1
Statutory Authorities—Corporate

	Name of Corporation Aggregate	Constituting Act
1.	Aboriginal Lands Trust	Aboriginal Lands Trust Act
2.	Adelaide Festival Centre Trust	Adelaide Festival Centre Trust Act
3.	Architects Board of S.A.	Architects Act
4.	The Art Gallery Board	Art Gallery Act
5.	Artificial Breeding Board	Artificial Breeding Act
6.	The Australian Mineral Development Laboratories	Australian Mineral Development Laboratories Act
7.	Builders Licensing Board	Builders Licensing Act
8.	The Chiropody Board of S.A.	Chiropodists Act
9.	Chiropractors Board of S.A.	Chiropractors Act
10.	Citrus Board	Citrus Industry Organisation Act
11.	Coast Protection Board	Coast Protection Act
12.	Electoral Districts Boundaries Commission	Constitution Act
13.	Dental Board of S.A.	Dentists Act
14.	Dog Fence Board	Dog Fence Act
15.	Electricity Trust of S.A.	Electricity Trust of S.A. Act
16.	The Enfield General Cemetery Trust	Enfield Cemetery Act
17.	Environmental Protection Council	Environmental Protection Council Act
18.	The Flinders University of S.A.	The Flinders University of S.A. Act
19.	The Institute of Medical and Veterinary Science	Institute of Medical and Veterinary Science Act
20.	Kindergarten Union of S.A.	Kindergarten Union Act
21.	The Libraries Board of S.A.	Libraries Act
22.	Lower River Broughton Irrigation Trust	Lower River Broughton Irrigation Trust Act
23.	The South Australian Egg Board	Marketing of Eggs Act
24.	Metropolitan Milk Board	Metropolitan Milk Supply Act
25.	Metropolitan Taxi-Cab Board	Metropolitan Taxi-Cab Act
26.	National Trust of S.A.	National Trust of S.A. Act
27.	Occupational Therapists Registration Board of S.A.	Occupational Therapists Act
28.	Board of Optical Registration	Opticians Act
29.	The Physiotherapists Board of S.A.	Physiotherapists Act
30.	Pipelines Authority of S.A.	Pipelines Authority Act
31.	The South Australian Potato Board	Potato Marketing Act
32.	South Australian Psychological Board	Psychological Practices Act
33.	The Supply and Tender Board	Public Supply and Tender Act
34.	The Commissioners of Charitable Funds	Public Charities Funds Act
35.	Renmark Irrigation Trust	Renmark Irrigation Trust Act
36.	Roseworthy Agriculture College	Roseworthy Agricultural College Act
37.	Rundle Street Mall Committee	Rundle Street Mall Act
38.	S.A. Film Corporation	S.A. Film Corporation Act
39.	S.A. Housing Trust	S.A. Housing Trust Act
40.	S.A. Institute of Technology	S.A. Institute of Technology Act
41.	S.A. Meat Corporation	S.A. Meat Corporation Act
42.	Senior Secondary Assessment Board of S.A.	Senior Secondary Assessment Board of S.A. Act
43.	State Theatre Company of S.A.	State Theatre Company of S.A. Act
44.	South-Eastern Drainage Board	South-Eastern Drainage Act
45.	State Bank of S.A.	State Bank Act
46.	State Government Insurance Commission	State Government Insurance Commission Act
47.	State Transport Authority	State Transport Authority Act
48.	S.A. Superannuation Board	Superannuation Act
49.	S.A. Superannuation Fund Investment Trust	Superannuation Act
50.	Surveyors Board of S.A.	Surveyors Act
51.	Tatiara Drainage Trust	Tatiara Drainage Trust Act
52.	S.A. Teacher Housing Authority	Teacher Housing Authority Act
53.	University of Adelaide	University of Adelaide Act
54.	Vertebrate Pests Control Authority	Vertebrate Pests Act
55.	The Trustees of the Volunteer Fire Fighters Fund	Volunteer Fire Fighters Fund Act
56.	Long Service Leave (Building Industry) Board	Long Service Leave (Building Industry) Act
57.	Pest Plants Commission	Pest Plants Act
58.	The State Opera of S.A.	The State Opera of S.A. Act
59.	S.A. Health Commission	South Australian Health Commission Act
60.	Trotting Control Board	Racing Act
61.	Greyhound Racing Control Board	Racing Act
62.	The S.A. Totalizator Agency Board	Racing Act
63.	Betting Control Board	Racing Act
64.	Racecourses Development Board	Racing Act
65.	Country Fires Services Board	Country Fires Act
66.	Credit Union Stabilisation Board	Credit Unions Act
67.	Legal Services Commission	Legal Services Commission Act
68.	State Clothing Corporation	State Clothing Corporation Act
69.	Board of the Botanic Gardens	Botanic Gardens Act
70.	History Trust of S.A.	History Trust of S.A. Act
71.	Outback Areas Community Development Trust	Outback Areas Community Development Trust Act
72.	S.A. College of Advanced Education	S.A. College of Advanced Education Act

	Name of Corporation Aggregate	Constituting Act
73.	Tertiary Education Authority of S.A.	Tertiary Education Authority Act
74.	S.A. Timber Corporation	S.A. Timber Corporation Act
75.	North Haven Trust	North Haven Trust Act
76.	West Beach Recreation Reserve Trust	West Beach Recreation Reserve Act
77.	Museum Board	S.A. Museum Act
78.	S.A. Waste Management Commission	S.A. Waste Management Commission Act
79.	Meat Hygiene Authority	Meat Hygiene Act
80.	Lotteries Commission of S.A.	State Lotteries Act
81.	S.A. Ethnic Affairs Commission	S.A. Ethnic Affairs Commission Act
82.	Anangu Pitjantjatjaraku	Pitjantjatjara Land Rights Act
83.	S.A. Urban Land Trust	Urban Land Trust Act
84.	The Law Society of S.A.	Legal Practitioners Act
85.	Parks Community Centre	Parks Community Centre Act
86.	Technology Park Adelaide	Technology Park Adelaide Act
87.	S.A. Jubilee 150 Board	South Australian Jubilee 150 Board Act
88.	S.A. Government Financing Authority	Government Financing Authority Act
89.	Medical Board	Medical Practitioners Act
90.	Phylloxera Board	Phylloxera Act
91.	Small Business Corporation	Small Business Corporation Act
92.	Local Government Assoc.	Local Government Act
93.	Maralinga Tjarutja	Maralinga Tjarutja Act
94.	Local Government Superannuation Board	Local Government Act
95.	Lyrup Village Assoc.	Crown Lands Act
96.	Local Government Financing Authority	Local Government Financing Authority Act

TABLE 2
Statutory Corporations Formed Through Enabling Provisions

Local Government Councils	(125)	Local Government Act
Government School Councils	(673)	Education Act
Boards of Management		Irrigation on Private Property Act
Veterinary Service Boards		Veterinary Districts Act
TAFE College Councils	(27)	Technical and Further Education Act
Regional Cultural Centre Trusts	(4)	Regional Cultural Centres Act
Development Trusts		National Parks and Wildlife Act
Vertebrate Pests Boards	(21)	Vertebrate Pests Act
Pest Plant Control Boards	(58)	Pest Plants Act
Hospitals and Health Centres	(47)	S.A. Health Commission Act
Credit Unions	(26)	Credit Unions Act
Credit Union Associations	(3)	Credit Unions Act
C.F.S. Fire Brigades	(about 500)	Country Fires Act
C.F.S. Group Committees	(about 100)	Country Fires Act
Societies and Branches		Friendly Societies Act
Registered Kindergartens	(315)	Kindergarten Union Act

Notes: (1) Alcohol and Drug Addicts Treatment Board still exists as at 30 June 1984 even though a repealing Act has passed the Parliament. It had not been proclaimed. This Board is to be replaced by the Drug and Alcohol Services Council which will be an incorporated health centre under the S.A. Health Commission Act. It goes to show the problems if health centres are not included in the definition of a statutory corporation.

(2) Secondhand Vehicle Dealers Licensing Board still exists as at 30 June 1984, even though a repealing Act has passed the Parliament. It had not been proclaimed.

(3) Some of the above bodies were not originally established by the above statute. For example many of them are recognised by a statute some years after being in operation, e.g. Local Government Association. However, it would now take legislative action to abolish these bodies.

(4) Many of those corporations formed through enabling provisions can be abolished without recourse to legislative action.

TABLE 3

Technically there are an additional 17 Statutory Corporations Sole—14 Ministerial Corporations Sole and three non-Ministerial Corporations Sole. They are included here for the sake of completeness.

(1)	Minister of Agriculture	Minister of Agriculture Act
(2)	Minister of Lands	Minister of Lands Incorporation Act
(3)	Minister of Mines	Mining Act
(4)	Minister for the Environment	National Parks and Wildlife Act
(5)	Minister of Community Welfare	Community Welfare Act
(6)	Minister of Repatriation	Discharged Soldiers Settlement Act
(7)	Minister of Education	Education Act Further Education Act
(8)	The Treasurer	Treasurer's Incorporation Act
(9)	Minister of Forests	Forestry Act
(10)	Minister of Marine	Harbors Act
(11)	Minister of Irrigation	Irrigation Act
(12)	Trustee of the State Heritage	South Australian Heritage Act
(13)	South Australian Metropolitan Fire Service	Fire Brigades Act
(14)	Minister of Fisheries	Fisheries Act
(15)	Commissioner of Highways	Highways Act
(16)	Director of Mines	Mining Act
(17)	Corporate Affairs Commission	Companies (Administration) Act

TABLE 4
Hospitals and Health Centres Incorporated under the S.A.H.C. Act, 1975, as at 20 March 1984

Hospital/Health Centre	Date of Incorporation
Aboriginal Health Organisation of South Australia	16 September 1981
Adelaide Women's Community Health Centre Inc.	20 May 1980
Angaston and District Hospital Inc.	20 October 1980
Bordertown Memorial Hospital Inc.	4 March 1981
Central Northern Health Services	1 September 1980*
Child, Adolescent and Family Health Service	30 November
Cleve District Hospital Inc.	15 April 1983
Clovelly Park Community Health Centre	25 June 1981
Coober Pedy Hospital Inc.	30 September 1981
Elliston Hospital Inc.	28 March 1979
Eudunda Hospital Inc.	12 January 1981
Flinders Medical Centre	1 July 1980
Glenside Hospital	13 July 1981
Hillcrest Hospital	24 August 1981
Hutchinson Hospital Inc.	21 October 1982
Ingle Farm Community Health Centre	14 August 1981
Intellectually Disabled Services Council Inc.	1 July 1982
Kangaroo Island General Hospital Inc.	25 May 1981
Kingston Soldiers' Memorial Hospital Inc.	26 July 1983
Lameroo District Hospital Inc.	11 May 1981
Leigh Creek South Hospital	31 July 1982
Lyell McEwin Community Health Service	1 March 1983
Lyell McEwin Hospital	1 July 1980*
Mannum District Hospital Inc.	11 November 1982
Meningie and Districts Memorial Hospital Inc.	17 November 1982
Minlaton District Hospital	15 October 1980

Hospital/Health Centre	Date of Incorporation
Modbury Hospital	7 February 1979
Mount Barker District Soldiers' Memorial Hospital Inc.	26 August 1982
Mount Gambier Hospital Inc.	15 March 1979
Murray Bridge Soldiers' Memorial Hospital Inc.	24 November 1980
Pinnaroo Soldiers' Memorial Hospital Inc.	10 November 1981
Port Augusta Hospital Inc.	14 March 1979
Port Lincoln Hospital Inc.	8 March 1979
Port Pirie and District Hospital Inc.	27 March 1979
Renmark and Paringa District Hospital Inc.	21 June 1982
Riverland Community Health Service	5 October 1982
Royal Adelaide Hospital	22 January 1979
South Australian Dental Service	1 July 1982
South Coast District Hospital Inc.	23 November 1983
Southern Domiciliary Care and Rehabilitation Service	1 September 1980
Southern Yorke Peninsula Hospital Inc.	25 May 1981
Strathalbyn and District Soldiers' Memorial Hospital Inc.	11 October 1983
Tea Tree Gully Community Health Service	22 February 1983
The Parks Community Health Centre	21 December 1981
The Queen Elizabeth Hospital	22 January 1979
Waikerie District Hospital Inc.	22 March 1982
Wallaroo and District Hospital Inc.	3 April 1980
Whyalla and District Hospital Inc.	19 April 1979

*Incorporation of this body dissolved upon incorporation of Lyell McEwin Health Service.

TABLE 5
Statutory Authorities—Unincorporated

	Title	Act
1.	Aboriginal Heritage Committee	Aboriginal Heritage Act
2.	Industrial and Commercial Training Commission	Industrial and Commercial Training Act
3.	Engine Drivers Board	Boilers and Pressure Vessels Act
4.	The City of Adelaide Planning Commission	City of Adelaide Development Control Act
5.	Classification of Publications Board	Classification of Publications Act
6.	Classification of Theatrical Performances Board	Classification of Theatrical Performances Act
7.	Commercial and Private Agents Board	Commercial and Private Agents Act
8.	The Land Board	Crown Lands Act
9.	Clinical Dental Technicians Registration Committee	Dentists Act
10.	Dried Fruits Board	Dried Fruits Act
11.	Teachers Classification Board	Education Act
12.	Teachers Salaries Board	Education Act
13.	Teachers Registration Board	Education Act
14.	Poultry Farmer Licensing Committee	Egg Industry Stabilisation Act
15.	The Forestry Board	Forestry Act
16.	Geographical Names Board of S.A.	Geographical Names Act
17.	Hairdressers Registration Board of S.A.	Hairdressers Registration Act
18.	Central Board of Health	Health Act
19.	Industrial Safety, Health and Welfare Board	Industrial Safety, Health and Welfare Act
20.	Industries Development Committee	Industries Development Act
21.	Rehousing Committee	Land Acquisition Act
22.	Land and Business Agents Board	Land and Business Agents Act
23.	Land Brokers Licensing Board	Land and Business Agents Act
24.	Land Valuers Licensing Board	Land Valuers Licensing Act
25.	Legal Practitioners Complaints Committee	Legal Practitioners Act
26.	State Manning Committee	Marine Act
27.	Guardianship Board	Mental Health Act
28.	Motor Fuel Licensing Board	Motor Fuel Distribution Act
29.	The Nurses Board of S.A.	Nurses Registration Act
30.	Pastoral Board	Pastoral Act
31.	Pharmacy Board of S.A.	Pharmacy Act
32.	Poultry Meat Industry Committee	Poultry Processing Act
33.	Primary Producers Assistance Committee	Primary Producers Assistance Act
34.	Public Service Board	Public Service Act
35.	The Renmark Allotment Board	Renmark Irrigation Trust Act
36.	Road Traffic Board of S.A.	Road Traffic Act
37.	Central Inspection Authority	Road Traffic Act
38.	Sex Discrimination Board	Sex Discrimination Act
39.	Stock Medicines Board	Stock Medicines Board Act
40.	S.A. Local Government Grants Commission	S.A. Local Government Grants Commission Act
41.	Tea Tree Gully (Golden Grove) Development Committee	Tea Tree Gully (Golden Grove) Development Act
42.	The Veterinary Surgeons Board of S.A.	Veterinary Surgeons Act
43.	S.A. Water Resources Council	Water Resources Act
44.	Well Drillers' Examination Committee	Water Resources Act
45.	State Disaster Committee	State Disaster Act
46.	Non-Government Schools Registration Board	Education Act
47.	S.A. Planning Commission	Planning Act
48.	Prisoners Assessment Committee	Correctional Services Act
49.	The Parole Board of S.A.	Prisons Act and Correctional Services Act
50.	Radiation Protection Committee	Radiation Protection and Control Act
51.	Diagnostic and Therapeutic Uses Committee	Radiation Protection and Control Act
52.	Industrial and Scientific Uses Committee	Radiation Protection and Control Act
53.	Management and Disposal of Radioactive Waste Committee	Radiation Protection and Control Act
54.	Mining and Milling of Radioactive Ores Committee	Radiation Protection and Control Act
55.	Institutes Standing Committee	Libraries Act
56.	Casino Supervisory Authority	Casino Act
57.	Children's Interests Bureau	Community Welfare Act
58.	Institutes Association of S.A.	Libraries Act
59.	Sanitary Plumbers Examining Board	Sewerage Act
60.	Mines and Quarries Managers—Board of Examiners	Mines and Works Inspection Act
61.	Cinematographic Projectionists Board of Examiners	Places of Public Entertainment Act

TABLE 6
Statutory Authorities—Unincorporated (formed through enabling provisions)

Building Fire Safety Committees		Building Act
Regional Child Protection Panels		Community Welfare Act
Local Child Protection Panels		Community Welfare Act
County Boards		Health Act
Local Boards		Health Act
District Soil Conservation Boards		Soil Conservation Act
Workers Compensation (Silicosis) Committee	(1)	Workers Compensation Act
Conciliation Committees		Industrial Conciliation and Arbitration Act

TABLE 7
Statutory Authorities—Advisory/Consultative

	Name	Act
1.	South Australian Adoption Panel	Adoption of Children Act
2.	Builders Licensing Advisory Committee	Builders Licensing Act
3.	Building Advisory Committee	Building Act
4.	Fire-Fighting Advisory Committee	Country Fires Act
5.	Advisory Curriculum Board	Education Act
6.	School Loans Advisory Committee	Education Act
7.	Electrical Workers and Contractors Licensing Advisory Committee	Electrical Workers and Contractors Licensing Act
8.	Firearms Consultative Committee	Firearms Act
9.	Local Government Advisory Commission	Local Government Act
10.	Meat Hygiene Consultative Committee	Meat Hygiene Act
11.	Third Party Premium Committee	Motor Vehicles Act
12.	Consultative Committee	Motor Vehicles Act
13.	Reserves Advisory Committee	National Parks and Wildlife Act
14.	Petroleum Advisory Committee	Petroleum Act
15.	Advisory Committee	Public Parks Act
16.	S.A. Heritage Committee	S.A. Heritage Act
17.	Advisory Committee on Soil Conservation	Soil Conservation Act
18.	Accreditation Standing Committee	Tertiary Education Authority Act
19.	Trade Standards Advisory Council	Trade Standards Act
20.	Waste Management Technical Committee	S.A. Waste Management Commission Act
21.	Mintabie Consultation Committee	Pitjantjatjara Land Rights Act
22.	Building Societies Advisory Committee	Building Societies Act
23.	Dog Advisory Committee	Dog Control Act
24.	Advisory Committee on Planning	Planning Act
25.	Workers Rehabilitation Advisory Board	Workers Compensation Act
26.	Insurance Assistance Committee	Workers Compensation Act
27.	Correctional Services Advisory Council	Correctional Services Act and Prisons Act
28.	Industrial Relations Advisory Council	Industrial Relations Advisory Council Act
29.	Co-operatives Advisory Council	Co-operatives Act
30.	Children's Court Advisory Committee	Children's Protection and Young Offenders Act
31.	Clean Air Advisory Committee	Clean Air Act
32.	Controlled Substances Advisory Council	Controlled Substances Act
33.	South Australian Council of Technical and Further Education	Technical and Further Education Act
34.	Plumbing Advisory Board	Sewerage Act

TABLE 8
Statutory Authorities (Advisory/Consultative) formed through enabling provisions

Name		Act
Training Advisory Committees	(3)	Industrial and Commercial Training Act
Advisory and Consultative Committees		Coast Protection Act
Community Welfare Advisory Committees	(5)	Community Welfare Act
Programme Advisory Panels		Community Welfare Act
Review Panels		Community Welfare Act
Advisory Committees	(9)	Education Act
District Electricity Advisory Committees		Electricity Trust of S.A. Act
Advisory Committees		Technical and Further Education Act
Prices Committees	(1)	Prices Act
Advisory Committees		S.A. Health Commission Act
Advisory Committee	(1)	Noxious Insects Act
Water Resources Advisory Committees		Water Resources Act
Community Service Advisory Committees		Offenders Probation Act
Advisory Committees	(7)	S.A. Ethnic Affairs Commission Act

Note: (1) Co-operatives Advisory Council not proclaimed as at 30 June 1984.

TABLE 9
Statutory Authorities—Appellate/Review

	Name	Act
1.	Builders Appellate and Disciplinary Tribunal	Builders Licensing Act
2.	Business Franchise Appeal Tribunal	Business Franchise (Tobacco) Act
3.	Board of Appeal	Dairy Industry Act
4.	Dental professional Conduct Tribunal	Dentists Act
5.	Poultry Farmer Licensing Review Tribunal	Egg Industry Stabilisation Act and Poultry Processing Act
6.	Mines and Works Appeal Board	Mines and Works Inspection Act
7.	Motor Fuel Licensing Appeal Tribunal	Motor Fuel Distribution Act
8.	Tenants Relief Board	Pastoral Act
9.	Pay-roll Tax Appeal Tribunal	Pay-roll Tax Act
10.	Planning Appeal Tribunal	Planning Act
14.	Police Appeal Board	Police Regulation Act
15.	Appointments Appeal Committee	Public Service Act
16.	Appeal Tribunal	Public Service Act
17.	The Railways Service Appeal Board	Railways Act
18.	Promotion Appeals Committee	State Bank Act
19.	Appeal Tribunal	State Bank Act
20.	Surveyors Disciplinary Committee	Surveyors Act
21.	Superannuation Tribunal	Superannuation Act
22.	Water Resources Appeal Tribunal	Water Resources Act
23.	Appeal Tribunal	Long Service Leave (Building Industry) Act
24.	City of Adelaide Planning Appeals Tribunal	City of Adelaide Development Control Act
25.	Mental Health Review Tribunal	Mental Health Act

	Name	Act
26.	Residential Tenancies Tribunal	Residential Tenancies Act
27.	Court of Local Government Disputed Returns	Local Government Act
28.	Disciplinary Committee of the Industrial and Commercial Training Commission	Industrial and Commercial Training Act
29.	Handicapped Persons Discrimination Tribunal	Handicapped Persons Equal Opportunity Act
30.	Legal Practitioners Disciplinary Tribunal	Legal Practitioners Act
31.	Towtruck Tribunal	Motor Vehicles Act
32.	Companies Auditors and Liquidators Disciplinary Board	Companies (Administrator) Act
33.	Commercial Tribunal	Commercial Tribunal Act
34.	Medical Practitioners Professional Conduct Tribunal	Medical Practitioners Act
35.	Teachers Appeal Board	Education Act
36.	Air Pollution Appeal Tribunal	Clean Air Act
37.	Parliamentary Salaries Tribunal	Parliamentary Salaries and Allowances Act
38.	Police Inquiry Committee	Police Regulations Act

TABLE 10
Statutory Authorities (Appellate/Review) formed under enabling provisions

Visiting Tribunals	Correctional Services Act
Appeal Boards	Community Welfare Act
Training Centre Review Board	Children's Protection and Young Offenders Act
Drug Assessment and Aid Panels	Controlled Substances Act
Appeal Committees	Racing Act (Trotting Control Board)
Appeal Committees	Racing Act (Greyhound Racing Control Board)
Arbitrator	Pitjantjatjara Land Rights Act
Arbitrator	Maralinga Tjarutja Land Rights Act

The Hon. R.I. LUCAS: I was in a good frame of mind trying to expedite proceedings this afternoon but the Minister, in his inimitable fashion, has managed to put not only me but several other members offside in what was an attempt to try to expedite matters this afternoon in this Council.

The Hon. Frank Blevins: That was 12 minutes ago.

The Hon. R.I. LUCAS: The 12 minutes were taken up by the Minister's seeking to delay procedures. The Minister has thrown my train of thought and perhaps I should start again. Having had those tables inserted in *Hansard*, I should explain the material. Table 1 refers to a list of statutory authorities, corporate bodies, 96 of them, which exist in South Australia. Table 2 refers to a list of statutory corporations formed through enabling provisions. Table 3 lists 17 sole statutory corporations. Table 4 lists hospitals and health centres incorporated under the South Australian Health Commission Act, 1975, as at 20 March 1984. Table 5 lists 61 unincorporated statutory authorities. Table 6 lists a number of statutory authorities unincorporated which have been formed through enabling provisions in the Statute. Table 7 lists 34 advisory and consultative bodies established by Statute. Table 8 lists a number of advisory and consultative statutory authorities that have been formed through enabling provisions. Table 9 lists 38 statutory authorities of an appellate or review nature. Table 10 lists a small number of appellate and review statutory authorities formed under the enabling provisions of a particular statute.

It will be clear, when honourable members have a chance to examine this list of 300 Qangos or statutory authorities, that their creation has reached epidemic proportions in South Australia and is not something that is subsiding but is something that has continued in recent times.

For example, in the coming weeks we are likely to be asked by the Government to create many new Qangos, including a Workers Compensation Authority of some description, an Occupational Health and Safety Commission, a State Institute of Occupational and Environmental Health, a Commercial Tenancies Tribunal, a Police Ombudsman, and possibly (depending on the precise form of the legislation) a Health Ombudsman, and also a Committee for Food Quality and Nutrition (which might be introduced by the Health Minister under a revamped Food and Drugs Act). Such a Committee for Food Quality and Nutrition was promised by the Health Minister in his policy. We are well aware of how that Minister likes to comply with his promises. In addition, as indicated by the Attorney-General today, if the Government introduces proposals for public funding, and if it follows precedents set overseas and interstate, there may well be another Qango in relation to public funding.

The creation of these new authorities comes on top of the fact that in our sittings earlier this year as a Parliament we managed to create on average one new Qango for each sitting week. In my view, that is not the fault of any particular Government, and on this occasion it is the Labor Government. So far in 1984 the Liberal Party has opposed only one of the new Qangos—the Bread Industry Authority.

The Hon. Frank Blevins interjecting:

The ACTING PRESIDENT (Hon. C.M. Hill): Order!

The Hon. R.I. LUCAS: Both major Parties, Liberal and Labor, and to a degree the Australian Democrats, must share the blame for the continuing creation of Qangos in South Australia. The Liberal Party has frequently campaigned on promises of small government; it is a Party that needs to have a good hard look at its attitude to the creation of a countless number of Qangos. As I have indicated, the Liberal Party has only opposed one Qango this year, the Bread Industry Authority. I hope that as a Party we will oppose some of the new Qangos and that in our opposition we will be joined by the Democrats to ensure that there is at least some control over the continuing increase in Qangos in South Australia.

In relation to the estimate that I have attempted, I believe that if one takes the very minimum estimate one can come up with a figure of about 300 Qangos in South Australia—not 250 as Mr Kleinig and others have estimated. That minimum estimate excludes the original form of Qangos, that is, semi-private authorities such as Red Cross and St John. The estimate includes only one of each type of authority formed through enabling provisions. There are enabling provisions which enable one to establish a Regional Cultural Centres Trust, for example. Therefore, through an enabling provision one could establish a countless number of Qangos. I understand that four regional cultural centres have been established, but in the estimate of 300 Qangos only one regional cultural centre has been included as an example of a type of Qango.

If one takes a broad estimate and includes all Qangos established through enabling provisions, the estimate could go as high as 2 500 in South Australia. However, that figure still does not include the original definition of a Qango, something which the Hon. Mr DeGaris has referred to in previous contributions as the interstitial group of bodies such as Red Cross and St John. If those bodies are included, the estimate could be anything from 3 500 to 5 000 Qangos in the widest possible sense in South Australia.

The Hon. R.C. DeGaris: How many have been established in Victoria?

The Hon. R.I. LUCAS: The Victorian Public Bodies Review Committee recently estimated about 1 000 in the

tight definition, but using a very wide definition it was put at thousands. How do other Governments and Parliaments attempt to control the activities of this burgeoning sector? Roger Wettenhall, in some of his contributions, has provided a list of about 15 control mechanisms. I have summarised them into what I believe are eight very broad areas: first, the power to appoint members of boards, and the power to remove or not reappoint—the length of tenure is also associated with this; secondly, Ministerial directive power ranging from a general power of direction to limited powers referring only to specific matters such as borrowing or staffing; thirdly, scrutiny by specific Parliamentary Committees; fourthly, auditing by the Auditor-General rather than by private auditors; fifthly, other checking systems such as the Ombudsman, freedom of information legislation or appeal tribunals; sixth, annual reporting requirements or regular reporting requirements; seventh, sunset provisions; and, eighth, specific legislative changes to Statutes.

In the South Australian context, I have looked at one particular classification of statutory authorities, that is, the statutory corporation. I looked at the 96 statutory corporations which have been incorporated and which appear in table one. I have looked at the situation in South Australia with respect to three of the control mechanisms. The first was the question of the appointing power of the Minister or the Government to a board. All members would agree that the power to appoint is a powerful control technique for a Government or Minister because it also includes the power not to reappoint a member to a Qango.

The history of appointments by Ministers has shown that quite commonly Governments have used appointing powers to find positions for loyal Party supporters. It is interesting that today in response to a series of questions that I placed on notice on Qangos (the first in a series, I might add) the Minister of Mines and Energy responded with the names of the Board members of the Electricity Trust of South Australia. Three of the seven Board members are former members of Parliament: the Hon. Glen Broomhill and the Hon. Geoff Virgo (both former members of the Labor Party) and Mr J.A. Carnie, a former member of the Legislative Council for the Liberal Party. I make no particular criticism of those three gentlemen.

It is a matter of some interest as to what criteria Governments and Ministers of both persuasions—not just this Government—use in the selection of appointees to the Boards of Qangos. They are not insignificant appointments. In the case I mentioned, the three gentlemen accept an annual fee of $8 350 for their work on the Board of the Electricity Trust of South Australia. It is not an insignificant matter. Substantial sums of money are paid to these people by the Government to serve on the Boards of hundreds or, as I said, possibly thousands of Qangos in South Australia.

The second area that I will look at in the next table, if I receive permission from the Minister to table it, is the question of Ministerial directive power. I list whether the power of a Minister is of a general nature to control the activities of a Qango, whether it is of a limited nature, or whether there is no Ministerial control or power at all. The third general area that I will look at is the annual reporting requirement of this classification of Qango in South Australia, that is, the statutory corporation.

I seek leave to incorporate in *Hansard* table 11, which is a list, in tabular form, of 96 statutory corporations, giving annual reporting requirements in the Statute; the time of actual reporting in 1982-83; whether there are Ministerial control provisions by Statute; and the extent of Ministerial power over appointments to the board. Attached are nine notes that explain abbreviations in the table: for example, for the sake of brevity, the table refers to 'a.s.a.p.' which the table explains means 'as soon as possible'.

Leave granted.

STATUTORY CORPORATIONS

TABLE 11

	Annual Reporting				Ministerial Control	Ministerial Power Re Appointments
	Minister/ Governor	Parliament	Time of tabling 82-83 report	Delays in tabling		
1. Aboriginal Lands Trust	31 Oct.	Yes—on date set.	20 Mar. 84	38; 37 12 sitting days between 31 Oct. and 20 Nov.	No	Majority
2. Adelaide Festival Centre Trust	a.s.a.p. A.G. report	Less than 14 days	25 Oct. 83	17; 22	Yes—general power	Majority
3. Architects Board of S.A.	No	No	—	—	No	Minority
4. Art Gallery Board	30 Sept.	a.s.a.p.	25 Oct. 83	13; 19 3 sitting days between 30 Sep. and 25 Oct.	Yes—limited power	Majority
5. Artificial Breeding Board	a.s.a.p.	a.s.a.p.	Not tabled	56; 57 No report since 1977-78	No	Majority
6. Australian Mineral Development Laboratories	30 Sept.	a.s.a.p.	25 Oct. 83	13; 19 3 sitting days between 30 Sept. and 25 Oct.	No	Minority
7. Builders Licensing Board	31 Oct.	Less than 14 days	Not tabled	56; 57 In breach of Act.	No	Majority
8. Chiropody Board of S.A.	No	No	—	—	No	Minority

		Annual Reporting				Ministerial Control	Ministerial Power Re Appointments
		Minister/ Governor	Parliament	Time of tabling 82-83 report	Delays in tabling		
9.	Chiropractors Board of S.A.	No	No—even though Treasury guarantee can be given for borrowings.	—	—	yes—limited power	Minority
10.	Citrus Board	a.s.a.p.	a.s.a.p.	20 Sept. 1983	12; 16	No	Minority
11.	Coast Protection Board	31 Oct.	Less than 6 sitting days	20 Mar. 84	38; 37 12 sitting days between 31 Oct. and 20 Mar. In breach of Act.	Yes—general power	Majority
12.	Electoral Districts Boundaries Commission	No—not annual report	No—only when re-distribution	—	—	No	Majority—indirectly through Public Service positions
13.	Dental Board of S.A.	30 Sept.	Less than 3 sitting days	—	Reporting provisions only inserted in 1983.	No	Half
14.	Dog Fence Board	30 Sept.	a.s.a.p.	Not tabled	56; 57 No report since 1979-80	No	Minority
15.	Electricity Trust of S.A.	31 Oct.	a.s.a.p.	20 Sept. 83	12; 16	No	Majority
16.	Enfield General Cemetery Trust	No	No—even though Treasury guarantee can be given for borrowings.	—	—	Yes—general power	Minority
17.	Environmental Protection Council	a.s.a.p.	Less than 14 days	20 Sept. 83	12; 16	Yes—general power	Majority
18.	Flinders University of S.A.	30 June calendar year	Yes—no date set	8 Dec. 83	49; 58 37 sitting days between 30 June and 8 Dec.	No	Minority
19.	Institute of Medical and Veterinary Science	30 Nov.	a.s.a.p.	6 Dec. 83	23; 34 1 sitting day between 30 Nov. and 6 Dec.	Yes—general power	Majority
20.	Kindergarten Union	30 June calendar year	a.s.a.p.	4 Aug. 83	31; 21	Yes—limited power	Majority
21.	Libraries Board of S.A.	31 Oct.	a.s.ap.	15 Nov. 83	19; 28 3 sitting days between 31 Oct. and 15 Nov.	Yes—general power	Majority
22.	Lower River Broughton Irrigation Trust	No	No	—	—	No	Minority
23.	S.A. Egg Board	31 Dec. A.G. report	a.s.a.p.	29 Nov. 83	22; 31	No	Majority
24.	Metropolitan Milk Board	30 Sept.	a.s.a.p.	18 Oct. 83	15; 19	No	Majority
25.	Metropolitan Taxi-Cab Board	30 Sept.	a.s.a.p.	18 Oct. 83	15; 19	Yes—general power	Minority
26.	National Trust of S.A.	No	No	—	—	No	Minority
27.	Occupational Therapists Registration Board of S.A.	No	No	—	—	No	Majority—indirectly through Public Service position
28.	Board of Optical Registration	No	No	—	—	No	Majority
29.	Physiotherapists Board of S.A.	No	No	—	—	No	Minority
30.	Pipelines Authority of S.A.	31 Oct.	a.s.a.p. (after A.G. Report)	18 Oct. 83	15; 19	Yes—limited power	Majority

		Annual Reporting				Ministerial Control	Ministerial Power Re Appointments
		Minister/ Governor	Parliament	Time of tabling 82-83 report	Delays in tabling		
31.	S.A. Potato Board	No	No—even though Treasury guarantee can be given for borrowings.	—	—	No	Minority
32.	S.A. Psychological Board	31 Oct.	Less than 14 days	29 Nov. 83	22; 31 6 sitting days between 31 Oct. and 29 Nov. In breach of Act.	No	Majority
33.	Commissioner of Charitable Funds	Yes—no date set	Yes—no date set	29 Nov. 83	22; 31	Yes—general power	Majority
34.	Supply and Tender Board	No	No	18 Oct. 83	—	Yes—limited power	Majority—indirectly through Public Servants
35.	Renmark Irrigation Trust	No	No—even though Treasury can make loans at subsidised rates.	—	—	No	Minority
36.	Roseworthy Agricultural College	30 June—calendar year	a.s.a.p.	4 Aug. 83	31; 21	No	Majority
37.	Rundle Street Mall Committee	No	No	—	—	No	Minority
38.	S.A. Film Corporation	31 Oct.	Less than 21 days if sitting or 14 days if not sitting	18 Oct. 83	15; 19	Yes—general power	Majority
39.	S.A. Housing Trust	30 Sep.	a.s.a.p.	18 Oct. 83	15; 19	Yes—general power	Majority
40.	S.A. Institute of Technology	30 June—calendar year	Yes—not stated	Not tabled	56; 57 No report since 1978	No	Majority
41.	S.A. Meat Corporation	No	31 Oct.—if sitting a.s.a.p.—if not sitting	25 Oct. 83	13; 19	Yes—general power	Majority
42.	Senior Secondary Assessment Board of S.A.	31 March—calendar year	Yes—no date set	—	Only established in 1983	No	Minority
43.	State Theatre Company of S.A.	a.s.a.p.	Less than 14 days	20 Mar. 84	38; 37	Yes—limited power	Majority
44.	South Eastern Drainage Board	a.s.a.p.	31 Oct.—if sitting Less than 14 days—if not sitting	18 Oct. 83	15; 19	Yes—general power	Half
45.	State Bank of S.A.	a.s.a.p. after 30 Sept.	Yes—no date set	18 Oct. 83	15; 19	No	Majority
46.	S.G.I.C.	a.s.a.p. A.G. Report	Less than 14 days	8 Nov. 83	19; 25	Yes—general power	Majority
47.	State Transport Authority	31 Oct.	a.s.a.p.	20 Mar. 84	38; 37 12 sitting days between 31 Oct. and 20 Mar.	Yes—general power	Majority
48.	S.A. Superannuation Board	Yes—no date set	Less than 14 days	8 Dec. 83	49; 58	No	Majority—indirectly through Public Service
49.	S.A. Superannuation Fund Investment Trust	Yes—indirectly through Board	Yes—indirectly through Board	—	—	No	Majority—indirectly through Public Service
50.	Surveyors Board of S.A.	No	No	—	—	No	Minority
51.	Tatiara Drainage Trust	No	No	—	—	No	Minority
52.	S.A. Teacher Housing Authority	a.s.a.p.	a.s.a.p.	Not tabled	56; 57 Last report for 1981-82	Yes—limited power	Majority

		Annual Reporting				Ministerial Control	Ministerial Power Re Appointments
		Minister/ Governor	Parliament	Time of tabling 82-83 report	Delays in tabling		
53.	University of Adelaide	30 Sep. Calendar year	Yes—no date set	8 Nov. 83	44; 46 6 sitting days between 30 Sep. and 8 Nov.	No	Minority
54.	Vertebrate Pests Control Authority	a.s.a.p.	a.s.a.p.	Not tabled	56; 57 Last report for 1981-82	Yes—general power	Majority
55.	Trustees of the Volunteer Fire Fighters Fund	No	Yes—no time set. A.G. Report	Not tabled	56; 57 No report since 1976-77	No	Majority
56.	Long Service Leave (Building Industry) Board	Yes—no date set	Less than 14 days	18 Oct. 83	15; 19	No	Minority
57.	Pest Plants Commission	a.s.a.p. calendar year	Less than 14 days	Not tabled	56; 57 No report since 1979	No	Majority
58.	State Opera of S.A.	a.s.a.p.	a.s.a.p.	8 Nov. 83	19; 15	Yes—limited power	Majority
59.	S.A. Health Commission	Yes—date set by Minister	a.s.a.p.	1 May 84	43; 51	Yes—general power	Majority
60.	Trotting Control Board	a.s.a.p.	a.s.a.p.	8 Nov. 83	19; 25	Yes—limited power	Majority
61.	Greyhound Racing Control Board	a.s.a.p.	a.s.a.p.	8 Nov. 83	19; 25	Yes—limited power	Majority
62.	S.A. Totalizator Agency Board	a.s.a.p.	a.s.a.p.	17 Aug. 83	7; 5	Yes—general power	Majority
63.	Betting Control Board	a.s.a.p.	a.s.a.p.	13 Sep. 83	10; 13	Yes—general power	Majority
64.	Racecourse Development Board	a.s.a.p.	a.s.a.p.	13 Sep. 83	10; 13	Yes—general power	Minority
65.	Country Fire Services Board	31 Oct.	a.s.a.p.	Not tabled	56; 57 Last report for 1981-82	Yes—limited power	Majority
66.	Credit Union Stabilisation Board	a.s.a.p.	No	6 Dec. 83	23; 34	Yes—limited power	Majority
67.	Legal Services Commission	30 Sep.	a.s.a.p.	8 Nov. 83	19; 25 6 sitting days between 30 Sep. and 8 Nov.	No	Majority
68.	State Clothing Corporation	a.s.a.p.	a.s.a.p.	8 Dec. 83	23; 36	Yes—general power	Majority
69.	Board of Botanic Gardens	a.s.a.p.	a.s.a.p.	20 Mar. 84	38; 37	Yes—general power	Majority
70.	History Trust of S.A.	30 Sep.	Yes—no date set	29 Nov. 83	22; 31 12 sitting days between 30 Sep. and 29 Nov.	Yes—general power	Majority
71.	Outback Areas Community Development Trust	a.s.a.p.	a.s.a.p.	25 Oct. 83	17; 22	Yes—general power	Majority
72.	S.A. College of Advanced Education	30 June calendar year	a.s.a.p.	4 Aug. 83	31; 21	No	Majority
73.	TEASA	30 June calendar year	a.s.a.p.	20 Mar. 84	63; 58 37 sitting days between 30 June and 20 Mar.	No	Majority
74.	S.A. Timber Corporation	a.s.a.p.	a.s.a.p.	Not tabled	56; 57 Last report for 1981-82	Yes—general power	Majority
75.	North Haven Trust	a.s.a.p.	a.s.a.p.	27 Mar. 84	39; 40	Yes—general power	Majority
76.	West Beach Recreation Reserve Trust	a.s.a.p. A.G. report	Less than 14 days	18 Oct. 83	15; 19	Yes—general power	Majority
77.	Museum Board	30 Sep.	a.s.a.p.	25 Oct. 83	17; 22 3 sitting days between 30 Sep. and 25 Oct.	No	Majority
78.	S.A. Waste Management Commission	a.s.a.p.	a.s.a.p.	Tabled—no date given	—	Yes—general power	Majority

		Annual Reporting				Ministerial Control	Ministerial Power Re Appointments
		Minister/ Governor	Parliament	Time of tabling 82-83 report	Delays in tabling		
79.	Meat Hygiene Authority	a.s.a.p.	a.s.a.p.	Not tabled	56; 57 Last report for 1980-81	Yes—general power	Majority
80.	Lotteries Commission of S.A.	a.s.a.p. A.G. report	Less than 14 days	18 Oct. 83	15; 19	Yes—general power	Majority
81.	S.A. Ethnic Affairs Commission	1 month after audit	a.s.a.p.	10 Apr. 84	40; 46	Yes—general power	Majority
82.	Anangu Pitjantjatjaraku	No	No	—	—	No	n.a.
83.	S.A. Urban Land Trust	a.s.a.p.	a.s.a.p.	18 Oct. 83	15; 19	Yes—general power	Majority
84.	Law Society of S.A.	No	No	—	—	No	n.a.
85.	Parks Community Centre	30 Sept.	a.s.a.p.	25 Oct. 83	17; 22 3 sitting days between 30 Sept. and 25 Oct.	Yes—general power	Majority
86.	Technology Park Adelaide	30 Sept.	Yes—no date set	8 Nov. 83	19; 25 6 sitting days between 30 Sept. and 8 Nov.	Yes—general power	Majority
87.	S.A. Jubilee 150 Board	31 Oct.	Yes—no date set	Not tabled	56; 57 Only passed in 1982 32 sitting days since 31 Oct.	Yes—general power	Majority
88.	S.A. Government Financing Authority	30 Sept.	Yes—no date set	2 May 84	44; 52 33 sitting days between 30 Sept. and 2 May	Yes—general power	Majority
89.	Medical Board	30 Sept.	Less than 3 sitting days	Not tabled	56; 57 Only passed in 1983 In breach of Act possibly.	No	Majority
90.	Phylloxera Board	No	No	—	—	Yes—limited powers	Minority
91.	Small Business Corporation	30 Sept.	a.s.a.p.	—	Only passed in 1984	Yes—general power	Majority
92.	Local Govt Assoc.	No	No	—	—	No	n.a.
93.	Maralinga Tjarutja	No	No	—	—	No	n.a.
94.	Local Government Superannuation Board	30 Sept.	a.s.a.p.	—	Only passed in 1984	No	Minority
95.	Lyrup Village Assoc.	No	No	—	—	No	n.a.
96.	Local Government Financing Authority	30 Sept.	Yes—no date set	—	Only passed in 1983	No	Minority

NOTES:

(1) In most cases the financial year is the year used for reporting purposes. Where it is the calendar year the table notes it.

(2) Under the heading 'Delays in Tabling' the two figures represent the time in weeks and Parliamentary sitting days since the end of the financial year (or calendar year). Where there is a specific time requirement for tabling a report then a comment is made about whether the Qango has complied with the requirement.

(3) Under the heading 'Ministerial Control' the table refers to the formal legislative requirements on control and not the actual practice as to whether control is exercised. In some cases there is no specific clause so an assessment has had to be made on the weighting of the total legislation.

(4) Final column refers to the power of the Minister, Ministers or the Government to influence appointments to the controlling group of the Qango. An assessment is made as to whether, through direct and indirect means the Minister can appoint a majority or minority of board members. Indirect means refers to a number of possibilities but in particular refers to requirements for certain Public Service officers on boards. Ministers of course can have some influence on the personnel filling most Public Service positions.

(5) a.s.a.p.—means 'as soon as possible' or 'as soon as practicable'.

(6) A.G. Report—means Auditor-General's Report.

(7) Less than 14 days—means report should be tabled less than 14 days after Minister receives report if Parliament is sitting, if Parliament is not sitting then it should be tabled within 14 days of Parliament again sitting.

(8) Majority—includes total. Minority—includes none.

(9) Where the table indicates the Minister has 'limited power' with respect to a body's activities it generally means that the powers of control are extremely limited—for example, it may be consent for borrowings or disposing of assets.

The Hon. R.I. LUCAS: It will be clear to members that the table summarises three general areas of control techniques in relation to Qangos in South Australia. The first column outlines whether they are required by Statute to report to the Minister or to the Governor; the second column indicates whether they are required to report to Parliament and, if so, by what date; the third column outlines the actual time of tabling of the 1982-83 report; and the fourth column shows the delays in tabling from the end of either the financial year or the calendar year to the actual tabling of the annual report in Parliament. The fifth column looks at whether there is a general or limited power of control by the Minister over the Qango or whether there is any power of control at all, and the last column indicates the extent of Ministerial power over appointments to the board, summarised in two classifications—whether the Minister either directly or indirectly has the power to appoint a majority of board members or a minority of board members.

It is clear that the following 12 Qangos, which are subject to annual report clauses in their Act, had not tabled their annual reports for 1982-83 by 30 June 1984: the Artificial Breeding Board; Builders Licensing Board; Dog Fence Board; South Australian Institute of Technology; South Australian Teacher Housing Authority; Vertebrate Pests Control Authority; Trustees of Volunteer Fire Fighters Fund; Pest Plants Commission; CFS Board; South Australian Timber Corporation; Meat Hygiene Authority; and South Australia Jubilee 150 Board. I repeat that those Qangos are subject to annual reporting clauses in their Act but still had not tabled their annual reports for 1982-83 by 30 June 1984, some 12 months after the end of that financial year.

It is interesting to note that some of those bodies in effect had not tabled reports for up to six or seven years in the Parliament. One body indicated that it has not tabled a report for three to four years and, when asked why, it was stated, 'Well, we are a bit short on staff and the Government is to appoint an extra staff member in the near future. We hope that with the extra staff member we will be able to do three or four annual reports in pretty quick succession.' I will not state the name of that body, but I believe that it is a really scandalous situation that bodies which should be reporting annually to the Parliament and which are required to do so by Statute are not doing so for any reason.

Twenty-two of the 96 statutory corporations (23 per cent) are not required under their Act to table annual reports to their Minister, to the Parliament or to both; 12 of 74 corporations (16 per cent) that are required to report annually failed to do so by 30 June 1984. Many of these Qangos have let-out clauses, as there is no specific time by which they must report. The statutory provisions are generally along the lines of 'You must table the annual report as soon as possible.' Of course, that is an open-ended requirement and it means they can do as they will. Seven of the 96 corporations (7 per cent) have specific time requirements for reporting to both the Minister and the Parliament; that is, only 7 per cent of these Qangos (statutory corporations in this case) are subject to specific time requirements so that there is room for flexibility or manoeuvre along the lines of an 'as soon as possible' requirement.

It is clear that an annual reports Act that would require tabling within three months would affect the operations of many of these corporations and would ensure that information is available publicly much earlier than it is being made available at present. For those corporations that must report to the Minister within a specific time, the most common time is about three to four months. A small number of bodies have not tabled an annual report for up to six or seven years even though they are required to do so by their Act. Of those corporations that actually tabled a report in Parliament in 1982-83, the average length of delay between the end of the calendar or financial year and the time of tabling was 24 weeks. That is, there is an average delay of six months prior to Parliament's being provided with information from the annual report of these Qangos.

There is no power of Ministerial control in respect of 49 per cent of these bodies; in respect of 13 per cent of these bodies there is a limited power of Ministerial control, and a general power in regard to 38 per cent. The Minister or the Government, whether directly or indirectly, has the power to appoint a majority of members to a board in 71 per cent of cases. The Minister or the Government has power to appoint a minority of board members in 26 per cent of cases, and in 2 per cent of cases the Minister or the Government has the power to appoint exactly one-half of the board members. In respect to five of the 96 corporations that I considered, this provision did not apply, and an example is the Pitjantjatjara Council.

The table incorporated does not give a detailed analysis of unincorporated statutory authorities, but only about 30 to 35 per cent of those unincorporated bodies are required to provide annual reports. It is clear that the reporting requirements of the unincorporated bodies are even more tenuous and less rigid than the requirements for the statutory corporations. Changes must be made to ensure greater scrutiny and proper accountability of Qangos in South Australia. At this stage I want to consider three recommended changes in particular.

First, I will look at the possibility of an Annual Reports Act being passed in South Australia. The Rae Committee in its third and fifth reports on statutory authorities has made a series of recommendations for an Annual Reports Act. The major features of the Rae Committee's proposed Act would be: first, time limits for reports; six months for business authorities and three months for non-business authorities. I have some doubts as to whether business authorities ought to have a longer period for reporting and as long as six months. As I indicated previously, that is about the average length of delay that exists at the moment for those authorities that table annual reports. A requirement of about three months for most Qangos in South Australia would be a better and more effective period for the Parliament.

The second feature of the proposed Act would be the power to exempt certain authorities from the provisions of the Act. There is no doubt that certain authorities would need to be exempted and possibly some would need to be given slightly longer to report. Thirdly, if the Parliament is not sitting when the time limit expires the reports ought to be deemed to be presented to Parliament by the Minister sending a copy to the President of the Council and the Speaker of the House of Assembly. At present, if the period expires when the Parliament is not sitting, the tabling of the report is delayed until the Parliament sits. The recommendation, and one that I support, is that it should be deemed to be tabled by the Minister's sending it to the Presiding Officers, and the Presiding Officers would table those reports on the first day when the Parliament next sits.

Fourthly, there ought to be provision for interim reports: that is, if a Qango is not going to report when the Statute says that it ought to report, it ought to be required to present an interim report to the Parliament as to why it cannot report to the Parliament, what the problems have been and when it estimates that it might be able to report to the Parliament.

Many other features should be incorporated in an Annual Reports Act, but I will not go into those at the moment. It has been argued: why should we have an Annual Reports Act? The answer is that the only other way of instituting any uniformity into reporting requirements would be by presenting to the Parliament the individual Statutes for each of the 200 to 300 statutory authorities. That would certainly be an onerous task. A more effective way would be to have an all-encompassing Statute such as an Annual Reports Act in which a blanket provision could be made and also include the possibility for exemption of certain authorities if there is sufficient case for exemption or an extension of the period.

The second recommended change at which we as a Parliament and Governments should look is what I call a 'Qango justification test'. The Rae Committee in its fifth report looked at establishing criteria or guidelines for the establishment of Qangos as opposed to performing the function through Ministerial departments. In its fifth report it goes through a number of reasons for the creation of statutory authorities. I will only list rather than explain each of them:

1. To perform business activities, especially when in competition with private enterprises;

2. To perform judicial, quasi-judicial and adjudicative functions;

3. To perform research activities;
4. To act as a separate channel of advice or separate evaluation of policies;
5. To relieve Ministers of responsibility for the day-to-day responsibility for administration of detailed and self-contained tasks;
6. To conduct activities on a combined basis with other Governments, either State or international;
7. To dispense grants or subsidies to individuals or groups;
8. To make the performance of a function more accessible to the public than is possible with a department;
9. To avoid political control and full political accountability (we would all be aware of certain instances of that in South Australia);
10. To perform functions with a collective management structure rather than a pyramidical bureaucracy or to have a diverse range of individuals represented on the management.

Those were the possible reasons that the Rae Committee saw for establishing Qangos as opposed to performing the function through Ministerial departments. The Rae Committee then, in that fifth report, went on through all its various classifications to see whether the functions performed by the particular classification of Qango that it looked at ought to be performed by a Qango or by a Ministerial department. Once again, without going through the individual rationalisation in each case, I will just list the summary of that analysis by the Rae Committee where it indicated that the Committee believes that there are governmental functions that it is appropriate to perform through a statutory authority rather than through a Ministerial department. Those classifications were:

Category 1 authorities	Business Authorities
Category 2A authorities	Primary Industry Marketing Authorities
Category 3B Authorities	Regulatory Authorities
Category 3F Authorities	Adjudicative Authorities or Boards of Review
Category 3G Authorities	Adjudicative or Licensing Authorities
Category 3H Authorities	Courts

The Committee went on to say that the functions that it considers need not require the creation of a separate statutory authority are as follows:

2B Primary Industry Advisory Authorities
2C Primary Industry Research Authorities
3A Executive Authorities
3C Servicing Agencies
3D Research Authorities
3E Advisory Authorities

Those category classifications are the classifications and categories used by the Rae Committee in its whole series of reports. It is most interesting to see that advisory authorities are one brand of authority that the Rae Committee believes need not require the creation of a separate Qango in the Commonwealth. The same argument can be transferred to the South Australian context. What we are seeing continuously in legislation before us in this Parliament and in previous Parliaments is the statutory creation of dozens of advisory authorities to Ministers. Members will be well aware that virtually every bit of legislation that comes before us establishes some new advisory authority by Statute. Every Minister seems to have dozens of these advisory or consultative committees in his or her pocket, all established by Statute. In the view of the Rae Committee—and certainly in my view—most of them need not necessarily be established by Statute at all. They can be established if they need be administratively, and then when their function passes they can be administratively removed, whereas when specifically created by a Statute they stay on the Statute forever and a day until at some stage there is a cleaning out process of these advisory bodies that may no longer be appropriate.

The third area of recommended change—one into which I will not go in too much detail (it has been the subject of much debate in the Parliament already)—is the need for the establishment of a Legislative Council Standing Committee on Finance and Government Operations. The Legislative Council Standing Committee would be responsible for the continuing review of the activities of Qangos in South Australia, whereas the Qango justification test of which I spoke earlier would look at the rationale for the establishment of Qangos in South Australia.

I might just add, on the justification test, that I envisage the Minister or the Government of the day, when discussing it in the original instance in Cabinet, having a justification as to why the service being looked at needs to be delivered through a Qango and why it cannot be delivered through an existing administrative body such as a Ministerial department, or through some body that already exists. Before the Cabinet of the day agrees to the establishment of a new Qango, it ought to look at this justification and make its decision based on the arguments for and against establishing the new Qango as outlined in that particular justification test. Then, when Cabinet or the Minister presents the proposal to the Parliament, that test ought to be attached to the second reading explanation so that all members are aware of the reasons for the establishment of the new Qango in South Australia.

We are all aware of a recent instance of the establishment of the Small Business Corporation in South Australia. At the time, the Minister responsible in each House gave no indication why the proposed functions of the Small Business Corporation could not have been delivered through an expanded Small Business Advisory Bureau, which exists at the moment, but had to be delivered through a new Small Business Corporation. A number of other changes need to be considered to assist us as a Parliament to ensure that proper scrutiny and accountability of Qangos occurs in South Australia. I hope at another time to expand on my three recommendations mentioned in this Address in Reply speech and at still another stage to add a few more.

There is one last matter which is unrelated but to which I wish to refer in my Address in Reply contribution; that is, the Joint Committee on the Law, Practice and Procedures of the Parliament. As I indicated earlier, I believe that we in this Council ought to have a Standing Committee on Finance and Government Operations. The research paper prepared for the joint committee by Mr Kleinig advocates a 'Standing Committee on Statutory Authorities', and the former Liberal Government also advocated such a committee.

However, I believe that to have a Standing Committee on Statutory Authorities alone would be too limiting. I believe that the Rae Committee, the Senate Standing Committee on Finance and Government Operations, has been a good role model for other Upper Houses in the Commonwealth to follow. That Committee has the oversight of statutory authorities, as I envisage the proposed committee in South Australia would have the responsibility to oversee statutory authorities. However, it would not be limited just to statutory authorities; it would be able to cover the whole ambit of finance and Government operations so that matters such as Public Service superannuation, the extent of public sector debt in South Australia (which is a matter of concern to many people) and the whole range of financial and Government operations could be the subject of the scrutiny of that committee.

I believe that having a wider ambit for this committee is preferable to establishing a separate Estimates Committee, as has been recommended by some people. We have the problem of numbers in South Australia in the Legislative Council and in my view the greatest number of extra Standing Committees on which we could possibly serve would be two and not three, as recommended by Mr Kleinig in his research paper. Therefore, if we are to establish only two committees, it is foolhardy for us to limit one committee

solely to the overview of Qangos. As much as I believe that that is an important area, I believe that the committee ought to have a wider ambit. I hope that the Joint Select Committee, and members in this Chamber will, if and when we come to vote on the matter, consider widening the ambit from that of a statutory authorities committee to a finance and Government operations type committee as exists in the Senate.

The Hon. R.C. DeGaris: And which works very well, too.

The Hon. R.I. LUCAS: Yes, it is working very well. The second matter I raise in relation to that Select Committee is that I believe there is some merit in the proposal for what I will call a 'Constitutional and Legal Affairs Standing Committee of the Legislative Council'. Others, such as those who wrote the research paper, have referred to a 'Law Reform Committee'. I think that the term 'law reform' has a certain connotation for some people and has resulted in their opposing the proposition of having a Law Reform Standing Committee of the Legislative Council. Once again, I think that the Senate Standing Committee on Constitutional and Legal Affairs is a very useful role model for us in this Chamber to consider.

As I have said before, I believe that there is some merit in the proposal and that it is worthy of consideration. There is no doubt that the increasing complexity of legislation, not only in our Parliament but in all Parliaments, makes it extraordinarily difficult for non-legally trained members of the Parliament such as myself to understand the intricacies of the clauses of some Bills. A possible role for a constitutional legal affairs committee would be the referral to it of a complex piece of legislation such as that involving *in vitro* fertilisation or freedom of information; when such legislation was introduced, it could be referred, by motion of the Council, to the Constitutional Legal Affairs Standing Committee for a report. Hopefully, that body, with a membership of, say, six members of this Council (and, most importantly, with permanent and expert trained staff) would be able, in a public forum, to analyse the specific provisions of, say, freedom of information legislation.

Such a committee would be able to take evidence publicly, if it wanted to, so that the analysis of the Bill would be open to all and sundry to see. Such a mechanism would mean that at least the six Council members would develop some expertise in the analysis of the clauses of complex legislation. Too often in the past the intricacies of complex legislation, whether major like the freedom of information legislation, a Bill which on the surface might appear to be quite simple, or indeed a Bill which comprises only a few pages and which might amend the Trustee Act, or something like it, have been understood only by the Attorney-General, the shadow Attorney-General and possibly only one other person.

A standing committee of the Legislative Council may be one way by which more and more Council members can develop expertise in this extraordinarily complex area. As I have indicated previously, I do not have a final view on the matter of a Constitutional and Legal Affairs Committee. However, I do see considerable merit in it, and think that it warrants consideration by the Joint Select Committee and by each and every member of this Chamber, irrespective of the view that might be put forward by a member's Party about a proposal.

I hope that in due course when we see the report of the Joint Select Committee we will have a greater opportunity for debate on a Constitution Legal Affairs Standing Committee and a Finance and Government Operations Standing Committee of the Parliament. I support the motion.

The Hon. C.M. HILL: I support the motion that the Address in Reply as read be adopted. I commend His Excellency, the Governor, for the manner in which he opened Parliament on 2 August. Indeed, I commend both His Excellency, the Governor, and Lady Dunstan on the manner in which they very actively involve themselves in public life and functions in South Australia. I extend my sympathy to the relatives of the four deceased former members of Parliament whose deaths were mentioned by His Excellency, namely, the late Harold King, the late Howard O'Neill, the late Claude Allen and the late Charlie Wells. Each of those gentlemen gave distinguished service to the people of South Australia while they served in this Parliament.

I will endeavour to canvass some ways and means by which the Government might further assist in the State's economic recovery—a recovery that must be based on sound foundations and have the one aim of long-term steady growth. There are areas in which the Government can show leadership and complement the gradual improvement that is evident in the private sector. Obviously, some confidence is returning and the innovation, venture and, indeed, sustained effort by some individuals and corporations in the private sector should be applauded. At the same time, senior public servants, board members and staff in major statutory bodies are also contributing towards improved economic conditions. The Government has a clear duty in whatever way it can to join in and support this economic improvement and to try to assist it by wise decision making and policies that will further consolidate the position.

It appears that South Australia is somewhat on its own in this endeavour. I cannot see the prospect of unexpected help coming from the Federal Government. From the facts and figures that have been published since the recent Premier's Conference it appears that the total recurrent payments to South Australia this current year will be $1 591 million, that is, an increase of 6.5 per cent over the previous year ($1 494 million), which showed an increase of 10.6 per cent over the year before that. The 6.5 per cent increase this current year is the lowest percentage increase for any State. Indeed, the average percentage increases of the States, including the Northern Territory, is 7.7 per cent. This State's position in relation to New South Wales, which had the next lowest percentage increase of 7.1 per cent, indicates that we would have an increased grant of $8 million had we been given that 7.1 per cent.

Looking at the State's borrowing programme, all States will be able to increase their borrowings by 6.5 per cent this current year, but statutory authorities will not be permitted to increase borrowings from an estimated $510.6 million in 1983-84 and must limit themselves to a proposed $419.7 million in the current year, which is a drop of 17.8 per cent. South Australia will also receive $184 million (as against $177 million in 1983-84) in Loan Council funds for specific areas such as roads, water filtration, and so on, which is an increase of 4 per cent. The Commonwealth proposes granting $530 million for public housing in 1984-85. South Australia expects to receive $63.9 million of that amount, which is a 3.4 per cent increase over the previous year, against an expected average 7.5 per cent increase for all States.

The fiscal position looks gloomy and I can well imagine the problems that have faced the State's Treasurer in compiling the Budget, about which we will hear in a few weeks time. Indeed, in the *Advertiser* of 22 June mention was made of possible cutbacks in areas such as education, health and hospitals. There must be other ways, apart from financial measures, in which the State Government can assist the community to further regain confidence and go forward to a more prosperous future. One such way is for the Government to change its attitude to the mining industry. I suggest that it should give more encouragement and support to this industry and guide public opinion to be more supportive of it.

It is of interest to note that, on an Australia-wide basis mineral products make up 40 per cent of all Australian exports. In 1983 mineral products contributed over $2 000 million in payments to Government. In the oil and gas business, estimates for 1983-84 showed that contributions of over $4 000 million were made in excise, royalty and income tax. The situation in South Australia cries out for further Government support and an improved public attitude to the industry.

Some of my information has been gleaned from a speech by Mr B.P. Webb. Honourable members would know that he was the Director of the Department of Mines and Energy and was a most highly respected and senior public servant. Mr Webb now holds the office of Managing Director of Poseidon Limited. He still retains the reputation of high integrity that he has possessed since his days as a senior public servant. Speaking of the history of the industry in South Australia, Mr Webb states:

> The mineral industry has been a driving force in opening up and developing remote areas of this great country. Some 140 years ago it brought skills and prosperity to the then struggling colony of South Australia—prosperity that led to the establishment not only of support and additional industry, but also to centres of learning, the most notable being the University of Adelaide. It is today bringing much needed work and money to the State and can contribute more in the future if it is given a fair go.

Mr Webb introduces the risk factor in this industry and this, I think, is a very important factor that should be fully appreciated. In South Australia over the past 10 years over $100 million has been spent on unsuccessful mineral search. This does not include the search for oil and gas.

In regard to petroleum, off-shore work over that 10-year period has involved an unsuccessful search with expenditure of $60 million; on-shore the figure is $30 million. Within the Cooper Basin itself, an area that is generally looked upon by the public as being a relatively safe area, over $60 million has been spent over the past 10 years in unsuccessful exploration. Bearing those figures in mind and the importance of the industry, not only to Australia but particularly to South Australia, there is a need to reassess our attitude regarding the increasing constraints that are being placed on the search for minerals.

It must be pointed out that in the past 10 years from 12 per cent to 31 per cent of the State has been placed in restricted or prohibited access for mining exploration, and I am quite willing to accept my responsibility in regard to that matter. In the area of national parks there is a need for the voice of the Government to be heard more when controversies rage between environmentalists on the one hand and those in search of minerals on the other hand. Everyone wants to see our natural heritage preserved, and surely there is a proper balance between recognising such a need and recognising also that there is a need within some national parks for mineral exploration to take place. A balance is achievable and that is a point the Government should stress because, by stressing it, the Government is acting in the best interests of the State.

In the work of exploration, a small portion of our national parks is upset. If exploration is not successful, rehabilitation can take place. If successful mining does take place ultimately within national parks, the actual area of land affected is small indeed. I refer to recent controversy in regard to exploration in an area where there is a belt of limestone on the western boundary of the Flinders Ranges National Park. Exploration was recommended by the Director of Mines, and I understand that the present Government has agreed to such exploration taking place. The importance of that to the State can be great indeed.

There is a possibility of base metals being found in that same location—base metals from which concentrates might ultimately be railed to serve the Port Pirie smelter which, of course, is currently the biggest lead smelter in the world. With the life of the Broken Hill region not being as long as we would like, the prospects in the future of unemployment in Port Pirie must be a consideration that has to be borne in mind.

When these issues concerning exploration in public parks arise, I believe the loud and clear voice of the Government should lead public opinion in this State so that the best possible results can flow, results which would be in the best interests of this State.

The same attitude of the Government should apply in regard to the Aboriginal question. We have heard much about the Pitjantjatjara land rights legislation. It was introduced by a Liberal Government and was somewhat experimental in some of its provisions. That was known at the time. It needed an understanding from all parties to work effectively but, unfortunately, in regard to the payment for access and the rights to explore, it has proved to be weak. There has been much comment in regard to this story concerning BHP and the Pitjantjatjara land. There have been rumours and some facts mentioned which are false. I refer to Mr Webb's account so that a proper understanding can be gained. Mr Webb states:

> In 1979, following several years of systematic seismic work and shallow test drilling, the Department of Mines and Energy discovered rocks containing remnant oil in the Byilkaoora No. 1 well, drilled at the eastern extremity of the Officer Basin, a major geological feature in the north-west of the State. This was a promising discovery, warranting immediate systematic follow-up work in the deeper basin areas to the west where only very limited exploration and test drilling had been previously carried out. Access to these areas was initially delayed pending finalisation of the Pitjantjatjara Land Rights Act by the previous Government. Following enactment of the legislation in 1981 the Department invited applications from companies interested in carrying out this work, and a consortium led by BHP was selected to commence negotiations with the Pitjantjatjara for access to the area to allow exploration to be carried out. The proposed exploration programme involved an expenditure of $30 million over five years. The programme, recognising the sensitivity of the area, allowed for additional to normal expenditure of $400 000 over the first two years on special scouting, surveying, satellite navigation and environmental monitoring.
>
> As is well known, these negotiations have not been successful, and work in the area remains indefinitely deferred. The negotiations failed because compensation which would have involved payments of over $2 million was sought by the Pitjantjatjara as a condition of allowing exploration. These payments, which included a $1 000 per head social disturbance payment, and the concept of a rental value for the use of homelands (implying that minerals in the ground no longer belong to the Crown, but to the freehold landowner) introduced concepts totally alien to the spirit and practice of the Petroleum and Mining Acts.
>
> Under the present circumstances, BHP is not prepared to take the matter to arbitration, the outcome of which is unknown but binding, which they estimate could cost $150 000 and for which they will also be required (under amendments to the Act presently proposed by the Pitjantjatjara) to pay all the Anangu Pitjantjatjara costs. So this important discovery made through expenditure of public funds back in 1979—has never been followed up. Had the prospective ground been under pastoral lease, we would, well before now, have seen a major exploration programme mounted.

I noticed on television only last night a report that representatives of the Pitjantjatjara had come down to Adelaide and put some proposition to Mr Crafter. I assume that it might well be on this matter. If that is so, and if the Pitjantjatjara people are taking some initiative to overcome that impasse, I give them full marks for it. It must be said that it is obvious that the Act needs amendment to rectify that situation which thus far in practice has proved unworkable. Again, I believe the Government should show strength and place the best interests of South Australia uppermost and move to amend the legislation. The same approach is needed in being firm on these matters in regard to environmentalists generally.

There must be a balance between proper and controlled development and the retention of our heritage as we would

all like to see it. It needs strength and leadership from the Government. Similarly, I think that the Government should change its view and show some courage in relation to uranium mining. The Government has approved the Olympic Dam copper, uranium and gold mine at Roxby Downs. However, the Government has stopped the Honeymoon and Beverley projects in the North of this State. This is not in the best interests of the State. At Honeymoon, $11 million had been invested and all Federal and State approvals had been received with the exception of the grant of the mining lease. Honeymoon would earn $30 million per annum for South Australia, which is equivalent to one-third of our non-oil and gas mineral revenue.

The larger Beverley project was not so far along the track: $4 million had been invested and it was in the process of completing its environmental impact statement. Together, Honeymoon and Beverley could provide 850 jobs in mining and related service industries. The Government's role in this industry tragedy, which adversely affects investor confidence in South Australia and adversely affects the unemployed and the economic and social progress of South Australia, is one of weakness and procrastination, and is the very antithesis of the strong leadership which the South Australian community deserves from its State legislators.

I now turn to the question of uranium use. Here again, the Government is simply burying its head in the sand. I find no mention from the Government of the possibility of generating electricity in this State from nuclear power. At the moment we are considering building a new power station. Although many factors must be involved, it is interesting to see that electricity is generated from uranium in 26 countries with a combined population of over 1 700 million people. I seek leave to incorporate in *Hansard* a chart which shows each of the 26 countries, the number of power reactors in each country, the countries where reactors are under construction, and the source of the information which gives rise to the statistics.

Leave granted.

URANIUM FOR ELECTRICITY GENERATION

The countries listed below use nuclear power to generate a percentage of their electricity requirements.

Country	Number of nuclear power reactors: Licensed for operation	Under construction
Argentina	2	1
Belgium	5	2
Brazil	1	2
Bulgaria	4	2
Canada	14	11
Cuba	0	1
Czechoslovakia	2	6
Finland	4	0
France	36	27
Germany DR	5	8
Germany FR	15	12
Hungary	1	3
India	4	5
Italy	3	3
Japan	25	14
Korea RO	3	6
Mexico	0	2
Netherlands	2	0
Parkistan	1	1
Philippines	0	1
Poland	0	1
Romania	0	2
South Africa	1	1
Spain	4	10
Sweden	10	2
Switzerland	4	1
Taiwan	4	2
United Kingdom	32	10
USA	86	52
USSR	40	31
Yugoslavia	1	0
Total	307	219

Sources: Various—Including International Atomic Energy Agency (IAEA); Australian Atomic Energy Commission (AAEC); Atomic Industrial Forum (USA); European Nuclear Society; Japan Atomic Industrial Forum; Canadian Nuclear Association.

The Hon. C.M. HILL: The chart that I have just had incorporated in *Hansard* indicates that in countries such as Argentina, Cuba, Pakistan, the Philippines, Poland, and South Africa there are reactors under construction. The South Australian Government, in search of a new power station, makes no mention of this possibility.

I am reminded that when I was in Yugoslavia two years ago, speaking at an arts adminstrators meeting in Slovenia (the northernmost Republic of the Federation), I inquired as an aside whether they generated electricity from nuclear power. I was told that the electric light in that particular room was fed from their nuclear power station. I note that the OECD forecast for its member countries indicates that electricity generated from uranium will grow by 1990 to 26 per cent of the total from all sources, compared with the present figure of 11.5 per cent. Therefore, I trust that the Government will at some stage stand firm, resist pressure, show courage and fully investigate the possibility of a nuclear power station, hopefully using South Australian uranium. One would expect it to be based in the northern industrial triangle of the State. Indeed, the whole cycle of mining yellowcake, production, conversion, enrichment and manufacture of fuel rods and the power reactor itself should be fully investigated and at some stage established in South Australia.

Whilst on the subject of nuclear power, I support comments made earlier in this debate regarding the possibility of nuclear power being introduced into Australia's Navy. We have seen the Premier go on a public relations venture over to Jervis Bay where he was a guest on a submarine exercise. However, the matter is much more serious than that. The Premier should suggest quite forcibly to the decision makers in Canberra that, if the country spends some $1 500 million on a new conventional submarine programme, those vessels may be outdated when completed because they will not be nuclear powered as are many of the submarines in the world's foremost navies. Again, with our own uranium and the possibility of the process being completed within the Iron Triangle, it seems to me that the nuclear technology required for nuclear-powered submarines could be based at Whyalla where shipbuilding has been a traditional industry. I note that the Minister of Agriculture is interested in this, being a Whyalla resident.

Some of my friends inform me that submarines are not built in conventional shipyards, that the two techniques or industries are worlds apart. I remind them that the pressure from union interests centred on the Cockatoo Island dockyards in Sydney for the submarine programme is immense. Conventional naval shipbuilding has always been associated with Cockatoo Island. Also, from a ferry in Sydney Harbour recently I noticed a submarine obviously undergoing a refit at Cockatoo Island in Sydney Harbour. I suggest that such big issues should occupy the State Government's time so that both Australia and South Australia may benefit much more in the long term than may be the case if present deliberations are pursued.

Finally, this traditional Address in Reply debate provides, by Westminster convention, the opportunity for elected representatives of the people to bring before Parliament matters of public interest that have come to the notice of members since the prorogation of the previous session. I now raise an issue of deep public concern. At the Marion factory of the furniture manufacturers Mabarrack Brothers, the State has witnessed through the medium of television and through the daily press the behaviour of pickets from a union which endeavoured to force employees to join that union. The worst kind of pressure and the worst sorts of industrial blackmail tactics were used against young South Australian workers who insisted on the freedom of choice as to whether or not they would join a union.

Similarly, bully boy tactics have been recently employed on some building sites in South Australia. The enforcers have pressured employers, subcontractors and employees to increase union membership against the free will of the employees. I am particularly concerned in this latter area because many members of the Italian community, who traditionally make up a large sector of the building industry, have been adversely affected. These practices are unAustralian and should be publicly condemned by the State Government and by all in authority.

The voice of the Government has not been heard, except to whimper the excuse, as the Attorney-General did in this Council the other day, that it was a civil matter. My Italian friends and other people want to hear the Premier state loudly and clearly that strong arm tactics to enforce unionism should be condemned. I acknowledge that, as he is supported by the trade union movement, the Premier is in a difficult position, but surely there comes a time when elected leaders should stand up and be counted.

In dealing with such matters as mining exploration, land rights legislation, uranium mining, the potential use of uranium, the submarine construction issue, and undue pressure by union pickets, I have endeavoured to stress that, at a time when there are some signs of the South Australian economy improving and when the private sector is showing initiative and new drive, there is now a need for the State Government to have the courage to throw off many of its traditional constraints and show leadership, strength and vision. This enterprise should not be of the kind that we witnessed in the Dunstan years of the 1970s, but concentration should be on economic growth, employment opportunities, industrial leadership, and real prosperity for all South Australians. I support the motion.

The Hon. G.L. BRUCE: I, too, support the motion and in doing so add my condolences to those already expressed by other members in relation to the four previous members of the South Australian Parliament who passed on during the life of the last Parliament. Some of those members were known to me personally, and it comes as a shock tinged with sadness to realise that they have left their mark on South Australia and society and have passed on. My sympathy goes to their family.

The Governor in his address touched on many aspects of South Australia and how the Government was dealing with the various needs of the community. I believe that overall the Government is doing a good job. However, the aspect to which I would like to turn my attention is unemployment. Australia's unemployment rate last month was 8.8 per cent, the lowest since November 1982. South Australia's unemployment rate increased slightly to 9.2 per cent compared with 9.1 per cent in June last year and 10.7 per cent in July last year. Figures released by the Commonwealth Statistician show that in seasonally adjusted terms 628 000 people were looking for work last month compared to 724 300 in July last year.

While these figures are an improvement and while Governments can take some heart and credit, that is not what really concerns me. What concerns me is that the high levels of unemployment that have been thrown up over the past decade both in Australia and indeed in most of the developed Western countries of the world point to a trend that I believe is fast becoming a fact of life, that is, that unemployment figures of this magnitude are here to stay unless there is a radical approach to this world wide and Australian problem.

It does not seem fair to me that children and adults, through no fault of their own and just because of the luck of the draw that gives some people a secure job and a sound income, are consigned to unemployment benefits for an uncertain and undetermined future. The whole of our society is paying the price for unemployment. I have just returned from a recent visit to Sydney and it seemed to me that a person's home there was fast becoming a fortress because of the number of thefts and break-ins. All major capital cities are suffering from the same complaint. The fastest moving articles, according to reports, are stolen video receivers. The whole of society is being brainwashed with modern technology, and is being urged to have in the home modern technology, such as television sets, video recorders, micro wave ovens, freezers, dishwashers, and everything else; the list is endless. We just cannot have the sharp division that this makes between the 'haves and have nots' in society.

I believe that we all—not just those people who are lucky enough to be employed—should be able to participate in the fruits of modern technology. I can see the injustice if a person who works receives the same amount as a person who is unemployed. So what is the answer? I believe that serious consideration should be given to restructuring workloads. The person who is employed on a permanent basis now receives four weeks annual leave a year, two weeks sick leave and, in a given time (10 years) qualifies for 52 hours a year long service leave, that is, one week and 1½ days. That is a total of seven weeks and 1½ days plus public holidays during which a person is unproductive, assuming that he takes his two weeks sick leave. Even though that amount of time must be covered, the unemployment rate is still around 10 per cent.

Is the answer even more leisure and a duplication of workers' absences by someone else? When that issue is raised it is argued that that person should not get that amount of time off, that he should have a longer working week, and that a shorter working week should not prevail. Through this increased work productivity, the cost of goods and consumer products to which we are entitled increases and the cost of other articles comes down because of increased productivity. But I am not too sure who can afford to buy because of this increased productivity if that argument is pursued. I can see no way in which modern technology can be kept out of industry. As far as I can see, modern technology does not require increased manpower for its operation. On the contrary, factories are introducing robots to do production line work—they require no lighting, heating, lunch breaks, smokos, holidays, sick leave, long service leave or public holidays. They can produce continually with a minimum of personnel. Where do we go? Surely somewhere someone must have enough brains, goodwill and willpower to help solve this problem. The coal miners in England are fighting to protect jobs that evidently do not exist.

I can never understand our mentality. When we are married the first thing that we do is buy every modern, time-saving and labour saving device; anything that will help make life a little easier and better for the houseworker is procured. We certainly do not kick out our mate, however, when we procure these labour saving devices. We do not say that we do not want them anymore. Yet the minute the

same technology, the same marvellous product of our modern age, is put into a factory to make life a little easier, people are shown the door. It is stiff luck—they are made redundant.

My concern is for the unemployed. It is my belief that, if we accept the Christian work ethic of a fair day's work for a fair day's pay, then we are obliged to provide a fair day's work. If we accept that this ethic no longer applies, we should go back to the drawing board and ensure that we all share in the work that is available and in the fruits of modern technology. It is a challenge and I do not know the answer, but I believe that we should be picking out certain types of industry and experimenting, even if it means using the public purse in conjunction with the private sector. Let us see what can be done. If we do not do that, and if we cannot accept the challenge for a better life for all, we will all suffer from the disease of unemployment in one form or another.

I understand that unemployment benefits, the Commonwealth Employment Service, the Community Employment Programme and other Government responses to unemployment will cost us about $3.5 billion this financial year, so we are talking about a problem that should concern us all. We are called upon to make a significant contribution to pay for this blight on our society. It behoves us all to try to do something to change or reverse that situation.

I refer now to what the Hon. Martin Cameron said in relation to outback four-wheel drive vehicles and his concern about the environment. I must support the honourable member's comments, but not in relation to the outback, as I have not had the pleasure of going there (although I have been a bit closer to home, to the Flinders Ranges). One of the joys of the Flinders Ranges in season is sitting around a camp fire, and everyone does it. Years ago, when I first went to that area, wood was plentiful and easily obtained. On my last visit wood was as scarce as the proverbial hens teeth. People with chain saws and trailers were bringing loads of wood back from God knows where in the ranges, and I believe that the situation has got to the stage where wood should be made available for purchase to whoever wants it, perhaps from someone under the control of national parks in areas such as the Flinders Ranges. This may seem extreme, but I for one would welcome the opportunity to purchase a load of wood for my campfire when I chose to go to the Flinders Ranges. That is one of the most beautiful areas not only in South Australia but also in Australia and the world.

It is also one of the most fragile environments. In passing, I refer to tourism and the fact that the town of Hawker is setting itself up as the gateway to the Flinders. The old railway station and goods shed are to be developed at a cost of $627 000, of which $50 000 will be made available by the Hawker Council as its contribution. This scheme will create short term employment for 35 people and should generate full time employment for five people. It sounds like a worthwhile project and I wish them well in their endeavour, they deserve it for showing such initiative. I believe that the Government has shown its commitment to tourism and to national parks and will act to ensure that environmentally South Australia's outback, such as the Flinders Ranges type of situation, is protected.

One event that takes place in South Australia this year that I feel is worthy of comment is the centenary of the United Trades and Labor Council of South Australia, which has given 100 years of service to the workers of South Australia. It is interesting to note that in 1884 when it was formed the objects of the United Trades and Labor Council were, first, to unite more closely the various trade societies which existed; secondly, to discuss in a united way any question affecting the welfare of any society; and thirdly, to have more political influence in the colony.

One could ask what has changed. I believe that it is still striving for those original ideas, which seem as sound today as they were then. I refer to some of the quotes from the history of the United Trades and Labor Council of over 100 years ago. This possibly relates to what the Hon. Murray Hill said about unions and how they behave. The history states:

> The council was essentially a political organisation, but not in the sense that its member unions had adopted any distinctive ideological stance which they wished to impose on the political system. Some of the affiliated unions had particular interests; the building unions and unemployment, the seamen's union and Chinese labour, the coachmakers and protection, and so on. The ideas of Henry George and protectionist philosophy were common, as was the belief that the needs and wishes of the working class should be expressed and heard in a democratic way. However, these ideas were not apparently systematised or adopted as council policy. The United Trades and Labor Council was 'political' in the sense that it sought to achieve its ends primarily by influencing the legislature to act.
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> During the first year of the existence of the council the political influence which its members sought was concentrated on the issues of unemployment, immigration, Chinese labour, protectionist issues, and support for the Employers Liability Bill dealing with compensation for injured workers. The ways in which the Council sought to promote its interests were on the one hand the lobbying of politicians and lending verbal support and encouragement, and on the other, by the use of public meetings, to sway the community at large.

What has changed in 100 years? The ideals expressed then are the ideas we are still striving for now. In fact, we intend to discuss workers compensation, have discussed it in the past and will discuss it again in the immediate future. We often hear from the uninformed that 'We could get by without unions, thank you very much; keep out of it.' How could any association thrive and flourish for 100 years if there were not a need for it? I extend my congratulations to the Trades and Labor Council on its 100 year centenary and have no doubt that it will be here in another 100 years. I wonder how its three original principles will look then?

In past Address in Reply debates I have consistently stated that I believe that there is a significant role to be played by this Legislative Council in the political arena and that that role is in committee work. In the five years that I have been here I have not changed that view and am more firmly convinced than ever that the role of committee work is one that benefits all the people of South Australia. I have held the position of Chairman of the Joint Committee on Subordinate Legislation during the past year and have found it an interesting and stimulating role. I must pay tribute to the backup staff of that committee as without their commitment and dedication it could not function.

The collective wisdom of my Parliamentary colleagues of both major political beliefs who are on this committee has also been of immeasurable value in considering the many regulations that came before us. The report tabled before this Parliament gives some indication of the involvement of this committee in assisting the Parliamentary system to function. Honourable members will note that some 102 witnesses appeared before the committee and gave evidence on various subjects of concern to them. I believe that in all cases the committee gave every consideration to the evidence presented by those witnesses. However, I believe that at least a couple of matters considered by the committee would have been better served by a Select Committee.

Two regulations that spring readily to mind that occupied more than their fair share of the committee's time involved tow truck regulations and the taxi cab industry regulations. The committee gave every consideration to the vast amount of evidence presented to it and finally recommended to Parliament that these regulations be approved. Successful moves were made in the Parliament to disallow the regu-

lations. Following this a Select Committee was set up to consider the taxi cab regulations, and the tow truck regulations have been reimposed and will have to be reconsidered. I believe that matters such as those, which are known to be controversial and subject to lobbying and politics, would have been better served by referral to a Select Committee.

Select Committees of this Council have traditionally consisted of three Government and three Opposition members. Such representation on a committee seems to put everyone on their mettle to arrive at a sensible solution to a problem. It allows adequate consideration of all viewpoints from the political arena. Although I have not canvassed these views with members of the Joint Committee on Subordinate Legislation, I would be interested to know how its members view the points that I have raised.

I was pleased to see tourism mentioned in the Governor's Speech. I am firmly convinced that properly controlled tourism can be of enormous benefit to the State. It is a labour intensive industry, and given the right amount of expertise has an unlimited future. In many of the noted tourism areas I have frequented there have been many people returning to enjoy sights that they enjoyed on previous visits. I have travelled to many areas in this State and where a tourist project has been developed on the potential of the area, and adequate back up services have been provided, they have flourished. It has at last been recognised by the industry itself that while its members are in competition with one another it is important that they supplement one another.

It concerns me that in many tourism areas the input from the State is not given the recognition that it warrants. Individuals can make or mar a visitor's impression of South Australia and there is little that can be done to undo the harm when input or advice from the Government is not sought or, if given, not heeded. To my way of thinking that is most unsatisfactory for all concerned.

From my travels around the State I am firmly convinced that there is still plenty of potential to develop good, soundly based tourist developments. During a trip to West Lakes and West Beach last week we saw the potential that has yet to be tapped at West Lakes. We saw the development of some 30 low-cost family accommodation cabins at West Beach with more development planned. This shows what can be done if vision, enthusiasm and research about the needs of tourists is undertaken. It appears from research undertaken by the West Beach Board that occupancy of those 30 units will be no problem. In fact, there will be a waiting list for them. It is not only the development of this type of project that is important but also the spin off, the multiplying factor, that is created which in the long term will prove of benefit to the community and to the State of South Australia. It is vital that the Government is involved in the tourist industry to give guidance as to where and how the industry seeks tourist development in South Australia.

On a recent visit to Norfolk Island, where the sole industry is tourism, I noted that the Legislative Assembly, in April 1983 (after months of study and debate), delivered the following policies on tourism:

- Tourism is recognised as the basis of the island's economy.
- Norfolk Island is to be regarded as primarily the home of its residents and not primarily as a tourist resort.
- The desired level of tourism was set for the time being at 24 000 people per year.
- The Assembly recognises that tourism has both good and bad effects and seeks the best balance between these.
- The commercial benefits of tourism should go mostly to Norfolk Islander residents rather than to non-residents.
- Local ownership of tourist facilities is encouraged and overseas ownership is not encouraged. As an illustration of this the Assembly does not seek an overseas financed international luxury standard hotel.
- The quantity of tourist accommodation should be controlled by appropriate legislation and for the time being should not be increased.
- Conservation and ecological protection are recognised as essential not only for tourism but for present and future generations of residents.

While the tourist industry on the island is neither operated nor controlled by the Government, its decisions can influence the way in which it develops. The points made show the constraints that a Government can place on the development of tourism, the incentive it can give, and the guidelines of which legislative control is capable in the industry. Norfolk Island decided on the present level of 24 000 tourists per year as it considers that is its limit of tourism that the island can stand. So, there is no doubt that a Government can lay down guidelines under which tourism can operate.

The report that the Attorney-General commissioned last year on the Licensing Act, compiled by Mr Peter Young and Mr A. Secker, is now awaiting public comment prior to the Government bringing in legislation on it. Irrespective of how one feels about some of the changes mooted in the report, full points should be given to the authors for such a fine and detailed study of the legislation. At least when we come to debate any changes we will know why and how such changes were recommended. It is a significant report and I congratulate the authors for their detail, time and effort. I also commend the Government for the initiative shown in coming to grips with the Licensing Act, as I believe that it is long overdue for an overhaul. I support the motion.

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

PRICES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 8 August. Page 92.)

The Hon. J.C. BURDETT: I rise to speak to this short Bill. The parent Act gives certain powers to the Minister of Consumer Affairs to fix and declare maximum prices at which declared goods and services may be sold or provided. It also gives the Minister the power to fix and declare minimum prices for wine grapes. Section 53 of the parent Act provides that the powers and the orders made under them expire on 31 December 1984. Since 1949, the time of the original Act, it has been necessary to extend the provisions and the powers, first, year by year until 1978, and then every three years, the past three years expiring on 31 December 1984.

These days we call this type of measure a sunset provision. The sunset provision originated in the United States where it is now well accepted, just as it is here. The sunset provision allows for certain provisions in Acts of Parliament and certain statutory authorities to come to a grinding halt unless they are renewed by Parliament from time to time. The powers contained in the Bill before us are very interventionist and enable the Minister to fix certain things by himself. It makes sense that Parliament should have scrutiny over the provisions of the legislation and should be required to renew them, if it deems that necessary, from year to year. I believe that section 53 is a reasonable provision. Parliament should have this control and should be able to renew the provision year by year or every three years.

In the Minister's second reading explanation he made the point that since 1949 Parliament has never refused to extend the operation of these powers. The Minister now says that that necessity should be taken away and that these provisions should be a permanent part of the legislation. I have fairly grave reservations about that. I believe that this is the kind

of provision that should remain as a sunset clause, subject to Parliamentary scrutiny. I do not oppose the Bill in view of the matter raised by the Minister, namely, that since 1949 Parliament has never refused its consent to carry on. When the Minister commenced his second reading explanation he did not provide the Opposition with a copy of it. This has been traditional for a long time.

The Hon. C.J. Sumner: You're joking!

The Hon. J.C. BURDETT: It has been. When, by interjection, I raised this with the Attorney, he said that he had a copy of the speech—indeed he had, it was marked 'Leader of the Opposition'—and that he would provide a copy after he had finished his speech. I hope that in the future the long-standing tradition will be observed, namely, that when a Minister starts his second reading explanation of a Bill he provides the Opposition with a copy. Further, I comment on the copy itself. The copy was not the original; it was marked 'Leader of the Opposition'. It carries this paragraph:

> Furthermore, the removal of section 53 will avoid the risk that some future Bill to extend the time limit in the section may not be passed before the deadline by virtue of the ever increasing volume of business considered by the Parliament.

In other words, it is suggested that the reason for not having a sunset clause is that the Government might forget to introduce extending legislation. That is an unworthy suggestion. It is interesting to note that on the copy of the speech marked 'Leader of the Opposition' that this paragraph has been struck through. Either the author or some other person agreed with me and thought that this was not a proper remark.

An honourable member: I think it was the Minister.

The Hon. J.C. BURDETT: Well, whoever it was, it was struck through and then someone has written 'stet' in the margin, indicating that it should stand and, indeed, it was read by the Minister. This is quite remarkable. If it was the Attorney, and he said it was, he was right in his first reaction to strike it through. Certainly, on some occasions a sunset clause is quite proper. If a sunset clause is deemed necessary, a Governemnt would be irresponsible if it did not ensure that the extending Bill was introduced and in due time to come before Parliament for consideration. For the reasons I have indicated, I do not have any grave opposition to the Bill.

The Hon. C.J. SUMNER (Attorney-General): I thank the honourable member for not having any grave opposition to the Bill. I am pleased that what we have had to do in this Parliament on a yearly basis, or at least in more recent times on a three-yearly or five-yearly basis, we will no longer have to do. If the Prices Act is to be repealed it can be done by the introduction of a Bill. To comment on the honourable member's somewhat irrelevant remarks about not receiving the second reading explanation, I assure him that it is not the intention of the Government to depart from the usual practice concerning these speeches. I trust that that assurance will satisfy him.

I have a confession to make with respect to the final matter to which the honourable member referred. It was I who struck out the final paragraph of the second reading explanation, because I thought that that explanation was drawing a long bow in attempting to justify the Bill that I presented. Then, as all the other copies had it on and as I did not want to hold up the introduction of the Bill, I reinstated it. I confess that it is all my fault. I agree with the honourable member that the reason outlined in the final paragraph is not particularly meritorious. I am pleased to see that the honourable member is not opposing the Bill.

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

SOUTH AUSTRALIAN COLONISATION ACT

The PRESIDENT: I have a brief history of the South Australian Colonisation Act that might be of interest to honourable members. The South Australian Colonisation Bill was introduced in 1834 on 23 July. It was passed in the House of Commons on 5 August and was proclaimed on 14 August 1834—150 years ago today. This is the 150th anniversary of the proclamation of the South Australian Colonisation Act by the British Parliament.

ADJOURNMENT

At 5.40 p.m. the Council adjourned until Wednesday 15 August at 2.15 p.m.