HOUSE OF ASSEMBLY

Tuesday 17 February 1981

The SPEAKER (Hon. B. C. Eastick) took the Chair at 2 p.m. and read prayers.

SOUTH AUSTRALIAN MEAT CORPORATION ACT AMENDMENT BILL

His Excellency the Governor, by message, recommended to the House of Assembly the appropriation of such amounts of money as might be required for the purposes mentioned in the Bill.

PETITION: HOUSING TRUST RENTS

A petition signed by 46 residents of South Australia praying that the House urge the Government to introduce a fair and equitable system of rent payments for all Housing Trust tenants was presented by Mr. Bannon.

Petition received.

PETITIONS: PROSTITUTION

Petitions signed by 172 residents of South Australia praying that the House urge the Government to strengthen existing laws against the prostitution trade, reject any proposal to legalise the trade, and request the Commonwealth Government to sign the United Nations Convention on Prostitution were presented by Messrs. Hamilton, Lewis, and Millhouse.

Petitions received.

QUESTIONS

The SPEAKER: I direct that the written answers to questions, as detailed in the schedule I now table, be distributed and printed in *Hansard:* Nos. 729, 757, 860, 878, 889, 893, 894, 925, 933, 937, 998, 1001, 1010, 1012, 1014, 1021, 1025, 1032, 1033, 1035, 1166, and 1177.

STAMP DUTY AVOIDANCE SCHEMES

In reply to **Mr. McRAE** (3 December 1980).

The Hon. D. O. TONKIN: The Government is aware of the duty avoidance schemes involving the transfer of shares in a "nominee" company which is the trustee of the discretionary trust, but no attempt was made in the Stamp Duties Act Amendment Bill recently passed by Parliament to deal with that particular aspect of such schemes. In the schemes of this kind brought to the notice of the Stamp Duties Office, it has been found that other action was necessary to give effect to them; for example, an "equitable mortgage" had been executed, or the objects of the trust were changed, or a new trustee was appointed. The recent amendment dealt with these aspects of this kind of scheme. At the same time, it was necessary to avoid penalising persons engaged in normal *bona fide* business transactions.

As the honourable member mentioned, it is possible, by complex and devious means, to avoid payment of stamp duty which would otherwise be payable. However, the Stamp Duties Office is alert to detect schemes of this nature, and the Government will continue to take appropriate action to counter them.

DEFINITION OF TRANSFER

In reply to **Mr. CRAFTER** (3 December 1980).

The Hon. D. O. TONKIN: The definition of "conveyance" in section 60 of the Stamp Duties Act is a definition of the instrument which will attract conveyance duty whereas the definition of "transfer" contained in section 71 (15) relates to certain transactions which will attract conveyance duty.

LITTLEHAMPTON PRIMARY SCHOOL

The SPEAKER laid on the table the report by the Parliamentary Standing Committee on Public Works, together with minutes of evidence, on Littlehampton Primary School Redevelopment.

Ordered that report be printed.

PAPERS TABLED

The following papers were laid on the table:

By the Minister of Mines and Energy (The Hon. E. R. Goldsworthy)—

Pursuant to Statute—

I. South Australian Energy Council—Report, 1979-80.

By the Minister of Mines and Energy, for the Minister of Education (The Hon. H. Allison)—

Pursuant to Statute—

I. Legal Services Commission of South Australia—Report, 1979-80.

By the Minister of Marine (The Hon. W. A. Rodda)—

Pursuant to Statute—

I. Harbors Act, 1936-1978—Regulations—Port MacDonnell Boat Haven—Fees.

II. North Arm Fishing Haven—Fees.

III. Robe Boat Haven—Fees.

By the Minister of Agriculture (The Hon. W. E. Chapman)—

Pursuant to Statute—

I. Meat Hygiene Act, 1980—Meat Hygiene Regulations, 1981.

By the Minister of Environment (The Hon. D. C. Wotton)—

Pursuant to Statute—

I. City of Burnside—By-law No. 19—Noisy Machinery.

II. By-law No. 26—Depositing of Rubbish.

III. By-law No. 62—Cattle.

IV By-law No. 84—Vehicles on Reserve.

V. City of Port Augusta—By-law No. 89—Weight Limit on Streets.

STATE FINANCES

Mr. BANNON (Leader of the Opposition): I move:

That Standing Orders be so far suspended as to enable me to move a motion without notice forthwith, such suspension to remain in force no later than 4 p.m.

Motion carried.

Mr. BANNON: I move:

That this House expresses its alarm at the worsening financial position of the South Australian Government caused by the incompetent management of the Treasurer and calls on him to resign.

For some time it has been clear that the policies of the Tonkin Government were leading South Australia toward severe financial problems. Twelve months ago we learnt that the Premier had written to his Ministers warning them that a $40 000 000 deficit on the revenue component of the

combined accounts was in prospect for 1980-81, this financial year.

Six months ago the Premier brought in the Budget, and we saw that the underlying weakness in Revenue Account had not been overcome and that Loan funds were needed to be transferred to balance that account. Then last Wednesday, the Premier admitted, at the end of a tortuous and tedious recitation, as an afterthought almost, that his Budget strategy was in tatters and that the expected deficit of $1 500 000 had ballooned to at least $10 000 000.

The Opposition has been aware of these approaching problems for some time. In my reply during the debate on the Appropriation Bills last September, I warned that a deficit in revenue, once established, was not easily recovered. I said that this Government was at the beginning of a serious cash-flow problem that would affect not only its short term in office but would remain as a legacy unfortunately for succeeding Governments. Meanwhile the Premier made a great deal of his so-called surplus of $37 000 000 on the combined accounts for 1979-80.

He attributed this result to controls over expenditure but could not point to one example of waste and mismanagement, nor could he demonstrate that he had reduced recurrent expenditure; on the contrary, it continued to grow while the State's revenue base shrank. In fact, after transfers for future commitments, that surplus only increased the accumulated balance of funds on hand by $900 000 at the beginning of 1980-81. So, it was largely illusory, and the fact that the accounts were not in a particularly buoyant shape was confirmed by the round of increases in State charges that immediately followed.

We must recall at all times the Premier's injunction, while he was in Opposition, to remember that there is no difference between a State tax and a State charge; in fact, the two have the same effect and the same result. Despite those increases, revenue for the first seven months of the 1980-81 financial year stands in deficit to the tune of $31 600 000, which is a slight improvement on last month's record for a half-year period of $39 300 000.

Of course, I agree with the Premier that monthly figures do not necessarily give an accurate representation of the final result for the year, but a comparison of a particular month with similar periods in earlier years at least is a basis on which to judge performance. By this measure the financial performance of this Government gives great cause for concern.

Certainly, as the Premier will no doubt remind us, as he attempted to do last Wednesday, previous Governments have carried deficits, though not as large. The Premier has already tried to avoid the issue by referring to the Labor Administration in 1977-78. But in making that comparison he misses an extremely important point. That Dunstan Government was involved in that year in major employment creation. It had allocated $22 000 000 to create jobs and to cushion the South Australian work force from the worst effects of the national recession. This scheme no longer exists, as we know to our community cost when we examine unemployment figures, particularly among young people. That Government in 1977-78 began its financial year with a healthy surplus of $18 400 000 in the current account. There was money in the bank to pay for what was a planned deficit, not a deficit that arose as a result of miscalculation and mismanagement, as appears to be the case in this instance. That Government also was pursuing an active public works programme. In comparison to 1977-78, the Tonkin Government has virtually cut back at least $18 000 000 on vital community projects in the Loan programme.

The Tonkin Government has no major expenditure commitments aimed at direct job creation, no expenditure on public works to try to get over the recession, as the Labor Government had. In fact, the public works programme is being used simply as a tool to regulate the deficit. This is a do-nothing Government with a major deficit looming and nothing to show for it. In fact, it is possible that its deficit position is misleadingly low, given its reduced commitments to the community, commitments which it should be meeting.

The Premier last Wednesday made something of the level of public debt, but I invite members to examine the figures that he quoted, and they will find that the State's debt liability has never grown over a period of time at greater than the inflation rate. There has been nothing of alarm or concern in the growth that took place in those years. The result for which the Premier claims credit, an increase of 4.5 per cent in his first Budget in 1980, was brought about not by some great financial management on the part of the Government, but because of the cut-backs in the Loan borrowing ability of the Government under the restraints of the Fraser policy, which has hit this State extremely hard. The rise in the public debt is not something on which the Premier can focus any sort of attention.

Another reason why the public debt increased in the way it did (at less than the inflation rate, but increased nonetheless) is that interest rates rose. The reason for that policy can be laid very firmly at the door of the Federal Government. Those rises are referred to in the Auditor-General's Report, page 25.

Let me suggest three bases of the Government's problem. First, the Premier cannot add up; he got his sums wrong during the election campaign and he is paying for that very costly mistake. Secondly, the Premier has not found the waste and mismanagement in the Public Service that he predicted and assured us he would find. Thirdly, the policies of this Government have killed off the economic recovery that was evident in 1979, and that in turn has affected the State Government's financial situation.

The Hon. D. O. Tonkin: Can I have those three points again, because—

Mr. BANNON: I will deal with those three points, and the Premier can take his notes accordingly. It is now an accepted fact that the Premier's detailed costing document produced during the September 1979 election was worthless; in fact, it has proved to be quite damaging. The Premier is making a virtue of necessity by boasting of the magnitude of his cuts in the State revenue, but for an indication of his inability to add up let us consider the three main areas in which tax cuts have been made—succession duties, gift duty and land tax.

In the Premier's costing document of 1979 (page 11), an estimate shows that the expected loss for those three components in a full year will be $11 100 000. The Budget document shows clearly that the actual loss is at least $22 400 000. That is poor arithmetic; bad calculation and research has resulted in a loss of at least $11 000 000 over what the Premier estimated. That is part of our accounts for this year, and will be the case in every succeeding year. The Premier has been anxious to shift the blame for this loss. Ever since becoming Premier, he has taken every opportunity to try to blame wage and salary earners for his financial problems. If members care to study the Premier's press releases that are issued each month and the financial statements, they will see a ritual reference to wage increases. It is a basic prop for the Premier, the first excuse, always there if he needs it. However, his arguments, repeated tediously last Wednesday, ignore a

saving made last financial year because of the delayed national wage case. The percentage rise claimed in wages and salaries may be over-stated if rises flowing on from last year are included.

Let me deal with the second point—waste and mismanagement. The Premier, it seemed, believed his own propaganda about slashing Government expenditures by cleaning up a wasteful public sector. He has not found any degree of waste and mismanagement, and he has certainly not cut Government expenditure: if he had, it would have shown up in the revenue component of the accounts, but there is no such indication. The savings pointed to have largely resulted not from waste and mismanagement being found but from cuts in public works expenditure. I detailed these areas in the Budget debate last September, and the areas included health, water and sewerage, woods and forests, marine and harbors, schools, and further education, cuts totalling $29 000 000. This is the result not of saving waste and mismanagement but of deferring or cancelling vital public projects.

Let us deal with the third area. The most serious aspect of the Premier's financial problem is the present state of our economy. The Premier based his Budget on the assumption of a 9·1 per cent rise in revenue from South Australian sources. This is a low figure and reflects a less than optimistic view of the State's economy, because our major source of revenue depends on economic activity. The Premier said as much in his Budget speech, although not too loudly. Any increase, he said, would come from inflation, and not as a result of increased activity by South Australian business. The estimated rise was also low in relation to other States. South Australia's nearest competitor, Victoria, forecast a 13·3 per cent rise, and New South Wales a 14·9 per cent rise.

In fact, to January 1981, only stamp duties among the State's major revenue sources have exceeded expectations on an annual basis. Overall Government receipts from local sources have increased by only 7·2 per cent, compared with that full year estimate of an increase of 9·1 per cent. Pay-roll tax collections, estimated to increase by 13·2 per cent, have risen by less—11·8 per cent on an annual basis. That indicates the sluggish employment growth in the State. It confirms that we are failing to create sufficient jobs for South Australians.

The Premier cannot have it both ways. If wages are increasing at a higher rate, then this should be reflected in pay-roll tax receipts, so if he wants to use wage rises as an excuse for his mistakes he will have to explain how wages can be rising so drastically yet his receipts from pay-roll taxes falling, despite the calculations he has made. The answer, of course, is that the level of economic activity and the number unemployed are completely askew with Government calculations.

The State's public undertakings are also returning much less than expected, and that, too, is an economic indicator. The Budget predicted a growth rate of 11·6 per cent. To January it was only 6·3 per cent. One instance is the Department of Marine and Harbors, whose revenues were forecast to rise by 27·4 per cent but, instead, there has been an actual decline in revenue so far on an annual basis. There, as I say, is not just a public undertaking not returning the revenue expected but an indicator of the parlous state of the economic activity in this State.

Significantly, receipts from motor vehicle registrations also appear to be down on budgeted levels. That reflects falling new motor vehicle registrations in South Australia, some 45 500 in 1980 compared with 47 400 in 1979. Let us not forget that the Tonkin Government, in its submission to the relativities review in February last year, claimed that our share of national new vehicle registrations was a good indicator of economic performance and economic conditions in South Australia. It was also an indicator of consumer confidence. We saw in today's paper what had happened to consumer expenditure in 1980 under the Tonkin Government, compared to the position in the rest of South Australia.

The Hon. D. O. Tonkin interjecting:

Mr. BANNON: Let the Premier listen to his indicator of what are good economic condition in this State. In December 1979, that share of national new vehicle registration was 8·51 per cent; in December 1980, it had dropped to 7·79 per cent, so it should be clear, even to the Premier, that we face major financial problems in this State which will not be talked away. If there is to be optimism, it must be false optimism. If there is to be an assessment of our economy, it must be based on realism and not the Premier's whimsies and hopes.

Given that parlous situation, what are the Premier's options? I suggest that only three or four are open to him. He can find some sort of new tax or fall into line with Mr. Fraser's wish to see the States collect their own income tax—that is one option. He can order yet another round of increases in State charges—that is another option. He can further cut or defer public works and so use the Loan Account and the savings (in inverted commas) that he makes there to keep his Budget stable—and that is a third option. He might use a combination of all three. Then there is a fifth option—he can manipulate the figures by transferring sums held in other accounts for future commitments into the current account and thus make his budgetary position appear to be better than in fact it is.

Let us deal with those options. First, I will accept for the time being that the Premier is not about to levy a new tax. He has certainly assured us that that is not the case, nor that he is going to collect revenue by a measure that he will describe as a new tax.

I am using the term "tax" there in terms such as a retail turnover tax, or some other aspect of taxation, as it is normally described. However, we should remember that the Premier, in Opposition (and I believe quite rightly), pointed out that there is no real distinction between taxes and charges. They are all taxes; they are all impositions on people in the community. The Premier will not raise revenue by a taxing measure, as we would call it. In fact, his Government has been engaged, not so much in tax cutting, but in tax shifting. For every dollar that comes off the progressive and equitable direct taxes a dollar will eventually be added to regressive and inequitable indirect tax, in this case by way of State charges.

We now come to options 2 and 3. I suggest that both of these are being attempted by the Premier to overcome his acute financial embarrassment. We now have evidence that this Government is about to embark on another round of increases in State charges. More significantly, the evidence shows that the level of increases will be greater than that needed to cover inflation and, in fact, will be the first step towards a "user pays" principle for community and public services. We also have evidence that this Government is examining its operations, both recurrent and capital, to see whether lack of any firm commitments can allow it to defer or reschedule expenditure or, indeed, cancel such projects. How can we make such a firm assertion? The answer is that it is contained in a minute dated 15 January 1981 and signed by the Premier and Treasurer himself.

The Hon. D. O. Tonkin: Goodness! You've got another one.

Mr. BANNON: It is interesting that the Premier is getting very excited about the fact that this document is in the hands of the Opposition. However, it is not surprising

that this document has come into the Opposition's hands in light of the bogus optimism shown by the Premier and the sort of nonsensical statements he has been making in recent weeks. I would say that answers such as those he gave last Wednesday, which were an insult, not only to the Opposition but also to his back bench and to this Parliament, are reasons why these documents are coming into the hands of the Opposition.

Let us examine this document, which confirms everything I have been saying about the grave nature of the State's financial crisis, laugh it off as the Premier may. The minute states:

> On Monday last, I informed Cabinet of a further deterioration in the overall position on the combined accounts for 1980-81. Work value wage increases and interest on the public debt have both exceeded the Budget expectation. Departmental expenditures are also running beyond Budget allocations in some instances.

That last sentence is a very interesting statement from a Premier who lays such weight on his ability to cut waste and mismanagement in departments. I have stated already that he has not managed to cut Government expenditure and, in fact, that statement, that departmental expenditures are also running beyond Budget allocations in some instances, confirms this. It is significant that it was not mentioned in his long-winded answer on the economy last Wednesday. The minute continues:

> Following discussion in Cabinet, all Ministers have undertaken, as a matter of urgency; *(a)* to exercise an even tighter control over all expenditure and to ensure that potential savings identified in the earlier reallocation exercise are achieved.

As the controls and reviews which he has been urging on his Ministers for over 12 months (witness the memos of last January) seem to have been useless, I am not quite sure what that exhortation will bring—nonetheless the Premier has made the statement. The minute continues:

> *(b)* to review operations (both recurrent and capital) with a view to rescheduling expenditures where firm commitments have not yet been made.

Indeed, that is a significant statement—"to review operations both recurrent and capital with a view to rescheduling expenditures where firm commitments have not yet been made". And the Premier instances that these "should be either as part of new Government policy initiatives or as part of normal operations". He is asking Ministers to search through their departments, find anything where the commitment has not been made (in other words, anything that has not been nailed to the floor) and virtually get rid of it. The minute continues:

> Cabinet has decided also that an immediate review should be made of all State charges (including those described as licences, registration fees, permit fees, etc., under Part I in the Estimates of Revenue) with a view to introducing appropriate increases as soon as possible.

The Premier goes on:

> As a guide in determining the increases which might apply, I suggest that: proposals for increases should have regard to the rate of inflation (now running at about 10 per cent per annum); proposals should take account of the fact that, because of work value cases, salary and wage costs for departments are increasing at a rate approaching 14 per cent per annum in 1980-81; new levels of charges should go as far as practicable towards covering the costs of providing services.

There is an interesting statement. It is the "user pays" principle enshrined by this Government, to the cost of this community in the long term. The minute continues:

> For those charges which have not been increased for some years, the increase should be greater than the recent rate of inflation so that a proper relationship between the charge and the cost of the service (or perhaps the capacity to pay) might be restored.

Now, there is a further interesting example. My Deputy will be dealing in great detail with this question of charges, but let us think for a moment about the capacity to pay as a guideline of setting fees, licences and registrations, and the implications that could have for our community. The minute goes on:

> Cabinet consideration of this matter would be assisted if the information about charges could be provided in the standard form of the attached schedule.

Indeed, the comprehensive nature of that schedule indicates that every single charge, fee, levy and impost of this Government is to be reviewed with a view to raising it immediately. There is one let-out; let us be fair to the Premier. He points out that water and sewerage rates will be increased from 1 July next, in accordance with normal practice, and, accordingly, may be omitted from this review. We can wait until July for further increases in that area. Then he asks Cabinet Ministers to make submissions no later than 20 February. The final touch I thought extremely interesting:

> Thank you for your co-operation in this matter. I regret that it is necessary to impose further demands on your staff at a time when they are already heavily committed on other reviews required by Cabinet.

Indeed they are, and the impact of the way in which the Government is fiddling around with the Public Service can be seen very starkly in the Public Service Board Chairman's report on the question of morale, a report which was tabled recently and which was highlighted in Saturday's *Advertiser* in the political column.

There is the evidence, signed by the Premier and Treasurer himself, that the situation is grave and urgent and that, short of substantial increases in State charges or cuts in public works expenditure, or both, it will go on deteriorating. Let us return to his admission last Wednesday that the deficit was ballooning. He would have known then that his Ministers were searching their departments for loose money and commitments not finalised. He would have known then that they were studying their commitments to find which were the less cast iron and stable, and which charges and fees could be raised. This gives great concern about the real size of the problem. If the Premier has already added to his calculations the money he hopes to get from the increased charges and deferred recurrent and capital programmes outlined in this minute, then $10 000 000 is misleadingly low.

I conclude by asking the Premier a number of questions that he must answer clearly. Does his figure of $10 000 000 take account of the proposed increased charges? Does his figure of $10 000 000 take account of the money that may be saved from further postponing of Government programmes? Can he assure the people of South Australia that the State's reserve accounts will not be run down to prop up his Budget and, most importantly, will he now give an accurate and honest assessment of our true financial situation? If he cannot answer those questions to our satisfaction (and I believe, on all the evidence so far that he cannot) he should resign forthwith.

The Hon. D. O. TONKIN (Premier and Treasurer): Having been accustomed in recent weeks to the heavy telecasting of cricket and tennis, one could be forgiven for believing this was an example of instant replay, delayed perhaps one week—

An honourable member: And in slow motion.

The Hon. D. O. TONKIN: —and in slow motion. I do

not know quite what the Leader of the Opposition hopes to achieve by this nonsense. It certainly has brought forward nothing new, nothing that has not already been dealt with either publicly or in this House. I can only say that obviously this is a Parliamentary extension of the Opposition's Report on State Finances. Not only did that report draw the Opposition's credibility seriously into question but that this addition draws it still further into question.

No doubt the report was an attempt to erode South Australia's developing confidences by asserting that State finances are in a shambles, but there are two most transparent falsehoods around which the Leader carefully skirted. Indeed, if anything, I suspect he has been constrained to bring this motion into the House today in some attempt to restore his credibility because the document that was released last week did nothing at all to help it. The statement on page 2 of the document is that the half-yearly State Budget position now stands at a record deficit. Obviously, the Leader of the Opposition does not understand what the joint Loan Account and Revenue Account budgeting is all about.

As I pointed out the other day, I am surprised, if he felt as strongly as this, that he did not enter the debate on the Public Finance Bill which allows for the final formalisation of the processes which have been used now for some years to combine and consider both Revenue and Loan Accounts together. We heard nothing from the Leader of the Opposition at that time—again, this draws the Leader's credibility into serious question. As to the deficit, the half-yearly State Budget position was $19 800 000 in December. I have already pointed out that the half-yearly deficit three years ago was $27 800 000 and, in today's terms, that would be $36 000 000, and yet the Leader persists in his statement. The January deficit on the combined accounts has improved to $7 600 000, which is well within the average limits for this time of the year. The Leader persists today in trying to explain away a glaring miscalculation or error, to which he has given considerble publicity in the last few days, that the statement in the Liberal Party's costing document costed our revenue cuts at $11 100 000 in one year.

Mr. Bannon: In three areas.

The Hon. D. O. TONKIN: Why three areas? We did not hear anything about three areas before. We heard that the Government when in Opposition had miscalculated, and that we had costed our tax cuts at $11 100 000. That was the Opposition's claim and the Leader cannot refute it. I have in front of me a copy of that document. At page 11, there is reference to the total cost of all tax cuts in a full year totalling $19 953 000, almost $20 000 000. Where is the Leader's credibility if he persists in peddling this fiction?

The Hon. R. G. Payne: It is still above yours.

Members interjecting:

The Hon. D. O. TONKIN: All I can say is that members opposite are very easily satisfied.

The SPEAKER: Order! I would draw to the attention of all members that the debate thus far has been conducted without undue interjection, and I trust that that position will continue.

The Hon. D. O. TONKIN: The gravamen of this entire Opposition argument, quite apart from the inaccuracies which it is intended to perpetuate, seems to be that, for some reason or another, the Opposition resents the fact that charges have to be increased, in spite of the work value studies and the increases in our wage bill.

The Leader of the Opposition has just spent nearly 35 minutes telling us why he wants taxation increased. He is saying basically and charging that South Australians are not paying enough taxation. That was the basis of his argument: South Australians, he said, are not paying enough tax. I have a pretty fair idea of what South Australians would say to that, and I have a question for him. I shall repeat it later, but I would like to ask him to say clearly, when he replies, giving us an honest and correct assessment of his own policies, whether he will go to the people at the next election advocating a reimposition of succession and gift duties, a reimposition of land tax on the principal place of residence, or other taxation measures.

He has gone on record today, quite clearly, as saying that the Labor Party in this State, the Opposition Party, strongly advocates higher State taxation for South Australians; no other interpretation can be placed upon it. It is indeed the Opposition policy, and I think members opposite should be honest enough to say so. Perhaps the Leader has been honest in the remarks he has made today.

I believe that the introduction of this motion is designed to bolster up the report which was based on inaccuracies and which was released by the Opposition last week. I think the introduction of this motion also calls into quite serious doubt the credibility of the Opposition. Why is it being done now? If it is such a burning question, why was it not brought in on the first day of this sitting? There is no way in which this attempt at the publication of blatant falsehoods is anything more than a grasping and futile attempt by desperate men opposite, desperate for their own positions, to halt the State's recovery at any cost, and time will provide the answer to the accusations they have made.

The opportunity existed when the House sat last week. The release of the report, however misguided and inaccurate, demonstrated that Opposition members at least thought that they were in possession of the facts when the House sat last week. Why was it left until now? The errors in the Opposition's reasoning were outlined quite clearly and—and I apologised to the House—at some length last week. They were outlined at some length because this is a very important subject and because, when misrepresentations of this kind are peddled around in the community, quite wrongly and quite without justification, they destroy the confidence of people who are not in a position to know the facts for themselves.

The Opposition's report and its errors were dealt with quite clearly, and yet, in spite of all that has happened in the last week, the Opposition persists with this farce today. I can say only that I am very pleased indeed that their irresponsible and frivolous activities will not waste the time of this House beyond 4 p.m. The Leader brought forward a number of other matters a little while ago.

An honourable member: I'll bet you can't answer them.

The Hon. D. O. TONKIN: Indeed, they can be answered, and they drag the Opposition's credibility still further into the mire. The Leader made some comments about this State's having started to recover during 1979, and about its recovery having been dragged back since this Government came into office. It was, I think, rather interesting that he should have made the claims that he did in his question, similar claims, on the very day that the *Australian* newspaper published a detailed assessment of South Australia's future.

I know that members opposite resent that publication and all that was said in it. The Leader was so upset that he was almost constrained to forget himself: he almost interjected. We know that those encouraging signs are present in South Australia and that confidence is returning. The Leader referred first to retail sales and said that indicators of retail sales were such that obviously our economy was running downhill. Let me tell the Leader

(and anyone can check this fact) that the latest available retail sales indicators show a strong recovery in South Australia during 1980. The latest seasonally adjusted figures for the September quarter in 1980 show that South Australia recorded the third highest annual growth rate among the States. The annual rise in retail sales was 12·8 per cent, ahead of Victoria (12·6 per cent), Western Australia (12·1 per cent) and Tasmania (10·5 per cent). Our third ranking position is specially significant when one considers that our population growth rate is less than half the national level.

In other words, per capita, retail sales in South Australia are probably leading all other States and show very clearly a rapid rate of acceleration in retail sales growth in South Australia, more rapid than in the rest of the nation. All I can say is that, if one looks at the report of the retail sales boom in December and at today's press article, only the headlines of which the Leader has obviously read, one will see the encouraging news. The Leader will have to eat his words: he is totally inaccurate in his assessment.

The Leader indicated that motor vehicle registrations were at fault. Certainly, there was a depressed market throughout 1980, but consumer confidence soared in December in regard to new motor vehicle purchases. In South Australia, December registrations increased by 554 units over the figure of December 1979, which was 3 941, a new level, an increase of 13 per cent on an annual basis. January sales are understood to be as strong as in December. An unofficial industry estimate of 585 000 unit sales has been set for 1981, an increase of 10 000 units over the figures for 1980. This augurs well for the South Australian vehicle and components industries. The Opposition has fallen into the trap of trying to tear down the Government at all costs, regardless of the accuracy of the statements that are used.

I refer now to the present position in regard to the State's finances as the Leader dealt with them. I believe that a number of matters are involved. I have dealt with the costing document, which was the first basis for the inaccuracy; I have also dealt with the record deficit on combined accounts, which was the second blatant inaccuracy. The Leader said that no examples of waste were found when we came to Government, but I need only point him towards the Public Accounts Committee findings in regard to the Hospitals Department and the subsequent reports of the P.A.C., which is a very valuable institution (regardless of what the Leader says) and a very useful and essential tool of Government. There is no doubt that there have been examples of waste and that there has been a general tightening up. Not only was the Leader's speech an instant replay of what happened last week, but a great deal of what was said this afternoon was included in the Leader's Budget speech. The Leader made a claim, which was totally refuted by the Deputy Premier, and I suggest that it would be just as well if the Leader referred to *Hansard*, page 1108 of 24 September 1980, to refresh his memory about what he was told then. Perhaps the Deputy Premier will be able to put the Leader straight yet again a little later on.

We found, too, that the Leader has brought out that same old chestnut, that there have been cuts in public works. I have checked on this, as I thought that perhaps I might have missed some development. The Minister of Public Works informs me that the programme for public works this year is running well up to its full allocation. I believe that, at the present time, it is only $1 500 000 under allocation. It rather gives the lie to the suggestion that the Government is cutting back on Loan works. So we come back to the fact that so far every major point that the Leader has put forward on behalf of the Opposition this afternoon is either factually incorrect or represents a blatant misrepresentation of the position. One thing has come through quite clearly—that he does want South Australians to pay more tax.

There is a good deal of information which I could repeat for the benefit of the Leader. He should have read what I said last Wednesday and taken some instruction from those comments. He still goes on complaining of or predicting a $40 000 000 deficit. Again, in doing so he obviously shows very little understanding of the use of the combined Revenue and Loan Accounts. If only he would do some work and learn how it operates we might have had a valuable contribution from him when the Public Finance Act Amendment Bill was before this House last week. The Leader has asked me a number of questions, one of which was whether the $10 000 000 deficit includes the increased charges which we are, he says, about to impose. He immediately misrepresents the position again. I did not say that the deficit would be $10 000 000. I said that it could be in the order of $9 000 000 or $10 000 000, that I did not know. I cannot tell exactly what the end result is going to be, and no Treasurer can. It would be absolutely wrong and irresponsible of anyone to put a figure—

Mr. Keneally: It was irresponsible for you to say $9 000 000 or $10 000 000 unless you knew what you were talking about.

The SPEAKER: Order! The honourable member for Stuart has not got the call from the Chair, and I ask him to desist.

The Hon. D. O. TONKIN: It is pretty obvious just how seriously members of the Opposition are taking this whole farce. There is no way that we can say what the Budget deficit is likely to be. I hope that it will be less than $9 000 000 or $10 000 000, but I do not know—we will certainly be working that way. When we first circulated a document which the Leader seized upon last year and then predicted dire troubles and a $40 000 000 deficit (and I remind honourable members that he was some $76 000 000 out), at that stage that $40 000 000 would have been the result if we had continued with the policies of spending and lack of control of the previous Government. I repeat again that the document which has been sent around and from which the Leader has quoted this afternoon (I am sorry to disappoint him about this, because it has had tremendously wide circulation in the Public Service, and I hope that he does not think he has got a scoop again) asks all Ministers to exercise continued control and to assess current charges to see whether they are in line with wage increases and costs to Government. I would have thought that that is evidence of good management, not bad management. What has been said this afternoon is a rather illuminating facet of the Opposition's approach to budgetary control.

A Government which is not exercising those controls would come in for the strongest possible criticism from the people who matter—the taxpayers of South Australia. Apparently, members of the Opposition do not believe in those controls on expenditure.

Mr. Lewis: Or they don't represent taxpayers.

The Hon. D. O. TONKIN: Well, they certainly do not have the good of the taxpayers in mind in continually advocating higher taxes for South Australia. I dealt at some length with the so-called miscalculation which the Leader of the Opposition—

The SPEAKER: Order! There is far too much audible comment, and I ask honourable members to desist.

The Hon. D. O. TONKIN: —claimed was made in allowing for wage increases this year, and I refer him to

the answer I gave, which appears in *Hansard* of last Wednesday. There is no refuting the facts which have been given in that answer. I have talked also about payments on the public debt. The Leader of the Opposition talks about the public debt and the way it is built up but says nothing about the enormous increase during the last three years of the Labor Government. I suggest that he could give his attention to the Commonwealth-State taxation formula, and perhaps, with all Premiers who have approached this matter on a bipartisan basis, he might like to join with the Government and lend his support to obtaining a proper resolution of the Commonwealth-State Financial Agreement problem, rather than trying to tear us down all the time.

The Leader went on to say (and he said this was some sort of criticism, I think) that there had been some over-runs in departmental expenditure. The Government makes no apology for the additional funding which it has made available in areas of obvious need. This has made our budgetary position tighter than we would have liked, but where there is obvious need we will overspend and over-run, and it is significant, when one looks at the areas which are involved, that it is in education and further education that the major over-runs have occurred, the placement of teachers accounting for $400 000, and migrant education for $200 000. A total of $698 000 has now been over-run in the education area, and there is a total of $893 000 in further education, largely in trade training.

I make no apology for those over-runs. Does the Opposition want us not to spend that money? I cannot understand the attitude which the Leader of the Opposition represents as being the attitude of members opposite, because I am quite certain that, for example, the Deputy Leader would not want to see us in any way cut back on the trade training expenditure which we have authorised, yet for some reason this has been a criticism of the Government for poor management or mismanagement.

There are many other items which I could deal with, and I have answered the questions. The Leader of the Opposition knows better than to base questions on hypothetical situations. I do not intend to postpone programmes that have been committed. No, the reserve accounts are not run down—at least, they are not run down any more than they were when the Labor Government was in office. I want to give the Leader an honest and accurate assessment of the situation at present, and that is that, having managed and managed extraordinarily well during the last financial year, and having produced, against the Leader's prediction of a $40 000 000 deficit, a $36 000 000-plus surplus, it is important that the Leader recognises that we intend to keep on managing this State in exactly the same way, with very close attention to detail and a very careful control on expenditure. I am not going to change those policies for the Leader, the Opposition or anyone else.

We will continue to control expenditure wisely and carefully, as we did with considerable success last year. There are difficulties which the Leader of the Opposition knows full well have produced stronger pressures on our Budget. Work value studies have increased the commitment to our Government to find additional wages of at least $10 000 000. That seems to be the figure that I can be definite about. We have increased interest repayments. We have to consider what effect the change in the c.p.i. will have on the Commonwealth's main revenue grant, and we have to look at what is likely to be happening to the changes in the relativities formula. All of these things are correct and, if ever we had reasons to maintain our policies, the Leader of the Opposition has spelt out all of them.

Not very many people have been taken in by the Opposition's latest attempt to twist, exaggerate, and compound the difficulties which we freely admit are facing South Australia, but we know that those difficulties will be overcome by a united, determined and informed approach by everyone in the community. They will not be overcome by people making continual charges of mismanagement, preaching doom and disaster, talking about the State going bankrupt when that is not so, and, indeed, doing everything they can to destroy confidence in our State.

The analysis they have made of the economy is appallingly inaccurate. Their timing and spirit of pessimism are far short of what is needed for South Australia at present. I can only say that this litany of woe, which has been published and supported by the Opposition in this farcical motion this afternoon, can only show that they must be desperate indeed. Who else could claim that the Liberal Party costed its tax cuts at only $11 100 000, when the document freely available to everyone puts the figure at just under $20 000 000? Who else would comment authoritatively on the balance of State finances when the very starting point of the argument that has been put forward is known publicly to be untrue? Who else would say that the half-yearly State Budget position was at a record deficit when the record shows quite clearly the reverse? These are the patent falsehoods which will characterise the Labor Party and on which the credibility of Labor's so-called economic report can and will be judged. It is upon these same baseless assertions, which have shown the true motives of the Labor Party, that its competing leaders will be judged for what they really are.

The Hon. R. G. PAYNE: I rise on a point of order, Mr. Speaker. According to Standing Orders, no member, in referring to any other member, will impute improper motives. The Premier has just made a direct statement about the motives of the Leader and members of the Opposition in that regard.

The SPEAKER: Is the honourable member for Mitchell able to state the exact words to which he draws attention?

The Hon. R. G. PAYNE: The words that the Premier used stated quite clearly that the Opposition had improper motives in putting forward the argument today, and that these motives were the downfall of the State. I strongly object, and ask for a withdrawal.

The SPEAKER: I cannot accept the generalisation, as explained by the honourable member, as requiring automatic withdrawal. I have drawn all members' attention to the fact that they must not impute or belittle other members. Generality is a common feature of debate. Unless the honourable member can show me or the House that there has been a direct imputation against one member in particular, I am unable to request that the remarks be withdrawn.

The Hon. R. G. PAYNE: I raise a point for clarification: a lot has been said today. I do not claim to have any more omnipotence than any other member has, but I do ask for your ruling, Sir, on whether, if I am able to point to those words in *Hansard* tomorrow, and if I still object to them, you will rule that they be withdrawn?

The SPEAKER: It would not be the Chair's rule to give a direction tomorrow on an action that occurred today. But, as I have indicated previously, I am prepared to look at any issue that they find at variance with their interpretation of Standing Orders, so as to preserve dignity and decorum in the conduct of this House. If the honourable member approaches me with that information tomorrow, I will discuss what may be done to correct the

situation that the honourable member says has caused him embarrassment.

The Hon. D. O. TONKIN: I think the honourable member is somewhat disturbed by my reference to desperate men and competing leaders. I am perfectly happy to accept that there is no competition on the other side at all. However, I cannot forgive the Opposition for continually seeking to undermine confidence in South Australia.

It is disgraceful, and I would strongly advise the honourable member to think again before going on with such a negative destructive policy. The fact is that South Australia is beginning to emerge from the socialist sloth of the 1970's. Interstate and overseas companies are again beginning to view South Australia as a stable investment State. The O.E.C.D. has today shown quite clearly that South Australia is number one as part of Australia for stable investment, within the world. We have sliced State taxation by $28 000 000. While the costing was not perfect (we did not have access to Treasury), it was just under $20 000 000, and it was close. We sliced State taxation by $28 000 000, and we will keep it sliced.

We have still managed, without retrenching one employee or terminating one service, to retain tight control of the Budget. Far from running the State into bankruptcy, as the Labor Party alleges, the deficit on combined accounts is now only $7 600 000. We have managed, for the first time in three years, to halt the loss of jobs, and have begun instead to create new employment opportunities. We stand on our record to date fairly and squarely.

We treat the Opposition's lamentable attempt to breed uncertainty and fear with the scorn it deserves. I offer this challenge to the Opposition: deliver policy, not pessimism; tell us whether the prescription for recovery includes the reintroduction of State taxes. Be honest about it. Demonstrate your professed concern for South Australia by currently getting behind what is a general wave of new optimism. Put aside all of this politically motivated posturing. Get behind Roxby Downs and all that will mean for South Australia's future. If honourable members opposite do not believe that Roxby Downs and its development are essential for the future of this State, God help us if they ever get into office.

The motion refers to incompetent management. What rubbish! The Opposition complains about good management procedures when it criticises the minute that has been sent to all departments. That management, I repeat, resulted in a surplus of more than $36 000 000 last year. That sum has been put aside and transferred for housing and transport use. Any consideration of this year's Budget must take into account that major, and I believe record, surplus for last year. If the Leader of the Opposition is not able to understand the accounting methods which have been used, I feel very sorry and, indeed, fearful, for his future.

I repeat that the same management will be continued this year. We will hold the Budget in good order in spite of the pressures that are building on us. Those pressures were expected and our management has been undertaken with that in mind. I am sorry that the activities of the Opposition in this rather farcical replay should have taken the time of the House, and I am afraid will probably waste it still further until 4 p.m.

I am absolutely determined that this State will recover, that it will go on to industrial development, and resource development, and that every single South Australian will benefit and prosper as a result. And I am not going to let the negative efforts and the tearing-down policies of an Opposition bereft of positive policies stop that in any way.

The Hon. J. D. WRIGHT (Adelaide): My particular task today is to deal with State charges but before doing that—

Mr. Gunn: You're an expert on that.

The SPEAKER: Order!

The Hon. J. D. WRIGHT: I accorded the Premier the right to speak in silence, and I would not mind the same courtesy from the member for Eyre. We all know the member for Eyre; his problem is that he cannot keep his trap shut. The Premier has just sat down after giving us a recitation which I do not think even his back-benchers believed. Certainly, no-one on this side believed it and I doubt if anyone in the public will believe it.

I want to refute four things that the Premier said. The Premier alleged non-credibility on the part of the Opposition in regard to its tearing-down policies and its not assisting him in the promotion of his Government's policies. There is no shadow of doubt that the greatest exponent of tearing down is the Premier, and I wonder where his credibility lies now. I can remember during the last two years of the Dunstan-Corcoran Governments every member sitting along the front bench almost without exception did nothing else but tear down, criticise, and try to bring the Government into disrepute. They did nothing else but spread doom and gloom. The Minister of Industrial Affairs was an expert at it. I did not mind that, because I accepted that from the Opposition, but I will not now be told that my credibility is at stake when the Premier was an expert exponent of that, as everyone in this House knows. It is not the job of an Opposition to agree with what the Government is doing. Its task is to criticise the Government if it thinks it is wrong.

The interesting thing about today's performance is that the Premier did not refute the document referred to by the Leader. I can thus say without fear of contradiction that State charges are about to be increased. It is no good the Premier's sitting looking mystified. He had an opportunity for 45 minutes to deal with the document read out by the Leader of the Opposition, and he made no attempt to do so. In his speech, the Premier accused the Leader of complaining about the over-running of allocations within departments. The Premier's signed document, read by the Leader, states:

> Departmental expenses are also running beyond Budget allocations in some instances.

Surely that is an indication that the Premier was vitally concerned about the over-running of some departments, and my Leader was merely reading from the document and making clear what the Premier had put in his own document. It is no good the Premier's trying to turn that statement back on to the Opposition and putting me in the position of saying whether I would support the under-running of departments, if it came to training. Of course I would want to have as many people trained as I could. The Premier tried in vein to blame that situation on to the Opposition.

The Premier has continually complained about the forecast made by the Leader of the Opposition last year in regard to the 1980-81 budgetary situation. The Premier boasts continually that the Leader of the Opposition was entirely wrong in his forecast about the current budgetary situation. The Leader of the Opposition at no time talked about that budgetary situation. When that particular document was released and that speech was made, it was referring to the 1980-81 Budget. If I can understand what the Premier has said today (and I am not setting myself up as an economic expert, but then no member of the front bench opposite is such an expert, either), it is that it is quite possible that the deficit may go beyond $10 000 000. The Premier forecast last week that it might be $9 000 000

or $10 000 000; I thought he said $10 000 000. Today he is not sure what it will be, and it could be more than $10 000 000. They are the Premier's own words, not mine. At the end of this financial year, the Leader of the Opposition may well be right, and the deficit may be $40 000 000.

The Premier made a boastful statement in regard to retail sales. I do not know who is advising the Premier in these matters, but obviously he needs new staff. The Premier boasted today that, in relation to retail sales for December, South Australia was third in Australia. The Premier must have had the raw figures, because we have at our disposal the revised figures by the bureau, and it is quite clear that South Australia is in fifth position. It is no good the Premier making all sorts of false allegations and expecting the public to believe them. That is not on. The Opposition is here as a watchdog, and when the Premier is wrong we will tell the public what situation is applying in the State, and I think that is our responsibility and right as an Opposition.

It is proper to say that this Government will seek to breach the widening gap in State financings by an orgy of increases in State charges this year. It will seek to further defer or abandon public or capital works, and it will try to put off recurrent expenditures. This Government sees vital public works not as an end in themselves but as a means of regulating the Budget position. It is a sick joke for the Premier to talk about responsible economic management, when the Revenue Account has an all-time record seven-month deficit of $31 600 000. As at January, the combined accounts position is $30 000 000 worse than last year. I challenge the Premier to put on record what the Budget deficit would be in the absence of proposed increases in charges and deferrals of expenditure.

The Hon. E. R. Goldsworthy: You have copious notes.

The Hon. J. D. WRIGHT: If the Minister reads the Speaker's ruling, I think that, on matters of this nature, I am entitled to do this. The Premier read most of his speech, and I did not object to that. Clearly, the $10 000 000 deficit (and the Premier took 25 minutes last Wednesday to admit that sum) will come after he has increased charges and deferred expenditure on important projects. Ministers are to report next Friday, the day before the Boothby by-election, to enable the Premier to collect as much revenue as possible this financial year.

The Premier sees higher State charges as one escape route; he wants to be seen as a "tax cutter" and so cannot increase what he calls taxes. Since he has been in office, he has developed the argument that State charges are not taxes. He tried to get this across after the December 1979 Premiers' Conference, when the size of the financial problems he had created was beginning to dawn on him. He said that his tax cuts would stay but State charges would rise.

This line completely contradicts his statements when in Opposition. Again I talk about the credibility of this Premier, and how he tries to brush over things and hoodwink the public. On 12 September 1978, the *News* reported Mr. Tonkin when ETSA tariffs were increased. In respect of the Government's ETSA levy, he said, "It is a tax." It is not a tax now he is in Government; it is a State charge. If that is retaining credibility, I am a bad judge.

This Government already has slugged the community with a round of sweeping increases in State charges. These commenced immediately after the so-called $37 000 000 surplus from 1979-80. Increases in charges already incorporated in the 1980 Budget are as follows: 5 per cent increase in Department of Marine and Harbors ports dues; 30 per cent in pilotage (Marine and Harbors); 12½ per cent rise in the price of water (from 24c to 27c per kilolitre); 6·4 per cent rise in water rates; 6 per cent in sewer rates; 12½ per cent rise in irrigation charges; 12½ per cent rise in electricity tariffs (the State Budget receives 5 per cent of all ETSA revenues, so every ETSA tariff increase helps the Budget); and a 50 per cent rise in the Government levy on the Woods and Forests Department.

Before the Budget, the Government increased bus, train and tram fares by a huge 25 per cent. This was the first general increase since 1974-75, though there were some 1979 increases when zone fares came in.

The Hon. M. M. Wilson: You did the same thing.

The Hon. J. D. WRIGHT: I am qualifying it. I said there was a zone fare increase. The Government wanted to increase fares earlier. Despite denials, some ticket printing blocks were spotted. It had to delay increases to save face after it had been tumbled to. Registrar-General's fees on documents, after a bungle, were increased sharply.

Boat licence fees have just gone up, for the second time under this Government. And what a fiasco! The Minister's statement claimed it was the first increase since 1977. It was the first increase since 22 November 1979, when they were raised to $5; they are now $12. Can the Chief Secretary add up? Surely that is an increase of $7.

The Government is already collecting $8 000 000 from higher water and sewerage charges in 1980-81, according to the Minister, and up to $7 000 000 could come from public transport increases, if usage does not fall off. This is a total of up to $15 000 000 already. This Government talks about not increasing taxes. It is shifting the responsibility for taxes.

In the face of these sweeping increases, the Premier has the gall to claim that he has made tax cuts. What a hide! The community is paying for the tax "cuts". Money is being taken out of one pocket to have it put in another. It is simply a transfer of taxation, making the ordinary working class people pay.

Now, as the Leader has indicated, charges for virtually all State services are to be reviewed. The objective is to put them up again. What criteria are being used to determine the size of increases? Is it fairness? The Premier does not mention this. Is it efficiency? The minute does not refer to this, either. Charges simply are being increased to get money to pay the State's bills. The Premier clearly is demanding that his Ministers propose some increases faster than the inflation rate. He clearly wants "double digit" increases from them for a number of charges. But what of the Liberal's "Fight Inflation First" policy? The Premier had hoped to get these increases through quietly to paper over the emerging cracks in the State Budget, but he has been caught out. The document got into the wrong hands.

The Hon. D. C. Brown: These charges were announced publicly.

The Hon. J. D. WRIGHT: We are announcing them for you. The Premier's minute indicates that water and sewerage charges will rise again next financial year. A number of non-Budget items will be up for increases. For instance, let us consider Health Commission charges. There are a number of these. At present, the Tonkin Government is in the process of throwing away South Australia's hospital funding agreement with the Commonwealth. It wants to toss away the binding legal agreement that former Premier Don Dunstan negotiated and which guaranteed that the Commonwealth met 50 per cent of our hospital expenditure until 1985. Only Tasmania secured a comparable bargain. That was a cast-iron agreement, and it would be madness for the Government to abandon it in exchange for a tax-sharing arrangement that would have no specific health allocation.

But that is what the Minister and her Government want to do. They want a situation where they will be free to allocate health moneys to other areas of Government. I make that allegation very strongly. It is obviously a move designed to rescue the State's finances. Faced with a substantial Budget deficit this year, the Government is panicking. But to throw away our agreement with the Commonwealth can only mean less funds for the State's health services, and once again it will be the public who will have to pay the price for hospital treatment.

I do not believe the Minister of Health has been conned by the Federal Government. Instead, it is a question of her own peculiar ideological convictions. The only reason the South Australian Government could possibly want to bow out of a very favourable hospital funding agreement is that it wants to introduce means testing for public ward patients. We will see whether that forecast is accurate.

We have already heard from the Commonwealth that means testing is favoured by the South Australian Premier and the Minister of Health. The only people who have not been informed are the public. Means testing will be a black day for South Australia if this Government brings in that innovation.

According to the Premier's minute, charges to be reviewed include those in the document "Estimates of Revenue", Part I. I have not got time to deal with that revenue document, because other speakers want to follow me. It is a broad and long appendix, and enumerates many areas where the Government could and will increase charges. It is important to note that this official Treasury document describes Part I as "Taxes". So, taxes are to be reviewed, despite the Premier's claim that he is a tax cutter, according to this official document.

Other charges under examination are in "Estimates of Revenue", Part IIa. ("Public undertakings", but probably excluding charges already increased in 1980), and part IIc, ("Other Departmental Fees and Recoveries"). Any of the charges spread over the 15 or so pages of "Estimates of Revenue" could be put up. The most likely to rise are those which already collect significant amounts of revenue. Significant revenues come from:

	Current Revenue Forecast $
Betting Control Board	
Commission on bets	1 900 000
Industrial Affairs	
Licences	1 100 000
Totalisator tax	1 200 000
Further Education fees	1 200 000

Other large items include rent from Government houses, nurses registration fees, builders licences, company registration fees, and so on. It is possible that school book fees could rise, too.

I turn now to the undesirable effects of State charges. Charges add to inflation. Higher charges add to costs: they are recorded in the consumer price index. The Liberals claim that we should fight inflation first (one of their great policy matters) for economic recovery, yet they introduce measures which increase consumer prices. The 25 per cent rise in public transport fares alone added 0·2 per cent to the 1980 consumer price index. Higher charges further weaken the State's cost advantage. If South Australian manufacturing is to be able to compete, costs must be held down. This sector is a key employer of labour in the State, yet it is being subjected to rapid electricity, water and other cost rises. In Opposition, the Premier appeared obsessed with industry costs. In fact, he ignores manufacturing. Now he is hindering this major employment sector because his Budget is in a mess.

State charges are regressive. Unlike taxes, similar charges tend to be paid by everyone. This happens irrespective of means. The result is that State charges take more from lower and middle income earners than from those on higher incomes. That is the difference between the two Parties. Clearly, its ambitions to put up State charges and shift the tax burden from the wealthy to middle and working classes will be the undoing of this Government. There is no doubt about that. The Minister of Transport was on record only last week as having said that the user must pay. He was dealt with quite admirably, I thought, by Mr. Tony Baker in the *News* yesterday. I am sure the Minister would have read the report; his officers would not have been able to get it to his desk quickly enough. That is the ideological stand of this Government: the user must pay.

The Hon. M. M. Wilson: Do you think we should put up taxes?

The Hon. J. D. WRIGHT: I support the equalisation of taxes. I do not support the tax burden being placed on the middle and working classes.

Public transport is an example. It is relied on heavily by pensioners and children. I would like the Minister to remember that. This Government has increased fares by 25 per cent and, if the Minister's policy of putting public transport on a more commercial basis is implemented, higher charges can be expected. This Government is talking about relating charges to costs of providing services to get out of the mess. What other Government in Australia is planning this? This is the Government that, in campaigning for an election, called for a tax revolt; in office, the tax revolt has been exposed. We have had no economic recovery—in fact, quite the reverse.

The Premier, in his recitation to this House, talked about the creation of jobs and of confidence in the community, but the only person whom I have heard speak with confidence of the future of South Australia is the Premier or some of his Cabinet Ministers. No-one can be confident about the future of South Australia. Some business people believe that this Government will bankrupt the State, and that is not Opposition talk only.

Mr. Randall: That's rubbish.

The Hon. J. D. WRIGHT: It is not rubbish. What has the Government done for small business? It has thrown small business to the wolves. Small business is up in arms about this Government: bankruptcies and crime rates are up. More people are leaving the State—6 900 people left South Australia last year because they could not put up with this Government.

Members interjecting:

The SPEAKER: Order! Contributions from both sides of the House do not assist the debate.

The Hon. J. D. WRIGHT: That is the sad plight that this Government is in. I do not feel sorry for the Government, but I feel sorry for the people of South Australia who must put up with this Government. More of the cost of Government is now borne by lower and middle income earners than was the case before the election of the Tonkin Government. The cost share borne by the Premier's wealthy backers has been reduced. It has been shifted to others. Mr. Tonkin is a most divisive Premier. Those with substantial assets gain while those without substantial assets lose. What is the justice of that?

By way of example, I cite the position of a person with an average suburban house: this person may have saved $30 annually in land tax, because of the Government's decision to abolish the land tax on the principal place of residence, but that person must pay an extra $1 weekly in fares, making a total of $40 annually. I ask the Government whether this is the way in which to get the

economy moving. The Government has taken the burden from one group and placed it fairly and squarely on another group. The Premier stated last year that some public works were being postponed for a year: in a current minute, Mr. Tonkin suggests further postponement of works. As I indicated earlier, works cuts are being used to limit the deficit.

The Hon. D. C. Brown: That's rubbish.

The Hon. J. D. WRIGHT: I have the figures. Public works spending has been slashed. Perhaps the Minister has been advised wrongly. In 1978-79, $232 000 000 was spent on public works; in 1979-80, $226 100 000 was spent; and in 1980-81, an estimated $211 500 000 will be spent. There has been a deficit of about $20 000 000 over the two years. Because of the inflation situation, the situation is much worse than would appear. Almost $20 000 000 could be added to that figure, and the situation will become worse.

Public works have been cut back faster than the reduction in Loan Fund revenues to create funds to offset the Revenue Account deficit. What is the impact of these huge cuts on building and construction employment? The Loan Fund shows that only one new school will be started in 1980-81, and I bet no-one can guess where.

Mr. Slater: The South-East?

The Hon. J. D. WRIGHT: In Mount Gambier, where the Minister of Education lives. The only new school to be built will be in Mount Gambier. The Minister must be concerned about his position, because the only school that will be built will be in the Minister's own area. The Minister stands condemned. Education building approvals published by the Bureau of Statistics have been cut sharply. Some education establishments that were included by the bureau are privately funded, but the figures give a broad picture. Approvals in the first five months of 1979-80 amounted to $14 800 000 and approvals for 1980-81 amount to $8 600 000. The Premier should tell the community what services and what projects will not be provided when needed.

Which school projects have been withheld? Which health and hospital projects have been withheld? Which police stations will not be provided? What has happened to the water filtration scheme? The public has a right to know the answers. The people of this State have a right to know where the cuts have been made so that they can be identified and so that the people can deal with the members of the Liberal Party at the next election. This Government is shadowing the facts. Projects cannot be postponed for ever. The community has a definite need for schools, hospitals, and so on, at specific points in time: schools are not needed when children have grown up, because that is far too late. No doubt, a Bannon Labor Government will have to allocate extra funds to overcome a backlog in essential community facilities.

In less than 18 months, the State's finances have been reduced to the current parlous position by an incompetent Treasurer. The Premier will try to fudge the position by raiding other accounts, and I believe that the Leader of the Opposition has shown that very clearly today. The records show that no other State faces the financial problems that South Australia faces. No wonder the Premier is in the vanguard of the State Premiers who are looking at new taxes. Last Wednesday, in reply to the Leader, the Premier stated:

> What I know is that the Government's policies, which have proven effective, will continue to be put into operation.

The Opposition's response is:

> Heaven help South Australia.

The Hon. E. R. GOLDSWORTHY (Deputy Premier): Although the clock shows that I can speak for 30 minutes, the time allowed for this debate will no doubt expire before I have said everything that I want to say. This motion is a diversionary tactic that has been mounted by the Labor Party. The public and the State were assured, soon after the Leader assumed the mantle of leadership, that we would not be seeing no-confidence motions in this House too frequently. In fact, the Leader was going to play things low key, but now, as a result of a fair bit of bloodletting at the Raywood conference, about which the media seemed to be able to obtain scant information, we are confronted in this session with the new look Labor Party and the new look Leader of the Opposition. I thought that, last week, the Leader was looking fairly anaemic.

The SPEAKER: Order! I ask the Deputy Premier to return to the motion.

The Hon. E. R. GOLDSWORTHY: I will deal with a few of the so-called substantive points made by the Deputy Leader, which were not substantive or substantial, because they were quite incorrect: we cannot call them facts, because they had no basis in fact. The Deputy Leader tried to suggest that this Liberal Government would embark on a course of raising State charges, which, he claimed, was quite foreign to the nature of a Labor Government. Let us look at the Labor Party's record while in Government. The Deputy Leader talked about charges that affect the little people, and he said that the Liberal Party looked after the tall poppies only. That was the cry that brought Premier Dunstan to office. One of the Labor Party's earlier actions was to increase succession duties savagely. This was done to get at the tall poppies, but it hit every householder who had any assets to leave.

Mr. Trainer: Bull!

The Hon. E. R. GOLDSWORTHY: If the honourable member does not know what effect this had on the average person with a house, car and furniture, he should go back to school and do more homework. The Deputy Leader mentions water rates. I can cite the annual increases in regard to water rates under the Labor Government. In 1970-71, the charges went up 8·8c a kilolitre, or 14·2 per cent. In 1973, the charges increased by 8·8c a kilolitre.

Mr. Keneally: And you criticised that.

The Hon. E. R. GOLDSWORTHY: You are the ones who are saying that we are savagely increasing charges.

The Hon. J. D. Wright: We didn't cut services.

The SPEAKER: Order!

The Hon. E. R. GOLDSWORTHY: You cannot have it both ways. Members opposite said that they did not increase charges to the little people. Not half! This is what they did to them; in 1974, the charge increased by 11c a kilolitre, and in 1975 it increased by 14c a kilolitre, or 27·2 per cent. These are charges to the little people. The little people don't use water! In 1976, the charge increased by 16c, or 14·2 per cent. The following year it went up 18·8 per cent.

The Hon. D. C. Brown: The Leader said they didn't increase charges.

The Hon. E. R. GOLDSWORTHY: They do not get at the little people—the little people do not use water! The following year it went up 15·7 per cent. Then it went up 9 per cent and 12·5 per cent. These are the people who put the levy on the use of electricity. These are the people who do not hit the little people. The little people do not have lights in their houses! What garbage! The whole record of the operation of the Labor Government was to slug these little people, the average citizen. What about this myth that there is some difference—

Members interjecting:

The SPEAKER: Order! The debate thus far has, in the main, been conducted at a high level, and I trust that until

the time I call the debate to a close at one minute to four it will remain at a high level and that interjections will cease.

The Hon. E. R. GOLDSWORTHY: This is the Government that wants to put up State taxes—that is the message we get from this debate. We are not getting enough money from the tall poppies, I suppose! We are not allowed to touch the small people, but they are the ones the Opposition slugs, the ones it hits for six every year. Let me outline some of the increases in taxes which, overall, were in excess of 500 per cent during the life of the Labor Government. In land tax, there was an increase of 197 per cent. What has the present Government done? It has removed land tax on the principal home. Do the little people not live in houses in this State? Do they not use electricity? Do they not use water? This is where the slugs were under Labor. How often did the former Premier get up in the place now occupied by the Hon. D. O. Tonkin and say:

> We are pleased to announce that there will be no increases in taxes in this Budget.

No, but Labor hit them to leg with these charges. That happened only once or twice, because taxes, stamp duties and the like were increased. They are the people who made this fine distinction between taxes and charges. Succession duties increased 88 per cent, or $7 700 000. Stamp duties went up $62 400 000 or 253 per cent. Do not stamp duties affect people when they buy houses? Do they not affect the householder? What happened regarding motor vehicles? Our hearts used almost to bleed when the former Premier got up here and talked about this terrible Federal Government which imposed sales tax on motor vehicles, the lifeblood of this State, yet the Labor Government levied the highest motor vehicle taxes in Australia. It raised an extra $35 000 000 in motor vehicle charges, or an increase of 242 per cent, the toughest charges of any in the Commonwealth, yet this industry, they said, was the lifeblood of our economy. What hypocrisy! Pay-roll tax, from 1971 onwards, rose by $127 000 000, or 544 per cent. These are charges on employers. If employers cannot find the money to pay wages, what hope is there for employment?

Total tax increased by $247 000 000 between 1970 and 1979. The major point of the Deputy Leader's speech was that the Labor Party is the no-tax Party, the Party that looks after the little people. All of these charges were escalated to record levels under the Labor Government. Water rates increased by 27 per cent in one year. These are the people who say, "Here is a Government intent on increasing charges." It is entirely specious to mount that sort of argument.

We know perfectly well, as I have suggested, that the present Opposition, when in Government, showed a singular lack of any sort of business acumen at all. South Australia suffered the pace-setting years. That was popular then, but are we paying for it now, as the Premier rightly points out. We had the flambuoyant, pace-setting years when, if somebody asked for it, you gave it. We saw the record escalation of handouts. Now we are reaping the whirlwind, and it has fallen to the lot of this Government (which came into office with a record swing against the policies of its predecessor) to have to come to terms with the fundamental economic realities of the situation.

What is the Opposition's prescription for South Australia? It is anti every bit of development we are trying to mount, particularly in the areas for which I am responsible. What do we get from the Opposition's Federal Leader? He says that we must not get into resource development, that that is going to muck up the manufacturing sector, we must keep out of this, and we must get some sort of Federal tax going on resources. We get about $5 000 000 from mining royalties, and Queensland and Western Australia get about $50 000 000. We are seeking to crank up the effort in relation to our mining activities. We have at our doorstep the development of a world-class mine at Roxby Downs. Everywhere I went on my overseas trip people had heard of Roxby Downs, and they said how fortunate we were in South Australia to have this tremendous copper, uranium, and gold resource, yet here we have people trying to inhibit its development. Everything that this Government is trying to get up and running the Opposition is inhibiting. What have we had in the past week? We have had an attack on Amdel by the Opposition's Federal comrade, Scott, aided and abetted last year by the member for Elizabeth with a string of falsehoods about what was happening in Amdel, and this was accelerated last week by the Federal Labor member. Amdel has been in this State since the 1950's quite happily, yet now the Opposition wants to close it down.

The Opposition complains that employment is not going up in leaps and bounds, in thousands; its members sneer at small increases in employment. We point out that Roxby Downs is employing 200 people, but the Opposition shakes that off—that does not count for anything; what is 200? Well, 5 000 is made by a series of 10's, 20's and 200's, and that is the way recovery will occur in this State, but the Opposition wants to inhibit that every step of the way.

Mr. Trainer: How many 200's in 5 000?

The Hon. E. R. GOLDSWORTHY: The honourable member ought to go back to school and do his sums. I do not know whether he owns his own home, but if he does and he owns his own car and a bit of furniture, and if he died whilst his Party was in office, he would have to pay some duty. This Government has a record, of which it is justifiably proud, of relieving taxation in those areas which affect not only employers but people such as those that they say they are apologists for, that is, the average citizen in this State.

I have outlined those savage increases in charges that occurred during the life of the Labor Administration. This Government has introduced tax cuts which affect every citizen who owns any property or a home in this State. It has removed succession duties. It has removed gift duties. It has removed land tax on the principal place of residence. It has given rebates on pay-roll tax and land tax for decentralised industry. Those rebates cost the Government $2 500 000 in its first six months in office, but I think it was money well invested. This Government has introduced general pay-roll tax concessions. It has lifted the basic exemption. It has given a rebate on pay-roll tax for the employment of additional employees aged under 20 years.

We have heard about the Opposition's big plans for employment generation. When in Government, it got $80 000 000 out of the Commonwealth Government by selling off part of the farm—it sold the country railways. What did it do with that money? It used it in its short-term band-aid schemes to create temporary jobs, with the emphasis on "temporary". It took someone off the street for a year, hoping that something would turn up, hoping that the Federal Government's policies might improve the overall, permanent employment position in this country. What did we hear this afternoon? The Opposition is proud of the fact that it spent $22 000 000 on temporary jobs. What did that do to solve long-term employment prospects for people in this State?

It did nothing; if anything it probably inhibited progress. However, it took some people off the street and gave them a job for six months or a year. It cost a lot of money and padded the unemployment figures, which were still the

worst in the Commonwealth. That history of the decisions of the Labor Government in this State—

Members interjecting:

The SPEAKER: Order!

The Hon. E. R. GOLDSWORTHY: —was to take short-term measures, hoping that something would turn up down the track, with the attitude of "Let us worry about the future tomorrow." Members opposite get very sensitive when I talk about their business acumen, but let us look at the sort of things they have left the present Government to fix up. There is the Frozen Food Factory, the big excursion into supplying hospitals with frozen food; there is the Riverland Cannery. It was said that Samcor would pay its way in three years. We are now looking at $28 000 000, the last time we toted it up. The same sort of situation applies when we look at the Riverland Cannery. These were the business excursions of the Labor Government. The Government went into the clothing business with Golden Breed.

Mr. Keneally: What a lot of rubbish!

The Hon. E. R. GOLDSWORTHY: It is not a lot of rubbish; these are cold hard facts and members opposite do not like them. The previous Government went into the group laundry business, which has cost the State millions of dollars, and so it goes on. Even more recently, in relation to the Minister of Agriculture we have had this charade going on for about three weeks about some shonky dealings that the Government is alleged to have had with Mr. Dalmia. The fact is that he did not have any money, but the Labor Party would have done business with him. That is the cold hard fact. The Government terminated the contract because Mr. Dalmia could not get the money, yet the previous Government would have pressed on regardless and the State would have finished up with a Riverland Cannery or Frozen Food Factory situation. That is how good members opposite are in relation to these fundamental questions of protecting the interests of the State and the hard-won taxes of the little people, who ultimately foot the bill.

Members opposite get very touchy when I talk about the problems we have with our gas contacts. I am not allowed to mention the fact that they sold gas to New South Wales until the year 2006 and said, "Don't worry about tomorrow, we will find plenty more. We'll fix ourselves up to 1987, and sell to New South Wales to 2006."

Members interjecting:

Mr. Keneally: There wouldn't be a liquids scheme otherwise.

The Hon. E. R. GOLDSWORTHY: The reason for that was so that Premier Dunstan could announce in 1973 that he had secured a petro-chemical plant, yet the Leader of the Opposition says that the Government has lost the darn thing. We never ever had it, just as we did not have it in 1973, when he flogged off our gas.

The Hon. R. G. Payne: You dropped the ball on that one. You were in Government.

The Hon. E. R. GOLDSWORTHY: You never ever had it. If the Premier had not flown to America to find out from the board what the score was we would still be muddling along as the Labor Party did since 1973.

Members interjecting:

The Hon. E. R. GOLDSWORTHY: If members opposite have any doubts about who negotiated for the Sydney contracts, I refer them to *Hansard* of 1971 where Labor Premier Dunstan is on record as saying that the Liberals had nothing to do with it, that he would take all the honour and glory, and it was so he could announce a petro-chemical plant. I have talked to some of the producers who were in on those negotiations, and the Premier was warned by his then public servants, to whom I have spoken, that the State's public interests were not protected. The attitude was "So what, don't worry about tomorrow, let's make a headline today, let's go to an election with some phoney promise of a petro-chemical plant." Well, tomorrow is here and we have inherited it. These are the reasons that the Government was swept out of office with a record swing.

Having regard to the fact that members opposite have suggested in this House today that this Government is irresponsible, when we are grappling with these very problems owing to the profligacy and the financial and economic idiocy of our predecessors, one can excuse me for speaking with some vehemence. I am accused by the Leader of the Opposition of coming on too strong. I am accused of being abrasive; the Leader wants me to pat him on the head and say, "Well done, John, you're doing a good job." Yet in Government the Labor Party showed a financial irresponsibility which was second to none.

I was given 20 minutes to refute some of this nonsense. It is the essence of hypocrisy for the Deputy Leader to say that we were the ones who were trying to separate charges from taxes when it was a ploy invented by the Labor Party long before the present Government came into office.

Members interjecting:

The Hon. E. R. GOLDSWORTHY: I am quite happy to let the Leader reply because I think he is bereft of argument.

Members interjecting:

The Hon. E. R. GOLDSWORTHY: The Deputy Leader took his half an hour.

The Hon. J. D. Wright: I took only 25 minutes.

The Hon. E. R. GOLDSWORTHY: I got 20 minutes in total.

The SPEAKER: Order!

The Hon. E. R. GOLDSWORTHY: This is an attempt by the Leader to take some of the heat off him. It is quite obvious that his Party is divided down the middle.

Members interjecting:

The SPEAKER: Order!

The Hon. E. R. GOLDSWORTHY: Let us look at what Mr. Callaghan said when he was here, and at what Mr. Uren and Mr. Hawke are saying about areas for which I am responsible. I utterly reject this motion as the height of hypocrisy.

Mr. BANNON (Leader of the Opposition): This has been a very interesting and quite extraordinary debate particularly on behalf of the Government. I think that the things that my Deputy and I have put before the House are matters of great concern. They have been backed up very carefully with fact and figures and, indeed, documentation supplied by the Premier himself (inadvertently supplied by him, but certainly under his signature). It was significant to note that when the Premier got to his feet to reply he refused to come to grips with the substance of this motion. It took him about 15 or 20 minutes, more than half his address, to get to the basis of this no-confidence motion, which concerns State finances. All of the first half of his speech was devoted to what was a tedious recitation of points he made last Wednesday in this House about the State's economy, and the way in which he answered that question was one of the reasons why we felt it necessary to move this no-confidence vote today.

Confidence is very much the essence of this whole debate. I do not intend to rehearse the arguments again. My Deputy picked up some of the major errors made by the Premier, including the extraordinary mistake of producing consumer figures which were unrevised, without realising that the revised figures show that we are in a little worse situation than that which he attempted to

convey. However, I thought that rather slipshod piece of research was typical and that is where this question of confidence lies.

As an Opposition we are not attempting to carp and knock. In fact, we believe that we have maintained a pretty positive stance, but a fairly realistic one. We have not called South Australia a leper colony, as the Premier did when he was in Opposition—that man who still stands there and lectures us in the most patronising terms about knocking the State, the man who called this State a leper colony, and there were many other things he said when in Opposition. The Labor Party has remained positive, but realistic. There is no point in having confidence in this State if the confidence is wrongly based or if that confidence is of the windy rhetorical kind that hides the real facts. That is what is going on at the moment.

The Premier keeps talking about Roxby Downs. Let us talk about Roxby Downs, but let us remember that there are at least six years down the track before any benefits come from that project. What will we do in the meantime? What will the 45 000 to 50 000 people waiting for jobs do in the meantime? These are the important points and the facts that we have brought before the House. The State's finances are in a shambles and there is very little opportunity to get out of the problem.

The Committee divided on the motion:

Ayes (20)—Messrs. Abbott, L. M. F. Arnold, Bannon (teller), M. J. Brown, Corcoran, Crafter, Duncan, Hamilton, Hemmings, Hopgood, Keneally, McRae, O'Neill, Payne, Peterson, Plunkett, Slater, Trainer, Whitten, and Wright.

Noes (23)—Mrs. Adamson, Messrs. P. B. Arnold, Ashenden, Becker, Billard, Blacker, D. C. Brown, Chapman, Evans, Glazbrook, Goldsworthy, Gunn, Lewis, Mathwin, Olsen, Oswald, Randall, Rodda, Russack, Schmidt, Tonkin (teller), Wilson, and Wotton.

Pair—Aye—Mr. Langley. No—Mr. Allison.

Majority of 3 for the Noes.

Motion thus negatived.

PERSONAL EXPLANATION: QUESTIONS ON NOTICE

Mr. O'NEILL (Florey): I seek leave to make a personal explanation.

Leave granted.

Mr. O'NEILL: Last week in this House the Premier made a remark concerning Questions on Notice. I want to put the record straight. He referred to two questions, amongst others, Nos. 880 and 881, saying that they were either repetitive or similar to earlier questions, and that there was no apparent distinction between them. They are not repetitive. One refers to enrolled nurses, and the other to registered nurses, in South Australia, and were put to me by a constituent who was seriously worried about employment for nurses.

Since the Premier's statement, I have checked all Questions on Notice since the session began, all questions without notice, the reports of the proceedings of the Estimates Committees, the fourteenth report of the Public Accounts Committee on Financial Management of Hospital Departments, and the document issued by the Health Minister, headed "South Australian Health Commission: Information Supporting the 1980-1981 Estimates of Expenditure". Nowhere in those documents, or in any records I perused, is there a question resembling the questions I asked. I think that the Premier misrepresented me, deliberately or not, in making his statement.

ROMAN CATHOLIC ARCHDIOCESE OF ADELAIDE CHARITABLE TRUST BILL

Returned from the Legislative Council without amendment.

AUDIT ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

PUBLIC SUPPLY AND TENDER ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

STATE LOTTERIES ACT AMENDMENT BILL

The Hon. D. O. TONKIN (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the State Lotteries Act, 1966-1978. Read a first time.

The Hon. D. O. TONKIN: I move:

That this Bill be now read a second time.

The purpose of this short Bill is to give the Lotteries Commission of South Australia power to conduct lotteries jointly with the corresponding authorities in other parts of Australia. The South Australian commission is negotiating with the lottery authorities in Western Australia and Victoria to conduct a joint lottery in the three States. The combined patronage that the three States can rely on will permit substantial prizes to be offered. The amendments proposed by this Bill simply give the commission power to conduct lotteries jointly with other authorities in Australia. The limitations and restrictions existing at the moment in the principal Act will be unaffected and will apply to all lotteries conducted by the commission whether on its own behalf or jointly with interstate authorities.

Clause 1 of the Bill is formal. Clause 2 adds a new subsection to section 3 of the principal Act which is the interpretation section. The new subsection provides that references in the Act to a lottery promoted or conducted by the commission include references to a lottery promoted or conducted jointly with an authority from another State or Territory of the Commonwealth. Clause 3 replaces paragraph *(a)* of section 13 of the principal Act with two paragraphs that make clear that the commission has power to conduct a lottery either on its own behalf or jointly with other Australian lottery authorities.

Mr. BANNON secured the adjournment of the debate.

HARBORS ACT AMENDMENT BILL

The Hon. W. A. RODDA (Minister of Marine) obtained leave and introduced a Bill for an Act to amend the Harbors Act, 1936-1978. Read a first time.

The Hon. W. A. RODDA: I move:

That this Bill be now read a second time.

The major amendments contained in the Bill are intended to clarify the question of liability in cases where vessels are under pilotage by a pilot of the Department of Marine and Harbors. The Bill also empowers the Governor to make regulations requiring the holder of a licence or permit granted under the principal Act to indemnify the Minister for damage arising from the use of the licence or permit.

Section 80 is amended to provide for the Minister to lease jetties for such term, at such rent and on such other terms and conditions as he thinks fit. This provision will

permit the lease of recreational jetties to councils, without the requirement to call public tender or hold a public auction as is currently provided in the Act. I seek leave to have the remainder of the explanation inserted in *Hansard* without my reading it.

Leave granted.

Remainder of Explanation of Bill

Section 114 of the Act provides generally that the responsibility for the conduct of a vessel while under pilotage rests with the master, who is further answerable for any loss or damage caused by the ship or fault in the navigation of the ship. In the past, this section has been construed by the department as exempting a pilot (and the department) from any claim for damages arising out of the pilot's negligence. However, the Solicitor-General expressed the opinion that the effect of the section is not entirely clear. An amendment is therefore proposed by the present Bill to obviate any uncertainty in the interpretation of the provision. The amendment is consistent with the provisions of the Commonwealth Navigation Act, the Queensland Marine Act, and the New South Wales Maritime Services Act.

Section 124 is complementary to section 114, in that it provides generally that, in any proceedings relating to damage to the works of the Minister, it shall be a defence to prove that the injury was attributable wholly to negligence or otherwise tortious conduct for which the Minister or an officer of the Department of Marine and Harbors is responsible, and that, where the Minister or departmental officer is partially responsible for the injury, the court shall make appropriate allowances in the assessment of damages. Again, an amendment to the Act is considered necessary to make it clear that in this context the fact that a ship is under pilotage does not exonerate the owner or the master for responsibility for its navigation. Thus, if a ship, while under pilotage, causes damage to property of the Minister, the owner will not be able to escape liability or reduce his liability on the ground of the pilot's negligence.

Clause 1 is formal. Clause 2 amends section 80. That section, which originally referred to the Harbors Board, limits the conditions under which leases of wharves (which, by definition, include jetties) could be granted. The amendment will permit the Minister to grant leases on conditions determined by him. Clause 3 amends section 114 to provide that no civil liability attaches to a pilot or to the Minister for negligence by the pilot in the pilotage of a ship.

Clause 4 amends section 124 to provide that negligence on the part of a pilot does not constitute a ground for defence, or making allowance in the assessment of damages, in cases of damage by third parties to works of the Minister. Clause 5 enacts paragraph (70c) of section 144 to empower the Governor to make regulations to require the holder of any licence, permit or other authority to indemnify the Minister against claims for injury or damage that may arise as a result of the exercise of rights conferred by the licence, permit or other authority.

Mr. BANNON secured the adjournment of the debate.

STATE TRANSPORT AUTHORITY ACT AMENDMENT BILL

The Hon. M. M. WILSON (Minister of Transport) obtained leave and introduced a Bill for an Act to amend the State Transport Authority Act, 1974-1978. Read a first time.

The Hon. M. M. WILSON: I move:

That this Bill be now read a second time.

It seeks to remove from the State Transport Authority its powers to license vehicle operations. These powers will in future rest with the Minister of Transport and will operate through the Division of Road Safety and Motor Transport, which is in the process of being established. These powers are not appropriate ones for the State Transport Authority to have, since its functions centre around the running of the metropolitan public transport system. It is an operating body, and it does not fit in with that role for it also to be a regulating body. It will be much more satisfactory for there to be clear Ministerial responsibility for such regulation and licensing. I seek leave to have the 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 Act on a day to be proclaimed. Clause 3 amends the arrangement of the Act. Clause 4 repeals three now redundant definitions. Clause 5 repeals Part IIA of the principal Act that provided for the licensing by the State Transport Authority of passenger vehicles that operate for hire.

Mr. BANNON secured the adjournment of the debate.

ROAD TRAFFIC ACT AMENDMENT BILL

The Hon. M. M. WILSON (Minister of Transport) obtained leave and introduced a Bill for an Act to amend the Road Traffic Act, 1961-1980. Read a first time.

The Hon. M. M. WILSON: I move:

That this Bill be now read a second time.

It seeks to place within the direct responsibility of the Minister of Transport the licensing powers over buses and other vehicles used for the transport of passengers for hire, that hitherto have been with the State Transport Authority.

This forms a part of the restructuring of transport administration whereby a new Division of Road Safety and Motor Transport is being set up. This division will incorporate agencies such as the Regulation Division of the State Transport Authority, the Road Safety Council and the Central Inspection Authority to provide a co-ordinated approach to policy which has been lacking in the past. Unwarranted duplication will be avoided. Thus, for example, this Bill provides for the Central Inspection Authority to take on the inspecting responsibility required under the Bill.

The new arrangements mean that the ultimate responsibility for co-ordinating policy in this area clearly rests with the Minister. The Government is concerned to ensure that it does all in its power to upgrade regulation activities and bus inspections to ensure the safe operation of buses registered in South Australia, particularly in light of a number of serious accidents interstate involving South Australian buses.

The Bill provides that the relevant sections from the State Transport Authority Act are transferred to the Road Traffic Act, with some minor adjustments. This means that the State Transport Authority can concentrate on its role as an operating authority, and removes the possibility of a conflict of interest where the authority is required to licence bus services that may tend to compete with the authority's own services (for example, routes in the rural districts adjacent to the outer suburbs of Adelaide). I seek

leave to have the 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 Act on a day to be proclaimed. Clause 3 amends the arrangement of the Act. Clause 4 amends the definition of "omnibus" to make it clear that a vehicle that is capable of carrying more than eight persons, one of whom is the driver, is an omnibus for the purposes of this Act. This definition will now accord with the definition appearing in the Motor Vehicles Act.

Clause 5 provides for the appointment of inspectors for the purposes of both the Central Inspection Authority and the inspection of licensed passenger vehicles. Clause 6 inserts the new Part dealing with the licensing of passenger vehicles. The provisions of the Part are substantially the same as the licensing provisions of the State Transport Authority Act that are to be repealed by a separate measure.

New section 163m prohibits operating a vehicle for carrying passengers for hire without a licence. New section 163n gives the Minister a power of exemption. New section 163o is a necessary transitional provision for current licences issued by the State Transport Authority. New section 163p sets out how licences are to be applied for. New section 163q specifies the criteria for determining whether or not a licence is to be issued. New section 163r sets out the conditions that may be attached to licences. New section 163s provides that the Minister may at any time vary, revoke or add to the conditions of a licence. New section 163t provides that the Minister may cancel or suspend a licence in certain circumstances. An additional ground for cancellation or suspension is provided where a licensee is found guilty of an offence against Part IVA (that is, the inspection of passenger vehicles by the Central Inspection Authority). New section 163u provides for the transfer of licences. New section 163v empowers the Minister to issue duplicate licences in the event of loss or destruction. New section 163w states that the Central Inspection Authority is the body responsible for carrying out inspections for the purposes of the new Part.

New section 163x sets out the power inspectors may exercise. New section 163y prohibits the giving of false or misleading information. New section 163z provides immunity from liability for persons exercising powers or discharging duties under this Part. New section 163za provides that this Part does not derogate from other Acts, but that vehicles operated by or on behalf of the Crown, and licensed taxi-cabs, do not come within the ambit of the Part.

Although the operation of vehicles by agencies of the Crown is not subject to these licensing provisions, the intention is that, where such vehicles do carry passengers for hire, the operator will, as a matter of Government policy, be required to comply with similar conditions as would apply in respect of other vehicles by virtue of the licensing system.

The Hon. R. G. PAYNE secured the adjournment of the debate.

PARLIAMENTARY SUPERANNUATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 12 February. Page 2798.)

The Hon. D. J. HOPGOOD (Baudin): The Opposition supports this Bill, and I will not long detain the House although I will have one or two remarks to make in Committee. However, I do want to place on record the appreciation of the Labor Party to the Government for having made the Under Treasurer available to it to discuss this matter when it was in a draft form so that it had the opportunity of feeding comments into the process, and we note that in a couple of cases the suggestions we made have been taken on board. That is one of the reasons why we do not need to detain the House too long in the second reading stage.

However, we do have one query in relation to the final clause, which talks about the ability to count previous service in a Legislature and it must have been within a period of four years of the current continuous service. The Opposition would like to know why a period of four years has been adopted rather than any other number of years, and why there needs to be any limit at all. The amendment which I have circulated practically accepts the need for some figure in the Bill. However, we would appreciate some information from the Government to determine whether we should proceed with our amendment in Committee. With that qualification, we support the Bill.

The Hon. E. R. GOLDSWORTHY (Deputy Premier): I apologise for the absence of the Premier, who is unavoidably detained, but I hope he will be able to be in the House during the Committee stage to answer that question. Obviously, there is no controversy in relation to this Bill, and I am pleased on that score.

Mr. Gunn: The member for Mitcham is not here, and he is interested in this subject.

The Hon. E. R. GOLDSWORTHY: I could open up on the member for Mitcham with alacrity and glee, but I will resist the temptation.

The SPEAKER: I suggest that the honourable Deputy Premier would find it difficult to find a suitable clause.

The Hon. E. R. GOLDSWORTHY: He is pretty keen on superannuation and scoring off his colleagues in this place at the drop of a hat. I will await the Committee stages in the hope that the query can be answered.

Bill read a second time.

In Committee.

Clauses 1 to 11 passed.

Clause 12—"Certain previous service to be counted."

The Hon. D. J. HOPGOOD: This touches on the matter I raised in the second reading debate. I draw the Premier's attention to new subsection (6) *(b)*, which refers to the situation in which the member became a member within a period of four years after ceasing to be a member of another Parliament. We are here providing that there can be a four-year break in service. I note from the second reading explanation that the way in which the previous legislation was drafted made the situation quite unworkable, because there had to be continuation of service, which was impossible in terms of what we are trying to do here. I appreciate that some figure had to be written in here, but we are interested in why it should have been four years.

The Hon. D. O. TONKIN: There are two ways of explaining this figure. One was that it was an arbitrary figure to include the normal three-year term of Parliament plus one year, to give one year's grace. I believe also that some investigation was made to see to whom this provision could apply among the present members of Parliament, and that that was taken into account.

The Hon. D. J. HOPGOOD: I thank the Premier for his explanation. I understand that it is the Government's belief that this measure should not break new ground, but should in effect cover anomolies in the present system. The Opposition can envisage a situation in which a person

has a break of longer than four years and yet this quite properly should be taken into account. I can give an actual example, which comes from ancient times, and one theoretical example.

Mr. Bert Hawke, Premier of Western Australia for many years, was a member of this House from 1924 to 1927. He went to Western Australia as a paid country organiser for the A.L.P., and in 1934 gained election to the Lower House in Western Australia. A repetition of that situation would not be covered by the amendment as contemplated.

As to the possibility of nine years being written in, which is the subject of the amendment which I have circulated but which I have not yet formally moved, the reason for that is that, where a person seeks election to the Upper House, he or she may be in a difficult situation if his or her Party in fact had 12 members in that Chamber, so that six come out at any one time. I think everyone accepts that it would be straining credulity to imagine that either major Party would get seven people on its ticket elected at a Legislative Council election. Therefore, unless one of those six people who are coming out next time is due to retire, it would be difficult for the individual to get preselection from his or her own Party.

Furthermore, since members of the Upper House are assured of a minimum term of six years, one must look at a length of time greater than six years if one wants to give leeway for two terms rather than one. The people elected in 1975 will have served eight years before they come out in 1983. That is the reason for the amendment I have foreshadowed. Before I formally move it (and I might not yet move it, depending on the Premier's suggestion), I should like further comment.

The Hon. D. O. TONKIN: I take the points made by the honourable member, which are very good ones, but a difficulty arises. If the time period is increased, it will become correspondingly more difficult to fulfil the remainder of the requirements of the legislation.

Under proposed new subsection (7), the prescribed amount payable by a member would be 11½ per cent of the total that would have been payable had he been a member. It is a lot of money. I think it is a matter of coming to an understanding. As far as I am aware, there is only one member to whom this applies at this stage. This Bill was brought in to honour undertakings made when legislation was previously before the House. I have no doubt that, if circumstances arise (and I give that undertaking now) where someone is not covered, we will look at making exactly the same sort of change to the Act again. If it is a long period, the member involved will be up for a fairly large lump sum. I think that is an unreasonable request to write into the legislation. I am prepared to give an assurance that, if any individual in future is disadvantaged in any way as a result of the four-year limit, changes can be made accordingly.

The Hon. D. J. HOPGOOD: I thank the Premier for that undertaking, and I also accept his statement that this is something that is unlikely soon to occur. Without wanting to introduce any strong political element into the debate, I think the Premier is being very optimistic and looking at 10 years as Premier to be able to act on that commitment.

The Hon. D. O. Tonkin: We've undertaken to honour the commitment made by the previous Government.

The Hon. D. J. HOPGOOD: Right. I simply make the point that perhaps that option should be available to the person if he or she wants to exercise it, even though that might be a little burdensome to exercise. On balance, I think I should test the feeling of the Committee by formally moving the amendment standing in my name. I move:

Page 4, line 8—Leave out "four" and insert "nine".

Amendment negatived; clause passed.

Title passed.

Bill read a third time and passed.

STATE LOTTERIES ACT AMENDMENT BILL

Adjourned debate on second reading (resumed on motion).

(Continued from page .).

Mr. BANNON (Leader of the Opposition): As the Premier has indicated, this is a short Bill, and the Opposition is prepared to facilitate the Government's desire to have it considered and passed at short notice. We are aware that some urgency is developing in regard to the need to approve this Bill because of negotiations that have been undertaken by the Lotteries Commission of South Australia to join with the lotteries authorities in Western Australia and Victoria to conduct Cross Lotto on a three-State basis. Those negotiations have been successful, we understand, and I would like to put on record my congratulations to the Lotteries Commission on its taking part in this exercise, which will be of benefit to the commission's operations.

The lotteries not only provide some degree of harmless entertainment (and, incidentally, an entertainment that was approved by the people at a referendum) but also direct revenue to the State finances. To show the Premier that we are positive about State finances, I indicate that the Opposition recognises that the problems are much greater than the Premier is prepared to admit, because of some of the decisions that the Premier has made. We are prepared to support this Bill, in part because of its revenue implications for this State.

The Bill allows the commission to enter into agreements with lotteries authorities in other States to conduct and promote lotteries jointly with those States. I would imagine that, on each occasion when a proposition is contemplated, the Minister's approval in terms of the Lotteries Act will be sought. The Bill provides benefits to those taking part in the lottery, such as much larger prize pools and a possible increase in the business of the commission.

In this context, it is very interesting to see the Lotteries Commission demonstrating its entrepreneurial and innovative skill. If one listened to the Minister of Recreation and Sport, one would believe that this is something that the Lotteries Commission lacks. The commission made some very positive proposals concerning sports lotteries in this State that the Opposition would be prepared to consider (but this matter is the subject of another debate): those propositions have been rejected. I know that my colleague from Gilles will say one or two things about that aspect of this Bill.

I conclude by saying that the Bill demonstrates the ability and desire of the Lotteries Commission to be innovative and to promote lotteries, which provide not only entertainment and perhaps unexpected riches to some members of the populace but also quite considerable revenue to the Government. I support the Bill.

Mr. SLATER (Gilles): I support the Bill. As indicated by my Leader, the Bill was introduced very quickly, and the Opposition is prepared to assist the Government by expediting its passage through the House. This Bill has some relevance to the subject matter of another Bill (but I understand that I am not at liberty to make too many comments about that Bill at this stage). I believe that this Bill was introduced to assist the Lotteries Commission in

competition with another proposed operation, and for that reason the Opposition supports the Bill very strongly.

The Bill refers particularly to the Cross Lotto operation of the commission, which has been a very important aspect of investment by small investors in South Australia and which has been a successful operation. As my Leader said, the entrepreneurial skills of the Lotteries Commission have been demonstrated. The commission is innovative and has demonstrated an ability to conduct lotteries on behalf of the public of South Australia; at the same time, it has provided substantial funds for the Hospital Fund. The Lotteries Commission has been very successful ever since the public of South Australia, by referendum in 1965, supported the introduction of State lotteries. The result of that referendum was 2 to 1 in favour.

The Lotteries Commission commenced operations in 1967 and provided the first 50c lottery. From there, it has gone from strength to strength; its success in South Australia has been tremendous. The commission has benefited both the State, in regard to revenue, and the people of South Australia, by giving the people the opportunity to participate in an operation of this kind.

As has been stated, the Bill provides the opportunity for the South Australian commission to join with the lotteries authorities in Western Australia and Victoria to conduct a Cross Lotto operation in the three States. It also gives the commission the opportunity to provide a substantial prize, although the prizes in Cross Lotto are fairly substantial at times. The people of South Australia and other States will be provided with an added incentive to participate in this type of operation. I support the Bill.

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

PRIMARY PRODUCERS EMERGENCY ASSISTANCE ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 12 February. Page 2808.)

The Hon. W. E. CHAPMAN (Minister of Agriculture): Members will recall that, at the close of the debate on this matter last week, I had commenced to respond to the remarks made by the member for Salisbury. The honourable member was curious to know why the Bill had not been introduced in time to facilitate the Loan repayment to the Commonwealth, which repayment was due on 30 June last year. Among other things, and in order to demonstrate his request, he cited my very impressive handling of the meat hygiene legislation as an example of just how quickly important legislation can be passed in this place when the need arises.

I was pleased to hear the compliment come from that quarter. Indeed, I think the member for Salisbury demonstrated on that occasion how fair he can be in certain circumstances and, indeed, give credit where credit is due. But, in his usual form, he gave a favourable comment and accompanied it by just a slight criticism. He wanted to know why, despite the speedy passage of the legislation, we did not proceed to proclaim that Bill forthwith. I remind him, and other members, that the object of that speedy passage of the legislation was so that we could forthwith proclaim the relevant sections of the Act and, indeed, we did proclaim them. Within days after the Bill's passage through this place, we proclaimed those sections which allowed us to set up the meat hygiene authority, the first step in the process of proclamation of the rest of the Act and, indeed, the tabling of the regulations, all of which were machinery work that had to be carried out prior to the ultimate proclamation of the rest of the Bill.

I am sure that, now he has been reminded, the honourable member will recall not only the reasons why we were seeking speedy passage of that legislation but also the attention we as a Government have given the subject in subsequent months. I am pleased to report, although it is not directly related to this Bill, that all of the sections of the meat hygiene legislation and the associated Bills that went through the House at the same time have now been proclaimed and so, too, have the regulations associated with that Act been tabled in the House, thereby allowing the authority to proceed with its job. In this case, I trust that the honourable member will be relieved to know that no urgency is associated with any provisions of this Bill, which are essentially administrative in their nature. Under the natural disasters agreement with the Commonwealth, it is the State that has the responsibility of meeting all Loan repayments, but not the Farmers Assistance Fund. Accordingly, in 1980 the State honoured that commitment and it is the prerogative of the State to recoup from the fund repayments made by the State on the fund's behalf; hence the need for the amendment that we have brought to the attention of the House in this instance.

The honourable member also spoke during the debate of the need for the Government to make grants rather than advances to primary producers affected by natural disasters. I have said before in this House, and I repeat for the benefit of the honourable member, that it is not this Government's policy to make grants for the reconstruction of viable farms, at least not under any of the Acts and agreements that I administer. There will always be a need for grants to be made to persons on compassionate grounds, but the terms of those grants are more appropriately formulated and administered in other areas of Government—for example, community welfare.

In November 1979 emergency living allowances were, in fact, paid from that source where the need was established. If the honourable member is seeking to highlight the plight of farmers who have, for their own special reasons, become non-viable enterprises, he may wish to know that these farmers are, in fact, catered for also, and catered for within the terms of the household support scheme and, more recently, accommodated within the relaxed criteria for the payment of unemployment benefits also to farmers in certain circumstances.

I have witnessed the concern expressed, and indeed shown by the member for Salisbury for his constituent horticulturists and farmers when in distress, not only during the storm of 14 November 1979 but in other circumstances. I appreciate his efforts to obtain some form of assistance where assistance is seen to be required. He has drawn to the attention of this House on several occasions circumstances in which he believes assistance should be forthcoming. But I repeat that it is not the policy of this Government (and, indeed, not mine) to apply grants or handouts via the Acts that I administer, and I have drawn, I think today, to his attention those areas where special compassionate assistance can be derived from within the structure of Government and, indeed, without the ambit of my department.

For the further information of the honourable member in particular, I draw his attention to a bulletin which is published by the Department of Primary Industry annually under the authority of the Minister for Primary Industry. The bulletin of December 1980, at page 94, demonstrates the criteria under which farmers may qualify for unemployment benefits, so, unless he was otherwise aware of that benefit, it may be of some use to him to advance to his constituents who are suffering need in that regard. Generally speaking, I believe the points that were raised in

the honourable member's address to the House last week on this subject have been covered. I welcome the opportunity to reply and, indeed, to accept the agreement and support of the Opposition for this Bill. I look forward to its speedy passage, as was enjoyed on the meat hygiene Bill to which the honourable member referred.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—"Payments to the Fund."

Mr. LYNN ARNOLD: I notice that amendments are suggested here regarding payments of money to the fund. What happens to that money held in balance and the interest earned on the money paid in refund of advances given to farmers? Obviously, the aim of this Bill is to make sure that the capital advances made to the State by the Commonwealth Government are, in fact, repaid, but interest has been payable on that money by farmers who have received the advances. Are those interest payments matched by interest payments to the Commonwealth? If not, what happens to the surplus funds achieved? Do they stay within the Farmers Assistance Fund? Are they available for other purposes, or are funds held awaiting repayment to the Commonwealth in that fund due to early repayment by farmers? Are those funds available for other purposes?

The Hon. W. E. CHAPMAN: The interest charged to farmers incorporates the interest that is payable to the Commonwealth on extended funding for State use and purposes. It also incorporates an interest ingredient to cover the administration of the fund.

Mr. LYNN ARNOLD: Returning to one of the other questions I asked, as I understand it, quite a few farmers try to take the opportunity, if circumstances permit, to repay earlier than scheduled the advances they have received from the fund, which therefore means that the fund itself is holding this money prior to its being required to repay that money to the Commonwealth. For example, I understand that much of the money that was owing at 30 June last year had been held for some time in the fund because of early repayments by farmers. Has the Government ever considered the possibility of that money being used for other purposes?

The Hon. W. E. CHAPMAN: No, we are unable to use it for any purposes other than those specified in the Commonwealth-State agreement on such funding. The Rural Industries Assistance Act is fairly flexible with respect to Ministerial discretion after we have received the money, but because of the tight nature of the Commonwealth-State agreement, which identifies the uses for that funding, we are confined to retaining it for the purpose of rural industry assistance advance funding. I understand the question raised by the member for Salisbury, particularly in circumstances where there is an accrued credit, at times amounting to several million dollars and affording the opportunity to consider other possible uses for that funding. However, we are tightly locked into the criteria for which the money will be used. It is important to recognise that rural assistance funding does not involve a steady flow of loan and repayment.

Indeed, quite the contrary: there could be a fairly limited call on the funds and then, because of some seasonal conditions particularly in disaster circumstances, there could be a massive call on the funds. As a result of the extremely good seasonal conditions that we have enjoyed in this State over the past two or three years, the situation can arise where there is a greater than anticipated repayment and clearance of mortgage. With this sort of thing happening, there is an ebb and flow in need, in the demand and in repayment. On that basis, of course, the credit amount fluctuates quite dramatically. If any other information is required by the honourable member or his colleagues in relation to the amounts in credit, at various times of the year, I shall be quite happy to provide that information.

Mr. LYNN ARNOLD: I appreciate the fact that disbursements from the fund are not of a standard distribution, and that they are likely to involve peaks and then minimal payments for much of the time. In that case, I wonder whether the Government has considered a kind of evolving credit situation where, in fact, funds from the Commonwealth Government are not repaid but kept within the Farmers' Assistance Fund in anticipation of these things happening in the future and where ultimately an optimal level of funding could be achieved from the Commonwealth which neither needed receipts from the Commonwealth nor anticipated repayments to the Commonwealth. That fund would therefore be within the control of this Parliament, albeit budgeted as funds on credit from the Federal Government, but nevertheless it would enable early disbursement of funds if a disaster struck, rather than the State having to wait for Commonwealth funding to be received.

The Hon. W. E. CHAPMAN: The State has never been embarrassed in this regard. Indeed, when there have been special circumstances involving a special need for funding, we have had no problem in obtaining that funding from the Commonwealth. I can cite a number of occasions since we have been in office when that assistance has been forthcoming. Not the least of these special circumstances was one of the largest locust plagues that this State, if not the nation, has ever experienced. The plague was building up in the northern region of this State about 12 months ago and we needed extensive funding quickly; we needed equipment and manpower; and after calling on the Commonwealth we got the lot. We even got the benefit of the Army equipment and personnel being provided for us by the Commonwealth in order to carry out the campaign. The proof of the pudding is in the eating, and in that case there was a need for immediate attention. We received support from the Commonwealth, and we also had tremendous support from local farmers and, indeed, local government and collectively we were able to grapple with the problem without any embarrassment or hindrance as regards funds. In the case of the last major disaster in this State, and indeed the one I referred to of 14 November 1979, immediately our expenditure within the criteria had been used we qualified for the three-to-one Commonwealth assistance, as would be the case whether the disaster was a flood, drought or fire, etc. Whilst I note the comments made by the honourable member, neither the Government nor his Party when in Government, as far as I am aware, has ever been placed in an embarrassing position with respect to immediate funding.

Clause passed.

Clause 3—"Payments out of the fund."

Mr. LYNN ARNOLD: When was it ascertained by the Minister or his department that, in fact, the Government did not have the power to make the repayments to the Federal Government under the existing legislation?

The Hon. W. E. CHAPMAN: I would have to check the records to find out precisely when the matter was drawn to my attention. I cannot answer that question. In fact, I cannot even say whether the matter was raised by an officer of my department or an officer from the Treasury—it may well have been the latter. So that we do not hold up the passage of this Bill (and I am sure that that is not the intention of the Opposition) I shall ascertain the basis for introducing this measure and provide a reply for the honourable member.

Clause passed.

Clause 4—"Power to make advances."

Mr. LYNN ARNOLD: I thank the Minister for the information provided under the previous clause. Regarding clause 4, can the Minister say what is the rate of interest at present? The Minister indicated a formula for arriving at the rate of interest. What is the current rate of interest paid by farmers who are in receipt of these loans?

The Hon. W. E. CHAPMAN: The rate of interest varies, but in the majority of cases it is set at 7 per cent per annum. It varies, because there is provision in the principal Act to adjust both the term of repayment and the interest once every five years. Under the Act, the loan is subject to review, so that the scheme is not exploited. If a person, for example, borrows funds through this avenue for, say, 15 years at a 7 per cent interest rate, and through seasonal conditions and/or other circumstances he can meet his repayments sooner than 15 years, it is expected that he shall do so.

The only machinery available to the Government to ensure that that is done is via the five-year review system, when an assessment not only can or may be done, but invariably is done, for the very purpose I have outlined. Provision is made for this. Indeed, circumstances demand that from time to time not only is the length of the term loan shortened, but also the interest rate is subject to an increase. I think those details are obvious to the member concerned. The result is that, where there is no longer a need for the fund, more money is available for circulation to a greater range of people in need.

Regarding the Act's elasticity, I point out that it is not my intention to vigorously exercise that requirement. In other words, I do not intend to go overboard in reducing the term loan and/or increasing the interest rate too quickly, when it appears in the short term that there has been a greater than anticipated recovery in the financial circumstances of the client. I know only too well how the rural scene can change dramatically as a result of seasonal change, or seasonal circumstances. It is unwise, and it would be futile, to exercise that clause too vigorously and to restrict growers' opportunities in what in the short term may appear to be better than anticipated circumstances, and to find within 12 months that changed circumstances have caused a client to be embarrassed.

We should treat this provision cautiously and approach it reluctantly. While complying with the requirements we should not be too hasty about reducing the term of the loan and/or increasing the interest rate until there are clear signs that the grower can meet his commitments and continue in agricultural practice.

Mr. LYNN ARNOLD: It is pleasantly refreshing and surprising to hear the Minister say, at least with regard to this Act, that he does not plan to go overboard. That is a refreshing change.

The Hon. W. E. Chapman: Change from what? It would be handy to know, specifically.

The CHAIRMAN: Order!

The Hon. W. E. Chapman: I am more than interested in the remark made by the member for Salisbury. Could he explain his last comment?

Mr. LYNN ARNOLD: The Minister said that he did not plan to go overboard on this piece of legislation. That is very refreshing; I am commending the Minister. I do not want to criticise him.

Clause passed.

Clause 5—"Penalty for false statements."

Mr. LYNN ARNOLD: Throughout the Bill there have been numerous references to deleting the term "of Lands", regarding the Minister of Lands. The Minister, in his second reading explanation, said that "the Minister" would refer to any appropriate Minister who might be dealing with this Act. There may need to be different Ministers at different times who administer the Act. Can the Minister give some undertaking as to which portfolios might handle the area, or is he suggesting that acting Ministers will take the portfolio of Agriculture, in the Minister's absence, or that Ministers such as Lands or Treasury will have some direct contribution to make in this area?

The Hon. W. E. CHAPMAN: In almost every case, Ministers absent from the State may be temporarily replaced with acting Ministers. If they are absent for more than three days, they are required to seek the appointment of an acting Minister by Executive Council. It is the case that in no circumstances can a Minister of Agriculture act as Minister of Lands or a Minister of Lands act as Minister of Agriculture. I do not know whether that situation applies in relation to any other portfolio.

In this State, we have the sort of funding we are talking about vested in the care and control of the Minister of Agriculture. This is unique in Australia. In all other States the Treasury handles the receipt of such moneys from the Commonwealth, and is the responsible portfolio for the distribution of funding for loan and other purposes to the primary industry. The latter is unique to South Australia, and the former matter, with respect to transfer of portfolio responsibilities temporarily, may be applicable in other States. It is certainly the case here.

Clause passed.

Title passed.

Bill read a third time and passed.

PRISONS ACT AMENDMENT BILL

In Committee.

(Continued from 11 February. Page 2769.)

The Hon. PETER DUNCAN: I move:

That this Bill be referred to a Select Committee.

The Opposition believes that this Bill is untimely, since the Government has introduced it whilst a Royal Commission is in progress. Aside from that, we believe that there are very strong arguments, given the general public concern about the matter of prisons administration in this State, to support the need to refer this Bill to a Select Committee. Opposition and Government members would have a greater opportunity to study the issues involved, as would members of the public, if such a committee were appointed. Such matters would then be brought before the Parliament.

We believe that, if this is done, it would ensure that this becomes better legislation, and that the public can express its views. Most importantly, it would ensure that all the reports of committees of inquiry, as set up by the Chief Secretary, as a virtual smoke screen, could be considered by the Parliament.

In a sense, when a Royal Commission is under way and when there is at the same time a committee of inquiry or two or three within the department, when the Chief Secretary is in the process of obtaining many other reports for members of this Parliament, it seems to us desirable that in those circumstances a Bill such as this should be referred to a Select Committee, which can act as a filtering process to bring together all of the many threads that are at present running willy-nilly around the whole question of prison administration in this State.

The Opposition believes that this Bill should be referred to a Select Committee. Nothing contained in this Bill could not be dealt with by a Select Committee; there is no urgency about any one of its proposals. As I said during

the second reading debate, the indication comes through loud and clear from this Bill that the Government was embarrassed by a lack of legislation and it simply wheeled in anything that it could get its hands on to take up the time of the Parliament. This Bill, as it was, lying there in draft stage from the time of the previous Labor Government, simply needed a bit, as this Minister would say, of sprucing up and tidying up, with a bit of Liberal philosophy added to it, and whiz-bang, into the Parliament it comes. I do not believe that is the appropriate way to legislate for the people of South Australia, even if the principal persons affected by this measure are the lowly prisoners, those people who still in this day and age have fewer civil rights than do other citizens.

I think it is long overdue that the whole matter should be given thorough consideration by this Parliament. I believe that it is long overdue that we should set up a committee which can have a thorough look at this Bill and which can accept evidence from the range of interests in the community that are concerned about prison matters. Thus we can ensure that we have the best possible legislation dealing with this matter when it finally passes the Parliament. I would challenge any member in this Parliament to say that he is thoroughly satisfied with this Bill—we all know members are not satisfied. It is at best a hotch-potch. The Minister has already said that further and more comprehensive legislation will be introduced in due course as soon as the Royal Commission has reported and as soon as the other plethora of committees and the like that he has set up have reported to him. He hopes (I think that is what he said) to introduce more comprehensive legislation.

This is a patchwork method of going about things and it does him, as Minister, no credit to have introduced this Bill and at the same time to have said that it is only an interim or temporary measure. When he said that, I thought it reflected on the length of time he would be staying with us; it is interim or temporary in that sense, I suppose. Maybe he wants to get some little legislative monument on the Statute Books before he departs the front bench. Possibly that is why this Bill is being rammed through the Parliament with undue haste and without the opportunity for thorough and careful consideration. This is a measure which would be quite appropriate to go to a Select Committee, since it deals with matters such as the setting up of an advisory committee, and the questions of parole and conditional release.

They are the matters in which many people in the community have shown an interest and on which they, as citizens, would like to be heard by this Parliament. I do not think that any members could be happy with the way in which this legislation has been introduced to the House, nor with the way in which we have been told that it will be followed in due course by a more comprehensive Bill. It would be desirable to have the matter referred at this stage to a Select Committee, so that due consideration could be given to the provisions of the Bill and to other matters which should be included in it but which are not. We could then have a full and comprehensive prisons Statute, which we all want, and one which we could believe confidently would lie on the Statute Book of this State for years to come, unlike the situation we seem to be faced with, whereby we will have this Bill, and then this Government will probably introduce another Bill at some stage, and no doubt, when the great Australian Labor Party returns to the Treasury benches after the next election, it most certainly will want to correct the anomalies that this Government has set in train through this legislation and the later Bill. We will have a continual series of amending Bills, and that is undesirable. It introduces uncertainty into the system.

In the circumstances, it is highly desirable that this Bill should go to a Select Committee so that the matter can be aired and debated and so that, hopefully, we will have a piece of legislation that will stand on the Statute Book for some years. I think the Chief Secretary knows, after his years in this Parliament, that on this type of measure a Select Committee could be of great value. This is the sort of Bill which would interest the public and which would provide an opportunity for us to get down to the nub of the issues and provide some relevant input. At present, I am reasonably confident that few members of this Parliament know what is in the Bill, and that is an unsatisfactory situation.

It would be of great benefit to the Chief Secretary to sit on such a Select Committee and broaden his knowledge of the subject. Such a committee would have an important educative role, not only for the Chief Secretary (and he needs it more than anyone else), but I am prepared to be magnanimous and say that others in the Chamber could benefit equally from serving on such a committee. As it would almost inevitably include three Government members, its potential for education would be even greater than normal.

There are great and compelling reasons for the setting up of a Select Committee on the Bill, so that it can be thoroughly investigated, and so that we can get the best possible piece of legislation, which I am sure is what we are looking for.

Mr. McRAE: I second the motion and, in addition to the reasons advanced by the mover, I return to the matter of a bipartisan approach. In all matters affecting the criminal justice system there has been a desperate need for a bipartisan approach. In other States these matters have been used as political footballs. That is the tag normally given. I repeat my view that it is the community that is really being used as a football in these battles.

To date, the Opposition has shown extreme patience as each of its offers of a bipartisan approach has been rejected in turn. A situation cannot go on forever in which the Opposition is prepared to be so reasonable, especially when it was provoked by members of your Party, Mr. Chairman, at the last election and the infamous advertisements that some of your Party supporters paid for in the newspapers.

That is the only other reason, apart from those put forward by the mover, that I will advance. This is the sixth time that, on behalf of the Opposition, I have put to the Chief Secretary the viability and the practicability of a bipartisan approach. This is an area in which no Government can win. That is the reality of it: in the criminal justice area, no Government stands to win anything, because there are no easy answers. It is not as though this Bill is of desperate or pressing urgency. The Mitchell committee report has been around for the past seven years, so another two months at the most will not matter a great deal.

I hope that the arguments put forward will move the Chief Secretary and the Government from their obduracy. Perhaps, in reply, he might like to indicate why, each time the Opposition offers a bipartisan approach, he refuses. That is what I would like to hear from the Chief Secretary if he intends to reject this motion.

The Hon. W. A. RODDA: I was intrigued once again by the kindly way in which the member for Elizabeth put it, wondering how long I am going to stay around. That has become an obsession with him. I wonder why, in my kindly way, I do things as I am able to do them for him.

I have discussed this matter with my colleague, the

Attorney-General, since the debate last week. I think the member for Elizabeth suggested that I should discuss it with the Crown Solicitor, but I have discussed it with my colleague, who feels, as I do, that this Bill deals with matters of Government policy. I refer to the advisory council, volunteers, conditional release, restructuring of the Parole Board, and the fixing of non-parole periods. Therefore, the Government will not support a Select Committee. We are dealing with policy decisions reflecting on the law and order policies. With respect to the member for Playford, let me say that those policies brought this Government to office. These points were canvassed in the Estimates Committee.

A Select Committee to report on the wider area of correctional services could not be supported, either, because of the present Royal Commission proceedings in relation to certain matters. This is a narrow Bill, and the fact that the Government proposes to bring in another Bill when the Royal Commission has reported is another matter. Having considered the matter of a Select Committee, the Government rejects it.

The House divided on the motion:

Ayes (20)—Messrs. Abbott, L. M. F. Arnold, Bannon, M. J. Brown, Corcoran, Crafter, Duncan (teller), Hamilton, Hemmings, Hopgood, Keneally, Langley, McRae, O'Neill, Payne, Peterson, Slater, Trainer, Whitten, and Wright.

Noes (23)—Mrs. Adamson, Messrs. P. B. Arnold, Ashenden, Becker, Billard, Blacker, D. C. Brown, Chapman, Evans, Glazbrook, Goldsworthy, Gunn, Lewis, Mathwin, Olsen, Oswald, Randall, Rodda (teller), Russack, Schmidt, Tonkin, Wilson, and Wotton.

Pair—Aye—Mr. Plunkett. No—Mr. Allison.

Majority of 3 for the Noes.

Motion thus negatived.

Clause 3—"Arrangement."

Mr. McRAE: I move:

Page 1, lines 20 to 24—Leave out all words in these lines.

This deals with the question of conditional release. The Committee will recall that it was the attitude of the Opposition that, for a number of reasons, conditional release is not as satisfactory as the existing sytem of remissions. Basic to the thrust of that argument is to say that, upon a person receiving a sentence, it is a distinct advantage in maintaining his sense of order and sense of propriety while under imprisonment to gain the benefit of his good behaviour. This will be lost under the new system. I would have thought officers in the department would be strongly in disagreement with the Minister on this matter. Will the Minister say what representations he has received from those officers who have to bear the heat of the day? It is all very well for us in this place to argue the philosophy of conditional release as opposed to remission but, of course, it would have been one of the benefits of a Select Committee, had the House agreed to one, that we could have had evidence from the officer.

Mr. Mathwin: We mustn't talk about that.

The CHAIRMAN: Order! The honourable member for Playford has the call.

Mr. McRAE: The critical point is that the people who stand to be affected by this, apart from the prisoners, are the prison officers, because surely it is an inducement to any prisoner who has received, say, a term of six years imprisonment to know that, if he is of good behaviour, two years of that term will automatically be remitted—so the inducement is there to behave himself. If he does not behave himself, his remission is lost, so he is punished accordingly. I would like to know what representations the Chief Secretary has had from officers of the Correctional Services Department, those directly involved in the prison system itself, about the merits of one system as against the other?

The Hon. W. A. RODDA: If I understand the honourable member correctly, he is asking me what representations I have had from the prison officers.

Mr. McRae: Exactly.

The Hon. W. A. RODDA: The Government and my office have looked at this matter in some depth. I have had long discussions with the Attorney-General about this matter, because we have an interwoven interest in it. If the honourable member is asking whether I discussed this at some length with the prison officers, I have not done that, but I have discussed it at great length with the Director and Assistant Director. I do not want to canvass matters which we will be dealing with later and which have a bearing on what the honourable member is putting to me. What has been asked is what impact this Bill will have on prison officers. This is Government policy and is put forward in that manner.

Mr. McRAE: I can readily accept the Chief Secretary's answer, because he is an honest person. If he says it is Government policy it is Government policy; if it was not it would not be here. First, is the honourable gentleman saying that his Government in some way had a mandate from the people in 1979 to do away with remissions and provide conditional releases as an alternative? Secondly, if he has not had representations from prison officers, how on earth can he justify simply ignoring them? I must comment quite vehemently on this matter.

Apart from the prisoners, there is only one group of people who stand to be hurt (and I mean hurt) by this situation, and that group is the prison officers working in the prisons day by day. I find it quite abhorrent that those people have not been consulted. It is all very well for the Minister to sit back in such a bland fashion and say that he spoke to the Director and the Assistant Director. That is fine, but I find it quite abhorrent that he has not at least asked the opinion of those working in the field. That is quite reprehensible. I think it demonstrates an attitude of mind that everybody is going to be ridden over roughshod because that is Government policy.

Does the Minister claim that he has a mandate for this resulting from things put to the people at the 1979 election? Also, how can he possibly justify not seeking information from the prison officers themselves as to their views, bearing in mind that, because of this change in the system, a prisoner no longer has an incentive to be well controlled in his behaviour? It seems to me very likely that the wisdom of our ancestors was correct. In other words, if there is an incentive for good behaviour, you are likely to get it and there is likely to be less damage and harm and injury to prison officers. If you take that incentive away, it seems to me to be the reverse, that that difficulty will lie there.

The Hon. W. A. RODDA: I find the honourable member's argument quite unacceptable. The Government has a responsibility to legislate, and the Government is doing that. As for saying that we are doing away with remissions, that is not so. Under this legislation, the prisoner who behaves himself has every incentive to act up to what is expected of a decent citizen in society. If that is what I am to understand the honourable member is saying in a roundabout legal way, I am giving him a layman's answer, and that is all I intend to say to the honourable member.

Mr. McRAE: I did not speak in a roundabout legal way at all; I spoke in a very direct way. First, I asked whether the honourable gentleman was saying that he had a mandate from the people for conditional release instead of

remission. That is not roundabout, and that is not legal. Question No. 2 was whether he could tell me why he did not consult the prison officers in doing that. Can he go this far—does he acknowledge that the prison officers are the ones who, potentially at least, are at risk in this matter? There are two simple questions: first, does the honourable gentleman claim that his Government has a mandate from the people, and secondly, why did he not talk to the prison officers? By way of explanation of that, does he, or does he not, agree that it is the prison officers who tend to be at risk? I do not want to confuse anybody, but I must answer one point which the Minister made and which was backed up by his colleagues. This Bill does remove remission: it does remove the incentive for people to behave themselves.

Mr. Mathwin: Of course it doesn't.

Mr. McRAE: The member for Glenelg is causing his usual confusion. What this Bill does is change an existing situation whereby a man who has got a sentence of six years imprisonment gets an automatic deduction of two years the moment he walks in the gate, provided that he is well behaved up to the point of release. The new system does not do that, and only a fool could think that it does.

The Hon. W. A. RODDA: If the honourable member wants to know whether we have a mandate, we are in office and he is not, and if that is not a mandate I do not know what is. There was great disquiet and a hue and cry for some law and order in the State. I repeat that it is not the Government's opinion that the inmate who does the right thing will not be better off.

The Hon. PETER DUNCAN: I was amazed to hear the Minister say that he had a layman's understanding of this matter. After hearing the reply he has just given, I would say that it is a lame duck's rather than a layman's interpretation of it. One must have some sort of understanding of the principle involved in the difference between conditional release and remission. I noted that the Minister had the member for Rocky River acting as a runner between his departmental—

The ACTING CHAIRMAN: Order! I do not want the honourable member to proceed in that vein and I ask him to desist.

The Hon. PETER DUNCAN: I am simply suggesting that the Minister ought to get a greater grip on the principles involved in this matter. The situation is crystal clear: a remission situation such as we have at present and have had for many years means that—

The Hon. W. A. Rodda: We had it for 10 years from your Government.

The Hon. PETER DUNCAN: Far longer that that. The remission system has existed for many years and has stood the test of time. It operates on the basis that a prisoner going into the prison, having been sentenced to, say, three years gaol, knows that if he is of good behaviour for a period of two years he will automatically receive a remission of the last third of his sentence. Under the conditional release system, the prisoner knows that he will not be free of the system until he has completed three years. He might get out after two years on so-called conditional release, under, and subject to, a probation officer and the like, but many prisoners would prefer to do the three years and then be out and rid of the system rather than go out after two years and be on parole. The effect of that will be that prison discipline will suffer greatly, because those prisoners who know that they are going to do three years have no great need to concern themselves with how they act within the prison, except, of course, if they commit offences which lead them to be given further prison terms.

Mr. Mathwin: Don't you think they'd behave themselves to get remission?

The Hon. PETER DUNCAN: Yes, that is the point I am making, but they will not do so to get simple conditional release in many cases, because conditional release is not a matter of great interest to many prisoners. Fewer people will get conditional release than those who go out on remission at present. I want to know how the Minister thinks that conditional release will provide the same sort of lever, if you like, to encourage prisoners to be of good behaviour as remissions have done, because the simple fact of the matter is that it will not.

The Hon. W. A. RODDA: Under conditional release, a prisoner will earn 10 days remission every month, which would add up to a third of the year, and it is up to the prisoner. If the situation outlined by the member for Elizabeth arises and the prisoner errs, the Superintendent can dock a certain amount of time from his remission. There is a right of appeal for the inmate and he can appeal to the visiting justice and so he is not left without a feather to fly with. He has an overriding incentive to behave himself. After all, that is what prisons are about, and that is what people in the community expect. That may not mean much to the honourable member but that is what it means to John Citizen outside.

Despite what is being said by members opposite, that is why we are on this side of the House. I make no apology for introducing the Bill, despite what the member for Elizabeth has said about the Select Committee. This Bill has had the run-down; it has been examined by my Party, and the Attorney-General and I have had long discussions about it, as we have had with senior officers of the Department of Correctional Services. That is where we stand on the issue, and members are only wasting the Committee's time by adopting such an attitude.

Mr. CRAFTER: I am somewhat confused by the Minister's reply, and I would be pleased if he could assist me in coming to some understanding of what the Government's concept of remission is and what he hopes to achieve by this measure. It is my understanding that there is already at law an ability to grant remissions. That is provided for in the present Prisons Act, and it applies to the effect of 10 days a month. From what the Minister has said, it is my understanding that there is no change at all. In fact, I understand that the present law provides that in cases of exceptional merit a non-parole period may be reduced by a further three days a month. The Minister may be indicating that there is, in fact, a taking away of some of the benefits that can be earned under the present law with respect to remissions. However, I am totally confused as to what the Minister is hoping to achieve with respect to remissions.

Mr. KENEALLY: I am rather disturbed by the Minister's attitude in this debate. A few moments ago he said that it made absolutely no difference what questions were asked of him or what information was sought from him: he had his attitude towards this legislation and members of the Committee could go fly a kite, as far as he was concerned; he was not going to contribute any more. That indicates to me not only a closed mind, but an utter contempt of the Committee system. It is not an imposition upon the Minister for him to be questioned in Committee, and it is not a liberty that the Opposition is taking in seeking that the Minister quite clearly articulate just exactly what he proposes should happen under this legislation.

There has been a great deal of confusion arising as a result of the Minister's replies to our questions. The member for Norwood has once again indicated those areas of confusion. I do not think it would be right for this Committee to move on to another clause until the Minister

has adequately explained exactly what he is on about and answered, for the benefit of all, including his own back-benchers, those queries that have been raised.

It seemed to me that the Minister was going to allow the question to be put. I have risen not to enter into the specifics of the debate but to—

The Hon. W. E. Chapman: No, because you don't understand them.

Mr. KENEALLY: I understand them all right, but the problem is that the Chief Secretary does not. However, he will understand them even less if he is not put under pressure from the Minister on his right. He is the only Minister in Cabinet that I could describe as being on the Chief Secretary's right. I will be delighted if the Minister now takes the opportunity that is available to him to give the Committee the information to which it is so readily entitled.

Mr. CRAFTER: It is of considerable importance that a satisfactory explanation is given to the Committee. One of the reasons that the Chief Secretary has advanced in favour of this measure and of the concept of remissions is to maintain and provide for discipline within institutions in this State that hold prisoners. Of course, it is important that there is an ability for discipline to be maintained by the effect of remissions for good behaviour. We in this State are at present experiencing a Royal Commission which has arisen out of the breakdown of the maintenance of law and order in the prison system.

One should have thought that this Bill, related directly as the Minister has already told us to the building up of the ability to maintain discipline within prisons in this State, has a direct bearing on the concerns that are being expressed so broadly in the community regarding the maintenance of security and law and order in our prisons. Last week, prison staff went out on strike because, allegedly, of the smoking of drugs within the prison walls.

The Hon. Peter Duncan: Illegally.

Mr. CRAFTER: Yes, they were smoking drugs that are illegal. If that is true, and this is the response of those who are vested with the custody of persons in this State's prisons, this matter becomes more relevant. It becomes vital that measures are available for rewarding good behaviour of those in prisons. That reward is, of course, the early release of those prisoners. If that system does not apply, there is no incentive for one to behave in an orderly manner in prisons, and the already difficult task of prison officers will be made nigh impossible.

Mr. Mathwin: What about the 10 days a month?

Mr. CRAFTER: I am saying, "What about the 10 days a month and what about the three days a month on top of that?". The Minister has not explained to my satisfication or to that of other members what he is hoping to achieve by this provision. There is in the community great concern about what is happening in prisons at this stage.

The Hon. W. E. Chapman: You're creating concern.

Mr. CRAFTER: The concern is very real when people can break into prisons and release dangerous criminals, and when prison staff go out on strike because of illegal activities that are occurring within our prisons. Such offences would be illegal if they occurred outside prisons, but when they occur inside prisons it is of even greater concern. I am not raising something that is untrue: it is true and it exists. We are being asked to do something about it: this opportunity is before us now. It is unfortunate that it has come before the House in such a piecemeal fashion. I want a full explanation, but obviously the Minister is not prepared to give it.

The Hon. W. A. RODDA: The honourable member is talking about the clause dealing with applications for parole on page 6 of the Bill. That right is still available to a prisoner. The honourable member was confusing it with conditional release.

Mr. Crafter: No, I wasn't.

The Hon. W. A. RODDA: That is the way that I interpreted it. I repeat that this Bill does not take away something that these people have at present. However, it makes it more difficult for those who buck the system.

Mr. KENEALLY: It is not the Opposition's purpose to try to embarrass the Minister on this clause.

The Hon. W. E. Chapman: You'll have to do a hell of a lot better than you have done so far.

Mr. KENEALLY: The "heavyweight" on the front bench seems to suggest that we will not be able to embarrass the Minister. That is fair enough; we are not seeking to do so. The Opposition is anxious to have a bipartisan approach to issues of this kind but, as a result of the Minister's attitude, that possibility has not been made available to us. When trying to answer the questions asked by the member for Norwood, the Minister either totally misunderstood what the member was on about or he is deliberately evading the question.

If members are expected to vote on that part of clause 3 relating to conditional release, it is not unreasonable for the Committee to be told exactly what the Government means by "conditional release". Also, it is not unreasonable for the Committee to be told what the Government hopes to achieve by implementing its policy of conditional release; nor is it unreasonable for the Government or the Minister to tell the Opposition where it is wrong in its attitudes and arguments regarding conditional release as opposed to the current system of remissions.

The Opposition has put clearly what we believe to be the benefit of the remissions system. The Government is anxious to change that system. It ought to be able to tell the Committee why it is changing from remissions to conditional release. Yet, no matter how many times Opposition members ask the Minister that specific question, he either deliberately misunderstands or evades the question altogether. That is not, to my mind, the way in which Parliament should operate. As I said earlier, it is a contempt of the Committee system.

The Opposition is not imposing on the Minister, who ought to do the Opposition the courtesy of answering questions. He should not treat us as though we were children, because we are not: we have a role to play and a right to probe Government legislation. The Committee, Parliament and the South Australian public have a right to know why the Government intends to change the existing legislation. The Government has a duty to tell the Committee, Parliament and the people of South Australia why it is changing this legislation. I ask those three simple questions again. What does the Minister clearly understand by "conditional release"?

The Hon. W. E. Chapman: I don't know anything about the subject, but to me the Minister has made it clear, and I am damned if I know why you can't follow it.

Mr. KENEALLY: The Minister might be able to make it clear for the convoluted mind of the Minister of Agriculture, but that does not mean that it makes it clear for rational people, and that is what I am asking the Minister to do now.

Mr. McRae: If the Minister of Agriculture was well out of it, we would be better off.

Mr. KENEALLY: If the Minister of Agriculture was not acting as the heavy and the protector for his colleague, the Committee would get on much better. The Minister of Agriculture could be in his office doing some useful work rather than interrupting and trying to be awkward in this debate, to which he is making no contribution whatsoever.

Will the Minister say what he understands by "conditional release", and what the Government hopes to achieve in the way of improved discipline within prisons as a result of conditional release? Will the Minister also say why the Government believes that the present system will be improved by conditional release, and why he is ignoring the Opposition's attitudes and arguments on this score? I will take every opportunity (and one more opportunity will be available to me in this Committee), and I trust other members will do likewise, to continue to question the Minister until he does this Committee the justice of answering the questions that he is asked.

[Sitting suspended from 6 to 7.30 p.m.]

Mr. KENEALLY: Prior to the dinner break, in the normal courteous manner that I display to Ministers in Committee, I was with some effort attempting to hold the fort until the dinner break so that the Minister had an opportunity to discuss with his officers from the Department of Correctional Services some of the questions that had arisen during this debate. He has had that opportunity and I am sure that he is now in a position to give the Committee the answers that it has been seeking. I ask him to tell the Committee what it is entitled to know about the Government's plans on remission and conditional releases.

The Hon. W. A. RODDA: Prior to the dinner break the member for Norwood asked a question concerning the three days remission available to an inmate on application during the period of his sentence. That three days is repealed by the repealing of section 42 (i). A new section will be enacted with the passage of this Bill. Regarding the 10 days that I spoke of, that is that the court will be required to fix a non-parole period, an inmate will earn 10 days remission a month for good behaviour.

If it should occur (and one hopes it will not) it provides that a superintendent can award less remission than applies in the 10 days. Provision is made in the Bill for the inmate to appeal to a visiting justice. The three days that the member for Norwood is talking about is repealed with the deletion of subsection 42 (i).

Mr. O'NEILL: I have been listening throughout the afternoon and I am rather concerned at some of the things that I have heard. I want to make it clear that I have no desire to denigrate the Minister or make his job any harder than it is. It concerns me that, as I understand from what the Minister has said so far, he has not consulted prison officers, members of the P.S.A. and the A.G.W.A. Will he say why he has not bothered to consult the people who work in these institutions? Has he any idea of what their attitude is in respect of the propositions? I am sure that they must have some opinions on it. If he has not consulted them, they are more in the dark than I am. I have been listening to the Minister for over an hour and cannot follow what he is on about. It seems to be a very confused situation. Why has not the Minister bothered to consult the officers who have to carry out the instructions that he will undoubtedly give under this legislation if it is carried?

Mr. CRAFTER: I thank the Minister for the explanation with respect to the further three days a month that is accruing to prisoners who are of good behaviour. As I understand the Minister's explanation, the rationale behind remissions is that this does in fact assist discipline within prisons. I would have thought that to reduce the remission time from 13 to 10 days a month would discourage prisoners from behaving in such a way that would assist in controlling behaviour within prisons. I am at a loss to understand why that further incentive to prisoners has been removed from the legislation. It might help the Committee if I referred briefly to that section of the Mitchell Committee Report which refers to an explanation of the present law of remissions. On page 71 of the report it states:

> Remissions—A widespread characteristic of imprisonment is some form of remission of sentence for good behaviour. In South Australia this is a matter for the Prisons Department, in the person of the Comptroller of Prisoners, acting under regulations made under the Prisons Act, 1936-1972. Remission applies to every sentence of imprisonment of more than three months and is applied at the rate of not more than 10 days for each month of sentence served. If the offender is serving consecutive sentences they are counted as one sentence for this purpose. The regulations contemplate that remission is not automatic but is to be earned by the accumulation of marks for satisfactory behaviour. There is a parallel power for the Comptroller to reduce by three days a month a non-parole period set by the court under s. 421 of the Prisons Act. For exceptional merit a non-parole period may be reduced by a further three days a month. The rationale of these powers is that they assist discipline by giving the prisoner something to lose if his behaviour is unsatisfactory and promote rehabilitation by giving him some positive benefit to aim at.

The Committee report went on to explain the pros and cons of the present system. Given the second reading explanation of this Bill, I should have thought those arguments would be taken on board in drafting the present Bill. That is my concern, particularly for the current unsatisfactory situation which exists in maintaining the security and law and order within the very prisons that we are concerned about. This brings about a reduction of incentive for prisoners to behave in such a way that it would facilitate law and order and discipline and, hopefully, rehabilitation occurring whilst the prisoner is detained in prison. I would appreciate some explanation from the Minister on that point.

Mr. O'NEILL: I want to ask the Minister a question because I am appalled at the way he treated me a few minutes ago. I do not believe that the Minister is *non compos mentis*. Therefore, I can only come to the conclusion that he is being deliberately evasive. I represent the electorate in which the largest prison establishment in this State is situated. I construe the Minister's attitude as an insult to the people who work in the prisons, members of the P.S.A. and the A.G.W.A., and also an insult to the Opposition and the people of my electorate. He is sitting there silently and refusing to answer legitimate questions that are being posed. I hope that the Minister will answer my question, in view of the fact that he has ignored my previous question. Has the Minister consulted any judges as to their attitude to these propositions that he is putting before us? Has the Minister consulted any criminologists at the universities in this city as to their attitudes in respect of these matters?

If the Minister is not being deliberately evasive, I have a suspicion that he does not know what he is talking about, and I would appreciate an answer to those questions.

The Hon. W. A. RODDA: I do not know what all the hurly-burly is about. The Government has taken advice on this. We had discussions with the Chief Justice. I pointed out to the Committee earlier that I had not had discussions with the prison officers about this. I have spoken to the Director of Correctional Services and Assistant Directors, and this Bill represents the considered opinion of the Government. That is the Bill before the Committee.

The Hon. R. G. PAYNE: I have not been directly involved in the debate so far, although I have attempted to follow it because of my interest in these matters as a

former Minister of Community Welfare, and so on. I am somewhat at a loss to understand the Minister's attitude in the matter. He seems to be so reluctant to answer whether he has had consultations with the A.G.W.A., for example, that I am still not clear whether his answer was "Yes" or "No".

The Hon. W. A. Rodda: The answer was "No".

The Hon. R. G. PAYNE: Then, it would seem that the point made by my colleague the member for Florey is extremely valid in this matter. Irrespective of the Government's thoughts and wishes and our thoughts and wishes, in the ultimate it comes down to those people who have to work under what we make as a law, and it would not seem unreasonable to me for the Minister to have had some consultation with the A.G.W.A. on this matter, especially as there has been considerable publicity on the whole question of prisons and prison administration over the past several months.

Mr. Mathwin: Do you think we ought to have a referendum on prisons?

The Hon. R. G. PAYNE: The member may, when he gets time, explain why he no longer asks questions about a juvenile correctional establishment with which he was constantly involved when another Party was in Government. Of course, that is not strictly relevant to the matter before us and I will not pursue it.

Members interjecting:

Mr. Mathwin: You got sacked.

The Hon. R. G. PAYNE: I say in answer to the member that I was so sacked that I went from one portfolio to three. If that is supposed to be a demotion, there has certainly been a change in the thinking that applies in political circles. I think the Committee is entitled to an explanation. Having extracted, over a long period of valuable time to the Committee, that the Minister did not consult with that body vitally concerned with working under this legislation, I believe we are entitled to be told by the Minister why he did not consult that body.

The ACTING CHAIRMAN (Mr. Russack): I point out to the member for Florey that, if he speaks, it will be the last time.

Mr. O'NEILL: I realise this, and I am sorry that I rose before. You did say "In answer to the member for Playford" and I was rising on that point, because I am the member for Florey. I thank the Minister for answering my question but I am surprised that he has refused to answer the member for Mitchell. What I would like to know now, with respect, is whether, our having elicited from the Minister that he did discuss the matter with, among other people, the Chief Justice, he will be so kind as to tell us (briefly, of course: I do not want a verbatim statement) what the Chief Justice said to him when he raised this matter with him.

Mr. LYNN ARNOLD: I think we have a very poor performance regarding the answering of questions tonight. We have quite a few questions and they are not achieving the answers that they deserve. The members for Florey, Norwood and Mitchell, amongst others, have asked questions that are not being answered, and I hope it is not in a spirit of futility that I put a question to the Minister.

The ACTING CHAIRMAN: Order! Discussion about the Minister's attitude and whether or not he has answered questions to the satisfaction of a member is not in order.

Mr. KENEALLY: I rise on a point of order. Am I to understand that, by your ruling, it is out of order for the Opposition to express any disquiet about the manner or the content of the answers given by the Minister to queries raised by us? If that is your ruling, that would suggest that there is no point in the Opposition's trying to elicit information from the Minister. In fact, I would suggest, with great respect to your ruling, that it would make any contribution by the Opposition to this debate futile indeed. I would ask whether you would (again, with respect) re-think the ruling you have given, because I, as a member of the Opposition, can see some very great problems in it.

The ACTING CHAIRMAN: In explanation to the point of order brought forward by the honourable member for Stuart, the fact of the matter is that several honourable members—the honourable member for Florey, the honourable member for Mitchell, and now the honourable member for Salisbury—have all mentioned the fact and have referred to the Minister's not answering questions. If members continually refer to previous unsatisfactory answers, that in itself is an indication of repetition. It is not the wish of the Chair to restrict questioning but members should be aware of Standing Orders as they relate to repetition. Therefore, I uphold the point of order to the degree that it is not wrong to refer to the Minister's not answering questions, but it is out of order for it to become repetitious.

The Hon. R. G. PAYNE: I rise on a point of order and, with respect to your position, I do not believe that I referred directly to the Minister's not answering a question. What I said was that I was not able to deduce from his reluctant manner whether he had answered the particular question directed to him by the member for Florey. Subsequently, in your hearing, the Minister kindly did make clear that he had answered in the negative. I draw to your attention the fact that perhaps inadvertently you have included me among members who referred to the fact that the Minister was not answering questions. I did not, to the best of my knowledge, say that. I referred to the fact that, because of his reluctant manner, I was not able to understand the answer he had given.

The ACTING CHAIRMAN: There is no point of order.

Mr. LYNN ARNOLD: We have had some (very little) information this afternoon and this evening about the consultations that have taken place in the drafting of the Bill before us, and it appears that the Minister has had consultations with, presumably, at the very least, the Chief Justice, the Director and Assistant Directors of his own department, and doubtless Cabinet as well, including the Premier. I think the question we need to have answered is what changes to the original Bill that the Minister had in his department have been necessitated by the consultations he has had with these various people. In other words, have there been any trade-offs to keep various other people happy and to quell any criticism they may have made of the way in which the Minister is performing in this function? Can the Minister advise what alterations were made to the Bill and the drafting to the stage it is now before us and will he say what those particular changes or trade-offs were?

The Hon. W. A. RODDA: I do not like the term "trade-offs". I think it is quite plain to the Opposition that the Government came to office with a policy, and this Bill gives effect to those parts of the policy that do not transgress the Royal Commission. I hope I have answered that. It was a matter of courtesy that one should talk to the Chief Justice about this matter, and we did talk to Justice Mitchell.

Mr. O'Neill: What about the policy of open government?

The Hon. W. A. RODDA: Well, you have a Bill here, and surely you can read.

An honourable member: Don't get stroppy.

The Hon. W. A. RODDA: It is not a question of getting stroppy.

Members interjecting:

The ACTING CHAIRMAN: Order!

The Hon. W. A. RODDA: Members opposite who do not like conditional release have their views about the matter and I do not discourage them from that—that is their own private business. One cannot say what one would perhaps like to say because a Royal Commission is currently looking into the prisons system. I am wearing problems that could have been someone else's. The Government intends to see it through.

Mr. Langley: You were elected to the Ministry.

The Hon. W. A. RODDA: We will see it through; do not get excited about it. The Government is very genuine in its approach to this matter in relation to capital and providing provisions. Much has been said about prison officers; they are a band of people who are doing a very difficult job well, in my opinion.

The Hon. R. G. Payne: You don't want to talk to them.

The Hon. W. A. RODDA: We talk to them.

The Hon. R. G. Payne: You said that you didn't.

The Hon. W. A. RODDA: The honourable member asked me a specific question as to whether I went out there with a Bill in hand. I did not; nor did I think that perhaps I should have.

Mr. Hamilton: Will you?

The Hon. W. A. RODDA: No, if you want an answer. A Bill is before the House, and the member for Elizabeth has held that in due time I will introduce another Bill. It is all very well for the honourable member, the coach, to get on with his job, and that is his business, but it is my business how I react to it.

Mr. LYNN ARNOLD: In discussing this matter before, I think "trade off" was a bad term and I did not mean to imply what those words imply. I do not believe that the Chief Justice would have been capable of such things. We are discussing the degree to which compromise was entered into by the Chief Secretary with the various parties, albeit unknown in many instances, with whom he has had consultations. The Chief Secretary has given an ambivalent answer to that by not indicating the extent to which consultation has taken place, and also by indicating that he is not prepared to allow that consultation to be as wide as I think many of us feel is absolutely essential. This is something which affects the community at large. It does not just affect one or two selected individuals; it affects the entire community. Therefore, it behoves anyone introducing legislation of this type to have consultations with as broad a section of the community as possible. The fact that it is taking us so long to find out exactly with whom that consultation took place is a sorry state of affairs indeed. To have further added to that the fact that no further consultation is thought necessary is a very sorry state.

Mr. McRAE: The debate on the amendment moved by the Opposition has reached a disgraceful point, in that the Minister has made it quite clear that he will reply to those questions only where he feels that the answers would be an advantage to the Government as distinct from the community at large. We have had example after example of that, where legitimate questions have been asked in a bi-partisan approach. There has certainly been no grandstanding by the Opposition; we have asked questions very much to the point, such as the question that was asked by the member for Salisbury, who asked who has been consulted, and he received a strange reply; and such as the question asked by the member for Florey concerning the lack of consultation with prison officers.

In those circumstances the Opposition feels very strongly that it has no option but to move that progress be reported and the Committee have leave to sit again, so that the Minister can have an opportunity to consult his officers—and a large group of them are present in the House tonight, and properly so—to reconsider the whole issue. After a suitable adjournment the Minister could come back with realistic answers. No-one is suggesting that the Chief Secretary is anything else but a decent and honest Minister. Secondly, no-one is suggesting that it is impossible to answer these questions, because they can be answered. Thirdly, everyone agrees that there may be a need for an adjournment in order to get some material to the Minister. In those circumstances, it must be completely obvious to the Committee that my motion is needed. I move:

That progress be reported and the Committee have leave to sit again.

The Hon. W. A. RODDA: I oppose the motion, and I believe it is nothing short of an insult. I have answered the questions.

The ACTING CHAIRMAN: Order! The motion is not debatable by the procedure of the Committee, and the question must be put.

The Committee divided on the motion:

Ayes (19)—Messrs. Abbott, L. M. F. Arnold, M. J. Brown, Crafter, Duncan, Hamilton, Hemmings, Hopgood, Keneally, Langley, McRae (teller), O'Neill, Payne, Peterson, Plunkett, Slater, Trainer, Whitten, and Wright.

Noes (21)—Mrs. Adamson, Messrs. P. B. Arnold, Ashenden, Becker, Billard, Blacker, D. C. Brown, Chapman, Eastick, Evans, Glazbrook, Goldsworthy, Lewis, Mathwin, Olsen, Oswald, Randall, Rodda (teller), Schmidt, Wilson, and Wotton.

Pairs—Ayes—Messrs. Bannon and Corcoran. Noes—Messrs. Allison and Tonkin.

Majority of 2 for the Noes.

Motion thus negatived.

Mr. LYNN ARNOLD: When the department or the Minister decided that there was need for amending legislation, what did the Minister direct should be the process of consultation to try to find out whatever opinions he thought worthy of finding out? How successful was that? How much consultation did the Minister receive from any source, and to what extent was that information considered by the Minister or his department in drafting this legislation?

Mr. O'NEILL: I rise on a point of order, and I seek some clarification. I have been a member of this Chamber for about 18 months, and I have never seen a situation like this arise. Earlier I heard a ruling that a Minister may answer a question in any way that he desires, but is the Minister allowed to consistently refuse to answer questions? Is that in accordance with Standing Orders?

The ACTING CHAIRMAN: Order! That is not a point of order but, in answer to the inquiry of the member for Florey, I indicate that the Minister is not obliged to answer a question. Further, the Minister can answer in a manner that he sees appropriate.

Mr. MATHWIN: I would like to get back to the clause because, judging from some of the antics of the Opposition, it does not know what clause we are on. We are dealing with conditional release. Earlier speakers on this matter have referred to matters of principle and discipline, and this is certainly a matter of principle as far as my Party is concerned. We believe in the conditional release system, because it gives prisoners an incentive and an opportunity to get out of gaol 10 days earlier for each month in which they are in prison. If they do not behave themselves or do not do as they should, they might earn only six or seven days. Surely that is a good incentive for prisoners to toe the line and obey the rules. After all, the matter revolves around a certain amount of discipline within institutions.

The member for Mitchell, who was so vocal earlier when he mistakenly accused me in regard to what I was doing in relation to juvenile institutions, reflected on himself. He was sacked because—

Mr. KENEALLY: I take a point of order. the honourable member started his contribution by saying he wanted to get back to the clause, but since then he has talked about institutions and other matters. I ask you, Mr. Acting Chairman, to rule that the member for Glenelg should address himself to the clause and not to matters that are not even peripheral to it.

The ACTING CHAIRMAN: I do not uphold the point of order. The Chair has allowed a certain tolerance in the debate, and the member for Glenelg has not departed from that procedure.

Mr. MATHWIN: I point out for the edification of the member for Stuart, who perhaps does not realise, that a prison is an institution, and when I talk about an institution I hope members opposite realise that I am talking about a prison. I may have been wrong in straying a little in relation to the jabbing that I was getting from the previously demoted Minister in charge of correctional services. If I hurt the member for Stuart, I apologise to him. Perhaps he thought that he should have got the position of Minister and was disappointed that he did not get it.

The ACTING CHAIRMAN: Order! I ask the member for Glenelg to come back to the clause.

Mr. MATHWIN: We are talking about conditional release, but the Opposition believes that it should be a different system altogether. The matter of law and order played an important part in the previous election and, according to our principles and our beliefs, we have provided in this Bill for conditional release. As I have stated, it provides an incentive, something about which the member for Florey probably would not know much.

Mr. O'Neill interjecting:

Mr. MATHWIN: You have never had any incentive, either. I realise that the member for Florey just does not understand a word. Perhaps if he stays on the back bench long enough he will realise what it is. We may soon see how good the member for Florey's need for incentive is with the blood-letting in the Caucus room involving the front bench.

Prisoners under our system will be allowed and allocated up to 10 days for each month that they serve, provided they behave and work to the rules laid down by that institution (for the benefit of the member for Stuart, that is the prison). As I stated earlier, it is entirely up to the prison authorities whether prisoners get 10 days, nine days, eight days, seven days or whatever it might be, but the incentive is there and that is the basis of our philosophy. This provision is in the Bill, because we believe that such an incentive is desirable and that this provision gives that incentive.

Mr. HEMMINGS: I am convinced that the last speech of the member for Glenelg was designed to make the Minister look an expert.

Members interjecting:

The ACTING CHAIRMAN: Order!

Mr. HEMMINGS: I have listened to the debate on this clause, and I have yet to be convinced by the Minister that he can explain to the Committee the difference between a remission and the Government's proposal. What incentive is there for a prisoner to opt for anything but remission? I represent a working class district, and I am quite proud of that. The Minister represents the affluent area of the South-East.

The ACTING CHAIRMAN: Order! I ask the honourable member to come back to the clause.

Mr. HEMMINGS: I am talking about prisoners and saying that the statistics will prove that there are more inmates in Yatala from my district than there are from the Minister's district. I am sure that the Minister is ill advised.

Members interjecting:

The ACTING CHAIRMAN: Order! I ask the honourable member for Napier to resume his seat. I appeal to honourable members for decorum. While a member is speaking, he must be heard in silence.

Mr. HEMMINGS: I am sure the Minister is completely out of touch with the view of the prisoners. He has talked about consulting various people, including the Chief Justice, but has he ever consulted the prisoners? Has he ever consulted the people who really count, the people who look at our legislation in relation to remission? Obviously, he has not. He has merely taken the views of the senior advisers of his department.

Recently, I had reason to visit a prisoner at Yatala. I will not divulge his name because there could be retribution against him. The view of the prisoners is that remission, as it applies to their sentence, is the only way that prisoners can work within the prison system. Obviously, that is not the view of the Minister. I ask him to explain what incentives there are to prisoners in relation to this Bill.

The Hon. W. A. RODDA: I do not want to be repetitive.

The CHAIRMAN: It is contrary to Standing Orders.

The Hon. W. A. RODDA: There are 10 days a month which represent an incentive to these people. They do not go to prison for punishment; they go there as punishment. I take on board the little asides, and I do not hold them against the honourable member. Some of my very distinguished constituents go not to Yatala but to Pentridge, with all the problems of people who end up in those places. There is a code of ethics in society, and we must live up to it. There are 10 days a month, and we are providing for a non-parole period. It is as simple as that.

Mr. O'NEILL: I rise on a point of explanation.

The CHAIRMAN: Order! The honourable member can rise on a point of order.

Mr. O'NEILL: On a point of order, Mr. Chairman, the honourable gentleman you just replaced in the Chair drew attention to the remarks from this side of the Chamber. I was responding to the laughter at the plight of the unemployed—

The CHAIRMAN: Order!

Mr. O'NEILL: —on the part of the member for Glenelg.

The CHAIRMAN: Order! I warn the honourable member for Florey. When the Chair calls for order, he will immediately resume his seat. There is no point of order. The honourable member is greatly testing the Chair.

Mr. O'NEILL: I apologise to the Chair. I was rather carried away by the attitude of members opposite.

The CHAIRMAN: Order! The honourable member for Elizabeth.

The Hon. PETER DUNCAN: Thank you, Sir, for recognising my pre-eminence. I seek further information from the Minister, or perhaps I should say that I further seek any information from the Minister. The Minister, in breach of Standing Order 82a, which provides that he can have two advisers on the floor of the House, has double the normal number, having four officers to try to assist him, but with all that assistance no impression is being made on the Minister's comprehension level. How can the Minister deny the logic of what the Opposition is saying? At present, we have remissions available to the Government, to the controller of prisons and, no doubt, if the Government sought it, the system could be changed to ensure that remissions were available on the say-so of the superintendent of the prison.

The prisoner knows, when he goes to prison for a three-year term, that, if he behaves himself, he will get out at the end of the two-year period. We have that system at present, and I hope that is common ground. At least the member for Glenelg now understands that. That is not conditional release: it is remission, and we have that. The Minister, in his wisdom or his ignorance, is trying to foist upon the Parliament and the people of South Australia a system of conditional release. Conditional release means that, if a prisoner has a three-year period to serve, and if he serves two years with good behaviour, at the end of that period he would be released on parole, in effect, for the last 12 months of his sentence. Many prisoners subscribe to an ethic and will not apply for parole, because they will not go into the community, as they see it, on a leash. They do not wish to do that, so at present those prisoners are prepared to stay in gaol, incredible as that might seem to us middle-class members of this Parliament, until they are released completely free, without a dog-leash, as they see it.

Those people in many instances are the most intractable prisoners in the system. Without a system of being able to say to them, "You will receive some remissions for good behaviour," which cannot be said if a prisoner says that he does not want to go out on parole (that cannot be said with the conditional release system), it will be much more difficult to control the prisoners and the prison system. It is patently obvious, and everyone I have spoken to who is involved directly in the running of the prisons accepts that.

Many of the persons who are involved directly in the running of prisons are concerned about that situation and fear that it will lead to a further deterioration in the breakdown of prison discipline. Of all the people to be bringing this type of legislation into the Parliament, it is amazing that it should be this Chief Secretary, because of all the people in the Parliament (possibly with the exception of the member for Glenelg) who speaks law and order long and hard he must take the prize, and he does not seem to realise that what he is, in fact, doing in promoting conditional release is withdrawing, by abolishing the remission system, a very effective tool of control over prisoners' discipline which has served this State and the prison system here very well for many years.

It was not introduced by a Labor Government. It is not one of those new initiatives of the recently departed socialist Government in this State. No, Sir, it is something that has been here since those lofty days of Sir Thomas Playford and his cohorts. And it has, I am prepared to be the first to concede, worked pretty well as a method of prison discipline. If anyone on the Government side has any doubts about what I am saying tonight, I suggest that he ask officers in the prison system (ask the Chief Secretary if you like)—

Mr. Peterson: He won't even talk to them.

The Hon. PETER DUNCAN: He certainly will not answer questions, either. Ask the Chief Secretary or his departmental officers how many prisoners who are entitled to apply for parole do not apply, and one will find it is quite a significant minority of those people in the prison system. Quite a significant minority just do not apply for parole because they do not want to go out on what they see as the dog leash. By removing the remission system you are taking away the only method of controlling that significant minority while they are in prison. That is the tragedy of this; it is the sad fact that this Chief Secretary, who believes in his heart, shall we say, so passionately that law and order must be upheld, really does not understand in his head what he is talking about.

The Chief Secretary is the very one who is introducing this system which, in fact, will lead to a deterioration of discipline and control within the prisons. How can the Minister deny the logic of what I have just said? It is patently obvious (and members opposite who have been listening to what I have said about this must understand) that, basically, control within the prisons will be reduced as a result of the measures that the Minister is attempting to foist on us tonight under the guise, he says, of Government policy. Apparently, once you have been elected to power in this State, regardless of whether anything was in your policy when you went to the people—whether it was in your platform or not—you have a mandate for it. That is a new twist for the Minister. When we were in Government the former Premier and Ministers claimed a mandate for matters specifically spelt out in our policy—in our fighting platform—but the Chief Secretary, and others in the Opposition at that time, would say, "Rubbish", people did not vote for that; they voted for the fact that they liked the look on the Premier's face, or some other attractive feature of the Government. That is the way he discounted such claims then. But at least we based our claims on what was in our policy.

There is nothing in the Liberal Party policy that will support the sorts of things contained in this Bill, so the Minister cannot, in fact, rely on that as a justification. Apparently, anything that this Party now in power for this short interlude foists upon the people of South Australia must be accepted. All I ask the Government back-benchers to do is, even if they do not do it tonight and if they march back and forth across the Chamber in due course to support their Minister, to have a look at what I have said in the debate in the last few minutes and, if they are concerned about the matter, go and ask officers in the prison service whether or not what I have said about some prisoners not seeking parole because they will not be put on a dog leash is true. Of course, it is true, as they will find out. I am sure that this measure will come back to haunt this Minister, because we will find that there will be less discipline in the prisons of South Australia as a result of the measure he has taken tonight. How can the Minister deny the logic of what I have just put to him?

The CHAIRMAN: Before the Chief Secretary speaks, I point out to the honourable member for Elizabeth that Standing Order No. 82a states:

> Notwithstanding Standing Order No. 82 Parliamentary Counsel and such other advisers to a Minister of the Crown (not exceeding two at any one time) on a matter presently under discussion in the House may be seated in the area on the floor of the Chamber set aside for such purpose.

I point out to the honourable member that two of the persons in that area are advisers to the Minister and two are Parliamentary Counsel. It is improper for members to refer directly to those people, except by way of a point of order.

The Hon. PETER DUNCAN: I take a point of order. If members care to refer to Standing Order 82a they will see quite clearly that there are no commas. Therefore, the words "Parliamentary Counsel and such other advisers to a Minister of the Crown (not exceeding two at any one time)" must be aggregated. I do not pursue the point of order. I did not raise it as a point of order originally, but I point that out for the benefit of members.

The CHAIRMAN: I cannot uphold the point of order. The honourable Chief Secretary.

The Hon. W. A. RODDA: I listened with rapt attention to the member for Elizabeth.

The Hon. Peter Duncan: I didn't mean to mesmerise you, Allan.

The Hon. W. A. RODDA: Do not kid yourself! I am sure that the honourable member has forgotten that he is in Opposition. We are talking about a conditional release,

and along with a conditional release the court will impose a fixed period of non-parole. In a sentence of more than three months an inmate earns a remission of 10 days for good behaviour. There is a big incentive in that, surely. I am sure that those on the bench take all these things into account in the case of a person who behaves himself. Clause 12 (3) provides:

> An application under subsection (1) may be made by a prisoner for release from prison before the expiration of a non-parole period if he has applied for and obtained consent to do so from a magistrate or judge of a court of the same jurisdiction as the court that fixed the non-parole period, or the court that last extended the non-parole period, as the case may require.

I am sure the honourable member for Elizabeth has read that. This is not a bad Bill. It gives effect to the Government's policy. The honourable member seems to have a hang-up about remissions. We are not taking remissions away from those persons who have behaved themselves.

Furthermore, when the prisoner goes out on conditional release he goes out unfettered. He is not responsible to a parole officer. All he has to do is to live the good life, to behave himself, as you and I do. I am sure that, if the honourable member considers that, he will realise that this Bill was not drawn with the intent of stirring up problems in prisons because that is the last thing I want to do. Heaven knows, this has been one of the most controversial areas that has arisen. I have wondered why such a good guy as I have been saddled with it. However, we will see it through, and I take on board those points made by members opposite. They have cast far and wide and have had their two pennyworth of fun out of it. The Government is serious about this. Members have asked me whether I have spoken to prison officers—

Mr. HEMMINGS: On a point of order, Mr. Chairman, I ask for a ruling after the Minister's reference to the Opposition's having its little piece of fun. We treat this Bill with the utmost seriousness and not with frivolity. I ask the Minister to withdraw that term.

The CHAIRMAN: I cannot uphold the point of order. The Minister made a very general remark.

The Hon. W. A. RODDA: I have made the points that I wanted to make. When an inmate (I prefer the word "inmate" to "prisoner") is discharged on conditional release he does not have to report, or identify himself; all he has to do is to practise good citizenship, and there are no questions asked.

Mr. PETERSON: I have been listening to this debate for quite a considerable period. In participating now, I assure the Minister that I am not having two pennyworth of fun. It seems to me that the questions from this side have two basic premises, one relating to consultation with the parties concerned and the other relating to why the Government considers necessary the change in regard to parole and conditional release. I believe they are reasonable questions to be asked of a Minister, and it looks as though the sitting will continue for quite a while until we get those answers. I think it is fair that these questions be answered for the sake of this Parliament and for the people of this State. I appeal to the Minister to look at the two questions and provide the Parliament and the people of this State with the answers.

The Hon. W. A. RODDA: Consultation was taken with those people who we thought met our requirements. If it does not meet the requirements of the Opposition—

Mr. O'Neill: Absolute arrogance!

The CHAIRMAN: Order! I warn the honourable member.

The Hon. W. A. RODDA: With regard to the question of a non-parole period, we discussed that matter with the Chief Justice and Justice Mitchell. They expressed views, although I will not say that they influenced us. It seems that the right time to lay down a non-parole period is when the sentencing judge has all the facts at his fingertips, when the prisoner is sentenced. So, the non-parole period is a time which an offender must serve as a punishment for the crime committed. The present remission is 10 days per month or 120 days a year. When the non-parole period is completed, an inmate, subject to his behaviour, may be released on parole, and has to report to a parole officer. However, if he errs he returns and serves the remainder of his sentence. It seems to be a very fair method. I hope that answers the member for Semaphore's questions.

The CHAIRMAN: I understand that the member for Stuart has spoken three times. Is that correct?

Mr. KENEALLY: I have spoken twice. Prior to the dinner break I spoke twice and I was speaking when we returned after dinner, but that was an extension of my pre-dinner speech. Since then I have taken a point of order. I was given a call, then a point of order was taken by the member for Elizabeth and I did not get the call.

The CHAIRMAN: I will allow the member for Stuart to continue.

Mr. KENEALLY: I have not had the opportunity to speak since the member for Glenelg spoke, when he let the cat out of the bag. It was quite obvious that he did not know the difference between conditional release and remission. It is only during the last few moments that the Minister has told us exactly what conditional release is, after about three hours of Opposition probing on this clause.

The CHAIRMAN: I suggest that the honourable member may be out of order, and that he should link up his remarks to the matter before the Chair.

Mr. KENEALLY: I am stunned. The matter before the Chair concerns conditional release, a matter to which we have been addressing ourselves for some three hours. I would not wish to reflect on the Chair but, if you will allow me, I will continue to talk about conditional release. It is only within the last few moments that the Minister has told the Committee what the Government means by conditional release and what are the strictures that are inherent in this system. Information concerning what happens to prisoners when they are released from gaol on conditional release was the whole basis of the questions that were asked by Opposition members prior to the dinner break. This whole debate could have been shortened had the Minister come clean at that time, or had he known what his own Government meant by conditional release.

It is all right for the member for Glenelg to say we have misunderstood. The member for Glenelg spoke for 10 minutes about this clause and during that whole time did not tell the Committee that the prisoners out on conditional release would have no need to report to parole officers. That is the basis of the good argument put forward by the member for Elizabeth and the member for Playford. Opposition members have been trying to get answers to questions put forward by those gentlemen. We now have the answers that we have sought for three hours. I am quite happy with the position that the Government has now outlined. That does not mean that I support what the Government is doing, but I am happy that at least the Government has a rational explanation for the difference between conditional release and remission. That information has not been available for the past three hours and we were entitled to have that information made available to us.

This whole exercise has been one almost of futility; it

has taken three hours to get information from the Minister that he could have given us in the first five minutes. He did not know and because he did not know, I think he ought to seriously consider stepping down from his portfolio, giving it to somebody like the member for Morphett, who is showing keen interest in what I am saying now and who probably understands what is going on in prisons and what can be done to rectify it.

Mr. O'NEILL: I rise on a point of order, and seek your ruling, Sir, in respect of the matter to which the honourable member has just referred. For three hours, members have sought to elicit that information from the Minister.

The CHAIRMAN: Order! There is no point of order. It is entirely up to a Minister whether or how he answers any matter put to him.

Mr. O'NEILL: On a further point of order, Sir, the Minister has wasted three hours of the Committee's time.

The CHAIRMAN: Order! The honourable member has set out on a course of action that is fraught with danger for him. The honourable member can raise legitimate points of order but, as he is fully aware, there is no point of order. I point out to the honourable member, for the last time, that it is entirely a matter for the Minister to decide whether and how he desires to answer any question put to him.

The Hon. PETER DUNCAN: Like the member for Stuart, I am pleased that at last we are getting somewhere near the truth of the matter and to the point where the Government is actually telling the Committee what it intends in the way of conditional release. The Minister has not yet been entirely frank with the Committee about the matter. If members look at section 14 *(b)* of the Act, which is not, I emphasise, being repealed by this Bill, they will see that the Governor may make regulations for the remission of any part of the sentence of any offender, upon certain conditions. That has been the basis for the remission system that exists at present under the regulations. However, that section will now work in conjunction with the new sections dealing with conditional release. Therefore, it will be perfectly possible for this Government, if it so desires, using that power, to turn conditional release into a method of parole. It will be possible to demand that prisoners who have been released on conditional release should report to parole officers, be under supervision, live and work in certain places, and so on.

The Minister may give me an assurance that the Government does not intend to use that power for that purpose. However, the power exists if the Government wants to do that. That is the point that Opposition members have been trying to make. If the Government, through the Chief Secretary, is prepared to give an assurance that the term "upon certain conditions" will not be used for the purposes that I fear, namely, to create a situation in which prisoners will have to report to parole officers, and the like, I shall be pleased to accept that assurance and to keep the Minister to it in future.

Secondly, if one looks at the Bill, one sees that prisoners on conditional release may be returned to prison upon conviction for certain offences. It says, "For any prescribed offence". The Minister has given us absolutely no indication of the manner in which he thinks this power should be exercised.

What is to be a prescribed offence? Will it include parking offences, speeding offences, or minor and more major traffic offences? If a person has been in prison for something involving dishonesty, and the offence that he commits while on conditional release is of quite a different nature (say, for example, a traffic offence), is the fact that the offence is of a different nature to be taken into account? These are all valid and legitimate questions.

Mr. Mathwin: Those regulations come before the House, and you have the right to oppose them.

The CHAIRMAN: Order!

The Hon. PETER DUNCAN: The honourable member may care to look and see that "prescribed" is used. They will not be regulations.

Mr. Mathwin: They come before the House.

The Hon. PETER DUNCAN: It is quite likely that this may be done by another method of Government subregulation, in which event they may not come before the House. That is a matter for the Chief Secretary and the Government. I should like to know what sort of offences are likely to be prescribed, and particularly whether or not any account will be taken of the fact that the offence committed while one is under conditional release may be of a different nature and quality from the one for which the person was originally imprisoned. Certainly, that would be taken into account in a court.

Also, I should like to obtain (not tonight but at some time) from the Chief Secretary statistics regarding how many prisoners eligible for parole do not apply therefor. I think that that will be a telling figure, which will indicate the correctness of the position that I have been arguing in this debate in the past few hours.

The Hon. W. A. RODDA: The honourable member referred to section 14 *(b)*. I am advised that that provision must be retained for the old system. Conditional release will apply to people from the date on which the Bill is proclaimed.

The Hon. Peter Duncan: There is not intention of using that power in conjunction with the conditional release power. Is that the case?

The Hon. W. A. RODDA: Not as far as I am concerned. I am advised that that relates to the old system. New section 42rc (4) provides that, upon the cancellation of the conditional release of a person, he shall be liable to serve in prison the balance of his sentence, or sentences, of imprisonment unexpired as at the day upon which the prescribed offence was committed, and the court may issue a warrant for his return to prison.

New section 42rc (5) defines "prescribed" as an indictable offence, a summary offence in respect of which a sentence of imprisonment may be imposed, or any other summary offence designated by the regulations as a prescribed offence for the purposes of that section. I think that a period of one month is the cut-off: if it is less than one month, I understand that a person will not be brought back to court.

However, I will check that matter for the honourable member and obtain the statistics for which he asked regarding people who do not seek parole.

The Committee divided on the amendment:

Ayes (19)—Messrs. Abbott, L. M. F. Arnold, M. J. Brown, Crafter, Duncan, Hamilton, Hemmings, Hopgood, Keneally, Langley, McRae (teller), O'Neill, Payne, Peterson, Plunkett, Slater, Trainer, Whitten, and Wright.

Noes (22)—Mrs. Adamson, Messrs. P. B. Arnold, Ashenden, Becker, Billard, Blacker, D. C. Brown, Chapman, Eastick, Evans, Glazbrook, Goldsworthy, Lewis, Mathwin, Olsen, Oswald, Randall, Rodda (teller), Russack, Schmidt, Wilson, and Wotton.

Pairs—Ayes—Messrs. Bannon and Corcoran. Noes—Messrs. Allison and Tonkin.

Majority of 3 for the Noes.

Amendment thus negatived; clause passed.

Clause 4—"Interpretation."

Mr. McRAE: I move:

Page 2, line 2—Leave out "after" and insert "before".

Lines 4 and 5—Leave out all words in these lines and insert definition as follows:

"Aboriginal" means a person who is descended from those who inhabitated Australia prior to colonisation:.

I am forced to adopt this curious strategem. In order to achieve the Opposition's objective, which is to see that an Aboriginal is represented both on the Advisory Council and on the Parole Board, it was necessary that the Parliamentary Counsel provide for a definition section and therefore this apparently negligible alteration, if defeated, would defeat the Opposition's purpose. I will not be calling for a division on subsequent matters; I will use this one as a test.

As the member for Elizabeth pointed out the other night, 30 per cent (or to be precise, 29·6 per cent) of the total prison population are Aborigines. It seems to the Opposition that, when one considers that the total Aboriginal population is 3 per cent (it may be slightly higher in our State), and then considers the disproportionate number of Aborigines represented in the prison system, there is something glaringly wrong indeed. If the purpose of the Advisory Council, as we understand it, is for the first time to get a truly representative body which can assist the Minister to formulate a policy, we believe that it is necessary to indicate certain classes of person who should be represented on those bodies. There could be no more obvious case than that a person who represents 30 per cent of the total prison population should be on that body.

I know very well that the Government must have taken the logic that I briefly put before in the sense that it has provided that a woman be one of the representatives on the Advisory Council and on the Parole Board. I will have no truck with the kind of Government argument that goes along these lines, namely, that the Government will put total discretion in the hands of the Minister as to those whom he chooses for the Advisory Council, boards and the like. In fact, what has been put before us is a bowdlerised argument. The argument should be that the Liberal Party policy is that its Ministers will appoint who they like to boards provided they placate the women's groups and certain others, depending upon the circumstances. Because the honourable gentleman feels that he does not, in this case, have to placate the Aborigines, then I gather from his attitude in opposing everything the Opposition puts forward that he believes he can quite safely oppose this amendment. I am saying that he might quite safely oppose it and succeed with the numbers but he will not succeed with logic, justice or decency.

The Hon. W. A. RODDA: The honourable member mentioned the amended figure from 30 per cent to 29 per cent being the total percentage of Aborigines in prisons.

The Hon. Peter Duncan: On sentences.

The Hon. W. A. RODDA: On sentences. I have some figures from the Department of Correctional Services. It gives the percentage of Aborigines in the institutions in South Australia as being 12·8 per cent and non-Aborigines as being 87·2 per cent.

Mr. Keneally: Male and female?

The Hon. W. A. RODDA: This is the total. It gives figures for the sentences as at 5 February 1981. All the institutions are named, and there is a total of 108 Aborigines, 738 non-Aborigines, and a grand total of 846. The total for Aborigines is 12·8 per cent. The figures the honourable member quoted the other night may not necessarily be incorrect; they were monthly figures. It has been pointed out to me that quite a number of Aborigines can find themselves in institutions over the weekend. That was probably that sort of figure. I have given the overall figure. I make that point to the member for Playford. The Government does not propose to accept the honourable member's amendment.

Mr. McRae: You are not going to accept any amendment, whether it is logical or otherwise.

Mr. Goldsworthy: That's right, dead right.

Mr. McRae: Right! Very interesting to hear that.

The Hon. W. A. RODDA: I am not saying that an Aborigine should not be on an Advisory Council or the Parole Board any more than I am saying that a white person should not be. They have rights as Australians.

Mr. Keneally: Let's treat the women the same, then.

The Hon. W. A. RODDA: I know many excellent Aboriginal citizens, and I am not questioning their colour. I do not believe that it should be spelled out in the Bill. In regard to women, it is a custom. Why should one be a man?

That is my point—that if an Aboriginal person is of sufficient calibre, there is nothing to debar him, but the Government is not going to accept the amendment.

The Hon. PETER DUNCAN: I was disappointed to hear what the Chief Secretary said, but I may say I was astounded to hear what the Deputy Premier said. Interjecting in this debate from out of his seat, he was heard to utter to this Chamber that there would be no truck of any of the Opposition's amendments.

Mr. McRae: Logical or otherwise.

The Hon. PETER DUNCAN: Logical or otherwise.

The Hon. E. R. Goldsworthy: No, they were your words, not mine.

The CHAIRMAN: Order! The Deputy Premier is completely out of order.

The Hon. PETER DUNCAN: I was absolutely astounded to hear that, because that is the Deputy Premier of South Australia making a complete and utter mockery of the procedures of this place, and that is an absolute disgrace.

The Hon. E. R. Goldsworthy: That's what you're doing.

The Hon. PETER DUNCAN: Are you suggesting that the amendment is not a serious amendment that ought to be genuinely debated? Do you say that we are making a mockery of Parliament by suggesting that an Aboriginal should be on the advisory committee? Is that the case? That is absolutely disgraceful. Even the Chief Secretary was not prepared to throw out the amendment out of hand to the same extent. At least he admitted the logic of the circumstance, but he said he would prefer to exercise the power himself and he did not see that an Aboriginal necessarily should be on it.

I think the Deputy Premier's performance tonight is one that he will rue in future when a little of the light of publicity is shone upon the ridiculous comments he has made. To get back to the details of this matter, regardless of the statistics in relation to the number of Aborigines in gaol (and I know as well as or possibly better than the Chief Secretary that the figures can be juggled around), even on the Chief Secretary's own admission, on a particular day 12·5 per cent of the population in goals was of Aboriginal descent. Even on that basis, on a proportionate basis Aboriginal people deserve to be represented by one person on this committee.

Mr. Lewis: They might all be Aborigines. Are you going to give them—

The Hon. PETER DUNCAN: What is the logic of leaving Aborigines off and and putting a woman on? Why are we putting a woman on this board? We do not get much reply to that. There is a logical inconsistency there. I know the reason. When this Party was in office, we introduced provisions to ensure that a woman would be on the Parole Board, and now the current Government, acting in the normal sort of style, is not turning the clock back entirely

but is just marking time, and, because a woman is on the Parole Board, it will continue that arrangement and have a woman on this committee.

Mr. Mathwin: That's all right, isn't it?

The Hon. PETER DUNCAN: And the logic is that very clearly there ought to be an Aboriginal on it as well, more so because the proportion of women inmates in prisons is infinitesimal compared to the number of Aborigines. Let us get back to the statistical juggling exercise that the Chief Secretary went through. I am not criticising his figures. I believe they would be right as stated to the Committee, but any daily figure of the number of Aborigines in prison takes into account that white offenders are more likely to be in for long terms of imprisonment proportionately because they have committed, in many instances, more serious crimes. Aborigines are there because they are persecuted on a street offence basis, drunkenness and that sort of thing and, if we look at the number of persons taken into the system on any day, we will see that Aborigines make up about 30 per cent, the figure that was quoted the other night. I know that the Minister is not disagreeing. He is quoting a different set of statistics. It is common ground between us that Aborigines form a portion of the population in prison in this State far in excess of their numbers in the community at large. The percentage of the population is something under 2 per cent on the Minister's figures, and the percentage in prison is something over 12 per cent on a daily basis, or on a received into prison basis, it is something of the order of 30 per cent.

Mr. Mathwin: Wouldn't you say that they are minor offences, generally?

The Hon. PETER DUNCAN: By and large they are and, when someone like the member for Glenelg or I want to have a binge, we invite a few friends to our home and get stuck into the grog in the privacy of our own house. Many Aborigines are poor and destitute and cannot do such things. Therefore, when they decide to drink, they do it in the park lands or in hotels until they are drunk and are thrown into the streets, and they are there until they are picked up by the paddy-waggon. I think that is a very unsatisfactory situation, and it could be materially assisted by having an Aboriginal on the advisory committee, because some of the problems I am talking about tonight could be brought to the attention of the Chief Secretary and the Government. In the patronising fashion in which he spoke about Aborigines, he said, "I even know some who are good citizens." I could say, given his background, that I even know some farmers who are good citizens.

The Hon. E. R. Goldsworthy: We know the odd lawyer or two, too.

The Hon. PETER DUNCAN: So do I; I know some very odd ones, but that is not the issue. The issue is that Aboriginal people have a culture, history and upbringing in our society that is remarkably different from that of the average middle-class descendant Australian, such as the Chief Secretary, and some advice from an Aboriginal person would be very valuable in determining the future policies to be pursued in the prison service in this State. I believe that the suggestion made by the Opposition has logic on its side. It has the weight of logic when one compares the fact that the Government is proposing to put a woman on the advisory council and in these circumstances is proposing to discriminate actively in favour of women, when women constitute only a very tiny proportion of the State's penal population, yet the Government is not prepared to discriminate actively in favour of Aborigines, notwithstanding that they, as a group, make up a large portion of the prison population in this State.

Mr. Lewis: Why don't you create separate prisons for Aborigines? We've got separate prisons for the sexes.

The Hon. PETER DUNCAN: That is apartheid, if ever I have heard it. I suggest that, if the honourable member is interested in separate prisons for Aborigines, he ought to take a trip to South Africa, where there are the best separatist prisons and the like anywhere in the world. I am sure that if he went there he would be able to extend his knowledge of the system he seems to advocate as being a fine one. I am surprised to hear any member suggest such a thing and it shows how the politics of this Parliament is drifting to the regressive and the reactionary. It is appalling to hear that in this Parliament tonight.

Mr. EVANS: I wish to state my personal views. I thought that the member for Elizabeth was a non-racist type of person. He has advocated in most of the speeches he has made that he can relate to those topics in all the time he has been in Parliament. I am not prepared to have words inserted making it mandatory that an Aboriginal should be on the advisory council. I say that to have those words is racist. I am not going to advocate that there should be a Japanese, Chinese, Italian, Greek or any other migrant group represented just because some of those people are in gaol. I hope that the Government of the day will select the persons it believes best to be on the advisory group and I hope that it will take into account all matters regardless of race, colour or creed.

To suggest that we should become a racist Parliament, as the member for Elizabeth has done, and decide by race and colour is unfair to them and goes against all common sense when we talk about attempting to be non-racist. On that basis alone I would vote against any suggestion to put that in, because it is a racist clause which would discriminate against the races.

Mr. Keneally: What about the middle sex?

Mr. EVANS: I do not know of any middle sex, unless the honourable member is talking about the Middlesex regiment. I am quite happy to have both sexes represented.

Mr. KENEALLY: That little contribution by the member for Fisher astounds me. Am I to understand that, because the term "Aboriginal" is included in the legislation, it is racist? How does the member for Fisher account for the Minister of Aboriginal Affairs—is that a racist portfolio? Should we abolish that portfolio? Is the member for Fisher totally opposed to that portfolio being held by one of his front bench colleagues? If he is, will he get up and inform us? What about Aboriginal housing societies—will the member for Fisher abolish them because they are racist? The Aboriginal housing societies are funded by his Federal colleagues—what will he do about that? What about the Aboriginal Legal Aid Society, is that a racist society? Does that provide racist assistance?

Mr. Evans: Yes.

Mr. KENEALLY: The honourable member for Fisher has said "Yes" to all the questions I have asked. I am very anxious for the honourable member to make his "personal view" more publicly known. However, he may not need to take that trouble, because I will be doing the best I can to make those views known. I am making a contribution to this clause because I suspect that in the Port Augusta courts more Aborigines are processed—and I use that term in its narrowest sense, I suppose. Most of the sentencing of Aborigines occurs in that court.

I ask the Government to listen very carefully to what the Opposition is saying and not to adopt the Deputy Premier's attitude. I am disappointed that the Deputy Premier has closed his mind to all logical amendments. We want the Government to listen to what we have to say on this matter and not reject it out of hand. When I first

became the member for Stuart 10 years ago, more than 50 per cent of my constituent problems in Port Augusta related to the Aborigines within my electorate. That is because at that time they did not have spokespersons in those areas where they were more sadly disadvantaged, and I refer to law, housing, welfare, health, and other fields.

In that 10-year period, structures have been built up within the Aboriginal community in my electorate to enable those persons to look quite adequately after the problems that exist there. There are people within the community at Port Augusta who give advice to various Government organisations about what is good and what is needed within the Aboriginal community. That advice is given not only to State and Federal Governments but also to local government and many other organisations as well. As a result of that, I have not had what could be claimed an Aboriginal type constituent problem brought into my office now anymore than once in six months. I ask honourable members to think about that, because 10 years ago it was overwhelmingly the greatest single area that I had to deal with as a local member of Parliament. Today, it is infinitesimal: I would not have more than one Aboriginal-type constituent problem in every six months. That is because Aborigines themselves have been placed on committees where they can influence decisions that affect their own lifestyles and their own positions, whether it be in prison, in hospital, in housing or what have you.

The Opposition is suggesting to the Government today that, through the very exercise of history, it has been proven to us that where people are disadvantaged it is advantageous to the authorities to have representatives of those people in a position where they can counsel, advise and influence decisions made about them. That is the simple purpose behind this amendment. It is obvious that the Opposition will be defeated on this amendment, because the Government has the numbers. At this stage I would be content if the Minister would give an undertaking that he will appoint in his Ministerial discretion a person of Aboriginal descent to the advisory panel. Obviously he will not accept the amendment, so we will not be able to write that into the legislation in this House at least, because we do not have the numbers. Therefore, it would not be unreasonable for the Minister to say that he will give an undertaking that he will appoint a person of Aboriginal descent to that panel.

I take exception to the Minister's earlier comment, although I know it was unintentional. However, it indicates a state of mind which exists amongst what the member for Elizabeth described as middle class white Australians. The Minister has said that, if there are Aborigines around with the competence to fulfil the role that this panel would require, he would have no objection to their being members of it. I take exception to the fact that that very comment needed to be made, because quite unquestionably there are Aborigines within the community of South Australia and other States of Australia quite adequately qualified to take that position and any others that this community can offer. That question and statement should never have been posed, because it implies a racist attitude towards the community.

The point made by the member for Elizabeth is valid and should be considered. What we are arguing about is the percentage of Aborigines in gaols in South Australia. I understand that, of the women in gaols, close to 50 per cent are Aboriginals, unless something dramatic has happened in the last year or so.

Mr. Mathwin: There were only 19 in gaol when I was there.

Mr. KENEALLY: I must confess that the honourable member for Glenelg knocks me at times with his absolutely inane interjections. The fact of life is that the number of Aborigines in South Australia who are in gaol, when compared to the number of Aborigines in our community, is exceedingly high. That is not in question. Because we have that problem and because these people make up such a large portion of our prisoners, the Opposition believes that it is absolutely imperative that people of Aboriginal descent be placed on the panel. Those people could make the contribution that is so drastically needed to try to rectify what is a great social problem in South Australia, where a minority of the people make up such a significant majority of the people in gaol.

Mr. Lewis: Do you believe that you should resign your seat and let an Aboriginal take it up? Don't you feel adequate to represent them? Can't one man represent another man?

Mr. KENEALLY: I would be absolutely delighted to find an Aboriginal representing the electorate of Stuart in the future. In the meantime, I am going to try as hard as I can to retain that seat. I do not feel inadequate in my representation on behalf of Aborigines. If the member for Mallee would like to take a quick check through the Aboriginal vote I receive in the electorate of Stuart he would find that his comment is ridiculous in the extreme. They believe they are getting good representation.

I refer to my earlier point that the Aboriginal community, when given the opportunity to look after themselves and their own problems, can make a contribution within the areas that affect them as in the case here involving prisons. They are able to contribute enormously to society and the problems that exist in society. One of the problems that exists in society in South Australia is the inordinately high representation of Aborigines within our prison population.

Mr. CRAFTER: I am most concerned about the statement that was made by the Deputy Premier when he came into the Chamber. It is an indication of the lack of concern of the Government for this most deprived group in our community. We are talking about the establishment of an advisory council, and this is a commendable step indeed. One would have thought that any advisory council dealing with the administration of the Prisons Act in this State would want to know the view of the Aboriginal community in this State because, as my colleagues have said this evening, they constitute an unacceptably high number of inmates in our institutions. It can only be inferred, from the speech made by the member for Fisher and from the interjections of his colleagues, that an Aboriginal is not to become part of the advisory council. That is a shame indeed.

Mr. Lewis: We never said that at any time. That's rubbish.

Mr. CRAFTER: That can only be inferred from the opposition to this amendment this evening by the Government.

Mr. Lewis: The Labor Party never bothered to put anyone on.

Mr. CRAFTER: This is the Government's opportunity to do it, and obviously it does not want to do so. This amendment has much merit. Anyone with any understanding of the administration of the criminal justice system in Australia and who has read the Henderson Royal Commission Report into Poverty, particularly concerning poverty and the law, or who has read the magnificent studies that have been prepared by the late Elizabeth Eggleston in this area, would realise the great tragedy in this country between the administration of law and the Aboriginal community. It is very complex, and no-

one knows the absolute answer to this problem.

There is the great conflict which results in so many Aborigines being in our prisons, and that must be sorted out in years to come. Obviously, one way in which this can be facilitated is in adequate representation of Aborigines on the Correctional Services Advisory Council. It can only be to the benefit of the whole community if that were to happen. I cannot see why the Government should single out a woman for advancement to that position, as commendable as it is, without then referring to other particular interest groups.

Mr. Lewis: We have prisons for them.

Mr. CRAFTER: The honourable member does not understand that there is a prison in this State where men and women are together, and that is obviously in the interests of both of those groups of inmates, but I gather that the honourable member does not understand that. It is also important that this matter not be treated frivolously. The Government is hurriedly bringing before this Chamber legislation to provide for land rights for Aborigines in a part of this State and yet, on the other hand, it is not prepared to give Aborigines a voice on the advisory council. I cannot see the logic of the Government's opposition to this amendment.

The Committee divided on the amendment:

Ayes (19)—Messrs. Abbott, L. M. F. Arnold, M. J. Brown, Crafter, Duncan, Hamilton, Hemmings, Hopgood, Keneally, Langley, McRae (teller), O'Neill, Payne, Peterson, Plunkett, Slater, Trainer, Whitten, and Wright.

Noes (22)—Mrs. Adamson, Messrs. P. B. Arnold, Ashenden, Becker, Billard, Blacker, D. C. Brown, Chapman, Eastick, Evans, Glazbrook, Goldsworthy, Lewis, Mathwin, Olsen, Oswald, Randall, Rodda (teller), Russack, Schmidt, Wilson, and Wotton.

Pairs—Ayes—Messrs. Bannon and Corcoran. Noes—Messrs. Allison and Tonkin.

Majority of 3 for the Noes.

Amendment thus negatived; clause passed.

Clause 5 passed.

Clause 6—"Insertion of new Part IA."

Mr. McRAE: The Opposition proposed to move important amendments to this clause. The first one was to provide for representation, worker participation, for an officer or an employee of the department. The next one was to deal with a programme which we had prepared concerning volunteer workers and protection for full-time workers to ensure that the intrusion of volunteers into the area would not affect those persons and, furthermore, to set out the nature of the duties of the volunteers.

You will note, Sir, that we had careful and constructive provisions relating to the Parole Board and the preparation of two panels which would have assisted the Government in the orderly distribution of business in the prison system. We had objections to a number of other things. As the Deputy Premier has assured the Committee that no Opposition amendment will be accepted, no matter how logical, the Opposition can now only make a protest by refusing to have anything more to do with this fiasco. In fact, I am sure that the Chief Secretary is carrying the weight of the stupid and irresponsible attitude of his superior, the Deputy Premier. The Government has made up its mind that, no matter how logical, how decent, how honest, or how just, it will not accept anything. If that is the point, the debate is pointless, it is a farce, and we will take no further part in it.

Clause passed.

Remaining clauses (7 to 15) and title passed.

Bill read a third time and passed.

STATUTES AMENDMENT (VALUATION OF LAND) BILL

Adjourned debate on second reading.

(Continued from 11 February. Page 2755.)

The Hon. R. G. PAYNE (Mitchell): In introducing the Bill, the Minister said that it gave effect to the Government's election promise to introduce legislation providing that valuation for rating and taxing purposes is in certain cases to be made on the basis of the actual use of the land rather than its potential use, and providing more realistic and understandable bases for valuation. I do not suppose one could quarrel with the first part of the statement, because it certainly was one of those matters put forward by the Government, as the then Opposition, at the 1979 election. However, I think you would excuse me, Sir, if I expressed surprise that this measure is before the House at this time, because it is one of the matters proudly claimed by the Liberal Party in South Australia, in the *Sunday Mail* of 14 September 1980, as having been accomplished within the first 12 months of the Liberal Government. I quote from that edition of the *Mail* an advertisement authorised by D. Willett, on behalf of the Liberal Party, 67 Greenhill Road, Wayville, as follows:

> What we achieved in 12 months.

That was related to the date of the election in September 1979. The report continued:

> Land valuation based upon actual usage, not potential.

It would seem that it was achieved last year, yet we are now legislating on the same matter. If there was a need for honesty and truth in advertising, I have illustrated to the House how shallow was that advertisement on behalf of the Liberal Party, as was also the case with many other statements not relevant to this debate. At the bottom of the advertisement were these words:

> Tell us what you think.

I will tell you, Sir, what I think of such an effort by the Liberal Party in blatantly misrepresenting to everyone in South Australia that a measure had been put into force several months ago, yet now we have the legislation before the House. No doubt we will have an opportunity to remind the electors of this kind of perfidy in relation to other efforts by the Liberal Party in the months before the next election. The Minister continued his second reading explanation, as follows:

> On 3 December 1979, Cabinet established a working party comprising the Valuer-General and representatives of the Ministers responsible for the rating and taxing Acts to advise it upon implementation of these election promises.

The promise had been made, the Party was elected on it, and a working party was set up to try to find out how to do it. Tonight, I do not have a great deal of time to develop that point. The explanation continues:

> The working party recommended that a Bill be prepared to amend the Valuation of Land Act and the rating and taxing Acts to establish site, capital and notional values as the basis for calculating property rates and taxes imposed by the Government.

It would have been nice if the House had been given the benefit of the advice and the information provided by that working party, comprised of eminent people in a position to give excellent advice. That information, had it been available, would have been useful to the House. I have checked with the Library and, as far I can ascertain, the report was not released, and no doubt many other reports commissioned by the Liberal Government will not be seen by us. The Minister said further, in the explanation:

> . . . there are virtually no sales of truly unimproved land

> which could serve as a guide to unimproved values and most ratable properties are owner-occupied so there is little or no rental evidence available on which to base proper assessments of annual value. In fact since 1977 the Valuer-General has not used rental values in making new general valuations but has assessed capital or market values of all ratable properties and converted them to annual values, a procedure that is permitted by the present statutory definition of "annual value".

My reading of the present definition in the Statute would not allow such a statement to have been made. I accept that it is not prevented by it, but perhaps it all depends who is in Government and who is to make a certain statement. I think a fairer statement would have been that it is not prevented by it. This was actually happening at the time when my Party was in Government. I make that observation. The second reading explanation continues:

> The change from annual to capital values will not affect the amount of rates payable on any given property since the rate in the dollar will be adjusted to reflect the new basis of valuation.

An example was given that a rate of 10c in the dollar on annual value could change to 0·5c in the dollar on capital value. As an Opposition, we have no quarrel with that concept and we readily agree with the remedy that lies in the hands of the body declaring the rate. An adjustment can be made if and when capital value becomes the norm. The Minister continued:

> The present Bill incidentally makes an amendment to the definition of "annual value" designed to ensure that where a council chooses to rate on the basis of annual value, but is unable to obtain adequate evidence of rental value in a particular case, the valuation may, without risk of challenge, be based upon capital value.

From my reading of the Bill, it seems that the provision has been correctly made in the relevant clause. However, I draw to the attention of the Minister the logic involved. The argument is that there has been some difficulty in arriving at annual value, and it would seem illogical to say that, if a council wants to do it that way, it is in order for it to continue to do so.

If the argument is that we need this change for the Government and for the State on the basis that a method is being used that has no real application any longer, then surely that would apply across the board. However, it seems to me that it does not create any grave problem in the legislation, and the Opposition raises no difficulty on that question. In his second reading explanation the Minister said that the Local Government Association, the United Farmers and Stockowners Association, the Australian Institute of Valuers and the Real Estate Institute, and I quote:

> . . . have all been consulted in relation to the measures in this Bill.

I have checked with the Local Government Association, being one of the bodies most easy to contact so far as I was concerned, and I found, in fairness to the Minister, that consultation had taken place. I am informed by the Local Government Association that a full day was made available and that the Valuer-General and other officers were there for consultation, and that consultation did occur. It would have been nice, as I pointed out earlier, if the same sort of consultative effort had occurred in relation to the Opposition with respect to the report of the working party, but the Government did not see it that way and no consultation took place with the Opposition until the Bill arrived in the House.

The Hon. E. R. Goldsworthy: You used to come and see us every week too, I don't think.

The Hon. R. G. PAYNE: The Minister can perhaps make a point about that, but he cannot claim that in the portfolio I held any effort was ever made by me to prevent access to information by the Opposition. I invite him to put forward, if he so desires, any case where that actually occurred. I think that will take care of that sort of interjection, which had no basis in fact.

The Hon. E. R. Goldsworthy interjecting:

The Hon. R. G. PAYNE: Now we get down to the nitty-gritty. When I was Minister, on every occasion I brought a Bill into the House, before seeking leave to make insertions in *Hansard* instead of reading second reading explanations, I personally delivered copies of the second reading explanation to the relevant person on the Opposition side, rather than leaving it to the messengers to do, on the basis that people are entitled to basic information and that it was no skin off my nose if they had it well before the time concerned. I invite the Minister to check with the person who then had responsibility in this House to ascertain whether that is not so.

The Hon. E. R. Goldsworthy: You are talking about discussions leading up to the development, let's face it.

The Hon. R. G. PAYNE: The Minister is trying to divert me from the fact that I have been in touch with the Local Government Association. He is not going to be able to do that. I suggest to him that there was some reason for him to be in the House before to try to prop up and support the previous Minister, but the present Minister does not appear to be in the same predicament at this stage. He might well do both the House and the present Minister a service if he went back to wherever he was sleeping before he came in.

The Hon. E. R. Goldsworthy: I came in to hear the pearls of wisdom you were dropping.

The DEPUTY SPEAKER: Order! There is too much conversation across the Chamber.

The Hon. E. R. Goldsworthy: I came in—

The DEPUTY SPEAKER: Order! The Deputy Premier will not interject while the Chair is addressing the House. The honourable member for Mitchell has the floor and I intend to make sure that he is heard. The honourable member for Mitchell.

The Hon. R. G. PAYNE: Thank you, Sir. One of the few areas which the Local Government Association informed me concerned it, and I hope the Minister is listening despite the efforts by the Deputy Premier to sit on him, was that some country councils, at least in the opinion of the L.G.A., do not have a complete understanding of what is meant by "notional value". Perhaps I would put it better if I said that they have concern as to how notional value will actually be arrived at. I do not think that it would be fair of me to say that they did not understand what the Bill stated notional value was, but what they are concerned about is how that will be arrived at. The time will be here shortly for the Minister to tell us what is proposed in that matter. I am trying to put forward, in a limited time, the Opposition's viewpoint on this matter.

The support for abandoning unimproved values and substituting site values the Minister said had come from the Law Department. It would have been nice, on a consultative basis, for the Opposition to see the view of the Law Department on that matter because its members would be well qualified to put forward legal viewpoints, which would have benefited the people of South Australia. If the Opposition had been privy to those sorts of opinions, it possibly would have assisted us in our consideration of the Bill. I trust that the Deputy Premier is still listening, although he has left the Chamber, and that he accepts that remark after his outburst earlier. What the Bill also sets out to do (it is titled with "Statutes Amendment") is to make amendments to various Acts

concerned with rating and to make alterations, also, to the Waterworks Act.

According to the second reading explanation, the Bill proposes amendments to the Waterworks Act to delete all references to unimproved values in relation to country lands water rating. On my check of the Bill it appears to do that in the relevant clause, clause 19. I have no quarrel with that proposition. Where the Opposition parts company with the Government is in what is contained in clause 7 of the Bill. I have amendments on file which relate to clauses 6 and 17, but they are really hand in hand with clause 7 and at the appropriate time I will deal with them. Suffice it for me to say at present that the Opposition does not agree with the philosophy behind the proposition that is spelt out in clauses 7 and 6, where the alteration is carried out to definitions in the principal Act setting out that the business of primary production means the business of agriculture, pasturage, horticulture, and so on, so that, in conjunction with what is contained in clause 7, those persons will receive the benefit of much lower rate costs than might otherwise have applied, based on what the Government calls the "actual use" rather than the potential use.

It seems to me that there is an incompleteness about that definition which has been put forward, even though I will be seeking to have it removed. I draw to the Minister's attention that in his great preoccupation with the primary producers, those tillers of the soil, and so on, whom we hear so much about, it seems that no provision exists in the Bill in relation to that clause for those persons who might conduct fish farming, for instance, in the very areas the Minister seeks to alter, unless there are some words in there that I do not understand. I do not see any reference to that, and certainly I doubt whether a claim could be made that ponding in relation to fish farming could be considered to be cultivation of the soil, so it seems that there is one class of primary producer that the Minister wants to leave out of that definition.

However, I will leave that for consideration by the Minister and simply say that we do not believe that the Government is being sensible in this matter. Today we were told by the Premier that already $28 000 000 of taxation money has been given back to the people of this State by this Government's efforts with the removal of succession duties, and so on. I ask the Minister to tell the House in his reply how much revenue loss this means. When I spoke to the Local Government Association and asked how country councils propose to recoup the rates they may lose if this measure comes into force in relation to those properties which will receive the amelioration, I was told that they will have to suffer the loss. I suggest that that would be an unusual situation. I have not known councils, in the past, to be able to operate with revenues being reduced, particularly in a time of inflation. It would certainly seem not possible there. I invite the Minister to explain how they are going to be recompensed. I also invite the Minister to tell the House, because there is no reference whatever in the measure, what will be the estimated effect of this measure, if it passes, on the revenue of the State and what steps will be taken to provide for that short-fall. Who is going to pay? We suspect it will be a rate, in effect, which will be placed on everybody else in the State on the basis of some increase in a charge or service to recoup that money. Certainly, we are entitled to know how the Government proposes to go about it. At this stage we have no evidence at all.

Mr. Keneally: Because they've slowed down growth and development, there won't be a change in land use.

The Hon. R. G. PAYNE: That may well be so. I indicate conditional support for some of the measures contained in the Bill, for example, the change from unimproved to annual value, as there is sense in that. However, the Opposition does not propose to support clause 7, and I will take the necessary steps concerning that matter at the appropriate time.

Mr. OLSEN (Rocky River): I support this measure, which is yet another move by the Government to honour specifically its election policy promises as indicated prior to the 15 September 1979 election. Indeed, when the Government goes to the people at the next State election it will have a very proud record of honoured promises which it can display to the people in actual legislative terms. The Bill removes inequities that currently exist with the valuation of land in a number of areas within this State. It provides that the valuation for rating and taxing purposes shall be on the basis of actual use, and not potential use, and certainly that will provide a better or a more realistic basis for valuation of properties.

As has been mentioned in the Minister's second reading explanation, and by the member for Mitchell, to delete the basis of valuation on unimproved value is an appropriate step. As the Minister also indicated, no sales today are of a truly unimproved land value. Therefore, it is appropriate to substitute it with a new taxing system, a taxing system that is appropriate to today's basis of valuations and property usage. The unimproved value to which I have referred applies particularly to rural land, because for many years land has not been purchased on the basis that it is virgin scrub, or the like, but rather on what it could yield in productive terms for the community, the property holder and the person who has invested in that property. There is not much doubt that rural councils generally have endorsed the concept that unimproved values were of a historic nature that bore no relevance to today. As such, I have no doubt that the alteration will receive their endorsement.

There have been inequities spoken of within the community in relation to the valuation of properties on a five-year cycle. This subject has been discussed on many occasions at local government meetings, particularly in rural areas. Valuations have been done selectively in council areas in various parts of this State on a five-year basis and some people have put forward the claim, which I do not necessarily endorse, that it was valuation by stealth, that is, that the instrumentality concerned valued land in a particular local government area and then shifted to another part of the State to undertake a valuation. Values in one council area would rise dramatically, in some instances by hundreds of per cent, and neighbouring properties across the road would not be valued for another three or four years, thus leading to significant inequalities in valuation of properties with the same potential usage or production levels.

A number of other inequities in the system have been brought to my attention as the member for Rocky River. I refer to two areas, one being the Fishermen's Bay and Port Broughton area, and the other the Moonta Bay area, two areas which are expanding significantly. In fact, the population increase in the Moonta Bay and Port Hughes area is running at something like 16 per cent per annum, which is significantly greater than the South Australian average, which, as I understand it, is approximately 2.8 per cent or 2.9 per cent. People are retiring to these areas and buying properties, and there is an expansion of those small townships into rural areas or hinterland. Mr. Deputy Speaker I seek leave to continue my remarks later.

Leave granted.

The Hon. P. B. ARNOLD (Minister of Water

Resources): I move:

That the time for moving the adjournment of the House be extended beyond 10 p.m.

Motion carried.

Mr. OLSEN: With the expansion of those townships, there has been a corresponding significant increase in the value of land in some areas. Whilst that might be quite warranted for those intending to buy that land for residential purposes, the spin-off effect is that, if a primary producer in a nearby or adjoining area continues a farming operation which may have existed for generations, there exists the anomaly where in one or two instances revaluations have increased significantly on those farming properties but have not related to production levels of that land. In fact, there is one instance where a farmer subdivided a small section of his property so that his son, on becoming married, could arrange finance to build a home on the property. Because of that, valuations increased significantly over the whole farming property. This piece of legislation will correct such an anomaly, so that, where a primary producer wishes to continue using the land for primary production rather than potential usage in other forms, it will protect his interests, and he will have a valuation in accord with that.

The Hon. R. G. Payne: As long as he doesn't have a fish farm.

Mr. OLSEN: I was referring to my electorate and to those specific problems that have been brought to my attention. There are no fish farms as such on the mainland within the electorate of Rocky River. There is a small prawn farm operation on the other side of Port Broughton, but there are no specific fish farms, to which the member for Mitchell has referred. I have no doubt that, on the advice he gave his colleague, the member for Stuart would be prepared to take up that point that the member for Mitchell raised.

I think that the legislation supports the Government's direction in terms of honouring an election policy promise. It is a piece of legislation that has been long overdue on the Statute Book of this State. It will go a long way towards correcting anomalies that currently exist with the valuation of properties for the purposes of council rating, water rating, and the like. It is a significant step forward, and I commend the Bill to the House.

Mr. BLACKER (Flinders): I support the Bill, and I do so because I believe that it is one of the most significant moves made in a long time with respect to valuations and the hassles that have developed year by year in relation to the valuation of properties. I refer principally to the rural area in this sense, but this Bill takes into account all valuations and, as such, it involves actual usage of the land in question.

That is a step in the right direction. The member for Mitchell has implied that there will still be hassles. It would take a brave man to suggest that there will not be hassles over any change in legislation. However, I feel confident that the change that is now being discussed will be a considerable improvement on the present system, assuming that the Bill passes this House.

It is appropriate for me to mention one or two anomalies that arose under the old system. In this respect, I can vouch for a number of cases. I refer to one case where a property not far out of Port Lincoln was sold by private treaty for $107 an acre. I am sorry that I have not the metric conversion of that figure. Only two properties away (in other words, there was a property in between the two properties to which I am referring), a similar property with a similar acreage of arable land compared to the granite-type grazing country became the subject of a valuation because the father in a family partnership died. At that time, the property was subject to succession duties. Because that property, which was of a similar nature and of a similar acreage of arable land compared to normal grazing land, had better road access (in other words, it had a road on two sides of the property), it was valued at $234 an acre. This occurred within 10 weeks of the two valuations being made.

One valuation was the actual capital value in terms of a sale, and the other was a valuation made by the Valuation Department on the assumption that the property, being valued as a result of the deceased estate, had the potential to be subdivided into hobby farms. The people in question came to me in a rather upset state, and I could not help but sympathise with them, as it involved exactly the same people (a daughter and son-in-law) operating the farm, with the same stock and plant. Everything was identical to what had been occurring for the previous 10 years.

However, because one property had a greater potential for hobby farm subdivision, even though the productive capacities were near enough to being identical, one property was valued at $234 an acre, whereas the other was valued at $107 an acre on a realistic sale. That is an anomaly that no member can tolerate, and this Bill is a major step towards solving that sort of problem.

We are faced with two new terms in relation to the type of valuation. I refer to the site value and the notional value. I should refer to this matter now, because it must have been the Government's intention to pass this Bill perhaps before Christmas. Rather ironically, a valuation has just been carried out in my electorate, and the notice forms were sent out in the past week.

The Hon. R. G. Payne: I got mine yesterday.

Mr. BLACKER: That is fair enough. I want to say this deliberately so that it can be recorded in *Hansard*. There has been a grave misunderstanding, and the matter has not been sold effectively to the public. I can quote a number of examples. I refer, for example, to a small property which is on the outskirts of Port Lincoln and which in March 1977 had an unimproved value of $900. The notice of valuation just sent out gave it an unimproved value of $28 000, which is rather a steep increase.

This type of notice has, to put it mildly, caused severe havoc amongst landholders in and around Port Lincoln and in the area of the District Council of Lincoln. Having sought further advice from the Minister and his departmental officers, I find that that value is, in effect, the site value. Unfortunately, in the notices that have gone out it is all listed as the unimproved value.

There must therefore be an extensive public education programme to inform all landholders that the system of unimproved values no longer applies but that the values that have been given are site values. If that message can be got across to constituents and landholders, they may be able to see the wisdom and value in this system.

It is most unfortunate that that notice has gone out with this terminology on it. This has caused me some headaches. Indeed, last Friday I went to a clearance sale, but did not get any peace at all: landholders were coming at me from all directions. Hopefully, this matter will sort itself out when a detailed explanation is given.

The impact of this legislation will probably not be as dramatic as it would have been, say, three years ago. Had it been introduced at that time, when we had land tax and succession duties, it depended much more on the valuation of properties than is the case now. Nevertheless, council rates in most, not all, instances are dependent on the Government valuation. To this end, it is important that valuations be realistic and of a comparable nature

property by property on productive capacity. With the unimproved values that we had in the past, we could have two properties near enough to alongside each other but having vastly different unimproved values because of the vegetation that was on those properties 50 years before. Where an anomaly such as this exists, it is difficult to explain it to the next landholder and the generations to come. After all, how would they know what vegetation was on the property previously if little or none of it was left?

The member for Mitchell, in presenting the Opposition case, wanted to stress the massive losses that would occur as a result of this new valuation. I presume that he was referring to properties in and around metropolitan areas. I do not think that many country district councils would be affected other than in a parallel or equalising way. I am not able to say how seriously councils will be affected. However, in my area the council most likely to be affected is the District Council of Lincoln, as it represents all the area outside the corporation area. In turn, it will suffer a loss, if that is to be the case, between the change of land use, a property being valued at a hobby farm or subdivisional-type valuation compared to a primary production valuation.

It is worth making the point that there are probably about 10 000 properties in this classification throughout the State. Also, I understand that there are about 460 000 properties altogether in South Australia. So, if we assume that all valuations are basically equal, we are then taking into account only about 2 per cent of the total land to be valued. In most cases, as all members would know, those parcels of land that are most likely to be affected in the change of valuation status are of a small nature. So, in terms of the overall valuation, one can say that the effect will be rather minimal.

My discussions with departmental officers show that there will be little or no effect in the ultimate revenue received as a result of this legislation. I suppose that only time will tell. I am not able to make comparisons on the consequent likely incomes. The District Council of Lincoln was quite happy with, fully supported, and indeed has been a strong proponent of this type of legislation. When I telephoned the Clerk yesterday he said, "By all means, we support this." To that end, I believe that the measure should pass with members' full support. All the other district councils in my area are not affected to any great degree one way or the other by this legislation. The most that it will do is have a balancing effect to give like values to like productive-type areas.

If the Bill brings that about and cuts out the anomalies and equalises the values State-wide, it serves a useful purpose. This measure will require quite a considerable public education programme to implement, particularly to overcome the problem in my district and no doubt in other districts at present, with valuation notices having just gone out, not correctly worded.

The Hon. R. G. Payne: Some have got the notional value on them now. That is getting in slightly in advance of the legislation, I am told.

Mr. BLACKER: I am not able to comment on the honourable member's remark that notional value is included on some statements. I would be much happier if it was included on notices in my district at this time. The intent is there and the Government is working in the right direction. If notices in my area had had notional values instead of unimproved values, many of the problems that have landed on my doorstep would have been alleviated. I support the Bill with pleasure. I do not expect that there will not continue to be hassles, but I am bold enough to say that it is worth a try in every sense. It has the hallmark of being a strong success in all land-holding areas of the State.

Mr. KENEALLY (Stuart): I have a strong sense of *deja vu* when we discuss measures of this nature. I feel that we have been here before. The only difference between discussions about ratings now and those that took place a few years ago is that we have lost all the hysteria. The member for Flinders quoted an example of a property where the previous value was $900 and the current value is $28 000. That a little time ago was indicative of a socialist plot—the Government trying to pull down the tall poppies. It was to be condemned. I can recall meetings being held in almost every Liberal electorate in South Australia calling on the community at large to throw out the socialist Government that would allow values to increase at such a rate predominantly for the purpose of increasing taxation that fell into the Government coffers.

We are now very rational about this. It is indeed a problem and we are going to look at it rationally. The circumstances have changed somewhat. A few years ago, when there was growth and development in this State under the Dunstan and Corcoran Governments, we were consistently running into the problem of land use changes. Land that had been predominantly used for rural purposes was now likely to be used for urban purposes, and the value of land increased dramatically. That no longer happens, because rural properties are not being taken over for urban use. This matter is of great concern to all of us. It indicates that the growth to which we had become accustomed has now stopped. It has been my experience in the 18 months under the Liberal Government that, every time there is a change in rating or taxing, it will benefit a certain class in our community and disadvantage the rest. I am concerned about the purpose of this legislation. The member for Rocky River says that it is to honour an election pledge. The only election pledges the Government has honoured to date is to repay the friends who supported them so strongly, financially and otherwise, at the election.

Mr. Olsen: The majority of people in South Australia.

Mr. KENEALLY: At the last election, the majority supported the Liberal Party but the majority will not profit by the Liberal Party being in Government, because only a small percentage of those who voted for it last time put the finances in the coffers, and they will be repaid. I have a suspicion that somewhere locked into this legislation are benefits, and when we get into the Committee stages we will be unable to unlock those benefits.

As you yourself, Sir, were wont to say when in Opposition, "It is a Committee Bill." It is not a Bill on which one could spend a great deal of time usefully in a second reading debate.

I would like to address myself to a certain philosophy in this Bill. I believe that my reservations may be overcome by new section 22a (3), as provided in clause 7. I am concerned about where the value of a property is increased through no effort on the part of the owner but rather by community activity. If an urban area is expanding and what was previously rural property becomes prime building property, the potential value of the property is increased enormously. What benefit will flow to the owner of that property when he or she eventually decides to sell? I have great sympathy for a farmer who retains the present use of the property. A farmer who has been using his land either for cropping or for stock for 100 years and continues to do so ought to pay rates in relation to the rural pursuits that he is following, and he ought not to be required to pay rates according to the potential use of the land.

A logical argument would support that only if that

farmer, after taking advantage of the reduction in the rate for a number of years, when he sells that property is required at that stage to pay back to the community the savings he has had over those years. I think that somewhere in new section 22a (3) the Bill accommodates the concern that I have. I ask the Minister to address himself to that clause.

The previous Government had succession duties which would take account of people who were given concessions on land rates and were able to profit enormously by it. When they passed on, they could repay the community the value that they were able to accrue as a result of no effort on their part, but rather as a result of community growth and paid for by the community. I believe that landowners in those circumstances ought to, sooner or later, if the use of that land changes, repay the community its percentage of the value that accrues as a result of that land change. I hope that what I am saying is not too difficult for the Minister to understand. That is a philosophical position that the Opposition holds. I am not sure that members of the Government hold as strongly to it. We have been encouraged previously tonight to reduce our speeches on this Bill. Therefore, our lead speaker did so. He forsook the opportunity to make a number of comments that were very pertinent and ought to be made in second reading speeches. I am not going to fall for that trap because obviously the undertaking that we thought we were given was not given at all.

The Hon. E. R. Goldsworthy: What are you talking about now?

Mr. KENEALLY: I am talking about the Bill. We have had examples all this evening of the Deputy Premier coming into the House, trying to take over the debate from the Ministers rightfully in charge of the legislation—first, the Chief Secretary, and now the Minister for Lands.

The Hon. E. R. Goldsworthy: I asked a simple question.

Mr. KENEALLY: The only questions that the Minister can ask are simple: I do not propose to answer them. I have said that I am suspicious of this Government whenever it changes the rating or taxing legislation that is coming on to the Statute Book. It always seems to benefit those who are best able to pay and to disadvantage those least able to pay. I come from a working-class district and, whenever those who are best able to pay are let off what is dutifully their responsibility to the community, the Government has to collect that finance somewhere else and it falls back on to the people who overwhelmingly make up the Districts of Whyalla and Stuart and districts held by my colleagues in the city, which are working-class districts. The people in those districts have to make up the short-fall by increased charges that are in themselves a tax.

Mr. Lewis: Bulldust!

Mr. KENEALLY: The member for Mallee says "bulldust".

The SPEAKER: Order! I point out that the interjection by the honourable member for Mallee is out of order and out of character with the requirements of this House.

Mr. KENEALLY: I should have realised that and should not have responded, Mr. Speaker, but he seemed to give me an opportunity to expand on the point that I was making. Nevertheless, forgetting the unfortunate interjection that he made, it indicates an attitude that he and many of his colleagues have. That is that, if you are going to cut the taxation and charges on those best able to pay, that short-fall in revenue has to be picked up elsewhere and it can fall only on those least able to pay. That is why my contribution to this debate has been made: it has been made because I am suspicious.

I am happy to leave my speech at that, in the expectation that the Minister will explain whether or not the particular provision that I have mentioned overcomes the suspicions that I currently have. Depending on the answers that the Minister gives will be my attitude towards this Bill, in further discussion, both in the second reading stage and in Committee (where I believe that most of the solid debate will take place). Frankly, I find it to be quite a complex Bill, so necessarily I will be asking questions in Committee for clarification. I am certain the Minister will be able to give that without the assistance of the Deputy Premier, and that will enable the Bill to get through the House a little more quickly than the previous legislation did.

Mr. EVANS (Fisher): I support the Bill and want to take the opportunity of recognising the enthusiasm and dedication that you displayed over the years, Mr. Speaker, in attempting to have this type of law introduced and the existing valuation methods changed. In your last attempt, you moved a motion in this House on 23 August 1978 (page 699 of *Hansard*), as follows:

> That this House recognise the fact that the Government by persisting with land valuation methods which fail to relate the prescribed value to actual land use is condoning claims for rates and taxes which under existing land usage are manifestly unjust and not recoverable by the owner either in production returns or rental income, thus resulting in forced subdivision and general development (including clearing), which acts have destroyed the existing environment leading to a loss of the general amenity of considerable areas for the public.

At that time, you said:

> In putting forward this motion, I seek the unanimous support of the House. The motion is a distillation of the two previous motions of this nature that I have brought to the attention of the House since 1976. I make no apology for that. On 8 September 1976 at page 887 of *Hansard*, under the heading "Land Tax", there is the report of a motion which I moved in the following terms:
>
> > That, in the opinion of this House, the Land Tax Act, 1936-1974, should be immediately amended to provide a formula for rating which gives due regard to current land use and not possible or potential use, as reflected by present assessed value.
>
> On 30 November 1977, as recorded at page 1121 of *Hansard*, under the heading "Land Valuations", I moved the following motion:
>
> > That this House is of the opinion that land valuations used for rating or taxing purposes should reflect a value which relates more directly to actual land usage.

On every occasion, you were unsuccessful in getting those motions through this House. It was realised that there was a different philosophy in office at the time and a spokesperson for the Labor Party then, Mr. Drury, opposed your motions, but, to your credit, you kept fighting for those goals and doubtless your arguments had some bearing upon the policies of our Party which were formulated and enunciated and which the present Minister is now so rightly putting into effect in this Parliament.

The benefit of such legislation to my area is very important to many people. One problem that has existed in the Hills over the years and still exists has been that there has been conflict between conservationists, hobby farmers, urban development, and those who were attempting, as peasant farmers in many cases, as some call them, to exist on the land.

When the member for Stuart talks of people who may be in poor circumstances and struggling to survive, he needs to consider those people on the old small farm or market garden allotments in the Hills who attempt to carry

on the old traditions, while all the new neighbours who come in say they want the other people to stay, but no-one has successfully taken up the cause of those people (except the present Minister, with this legislation that I hope will be passed), by considering the existing land use, capacity, or opportunity for those people to earn an income from that land.

Mr. Keneally: What happens when they sell?

Mr. EVANS: I believe that those people have carried on a trade and tradition that has benefited the total community. The member for Stuart asks what happens when those people want to sell. If we looked at the incomes that some of those people have received over the past 20 to 25 years and applied it to the incomes that other people have been paid in salaries and wages and if we looked at the hours worked, we would find that those people would have to sell their properties at a vast figure to receive even a reasonable income for the hours they spent working on those properties and keeping an open space for the rest of society to look at and enjoy, and sometimes for people to enjoy cheap food products from the land.

I do not accept the argument that we should say to those people at the time when they sell it and when they have not been able to put away long service leave, holiday pay, or any accumulations of money, that we are going to take a substantial amount to cover some retrospective area of taxation. Some members argue that land tax has now been abolished on all rural land, but that is not the case. Many people in the near-city areas own small farms, and sometimes farms that may be of a reasonable size, and they have an income from another pursuit, whether as a university lecturer, school teacher, or as a person with a business in the metropolitan area or in another part of the State. They automatically are not considered to be primary producers in what one may call the true sense, although I disagree with that. They may not even be Rundle Street farmers. They are compelled to pay land tax on that land and, if we, particularly those close to Adelaide, want to have land preserved as open space as a breather for the rest of society to enjoy, we should say that those people who look after those types of farms are carrying out a proper responsibility to the rest of society and should be exempt from land tax.

I say that we have not gone as far as we should in relation to land tax, as a small group is still disadvantaged. These people are not all Liberal voters, even though some people might think that way; they vote in many different areas.

Mr. Keneally: We've got a lot of supporters on the land.

The SPEAKER: Order! As I protected the member for Stuart, it is my intention to protect the member for Fisher.

Mr. EVANS: There are one or two problems when we talk about existing use and also compare properties. A person can operate on a small piece of land conducting, for example, a nursery with intensive care and cultivation, able to produce quite a high income from that land. However, much of his income comes not just because of the land's capacity but also because of that individual's knowledge of his trade and his capacity to tend his plants and products in a way that others may not be able to do. If we attempt to look at what that individual's land may be worth because of his own capacity, we would find that in some cases in relation to council rates we are charging him a tax on his particular skills, on his trade and on his capacity to use his hands, his body and his mind to produce something better than someone else in that area can produce. I believe that is also an area of injustice.

Likewise, another person could move into that same area on a similar piece of land and it could be said that his potential is similar to that of the person next door, even though his actual land usage, the worth of his land and the way he works it, could be much less. Therefore, if we look at actual usage, which I support, we should be conscious of one person's capacity to use his skills as opposed to another person's capacity in producing any product.

At the moment, hobby farmers have a problem, because many moved into areas close to the city and paid quite high prices for their land. I suppose when the valuer looks at that land he will have to place a certain value on it because it had an existing use when it was purchased, without considering its productivity in the real sense. An individual might have bought that land because he thought it would involve a slight income tax benefit because some of the costs could be debited against his income tax, and I am sure that many of them still do that. Further, they may have bought that land because when they knock off work at night they want to leave the rat race of the school classroom, university, business house or the Rundle Mall shopping centre and move out to an area where there is fresh air, open space, more freedom, and the opportunity to relax in a more peaceful environment. It is very hard to place a value on that. However, adjacent to such people there could be a farm of larger acreage from which a person could be attempting to derive a living. That person never really has the time to think about the peacefulness of the area, because of the long hours he has to work.

I know of an orchardist in my area who works for more than eight months of the year for more than 14 to 16 hours per day seven days a week. He does not have an opportunity to enjoy the peaceful serenity or to sit back and say that it is nice to be able to breathe fresh air and forget about the rat race. I make the point that in those areas we need to be cautious.

The other area of some concern is land conservation, where a person may buy bushland for a very high price and argue that he wishes to conserve it in its natural state. Another person may buy a substantial piece of land that is virtually bushland, not for conservation purposes but for eventual use for primary production, and there will be a conflict in that area when we talk about the values that people place on land for existing use. Likewise, that is one of the difficulties with land tax, for example, in the Hills face zone. The member for Davenport has a case in his electorate of a person who, after being a prisoner of war, came back to the area to buy land but suddenly found that, because he is in the Hills face zone, he cannot receive the benefit which I believe he should receive for leaving a large part of the land in its native state, because other parts of the Hills face zone have been subdivided into 10-acre lots and a high value has been placed on the land in relation to the money put into that category of its evaluation per hectare.

I believe that person has a very legitimate argument. We should preserve the Hills face zone for the benefit of the total community, and we have passed laws to that effect. In looking at that land, regardless of its use, if it is left as open space it should be automatically exempted from land tax and other charges, and local government and the Valuer-General should be encouraged to take the same approach. Those persons have a responsible attitude, particularly persons with 80 hectares of land, but they are locked into a system, so they cannot sell it and receive a reasonable return. If they keep the land they are taxed out of existence.

When looking at that type of land in the future, I hope we will look at the use that is being made of the land at the time and not be concerned that someone else within the Hills face zone happened to pay a high price for a piece of land. If there is a demand by the community through

Parliament and Parliamentarians to preserve the open space environment, we must recognise that fact in the charges we make against those people. I make that plea, and I know that the Minister, my colleague the member for Davenport, is conscious of the serious situation faced by the person to whom I have referred. If there are any other persons like that in the Hills face zone, I hope we can take their situations into consideration, also.

In fact, I was disappointed with the Hills Face Zone Report, because some of the land referred to in that report can in no way be considered to be in the Hills face zone. Some of the land is at the bottom of valleys and cannot be seen from metropolitan Adelaide, yet it is included in the Hills face area. I think those are the sorts of things we should have taken action against. Again, I congratulate you on your efforts over the years, Mr. Speaker, in fighting this matter over four years until it was accepted by Parliament. In particular, I congratulate the present Government on bringing this legislation before the House, because it will correct many injustices in the community, even though I believe that some will still exist. I hope that we as a Parliament do not amend the present Bill but pass it as speedily as possible because of the benefits it will bring to many people and to the whole community.

The Hon. P. B. ARNOLD (Minister of Water Resources): I appreciate the comments and the contribution made in this debate by members on both sides of the House, even though there seems to be a preoccupation by the Opposition with this Bill purely in relation to the farming community. I think this situation has been highlighted and clarified in many of the points that have been raised by the members for Stuart, Mitchell, Fisher, Rocky River, and Flinders.

Many people in the overall community will benefit from this legislation other than farmers. If some home owners find that unfortunately they are now in an area of their town or city that is a commercial area, they will be able to have the notional value applied to their home. There are many instances in this city and in all other towns in South Australia of many individuals who are seriously disadvantaged. This Bill is in keeping with what the Government is trying to do and with what the previous Government embarked on in relation to the overall exercise of making an in-depth study of water rating in South Australia to try and arrive at a situation that is fair and equitable to all. That is what this Bill is all about.

The member for Stuart raised the issue of a back-pay situation or a roll-back. We looked closely at that on the basis that it would require the Valuer-General to keep two valuations, one a valuation of potential land use and/or property use, and a notional value.

The Hon. R. G. Payne: It's not very difficult to compute—

The Hon. P. B. ARNOLD: We looked closely at that and concluded that the number of instances that would occur where advantage was taken of the situation as compared with the cost to the Government of maintaining it and the work load in keeping a dual system, since the period of time of rapid expansion particularly of farm land being brought in as subdivisional land had passed and was not really a threat at this stage, on balance the cost of maintaining the situation was such that it could not really be justified. If one looks around Australia and overseas one finds that notional values apply in other States of Australia and in 43 or more States in the United States and Canada, mainly to provide property tax relief. This is not something that we are trying to introduce in South Australia that we have pulled out of the air: it is a system used widely in the Western world. In fact, we are trailing well behind in actually implementing it in South Australia.

Mr. Keneally: What would be the cost to revenue?

The Hon. P. B. ARNOLD: That was the other important factor raised by the member for Mitchell—the effect on local government and the effect on Government revenue. As far as the departments are concerned, they can see no reason why Government revenue will be adversely affected as a result of this measure, and in the same way this applies in regard to local government, because local government as always, will have its property valuations (whether it be notional values or whatever); local government will have the total picture and, as it does every year based on valuations for local government areas, in total, and will determine their rate revenue that they require. Local government can strike a rate based on that.

All that is happening in a local government area is the fact that the instance where a person is disadvantaged because his property is on a fringe area of a town, or where his house happens to be in a commercial area of that town, such anomalies where those individual persons are disadvantaged will be removed. In fact, for the one or two instances that occur like that, a council in its total valuations that are provided for it will then take that into account in striking its rate in the dollar for that particular year.

They will predetermine, as they do every year, exactly what rate revenue local government intends raising within a council area. It will have no effect. Members can rest assured that if that was not the case then the Local Government Association would have been pressed by local government authorities throughout South Australia to very vigorously oppose this measure. That is not the case because it is completely within the hands of local government, which is well aware that it can adjust the rate in the dollar—

An honourable member: Everyone pays a little more.

The Hon. P. B. ARNOLD: No, if you are collecting the same rate revenue from a total area, then the situation has not altered. All one has done is to remove the anomalies. If one accepts the situation where, through no fault of his own, a chap finds his house has been surrounded by expanded development of the commercial area and is rated potentially as a commercial property, to me that person has been distinctly disadvantaged. This legislation will eliminate that situation and, in ironing out the anomalies, everyone will be on a fair and equitable basis. The total revenue to the council will remain constant. If the Opposition sees that as an unfair situation, I hope members opposite go out in the community and tell people who find themselves in that untenable situation what they believe.

The Hon. R. G. Payne interjecting:

The Hon. P. B. ARNOLD: A fractional increase may occur if a local government body intends to increase its rate revenue or whatever. This Government is intent on being fair and equitable to all concerned. If the Opposition does not view the situation in that light, that is its affair, and I dare say that Opposition members will go out and tell the public that they are prepared to see people disadvantaged at the expense of others. We are not prepared to do that, and we have the wide acceptance of this proposal across the State.

The other point raised by the member for Mitchell concerns his reference to annual values. An annual value is 5 per cent of the capital value, and annual values are widely used for water-rating purposes; indeed, it has been the basis for water-rating for as long as I can remember. That is not a new initiative. In conclusion, the concept of notional value is not a new concept in South Australia, and has been in effect for 25 years. It goes back as far as the

1950's and has been used over this long period in an endeavour through various Acts to eliminate anomalies as far as possible. What we are doing in this instance under this legislation, on a broad basis, is to be able effectively to create a situation that is fair and equitable to all concerned.

What the Opposition has foreshadowed is to take out of this legislation the concept of notional values. If members opposite were successful in achieving that, they would effectively defeat the whole purpose of the legislation. Notional value is the only basis on which this can be achieved, and it is the only way in which it has been achieved around the world. It has proved effective, and it has been proved quite clearly that qualified valuers are capable of effectively using the concept. What has been suggested by the Opposition during the second reading debate would completely nullify the legislation, and the whole concept of trying to create a situation which is fair and equitable to all concerned would go out the window.

The Hon. E. R. Goldsworthy: And they'd be about as popular as a pork chop in a synagogue, wouldn't they?

The Hon. P. B. ARNOLD: I imagine so. As the member for Stuart said, this is an important piece of legislation. It requires close consideration by the House, and any thought that we could have dealt with it effectively in 25 minutes was unrealistic.

The Hon. R. G. Payne: Keep that in mind if there is a similar request, too.

The Hon. P. B. ARNOLD: In supporting the comments of the member for Stuart, I stressed that this is important legislation, and it is unreasonable to think that it could be dealt with effectively by this House in 25 minutes. I think it has been accepted that this is major legislation for South Australia. It is a completely new approach to the valuation of land for rating and taxing purposes. I appreciate the contributions from both sides, and I commend the Bill to the House.

Bill read a second time.

In Committee.

Clauses 1 to 5 passed.

Clause 6—"Interpretation."

The Hon. R. G. PAYNE: I have on file an amendment relating to clause 6, which goes hand in hand with the fact that clause 7 would be opposed. Then there is a necessity to consider with it clause 17 because of the relative nature of those three matters. One has to consider realistically the position in this Chamber regarding numbers. Whatever fate is in store for my amendment, there are other matters I would like to refer to first in clause 6, and I seek your ruling, Sir, on how I should proceed.

The CHAIRMAN: The honourable member can speak to clause 6 and move his amendment when he decides to do so.

The Hon. R. G. PAYNE: During my second reading speech, I raised the matter of persons who, because they are engaged in primary production, will receive the ostensible benefit applying under the Bill. The Minister did not respond, perhaps through an oversight. Almost everyone concerned with tilling the soil and associated activities is listed. If the Minister intends to extend this provision to people in primary production, it would appear that there is more than one fish farmer in South Australia, perhaps in a property area where the question may arise. I am not sure whether the words there would cater for people engaged in mushroom culture, which is sometimes a fairly large activity and would seem to be of a primary production nature.

The Hon. P. B. ARNOLD: I had intended to seek advice on the technical word for fish farming. Not knowing the technicalities or legal terminology, I would be prepared to raise this matter with counsel, to find out the terminology, and consider it. If it is appropriate to include it, I would seek to have it included by the Minister in another place. I agree that we have endeavoured to cover all aspects of farm production. We are trying to be fair and equitable to all concerned. If there is any instance of discrimination against one group or person, the matter should be considered.

Mr. KENEALLY: The *Concise Oxford Dictionary* defines "aquaculture" as the cultivation of plants or breeding of animals in water. For people who take the trouble to read *Hansard*, I point out that I have referred to the *Oxford Dictionary* and was unable to give that definition off the top of my head. Did the Minister intend to cover the subject of mushroom farming?

Mr. Lewis: It is covered under "crops".

Mr. KENEALLY: The member for Mallee suggests that mushroom farming is covered by paragraph *(c)* in the definition of "crops". The Opposition is happy with the Minister's assurance that the necessary amendments to this clause can be made when the measure is debated in the Legislative Council. The Minister, we believe, is an honourable person, as we are honourable persons, and I am sure that his assurance will be honoured.

The Hon. P. B. ARNOLD: According to the dictionary, aquaculture would be the appropriate word to cover the matter. It is a matter of the Parliamentary Counsel's putting it in the appropriate place. I am prepared to raise the matter with the Minister in another place.

Mr. Keneally: Did you doubt my ability to read?

The CHAIRMAN: Order!

The Hon. P. B. ARNOLD: To be honest, I was in discussion with the Clerk and did not hear what the honourable member said.

The Hon. R. G. PAYNE: I thank the Minister for accepting that small amendment. I am pleased that through my efforts he has not had to leave out any of the friends for whom this legislation was organised, those people in the community who are closely related to the interests of many of the members on the other side, that is, those persons engaged in primary production. I can only suggest that there must have been some haste about this that did not allow for full research to cater for that very activity.

The amendment is, paradoxically, to now leave out the very area we have been referring to. I felt that the Minister ought to be more thorough in his attempts to provide for what he described as the removal of the inequities that exist. Somebody is going to be disadvantaged by the change, and that is the point the Minister carefully avoided referring to. The persons disadvantaged at the moment, if we accept his premise, are going to lose that disadvantage, and other persons are going to be disadvantaged, because in no way can the councils concerned, or the Government (unless it is not exercising that care and concern for finances that it claims to be exercising) accept the loss of revenue that results.

The Hon. W. E. Chapman: What is your problem?

The CHAIRMAN: Order! The Minister of Agriculture will have the opportunity to take part in the debate if he desires. The member for Mitchell has the call.

The Hon. R. G. PAYNE: I understand that about 10 000 properties in South Australia may be eligible for the benefit contained in this legislation. I further understand that about 7 000 to 8 000 are in the metropolitan area, so the benefit to be provided in the non-metropolitan area is to quite a limited number of people, but far more than live in the non-metropolitan area, so that disadvantage I was talking about which the legislation removes from that small number of people is spread over a lot more people.

The Minister argues that that is fine, because an anomaly has been cleaned up, but many is the time I have heard members opposite say in this House, when legislation was brought in by us as a Government, that in no way could legislation be a fair thing when it took away from people something that they had at that time. Nobody on the other side can argue that it does not mean that at least some kind of additional payment will be due from those who have to make up the short-fall. We have the philosophical view (and I believe we are vindicated in this), concerning this same person who is getting the disadvantage referred to because of the encroachment of the town area upon his farming property, or because of the disadvantage that occurs in the metropolitan area in being located in a commercial or other zone, that when the time for sale comes he picks up by the very same disadvantage which suddenly becomes a virtue.

Mr. Keneally: He picks up the inflated value then.

The Hon. R. G. PAYNE: That is right. We heard not one mention of that point. Not everyone wants to keep their property in the one familial line forever. There are people who are prepared to sell. It would be much fairer on the part of the Government if it put up the full story. Certainly, I can understand some people living in the country who are disadvantaged and now saying, "You beaut, of course I will support it; it is going to help me," but they ought to also take the wider view and allow for the fact that at the time of sale they are often able to take advantage of the thing that has been a disadvantage to them up to that stage. I am not claiming that that relates to everyone, but there was no mention of this from the other side at all. I want, on behalf of the Opposition, to make a test of this, in effect, by moving the amendment standing in my name. At the same time, I would not want to forgo my right to oppose clause 7. Am I in order, Mr. Chairman?

The CHAIRMAN: The honourable member can move his amendment.

The Hon. R. G. PAYNE: I move:

Page 2, lines 32 to 37—Leave out paragraph *(c)*.

The Committee divided on the amendment:

Ayes (19)—Messrs. Abbott, L. M. F. Arnold, M. J. Brown, Crafter, Duncan, Hamilton, Hemmings, Hopgood, Keneally, Langley, McRae, O'Neill, Payne (teller), Peterson, Plunkett, Slater, Trainer, Whitten, and Wright.

Noes (22)—Mrs. Adamson, Messrs. P. B. Arnold (teller), Ashenden, Becker, Billard, Blacker, D. C. Brown, Chapman, Eastick, Evans, Glazbrook, Goldsworthy, Lewis, Mathwin, Olsen, Oswald, Randall, Rodda, Russack, Schmidt, Wilson, and Wotton.

Pairs—Ayes—Messrs. Bannon and Corcoran. Noes —Messrs. Allison and Tonkin.

Majority of 3 for the Noes.

Amendment thus negatived.

The Hon. R. G. PAYNE: Is my understanding correct that the new definition of "site value" is, in effect, the market value less the value of improvements on the land in question?

The Hon. P. B. ARNOLD: Site value is the value of land which is ready for the use to which it will be put. In effect, it is the capital value of the land less the structural improvements.

The Hon. R. G. Payne: I omitted the word "structural" and I thank the Minister for that explanation.

Clause passed.

Clause 7—"Notional valuations to be made in certain cases."

The Hon. R. G. PAYNE: I will not now be proceeding with the clause 17 amendment. In relation to clause 7, I indicate that the Opposition opposes this clause. However, I seek some clarification from the Minister in respect of new section 22a. New section 22a (3) provides:

> Where land is valued under the provisions of subsection (2), it shall also be valued as if the owner were not entitled to the benefit of this section, and the latter valuation shall take effect for the purpose of a rating or taxing Act if—
>
> *(a)* the owner ceases to be entitled to the benefit of this section;
>
> or
>
> *(b)* a person who is not entitled to the benefit of this section becomes the owner of the land.

That provision seems to be the opposite to what the Minister told us earlier, when he said that he did not propose to have dual rating. However, that subsection certainly seems to provide that if 10 000 people all applied (with 10 000 properties) there would be 10 000 dual rates, because the provision means that in case they sell or in some other way lose the entitlement to the benefit the rating that will apply and be retained in future will be different.

Mr. KENEALLY: I cannot support the current provision regarding the pay-back or roll-back system. I think that, before the Committee can sensibly debate this at any further length, the Minister should explain to us why he said during the second reading debate that there would not be dual valuations of property while this clause quite clearly provides:

> Where land is valued under the provisions of subsection (2), it shall also—

and that is the key word—

> be valued as if the owner were not entitled to the benefit of this section . . .

The use of the word "also" quite clearly shows that there will be dual rating for possibly 10 000 properties in South Australia which is not an insignificant number, and this casts some doubts on the Minister's previous reply that there would not be a dual rating system as the cost was such as to make it uneconomic.

The Hon. R. G. Payne: It was the Minister's argument for not having the roll-back system.

Mr. KENEALLY: Yes. I think that the roll-back system now takes on even greater importance than I had previously attributed to it, because obviously the mechanism is now present for a dual rating system that will allow for the proposals that I put to the Minister in the second reading debate.

The Hon. P. B. ARNOLD: The market value becomes the notional value if there is no other potential.

The Hon. R. G. Payne: If you have got a potential value, obviously the notional value must be the lesser. Otherwise, you're doing it wrongly.

The Hon. P. B. ARNOLD: That is right. The market value is the notional value if there is no other potential. For a farm that is not affected because it is in a fringe area, or for a house that is not in a town's commercial area, the market value is the notional value. I hope that that answers the point raised by the member for Stuart.

The Hon. R. G. PAYNE: I do not think that really answered the point made by the member for Stuart, who asked whether there would be dual rating for the 10 000-odd properties likely to be eligible for the benefit contained in this Bill, especially in this clause. As the honourable member said, new section 22a (3) provides that, where land is valued under the provisions of new subsection (2), which allows for the benefit in a *bona fide* case, it shall also be valued as if the owner was not entitled to the benefit of the section. The Minister may have been anticipating another matter that I intended to raise. New section 22a (2) provides as follows:

> Where a valuing authority is satisfied that a person is entitled to the benefit of this section, it may, and shall at the request of that person, value the land as if the potential . . .

What will be the machinery in relation to this part of the Bill? Obviously, the Valuer-General seems to know that about 10 000 properties are likely to be eligible. How does the individual make his request?

The Hon. P. B. ARNOLD: If the matter has not automatically been taken up by the Valuer-General or the valuer doing it, and a notional value has been applied, the person concerned can request that that action be taken.

The Hon. R. G. PAYNE: I realise the difficulty that the Minister is having in answering some of the more complex questions. It is difficult for members to frame questions, and it is hard enough for one to try to work out what is meant in this area. However, I know what I want to achieve. There is a clear-cut system. I suspect that the Minister has just told the Committee that the Valuer-General has a system that will take care of the matter and that, in cases where a property holder is unclear whether he is entitled to this benefit, he may apply. If he does so, such a person would be told of his eligibility or otherwise, and the valuation that he requested could then be made. I have not noticed any provision for appeal, although I suspect that, because of the way in which the Act operates, it would probably cater for this aspect.

I am inclined to let the matter go at that. I am not being derogatory to the Minister in any way, as he is having the same sort of difficulty in answering questions that I have had in understanding the matter. However, I think the machinery would solve this problem. It may well be that the wording of the clause that my colleague first raised is the Parliamentary Counsel's way of expressing the manner in which the machinery works.

First, the market-type valuation is made as a normal thing in relation to all properties, and then a second valuation is made because of the Valuer-General's knowledge that the property concerned is eligible for this benefit. I think that I have so far worked out how it will work. Perhaps I should be on the Government front bench as Minister. Hopefully, it will not be all that long before I am there.

This is why the wording suggests that a duality of valuations is being kept: to allow for the way in which it works. I should appreciate the Minister's telling me whether I have stumbled on the right explanation.

The Hon. P. B. ARNOLD: I think the honourable member is getting near the mark in some respects. However, I point out that, if he was the Minister, this Bill would not, by the Opposition's earlier comments, be before the House, and the iniquities in the present valuation system would continue for many years to come.

The Valuer-General or his officer, in making normal inspections in relation to valuations throughout the State, will automatically value both on the market value and on the notional value. If the valuer doing the valuation does not recognise that it is appropriate for a notional value to apply to a property, the owner thereof has an opportunity to raise the matter again and to ask the Valuer-General that the property be valued as a notional value.

Mr. KENEALLY: I see that a penalty of $2 000 is prescribed for a contravention of new section 22a (5). Has the Minister any information in his department which would indicate that this provision is likely to be contravened? I also ask the Minister how the Government determined that $2 000 was an adequate penalty. All things being relative, that sum would be a severe penalty for some sections of the community and a very light penalty for other sections of the community. It may well be that the benefit that can be derived by people who are prepared to contravene this provision would outweigh any deterrent against their breaking the law.

The Hon. P. B. ARNOLD: This is purely a value judgment, the same as any determination in relation to what a penalty should be for contravention of a prescribed offence. Obviously, it must be a substantial penalty. Otherwise, the rating authority, be it the Engineering and Water Supply Department or local government, would find that, if this provision was abused by the public, it could easily throw rating and council rating into chaos. Therefore, this sort of penalty is warranted. Once again, I state that the only person who has anything to fear from such a penalty is the one who breaks the law.

Mr. Keneally: Some people are better able financially to break the law than others.

The Hon. P. B. ARNOLD: This will always be the case, no matter what penalty we impose. We could have a situation where, if the penalty was $10 000, it would not place some people in difficulty. I can appreciate what the honourable member is saying, but I think I have indicated the importance the Government places on the matter, when the Government is endeavouring to create a situation which is fair and equitable for all concerned. If that is going to be flouted, a heavier penalty should apply.

Mr. KENEALLY: I refer again to the present Government's criticism of my Party when in Government. New section 22a (5) provides that "the owner shall, subject to subsection (6), forthwith inform the relevant valuing authority of those circumstances". "Forthwith" was a requirement we placed in legislation consistently. Unfortunately, the member for Eyre is not in the Chamber at the moment but he was one member, when in Opposition, who was very critical of that requirement, as were other members of the present Government. Now that they are in Government, "forthwith" is an acceptable action for them to take. I wonder whether the Minister, unlike his colleagues, when I have raised similar contradictions, will be prepared to tell the Opposition why members opposite have changed their minds. It is a change that we do not criticise, as it is a requirement that we made ourselves on a number of occasions, but we were criticised for doing so.

The Hon. P. B. ARNOLD: I am unaware of the incident to which the honourable member refers in relation to the member for Eyre. As I indicated earlier, we are discussing a concession. Once a person is no longer validly entitled to that concession, there is a real responsibility that he should notify the authorities forthwith. A similar requirement is to be found in many other pieces of legislation, for instance, the Phylloxera Act. There is an immediate requirement there for a person disposing of a vineyard to notify the Phylloxera Board of the fact. In that instance, it is not a concession, but the Phylloxera Board must be notified for the purpose of registering the new owner so that levies can be collected. There is still a requirement that the responsibility rests with the owner, even though he is not getting any concession; in fact, he is paying a levy for that right. In this instance, the person concerned is receiving a concession from the authority, and it could be from the Government, or local government.

Clause passed.

Clauses 8 to 18 passed.

Clause 19—"Calculation and fixing of rates."

The Hon. R. G. PAYNE: I seek from the Minister an assurance that the passage of clause 19 will not make any change in the way in which water rates are currently calculated. My understanding is that it is formalising to a degree something which is already happening in respect of country water districts. It really brings up to date what is happening and makes no real change such that there will

be any increase in the rates paid contingently on the passage of the Bill. I am not saying that other changes may not occur later in accordance with established practice or whatever. Will the Minister say that the passage of this part of Bill will not cause an increase mandatorily in water rates being paid in the areas to which the clause refers?

The Hon. P. B. ARNOLD: That is quite correct.

Clause passed.

Remaining clauses (20 and 21) and title passed.

Bill read a third time and passed.

ADJOURNMENT

At 11.38 p.m. the House adjourned until Wednesday 18 February at 2 p.m.

HOUSE OF ASSEMBLY

Tuesday 17 February 1981

QUESTIONS ON NOTICE

CHILD CARE COURSE

729. **Mr. HEMMINGS** (on notice) asked the Minister of Education:

1. Has the Minister approved the decision to transfer the operation of the Child Care Certificate Course from Elizabeth Community College to Croydon Park College of Further Education and, if so, when and why?

2. What demographic aspects were exhibited in the Croydon area compared with the Elizabeth area which resulted in the transfer of the course?

3. What are the anticipated enrolments for this course in the coming year?

4. What were the enrolments for these courses at Elizabeth and Croydon, respectively, over each of the years since 1975?

5. What will be the staff requirements for the course in 1981 and how does that compare with staffing in 1980?

6. What transfers are expected?

7. How many Elizabeth graduates have so far obtained employment?

The Hon. H. ALLISON: The replies are as follows:

1. The deision to transfer the operation of the full-time child care teaching unit to Croydon Park College of Further Education was made on 12 October 1980. The reasons were based upon the need to balance the level of service given in the care giving area, an area which not only includes child care but also residential, handicapped and parenting activities; the changes in demand for child care graduates as expressed by State, Commonwealth and Private agencies; and the ability to increase the effectiveness of the two teaching units through a reduction in duplication of tasks.

2. The demographic aspects considered were he post code of home locations of students and growth trends both for the younger suburbs (child care) and the aging suburbs (residential and handicapped care). It is hoped the centralisation will make courses more accessible to ppeople in the southern part of the metropolitan area.

3. The anticipated new enrolments for 1981 are 20 full-time students and approximately 150 part-time students for the Child Care Studies Certificate course, and 40 part-time Residential Care Students.

4. The enrolments for the Child Care Studies Certificate course since 1975 are as follows.

	Croydon Park C.F.E.		Elizabeth Community College	
Year	Intake	Graduates	Intake	Graduates
1975	20	—	21	—
1976	19	11	20	13
1977	20	12	22	14
1978	24	15	25	12
1979	23	16	24	14

5. In 1980, there were 11·1 equivalent full-time lecturers in care-giving courses; it is planned to have the same number of full-time lecturers in 1981. The 1981 part-time instructor involvement will be at approximately the same level as in 1980.

6. The following staff will be transferred to Croydon Park College of Further Education as of 1 February 1981.

Ms. J. Burden, Ms. F. Gilbert, Ms. A. Matherson and Mrs. M. Thornton. Ms. B. Clancy, the Senior Lecturer, is to remain at Elizabeth to teach in and co-ordinate the care-giving programme as offered by the College.

7. A recent analysis by staff at Elizabeth Community College has shown in the Child Care Studies Certificate since 1975-1979, 112 students have commenced the course. Of the 53 who have graduated, 38 are employed in Child Care Centres and, related areas, and of the remainder, six were unemployed at the time of the inquiry.

ADVISORY TEACHERS

757. **Mr. TRAINER** (on notice) asked the Minister of Education:

1. How many advisory teacher positions are not being filled in 1981 and 1982 and how many advisory teachers on a contract basis are not having their contracts renewed in 1981 and 1982?

2. Has the displaced status of former advisory teachers returning to classroom service contributed to the alleged surplus of senior teachers in metropolitan schools?

3. Will the reductions in the numbers of advisory teacher positions mean any reduction in the support services provided to assist classroom teachers?

The Hon. H. ALLISON: The replies are as follows:

1. All advisory teacher positions within the reduced quotas of advisory teacher positions for regions and directorates for 1981 will be filled. It is proposed also that all available positions for 1982 will be filled.

Advisory teachers are not employed on a contract basis. Such teachers have permanent status with the Education Department and are seconded to their advisory duties for a tenured period. At the completion of the period of tenure no renewal is granted; the position is declared vacant, readvertised and a new appointment made. Tenure is normally for two years.

The incumbents in the positions which were reduced for 1981 had all completed their current period of tenure and were expecting either to return to a school, or to apply for an advertised seconded teachers vacancy on an equal basis with other teachers.

2. Only to a small degree. Within the number of advisory teachers returning to schools in 1981 are 13 teachers with senior status. Those working within the areas of Physical Education, Home Economics and Music do not contribute to any surplus of seniors. However, seniors in English, Maths/Science and Technical Studies, areas which are currently over-established, do compound the problem of the over-supply of seniors in metropolitan schools. Seven of the advisory teachers with senior status returning to schools work in these areas.

3. The reduction in the number of advisory teachers positions for 1981 was limited to the metropolitan area. This will mean some reduction in the direct contact of class room teachers with advisory teachers. However, the reductions were made in areas where there were a number of advisory teachers and in areas where there are currently not major curriculum thrusts. Teachers in the city also have ready access to the general areas of teacher support, e.g. libraries, resources centres, the Educational Technology Centre and the services provided at The Orphanage. Classroom teachers in the country, where there was no reduction in advisory teacher quotas, will continue to have the same access to support services as in 1980.

BUS SERVICES

860. **Mr. HAMILTON** (on notice) asked the Minister of Transport:

1. What number of S.T.A. bus services have been cut back at weekends this year?

2. What are the respective services and areas affected by those cutbacks?

3. What areas and services have had the frequency of services reduced this year?

4. What number of S.T.A. rail services have been reduced—

(a) during the week; and

(b) on weekends,

this year, what were those services and what areas were afected by such cutbacks?

5. What further reductions are currently being considered in the Bus and Rail Divisions and what are the areas and the respective services involved?

The Hon. M. M. WILSON: The replies are as follows:

1-3. State Transport Authority bus services are subject to regular adjustments in frequency. During 1980, 32 services were increased in frequency, 16 services were reduced in frequency on weekends, and five on weekdays.

(a) Thirty two services were increased in frequency during 1980 on weekdays.

The following sets out the routes and areas affected:

Route 16/32—Glenelg to Glen Osmond
Route 28C—Adelaide to Henley South
Route 29J—Adelaide to Port Adelaide
Route 27C—Adelaide to Marineland
Route 99C—City Loop Service
Route 33/34—Port Adelaide to Glenelg
Route 640/641—Adelaide to Dover Gardens
Route 12—Adelaide to Wattle Park
Route 450—Elizabeth Station to Smithfield Plains
Route 540/541/542—Adelaide, Surrey Downs, Fairview Park, Tea Tree Gully
Route 550/551—Adelaide to St. Agnes
Route 866—Adelaide to Glenalta
Route 880—Adelaide to Aberfoyle Park
Route 881—Adelaide to Flagstaff Hill
Route 824/825—Adelaide to Aldgate
Route 502—Adelaide to Para Hills
Route 871—Adelaide to Chandlers Hill
Route 505—Adelaide to Carinya Heights
Route 10, 10C, 11—Adelaide, Oldfield, Morialta, Magill
Route 29/29D—Adelaide to Queenstown
Route 23/23M—Adelaide to Brighton Road, Glenelg
In addition to the above a number of alterations and augmentations have been made to special school services.

(b) Frequencies on 16 bus services were reduced in 1980 on weekends.

The following sets out the routes and areas affected:—

Route 28—Adelaide to Grange
Route 29D—Adelaide to Queenstown
Route 63O—Adelaide to Seacombe Park
Route 3/4—Adelaide to Port Adelaide
Route 5—Adelaide to Blair Athol
Route 10/10C—Adelaide to Oldfield/Morialta
Route 11—Adelaide to Magill
Route 12—Adelaide to Kensington Gardens
Route 19/19C—Adelaide to Mitcham—Torrens Park
Route 23—Adelaide to Graymore
Route 27/27B—Adelaide to West Beach/Marineland

(c) The following frequencies were reduced on five off-peak services on weekdays:—

Route 23—Adelaide to Somerton/Seacliff and Marion Shopping Centre
Route 20—Adelaide-Westbourne Park
Route 28—Adelaide-Grange/Port Adelaide
Route 27/27B—Adelaide—West Beach/Marineland

4. State Transport Authority rail services are also subject to adjustments in frequency and capacity. During 1980, 67 services were increased, 62 in capacity, 25 on weekends and 37 on weekdays, and five services were extended. Six services were reduced on weekdays and three on weekends.

(a) Sixty-two services were increased in capacity, 25 on weekends and 37 on weekdays.

The 37 rail services which had their capacity increased on weekdays are as follows:

Adelaide to Noarlunga Centre	12 services
Adelaide to Brighton	4 services
Adelaide to Bridgewater	3 services
Adelaide to Belair	3 services
Adelaide to Grange	1 service
Adelaide to Northfield	1 service
Adelaide to Outer Harbor	5 services
Adelaide to North Gawler	6 services
Adelaide to Gawler	2 services

(b) The 25 services which had their capacity increased on weekends are as follows:

Adelaide to Bridgewater	7 services
Adelaide to Belair	2 services
Adelaide to North Gawler	9 services
Adelaide to Noarlunga	6 services
North Gawler to Adelaide	1 service

(c) Five rail services were extended on weekdays and are as follows:—

Gawler to North Gawler	5 services

(d) The six reduced rail services on weekdays are:

Osborne—ETSA/ICI
Albert Park—Hendon
Salisbury—Virginia (replaced by feeder bus service)
Salisbury—Penfield
Adelaide—Salisbury
Adelaide—Northfield

(e) The three reduced rail services on weekends are:

Belair—Long Gully
Salisbury—Penfield
Adelaide—Salisbury

5. All State Transport Authority services are continually under review and are revised in accordance with patronage offering.

MODBURY HOSPITAL

878. **Mr. O'NEILL** (on notice) asked the Minister of Health:

1. Is the Modbury Hospital adequately staffed and, if not, what action will be taken to overcome this situation?

2. If there is a staff shortage, has it or will it prejudice the safety of patients?

3. Has the Minister been advised that people in the north-eastern suburbs are becoming fearful of attending that hospital for treatment and, if so, what action will the Minister take to eradicate this fear?

The Hon. JENNIFER ADAMSON: The replies are as follows:

1. Yes.
2. Not applicable.
3. No.

GOVERNMENT TOURIST BUREAU

889. **Mr. BECKER** (on notice) asked the Minister of Tourism: What is the estimated cost of implementing

recommendations of the private consultants report on the South Australian Government Tourist Bureau?

The Hon. JENNIFER ADAMSON: The Government has not yet considered the report. The recommendations have not been precisely costed.

COMMUNITY WELFARE

893. **Mr. HAMILTON** (on notice) asked the Minister of Health: How many community welfare officers have resigned since 1979, where were they located, and what were their reasons for resigning in each instance?

The Hon. JENNIFER ADAMSON: A total of 165 community welfare officers have resigned since 1979; 33 officers were located at head office and 132 were located at various service locations throughout the State. 64 officers resigned for personal reasons, 37 sought alternative employment and 11 resigned due to family commitments. The remaining 53 officers gave a variety of reasons for resignation including health, moving interstate, inability to cope, dissatisfaction with their employment, full-time study and overseas travel.

894. **Mr. HAMILTON** (on notice) asked the Minister of Health: What are the respective names and amounts of money each of the 167 community welfare organisations will receive throughout the State, and what is the type of project and who will it benefit in each instance?

The Hon. JENNIFER ADAMSON: It is the practice to publish a complete list of grants made from the Community Welfare Grants Fund after all grants have been decided. At this stage, further grants have still to be approved and publication of an incomplete list could be misleading.

LIGHTWEIGHT RAIL SYSTEMS

925. **Mr. HAMILTON** (on notice) asked the Minister of Transport: Does the Government intend to release the study of the possibility of using "lightweight rail systems" in metropolitan Adelaide using the existing suburban railway system as the basis for this study and, if not, why why not and, if so, when?

The Hon. M. M. WILSON: It has been suggested in recent years that the suburban rail system be electrified and one option in a study of the feasibility of electrification would be conversion to a light rail system. However, no such work has yet been undertaken and therefore no report is available.

"CITY LOOP"

933. **Mr. HAMILTON** (on notice) asked the Minister of Transport: What investigations have been carried out, and by whom, into extending the Bee Line and Circle Line bus services in the square mile of Adelaide and is there any intention of extending either of these services to the North Adelaide and Unley areas and, if so, when and, if not, why not?

The Hon. M. M. WILSON: I presume in referring to the Circle Line bus the honourable member means the recently introduced "City Loop" bus service. Detailed departmental investigation preceded the introduction of the Bee Line and City Loop bus services but only included the possible routes within the City. There is no intention of extending either service to North Adelaide or Unley. These areas are already served by regular route services.

RURAL BUS SERVICES

937. **Mr. HAMILTON** (on notice) asked the Minister of Transport:

1. Does the Government support financially intra-district bus services in rural towns and if so, what are the localities serviced and what was the cost of each during 1980 and, if not, why not?

2. What intra-town bus services are supported financially by the Government to cater for pensioners, incapacitated and other disadvantaged persons in the community and what disadvantaged persons are serviced in each instance?

The Hon. M. M. WILSON: The replies are as follows:

1. Yes. The localities served and costs to the Government are:

	$
Port Lincoln	10 900
Whyalla	140 700
Port Augusta	31 700
Port Pirie	19 800
Mount Gambier	11 600

2. The Government does not offer continuing financial support for community buses. However grants for the purchase of community buses have been made to:

Corporation of the City of Campbelltown
Corporation of the City of Enfield
Corporation of the City of Henley and Grange
Corporation of the City of Tea Tree Gully
Corporation of the City of Payneham
Corporation of the City of Woodville (not yet paid)
Corporation of the Town of Thebarton
District Council of Meadows
District Council of Strathalbyn
District Council of Victor Harbor

The groups deemed "disadvantaged" are determined by Council. However, any person may use the service once established. In addition the State Transport Authority licenses a special bus service which provides transport for disabled persons. The Government assisted this service with a grant for the purchase of an additional bus.

DEATHS FROM SQUASH

998. **Mr. HAMILTON** (on notice) asked the Minister of Health:

1. How many deaths have been attributed to the playing of squash in South Australia in the last 10 years, what are the age brackets of those involved, and how do these figures compare with all other States?

2. How many deaths have been attributed to jogging in South Australia over the last 10 years, what are the age brackets of those involved, and how do these figures compare with all other States?

The Hon. JENNIFER ADAMSON: The replies are as follows:

1. It is not possible to attribute numbers of deaths to specific physical activity.

2. Same as for 1 above.

CHAMPAGNE BOTTLES

1001. **Mr. HAMILTON** (on notice) asked the Minister of Health: Has the Minister read the article in *The Australian* of 24 December 1980 "Dodging a kick from Champagne" and, if so—

(a) how many injuries have resulted to South Australians from the popping of champagne corks in the last 10 years;
(b) what types and numbers of injuries are directly attributed to this practice;
(c) what action has the Government taken or does it intend to take to warn people of this danger; and
(d) does the Government intend to recommend the use of special safety champagne bottle openers with metal tongs to grip the corks so as to eliminate the possibility of a person being hit in the eye or elsewhere?

The Hon. JENNIFER ADAMSON: The replies are as follows:

(a) Not known.
(b) Not known.
(c) None.
(d) No.

OUTPATIENT FEES

1010. **Mr. HAMILTON** (on notice) asked the Minister of Health: Does the Government intend to increase outpatients fees at hospitals and, if so, when and by how much, and will holders of medical entitlement cards still be exempt and, if not, why not?

The Hon. JENNIFER ADAMSON: An increase is not under consideration at the present time.

ADSING SHIPPING LINES

1012. **Mr. HAMILTON** (on notice) asked the Minister of Health:

1. Has the Government made a decision whether to invest $5 000 000 for three years in Adsing Shipping Lines and, if so, when and why, and if not, why not?

2. Has the Government made a decision to invest any moneys in Adsing Shipping Lines and, if so, how much, when and over what period of time?

The Hon. JENNIFER ADAMSON: The replies are as follows:

1. No.
2. No.

MEDICAL NEGLIGENCE

1014. **Mr. HAMILTON** (on notice) asked the Minister of Health:

1. How many persons in this State have received compensation for medical negligence during treatment since 1975?

2. How many instances have been reported of medical negligence by medical staff since 1975, what were the classifications of the medical staff involved and what specific negligence was involved in each instance?

The Hon. JENNIFER ADAMSON: The replies are as follows:

1. Overall statistics are not available.
2. See 1 above.

BOOT'S MILK FORMULA

1021. **Mr. HAMILTON** (on notice) asked the Minister of Health:

1. Has Boot's milk formula been removed from the pharmaceutical benefits scheme and, if so, does the Minister support such withdrawal and, if not, why not and what representations, if any, has the Minister made to her Federal colleague expressing her opposition?

2. Will this withdrawal place a cost burden on parents and is the Minister aware that many children are allergic to cows milk, soy and corn substitutes?

3. What complaints and how many have been forwarded to the Minister expressing opposition to this measure?

The Hon. JENNIFER ADAMSON: The replies are as follows:

1. and 2. These questions should be directed to the Federal Minister of Health.

3. None.

JAMISON REPORT

1025. **Mr. HAMILTON** (on notice) asked the Minister of Health: Which of the 140 recommendations in the Jamison Report does the Government support and why, and which does it oppose and why?

The Hon. JENNIFER ADAMSON: State Government support may be dependent upon the action to be taken by the Federal Government. Therefore at this stage it is not appropriate to determine the State Government's attitude to all recommendations.

HOSPITAL DISCREPANCIES

1032. **Mr. HAMILTON** (on notice) asked the Minister of Health: How many reported discrepancies have occurred in each Government hospital during 1980 and what was the type of discrepancy and the amount in each instance?

The Hon. JENNIFER ADAMSON: An answer cannot be given because the question does not contain sufficient information.

URANIUM

1033. **Mr. HAMILTON** (on notice) asked the Minister of Health: Does the Minister oppose the storage of uranium and nuclear waste or the establishment of a uranium enrichment plant in the electorate of Coles, if it were economically possible and, if so, why and, if not, why not?

The Hon. JENNIFER ADAMSON: Replies are not given to hypothetical questions.

DRUGS

1035. **Mr. HAMILTON** (on notice) asked the Minister of Health:

1. Why and when were the drugs Amesec and Ephedroborbital deleted from the Pharmaceutical Benefits Scheme list?

2. Are those drugs still available in South Australia and, if so, why and for what medical purposes?

The Hon. JENNIFER ADAMSON: These questions should be directed to the Federal Minister for Health.

DAYLIGHT SAVING

1166. **Mr. HAMILTON** (on notice) asked the Premier —Does the Government intend to abolish daylight saving in South Australia and, if so, when and, if not, why not?

The Hon. D. O. TONKIN: It is the Government's intention to hold a referendum on the issue of daylight saving in conjunction with the next State election.

MINISTERIAL TRAINING

1177. **Mr. HAMILTON** (on notice) asked the Premier —Will the Premier urgently consider providing money in the next budget for Ministerial training and, if so, how much will be allocated for each Minister?

The Hon. D. O. TONKIN: No.