HOUSE OF ASSEMBLY

Thursday 10 June 1982

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

PETITION: PUBLIC TRANSPORT

A petition signed by 113 residents of South Australia praying that the House urge the Government to review the public transport system in the northern metropolitan region was presented by the Hon. M. M. Wilson.

Petition received.

PETITIONS: CASINO

Petitions signed by 265 residents of South Australia praying that the House urge the Federal Government to set up a committee to study the social effects of gambling, reject the proposals currently before the House to legalise casino gambling in South Australia, and establish a select committee on casino operations in this State were presented by Messrs Hamilton and Lewis.

Petitions received.

QUESTION

The SPEAKER: I direct that the written answer to a question, as detailed in the schedule that I now table, be distributed and printed in *Hansard.*

TUNA

In reply to **Mr BLACKER** (1 April).

The Hon. JENNIFER ADAMSON: As the proposal made by the honourable member can be described as a quality standard, the appropriate legislation is the Food and Drugs Act, rather than the Packages Act. The Food and Drugs Act deals with the substance, nature and quality of foods, and as I have already stated the declaration of the type of fish (e.g. Southern Bluefin) could be required under this Act. However, to be effective, it would need to be a requirement applied on a national basis, and applicable to imported tuna as well as the local product. Prior to recommending such a standard to the Food Standards Committee of the National Health and Medical Research Council, the extent of local support from the fishing industry, including processors, should be determined. I propose to seek the views of the appropriate organisations.

MINISTERIAL STATEMENTS

The Hon. W. E. CHAPMAN (Minister of Agriculture): I seek leave to make two brief statements.

The SPEAKER: I can accept a request for a Ministerial statement, and then subsequently another.

MINISTERIAL STATEMENT: IRAQI PROJECT

The Hon. W. E. CHAPMAN (Minister of Agriculture): I seek leave to make a statement.

Leave granted.

The Hon. W. E. CHAPMAN: The matter of the welfare and safety of our South Australians currently serving in Iraq is understandably of concern to the community. Recent developments in the Middle East have required close surveillance. Last weekend I had discussions with a member of the media on the subject, and I note that yesterday a related question was raised in another place.

Some weeks ago, developments in the Iran-Iraq conflict made it desirable to review contingency plans for the evacuation of Australians from Iraq should this prove necessary. In this review the Australian Embassy based in Baghdad has played a central, indeed a co-ordinating role. Other Australians in Iraq, including our South Australian team, were also involved in the planning. Those plans are now in hand to cater for several possible situations. For obvious reasons details of those plans cannot be canvassed publicly. However, officers of my department are frequently in contact with our people in Iraq and with the Department of Foreign Affairs in Canberra on the situation. Members will be aware that I recently visited Iraq.

Members interjecting:

The SPEAKER: Order!

The Hon. W. E. CHAPMAN: For much of the time since my visit we have had a senior officer from my department in that country, as well as the station team. That officer is still there and is providing my office with an added communication link. We are most impressed by the high regard Iraqi officials have for the welfare and safety of our people. The comprehensive protection measures they have provided demonstrate this.

Members may not be aware of a very recent report from Bahrain which indicates that the Iraqi Government is prepared to initiate withdrawal of all its forces from Iran which, if effected, may lead to some greater stability in the region. We certainly hope so. In the event that the situation does deteriorate, I assure the House and relatives of our people that appropriate contingency plans for withdrawal are in hand.

MINISTERIAL STATEMENT: LIVE SHEEP EXPORT

The Hon. W. E. CHAPMAN (Minister of Agriculture): I seek leave to make a statement.

Leave granted.

The Hon. W. E. CHAPMAN: In reply to a question on the live sheep trade from the member for Mallee at the end of Question Time on 3 June, I stated that I would bring back an answer to his question in the form of a Ministerial statement. The position is as follows. Following the tour of the Middle East by the Australian Sheep Meat Study Mission, a report was prepared which contained 17 recommendations. The Minister for Primary Industry, Mr Peter Nixon, on 31 May 1982 told a meeting attended by industry and trade union representative to discuss the report, that the Government was prepared to accept all 17 of the mission's recommendations, with the exception of recommendation 12. That recommendation was as follows:

> That the Australian Government advise importing countries that Australia's meat industry workers and processing industry are concerned at evidence of expansion of abattoir, meat processing, skin processing and by-products rendering facilities in the countries visited which were not seen as in Australia's best interest, particularly if the expansion is based upon the presumption that Australian livestock will be the principal livestock slaughtered as Australian export policies will be directed towards increased sales of processed meats rather than livestock.

Mr Nixon said that the Commonwealth Government could not accept this recommendation as it would constitute excessive interference in the industrial development of other countries. In my short reply to the member for Mallee on

3 June, I incorrectly stated that the exception involved the proposal to tax live sheep exports. This proposal was not a recommendation of the report, but was one way of implementing recommendation 2 that had been reported in the media and discussed prior to the meeting on 31 May. Recommendation 2 stated:

That the Australian Government consult with interested industry bodies on the establishment of funding arrangements for a positive programme of development and expansion of markets for Australian hogget and mutton in the countries importing Australian live sheep.

This recommendation was accepted. However, following the discussion with industry and trade union representatives, Mr Nixon said that the proposal to tax the export of live sheep, which would be one way of implementing recommendation 2, and to use this money to subsidise the export of sheep meat, had been studied but was not considered to be a viable option, for a number of reasons. Such a tax, he said, and I agree, would increase the price of live sheep and so reduce demand. It would also run counter to Australia's general international trade policy.

Mr Nixon, however, added, in regard to recommendation 2, that the Commonwealth Government was prepared to provide up to $1 000 000 a year over the next three years towards such a market development programme, on a dollar-for-dollar basis with the industry. He said this was conditional on the scheme being part of a lasting settlement on the future of the live sheep export trade.

Members interjecting:

The SPEAKER: Order! There is too much audible comment.

The Hon. W. E. CHAPMAN: Delegates at that meeting agreed to examine the Commonwealth Government proposal for funding of a market development programme, with a view of holding a further meeting in mid-July. As a Government, we in South Australia realise the enormous benefits of carefully nurturing our relationships with the Arab region of the world.

The trade arrangements, including our developed live sheep trade, are an important component of our overall relations, both for us as marketers and them as keen recipients. Having visited the Arab region three times in the last two years and on each occasion having discussed the subject with the respective country principals I am very conscious of their meat import needs and further conscious of their traditional requirements with respect to the form in which those deliveries are to be made. In this context I fully support Primary Industry Minister Nixon and what he is seeking to confirm with respect to long-term trading of our primary product, sheep meat, live and/or in carcass form, in accordance with the customer demand. The considerations given to the welfare of our own meat industry—

Members interjecting:

The SPEAKER: Order!

The Hon. W. E. CHAPMAN: This is a matter that I would have thought would be of extreme interest to members on the other side, even though I almost overlooked it. The considerations given for the welfare of our own meat industry work force are appropriate but we should be conscious of the need to avoid erosion or damage to our export of live sheep, which is now a major industry in itself.

QUESTION TIME

The SPEAKER: Before calling on questions, I indicate that the Deputy Premier will take any questions which would normally be directed to either the Premier or the Minister of Industrial Affairs, and that the Minister of Water Resources will take those which would normally go to the Minister of Health.

MINERAL EXPLORATION

Mr BANNON: Does the Minister of Mines and Energy agree that South Australia's share of Australian mineral exploration has remained virtually constant since the 1970s, and, if so, what particular credit is he claiming for his Government in relation to this development? It is a fact that spending on exploration for minerals and petroleum in South Australia has risen, as it has risen for the rest of the nation. In South Australia as a whole spending has gone from about $200 000 000 in 1970-71 to more than $800 000 000 in 1980-81. It is not clear that we have benefited more from this than have other States. A chart on page 35 of the Minister's 1980-81 departmental annual report shows that spending on the search for petroleum in South Australia has soared in recent years.

Mr Oswald: Since the last election.

Mr BANNON: Let us get these figures into perspective. I am advised that inquiries into the estimates used in compiling this chart and assembling this information received a worrying response from the Minister's department. My research officer was thanked for pointing to inaccuracies in the chart and was then directed to the Institute of Petroleum, in Melbourne, for more accurate statistics concerning South Australia's efforts. On contacting the institute she was told that its figures came from the department. Statistics obtained from the Bureau of Statistics as well as these questionable departmental estimates show that our share of the private mineral exploration spending has remained fairly constant, around 6 per cent, all through the 1970s and up to 1980-81. For instance, our share in 1975-76, the time during which the Minister suggested that nothing was happening, was 6 per cent, with variations no higher than 0.8 per cent during that time; by 1980-81 it had fallen slightly to 5.9 per cent.

The Hon. E. R. GOLDSWORTHY: There have been some interesting reflections on the competence of the Department of Mines and Energy in the explanation to the question that the Leader of the Opposition has asked. I have absolute confidence in the capacity and the integrity of officers of the Department of Mines and Energy who serve me and the public of South Australia. Let me say that the figures speak for themselves in relation to South Australia. The fact is that during the whole of the much vaunted Dunstan decade in this State the total expenditure on minerals (let us leave aside hydrocarbons for the moment) search in South Australia was at about a level that exceeded only slightly the record level of expenditure of $91 000 000 in the calendar year 1980-81. We know very well one of the effects—

Mr Bannon interjecting:

The Hon. E. R. GOLDSWORTHY: We will come to hydro-carbons in a moment. That is in relation to mineral search. When we come to the question of hydro-carbons, the picture is quite different in relation to what the Leader of the Opposition is saying. We know that precious little happened in Australia in relation to hydro-carbon research and oil and gas search because of the policies enunciated, as I have said here before, by the Minister in the Whitlam Government, the late Xavier Connor. We know that policy in relation to resource development in that area in relation to hydro-carbon research effectively dried up all hydro-carbon research across Australia. So, we are all starting from the basis of zero when we are looking at that.

The facts are these. When the Liberal Government came to office, there was no off-shore oil exploration at all in

contemplation in this State. I expect to announce within a week or two the granting of a final exploration licence for the last off-shore area, that is available in South Australia, so that we will have the whole of the off-shore of South Australia blanketed by oil search to the tune of about $160 000 000.

We know that the Leader of the Opposition is a past master in juggling statistics, but I am perfectly happy to allow the statistics in relation to South Australia to speak for themselves. There are more than twice the number of companies (something like 90 companies) looking for minerals in South Australia that were operating in this State when we came to Government. The number of licences has gone up about five-fold (I think from memory), and that record speaks for itself.

When one looks at the hydro-carbon scene and one starts from zero, then, of course, comparisons do not mean much. Let me say this (and I have said this before in this House): the policies which are so enthusiastically endorsed by the Labor Opposition in Canberra and so heartily endorsed by the Labor Opposition in this State in relation to policies concerning minerals and hydro-carbons, would be, again, as disastrous as those in 1973 and 1974, because they are, first, advocating this resource rental tax. Secondly, they are saying that State Governments will, in effect, gain no benefit from any royalty arrangements that they make with companies.

I do not know whether or not the Leader has grasped the policy of his Federal Opposition spokesman but he is saying, in effect, that arrangements will be made so that there will be offsets in the grants of States in relation to any royalties from minerals that they may receive. In other words, there will be absolutely no incentive for a State Government to get about the business of developing its mineral and hydro-carbon resources, because the Federal Government is going to cream it all off and then dish it out at its whim.

There would have been no incentive for this Government to negotiate the very good deal that we have in relation to royalties, both for the liquid scheme and for the Roxby Downs scheme, if we knew that Big Brother over there (a la Keating and the Labor or spokesmen in Canberra, endorsed by the Leader of the Opposition) is going to filch it all away and disperse it at their will. That is the policy which our opponents are suggesting will encourage exploration in this country. That has been tried and found disastrously wanting, and they are asking us to swallow another dose of this medicine. That is absurd! I invite the Leader of the Opposition to examine the figures when Labor left office on the whole range of economic indicators (this is only one) and have a look at the position now. I think that he would turn up his coat lapels and try to hide.

ELECTION DATE

Mr RANDALL: Is the Deputy Premier aware that a former Premier, Mr Dunstan, now retired, has made certain public statements today about the timing of the next election and the Government's next project? Can the Deputy Premier say whether those statements are accurate? Members opposite, last evening during the grievance debate, from time to time put clearly to the House various election dates. I am concerned that it may begin to rub off on some of us and we may begin our election campaign.

The SPEAKER: Order! The honourable member for Henley Beach is now proceeding to comment. That part of the honourable member's question which related to the source of a statement is admissible; the balance of the question is not.

The Hon. E. R. GOLDSWORTHY: I did not actually hear the broadcast. However, I am aware that a statement was made on the A.B.C., and I am convinced of the accuracy of the report transmitted to me relating to that broadcast. As a matter of fact, I understand that on A.B.C. radio news at lunch time today the former Premier did, in fact, talk about the likelihood of an early election. He made some rather astounding statements. He said that the Government was seeking an early election because it did not wish to present another Budget. Even more astounding than that assertion was the evidence that he sought to adduce in support of it. He said that he had received regular reports from senior public servants, and, when asked by the interviewer how senior these public servants were, the response was, 'Very senior'. He said that there would be an early election because the senior public servants had told him that the Government was planning major cut-backs, nearly one-third across the board, in its next Budget.

There are a number of points that I think must be made in relation to this extraordinary statement from a former Premier, the first of which is that this is about the grossest reflection that could publicly be made in relation to the integrity of senior public servants in this State.

Mr Hamilton: What about your reflection on Aborigines yesterday?

The Hon. E. R. GOLDSWORTHY: The honourable member had his foot in his mouth on that occasion. That is about the grossest reflection—

Mr Langley: You're not going too well.

The SPEAKER: Order!

The Hon. E. R. GOLDSWORTHY: I disbelieved this claim in the first instance, because I have greater faith than that in the integrity of our senior public servants with whom we deal. However, it is the grossest reflection in living memory on the integrity of senior public servants in this State. The fact is that here is a former Premier saying that there are senior public servants, in regular contact with him, feeding him information in relation to the activities of the Government. I should think that that will be seen as a gross insult to the integrity of the senior public servants with whom this Government works.

Opposition members are thrashing around looking for support for a very shaky position in relation to a number of matters. We even had the spectacle of the former Premier marching down the street in relation to this uranium matter last week and appearing as a spokesman for the Labor Party on a television debate. We understood the former Premier to say that he retired from politics and wished, because of ill health, to recede into the background. However, we have another example of the official, so-called, Leader of the Opposition keeping his head down while other people get out and front up for him. I mentioned yesterday the case of one of his staff, Mr Mike Rann, bobbing up to say something in lieu of the Leader from time to time.

Of course, what he has done is to impute these grossly improper and illegal activities to senior public servants. I, as Chairman of the Budget Review Committee, which has been operative for over 12 months, with the Attorney-General and the Minister of Industrial Affairs (the two most senior Ministers in this Government), have had weekly contact with the most senior of our public servants and the financial people from every department across government. I had a meeting as late as this morning, and we are now having a series of meetings, in relation to the forthcoming Budget. To impute to those people these motives is more than insulting.

The fact is that this Government is entirely satisfied with the co-operation of the senior public servants and their departments in relation to coming to terms with economic reality in South Australia. We have had magnificent co-operation from all departments—bar none. We have the highest regard for the Public Service in this State: I believe

that our Public Service is the finest in the country. We do not have the same high regard for some of the union officials, on occasions, but the people in the work force who are doing the job and their leaders are the finest public servants in Australia. They have co-operated in a magnificent fashion, to such an extent that this State has been able to contain growth in the public sector.

In fact, we have been more successful, as the figures will demonstrate, in containing growth in the public sector than has any other State in the nation. We have not had to resort to the sacking of public servants, as has Mr Wran in New South Wales: he has sacked public servants. We have had a no-retrenchment policy, which we have honoured. We have been more successful, and we would not have been successful if we had not had the complete co-operation of the senior public servants in this State. We have received that co-operation, as a result of which we will be able to bring in at the end of this financial year a Budget that will allow us a little bit of surplus to come to grips with and to pay off some of the accumulated debts that were due to the folly of the previous Labor Administration. I believe that we will be able to pay off some of the accumulated debts on Monarto, for instance, for which the public has to pick up the tab sooner or later. As a result of that level of co-operation from the senior public servants, we will be able to do that.

The other part of the former Premier's statement is clearly ludicrous as well as being, obviously, completely inaccurate. It was stated that we will slash the Budget across the board by one-third. Any public servant who told the former Premier that would be clearly in dreamland. I do not believe for a moment that a senior public servant would feed that information to him. Certainly, none of the senior public servants with whom we have contact would do so. I believe that the former Premier must be off on some sort of trip.

UNEMPLOYMENT

The Hon. J. D. WRIGHT: Will the Deputy Premier now revise the recent claims about unemployment that he and the Premier made, in view of the May figures released today that show that the jobless total has increased further to 46 700? Today's figures indicate that this State has had the highest unemployment rate of any mainland State for 29 consecutive months, from January 1980 onwards. Last week, the Premier told the member for Mawson the following:

South Australia is the only State in which unemployment fell in the past 12 months, and that is something of which we can be proud.

The Premier also told the member for Brighton:

... all of the indicators are proving quite conclusively that in comparison with other States we are moving on while the other States are moving back.

On 28 May, the Deputy Premier issued a statement which made an unseasonal comparison of unemployment in August 1979 and April 1982. The Deputy Premier said:

South Australia has been the only State to record a drop in the number of people unemployed over that period.

Using the Deputy Premier's approach, today's figures show that only in Western Australia did unemployment fall over the period since August 1979, and in fact South Australia's jobless total has risen significantly.

The Hon. E. R. GOLDSWORTHY: I stand by the statements the Premier and I made, and I shall give figures which indicate to the Deputy Leader that he is not apprised of the situation in South Australia and show what has been happening during the last 12 months in this State and every other State in the nation.

The Hon. J. D. Wright: Have you the May figures?

The Hon. E. R. GOLDSWORTHY: I have with me the figures which I think were issued this morning. The proportion of unemployed in South Australia at the moment is 7.7 per cent, which is the percentage—

Mr Hemmings: That's disgraceful.

The Hon. E. R. GOLDSWORTHY: Go to Tasmania and note the results of the Labor regime there, where the figure is much higher. No-one is saying that these figures are satisfactory, but what I am saying is that the position has stabilised in South Australia over 12 months, whereas it has deteriorated markedly in every other State. The first point I make is that the proportion of unemployed people in South Australia at the moment is 7.7 per cent, which is what it was 12 months ago, in contradiction to the trend during the declining months of Labor Administration in South Australia, when the rate of increase in unemployment in South Australia dramatically outstripped that of any other State. The rate of unemployment in South Australia has stabilised. In Tasmania the number of unemployed during the 12-month period is up from 5.3 per cent to 9.2 per cent. Let the member for Napier go to Tasmania and comment on the 9.2 per cent unemployment rate there. That means that the number of unemployed people in Tasmania has risen by 7 100. The rate of unemployment in South Australia at the moment is what it was 12 months ago, which means that we have created more jobs, because there are more people in the work force.

The unemployment rate in New South Wales is up from 4.9 per cent to 6.2 per cent, and that figure will have been increased by the number of sackings due to the operations of the Wran Government. The number of people unemployed in New South Wales has increased by 32 800. In Western Australia the rate has gone up over that period from 5.5 per cent to 6.7 per cent, the actual number of unemployed having increased by 8 200. In Queensland during the 12 months we are reviewing the rate is up from 5.5 per cent to 6.3 per cent, the number of unemployed people having risen by 9 400, whereas in South Australia the figure has remained the same and more jobs have been created. In Victoria the rate is up from 5.7 per cent to 6.4 per cent, the actual number having increased by 12 500. The national rate is up from 5.6 per cent to 6.5 per cent, an increase of 72 800 in the number of unemployed persons during that 12-month period. In case the honourable member does not understand what these figures mean, let me convert them to percentages. The percentage change in unemployment in South Australia has been .2 per cent, and the increase in unemployed people in New South Wales has been a staggering 28.3 per cent.

In Victoria unemployment increased by 12.1 per cent during the last 12 months, in Queensland by 16.9 per cent, and in Western Australia by 25 per cent. In Tasmania, with the last of the Labor Governments for quite a while, the increase was 70.3 per cent. For Australia, the increase across the board in unemployment for the last 12 months was 19 per cent.

The Leader of the Opposition talked about graphs and trends. In South Australia we have held the line. This State has stabilised, and we have created more jobs, whereas in every other State there has been a dramatic increase in unemployment. If the Leader likes to think about that he might understand what I am saying, because to pluck from the air on a selective basis figures which bob up from month to month, week to week or day to day is relatively meaningless. In relation to unemployment and State-by-State performance, it is important to note the way things are moving. The trends in relation to unemployment in South Australia show clearly that we are doing not significantly but very significantly better than any other State in Australia is doing.

NUCLEAR POWER

Mr OSWALD: Can the Minister of Mines and Energy tell the House whether the latest meeting of the International Energy Agency in Paris discussed the issue of world requirements for nuclear power?

The Hon. E. R. GOLDSWORTHY: Indeed, I try to keep abreast of all the latest meetings and deliberations of world bodies in relation to this question. I trust that Opposition members do so, too, because there is nothing better than to have a mind well stocked with the latest information to allow for informed judgments in this place. I believe that Senator Sir John Carrick recently attended the meeting of the International Energy Agency. The governing body, which is at Ministerial level, of this world-wide body met in Paris a fortnight ago. Paris was an interesting place in which to meet, because that is where Mitterand said that he would reduce dependence on nuclear energy, and we know that that is absurd. We knew before the election that he could not and, indeed, he has not done so. After the meeting, which took place in the heart of socialist France, the following communique was issued:

> Ministers agreed that to achieve necessary overall structural change away from oil, which all I.E.A. countries have agreed upon, nuclear power will have to play a major and increasing role in many countries.

The I.E.A.'s attitude is further confirmation of the views that have been put before this Parliament in relation to recent legislation.

CORRECTIONAL SERVICES DEPARTMENT

Mr KENEALLY: Will the Chief Secretary say what action has been or is being taken against those officers of the Correctional Services Department, including the Director and several senior correctional officers, who were found by the Clarkson Royal Commission to be guilty of misconduct? If there are to be further hearings, will they be open to the public? At page 84 of the royal commission report it is stated:

> In some instances I have found what may generally be described as misconduct on the part of persons named and the question has been raised whether I should make any recommendation that action should be taken in any such case against that person and, if so, as to the nature of the action to be taken . . . Any person who has allegedly behaved in an improper or discreditable manner is entitled to require that the appropriate procedures be carried out such as a trial in the ordinary courts or a hearing before a disciplinary tribunal. Also, the action which an authority may take may include options unknown to me or between which I cannot make an informed choice. Whether in a particular instance where misconduct is established the appropriate remedy is reprimand, the instituting of disciplinary or criminal proceedings, or suspension, or dismissal, or no action at all, depends on facts such as previous service which are unknown to me and are beyond my terms of reference to pursue. I think the proper course is for me merely to record the result of my inquiries, which I have already done. The absence of any recommendation by me in respect of possible action against any person should not be taken as an indication either that I do or that I do not think that further action is justified.

Because the royal commission was an open inquiry into a subject of considerable public interest, I am also seeking to know from the Minister whether any further hearings will be public.

The Hon. J. W. OLSEN: The matters to which the honourable member refers are under investigation by my officers and, as I have not yet received a report, I cannot at this stage detail the actions that the Government will take.

ONKAPARINGA ESTUARY

Mr SCHMIDT: Can the Minister of Environment and Planning give an assurance to this House that the recently announced allocation of $200 000 for the purposes of cleaning up the Onkaparinga River will be used for that purpose, and how soon does he envisage that such work will begin? On numerous occasions I have written to the Minister on this subject, because there has been concern in the southern area as to the silting up of the Onkaparinga River which we know has occurred for many years. This problem was exacerbated by the laying of sewerage pipes across the estuary. In March this year I asked the Minister whether he would liaise with other departments to ensure that the river would be cleaned up and thus prevented from becoming a dead estuary. On that occasion the Minister gave the assurance that he would consult with heads of the Engineering and Water Supply Department and his own department to ensure that this was done.

Residents in the southern area called two public meetings, one on 29 March and the other on 25 May. Both meetings sought to obtain some assurance from the Minister that he would provide an allocation of funds to clean up the river. At the latter meeting on 25 May, the Minister gave an assurance that the Government would provide $200 000 for the cleaning up of the river. People would like an added assurance that that money will be wholly and solely used for the purposes of cleaning up the river and that it will not be absorbed into other areas such as studies of the silting problem.

The Hon. D. C. WOTTON: As the member for Mawson has indicated, recently at a public meeting held in the vicinity of his own electorate and that of the member for Baudin I made public the Government's intention to put $200 000 into a fund that would be set up for work to be carried out at the estuary in cleaning up the Onkaparinga River. I gave an assurance at that time that the sum of $200 000 would be set aside for that particular purpose. However, other studies are also taking place, and I think it would be appropriate for me at this stage to give the House details of just some of those studies and some of the action that is already under way in regard to improving the condition of the Onkaparinga River.

First, the Department of Environment and Planning is carrying out an environmental study of the estuary itself. The object is to review the current status of the estuary and its environment with regard to water quality, aquatic fauna and flora and sedimentation. This study will also provide recommendations for action to improve the river, as the department, and I think people generally, accept that some fairly drastic action must be taken to improve this situation. Secondly, in conjunction with that study, a consulting firm has been commissioned to carry out a profile and sedimentation survey of the river. The aim of that survey will be to assess the feasibility in engineering, economic and environmental terms of shallow dredging part of the lower estuary.

The third element of our current activities, and perhaps the most important, as I said earlier, concerns the funding of the river improvements. Again, I want publicly to give an assurance that the Government will set aside the sum of $200 000 and that it will be placed in a particular fund and used for cleaning up the river.

It may be that some careful dredging of the river will be involved—and I say 'careful' because it is recognised that, because of the sensitivity environmentally of the river, we would have to be careful about the type of dredging that took place. If the study that is taking place shows that dredging is desirable, then it will be started before the end of the year. So, Mr Speaker, in answer to the question asked

by the member for Mawson, the money has been set aside for that purpose and certainly we will be commencing the major work before the end of the year, but, of course, the member for Mawson, and I am sure other members of the House would recognise that it is important that we receive the results and recommendations from the surveys and studies undertaken, so that the work carried out is the most appropriate. I can give an assurance that we recognise the problems in that area and that we will be commencing work as a matter of urgency.

MITCHAM COUNCIL CONCILIATOR

Mrs SOUTHCOTT: I direct my question to the Minister of Environment and Planning, representing the Minister of Local Government. Has the Minister noted the suggestion which emanated from an alderman in Mitcham for appointment of a civil conciliator to deal with disputes between neighbours? Is the Minister aware that the suggestion has been referred by the Mitcham council to the Local Government Association for assessment? Can he comment on the suggestion that a local government court be set up to deal with issues up to a certain authority? Members and staff of local government bodies and members and staff of members of Parliament spend a great deal of their time dealing with issues which are beyond their legal competence. I believe that this would be an excellent way to sort out some of these problems. Disputes between neighbours cause a great deal of friction and need to be resolved as quickly and expertly as possible. Quite often they require complicated, expensive and intimidating legal procedures to be put right.

The SPEAKER: I call upon the honourable Minister of Environment and Planning to answer the question, but to take take no note of the third part of the question, which called for a comment.

The Hon. D. C. WOTTON: I am personally aware of the Mitcham council's thoughts on this matter. Concern has already been expressed, but many of the questions asked by the member for Mitcham must be answered by my colleague, the Minister of Local Government. I will put the questions to him, and ask him to bring down a report and to reply directly to the member for Mitcham.

COLD WEATHER

The SPEAKER: The honourable member for Hanson.

Mr Slater: The signs—

Mr BECKER: Dunstan must have put them up—it was not me.

The SPEAKER: Order!

Mr BECKER: Can the Minister of Agriculture inform the House what impact the record current cold snap of weather has had on some sections of our valuable rural industry? I understand that early predictions in the past few days indicate heavy losses in the citrus industry and for market gardeners, particularly tomato growers. What concerns me and my constituents is what impact this will have on the housewife.

The Hon. W. E. CHAPMAN: I can, but I will not today.

Mr Slater: Why not?

The Hon. W. E. CHAPMAN: Because it is an extremely important subject and it involves a considerable amount of detailed material, copies of which I have had recorded for me by competent officers of the staff, both here in Adelaide and in the respective regions of the State affected.

I believe that the content of that material is of such a sensitive nature, and so important to the respective industries, that it ought to be provided for the benefit of interested members in the House. Therefore, I undertake to provide that information today for the member for Hanson. I would, however, take this opportunity to point out that the Government has given an undertaking to growers in the districts of the State affected by the recent spate of frosts (and we have advised our regional officers in those communities in particular) that loan funding assistance is available under the Primary Producers Emergency Assistance Act for the purpose of assisting the worst hit primary producers, so that they may have access to some carry-on finance from now until they are able to either recultivate a crop or replant in the next season.

We recognise (as indeed we have as a Government previously, and in particular on 17 November 1979), as indeed did our predecessors in Government, that, on occasions of drought, flood, fire or other natural causes of a devastating nature, it is appropriate for the Government to assist Primary producers to remain in the industry. That is really what the industry assistance principle is all about. It is not a matter of propping up or financing for temporary purposes in a situation whereby growers have been brought to their knees, but a matter of ensuring that our experienced primary producers in this State are retained in the all important primary production industry.

Without prompt and appropriate loan funding at realistic and, where possible, relatively low interest rates, those growers can be put out of business overnight. It is for that reason that we insist that we obtain moneys each year from the Commonwealth Government so that, in turn, on receipt of those Loan funds we can relend them to the rural community for the purposes I have outlined. I must report that the result of lending this kind of money to some 217 growers on the northern plains of the State following the storm in November 1979 has been that the majority of those growers have welcomed that assistance and have responded to servicing their loans and have met their first repayments.

Some 22 of the balance have, on application, been granted further concessional terms to assist them in their plight. However, the remaining 70-odd who were to pay their first instalment some two years after the loan was extended, that is, on 1 April 1982, have not made payment of their first commitment after the holiday payment period of some two years, nor have those growers come to the department to explain why they have not done so, or to seek further attention to their situation. It is recognised that some of those growers are, undoubtedly, in financial bother, but it is my view that there are some who have blatantly disregarded the good sense of the scheme and the extension of funding assistance provided for them.

If I am correct in what I say about people in that latter group, albeit it is a minor group, I would hope that they get the message one way or another, preferably through their local members (the member for Goyder and the member for Salisbury), that, by ignoring their responsibilities to meet the service payments of their loans, they are eroding not only the principle of a very sound scheme but also the opportunity for their colleagues in industry to enjoy a similar service. Only a certain amount of money is available. This year we have enjoyed a loan from the Commonwealth of $2 350 000, which, admittedly, although it is not much more than last year, provides something more.

That sort of money for loans to the rural community for the several purposes for which it is designed can go only so far. We like to think that we extend those loan funds to those in greatest need and to those who are prepared to, and do, honour their obligation to service the debts. I repeat that, when borrowers fail to service their debts honourably, they are not only ignoring the sound principles of the scheme but also they are denying their colleagues access to money that would otherwise have been used to help the community. When growers repay within the terms of their loan, the

department can roll over that currency and circulate it back into the community for additional loans over and above what ordinarily would have been extended. Accordingly, last year the department lent some $6 000 000 for farm build-up, financial reconstruction, and emergency assistance of the kind to which I have referred. However, I repeat that we are unable to enjoy the benefits of circulating such funds within the system unless everyone plays the game.

On that note, I conclude by appealing to all members who represent country districts to encourage people, where possible, to co-operate with the Government and the Department of Agriculture in identifying those who are truly in need as against those who have sought to exploit the somewhat lower interest loan funds available for the given purposes.

PIPE-LINE ENGINEERING LIMITED

Mr LYNN ARNOLD: Will the Minister of Mines and Energy investigate, as a matter of urgency, the cause of delays in upgrading electricity facilities provided to Pipe-line Engineering Pty Ltd, of Burton (which is in my district), so that there can be no chance of the State's losing the 30 extra jobs that could be offered by the expansion of that factory? I was invited to visit Pipe-line Engineering to inspect the proposed expansion that that company is presently considering, and I found that two problems are hindering the expansion. The expansion has been brought about by the company's winning a major contract at the Moomba gas fields and, indeed, I understand that half of that contract should be supplied or in the process of supply as early as January 1983. Of course, that has implications for Stony Point.

I have been told that one of the major problems, one of relevance to this House, is that the Electricity Trust of South Australia has told the company that it will have to wait two to three months for a power upgrade in the supply of electricity to enable the company to provide electricity for the $500 000-worth of extra machinery that it will install. That company presently employs 70 people at its two factories, one of which is in my district, and I have been told that it is considering employing a further 30 people in my district. As a member who presides over a district with a very unhappy rate of unemployment, naturally I am concerned that every possible effort be made to provide such jobs. It is in the small to medium size enterprises of this nature that so much must be done to develop industry in this State, and I hope that all will be done to enable prompt facilitation of the expansion of such enterprises, including the elimination of any delays such as those that might occur in Government instrumentalities, including ETSA.

The Hon. E. R. GOLDSWORTHY: I agree entirely with the latter points made by the honourable member in relation to the way in which employment can be generated in tens and twenties as a result of developments, in this case, one that was brought to fruition by the present Administration, namely, the Stony Point liquids scheme, which will create about 3 000 new jobs. So, I agree entirely with what the honourable member has said. That is one of the living testimonies to the efficacy of the efforts of the present Administration.

An honourable member interjecting:

The Hon. E. R. GOLDSWORTHY: No liquids scheme was being contemplated when we came into Government. I made a statement in this House in October 1979, having been elected into Government in September 1979, saying that as a matter of priority the Government would co-operate with companies to accelerate the development of that scheme, but the Labor Party complained at the end of last year that we were going too fast. Anyway, that is beside the point.

I agree with the point made by the honourable member. Certainly, I will get in touch with ETSA. This Government intends to see that this scheme goes ahead with all expedition. We have co-operated with the companies and, against intense objections by the Opposition, saw that it got through the House against the reluctant support of the Opposition. We certainly would not want to see it fouled up at this stage, as it is important in relation to generating employment. I will be in touch with ETSA immediately.

OLD CUSTOMS HOUSE

Mr PETERSON: Will the Minister of Environment and Planning say whether the Government has any plans at all for the future use of the customs house at Semaphore? The customs house was purchased by the then Government in 1977 for $103 000 plus the cost of renovations. It is now under the care and control of the Coast Protection Board. During the three years that I have been in this Chamber, I have continually questioned the Minister about the use of this customs house. It is now six years since it was purchased and it still remains idle.

Many of my constituents are concerned about State money being spent on a building that has been left idle in this manner. They have made suggestions for the use of the building, perhaps as a Housing Trust office or even as an electorate office. It is used only occasionally for meetings of groups of residents or other interested people, but over the years many applications have been made for the use of the building, although so far nothing has happened. Will the Minister please say whether there are any plans for the use of the customs house?

The Hon. D. C. WOTTON: I am certainly aware of the interest that has been shown by the member for Semaphore in this matter. He has questioned me many times about future activities relating to the customs house. As indicated by the honourable member in his question, this building was purchased by the previous Government and, when we first came into Government, negotiations were taking place between the Commonwealth and the State because the Commonwealth Government had shown an interest in using the building as an old Commonwealth customs museum. Much consultation and negotiation took place regarding the likelihood of that building being used for that purpose. Eventually, we learned from the Commonwealth that it was not able to go ahead with that particular project.

At that stage we contacted a lot of community groups within the area to see whether the building could be used suitably by the community for an appropriate use. Much consultation has taken place regarding that. No positive interest has been shown in the use of the building, and as a final move I have contacted the department of the Minister of Arts to see whether the building could be used for a museum of some description, because requests have been made for the building to be used for some sort of museum or art gallery to serve the community. If there is no follow-up to that suggestion, I will look at leasing the building privately for an appropriate use.

It is important that the building be retained because a lot of money has been spent on it. I agree with the member that it is serving no purpose while it is standing as an empty shell. It is being used occasionally by community groups, but it should be used on a continuing basis. It is my intention that this should be done. If the investigations that are being carried out do not bring forth a suitable use for the building, I intend to call for registration of interest from people in

the area to ascertain whether it can be used for another purpose in a private capacity.

PERPETUAL LEASES

Mr BLACKER: Is the Minister of Lands aware of a series of telegrams circulating today calling on members to postpone or at least hold off further deliberation on amendments to the Pastoral Act? Can the Minister also confirm that about 30 per cent of the number (not of the area) of pastoral leases are presently perpetual leases?

The Hon. P. B. ARNOLD: It is perfectly correct that the number of perpetually-leased pastoral properties in South Australia is about 30 per cent of the total number. They are perpetual leases under the Crown Lands Act and not under the Pastoral Act, because currently the Pastoral Act does not contain provision for perpetual leases. The Government's amendments to the Pastoral Act are being considered at the moment by the Legislative Council, and I believe that members of the Legislative Council are considering certain amendments to that Bill. In due course, I anticipate that the Bill will be returned to this House, possibly with amendments. I believe that we will be in a position to consider those amendments when they are received in this Chamber.

POLITICAL PARTY FUNDING

Mr TRAINER: Will the Premier say whether the Government will move for the appointment of an inquiry to investigate whether laws concerning the role of money in political matters should be reformed, including whether there should be some public disclosure of large donations to political Parties and candidates and some degree of public funding as in New South Wales and overseas and, if not, why not?

The New South Wales Government has taken action on the question of monetary flows to political Parties and candidates, after having received recommendations that sources of donations should be disclosed and that there should be some public funding of elections. Throughout that exercise in New South Wales, the Liberal Party in that State opposed public funding. Later, after finding itself $1 500 000 in debt, it did an about-face, reversed its decision and sought assistance. I believe that the Victorian Parliament is to look into the whole matter of money in politics. Australia now lags well behind most developed countries in regulating political donations—

The SPEAKER: Order! The honourable member is now commenting.

Mr TRAINER: It seems to be a general opinion that Australia has taken a different approach to that of other developed countries in regulating political donations and expenditure, and the suggestion has been made that we should follow the example set overseas. In Europe and North America a number of countries have reformed laws in relation to money in politics. Public funding of Parties and candidates is now commonplace. For example, the last two presidential elections in the United States have been funded publicly. Many Americans believe that the key advantage of public funding is that it is known where that money has come from. New laws were enacted overseas to safeguard the public from corruption and vote buying and to ensure that honesty not only prevails in politics but also is seen to prevail.

The Hon. D. O. TONKIN: A few points ought to be made clear to the honourable member. First, under the South Australian Constitution there is no recognition whatever of political Parties. That has not been so ever before, and I do not think that it will be so in the future.

Secondly, the point behind it is that members of Parliament are individuals and represent their own electorates, not the Party. The other fact, of course, is that adequate laws still exist on the Statute Book at present for dealing with allegations of improper conduct, corruption or bribery. Indeed, common law procedures dealing with defamation and libel also apply. Those are still perfectly adequate. If there is, in fact, any suggestion made at any time that improper matters have been raised, it is the duty of those people raising such allegations to bring evidence forward to the authorities so that an investigation can be made in a proper way. Until this time we have heard a lot of talk from the Opposition, many allegations and innuendoes, and we have seen no evidence at all put forward. I am not going to start here.

LIVE SHEEP EXPORT

Mr BECKER: Will the Minister of Agriculture inform the House of the value of live sheep exports from South Australia? I understand that live sheep exports have developed into quite a large industry. Can the Minister tell the House the number of sheep involved in the past 12 months, their export value in monetary terms, what benefits this will have for the farmer, what impact it will have on rural economy, the carriers involved in transport, the shearing industry, agistment, paddocking, and so on, railways involvement, trucking to the wharf, and the waterside labour and agencies involved? I understand also that a high component of manual labour is involved in this industry. If the Minister is unable to provide all that detailed information, can he have the question researched, as I am most anxious to assess its value to South Australia and the importance being placed on South Australia as the centrepoint for this very large export industry.

The Hon. W. E. CHAPMAN: I would be pleased to do an exercise to identify what this live sheep industry is worth to South Australian primary producers, the transport industry, the shearing industry, the yard marshalling employees engaged for that purpose, the waterside labour and to all the other associated groups that are responsible for transporting livestock from the paddocks to the ships deck.

It is appropriate to acknowledge that, quite apart from those onshore industries occupied in servicing this Australian live sheep export trade, there is, of course, a significant financial involvement and, indeed, industrial investment in the shipping companies engaged for the purpose of transporting stock between this country and recipient countries. It is worth noting that whilst we have been involved with trading companies based in Australia acting as agents for Persian Gulf or Arabian Gulf entrepreneurs until recently in very recent weeks interest has been shown by other countries in the Arab region that desire to buy sheep direct from Australia.

I am pleased to report that only yesterday we were engaged in discussions with a Saudi Arabian syndicate here in Adelaide which informed us that it had selected South Australia as its Australian base. It has selected Adelaide as the base for its agency operation for the purpose of shipping live sheep from Australia, particularly South Australia, direct to Jedda in Saudi Arabia. A brand new company has been formed, bought ships, had them equipped for the carriage of live sheep, and has chosen this State as its base in Australia. The balance of the material sought by the honourable member will be provided to him in the early days of next week.

At 3.15 p.m., the bells having been rung:

The SPEAKER: Call on the business of the day.

NORTH HAVEN DEVELOPMENT ACT AMENDMENT BILL

The Hon. D. C. WOTTON (Minister of Environment and Planning) obtained leave and introduced a Bill for an Act to amend the North Haven Development Act, 1972-1979. Read a first time.

The Hon. D. C. WOTTON: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

In 1972, the South Australian Government and the A.M.P. Society entered into an indenture agreement on the development of a new residential and recreational area to be called North Haven at the northern end of the LeFevre Peninsula. The area to the western side of Lady Gowrie Drive was to include a boat haven and the majority of the recreational facilities including marinas, a boat ramp, hotel, caravan park, shopping and any other activities related to the harbor. On the eastern side of Lady Gowrie Drive, a new residential area containing approximately 1 700 home sites, two school sites, large reserves and shopping were to be developed. Also included was a nine-hole golf course contained within the rail loop adjacent to the Outer Harbor wharf area.

As part of the residential area a section containing 402 home sites was planned north of Victoria Road protruding into an area planned for port-related industries by the Department of Marine and Harbors. This was the only land to be developed for single-unit residential purposes outside the area contained by Victoria Road, Lady Ruthven and Lady Gowrie Drives. The location of this proposed residential development as related to the proposed port-related industrial development was cause for considerable concern by the Department of Marine and Harbors.

As part of the indenture agreement and the North Haven Development Act, 1972, the developer—the society—was given certain protection against development incompatible with the residential and recreational development taking place in or adjacent to the land within the indenture area. In fact, the society had a right of veto over development within the indenture area or within 400 metres of its boundary. This 400-metre protection zone was of particular concern to the Department of Marine and Harbors because it encroached on strategically important areas for the future development of the port-related industries proposed at the northern tip of the LeFevre Peninsula.

At the time of reaching the agreement with the society, the crucial importance of the Port Adelaide as one of the few remaining port areas in the world with industrial land available adjacent to a deep-water port had not been fully recognised. During the 1970s this factor became increasingly apparent, and it was obvious that, for the State of South Australia to gain full benefit from this unique situation, it would be necessary to remove the possibility of the proximity of residential development inhibiting the establishment of this critical industrial zone. It was obvious therefore that the residential land needed to cease at the convenient and effective buffer of Victoria Road. The Department of Marine and Harbors therefore took steps to regain control over this section of land, which was known as areas 'M,N and P' on the society's development plan, at the earliest possible date.

Also, as part of the indenture agreement, certain other conditions had been agreed which gave the society developmental rights over the marina and adjacent recreational areas, and the LeFevre Peninsula as a whole. These were seen to be necessary at the time of drawing up the agreement but, due to the change in circumstances over the ensuing 10-year period, included in which was the society's desire not to be actively involved in the development of the marine area, these rights are no longer seen to be necessary by either party. In fact, they provide a restrictive development climate for the Department of Marine and Harbors and the Government over LeFevre Peninsula generally, and for the North Haven Trust over the North Haven harbor area specifically. Deletion of or variation to these conditions have therefore been negotiated and agreed between the parties, but at the same time the interests of the residents of North Haven have been protected.

In the original planning of the residential area, the Minister of Education indicated that his department required two school sites. His department's requirement on this matter have now changed and only one site is required. This is due in part to the variation in population growth which has occurred in the State generally, and also to the proposed deletion of the 402 home sites, which would have been contained in areas 'M,N and P'. It is proposed, however, that the area originally planned for the second section site would better serve the community as a recreational area. Therefore, the parties have agreed that this area should be transferred to the Department of Lands for dedication as a reserve.

This period of negotiation was also seen to be an opportune time to resolve any outstanding financial matters remaining between the Government and the society. The prime area of concern was the extensive wharf construction which had aken place within the North Haven harbor and had been funded by the society, but was not a requirement of the indenture. The works had been undertaken on the understanding that some compensation would be paid by the Government but that the society would carry out the works at the time they did—before the harbor was allowed to fill with seawater—as construction would be considerably cheaper in the dry than at a later date. The society's interest in constructing the works at that time also stemmed from its intention to be involved in the further development and running of the harbor, an option which it later declined to exercise.

In some of these matters, the Government was asking the society to relinquish certain rights which they had previously been granted by the Government. In return, the society asked for support in areas of concern to them, and for support in a proposed modification in the plans for their residential development area. The change was due to market demand, which had altered over the period since 1972. The society also asked that the Government construct a landscaped buffer zone along the entire boundary of Victoria Road as it related to areas 'M,N and P'. This is to further protect residents who had purchased allotments on the southern side of Victoria Road believing residential development would take place on the northern side. They also asked that their liability for construction faults on works carried out under the indenture be restricted to the normal contractor's liability instead of the two-year term which currently exists. The Government, without in any way agreeing to indemnify the society, has also agreed to recognise—

(a) that proceedings related to this land transfer were instigated by the Government

(b) that the society has co-operated in the spirit of further development of the State, and

(c) that the society and its agents have always intended that the areas of land known as 'M,N and P' would be developed as residential land.

The Government has agreed to these requests by the society as they are either in the best interests of the residents and the community or because they are in the case of points *(a)*, *(b)* and *(c)* basic fact. In recovering this area of land 'M,N and P' from the society, the financial consideration had to take into account a wide range of matters, not the least of which was the society's unique developmental rights and concessions which were afforded to them in the interest of establishing a major new residential development in the State of South Australia.

These arrangements allowed the society to develop its residential areas with the minimum of holding charges by way of rates and taxes and by way of purchase of the land from the Government. As such, in setting the consideration, value of the area had to be determined not as a light industrial area for which the Department of Marine and Harbors proposed to use it, but as a residential allotment area for which the society had the development rights but for which they had no holding expenses. In this matter the Government sought the advice of the Valuer-General and of officers of the Department of Environment and Planning (then the Department of Urban and Regional Affairs) and negotiated a final figure based on these factors. The final consideration agreed for areas 'M,N and P' of $1 000 000 is in fact considerably less than the society originally sought. Due to the complexities of this total proposed arrangement, the Government, on the advice of the Crown Solicitor, has incorporated all the conditions and terms of agreements evolving from the negotiations into a supplementary deed described in the Bill as the amending indenture. The deed has the following effect—

1. To amend the definition of North Haven by deleting areas 'M, N and P' from the indenture area.
2. It directs the Minister not to sell and transfer the land to the society as he is required to do under the existing indenture.
3. It frees the society from the obligation to pay the Minister for that land.
4. It directs the Minister to construct a landscaped buffer strip for the extent to which Victoria Road abuts areas 'M, N and P' and to complete such construction and landscaping works by 31 October 1982.
5. It amends the defects liability clause contained in the indenture by reducing the society's liability for construction faults from two years to one year. This is in accordance with the normally accepted construction practices in Australia today.
6. It deletes clauses 16 and 26 from the original indenture. These two clauses dealt with the society's first option to exercise development rights over Government-owned land on the LeFevre Peninsula and in the North Haven harbor area. Given that the society no longer wishes to have a major involvement in those development areas, these clauses have proven to be a major hindrance in the commercial negotiations being undertaken by the Department of Marine and Harbors over the peninsula industrial lands, and by the North Haven Trust over the harbor commercial development areas.
7. It sets out a procedure whereby the 3 ha of land originally intended for the second school site in the North Haven area will be transferred to the Minister of Education, who will then transfer it to the Department of Lands for dedication as a reserve for public recreation and amusement.
8. It amends clause 25 of the indenture which deals with the area of North Haven to be provided as reserve to take account for the reduction in residential land due to the transfer of areas 'M, N and P' to the Government.
9. It indicates the society's approval of the amendment of the planning regulations to permit the rezoning of areas 'M, N and P' from R2 as existing to light industrial as proposed by the Department of Marine and Harbors.
10. It undertakes that, should the society request a rezoning of section of the residential land from R1 to R2, the Government will not lodge objection to that rezoning. The area in question is in fact adjacent to proposed commercial and townhouse development around the marina and so provide a desirable transition between the marina area and the residential area to the east of Lady Gowrie Drive.
11. It sets out the method of payment of the principal sum of $1 225 000 to the society. The sum includes the consideration for the society relinquishing its development rights over areas 'M, N and P' and allowing the Government to regain control of the land, and the payment to the society for the construction of the vertical edge section of the harbor and the discharge of all claims which the society may have against the Government in the harbor area. The final consideration on these matters was agreed to by the parties on 3 August 1981, and the deed allows for a mutually agreed interest rate to be payable on the consideration from that day until settlement.

Clauses 1 and 2 are formal. Clause 3 provides a definition of the 'amending indenture'. Clause 4 inserts new section 5a into the principal Act. This section approves and ratifies the amending indenture.

The Hon. D. J. HOPGOOD secured the adjournment of the debate.

APPROPRIATION BILL (No. 1) (1982)

Adjourned debate on second reading.

(Continued from 9 June. Page 4507.)

The Hon. D. O. TONKIN (Premier and Treasurer): I think the thing that came through last evening more than anything else was that the Leader of the Opposition, in continuing to attack the Government's financial management, clearly does not understand what financial and economic management is all about. His speech was obviously written by a committee. There were contradictory statements, in some cases appearing one after the other. The style changed from sentence to sentence, and, obviously, this was another example of his style of leadership—management by committee.

While this Government has brought public finance under control, other States are in a disastrous situation, particularly the Labor States of New South Wales and the previously Labor State of Tasmania. The point that the Leader chose to ignore is quite simple. We have done much better than we planned to do. We set ourselves a target. That was in the Budget, and we have finished the year well ahead of that target. The other States to which I referred, however, have finished the year with far greater deficits than they planned for. On their part, that is not good management,

but on our part it is good management. How the Leader of the Opposition can possibly claim that it is anything else is totally beyond me. Again, I say that he obviously does not understand what it is all about. The Leader's performance in this House this week, I believe, has been an eye opener to the South Australian public, a clear demonstration that he and his Party will say anything to further their cause, whether they be wild accusations, innuendoes, distortion of the facts, or anything. I am afraid that it is now the commonplace sort of thing that we expect from the Opposition.

The Opposition Leader obviously has an enormous problem within his own Party. He is trying to straddle the gap between divided factions in his own Party, and that gap is getting wider and wider all the time. Very soon, if he is not careful, he will find himself slipping down through the gap in the middle. The Leader obviously recognises that it is a time for restraint, but he cannot hold back the demands of the socialist left of his own Party. Even now I notice, or I am informed, that the former Premier and Leader of his Party is now publicly entering the lists again and making public statements. I understand that he predicted that there would be cuts of up to one-third in the forthcoming Budget. How on earth anyone can say such a ridiculous thing—

Mr Mathwin: Across the board.

The Hon. D. O. TONKIN: How anyone can say such a ridiculous thing with a straight face, I do not know. I do not know whether the former Premier had a straight face when he made those remarks. Inevitably, I want to know what he is planning to do. Is he in some way trying to bolster up the present Leader of the Opposition, or is he indeed planning a comeback? Is he going to aim towards challenging the present Leader of the Opposition? It would be interesting to know. His health is obviously very much better, and we are all very pleased about that, I am sure, but it would be nice to know whether he is planning a comeback. I am sure that the Leader of the Opposition would be interested to know, too. It is going to be an interesting weekend for members of the Labor Party, and we shall see what transpires.

The Leader says that there are four matters of concern, and I shall deal with those in some detail shortly. There are certainly four matters of concern, but they are certainly not those that the Leader quoted. Indeed, he skated over some of them very quickly and, indeed, they are very significant factors that he skated over. The appropriation dealt with in my speech mainly concerns allocations to pay off the capital losses incurred by the previous Labor Government. That was something about which we did not hear anything at all from the Leader of the Opposition. The major ones to which I refer, of course, are the Monarto project, which was ill fated and ill conceived right from the start, and the Land Commission. Continuing support required for the Riverland cannery was another inherited problem.

The absence of any comment by the Leader on these subjects was quite noticeable; indeed, I think it has served to draw people's attention to them further. He chose not to dwell on these matters. However, I will deal with those subjects in a little more detail later, simply because the Leader did not. In summary, no Government has done more to improve its financial management than this Government has done. In respect of those projects that I have just mentioned, I point out that we inherited a situation where the public debt was exploding, where overall State borrowings were getting out of control, and projects like Monarto and the Land Commission clearly demonstrate the style of Labor's financial mismanagement. We have had to take the hard decisions necessary and work our way out of the financial mess that we found ourselves in. The fact is that the Government has done very well indeed, given those difficulties. South Australia has taken the hard decisions and is now better placed than almost any other State to cope with the current economic situation which applies to all States across Australia and, indeed, to many other countries in the world.

The Government has not taken soft options, nor will they be taken. I believe that a Labor Government finds itself unable to make the hard decisions and is forced to move from one soft option to the next. Nothing is free, and we must earn what we receive; we must pay for it one way or another. To quote the classic words, 'There ain't no such thing as a free lunch,' and there is not, but that is something which unfortunately successive Labor Governments have chosen to ignore.

I now turn to the specific points that the Leader raised last night. The concerns he raised are familiar to all members of this House; we have heard them all before many times. He has raised them *ad nauseam*, and we have answered them all before. They are concerns many of which we all share, but his interpretation of them is simply not valid. Let us not overlook two other issues incorporated in the Bill which are of great concern also, issues which have and will place significant pressures on the Government's limited financial resources, issues which, again, the Leader has chosen not to dwell on, as well he might ignore them. They are issues which were, again, inherited by the Government, and they are costly issues. Monarto and the Riverland together stand to take $16 500 000 out of the State's funds in 1981-82, and of course that is not the end to it: further funds will have to be found in 1982-83 to redeem the outstanding debt with respect to Monarto.

It is one thing for the Leader of the Opposition to talk about the lack of funds being spent on capital works, but how useful would those funds have been if we had had that $16 500 000 plus the additional sum for Monarto? How useful would that sum have been if we could have applied it where it properly should have been applied, that is, in developing our capital works programme in this State? Instead, that money has to be put aside, kept away from capital works, to service and repay the enormous debts which were incurred by those ill fated projects.

Let me try to explain in very simple terms for the Leader's benefit the details of the matters that he raised last night. He referred to the expected surplus of $10 000 000 as a sham. He concludes that, with a projected surplus on capital works of some $64 000 000 and an overall surplus on the Consolidated Account of $10 000 000, the real deficit is $54 000 000. In introducing the Bill I was at some pains to tell members that even at this late stage of the financial year there were still some uncertainties, particularly on the recurrent side, which made it difficult to predict the final outcome. I indicated quite specifically that a surplus of more than $10 000 000 could be achieved on the operations of the Consolidated Account in 1981-82. It is still not a precise figure and cannot be a precise figure until 30 June.

The Government's belief is that we could well do better and that the final result on recurrent operations may not vary significantly from the planned result incorporated in the Budget I presented last September. The Leader has once again raised the matter of the substantial amount of capital funds used to support recurrent operations. He has criticised that move trenchantly and has expressed concern at the effect on the building and construction industry and on employment. As I have said, we share his concern; we would like to have additional funds available to put into the capital works programme, but what would the Leader have done? What did his predecessor (who seems bent on trying to make some sort of a comeback now) do? He certainly transferred loan funds when it became necessary to do so, but the Leader of the Opposition has not criticised that. Mr Wran in New South Wales is transferring large sums from

his capital works programme to bolster up the extraordinarily large and unexpectedly high deficit on recurrent account which has now been shown. Does the Leader criticise Mr Wran, the Premier of New South Wales? No, he does not. Has he criticised the management of Mr Lowe and Mr Holgate?

Mr Bannon: I am the Leader of the Opposition in South Australia; I stand up for South Australia.

The Hon. D. O. TONKIN: No, the Leader keeps on promoting Labor systems of management and economic control. I am simply making the point that the Leader is solidly and totally behind the policies espoused by Mr Wran, Mr Lowe, Mr Holgate, and now Mr Cain, whom in fact, I understand he is going to follow into the nuclear-free State area, unless he has second thoughts. That is what the Leader has been supporting, and the results of those Administrations, as shown in their most recent Budgets, have been disastrous. What is it that the Leader can do which is different for South Australia? The truth of the matter is that if we follow that positive economic plan, which I will deal with at some length in a little while, that the Leader put forward recently we will go straight down the same drain that New South Wales and Tasmania have gone down. I repeat: what would the Leader have done? It is apparently allowable for everyone else to use loan funds on occasion, even Labor Premiers in this State when it is necessary, but it is not allowable if another Government does it and the Labor Party is in Opposition. How inconsistent can one be?

Mr Ashenden: Their credibility—

The Hon. D. O. TONKIN: The credibility gap, once again, shows up for everyone to see. Let us look at the facts. Commonwealth funds to all the States have been reduced; it is not only South Australia—they have been reduced across the board. The cost of salaries and wages has increased substantially; they have increased substantially across the board in all States. Wage increases granted in 1981-82 have a full-year impact of about $140 000 000 on the Government's recurrent operations. The Government has said persistently and repeatedly that excessive wage and salary demands can only be met at the expense of jobs, services to the public and of increased costs of those services. I must say again that I pay a tribute to members of the Public Service who have done so much to minimise the adverse effect on services in South Australia.

Those excessive demands, as I have already pointed out, are having a serious adverse effect on the Government's ability to redirect funds towards capital works for the benefit of the building and construction industry, as well as employment. However, I repeat that this dilemma which every State finds is not restricted simply to South Australia. Other States, New South Wales, Victoria and Tasmania, have found it necessary to reserve large amounts of capital funds to support their recurrent operations, yet the Leader of the Opposition chooses to criticise only this Government.

There was another colossal error on the Leader's part, and I am quite surprised that he repeated it in his speech yesterday. Once again he has referred to the running down of the State's reserves. He raised this matter some months ago, and my reply to him at the time can be found in *Hansard* on 23 March 1982, at page 3401. Quite apparently, he just does not understand what the situation is, and this is shown by what is an inherent contradiction which exists in his remarks. He jumps from one subject to another and says that we should be putting more money into capital works and we should be spending more money on construction projects. Then in the next breath he criticises the running down of reserves—reserves which have been put aside over the years so that capital works can be conducted. Now, when we are spending that money to undertake such projects as O'Bahn and projects involving the Electricity Trust of South Australia, using the reserves that have been set aside for future construction, that is, using them for their proper purpose in order to stimulate the building and construction industry, the Leader turns around and has two bob each way and criticises that. So, on the one hand, he criticises us for not spending money on capital works, but on the other hand he criticises us for spending money on capital works. I just do not think he understands what it is all about.

I will try to put it simply for the Leader. Reserves have been built up as part of a deliberate Government policy to avoid disruptions caused by emerging expenditure peaks for major projects and by such things as the sharp changes in Commonwealth policy. The Leader will understand that Commonwealth policy changes from time to time, and thus loans and grants to the States change. He should refer back to the remarks made by his one-time Leader (the man who looks like making a come-back) when he spoke about a Labor Prime Minister, and see how that matches up with what the Leader has just said. Those reserves are now being spent as part of that deliberate Government policy. As planned, they are being spent on capital works. The Electricity Trust is applying its reserves towards the cost of construction of the northern power station, a major project, which is absolutely vital to the future of this State. We just cannot get on without that project.

Is the Leader seriously suggesting that we should not spend that money and not spend those reserves that have been properly set aside for that project? I certainly hope he is not, yet he seems to have been suggesting that. The State Transport Authority is now using reserves placed with it a year or so ago for the construction of the north-eastern busway. Perhaps the Leader does not want that to go ahead; I do not know. I am sure that the people of Tea Tree Gully—and the members for Newland and Todd can speak for their representatives—would say that that is also a vital and essential project that must go ahead. It has been planned, and the reserves are being used properly. Moreover, because of reserves set aside in previous years the Government has been able to maintain its efforts in the housing area in real terms and, indeed, contrary to what the Leader of the Opposition implies, we are spending a record sum in 1981-82. The South Australian Housing Trust construction programme will exceed $110 000 000 this financial year. The State Bank concessional home loans scheme will exceed $86 000 000 this financial year.

Mr Ashenden: I think they call it crying wolf, don't they?

The Hon. D. O. TONKIN: It certainly does not bear out any of the criticisms that the Leader of the Opposition was so desperate to try to make yesterday. How he can look serious and retain credibility while saying that the building and construction industry is greatly disadvantaged by all this, I just do not understand. The facts just do not bear out what he says. I can only conclude that he just does not understand. If he has been talking to the industry and misleading them, I hope that they will no longer be misled. Finally, the Leader questioned at some length the wisdom of buying out the Commonwealth's interest in connection with the South Australian Land Commission. He refers to it as a premature payment which will cost the State in investment income.

Mr Bannon: That's right.

The Hon. D. O. TONKIN: I am rather sorry to hear that he confirms that view, because it is quite typically losing sight of the interest cost to the State if payment is delayed until 1984. That seems to be typical of Labor administration not only in this State in the past but in all other States. Spend it, do not worry about who has to pick up the interest tab. Do not worry if you have to find the mortgage repayments at the end of the month. The Leader is very hot on

mortgage repayments—he never worries about them. His own Party's administrations in the past have borrowed money without any concern at all about where the servicing will come from and what the effect will be on recurrent account.

Let me just remind members that capitalised interest alone on Commonwealth loans of $53 000 000 to the Land Commission amounted to $36 000 000 as at 30 June 1981. Capitalised interest on $53 000 000 had amounted to $36 000 000 by 1981. By 30 June 1984 that amount would have increased substantially, possibly up to $67 000 000. In other words, there is no doubt in my view that to buy out a present debt of $89 000 000 for $36 000 000 is very good business indeed. It is particularly good business when one realises that the Land Commission debt would have grown to approximately $120 000 000 by 1984 had the Government not taken this action.

Mr Ashenden: How many teachers would that employ?

The Hon. D. O. TONKIN: I was going to say how many people could be given additional employment and how much of that would have been used in capital works, because the transfer can go the other way. It is, after all, money spent on capital investment. How many schools would it have built? There are so many things that could have been done with that money, yet the Leader says that to cut our losses now and save the State tens of millions of dollars is bad business. Again, I am sorry, I do not think that the Leader of the Opposition really understands what it is all about. I have dealt with the main points raised by the Leader. Finally, let me pose some interesting questions which I believe members and the public generally would do well to consider. In a nutshell, the question is: what is the alternative to what this Government has achieved? What does the Leader of the Opposition propose as the alternative strategy or direction?

Mr Bannon: Is this relevant to the Appropriation Bill?

The Hon. D. O. TONKIN: Well, it became obvious two weeks ago when the Labor Party released its economic document. Put simply, the Opposition's alternative would lead to very heavy increased taxation for all South Australians. On the basis of the statements made in that economic document, and with past experience of previous Labor Government's job creation schemes, that package of proposals that was put forward would conservatively require an annual increase in State Government expenditure of $200 000 000 at 1982 values. That would be in addition to the normal expenditure increases faced by the Government to cover wage and price increases.

From a consideration of the Opposition's economic document, the Labor Party's policy convention documents, past statements on taxation and the Leader's Parliamentary statements, there is no doubt that in Government the A.L.P. would implement significant increases in State taxes and charges, because no other option is open to it if the Opposition does not wish to follow the responsible lead made by this Government.

The SPEAKER: Order! The honourable Premier will appreciate that the debate on this Bill is much narrower than the scope of yesterday's debate. I would ask the Premier to stick to the reply in relation to statements made about this Bill and matters coming within its ambit.

The Hon. D. O. TONKIN: Yes, Mr Speaker, there is some difficulty in this. I accept what you say. The difficulty was, of course, the total and absolute lack of any alternative suggestions or policy made by the Leader of the Opposition in his speech. His total and absolutely misunderstanding criticism of what was said shows him up in a bad light and shows his Party up in a very bad light. We do not, as a Party and as a Government, stand for the imposition of additional State taxation. There is no suggestion that we will follow that course, because the plans put forward by the Leader would cost an average four-person family an extra $12 per week, and I do not think that that is what the people of South Australia want. I repeat that the Leader and the Australia Labor Party, between them, have a credibility gap, and recent events and their convention this weekend will highlight that point.

Mr BANNON: I rise on a point of order. I am reluctant to take a point of order in this matter, because I appreciate that the Premier must have some room for manoeuvre. No doubt, Sir, you are keeping an eye on that, but I think, having heard the point you made, that the Premier is now going on to canvass the A.L.P. convention and an A.L.P. economic document. While in Supply debates that may be proper, I submit that it is not proper for appropriate debates because here we are talking about Government appropriation, not the A.L.P. policy or the A.L.P. policy convention, which I am happy to debate with the Premier, but in a different context.

The SPEAKER: Order! I uphold the point of order that any transgression of the nature the Leader expresses would be taboo. I must admit that I was not aware of the specific points being made by the honourable Premier at the time the honourable Leader raised his point of order. However, I will follow the debate from this point quite closely, and I draw the honourable Premier's attention to the request that I made of him a short time ago.

The Hon. D. O. TONKIN: Indeed, Mr Speaker, you are quite right. All I say in conclusion is that the criticism made by the Leader in his tremendously ill-prepared and committee-like speech is totally unreasonable, shows misunderstanding, is based on misapprehension, and I totally and absolutely reject it. We, of all the States, have done better than any other in bringing our affairs into order. That, considering the mess we inherited, has been no mean feat; it is one of which we can be very proud indeed.

Bill read a second time.

The Hon. D. O. TONKIN (Premier and Treasurer): I move:

That the Speaker do now leave the Chair and that the House resolve itself into a Committee of the Whole for consideration of the Bill.

Mrs SOUTHCOTT (Mitcham): In the light of your ruling, Sir, that remarks must strictly relate to the Appropriation Bill—

The SPEAKER: Order! I can explain the situation for the honourable member. The honourable member having identified an interest in entering the grievance debate and because that debate precedes our going into Committee, on this matter, the honourable member can range over any subject that she wishes to address.

Mrs SOUTHCOTT: Thank you, Mr Speaker. Having made a mistake with a question, I would not like to make another. I would like to draw the attention of the House to an encounter yesterday on the steps of this House, when the Leader of the Opposition, the member for Henley Beach and I farewelled the Quaker Peace Caravan as it went on its way to tour country areas throughout South Australia and other States. On that occasion Mr and Mrs Bill James presented me with two books that they asked be lodged in the Parliamentary Library. The first book is a most delightful one and I want to draw it to the attention of the House. It is a book by Bernard Benson.

The SPEAKER: Order! Today is a learning experience. The honourable member may most certainly draw the attention of the House to a document by name but not by demonstration.

Mrs SOUTHCOTT: May I read the inscription inside?

The SPEAKER: Certainly.

Mrs SOUTHCOTT: The inscription inside the book reads:

Presented from the Peace Action Caravan by the Religious Society of Friends (Quakers) to help promote peace and conciliation, per Valda and Bill James, for the children.

The dedication in the book is as follows:

To all of the children of the world, this book is dedicated. And to all of the big people, too.

I suggest that members acquaint themselves with this book.

The other matter that I raise in this debate concerns one of my constituents, an invalid pensioner, who contacted me about his plight due to the collapse of the firm of Swan and Shepherd in April 1980. He needs his income quite desperately, and asked me if I could get up to date information on the progress of the liquidation and the likelihood of his getting any money in the near future. The answer from the liquidator, in part, was as follows:

The affairs of the group have been complicated because of a lack of accounting records and also the nature of the trust deeds whereby each investor's deposit was received by the company. I have applied for directions from the Supreme Court in regard to the method of payment of the funds realised and although the application has been heard several times, no judgment has yet been delivered. The next hearing is on 18 June 1982. I envisage that a further delay of up to two months may occur after the decision is handed down before I will be able to declare a dividend. It is also possible that the matter will be further adjourned at the next hearing.

I have no criticism of the liquidator, but I wish to point out the effect on small investors who have now waited for more than two years and may have a further period of waiting before the issue is resolved by the court.

Mr PETERSON (Semaphore): I would like to raise again a couple of matters which I have chased for some years and on which I have tried to get results. The first relates to bus services in the Semaphore district. Three areas in that district are totally isolated, in my opinion. I have written to the Minister about this matter and, apparently, the policy of the S.T.A. is to have transport within 600 metres of homes. There are three areas in my district where that does not occur. They are the areas of Semaphore South, bounded by Military Road, Semaphore Road, Esplanade, and Fort Glanville, which is serviced only along Semaphore Road. The rest of the area down towards Fort Largs is at least half a mile from the nearest bus service, which happens to be the Port Adelaide to West Lakes service. Another area at Largs North is to the east of Victoria Road between the oil depot, the Myer Reserve and the sulphuric acid plant, another area that is totally isolated. There is a village for the aged in that area, and the nearest bus service is on Strathfield Terrace which, again, is a considerable walk for old people.

The Hon. M. M. Wilson: How far?

Mr PETERSON: I would not like to hop it on one leg. It is far more than 600 metres, the standard set down by the S.T.A.

Mr Evans interjecting:

Mr PETERSON: We all have our problems, and these are transport problems. I have the Minister here, a captive audience, which is rare, so I will get my point across. The other area of concern is the length of Victoria Road, from the bottom of the Birkenhead bridge (which has received some prominence lately)—

The Hon. M. M. Wilson: Completely unwarranted.

Mr PETERSON: In the Minister's opinion. That area is totally isolated. If a service were provided along Victoria Road it would service both the areas I have mentioned at Largs North and the Victoria Road extension.

I am pleased to say that I have had some success with the Minister. He is very considerate in some areas, and we have managed to get a Sunday morning service, which we did not have before. He has been very adamant on the provision of bus services. However, the key area between Gedville Road, Osborne Road, Lady Gowrie Drive, and Military Road, is totally isolated. I am aware that the S.T.A. has a plan to service that area, but we are having a great deal of difficulty in getting that plan applied. I hope that the Minister will take note and will consider that area again, because it is very isolated. There is no service to the west, virtually nothing to the south until well down the coast, there is a rail service a considerable distance to the east, and a bus service on Osborne Road.

I refer now to the layout of Semaphore Road. I believe that most members in this House would be aware of the long battle to upgrade Semaphore Road. Finally, reason prevailed, the railway line was removed, and work was undertaken to upgrade the road. However, faults have been observed, because, I believe, the plan was drawn up almost five years ago, at a time when the nature of the road was entirely different. The layout is very unusual, complicated and convoluted. It is a little harsh on the people of the area to say that they approved the plan five years ago, because I am sure that most people would have great difficulty in relating a plan to the actual layout. I know that public submissions were received on the plan at that time, but I still believe it was a little unfair.

The implementation of the plan has certainly not come up to expectations. There are many traffic problems, which were not anticipated by the residents or traders. Semaphore Road now seems to be a jungle of traffic islands and median strips, which seem to hinder instead of help the flow of traffic. I am not sure who drew up the plan, but I have written to the Minister asking for information, which, hopefully, I will receive. One of my constituents recently wrote to the Prime Minister and a State Minister about a matter; he found it much easier to get an answer from the Prime Minister than from the State Minister. Let us hope that that is not the situation in this case. The provision of traffic lights would help greatly, and I am pleased that the Minister inspected the site last week.

The Hon. M. M. Wilson: With the Commissioner of Highways.

Mr PETERSON: Yes, and with the local council and me. The Minister is aware of the situation. Because of the present layout, a number of aged people who live in the area have great difficulty crossing the very wide road, especially because of the heavy traffic flow at the corner of Semaphore Road and Military Road. Traffic lights would make the area much safer for pedestrians and motorists. Another effect of the layout is what appears to be a fairly significant downturn in trade experienced by many of the traders on Semaphore Road. That road is a central area, a key area, for the peninsula. The only banks on the peninsula are located on Semaphore Road—there are no banks further north. There are a couple of other shopping areas on the peninsula, but Semaphore Road, because of its geographical position, and because one must cross it to go on to the peninsula proper, is a very key road in the area. It is certainly starting to develop in that way. A new bank, built on that road in the past 12 months, was opened two days ago; another trader is about to open a furniture shop.

The area is moving ahead, but I believe that we are being held back a little by the layout of the road and by the traffic islands. The layout, the traffic flow and additional parking facilities must be reviewed. I am confident that Semaphore Road has a bright future as a key commercial centre, and we must look to the layout and the provision of as many facilities as possible. I now refer to a display that I attended which, I was pleased to see, was held in the passenger terminal at Outer Harbor.

Mr Trainer: Would it suit a casino?

Mr PETERSON: It would suit a casino, but I do not believe it is the right place for one. The exhibition was

called 'Sea Days', and was set up, I believe, by a magazine editor and a professional fisherman. It was an impressive display, and one of the key exhibits was the fisheries training vessel *Blue Fin*, which is based in Launceston and which is used by apprentice fishermen to go to sea and learn the different techniques of fishing. I had a good look over the *Blue Fin*, which is a magnificent vessel. Because of the potential for fishing in this country, we must encourage this type of training facility. I believe that at present two South Australians are presently undergoing training on that vessel. This sort of facility can only do good for people who intend to enter the fishing industry.

I thought that the Government might have had a little more involvement. I know that the Government was not involved in setting up the exhibition, but perhaps the exhibition should be held again and broadened, with public input, because fishing is probably one of the least understood industries in the country. This exhibition constitutes an opportunity for the general public to obtain information, to see what goes on, and to understand the problems and the sort of capital that is needed to set up such a ship. Apart from that, there were displays of fishing equipment.

The SPEAKER: Order! The honourable gentleman's time has expired.

Mr MATHWIN (Glenelg): I wish to take this opportunity to draw the attention of the House to a few problems, in particular a practice that is causing problems on the State's roads. This has been caused by a directive of the previous Labor Government and a previous member of this House (Mr Virgo), who stated in this House, and publicly on many occasions, that there is no such thing as a slow lane on the highways and byways of South Australia. Young people in particular have not been taught what I was taught and what is generally understood as the first rule of the road—to keep to the left. When I was travelling along Anzac Highway today, I was confronted by three big commercial vehicles, one in each lane.

Mr Slater: You were on the wrong side of the road.

Mr MATHWIN: No, I was not. I always keep to the right side. These vehicles held up the traffic. They were moving slowly and causing problems to other motorists on the highway. That is a course reflected in the actions of young people. It shows a lack of courtesy. It is an attitude aided and abetted by the previous State Government, which said that a person could drive in any lane instead of the normal and correct situation of driving on the left hand side of the road, allowing other faster traffic to overtake on the right of the vehicle. I think the previous Government did a great disservice to motorists by taking the action it took, and I believe the department should start an education campaign to encourage courtesy on the road, and especially to influence those people who are taking the driving test.

For many years, United Kingdom motorists have had to pass a verbal as well as a practical test. The first and most important question is: what is the first role of the road (on which side of the road does one drive)? If that question is not answered correctly the candidate does not pass the test. I believe it is time something along those lines was done in this State. It would help to reduce the number of accidents. The problems on our roads all come down to a lack of courtesy, and I believe publicity given ought to be to the need for courtesy. Driving instructors especially should be encouraged to emphasise the need for courtesy to other drivers.

I would like to wish the members of the Labor Party, particularly the aspiring Leader of the Labor Party, the member for Elizabeth, all the best for their conference this weekend and the scrap that will occur at that conference in relation to who will toe the line. We now have the situation of a poor Premier, who retired because of ill health, having to make public statements to bolster up and support the Labor Party. He has taken it upon himself, as a man of the public, to say that it is about time someone explained to the public what is going on. We all remember that honourable gentleman in this place—

Mr Becker: Pink shorts.

Mr MATHWIN: Yes, wearing his pink shorts and his safari suits, for his crystal gazing and his forecasting of what was going to happen to this State. Now the same gentleman is having another shot in the dark, forecasting when the next election will be held.

The Hon. H. Allison: He always said he would give us the rundown on the State and that is exactly what happened: it ran down.

Mr MATHWIN: Yes, we took it over in a rundown state. From what I have heard on the media lately it would appear that Mr Dunstan might be wishing to make a comeback. Perhaps he wants to come back to this place, but first of all he must probe to find out when the election will be so that he can put in his nomination.

Mr Hamilton: You don't believe those press reports, do you?

Mr MATHWIN: The member for Albert Park, who is so rudely interjecting, was not even in this place when Mr Dunstan was here; he was then playing with his train set in the Railways Department. Let me tell him that it might be the member for Albert Park who will have to look to his laurels because, if the previous Premier is wishing to get back into this place, one of the members opposite will have to give way. Mr Dunstan will be looking for a safe seat, although Albert Park is not so safe—

Mr Hamilton: Why bring it up then?

Mr MATHWIN: We know that the member for Albert Park made it by the skin of his teeth and the rotting iron from the lights that were to be put there by Mr Virgo. We know that the honourable member came in on that sort of thing. We know that the honourable gentleman has spent his time asking questions by putting them on the Notice Paper. He has had sleepless nights working out questions. He could have asked his doctor some of them. His local practitioner could have given him the answers but he has had to put them on notice for the Minister of Health to answer.

Mr Hamilton interjecting:

Mr MATHWIN: I am just giving the member for Albert Park fair warning: he should watch himself, watch his back. If Mr Dunstan wants to get back into this place it could be that seat that he is after.

The Hon. D. J. Hopgood: What about mine?

Mr MATHWIN: I do not believe the previous Premier would want to have the seat of Baudin, because he would not go so far south. The member for Elizabeth has been out all afternoon sharpening the pencils and the knives. There will be a battle royal at the conference over the weekend; it will make most interesting reading. At the last conference it was stated that the Labor Party would cure all the problems. It said that its main aim would be to support small businesses. The first thing it would do would be to introduce a 35-hour week—a great help to any business, and certainly to small business! The Labor Party said that it would give workers a minimum of four weeks leave—a great help to small business! Great stuff! Heaven forbid that it should get on to this side of the House again. The Labor Party has said that it would increase the number of Government employees, reduce taxes and charges, and increase Government spending. That is a great exercise. No wonder Mr Dunstan is worried about the situation. No wonder he is thinking it is about time he came back. He will want a good

seat, and maybe he will take Albert Park. I wish members opposite the very best for the conference at the weekend.

Motion carried.

Votes passed.

In Committee.

Schedule passed.

Clauses 1 to 3 and title passed.

Bill read a third time and passed.

FILM CLASSIFICATION ACT AMENDMENT BILL

Second reading.

The Hon. H. ALLISON (Minister of Education): I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This Bill is introduced chiefly to make unlawful the practice of showing unclassified films over closed-circuit television systems in motels, hotels and lodging houses, and also to provide that trailers containing material unsuitable for children are not shown unexpectedly on programmes classified less restrictively. It has come to the Government's attention that motels in this State and, more commonly in other States, have, on occasion, made available pornographic films on an unused channel of the television sets in their rooms.

Following a complaint, it was discovered that there was some doubt legally as to whether the owner of a motel 'exhibited' an unclassified film when in fact the act of producing the image in a motel room was undertaken by a client. To put the matter beyond doubt, this Act provides that it will be an offence to make available an unclassified film in such circumstances. It also creates an offence of making available a film classified as restricted under the Film Classification Act if the hirer of the premises has not been made aware beforehand that a restricted film might be shown. Whilst it might be said that an adult may change to another channel if he or she is offended by such a film, the complaint which gave rise to consideration of this matter was related to young children who left their parents dining in the motel dining room and returned to the family room where they watched a pornographic film which was being shown over a closed circuit. This section will also prevent unclassified films being made available in coin-in-slot machines; that has been a problem in some States.

The matter of 'M' and 'NRC' trailers being shown to children attending programmes of 'G' films has been raised perhaps 10 or more times in the last seven years. Whilst theatre proprietors have generally complied with requests to cease the practice, the proposed amendment will create an offence in this regard. Films classified 'M' nowadays would 10 years ago have been classified 'R' in many cases. They may contain brief scenes of sexual intercourse and significant violence.

The Commonwealth Film Censorship Board classifies trailers in accordance with the classification given to the main film. The board endeavours to see that trailers do not consist only of the most titillating scenes, but, nevertheless, parental wrath is sometimes provoked in circumstances where it is discovered that children have seen unsuitable excerpts. The classification 'R' given to trailers relating to 'R' films prevents them being shown in association with programmes not otherwise containing an 'R' film. The proposed amendment lists classifications in order of restriction and the Bill provides that if a trailer is shown unannounced on a programme devoted to films of lesser restriction, then an offence will be committed, unless the fact has been advertised. Since 1971, money values have changed so that the original penalties should be increased by at least 170 per cent to maintain their impact. However, Government policy regarding censorship and breaches of classification laws is to strengthen provisions, and a 10-fold increase is suggested where penalties have not been altered since 1971. There are lesser increases in relation to penalties fixed in 1977. There are also clauses which will eliminate certain difficulties which have been experienced in prosecutions for breaches of the Act.

Clauses 1 and 2 are formal. Clause 3 corrects a cross reference in the definition of 'restricted classification'. Clauses 4, 5 and 6 increase penalties for offences set out in sections 4, 5 and 6 respectively of the principal Act. Clause 7 amends section 8 of the principal Act. Subclause *(a)* increases penalties prescribed by section 8 (2). Subclause *(b)* inserts a new subsection (2a) that provides that where a newspaper advertisement publishes details of some only of the films to be shown at a particular programme the advertisement must include the rating of the most restricted of the films to be shown. This is not to apply if all the films are classified for general exhibition or not recommended for children. Subclause *(c)* makes a drafting change consequential on the enactment of new subsection (3a). This new subsection, which is enacted by subclause *(d)* , removes the obligation, which would otherwise apply under subsection (3), to exhibit to patrons of a theatre the classification of all trailers to be shown where those trailers are of the same restriction or less restricted than the most restricted film to be included in that programme.

A patron, having been given notice of the film carrying the most restricted classification, should not complain of trailers from other films carrying the same or a less restricted classification. Subclause *(e)* increases the penalty applying under subsection (4) of section 8. Subclause (f) inserts new subsections (5) and (6) into section 8. Subsection (5) provides that the classifications in section 4 (1) are set out in that subsection in order of increasing restriction and that classifications prescribed under paragraph *(e)* shall fit into that order as prescribed. Subsection (6) provides a definition of the word 'trailer'.

Clause 8 increases penalties provided by section 9 of the principal Act. The clause also narrows the scope of subsection (1) so that it is clear that the prohibition of advertisements relating to unclassified films only applies in relation to the exhibition of such films as opposed to their sale which is regulated under the Classification of Publications Act. Clause 9 enacts new section 9a. This section is designed to prohibit the showing of unclassified films and control the showing of restricted classification films in motels, hotels and other premises providing accommodation to the public for a fee. Subsection (2) provides the limited circumstances in which a restricted classification film may be shown. Subsection (3) defines terms used in the section. Clauses 10 and 11 increase penalties provided by sections 11 and 11b respectively. Clause 12 inserts new sections 13 and 13a into the principal Act. New section 13 allows a prosecution for an offence against the principal Act to be commenced within two years of the alleged date of the offence.

Section 13a replaces existing section 13. This section deals with liability of officers of a corporation for offences committed by the corporation under the principal Act. The new provision has the same effect as the old, except that members of the governing body of a corporation are liable for offences committed by it under the Act unless they can prove that they exercised reasonable diligence to prevent the offence. The present provision requires the prosecution to show that a director, etc., knowingly permitted the commission of the offence and the change therefore puts a greater onus on

people in control of corporations to ensure that offences are not committed. Any other person, such as an employee of the corporation, who knowingly participates in an offence is liable to prosecution as a principal offender or as an accessory without the enactment of a specific provision in the principal Act to that effect.

The Hon. D. J. HOPGOOD secured the adjournment of the debate.

CRIMINAL INJURIES COMPENSATION ACT AMENDMENT BILL

Second reading.

The Hon. H. ALLISON (Minister of Education): I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This Bill contains a miscellany of amendments to the Criminal Injuries Compensation Act, 1977-1978. A comprehensive examination of the operation of that Act provides the basis for these amendments. They seek to streamline administrative procedures, close up avenues for abuse of the system, and ensure that the principal objective of the Act is achieved, that is, for the Government to provide, as a last resort, a monetary sum to a victim by way of contribution towards the cost of an injury sustained at the hands of an offender. The definition of 'offence' has been clarified because of potential problems with the present definition. The effect of the amendment is to ensure that an amount will be payable for injury arising out of conduct which would constitute an offence if it were not for the young age of the offender or the existence of a defence of insanity. In both of these cases, payment is warranted. The potential problems with the existing definition relate to certain situations where a jury finds an alleged offender not guilty; and in those situations the acquittal may have been because the accused lacked the necessary intention or that the accused had acted as an automaton; with the proposed definition, none of those matters will now cause a problem.

At present, the jurisdiction conferred by the Act is exercised by various courts throughout the judicial system. The Bill proposes that where the offender is brought to trial, unless the application is made before those proceedings are determined, the District Court should hear the matter. This will ensure more consistency in criminal injuries compensation awards and speed up proceedings.

The Act does not allow settlement of claims out of court. It is often the case that the Crown does not dispute the amount of compensation claimed by a victim of a crime. In such a case, it is a waste of both time and money for the parties to go before the court. The Bill allows the parties, provided that they all consent to an award, to seek certification by the court of the amount agreed upon as the compensation payable to the victim. This will be done with appropriate administrative machinery ensuring that the Attorney-General consents to that award.

Instances have occurred where applications for monetary sums have been made by people who have either not reported an offence, or delayed in so doing. From the discussions which the Government has had it seems that unfortunately there has been an increasing number of dubious claims. The time and money involved in investigating and litigating such claims (which often have little chance of success) should be curtailed. The Bill provides that no compensation will be awarded where the victim had, without good reason, failed to report the crime to the police within a reasonable time after the commission of the offence or he has failed without good reason to co-operate with the police and thereby has prejudiced their inquiries. The Act does not provide that medical examination of a claimant may be required by the other party, and accordingly medical evidence has often been one-sided. The Bill provides a balance by providing that the examination may be required.

At the moment, the Act provides that the claimant need only prove his claim on the balance of probabilities. The situation could arise where a person has been acquitted of an offence because the prosecution was unable to prove beyond reasonable doubt that the offence was committed but a claimant under this Act, who was able to prove only on the balance of probabilities that an offence was committed, would be successful. The Bill provides that in these circumstances compensation will only be payable when the claimant has proved beyond reasonable doubt that an offence was committed. As the Act now stands the Crown has only a limited right of appeal in these cases. The Bill will ensure that the Crown does have a general right of appeal against all orders made under the Act.

Clause 1 is formal. Clause 2 provides for the commencement of the Act upon proclamation. Clause 3 provides a slightly narrower definition of 'offence'. Conduct that would have constituted an offence but for a defence of automatism, duress or drunkenness, and conduct that would have constituted rape but for a lack of guilty intention, no longer forms part of the definition of 'offence' and a claim cannot therefore be made against a person acquitted on such grounds. Clause 4 enables claims for injury that would be compensable under the Act as it now stands to continue to be made, where the injury occurred before this amending Act.

Clause 5 provides that claims for compensation may be made either to the court before which an offender is brought to trial, or to a District Court. An application made to the court before which the offender is being tried must be made before the determination of the trial proceedings. Provision is made for consent orders. The court determining an application for compensation may refuse compensation where it appears that the applicant unduly delayed reporting the offence to the police, or was unduly unco-operative in assisting the police in their investigations. The court may make a separate order for costs.

Clause 6 provides that the offender or the Crown may require a claimant to undergo a medical examination by a doctor nominated by the party requiring the examination. The claimant's costs in undergoing such examination must be borne by the party requiring the examination. Copies of the medical report must be furnished to each party. Clause 7 provides that an order for compensation shall not be made (except by consent) unless it is proved beyond reasonable doubt by the claimant that an offence was committed, and that there was a direct link between the offence and the injury. Where no person has actually been brought to trial for the offence, the claimant's evidence must be corroborated by other evidence.

Clause 8 provides a right of appeal to the Supreme Court for all parties. The Full Court will hear an appeal against an order made by a single judge of the Supreme Court. All other appeals will be heard by a single Supreme Court judge. Clause 9 clarifies the position relating to legal costs. An order for costs must not exceed the scale prescribed by regulation. A lawyer is not permitted to charge costs in excess of the prescribed scale. Clause 10 extends the time in which the Attorney-General must satisfy a claim, so as to allow the time for an appeal to expire. The rest of the amendments in this clause are consequential.

The Hon. D. J. HOPGOOD secured the adjournment of the debate.

ROAD TRAFFIC ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 9 June. Page 4461.)

Mr HAMILTON (Albert Park): I continue my remarks from yesterday. I understand that the United Farmers and Stockowners Association has sorted out problems with the Minister in relation to its reservations about this measure, and that agreement has been reached in relation to them. Originally, I understand that it was proposed that farm utilities would be restricted from having loads projected from their vehicles unless under permit. However, the Minister, I understand, has acknowledged the United Farmers and Stockowners' argument in this area and exemption from such restrictions was agreed to.

Finally, the point was made by the member for Fisher about the number of kilometres travelled each year by the owners of vehicles on the land, which distance is, as he pointed out, in many instances probably 2 000 to 3 000 kilometres. Therefore, the economic life of those vehicles could be anywhere between 10 and 15 years. As indicated by members on this side, the Opposition will not oppose the Bill.

Mr LEWIS (Mallee): I merely wish to indicate that amongst all the provisions of the Bill is clause 8, which, at the Committee stage, I will seek to amend. This provision would relate to minimum penalties prescribed under subclauses (3) *(a)* and *(b)*. If those minimum penalties were to be applied, circumstances could arise where a magistrate would have no alternative whatever but to impose a fine of $35 for the first tonne over the permissible weight limit and $200 for every tonne thereafter. Although I realise that the present intention is to ameliorate the effect on the first tonne, where it is the excess weight being carried over the permitted maximum (it might only be marginally greater), nonetheless the principle of minimum penalties, to me as an individual, is abhorrent. I know that it exists elsewhere.

The main purpose for my wanting to address this question in this way is to avoid the set of circumstances that could arise where, in a rainstorm, a primary producer would find tha the weight of livestock in the form of sheep on the back of his stock crate would increase dramatically (if they were in full wool) from the weight that they were at the time that they embarked and began their journey. That would be an unfortunate, almost devastating, situation for either the carrier of the livestock or the primary producer if he was carrying his own sheep.

Similarly, where axle weights are involved, cattle could move without there being any means by which their position in the vehicle's stock crate could prevent them from doing so. I know of an instance related to me personally by the member for Eyre, where, on one occasion, a driver of a truck was stopped at a weighbridge somewhere in the honourable member's electorate and, at the time of stopping, the thrust of movement of the vehicle caused the cattle to balk. They do not pack up at the back of a cab in a stock crate: they move to the opposite end of the vehicle. In that case, the unfortunate carrier found himself penalised for being overweight three tonnes as, at the time he stopped on the weighbridge, the cattle simply shuffled to the back of the truck on to the back axle. That seems to me iniquitous. He would be fined $435 under the provisions of this Act when the overall weight of his vehicle whilst in motion, with the cattle evenly spread and comfortably disposed to one another, would be very much less and within the limits.

Having made those remarks by way of explanation and to forewarn the House of my intention to move an amendment to delete those provisions relating to minimum penalties, the only other point I want to make is that I know the Justices Act at present allows a court, and therefore a magistrate, to entertain the proposition of issuing a certificate of triviality in these circumstances. But I wonder how many primary producers who may be summonsed under this provision would know that they, in part of their defence, were able to seek such a certificate of triviality, or, for that matter, how many justices of the peace who may sit on the bench in country areas where such charges have the possibility of being heard would know of it, also. In that case, my concern is that, in their not knowing, justice would not be done.

Mr WHITTEN (Price): As the member for Baudin said, the Labor Party does not intend to oppose this Bill. He complimented the Minister, I believe, on bringing in uniformity in the Road Traffic Act. I am sure that everyone will support uniformity if it is for the good of this State and the country.

There are a couple of parts of the second reading explanation that concern me. In the first paragraph the Minister said that a study had been undertaken to determine the most appropriate mass and dimension limits for commercial motor vehicles which should apply nationally or to particular regions of Australia. I am a little afraid that this will not happen under the provisions of this Bill. I will develop that idea further shortly. The Minister also said:

> After consideration by the advisory committee on vehicle performance and after consultation with industry, draft regulations incorporating the recommendations were adopted by ATAC in February 1977.

It does concern me that this matter was first brought up in 1975 and again brought up in 1977, when it was considered by ATAC, and that here we are in 1982 with a Bill before us. I can understand the problems that the previous Minister had in regard to this matter. However, it concerns me that it takes a matter of some seven years before we can get this uniformity that we are looking for and that even then, when we have a Bill, it does not provide for complete uniformity. The Minister's reference in the second reading explanation to 'draft regulations with a few minor variations to suit South Australian conditions' also concerns me. He also said that:

> The opportunity is taken to amend certain definitions and evidentiary provisions in order to facilitate prosecutions of overloading offences.

The manufacturers of motor vehicles, particularly truck manufacturers rate their vehicles to the extent of what should be a safe load on that vehicle. Also, road engineers engineer roads and place limits on roads in relation to what the limit should be. The point I make is that if a truck is engineered to carry a total load of, say, 20 tonnes, then that is the safe limit. I do not think it is safe to operate with a 10 per cent tolerance applied to the commercial operator or a 20 per cent tolerance applied to a primary producer, simply because they are categories of people.

The Hon. M. M. Wilson: The tolerance is not on axle loads: tolerance is only on the gross vehicle mass or gross combination mass.

Mr WHITTEN: I understand that, as later the Minister mentioned mass and dimension limits. I am concerned about this matter, although I am pleased that the Minister has taken up the point. However, what I am further concerned about is the lack of prosecutions that have taken place in the past. I believe that there will still be a lack of

prosecutions occurring for overloading. The Minister would well know that quite a lot of vehicles are overloaded. Vehicles are designed to take only a certain load on the axles, roads are engineered to take only a certain load through those axles, and those limits will not be maintained when we have overloading that is applicable for two categories of people.

I believe that this Bill must be passed because of the necessity for safety, but, as I have pointed out, I am concerned that if a vehicle is designed to carry a load of 20 tonnes it is not safe to put a further 4 tonnes on that vehicle.

Section 147 of the Act is to be repealed and the provisions in clause 8 of the Bill now take its place. One of the new provisions emphasises the safety aspect. The provision in section 147 which allowed the Commissioner of Highways the right to allow for overlimits was wrong, inasmuch as no maximum overloading or maximum tolerances were specified, and it was up to the Commissioner to decide whether or not a vehicle was overloaded. In the new provisions that is not to be the case, and there will be statutory limits of 20 per cent for primary producers for 3½ years and then 10 per cent for another 6½ years, whereas other commercial operators will have a limit of 10 per cent for 6½ years.

The regulations are not policed as they should be. Recently we had the spectacle of a union being compelled to impose a ban on a tanker because it was a safety hazard. I am not quite sure who it was, but the licensing people were advised two months prior to the imposition of that ban that regulations were being contravened by the people operating that R.A.A.F. tanker, and the union was forced not to supply fuel to two service stations because it believed that the tanker was unsafe. On page 10 of the *Advertiser* of 25 May 1982, an article, entitled 'Union fuel ban on 3 stations', stated, in part:

> The union said the move followed the use by the stations of 'an old R.A.A.F. tanker' which did not meet proper safety requirements.

Further on, referring to the South Australian Secretary of the T.W.U., Mr Keith Cys, it was reported:

> Also, he alleged it was not registered, and displayed only trade plates. Mr Cys said T.W.U. members were required to honour all safety codes, but the person involved in a dispute could, without any repercussion from the Government break those codes.
>
> He said the petrol companies and the Government had been told about the incident and the Government would check it out. Mr Cys said the bans would not be lifted until we have satisfactory evidence the unsafe practices had stopped.

I am advised that it took two months for that action to be taken, and it was only because a ban was imposed by the organisation that the matter was brought to a head.

I believe that commercially-operated road vehicles, in the main, are better maintained than those operated by primary producers. Certainly, the companies that operate trucks as a livelihood must ensure that the trucks are up to a pretty good standard all the way through. I am afraid that perhaps primary producers who are not using their vehicles to any great extent might not have them maintained, not because they do not want vehicles to be safe but because they do not have the time to spend on them or because they do not understand what it is necessary to do to the trucks to make them safe. One of my greatest concerns is why there is to be a tolerance of 20 per cent for primary producers. I am also concerned about the 10 per cent tolerance for commercial operators.

The only other point I want to make (and I hope the Minister will be able to explain this matter to me) relates to clause 8 and the repeal of sections 146, 147, 149 and 150. New section 146 (6) states:

> For the purpose of this section, 'owner', in relation to an articulated motor vehicle, means the owner of the prime mover of that vehicle.

I understand that in the case of a large number of articulated vehicles the prime mover is owned by a person who contracts to carry loads for various companies, and the companies own those trailers.

I may be wrong about this, and I would be pleased if the Minister could explain it to me. I believe that the operator of the prime mover should not be responsible for a deficiency in the semi-trailer. I think that this is what the member for Albert Park was referring to when he talked about the unfortunate incident that occurred on the Birkenhead bridge some time ago. I am reluctant to go too far into that matter, contrary to the member for Albert Park saying that I would give a full explanation on it. There was an inquest; it was an unfortunate fatality. The point I make is that that prime mover was mismatched with the trailer. The tanker came from the oil company yard, and the owner of the prime move was told, 'There is your load; you put that tanker on your prime mover, and away you go.' Unfortunately, it was a mismatched trailer, it could not get around the bend on the Birkenhead bridge. I believe that there should be some sharing of responsibility when the owner of the vehicle should not be classified as the owner of the trailer as well.

I know very well that a lot of the companies say to the prime mover owner, 'There is your load. You take that load wherever you are going to go. If you do not take it, we will get someone else who will.' Most of those operators put themselves into hock for so much money. They cannot afford to lose hours off the road while they are looking for another load, so they will take that trailer and away they will go. They will come from Brisbane to Adelaide, drop that trailer, and pick up another trailer from the same company. However, it too, could be mismatched. I hope that the Minister will explain to me why he has inserted in the Bill clause 6. The Opposition supports the Bill, but I would like some answers from the Minister.

Mr BLACKER (Flinders): I, too, support the Bill, which is an endeavour to tidy up some aspects of the Act. However, I do have some queries that I would like to present to the Minister in the hope that he can clarify them when he winds up the debate. My first and foremost concern is that the majority of the operations of this amendment are to be carried out by regulation. I have some great concern about that, because I believe that we have seen too much Government by regulation in the past and that there should ideally be a trend away from that. I have made a few inquiries about it, but I understand that in drafting terms it is rather impractical to do the whole lot in the Bill and not by regulations. I would much prefer to have it all written out in the Act, even though it would be a lengthy document. I think people would know where they stood.

Clauses 1 and 2 refer to definitions. In particular, the new definition of 'axle' is easily understood by the majority of people. Some body builders trying to get around the provisions of the existing Act could easily mount two or three axles in line and form up a low loader of the type that we sometimes see carrying around cars, and in other cases carrying around small tractors with forklifts. The building of axles of that kind, has, in effect, been getting around the present law. This Bill clearly defines that, and itemises just what does constitute an axle. As I tried to explain, there is no point in having three stub axles across the same axis and calling them three separate axles when, in fact, it is one axle on a line.

A definition of 'primary producer' is inserted, I note that the member for Price has made some reference to it. Having come off the land and having many landholders as constituents, I take umbrage at the slight that could be imputed to the maintenance of their vehicles. I think it is fair to say that in every profession there are some that do not maintain

their vehicles as well as they should. Therefore, I could not stand in this House and say that every primary producer's vehicle is up to scratch and maintained in the best possible way. However, on the whole I think one will find that primary producers' vehicles today are of a very high standard. That high standard has been brought about by the cost of the vehicles themselves, and more contracting is being done.

The old days of 10 or 15 years ago, when every farmer had a three-ton or four-ton truck, have gone by the wayside. Those three-ton or four-ton trucks are on the farm, certainly, but very seldom are they ever used to cart grain to silos, and certainly not in long distance haulage. The contractors are brought in for that. That is further accentuated by the fact that, with harvesting machinery of today's standards, a small truck of the type mentioned previously could not in any way cope with the capacity of modern day harvesters. Anyone connected with the land knows that there is available today harvesting machinery that can reap 200 bags of grain per hour. When we are talking about three or four-ton trucks, as used to be the case in the primary producing field only being able to carry 55 or 60 bags, it is quite easy to see that it is no longer practical for farmers to run small trucks of that nature, and I say that in general terms.

I note that we are having a change of definition from 'gross vehicle mass of motor vehicle' to a term 'gross mass of the motor vehicle'. When this type of legislation was first introduced, it was then known as g.v.w.—gross vehicle weight. Subsequent amendments to the Act changed it to g.v.m. (gross vehicle mass), and now we have another terminology. I wonder what those people who have the weights stamped on all their trucks must now do. Do they still have g.v.m., g.v.w., or t.m.m.v., total mass of the motor vehicle?

We are going to see another series of amendments going through the Act and another series of changes being made. That may sound trivial, but there were complications when we changed from g.v.w. to g.v.m. Many truck operators did take a little while to change over and adjust to that aspect. That flows right down the line. We have the same thing applying with registration papers and things like that. So, we have another education process to go through with vehicle manufacturers.

I understand with the present provision that, by regulation, all vehicles be they primary production trucks or trucks of that kind, will be allowed a 10 per cent tolerance for 3½ years. But, written into the Act is the provision that primary producing vehicles will be allowed an additional 10 per cent tolerance for 10 years. So, in effect, it means that for the first 3½ years primary producing vehicles have 20 per cent and all others have 10 per cent. Thereafter, from 3½ years up to 10 years the primary producing vehicles have 10 per cent and all other vehicles have nil. Overriding that is a regulation which indicates that primary producing vehicles and vehicles carting harvest materials to the nearest silo, with an exemption of five silos throughout the State, will be allowed an additional 20 per cent tolerance. This means that farmers who are able to cart to silos that are not exempt will still be allowed to cart 40 per cent for the first 3½ years, and that will be cut back to 30 per cent up to 10 years, assuming that that 20 per cent remains at 20 per cent from there on.

There is a grey area over the interpretation of this part of the Act. I would be most appreciative if the Minister would explain whether, in fact, that is correct or whether the plus 20 per cent which has been the case for delivery to most country silos will still apply. I say 'most country silos', bearing in mind that five silos, including those at Port Lincoln and Port Adelaide, are exempt from the provision because of traffic hazards on entering the townships or cities near where they are situated.

I turn to the point raised by the member for Mallee about minimum penalties. This causes me some concern, because it is a case of whether one believes in the principle of minimum penalties. In the majority of cases I do believe in minimum penalties: there are laws in this State where I think minimum penalties should apply. However, not everyone agrees with the philosophy. During this debate the transport of commodities such as livestock has been mentioned. I point out that fully woolled sheep, for instance, can be loaded strictly within the provisions of the law, the weight being correct, and the transporter can travel through hail or a severe rain storm causing that vehicle to take on at least a tonne of water, probably two or three tonnes on a triple-decked semi-trailer. The operator of that vehicle could be subjected to severe embarrassment, to say the least, if his load were found to be overweight and he could not prove what had happened.

Mr Whitten: That's a lot of water, three tonnes.

Mr BLACKER: Three tonnes is only 600 gallons. A semi-trailer load of fully woolled sheep could easily absorb that amount. I raise this point because technically it can happen. I am not aware of anyone being prosecuted for that offence, so, hopefully, if such circumstances have arisen in the past common sense has prevailed. However, under the provisions of this Bill such a person could suffer some penalty. I am in accord with other provisions of the Act, particularly with the definition of 'axle'. Finally, I would be grateful if the Minister in his summing up would explain the meaning of the 10 per cent plus 10 per cent plus 20 per cent.

The Hon. M. M. WILSON (Minister of Transport): I move:

That the time for moving the adjournment of the House be extended beyond 5 p.m.

Motion carried.

Mr RUSSACK (Goyder): It seems, from the Minister's explanation, that the main purpose of this Bill is to allow the National Association of Australian State Road Authorities, which comprises the South Australian Highways Department and other interstate authorities, to standardise conditions so far as weights or masses of vehicles are concerned. My experience in this matter has spread over a number of years. There has been previous debate in this House concerning this matter. The member for Baudin, in his speech, questioned the provisions for primary producers and said he would like to know why certain conditions were applicable to primary producers and not to commercial carriers. Those conditions have been spelt out by the member for Flinders and others who have spoken, so members of the House should be quite conversant with those provisions.

The Bill provides that there will be a 20 per cent weight tolerance for primary producers for up to 3½ years and 10 per cent for the remaining 6½ years. As a member representing a rural area, I say to the member for Price that I am convinced that there is a difference between commercial operators and primary producers, although I appreciate his concern for general commercial operators. One of the major differences is that most primary producers' vehicles are retained for long periods simply because they do not cover a large mileage. In many instances the major use for a farm vehicle is at seed time and particularly during harvest or at odd times when stock is taken to sale yards or the abattoirs.

If the conditions ultimately provided were applied immediately, some primary producers would have to sell their trucks, which would be almost valueless and of no use to anybody. The tolerances set will allow a number of years to elapse during which primary producers will be able to replace their vehicle so as to conform to the conditions that

will prevail in the future. Farmers have had an excellent safety record over the years when transporting grain to silos. Grain is heavy for its volume. I know that there has been debate in this House concerning the matter referred to by the member for Flinders, involving the additional tolerance allowed for the transportation of grain during harvest periods. However, farmers usually have only short distances to travel with their grain and the roads they traverse are usually well known to them, which is an additional safety consideration. Also, during harvest time there is an additional speed restriction on their vehicle of, I think, 50 kilometres per hour.

Grain in this State is mainly grown in areas that are mildly undulating or fairly flat. There are only a few hilly areas where grain is grown and care has been taken not to apply any special provisions. Many primary producers have done their best since this matter was first raised to overcome this problem by buying new trucks. I have had farmers come to me in recent months seeking information about this matter. Officers of the Highways Department have given all the information and assistance they can to farmers. However, I know of an instance recently where a farmer went to a wellknown distributor of a popular brand of truck and purchased a truck that he thought would be best for his requirements.

However, he found that his brother-in-law had a truck which, although a little lighter, could carry a greater capacity, whereas his heavier truck went over the restricted limits for bridges in South Australia. Therefore, his truck could not carry as heavy a load as his brother-in-law's truck could carry. There have been many problems in this regard, and farmers have endeavoured to pre-empt what will take place by way of regulation, many of them having done their best to purchase vehicles that will overcome that difficulty. I confirm what the member for Flinders has said. I know how genuine the member for Price is, but could I suggest that, from my experience in visiting farms, most farmers have a very sophisticated set of tools and plant to maintain their trucks, so that most vehicles are kept in very good roadworthy condition. I am glad that the Minister has assured us that the United Farmers and Stockowners of South Australia has agreed to the Bill, and because of that I support the measure.

I realise that I cannot refer to details of an amendment; however, I am glad that the member for Mallee has considered introducing an amendment and, for the reasons outlined by the member for Flinders, I believe that in this instance a minimum penalty is not justified. There are difficulties in regard to absorption of moisture by sheep in full wool, grain taking in water, and over weight to the back axle of a truck because of the movement of stock if the truck stops suddenly. I am confident that there is a difference between the circumstances of ordinary commercial transport operators and those of primary producers. The consideration given to primary producers in this Bill is fully justified, and I support that.

The Hon. M. M. WILSON (Minister of Transport): Without casting aspersions on the lead speaker for the Opposition, the member for Baudin, I want to say how sorry I am that the member for Florey is not here to take part in the debate. I provided him with a draft copy of the Bill well in advance of its introduction and of this debate, because the matter of vehicle dimensions and load limits is difficult. I know that the honourable member was looking forward to the debate. I suspect that the last thing people in hospital would want to do is read *Hansard*, but if the honourable member reads *Hansard*, I hope that he will note the tribute from this side as well as that expressed yesterday by the member for Albert Park on behalf of both sides of the House.

The member for Price and the member for Baudin mentioned the delay in getting this Bill (to quote a phrase from my other portfolio) to the starting gate. Indeed, there has been a very long delay in getting this legislation on to the Statute Book, and one of the reasons was that we must make special provision for the primary producer. When embracing legislation such as this is enacted, involving the very detailed and complicated regulations that have to go with it, the community must be given time to adjust. Since 1975, people in the heavy vehicle industry, whether commercial or rural, have been under threat from some type of legislation in each State of Australia. It takes a long time for people to adjust.

As the member for Goyder and the member for Flinders have said, the primary producer particularly is affected by not knowing exactly what the requirements will be, because primary producers hold on to their vehicles for a long time, perhaps 10 or 20 years. From my investigations in regard to this Bill, I understand that it is not unusual for primary producers to retain vehicles for up to 20 years. Therefore, it is patently unfair on those people to introduce what could be a very onerous measure without giving them time to adjust and change their equipment and plant. That is what this Bill attempts to do. I have been reliably informed by the people whom I have consulted on this matter that some primary producers use the vehicles that will be affected by this Bill only at harvest time. One can see that these vehicles would have a very long life indeed. I hope that the member for Price and the member for Baudin accept the genuineness of the reason for that special exemption.

The member for Flinders said that the details of dimensions and load limits should be contained in the regulations rather than in the Bill, and ultimately in the Act. I am of like mind, and one of the reasons for the delay in introducing the Bill (and, although the member for Baudin was kind enough to absolve me from blame in that regard, I must accept some blame) was that I instructed my officers and the Parliamentary Counsel to incorporate the limits in the Bill. That became an extraordinarily complicated process, and it took months. In the end, both my officers and the Parliamentary Counsel begged me to go back and do it this way. For clarity, it will be better the way it is, although I, with the member for Flinders, believe that things such as this which affect people's livelihood should be enshrined in legislation rather than in subordinate legislation.

The member for Flinders also asked me to explain the 40 per cent overload at harvest and how it relates to this Bill, which provides for a 20 per cent tolerance. I repeat that it is a registration tolerance, a tolerance on gross vehicle mass or total mass (to take up the other point made by the honourable member) and does not involve actual weights. The 40 per cent overload tolerance at harvest is calculated by Ministerial fiat or permit: it is not contained in regulation. It is a Cabinet instruction and is handled under the permit system.

That situation is handled under the permit system and not by regulation. I know that it can be confusing. The member for Flinders has explained that the 40 per cent is only available at harvest, over a limited distance, and a speed restriction applies to the vehicle with that 40 per cent overload.

Mr Blacker: And only in certain areas.

The Hon. M. M. WILSON: Yes. The matter is fairly strictly embraced, but it is done under the permit system. I will deal in Committee with the matters mentioned by the member for Mallee and others, and therefore I commend the Bill to the House. However, I would like to place on record my deep appreciation of the work done by the Heavy

Vehicles Advisory Committee which I appointed about two years ago to assist and advise me on this difficult legislation.

The Chairman of the Heavy Vehicles Advisory Committee, Mr John Ledo, is in the House today. The other members of that committee (and I would like to put the names on record) are Mr Wally Nell, Mr Bob Boxall, Mr Barry Lewis, Mr Doug Johnsson, Mr Warren Duncan, Mr Ian Curran, Mr Ken Thomas, Mr Ron Bishop (appointed today), Mr Ern O'Donnell (former Manager of the Government Motor Garage, who was a member), Mr Ian Denning and, before the member for Albert Park asks me in Committee, there was a trade union representative on that committee, Mr Keith Cys. I commend the Bill to the House.

Bill read a second time.

In Committee.

Clauses 1 to 4 passed.

Clause 5—'Speed limits for certain vehicles.'

Mr BLACKER: Is it expected that the change in terminology will cause problems because of the identifications which have to be placed on vehicles? Will there be a phasing-in period or will the *status quo* be accepted?

The Hon. M. M. WILSON: I would be surprised if the *status quo* was not accepted. We would like to see this come in so that we can get away from g.v.m. and g.c.m. The total mass explains what was mentioned—the total weight of a vehicle, whether it is an articulated or single vehicle. My opinion is that it will be administered with common sense, and we will allow people to maintain the *status quo* until they obtain new vehicles, when the new terminology can be used.

Clause passed.

Clauses 6 and 7 passed.

Clause 8—'Mass of vehicles and their loads.'

Mr LEWIS: I move:

Page 3—

Line 14—Leave out 'not less than one dollar seventy-five cents and'.

Line 18—Leave out 'not less than ten dollars and'.

The effect of the amendment is simply to remove the minimum penalty provisions in the legislation where they relate to overloading. Whilst I have already explained my reasons for this amendment I would like to briefly reiterate them. Although the impact of minimum penalties will be alleviated, nonetheless my real purpose in moving this amendment is to remove the high cost to any primary producer who may be unjustly prosecuted for committing an offence unintentionally. Such a primary producer and any justice of the peace who may be hearing a charge brought against him may not know of the possibility of issuing a certificate of triviality under the Justices Act, and in this situation the primary producer would feel the burden of that minimum penalty quite unjustly.

The best example I could give of this is the one where a load of sheep in a stock crate on a truck is drenched in a downpour. The weight of their mass can increase incredibly as the water is absorbed into the wool, and it is not unlikely that the weight of a semi-trainer fully laden with sheep could increase by more than three tonnes if it is driven for five or six hours from somewhere in the north to Gepps Cross. Having set out on its journey with less than the gross mass that is acceptable, much to his chagrin on arrival at the weighbridge at Gepps Cross, the driver of that vehicle may discover that it is well overweight and that he is liable to a fine of $235 or more, because any part of the additional weight would be charged, under the provisions of this legislation, at a rate of not less than $10 for each 50 kilograms, which is $200 a tonne minimum, and that is unreasonable.

Whilst as a general rule I do not support minimum penalties in the law, under the Road Traffic Act I acknowledge that it does have the desired deterrent effect. However, in this case I think it inappropriate, and I urge all members to support my amendment.

The Hon. M. M. WILSON: Liberal Party policy is against the imposition of minimum penalties. However, if we were dealing with random breath testing or something of that nature, where I believe the question of a minimum penalty is vital as a deterrent, I certainly would not support any amendment to reduce a minimum penalty. However, in this case the Government has considered the amendment, and in the circumstances mentioned, especially of triviality and on the question that there is probably no deterrent action in having the minimum penalty in this case, the Government would be prepared to accept the amendment.

Mr WHITTEN: If this amendment is accepted, will there be a possibility of no fines being applied? Could one have an overload on a vehicle and not be given the minimum penalty?

The Hon. D. J. Hopgood: Conviction without penalty.

The Hon. M. M. WILSON: Yes, that is possible, but unlikely. I would be less than honest if I did not say so. There can be conviction without penalty. The Act allows for triviality. Somebody said that there have been one or two cases of accusation about that over the past few years. The member for Baudin in the second reading debate spoke of a number of problems brought to local members, not on this issue but on the question of vehicle overloading. It is one of the most problem-ridden areas with which members of Parliament have to deal.

The Hon. D. J. HOPGOOD: Further to the matter raised by my colleague, I wonder whether the Minister is in a position to confirm advice given to me that, if the clause was left in its present state, it would still be possible, under the Offenders Probation Act, to record a conviction without penalty. Is the Minister in a position to confirm that?

The Hon. M. M. WILSON: As I understand it, I think under the Justices Act, although it may be the Offenders Probation Act—I am not a draftsman or lawyer—I believe that is so, but it is a complicated procedure. It does not allow a magistrate or a justice on the spot, I understand, to reduce the penalty below this minimum if, in fact, that is what is required or seen as, being necessary by that officer.

Amendment carried.

Mr WHITTEN: Will the Minister explain to me the provisions of clause 8 (6)?

The Hon. M. M. WILSON: It is almost impossible to hold an owner responsible for a rig, consisting of prime mover and trailer, which may be thousands of kilometres away, in another State. For instance, an owner of a trailer may live in Brisbane, but the owner of the prime mover may be transporting that trailer in South Australia. Obviously, the owner of the prime mover has control of the vehicle, has control of its loading (which is very important), and, therefore, must accept the responsibility. I do not deny, because I do not have any facts to do so, that there may have been a case where an owner of a prime mover was blackmailed, shall we say, into overloading. I understand that that has happened. I have had no specific case brought to my attention, but I understand it could happen. There is no doubt that the only person who could be responsible for that rig must be the owner of the prime mover. While one has different systems of loading different trailers with different prime movers it will be that way.

Mr HAMILTON: I would like to put a hypothetical case to the Minister. If, for example, the owner of the trailer fixed up the axles and air brakes in some manner of which the owner of the prime mover was unaware, surely that owner could not be responsible for that.

The Hon. M. M. WILSON: I think that that is unlikely to occur because, as was mentioned before (and I have not

replied on this yet) when one makes a combination it has to be compatible, and it has to pass various dimensional limits. In fact, these will be contained in these regulations. The safety aspect of matching a trailer and a prime mover is absolutely vital, as the honourable member mentioned, especially when carrying something like petrol or gas. I do not think that the scenario the honourable member paints is likely, but I will have to check that out, because I would have to get Crown Law opinion on that aspect, which I will do.

Clause as amended passed.

Remaining clauses (9 to 12) and title passed.

Bill read a third time and passed.

FISHERIES BILL

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 11, line 10 (clause 20)—After 'utilization' insert 'and equitable distribution'.

No. 2. Page 13 (clause 27)—After line 6 insert new subclause as follows:

(3) A person (other than a fisheries officer) engaged in the administration of this Act shall, if he has an interest of a kind referred to in subsection (1) *(a)*, declare the interest to the Minister.

Penalty: One thousand dollars.

Amendment No. 1:

The Hon. J. W. OLSEN (Minister of Fisheries): I move:

That the Legislative Council's amendment No. 1 be agreed to.

The Government recognises that this amendment is an improvement on that moved by the Opposition in this House. The Government has accepted the amendment in another place, and I concur that equitable distribution of a resource is a reasonable and proper objective for the Minister and Director to take into account in the administration of the Act. It is also consistent, of course, with the Government's stated policy objectives for the sound management of the State's fisheries. Therefore, the Government supports the amendment.

Mr KENEALLY: I acknowledge the admonishment of the Minister. My colleagues in the other place installed amendments in verbiage more acceptable to the Minister and the Parliament. I accept that that is probably because the shadow Minister has a great deal of expertise in this area, and I am pleased that the Government accepts the amendment. Of course, I support it.

Motion carried.

Amendment No. 2:

The Hon. J. W. OLSEN: I move:

That the Legislative Council's amendment No. 2 be disagreed to.

In responding on behalf of the Government in this matter, I refer to section 2 of the present Fisheries Act. The term 'inspector' in that Act has now been replaced in the present measure by 'fisheries officer'. Section 8 (1) of the present Fisheries Act refers to inspectors other than the Director of Fisheries and members of the Police Force. Clause 27 of the Bill, as carried by this House, is broader than is section 8 of the existing Act, and I refer specifically to the phraseology, which has been improved and expands the ambit of 'proprietary or pecuniary interests' from, first, commercial fishing or any boat used in any such fishing; secondly, a business or company or trust that has an interst in a business involved in the taking of fish or dealing in or with fish.

Clause 27 (1) *(b)* deals with a person acting as an agent, and whereas section 11 (2) of the present Fisheries Act provides the Government with a discretion in revoking the appointment of an offender, clause 27 (2) in the measure before the Committee is much stronger, providing that a fisheries officer appointed by the Governor shall automatically cease to hold office as a fisheries officer. This comparison between a provision in this Bill and a corresponding provision in the existing Fisheries Act is typical of how the Government has strengthened and refined the new fisheries legislation. Every provision in every clause of the Bill has been drafted with the same precision and care. The Government firmly believes that clause 27, as carried by this House, has gone as far as is needed in dealing with proprietary or pecuniary interests. Fisheries officers have had this sort of restraint on them for a number of years, and they are the enforcement officers and the persons policing the legislation, initiating the prosecutions. It is appropriate that this type of restriction should continue to be imposed upon them.

However, clause 27 (3), which was carried in the other place on the motion of the Hon. Mr Milne, is an entirely new situation and it brings within the ambit of restriction on interests not only to fisheries officers but any other person engaged in the administration of the Act, by requiring such persons to declare such interests to the Minister. This is an unwarranted reflection on the integrity of public servants in general, and, I trust, is not a forerunner of other amendments to be moved by the Australian Democrats to bring this sort of provision into other Statutes administered by public servants in other departments.

This amendment was supported by the Opposition members in another place, so the Opposition Party similarly deserves what I believe to be a rebuking for taking this stance towards public servants. I would remind those who have supported the amendment that the patronage system and accompanying nepotism which prevailed in Public Service institutions in the nineteenth century was replaced during that period by reforms such as open entry, promotion on merit, security of tenure and classification in return for neutrality, anonymity and integrity. It is my view that public servants in the South Australia Public Service continue to maintain a high standard of integrity and trust. The provisions incorporated in the measure brought before Parliament by the Government maintain that situation. The amendment does not provide the Minister with an obligation to take any action once he receives the declaration, but the mere fact that it requires a public servant to make the declaration in the first instance in itself is unsavoury. There is no merit in the measure; the Government therefore opposes the amendment of the Legislative Council.

Mr KENEALLY: The Minister has been very eloquent in his defence of the legislation as originally drawn. It reminds me of his colleague, the member for Victoria, who, if the circumstances were different, would I believe have been able to make a very similar defence of that legislation. The eloquence has not convinced me or the Opposition that this amendment ought not be supported by the Committee. I point out to the Minister that he acknowledged the drafting abilities of the other House with regard to the first amendment, but he seems to lack some confidence in that august Chamber in its efforts to draft amendments to this clause.

The Opposition believes that the amendment, although not originally as it would have wished (its amendment was defeated in another place because the Hon. Mr Milne felt disinclined to support it), contains the principle in which we believe and as such we are prepared to support Mr Milne's amendment. I do not think that any good purpose would be served by my repeating here the arguments that were adduced in the Legislative Council. I will content myself by opposing the Minister's motion on this occasion and hopefully the Committee will see the logic of that opposition and the Minister's motion will be defeated.

Motion carried.

The following reason for disagreement to the Legislative Council's amendment No. 2 was adopted:

Because the amendment is unwarranted.

DAIRY INDUSTRY ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

STATUTES AMENDMENT (PLANNING) BILL

Returned from the Legislative Council with the following amendment:

Page 5—The Schedule—After subsection (4) in Part IX of the Schedule insert subsection as follows:

(5) A reference in any Act, regulation, rule or by-law to the Metropolitan Planning Area as constituted under the repealed Act shall be read and construed as a reference to Metropolitan Adelaide as defined in the Development Plan.

Consideration in Committee.

The Hon. D. C. WOTTON: I move:

That the Legislative Council's amendment be agreed to.

I do so because, very simply, the Government has received an indication from the Parliamentary Counsel that the amendment, as a machinery amendment, is necessary, and the advice that I have received from my department supports that indication of the Parliamentary Counsel. Therefore, I would urge the Committee to support this amendment.

The Hon. D. J. HOPGOOD: As the Minister has said, this is a drafting amendment and the Opposition has no worry about it. I suppose we have to say, as a Committee, that it is a pity we did not pick it up when it went past us, but I gather it is one of these less/more things and that if we did not carry this amendment the Bill might still be in a reasonable sort of shape. But in an excess of caution we are proceeding the way we are and in a spirit of co-operation from the Opposition, it being so late towards the end of the Parliamentary week, we are only too happy to extend the hand of co-operation.

Motion carried.

LOTTERY AND GAMING ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 2 June. Page 4243.)

Mr SLATER (Gilles): The Opposition has given this Bill very careful consideration, and will be supporting it. The proposal included in the Bill provides for the amendment of section 14b of the principal Act in regard to the lottery and gaming regulations, which will allow exemptions for licensees under the Collection for Charitable Purposes Act and from the payment of lottery licence fees.

As the Minister stated in his second reading explanation of the Bill, the licence fees have been a source of irritation to a number of charitable organisations and service clubs. This amendment will allow the full proceeds to go directly to the charities for which the proceeds are raised. The fees in themselves at first glance do not appear to be restrictive or great, but we have to remember that the licence fees are charged on the gross turnover. Of course, the moneys raised are at times subject to a significant amount being taken out of the gross proceeds. The regulations provide that for a general licence a 2 per cent licence fee is payable on gross proceeds derived from a lottery where the proceeds are up to and including $2 000. A 4 per cent licence fee is payable on gross proceeds derived from a lottery where proceeds exceed $2 000.

There are occasions when the charitable organisations, from a gross turnover point of view, might raise substantial amounts of money and are subject to the 4 per cent licence fee. One example, which was brought to attention by my colleague in another place, the Hon. John Cornwall, relates to one association which was subject to the 4 per cent tax on the proceeds of its efforts to raise funds. I am referring to an organisation called the Heartbeat Association. I use this group as an example; no doubt there are many others. The Heartbeat group were quite upset. Perhaps I should quote from a press statement made by the Secretary of the organisation, as follows:

The Heartbeat groups cater for people who have had heart surgery. Members offer moral support to people facing surgery or to people being rehabilitated following an operation. The Secretary of the Southern Districts Heartbeat group said he had written to seven Parliamentary members asking for the tax to be lifted. The Statewide organisation has raised $30 000 to buy hospital equipment.

The Secretary thought it disgusting that the association should be taxed on the amount of $30 000 raised. He said:

Approximately $14 000 was spent on equipment for the heart surgery unit of Royal Adelaide Hospital and the remainder on hospitals in Port Augusta and Port Pirie. Almost 1 000 members belong to the Heartbeat organisation, which started last year and now has groups around the State.

I mention that organisation, but there are plenty of others which should receive consideration for the remission of these licence fees.

There are other organisations outside of charitable institutions and service clubs who might receive consideration in regard to the remission of licence fees: for example, school councils, and parents and friends groups raising money which goes back to support the education of their children within that school. I understand that, in regard to this change to the Lottery and Gaming Act and regulations, discretion could be used to enable those people to come under this remission of fees, if the Governor, or the Government, as it may be, may so desire.

The Hon. M. M. Wilson: Or anybody else.

Mr SLATER: Yes. I think there needs to be certain criteria established. I have no objections at all to charitable organisations or service clubs, depending on how and where the proceeds are to be utilised. I think that is important. If we widen it too much we might as well not have licence fees at all. I can think of other organisations that might be worthy, such as political groups, who might want to be exempted from the payment of licence fees. I can point out one—

The Hon. M. M. Wilson: It is all one big lottery, anyway.

Mr SLATER: I might point out to the Minister that I may not support political Parties having that remission; plenty of other groups within the community raise substantial amounts of money in regard to participation in small lotteries, and all the other things involved, particularly bingo. It gives us the opportunity to consider what I would describe as worthwhile organisations raising funds for a particular purpose but which is not actually a money-raising organisation for its own purpose, doing this on behalf of a charity. I can think also of school councils, where the money goes directly back into education.

It is my opinion that the lottery and gaming regulations need review. I know that this is a matter in which my colleague the member for Whyalla is particularly interested. I refer to the regulations governing the game of bingo. Those regulations have been in operation since 1971. There have been some amendments, not substantial, in the light of experience since that time. One amendment last year, on 30 April, which amended regulation 19 of the Lottery and

Gaming regulations was, I believe, a change of regulations for convenience to assist the Australian Soccer Pools Pty Ltd providing it with the opportunity to establish agencies in establishments where there was already an established agency of the Lotteries Commission.

Although there have been changes, they are not significant, substantial changes but what I describe as changes of convenience rather than looking at this wide scope, particularly in relation to the game of bingo.

The Hon. M. M. WILSON: I think we did have a change last year with bingo.

Mr SLATER: There have been minor changes over a period since 1971. There have been changes in regard to minor lotteries but there have not been substantial changes to the regulations, which I think need to be reviewed. I believe that the promoters or sponsors of the game of bingo, in particular, are anxious to see some amendments made to those regulations.

The Opposition supports this Bill. I believe that this could be an opportunity to consider some worthy organisations other than those covered under the Collection of Charitable Purposes Act and service clubs. I ask the Minister to give that matter some consideration.

Mr BECKER (Hanson): Progress sometimes in this House and this State is extremely slow. As the member who has just resumed his seat would know, when we consider legislation in relation to the Lottery and Gaming Act, it can be very slow and frustrating. It is pleasing to be able to support this legislation. I am pleased that the honourable member who has just spoken is supporting this legislation because, at long last, it removes an incentive initiative and a penalty and imposition that was brought in by his Government. One must give credit where credit is due, because it was his Government that legalised small lotteries in South Australia.

Mr Slater: Yes, it was a great step forward.

Mr BECKER: It was a great step forward when the Labor Party legalised small lotteries, Melbourne cup sweeps, and so on, but what it did was put an imposition of 2 per cent and 4 per cent on those very worthwhile organisations that had to go out and raise the money. We did not hear anything about that.

Mr Slater: It covered everybody.

Mr BECKER: It covered everybody but the honourable member's Party placed an imposition on it. We were better off under the old system where we could run competitions and we did not have to pay any fee, did not have to fill out any bits of paper, and did not have to go through a whole lot of bureaucratic rubbish set up by the previous Government.

Mr Slater: You didn't—

The SPEAKER: Order! The honourable member for Gilles would know that the starting gate is opened only once. The honourable member for Hanson.

Mr BECKER: That is the whole point. It is very well to introduce legislation, but one should think of the cost it has been to the State to police the legislation, as well as the cost that it has been to the various organisations, including those he mentions now over and above the various charities. The member for Gilles should accept that it is time (and I would like him to join me in this) to drop the word 'charity', because the organisations we are talking about are voluntary health, welfare, and, if he wants to include them, education organisations.

The Hon. M. M. Wilson: You know that he is supporting the Bill.

Mr BECKER: He may be supporting the Bill, but, had his Party done the right thing years ago—

Mr Slater: I tell you what: the way you're going I might change my mind.

Mr BECKER: That does not worry me in the slightest.

Mr Evans: Is sport a health organisation?

Mr BECKER: I believe not. I believe, in the extremely narrow confines of the Collections for Charitable Purposes Act, that we are dealing with voluntary agencies. Unfortunately, because of the system we have in this Parliament, we cannot seem to get rid of that word 'charity'. If we use the words 'voluntary agencies' we would be starting to do something. I was incensed when I picked up the local paper this morning to read the following article under the heading 'Service clubs fight against lottery licence fees':

> Five service clubs have banded together to challenge the State Government over payment of Lotteries Commission profits to charity. They will also fight against payment of licence fees for lotteries which benefit charity.
>
> The five bodies—Lions, Rotary, Apex, Jaycees and Kiwanis—have formed the Association of Community Service Organisations. The association represents 12 000 service club members across the State.
>
> Association public relations officer David Bennier of Hallett Cove said the body believed distribution of Lotteries Commission profits was 'inequitable,' and the Government's policy on lottery licence fees was 'an imposition against good works'. 'When lotteries were introduced, one argument for justification was that charities would no longer need to hold badge days, et cetera,' Mr Bennier said.
>
> 'Profits from the Lotteries Commission would be evenly distributed to recognised organisations throughout the State. Today service clubs and community organisations are repeatedly approached by major charities or welfare agencies for urgent finding. The grants requested in many cases exceed $10 000,' he said.
>
> Mr Bennier said the service clubs had the ability to raise funds of this order.
>
> However, in the past 12 months, organisations represented by the association had to pay the Government $23 000 in licence fees for charity lotteries. He said in real terms the amount paid represented $115 000 if applied to charities which attracted Federal Government subsidies.
>
> 'On both the issue of lottery profit distribution and that of licence fees for fund-raising the association will continue to challenge the Government into revising its attitude,' Mr Bennier said. The association will also administer a trust fund for disabled people.
>
> The fund was set up in 1981 as a joint service club contribution to the International Year of Disabled Persons. The association's main aims are to: co-ordinate service clubs' approach to common issues; present a united effort on matters of social and national importance; and to support member service clubs in promoting projects and back approaches to Governments.

I was disappointed when I read that article, and I approached Mr Bennier later this afternoon about the correctness of the article, which appeared in the *Guardian* of Wednesday 9 June 1982. He said that he had issued that release but that it had actually been given to Messenger Newspapers in April this year. The tragedy is that he takes a swipe at the Government about something on which it has been working for 18 months. There has been more than one occasion when an announcement has been made that the Government was looking at reviewing the system of fees for the various voluntary organisations.

We are here introducing legislation to assist the various organisations and service clubs that were aware that the Government was doing something about this matter. The article confuses the issues so far as the Lotteries Commission is concerned, because that commission is the greatest competitor that the voluntary agencies have; they have to compete, first, with the Lotteries Commission.

Mr Trainer: What about the Liberal raffles in Hanson?

The SPEAKER: Order!

Mr BECKER: The instant cash game that was introduced by the Lotteries Commission has made it extremely difficult for voluntary agencies to establish and successfully conduct raffles, whether small or large. It certainly has made a lot of difference to the voluntary agencies.

The Government is reducing the fee, and, if the honourable member had done some more homework, he would know that the Multiple Sclerosis Association approached his Government three years ago, because that body was paying about $5 000 a year in fees. That organisation, which does not cover a large number of people in the community, is a very worthwhile and valuable organisation in providing health and welfare services to the people it represents. We hear little about those organisations that are involved in hidden disabilities.

It is disappointing that this Bill was not introduced during the International Year of the Disabled Person. The services clubs have stated that the special trust was set up in recognition of that year which, unfortunately, did not cover all disabled groups in the community. The physically disabled received the benefit. Being involved in a voluntary agency, I thought that it would be interesting to take out some statistics in regard to the support that my organisation received in 1981 from the various service clubs, because this is one of my bones of contention in regard to this Bill.

In 1981, from a turnover of about $60 000, we received about $4 000 from 16 service clubs. Those donations were mainly for the purchase of equipment. So, there were always strings attached. The service clubs that supported the Epilepsy Association in 1981 were: one Kiwanis club; eight Lions clubs (one of which helped to demolish an old shed, build a double garage with a concrete floor, and replace wiring); one Leo club, four Rotary clubs, one Rotaract club, and one Innerwheel club. The Adelaide Apex Club was the only service club that made a donation to the Epilepsy Association that calendar year.

Those statistics show the support that the association received, particularly in regard to hidden disabilities, from service clubs, yet service clubs want to be put on the same level as voluntary agencies. That is where I cross swords with this Bill. There is no doubt that many other voluntary agencies in the community experience the same difficulties. On the other hand, the service clubs, as the article stated, receive a large number of requests from voluntary and other organisations for support, including sporting bodies. I do not deny those organisations that opportunity to apply to the service clubs, because the service clubs have built up an excellent reputation and a strength in the fund-raising field. One sees that the personnel involved in service clubs have the ability, and the contacts, because they are all successful business people, to quickly organise major fund-raising events.

If service clubs are to be encouraged to continue their work in the community, I would like to see greater accountability, because I believe that that has been lacking. The voluntary agencies are fully aware that they must be accountable not only to their members but also to the community. On occasions problems have been created in regard to voluntary agencies in that regard. A misdemeanour, committed by a staff member of a voluntary agency, affects that organisation's fund-raising efforts tremendously. Although I do not wish to harm organisations, I indicate that Austcare is one organisation that has received unfortunate publicity, whether or not it was true. That publicity had some impact, but I believe that that body has overcome this impact and its current fund-raising programme is proving to be far more successful than have past campaigns.

The service clubs have a habit of establishing raffles, particularly in the Glenelg area, as the member for Glenelg would be aware. One service club has a stall there. It also has a caravan every Saturday morning on Jetty Road, and raises thousands of dollars. They advertise to support local charity. I have yet to find what local charities are established in the Glenelg area, except Minda Home and the Kate Cocks Baby Home.

I attended one meeting of a service club, and the Secretary of a neighbouring club wrote and asked if they could make a donation of $1 400 to enable St John to purchase an Emcare ambulance to service the Glenelg district. The club, which had $12 000 in its charity fund, flatly refused to assist its neighboring club to buy an ambulance to service Glenelg. That is the sort of selfish attitude that one gets with some personalities within some service clubs. That attitude and that type of organisation are harming the whole of the reputation of not only their own service but of all service clubs in South Australia. It is hardening and difficult when one is involved with a voluntary agency when one has to go out and raise every dollar.

Mr Evans: Are the service clubs voluntary agencies?

Mr BECKER: Service clubs are voluntary agencies, but some service clubs are conducted on such a professional basis that they have a lot of questions to answer for and their accountability needs to be examined. If a service club wants to conduct raffles and fund-raising activities it should have the courage to put on its tickets or display by way of advertisement which organisation or voluntary agencies it is supporting. It should also stipulate either the percentage or the amount involved.

I refer to an example when we formed the Epilepsy Association. One service club approached me and said 'It is a worthwhile cause, so we will be prepared to assist you.' They said they would raise $2 000 for us. I thought that would be tremendous—a great start. They said, 'Leave it up to us, we will organise the whole thing'. They went out and approached a manufacturer of colour television sets and got it for the wholesale price. They printed about 10 000 tickets and said to us, 'There you are. You sell the tickets, and when you have done so, you give us the money, and we will then write you a cheque.' However, they made one stipulation. They said that they would like to have a photo taken by the local paper of the handing over of the cheque. I said to them, 'You want my committee and supporters to do all the work, but you want to get all the publicity. It is not on, and, as far as I am concerned, this is the end of my association with your organisation.' It is not the first service club in this State to try that stunt and it will not be the last. If they want to try to discriminate against my organisation or any other voluntary agency, they have to be truly accountable. It is high time that we insisted on that aspect. Through the Collections for Charitable Purposes Act, the various voluntary agencies are accountable, because they must present their balance sheets and must account for their expenditure. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

ADJOURNMENT

At 5.58 p.m. the House adjourned until Tuesday 15 June at 2 p.m.

HOUSE OF ASSEMBLY

Tuesday 8 June 1982

QUESTIONS ON NOTICE

AIRLINE STAFF

382. **Mr SLATER** (on notice) asked the Minister of Transport: Has the Government taken any action or made any protest or approaches to Trans Australia Airlines in relation to their intention to centralise activities in another State, which may affect employment opportunities and reduce staff in South Australia?

The Hon. M. M. WILSON: I have been informed that Trans Australia Airlines proposes to centralise the activities of their finance department in Melbourne over the next 12 to 18 months. Up to 40 employees in South Australia will be offered positions interstate and I have been assured that no employee will be retrenched as a result of this action.

TRAFFIC INFRINGEMENT

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

1. Does the Government intend to introduce increased penalties for most road traffic infringements during 1982?

2. Is the Government reviewing all road traffic infringement penalties with a view to increasing such penalties at a later date?

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

1. The Government has no proposal to introduce increased maximum penalties for most offences under the Road Traffic Act during 1982.

2. Penalties are reviewed, from time to time, to ensure they are of sufficient deterrent value and reflect the seriousness of offences.

SEXUAL ASSAULT

429. **Mr HAMILTON** (on notice) asked the Chief Secretary: How many cases of sexual assault were referred to the Rape Crisis Centre in 1978, 1979, 1980 and 1981, respectively, and how many prosecutions have been initiated as a result of such referrals?

The Hon. J. W. OLSEN: Records are not maintained which could provide the required information.

APPRENTICES

555. **The Hon. J. D. WRIGHT** (on notice) asked the Minister of Industrial Affairs:

1. Has the apprenticeship training area at Netley for joiners, French polishers, carpenters and cabinet makers been closed and, if so, why?

2. How many building trade apprentices were employed for 1982?

3. Where will these apprentices be trained in future?

The Hon. D. C. BROWN: The replies are as follows:

1. No.

2. At 25 March 1982 the Public Buildings Department employed 34.

3. Building trade apprentices will continue to be trained in all areas possible including the Netley training area within the central workshops branch.

STATE TAXES

592. **Mr BANNON** (on notice) asked the Premier:

1. What is the expected percentage increase in State taxes in 1981-82 compared with the previous year?

2. What were the actual percentage increases in total State tax collections (over the previous year) in each of the years 1977-78 to 1980-81?

The Hon. D. O. TONKIN: The replies are as follows:

1. The expected percentage increase in State tax collections in 1981-82 is approximately 11 per cent compared with 1980-81.

2. The actual percentage increases in total State tax collections (over the previous year) in each of the years 1977-78 to 1980-81 compared with the consumer price index for Adelaide for the same years were:

	Increase in State Tax Per cent	Increase in S.A. C.P.I. Per cent
1977-78	4.95	9.9
1978-79	5.7	7.4
1979-80	10.1	10.1
1980-81	5.0	9.2

These percentages have been derived from the figures which appear in Parliamentary Paper No. 7 (Estimates of Receipts) under the heading 'Taxation'. The estimate format was changed as from 1 July 1981 and a number of receipt items not previously shown under Taxation were included in this area for the first time in 1981-82. To enable a comparison to be made over the years 1977-78 to 1980-81, those receipts now classed as Taxation but shown elsewhere in the estimates documents prior to 1981-82 have been included.

ANGAS HOME

613. **The Hon. PETER DUNCAN** (on notice) asked the Minister of Environment and Planning representing the Minister of Housing:

1. Who has purchased Angas Home at Parafield Gardens from the South Australian Housing Trust?

2. What was the price paid?

3. How is the trust proposing to expend the money received from this sale?

4. Did the Salisbury council register an interest with the trust in the purchase of the home and, if so, did the council subsequently indicate that they would not be able to purchase, but ask that it be kept informed in advance as the local authority, of persons or organisations which might purchase the home?

5. Was the council advised in advance of the contractual arrangements being entered into between the Housing Trust and the purchaser and, if not, why not?

6. Was the title to the land on which the Angas Home is situated encumbered at any stage, by a trust or other means, by which the land was to be used for purposes of deaf and dumb people?

The Hon. D. C. WOTTON: The replies are as follows:

1. The Angas Home complex has been purchased by the New Testament Church of God.

2 and 3. The consideration amount was $75 000. This money will be utilised within the trust's programme to provide housing for people in need.

4. In response to an advertisement by the trust the Salisbury council registered an interest in the Angas Home by letter dated 30 July 1981. On 9 September 1981 the council wrote withdrawing its interest but indicating it would be

interested in becoming involved in any discussions on any submission.

5. The Salisbury council was not advised directly by the trust of any negotiations being undertaken with various prospective purchasers. Each enquirer was told to contact the Salisbury council and discuss its proposal with that body before committing itself further. Enquirers were told that council consent was likely for the uses to which the Angas Home might be put. They were also advised to approach any other appropriate authority such as the South Australian Health Commission and the Commonwealth Department of Health if for instance nursing home use was contemplated.

6. The Housing Trusts title to the Angas Home land is free of any trust or encumbrance to use the land for the purposes of deaf and dumb people. The original trust over this property was dealt with by the previous owners, the South Australian Adult Deaf Society Inc. which approached the courts and received permission to dispose of the property and use the funds received for the benefit of deaf and dumb people at its South Terrace, Adelaide premises.