HOUSE OF ASSEMBLY

Thursday 2 June 1983

The House met at 11.45 a.m.

SPEAKER'S ABSENCE

The CLERK: I have to announce that, because the Speaker is absent overseas, he will be unable to attend the House this day.

The DEPUTY SPEAKER (Mr Max Brown) took the Chair and read prayers.

PETITIONS: PRESCRIBED CONCENTRATION OF ALCOHOL

Petitions signed by 36 residents of South Australia praying that the House legislate to reduce the prescribed concentration of alcohol to 0.05 per cent were presented by the Hon. D.J. Hopgood and Mr Meier.

Petitions received.

PETITION: ALCOHOL ADVERTISING

A petition signed by 22 residents of South Australia praying that the House legislate to ban alcohol advertising from commercial television and radio was presented by the Hon. D.J. Hopgood.

Petition received.

PETITIONS: MEAT SALES

Petitions signed by 124 residents of South Australia praying that the House reject any legislation to extend the existing trading hours for the retail sale of meat were presented by Mrs Appleby and Mr Hamilton.

Petitions received.

QUESTIONS

The DEPUTY SPEAKER: I direct that the following written answers to questions be distributed and printed in *Hansard:*

MAIL ORDER PUBLICATION

In reply to the **Hon. PETER DUNCAN** (20 April).

The Hon. G.J. CRAFTER: I am advised by the Minister of Consumer Affairs that the advertisement referred to by the honourable member has been investigated by officers of the Department of Public and Consumer Affairs. It is not considered that the advertisement contained in the mail order publication breaches South Australian laws relating to unfair or misleading advertising.

SWIMMING POOLS

In reply to **Ms LENEHAN** (23 March).

The Hon. G.J. CRAFTER: I am advised by the Minister of Consumer Affairs, that the Commissioner for Consumer Affairs receives a number of complaints about swimming pools, although it would appear that not all the 27 persons referred to by the honourable member have lodged complaints for investigation. The Minister of Consumer Affairs and the commissioner have recently met with the two consumers identified in the honourable member's question, and discussed their complaints in some detail. The Department of Public and Consumer Affairs is now investigating these complaints further.

The department is concerned with the attitude of some swimming pool builders who have failed to complete pools to an acceptable standard and within a reasonable time, and further action is being considered. The Commissioner for Consumer Affairs is also considering issuing a public warning about these builders. There is also some concern about the Swimming Pool and Spa Association of S.A. Inc, as complaints have recently been received regarding some of its activities. These complaints are presently being investigated and the commissioner intends to discuss them with the association's executive.

Any consumer who requires assistance regarding a swimming pool contract or who wishes to complain about a swimming pool builder should contact the Consumer Services Branch of the Department of Public and Consumer Affairs.

QUESTION TIME

SPECIAL BRANCH

Mr OLSEN: Will the Premier say whether the Government will give a clear and unequivocal commitment to maintain the Police Special Branch as it is now constituted under the obviously satisfactory guidelines laid down in 1980? In correspondence to me dated 23 May, the Chief Secretary confirmed that the Police Special Branch was still operating according to the guidelines approved by the previous Government in November 1980. I welcome the decision of the present Government to maintain these guidelines, which provide a reasonable operating base for a successful and important police service to the community. The letter states, in part:

> The Special Branch of the Police Force is still operating according to the guidelines approved by Executive Council on 20 November 1980. The Special Branch was not involved in providing any information to the Federal Government in connection with the Russian diplomat, Mr Ivanov. The branch had only very limited involvement concerning the diplomat during his visit to Adelaide in April 1983. This was in the nature of a minor request from a Federal agency within the terms of the abovementioned guidelines. Prior to the request being fully actioned it was cancelled by the agency concerned.

Newspaper reports indicate that there are elements within the Laboror Party—both inside and outside the Parliament—which would like to see the activities of the Special Branch reduced or even eliminated. In view of this opposition to Special Branch, I ask whether the Government will give a clear and unequivocal public commitment to maintain the present operations of Special Branch under the guidelines of 1980.

The Hon. J.C. BANNON: The Government has no plans to change those guidelines or the nature of Special Branch. Obviously, any Government at any time has the right to review arrangements in any area of administration, and the previous Government did just that. I repeat that we have no plans to make any changes at this time.

WATER SUPPLY

Mr KLUNDER: Will the Minister of Water Resources set the record straight in relation to a recent claim in the *North-East Leader* newspaper regarding the provision of

auxiliary diesel pumps at pumping stations? In the *North-East Leader* of 5 May, the member for Todd suggested that the Minister of Water Resources had decided not to provide auxiliary diesel pumps—

Mr Ashenden: I said no such thing. Tell the truth.

The DEPUTY SPEAKER: Order!

Mr KLUNDER: —at pumping stations to act as back-up power supplies in the event of a bush fire. Can the Minister say whether there is any truth in the claims made by the member for Todd? Also, is the E. & W.S. Department investigating alternative power sources to ensure water supplies during bush fires?

The Hon. J.W. SLATER: I thank the honourable member for his question, and I welcome the opportunity to again expose the half-truths and inaccurate statements that have become part of the behaviour of the member for Todd. The E. & W.S. Department is investigating alternative power sources to ensure adequate water supplies in the event of power failures during a bush fire.

Mr Ashenden interjecting:

The DEPUTY SPEAKER: Order!

The Hon. J.W. SLATER: One of these sources is the provision of auxiliary diesel pumps at pumping stations.

Mr Ashenden interjecting:

The Hon. J.W. SLATER: The other alternatives include rebuilding pumping stations in fire risk areas to improve their ability to withstand fire, and also to make water available to the C.F.S.

The Hon. J.D. WRIGHT: I rise on a point of order, Mr Deputy Speaker. The member for Todd has twice interjected across the Chamber using either the word 'lie' or the word 'lies' and I ask him to withdraw those words.

The DEPUTY SPEAKER: The Chair did not hear the word, but I ask the member for Todd: is it a fact that he did use the word?

Mr ASHENDEN: Yes, it is correct. I used the word 'liar'. I withdraw that, and I say that the member for Newland was telling untruths.

The Hon. J.W. SLATER: I was pointing out that there are a number of alternatives in relation to this matter which are being considered by the Engineering and Water Supply Department. Other alternatives are: making water available to the C.F.S. from selected points on the Mannum-Adelaide pipeline; and providing mobile auxiliary pumps which could be connected to pumping stations and deployed quickly when required.

While providing auxiliary diesel pumps at all pumping stations would be a costly alternative, they have not been eliminated as a possibility, as suggested by the member for Todd. As usual, he has scurried off to the media in search of publicity and, in so doing, has withheld information to suit his own purposes.

I wrote to the member for Todd on 12 April. I mentioned that the Engineering and Water Supply Department was investigating all these alternatives to secure water supplies in the event of power failures during a bushfire. I also mentioned that investigations were at an early stage, that no final decisions would be made at this time, and that I would write to him again when there were firm proposals.

Nevertheless, he took it upon himself to promote the article in the *North-East Leader,* and I want to assure him and the people of South Australia that my department will thoroughly investigate the situation and take all necessary precautions that are practical and economical before the next bushfire season.

ASIO ROYAL COMMISSION

The Hon. E.R. GOLDSWORTHY: Does the Premier believe that the Royal Commission into ASIO should examine records held by the South Australian Police Special Branch, and will the Government of South Australia be making a submission to the commission?

The Federal member for Hindmarsh, Mr Scott, has made a number of public statements in relation to this matter. A report in the *Advertiser* on 23 May quoted Mr Scott as urging the State Government to make a submission to the commission. He said that South Australia was qualified to go before the commission because of its experiences with the Special Branch and the White Report into the secret files held on citizens.

A report in last week's *National Times* reveals that Mr Scott has also proposed to the Federal Attorney-General that the commission should examine all personal records held by ASIO and State police special branches. The *National Times* report suggests that disquiet within the Labor Party over the role and activities of our security services is particularly strong in South Australia.

As a result, I understand that a number of motions are to be mounted on this matter at the State A.L.P. Conference later this month. In view of this increasing public debate about the matter, I ask the Premier to give us information on these two points.

The Hon. J.C. BANNON: There is no present intention to make any submissions. Obviously, the matter will be one for my colleague, the Attorney-General, for consultation with the Chief Secretary if it was felt necessary to recommend anything to Cabinet. Of course, there is some concern in this area. However, it is being dealt with at a Federal level through the Royal Commission to which reference has been made. At this stage, there are no plans for the Government to make sbmissions or be involved.

BRIGHTON PRE-SCHOOL CENTRE

Mrs APPLEBY: Can the Minister of Education tell the House whether the Brighton Pre-School Centre will be relocated at a site on the eastern side of Brighton Road? This has been a smouldering situation in my electorate for some time now prior to my becoming the member, and has continued. It has created great dissatisfaction and concern amongst the parents of the children who attend the pre-schools, as well as the administrators of the existing pre-schools.

The Hon. LYNN ARNOLD: I can advise the honourable member, and I also believe that the answer on this matter would be of considerable interest to the member for Glenelg as there has been concern about it in both the electorates of Brighton and Glenelg. The decision on the result of advice I have received is that the relocation of the Brighton Kindergarten should be to a suitable site west of Brighton Road and that, if there is no site available, the existing kindergarten premises should be refurbished. In giving that answer to the House I have had to take into account a considerable amount of information and advice from a number of sources. Certainly, the member for Brighton has been lobbied by kindergartens in her electorate and has received an argument that they have put against the resiting of the Dover Gardens and Warradale kindergartens, and I know that the member for Glenelg has had an active interest in this matter as well because the Brighton pre-school is within his electorate. The matter has been of concern to all those kindergartens.

It is true that the Brighton pre-school is in need of refurbishing. It is also true that it is on the side of a busy road

and that if it were to be refurbished on that site considerable thought would have to be given to both the noise and the potential safety hazards that result there. However, the information from both the Dover Gardens and Warradale kindergartens and the research done by both the Kindergarten Union and by the Early Childhood Education Advisory Committee, which is responsible to me as Minister, is that it would not be appropriate for that kindergarten to be resited across the eastern side of Brighton Road because it could have an effect, among other effects, on the enrolments of those other two kindergartens.

Also, the proposal to relocate east of Brighton Road had essentially depended on the availability of some land that the Brighton council had intended to develop as a community centre on Voules Street, near the local primary school. The real proposal from the Brighton pre-school centre rested on the viability of that proposal. I have been formally advised by the Brighton council that that proposal will not be proceeded with; so on those grounds alone it is no longer appropriate to consider the relocation of the kindergarten east of Brighton Road.

I can assure members that it is our intention to continue to have that matter examined with regard to finding an alternative site west of Brighton Road. I hope that discussions with the Brighton pre-school centre and with other agencies may result in a successful conclusion to that. I thank both the member for Brighton and the member for Glenelg for their assistance in this matter in making sure that we have an appropriate provision of pre-school resources in that area and that we use the limited resources that we have at our disposal as a Government to make sure that they are spread as efficiently as possible without undermining any existent resources.

Mr IVANOV

The Hon. D.C. BROWN: Before the Deputy Premier made a statement to the *Advertiser* relating to an approach to him by the expelled Soviet diplomat, Valery Ivanov, was he given information associating Mr David Combe with Mr Ivanov? A report in the *Advertiser* of 26 April quoted the Deputy Premier as saying that Mr Ivanov had contacted his office with a view to inviting him to Russia. This report appeared four days after the Federal Government announced the expulsion of Mr Ivanov, but two weeks before the Prime Minister revealed that Mr David Combe was linked with the reasons for this expulsion.

The Deputy Premier revealed in answer to Opposition questions (in fact, my question in this House on 13 May) that the approach to him by Mr Ivanov had followed a luncheon held with Mr Combe on 1 February. I have been reliably informed that the Deputy Premier made his statement to the *Advertiser* on this matter after being aware that Mr Combe's involvement in this matter was to be made public and that it could embarrass the Deputy Premier. Honourable members will be aware that a Federal Minister (Mr Young from this State) has already been reprimanded by the Prime Minister for revealing the fact that Mr Ivanov was to be exposed some hours before the Federal Government made the announcement on the expulsion.

This has led to an allegation that a number of other people were also tipped off about Mr Combe's involvement in this matter some time before it was revealed by the Prime Minister. Therefore, I ask the Deputy Premier whether it is the case that he was aware of Mr Combe's involvement in this matter when he made his statement to the *Advertiser,* which was reported on 26 April and, if so, who was that informant?

The Hon. J.D. WRIGHT: An absolutely devastating question; it has got me terribly worried! I am shocked by this question! As usual, the member for Davenport is running three weeks late.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. J.D. WRIGHT: What has happened in regard to this matter is that a person from the A.B.C. *Nationwide* programme, or someone from such a programme, no doubt informed the Deputy Premier that he should try to bluff me, like they tried to bluff me: this story is getting around that Mick Young advised me about something. Let me say to the member for Davenport that, as usual, his information is totally unreliable; it is not reliable at all, as he described it. I would suggest that in future he should check his information, because I told the A.B.C. reporter where to go and what to do, and he has not come back.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. J.D. WRIGHT: I do not think the member for Davenport would want to come back on this question, either. If he requires some further information he should refer to pages 1617 and 1618 of *Hansard,* where the reply that I gave previously to a question on this matter is recorded. I have nothing to hide in this matter.

The Hon. D.C. Brown: Answer the question.

The DEPUTY SPEAKER: Order!

The Hon. J.D. WRIGHT: I have answered the question. The answer is 'Absolutely no'. The same A.B.C. reporter who tried to pursue me with this stupid line also rang Mick Young, who, in that very good Australian vernacular, told him what to do as well, and I tell the member for Davenport to do exactly the same thing.

FULLARTON PARK SENIOR CITIZENS CENTRE

Mr MAYES: Will the Minister of Community Welfare report to the House on the progress of the application by the Unley council for a financial subsidy towards the cost of the construction of the Fullarton Park Senior Citizens Centre? This matter has been raised with me by the Unley council, and I bring it before the House because of council's concern in regard to its financial situation in relation to the Fullarton Senior Citizens Centre development. In December 1980 the council applied for a subsidy towards the construction of a centre at Fullarton Park and was subsequently advised that funds for the triennium ending June 1983 had been committed.

However, it was informed that if it proceeded with an application it could in fact receive funds in the forthcoming triennium, and that after 1 July 1983 there would be a possibility of funds being available. This matter is of concern to residents in the Unley area, and of course is of concern to residents in the immediate area of the Fullarton Park Senior Citizens Centre. I ask the Minister what progress has been made.

The Hon. G.J. CRAFTER: I thank the honourable member for his question about a matter which is of concern to the Unley council and the honourable member's constituents. I am well aware of that. The Fullarton Community Centre is a major community development and it is important that appropriate funding be provided when that becomes available. Shortly after I became Minister of Community Welfare I visited the Fullarton Community Centre, in company with members of the council and the member for Unley, when we inspected the facilities there and discussed the difficulties that the centre was experiencing in obtaining some Commonwealth funding support for its capital costs. As a result of that visit and discussions that I have had with officers

of my department, I submitted to the Commonwealth Department of Social Security a revised list of priorities which the State is recommending to the Commonwealth for the funding of senior citizens centres. The Government was advised at that time that there would be further formal consultation with the department before establishing final priorities for funding for the 1983-84 financial year.

However, the former Minister for Social Security, just prior to the last Federal election, unilaterally took a decision on which centres would be funded in South Australia, and the Unley centre was not one of those that was to have been funded. I have personally made representations to the new Minister for Social Security, Senator Grimes, asking him to review this decision and to take all steps necessary to ensure that proper consultation processes occur with the States in the future.

The Minister has advised me that the steps taken prior to the last election were so firmly in place that those decisions could not be reversed. Local communities were made aware that funding would be available and progress had been made to ensure that work could commence. The application by the Unley council, on behalf of the Fullarton community centre, must now wait a further 12 months. I assure the honourable member that the State Government gives the centre a high priority. The discussions that have been taking place between my department, the Department for Social Security and the Unley council will continue to ensure that the centre is adequately funded in the future.

CASINO BILL

The Hon. JENNIFER ADAMSON: Did the Premier or any member of the Parliamentary Labor Party in South Australia receive any information whatsoever from any source in relation to the contents and recommendations of the Victorian report of the board of inquiry into casinos (known as the Connor Report) before the South Australian Government announced its decision to give the Casino Bill priority over all other business, or at any time during the passage of the Bill through the House of Assembly?

The Hon. J.C. BANNON: On reading that a Casino Bill was before this House, Premier John Cain telephoned me to say that he had received the Victorian report. Of course, he could not inform me of its recommendations or what action would be taken, but he said that the report detailed things that would be interesting in the context of casino legislation. Mr Cain said, 'I thought I would let you know'. I said, 'Thanks, that is very relevant, but the problem is that the Bill has been passed and it is now an Act in South Australia.' In other words, the telephone call took place after debate in the House, so there was no point in pursuing the matter.

As far as I know, that is the only contact that took place in relation to the Victorian inquiry. The only other discussion I am aware of was that the investigation took a long time, for various reasons. Obviously, if that report had been published and was a public document prior to debate in this House it could have been taken into account. However, I do not know whether it would have changed the opinions of any members, for the following reason: the report specifically refers to the situation in Victoria and states that its findings in relation to Tasmania and the Northern Territory indicate that for various reasons the problems that it envisaged in a city of 2 700 000 (as would be the case in Victoria) and locked into the Eastern States' system are very different to the situation in a smaller centre. I think that was a relevant finding. In that sense, there is a clear distinction between the situation in South Australia and the situation in Victoria. To specifically answer the honourable member's question, information that the Victorian report was on the way came too late for it to be taken into account.

ELECTION CAMPAIGN

Mr TRAINER: My question to the Premier would have been asked by the member for Henley Beach had tragic circumstances not prevented him from being present in the House today.

In view of the question to the Premier yesterday by the Leader of the Opposition and the report in this morning's *Advertiser*, is the Premier aware of any other candidates who organised functions for electors at which food and drink were provided? Honourable members with better memories perhaps than the Leader of the Opposition and his staff may recall that during the 1982 election campaign the matter was raised of the former member for Henley Beach, Mr Randall, telephoning around the electoral district of Henley Beach offering people free champagne if they attended the launching of his campaign office.

This matter was referred to in the Adelaide *News* of 1 November 1982. In relation to complaints by the Labor candidate for the seat, Mr Ferguson (who is now the member for Henley Beach), the *News* stated:

> He criticised Mr Randall for staging a champagne launching for his office 'when many people in Henley Beach would like to be able to afford a bottle of beer'.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. J.C. BANNON: When replying to the Leader yesterday I said that this whole business was scurrilous. I must say that the way in which it has been reported in the newspapers, the *News* and the *Advertiser* (and I have not seen electronic media reports), has been pretty misleading. That is particularly so because an article in this morning's *Advertiser* repeated virtually word for word, even using the same headline, a report that appeared in the *News*, without taking into account what I believe was an important statement by the person who ought to know about the status of these matters, that is, the Attorney-General in another place.

One of the interesting features of this is that the Leader keeps referring to a report from Mr Griffin. Mr Griffin simply retailed some complaints. They are complaints that are always present during any election campaign at any time; it had no particular status—no standing or verification. It was investigated by the Commissioner, and the Crown Law finding was that there had been no breach of the law. Indeed, if there had been, one would have expected the appropriate procedures in the law to be taken, just as the Labor Party did following the Norwood election in 1979. If one wants to look back at scurrilous goings on which were actually verified, one need only look at those reports.

Mr Ashenden: What about the campaign in Highbury?

The Hon. J.C. BANNON: The very fact that members are interjecting about things of which they have heard I think illustrates how shabby this whole business is. The facts certainly as adduced by the member for Ascot Park I think make that clear. There was a very interesting report in the *Advertiser* on 23 October which I think the House ought to share. It was a nice bit of journalism. It was as follows:

> Tamie Fraser last night injected more life and laughter into the campaign in eight minutes than both the parties have done in eight days. On a flying pitstop visit to surfing Bob Randall's campaign office between engagements at the international airport and the Adelaide Hilton, she gave him the slogan 'Bob's the job'. She used it to launch his Liberal voters with champagne (saying by mistake 'I launch this boat'), and told him that his 300 vote profit last time was a bit thin so to get on and improve it.

We know the result of that. I think that sort of thing indicates that these so-called nefarious practices, and so on,

are nothing of the sort, and that was the legal opinion given about them.

The second aspect of the way in which this matter was raised, again unreported in terms of what the Attorney-General said in another place, was the fact that names of individuals are being used based on hearsay evidence, based on nothing that has been proven—disaffected Liberal voters perhaps. Who knows? The fact is that any Party in an election context could get people to make depositions and complaints of that sort; it happens all the time. As candidates, we have to deal with it often. During the day we are rung up at home by someone saying, 'Something is hassling us' or 'Somebody is doing this; the Liberals are interfering.' It happens all the time, and normally it can be dealt with properly and appropriately, and is done so.

It is not a matter that some months later is brought up in sensational circumstances naming individuals who have no ability to defend themselves. Their ability to defend themselves would occur if those things were said outside this place; but they have not been. It is a cowardly act on the part of both the Hon. Mr Griffin and the Leader of the Opposition.

MANUFACTURING INDUSTRY

The Hon. B.C. EASTICK: Will the Premier explain to the House whether the Government has withdrawn its firm commitment of support to the Australian manufacturing industry, particularly the South Australian manufacturing industry, by awarding a recent tender to Rinnai Australia Pty Ltd for the supply of gas space heaters to the South Australian Housing Trust? In his address to the Federal economic summit on 12 April 1983, the Premier acknowledged the crisis facing our manufacturing sector, particularly in the steel, white goods and motor vehicle industries, and underlined the need for reformed protectionism. Rinnai Australia Pty Ltd does not have any Australian manufacturing facilities and draws its supplies directly from Japan, or, in some instances, from a sub-base in New Zealand, where Japanese components are manufactured into the finished product.

One of the unsuccessful tenderers for the South Australian Housing Trust was Pyrox Limited, an Australian company incorporated in 1946 which currently employs over 300 people Australia-wide, a sizeable number being in South Australia. Substantial orders have been placed with Pyrox Limited in South Australia, the most recent being an order in excess of $1 000 000 with Technical Components Pty Ltd of Hendon. It is interesting to note that, in a recent copy of *Choice,* Pyrox is recommended as the most acceptable heater of the major brands, including the Rinnai.

The Hon. J.C. BANNON: Certainly, I assure the honourable member that neither I nor the Government have withdrawn our very strong commitment to Australian manufacturing industry. When the member embarked on the explanation to his question, I thought that we might be looking at one of those difficult areas involving State preference and the extent to which preferences should apply. We have certainly canvassed those issues in this House, and I think I made clear that our position is that, over time, if it can be achieved, the abolition of State preference, as opposed to an Australian or national preference, would work to the benefit of South Australia and South Australian manufacturing.

As the member went on with his explanation, it appeared to me that the particular contract did not fall within that category. I shall be very happy to examine the details if the honourable member can provide me with further information and take it up with the Minister of Housing.

The Hon. B.C. Eastick: The Minister has been looking at that for about seven weeks.

The Hon. J.C. BANNON: We can take it up as a matter of urgency and get a reply back to the honourable member.

HEALTH PROGRAMMES

Mr PLUNKETT: Can the Minister of Recreation and Sport advise the House whether the Department of Recreation and Sport is promoting programmes for the fitness, health and well-being of the community and to what extent these programmes are being promoted?

The Hon. J.W. SLATER: I am pleased to advise the honourable member that the department is continually promoting programmes in regard to community well-being, including fitness programmes. Indeed, I point out that in the near future, in association with 'Life. Be in it', the nutritional programme 'Munch and Crunch' will be launched next week by the Premier. It will probably be a successful programme promoting that aspect of community well-being. I also point out that another initiative being undertaken by the department relates to a family exercise programme being promoted through organisations generally in the form of a brochure which indicates the ideal exercise programme that can be undertaken not only by adults in the community but also by members of the family and children.

In response to the member's question, I point out that the department has over a period initiated a number of innovative programmes and promoted them through the community in respect of community fitness. I advocate that members of the community obtain one of the brochures, which are available from the department. It is an ideal exercise programme, both for individuals and members of a family.

NATIVE VEGETATION CLEARANCE

The Hon. W.E. CHAPMAN: Can the Minister for Environment and Planning say whether he is willing to review the native vegetation clearance control regulations gazetted on 11 May and tabled in this House on Tuesday this week? I am aware that a motion of disallowance on those regulations has been lodged this week in this House.

I am aware of a similar motion of disallowance moved in another place. I am further aware that the Minister has been approached by United Farmers and Stockowners (if he has not actually met with representatives of that group) with a view to discussing certain aspects of the regulations. Clearly, members of the rural community are disturbed about some of the new found requirements under these regulations which seek to control activities that are clearly part of farm management and which ought not to be applied before the people concerned can put their point of view.

It is clearly conceded that other regulations in the schedule are sensible, desirable and in the best interests of people clearing land that is suitable for such clearing, while other regulations quite properly deny the opportunity to clear land which is unsuitable for clearing. This is an important point, because I recognise the sensitivity of the soils in some areas of South Australia.

While Minister of Agriculture, I was urged to acknowledge the great threat to Australian agriculture from natural disasters such as drought, flood and fire. One may now add to that list of threats to agriculture eccentric environmentalists and animal liberationists. I refer to an article that appeared in today's *Australian Journal* in which the Australian Labor Party is alleged to be mesmerised by greenies. The article was written by Harry F. Quinn, Assistant State

Secretary of the Transport Workers Union in New South Wales. He puts his finger right on the matter, as follows:

> The great economic problems faced by this country are being seriously exacerbated by the incessant crusading of environmentalists. What started as a brave new movement, reminding us all of the need to respect and preserve what is good in our environment, has now grown into a mindless and destructive aversion to progress and job creation.

He continues later:

> Honest timber workers and miners are treated as expendable pawns. The white knights of the ecosystem are full of tenderness for trees and sandy beaches, but strangely unmoved when their fellow humans are consigned to the social scrapheap of unemployment.

The article goes on at length to sort out the wheat from the chaff in the environmental campaign, which is not only going on generally throughout Australia but is also now being introduced with some extremity within our State. It is believed by the rural community, as well as others, that the regulations and the booklet subsequently produced on land clearance vegetation need urgent review, and I seek the Minister's co-operation in that review. I ask him not merely to review these requirements but to do so in consultation with grower organisations such as United Farmers and Stockowners. Also, I urge that he and his officers undertake that consultation with representatives from this side of the House, particularly rural representatives, because this subject must be approached with some rationale and must not cut across the path of ordinary farm management and good sense that has been applied by individuals for generations in this State. This matter needs to be handled carefully and responsibly by the Government.

The Hon. D.J. HOPGOOD: When the honourable member began his question I was warned by my colleagues that I would have only 27 minutes in which to reply. I note now that I have only 22 minutes to reply, so I will have to exert strict self-discipline. I thought that the honourable member was running a pretty moderate and sensible sort of line half way through his question, but he then completely spoilt it with the abuse he came up with at the finish. If the honourable member wants to quote from newspapers and articles, I can do the same thing.

I can draw the honourable member's attention, for example, to the three letters to the Editor of the *Stock Journal* in, I think, the issue before last. This is the journal which stated that I had been faced with a barrage of questions in Parliament on this matter when, in fact, the honourable member's is the second question that has been asked of me since these regulations were introduced. I simply put alongside what the honourable member has quoted what K.D. Afford (Olary), Rosemary Dunn (Tarlee) and Terry Evans (Mintaro) have said in support of the regulation.

It depends, of course, on what the honourable member means by 'review'. I assumed half-way through his question, when he said he felt that there were sensible aspects in what the regulation attempts, that he was really asking not for a withdrawal of the regulation but for some fine tuning of it. He went on to abuse conservationists and this sort of thing, and I was not sure where he was going. On the assumption that the honourable member is asking for a fine tuning of the regulation that has already been agreed: at the deputation to which the honourable member referred, I accepted a request from the representative of the U.F. & S. that that organisation should discuss with officers of my department the operation of the regulation. One of the advantages—

An honourable member interjecting:

The Hon. D.J. HOPGOOD: I will keep the honourable member informed. One of the advantages of the regulatory approach as opposed to the legislative approach to a matter of this kind is that it can be fine-tuned. It is possible to look at the list of exemptions, for example, to the legislation and to review whether that list of exemptions should be lengthened or shortened; whether other matters should be addressed by the regulation, or whether in fact it addresses more than it needs to.

The U.F. and S. has given me a submission as to some of the problems that it sees with the regulations. I have promised that there will be very early action in this and that it will be done in the form of a joint working party. I make the point to the honourable member that I made to the U.F. & S. delegation that, although the details of the regulation are negotiable, the substance is not.

ADELAIDE MIETHKE KINDERGARTEN

Mr HAMILTON: Can the Minister of Education explain what will happen concerning the Adelaide Miethke Kindergarten at Woodville in the light of its recent loss of a half-time teacher aide?

The Hon. LYNN ARNOLD: The question asked by the honourable member has come about as a result of some concern between the Adelaide Miethke Kindergarten and the St Margaret's Church Kindergarten, which is an affiliate of the Kindergarten Union. I understand that there is concern among the Adelaide Miethke Kindergarten community about the future of the kindergarten in the light of changing staffing arrangements for the two. Adelaide Miethke Kindergarten enrolments have dropped in the past year, and because of this it lost a half-time teacher aide. However, the loss of this aide has no relationship to the funding or staffing of any other kindergarten in the area at all. It was determined on the enrolment at that kindergarten, and if another kindergarten has experienced an increase that has been because of circumstances at that kindergarten. I can assure the member for Albert Park that, should the enrolment at the Adelaide Miethke Kindergarten increase in the future, its staffing situation will be reviewed in the light of that increase.

There is some concern at the local kindergarten that it is all too easy to take staff away but that it is not all that easy to put staff back. When I questioned the Kindergarten Union about this matter, it said that it was quite clear that the staffing rationalisation process is a two-way process and does involve staff movements in both directions. In fact, the information that it has supplied me on the rationalisation process this year supports that. Obviously if staff are rationalised out of a kindergarten because of declining enrolments, staff are available to put in somewhere else. About 18 months ago the St Margaret's Church Kindergarten was deemed to be a worthwhile preschool service and was affiliated to the Kindergarten Union.

Consequently, an application for funding was approved for a full-time teacher at that kindergarten, and in recent weeks an application by that kindergarten for a second part-time teacher was also approved. Even with that extra appointment, the St Margaret's Kindergarten is understaffed according to formula, with its funding ratio of one to 29. I have said several times that, given the staffing backlog in kindergartens that faced this Government when it came to power, it was not possible to meet all of it in the immediate budgetary situation. St Margaret's joins a long list of kindergartens whose staffing needs have not yet been met.

The Adelaide Miethke Kindergarten has lost a half-time aide as a result of declining enrolments, but that has no connection with the staffing situation at St Margaret's. The Adelaide Miethke Kindergarten, which is now staffed according to formula, has high enrolments in the play group that operates at that kindergarten, and it could be expected that a significant number of children in that play group will move into the kindergarten and, given the numbers in the play group, the kindergarten could be understaffed.

It could be argued that a staffing allocation should be made back to the kindergarten, but I reassure parents and staff of the Adelaide Miethke Kindergarten that their needs are known to the Kindergarten Union and that the union is sensitive to them and keen to see that, within the resources that the Government has available, they receive an equitable share of resources.

REMAND CENTRE

The Hon. D.C. WOTTON: Will the Chief Secretary say whether the Government has yet selected a site for the urgently needed remand centre and, if so, where it is and, if not, what is holding up this urgent decision? Soon after coming to office, the Chief Secretary, in answer to a question I asked in this House, said that the building of a remand centre was of the highest priority. That was some six months ago. Many statements about a possible site have been made since that time by the Chief Secretary and the Deputy Premier, one site suggested by the Deputy Premier being the brewery property in Hindley Street. As this is an extremely valuable site for tourist development, will the Chief Secretary, as Minister of Tourism, say how he would feel about that site being used for a remand centre?

Apart from that, the construction of a remand centre in South Australia is extremely urgent. The Government has had some seven months (I suggest more than enough time) to select a site, and to commence actual construction of such a centre in this State.

The Hon. G.F. KENEALLY: I agree with the member for Murray that the construction of a remand centre is extremely urgent and of the highest priority. I would have preferred to be able to make an announcement about the site for a remand centre earlier than this, seven months after we came to office. I accept the honourable member's criticism, but I point out that, when his Party came to office in 1979, it had suggested a site at Regency Park and funding was in place to build a remand centre: two years later, the site had not been selected, and when we came to office the previous Government had not completed purchase of the land that it proposed to use.

The Hon. D.C. Wotton: That isn't right, and you know it.

The Hon. G.F. KENEALLY: That is true. Small sections of the property still had to be purchased when we came to office. I have the docket. I accept the criticism, but I point out to the honourable member that people who live in glass houses should not throw stones. We have not yet determined a site for the remand centre, but I hope that we will decide soon. I am continually having discussions with the Deputy Premier on this matter, and the number of possible sites is being reduced as time goes by.

The Hon. Jennifer Adamson: What do you think about Hindley Street?

The DEPUTY SPEAKER: Order!

The Hon. G.F. KENEALLY: I do not know how many times the honourable member goes down Hindley Street, but I find it reasonably attractive when I go there.

The Hon. D.J. Hopgood interjecting:

The Hon. G.F. KENEALLY: Yes, but the honourable member has not asked me, either. The honourable member will be advised immediately a public statement is made about the site for a remand centre in South Australia, and we hope it will be soon. The Government and I believe that the matter is as urgent as the honourable member has described, and the Government believes that this issue is as important as the Opposition believes it is.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. G.F. KENEALLY: The honourable member has been around long enough to know that that sort of leading question does not warrant an answer. When the decision is taken, an announcement will be made: until that time, it would be inappropriate for me to speculate on any sites, and I will not do so.

CHILD-CARE FACILITIES

Ms LENEHAN: Can the Minister of Education give a progress report on the provision of child care at the Noarlunga College of Technical and Further Education? No doubt, as members will be aware, I have pursued the matter of child care at the college for a long time on behalf of my constituents. Indeed, my constituents have also expressed their concern to me about the general need for child care within my district. Therefore, I ask the Minister to inform the House about this important issue.

The Hon. LYNN ARNOLD: I advise the honourable member that discussions are taking place between me and the Minister of Health about whether we can provide as good a service as possible in the Noarlunga area. The Government has a commitment, to which it will adhere, that there will be child-care facilities at the Noarlunga Community College, as there will be at other community colleges in South Australia.

The Government is also working on a plan for a health village in the Noarlunga centre area, and the planning for that also incorporated child-care facilities. It seemed logical to both my colleague and me that we should discuss whether one child-care facility could serve both centres and, in the process, reduce capital costs but increase the number of paid staff that could be available. That seems an eminently sensible approach to the use of resources that we know will be available.

When we gave an undertaking for a child-care facility at the Noarlunga Community College, the commitment was for one paid properly trained staff position with volunteer assistance. Now it could be possible that we could have more than one paid properly trained person at that facility. Several questions still need to be answered between the Minister of Health and me and our two departments that affect fairly important matters of geography of the site.

However, if we can reach a satisfactory arrangement, a child-care facility at the Noarlunga Health Village would be the first stage built so that it can be ready for use by the students of the Noarlunga Community College as soon as possible. I think that that is an eminently reasonable approach to be taken on that matter, and I hope that the discussions will not take much longer to complete. We still have to go through costings, and some of the basic details of the geography of the site, but when those discussions are completed, I shall be pleased to provide further information to the honourable member.

NATIVE VEGETATION

Mr BLACKER: My question, to the Minister for Environment and Planning, is somewhat supplementary to the question asked by the member for Alexandra and is in three parts.

First, can the Minister say whether the Government considered the retrospective effect of the Native Vegetation Clearance Control Regulations tabled in this House on Tuesday and, if so, what is the likely effect of such retrospectivity and how many landholders will be affected?

Secondly, if any determination resulting from the Native Vegetation Clearance Control Regulations affects the viability

of a property, will the Government assist through the Rural Industries Assistance Finance Fund, built up to support and carry on the scheme, to again restore viability?

Thirdly, if the viability of a property is so affected by Government direction, has this matter been examined by Crown Law and, if so, what is the position with the precedent that has been set with the Kangaroo Island yarloop clover case, in which the Government was found to be responsible for the viability of farmers because of advice given by it?

The Hon. D.J. HOPGOOD: In relation to the first matter, yes, there is, in effect, a retrospective element in any planning application which is refused in that it is possible that a person could purchase property with a view to a land use and not be able to proceed with that particular land use as a result of the decision of the planning authority, be it the commission or local government. That is something well understood in the planning system. What is new is that it applies to something that has not previously (in statutory terms, anyway) been regarded as development.

Secondly, assistance under the scheme to which the honourable member referred would be a matter for the Minister of Agriculture. I can only suggest that people who may be so affected should apply and see how they get on. In any event, I can certainly discuss that with my colleague.

In relation to the third matter, we had the whole matter carefully checked by the Crown Law Dept before proceeding. I do not personally believe that the Yarloop clover matter is analagous to the matter now before us.

YATALA LABOUR PRISON

Mr GREGORY: Can the Chief Secretary say whether any decision has been made regarding the future of A division of Yatala Labour Prison? A division was reduced to a burnt-out shell by a recent fire at the prison, and there is considerable interest in the future of the building as to whether it will be demolished or restored to its former grandeur. Further, I understand that A division has a heritage listing.

The Hon. G.F. KENEALLY: I am not sure whether A division could ever be described in the terms used by the honourable member, as 'its former grandeur', but I appreciate his interest in the Yatala Labour Prison, because it is sited in his electorate and he is concerned about what the Government intends to do in relation to A division. I am pleased to advise the House that the Government does not intend to rebuild or reconstruct A division.

It will replace A division with a smaller, more modern cell block that has more regard to the 1980s and, indeed, the 21st century in terms of appropriate accommodation for prisoners. People would be aware that A block was built in the 1840s. I advised Cabinet that it would be impossible to construct an appropriate modern prison in an 1840 cell block, and I am pleased that that decision has been made.

We have to apply to the Department of the Environment, because A division has a heritage listing, to have that listing lifted. I do not know whether the shadow Minister, when he was Minister of the Environment, applied that heritage listing, but it is not inappropriate. However, the Government believes that B division is a classic example of that type of prison structure. If A division was not there, in a sense the State would not lose a sample of that era's structures in terms of prison accommodation. In addition to that, it is absolutely essential that better accommodation be made available for Yatala prisoners and also for prison officers who work there. Many of the problems that we face at Yatala have resulted from the inadequacies of the buildings that we have inherited from the mid-19th century.

One of the benefits that will flow from a much smaller unit there, if my recommendations to Cabinet are agreed to, in terms of what should replace A division, is that there will be greater space within Yatala—this is badly needed—so that we can have more appropriate segregation of exercise and recreation yards. That is very important. I think that this decision will meet with general approval within the community of South Australia. I am delighted to be able to tell the honourable member that it is not the Government's intention to do anything with A Division other than to push it over.

FIREARMS

Mr MEIER: Will the Chief Secretary say whether amendments to the Firearms Act and amendments to the regulations have been prepared and, if so, whether such amendments have been put to Caucus and agreed to by Caucus? If that is the case, can the Chief Secretary tell the House when these amendments are likely to come before this Chamber and whether some of the restrictions will be eased? Further, can the Chief Secretary give some assurance that there will be no increase in fees?

Most members would be aware of amendments passed by this Parliament several years ago which, together with registering firearms, put restrictions on collectors of firearms in South Australia. In fact, some weapons which could be described as being antiques (they were very valuable) had to have their barrels welded, thus rendering them useless and of little value to genuine collectors in other Australian States and overseas.

This resulted in some firearms being sent interstate for safe keeping so that they did not have to be butchered to meet the safety requirements of this State. If amendments have been considered by Caucus, I would hope that adequate notice of these would be given to the public and especially to those people who own firearms.

The DEPUTY SPEAKER: Order! The Chair would point out to the honourable member that he is now beginning to comment.

Mr MEIER: I am simply asking that adequate notice be given so that people affected by this legislation would have necessary time to consider any amendments that might be forthcoming.

The Hon. G.F. KENEALLY: I will give no undertaking that there will not be an increase in fees that apply in relation to the Firearms Act. I could not do that, and I do not think that any member of a Government would be prepared to give that undertaking. I have not had a look at the fee structure, but that does not mean that that will not happen. In terms of the rest of the question asked by the honourable member, I might say that I am surprised that this sort of rumour is still circulating throughout pistol clubs and amongst those people in South Australia who are concerned about firearms. I have received numerous letters from various organisations and I have replied to these by saying that the Government has no plans to amend the Firearms Act. I think that all of this conjecture has arisen because of amendments to regulations that have continued on from the previous Government in terms of pistols and rifles, which is a matter that I have taken up on behalf of the honourable member's colleagues. Because those regulations have now been processed through the system, there is a fear amongst users of pistols and rifles throughout South Australia that the Government plans to amend the Act. The Government has no plan to do this. The matter has not been considered by Caucus or by Cabinet; I have nothing before me about this matter. However, if there were any such plans (although I repeat that there are none at the moment), of course I would have discussions with those organisations so vitally interested in such legislation.

At 12.53 p.m., the bells having been rung:

The DEPUTY SPEAKER: Call on the business of the day.

PERSONAL EXPLANATION: HILLS WATER SUPPLY

Mr ASHENDEN (Todd): I seek leave to make a personal explanation.

Leave granted.

Mr ASHENDEN: At the commencement of Question Time today I was totally misrepresented both by the member for Newland and the Minister of Water Resources. I would like to take this opportunity to explain to the House the true situation that exists in relation to the allegations that were made earlier. It was alleged by the member for Newland, and confirmed by the Minister of Water Resources, that I had said that the Government had refused my request to have auxiliary diesel pumps installed to supplement the water supplies to Houghton and Paracombe during times of fire. I said no such thing.

I note that the honourable member and the Minister at no time quoted from the article to which they referred. I will certainly do that shortly to show quite clearly that the allegations made against me are quite false. I indicated that the Government had not agreed to my request at this stage and, therefore, I was concerned on behalf of my constituents. I refer to page 3 of the *North-East Leader* and the headline, in very bold type covering the full width of that newspaper, 'People may face fires with no water'. The article states:

> Water Resources Minister Jack Slater feels the cost of auxiliary diesel pumps might be too great to allow them to be installed at Houghton and Paracombe to ensure a flow of mains water even if power fails. Todd M.P. Scott Ashenden said he had received this indication from the Minister and could not understand Mr Slater's stand.
>
> 'Such pumps are not expensive and when considered against the cost of potential loss of homes and property they are insignificant,' Mr Ashenden said. 'I have made further representations to the Minister and implore him to see the request I placed on behalf of all hills residents is met.'

I am perfectly happy to provide the member for Newland and the Minister with a full copy of the original press release that I provided to the *North-East Leader* for that article, if they would like to approach me. As a member of Parliament I expect attacks from political opponents, but in future I expect those attacks to be based on truth.

PERSONAL EXPLANATION: PECUNIARY INTERESTS

Mr BLACKER (Flinders): I seek leave to make a personal explanation.

Leave granted.

Mr BLACKER: I refer to a misrepresentation that occurred last night during debate on the pecuniary interests legislation. On Tuesday evening I went to some considerable length to explain to the House how this matter could be misinterpreted by the general public. I set before the House my own personal affairs and explained that I owned a property of some 3 200 acres in 1976 and that, upon my subsequent marriage, I scaled down my farming operations but, in effect, increased the number of land titles under my name.

The member for Florey took up that matter and made a big thing about the fact that 'the member for Flinders had increased his assets by the number of land titles under his name'. I was attempting to point out that this legislation was subject to misinterpretation by the general public. The member for Florey, having heard the debate, misinterpreted the point that I was making. The member for Florey misrepresented me, misled the House and exemplified the fallacy of the argument put forward in favour of the legislation.

PERSONAL EXPLANATION: HILLS WATER SUPPLY

Mr KLUNDER (Newland): I seek leave to make a personal explanation.

Leave granted.

Mr KLUNDER: I found the member for Todd's personal explanation a moment ago a little odd. Perhaps he was so busy interjecting when I was asking my question—

The DEPUTY SPEAKER: Order! The honourable member has been given leave to make a personal explanation, not to enter into the realms of debate.

Mr KLUNDER: Perhaps I should read my question again and let the House decide. In my explanation I said that the member for Todd suggested that the Minister of Water Resources had decided not to provide auxiliary diesel pumps. As the member for Todd has said, his actual words were, 'Water Resources Minister Jack Slater feels the cost of auxiliary diesel pumps might be too expensive to install'.

The DEPUTY SPEAKER: Order! The honourable member's remarks are completely out of order. The Chair has made it perfectly clear that any member has the right to make a personal explanation, but it must come within that category. I ask the honourable member to come back to his personal explanation.

Mr KLUNDER: I received many inquiries from people living in this area, which caused me to ask this question. Those people were worried about the member for Todd's press release which appeared in the local newspaper.

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr KLUNDER: Perhaps they did not have the ability to deal with the semantic confusion that the member for Todd is now displaying in the House.

[Sitting suspended from 1.1 to 2 p.m.]

REAL PROPERTY ACT AMENDMENT BILL

At 2 p.m. the following recommendations of the conference were reported to the House:

That the Legislative Council do not further insist on its suggested amendment to the amendment of the House of Assembly and that the House of Assembly amend its amendment as follows:

4. The following section is inserted in Part XVIII of the principal Act after section 200:

201. (1) There shall be a fund kept at the Treasury entitled 'Real Property Act Assurance Fund'.

(2) The Assurance Fund shall have credited to it—

(a) any moneys advanced by the Treasurer under subsection (3) (not being moneys that have been repaid to the Treasurer in accordance with the terms of the advance);

(b) the moneys paid by way of assurance levy by virtue of the regulations; and

(c) any interest that may from time to time accrue to the Fund.

(3) The Treasurer may advance moneys to the Assurance Fund by way of grant, or on a temporary basis.

(4) Moneys standing to the credit of the Assurance Fund shall be applied for the purposes of this Part, but if those moneys are not immediately required for the purposes of this Part, the Treasurer may advance the whole or part of those moneys to the Consolidated Account and, in that event—

(a) if any payment is to be made from the Fund and the Balance of the Fund is insufficient to meet that payment, the advance shall be repaid to such extent as is necessary to supply the deficiency; and

(b) any amount advanced to the Consolidated Account shall bear interest at the rate of 10 per centum per annum, or such other rate that may be prescribed.

(5) The regulations may—

(a) prescribe an assurance levy not exceeding the amount of two dollars per instrument to be paid in addition to the fees, or particular classes of fees, payable in relation to the registration of any, or all, of the following instruments:

(i) transfers on the sale of land under Part X;

(ii) leases and surrenders of leases under Part XI;

(iii) mortgages and discharges of mortgage under Part XII;

and

(b) exempt prescribed persons, or persons of a prescribed class, from payment of the assurance levy.

(6) The Registrar-General shall keep a separate account of all moneys received by him by way of assurance levy.

(7) The regulations prescribing an assurance levy under this section shall expire on the thirty-first day of December, 1988 and thereafter an assurance levy shall not be payable by virtue of this Part.

and that the Legislative Council agree thereto.

Consideration in Committee.

The Hon. G.J. CRAFTER: I move:

That the recommendations of the conference be agreed to.

The purport of these amendments, which have been the subject of discussion between the managers of the Houses, is that a separate fund shall be established in the Treasury. This fund will have the flexibility that the House of Assembly was seeking in an earlier debate so that loans can be made from the fund to the Consolidated Account. Interest will be paid on such loans, and in other instances grants may be made from the fund.

Mr MATHWIN: I support the motion. As a member of that hardworking conference, I believe that the consensus achieved in its deliberations was excellent.

Motion carried.

SITTINGS AND BUSINESS

The Hon. J.D. WRIGHT (Deputy Premier): I move:

That the House at its rising do adjourn until Tuesday 5 July at 2 p.m.

So that members will know, as they are entitled to know, the programme of sittings of the House, I point out that 5 July is not the date on which the House will resume sitting. It is a fictitious date, as has always been the practice when the adjournment is moved at the end of a session. At this stage, the Government expects that the House will reassemble on or about 28 July. It is only reasonable to inform members, whether they want to remain in their district or to travel either within Australia or overseas, that they will not be required as members in this House until about 28 July.

The Hon. E.R. GOLDSWORTHY (Deputy Leader of the Opposition): The Government has been slow to provide replies to Questions on Notice, and members on this side believe that such replies should have been readily obtainable by now. Will the Deputy Premier say what arrangements are to be made in respect of providing replies to outstanding Questions on Notice?

The Hon. J.D. WRIGHT: I do not accept the statement of the Deputy Leader of the Opposition that the Government has been slow in replying to Questions on Notice.

Mr BECKER: On a point of order, Mr Deputy Speaker, members on this side would appreciate an assurance that the 20 questions currently on notice will be transferred automatically to the Notice Paper next session. In the past such outstanding Questions on Notice have been automatically transferred in this way, and I recall that that was the practice under previous Labor Governments. The Notice Paper for the first day of the new session could be the standard Notice Paper for an Opening of Parliament and the Questions on Notice could appear on the Notice Paper for the second day of that session.

The DEPUTY SPEAKER: Order! There is a motion before the Chair and the honourable member has every right to speak to that motion. If the Deputy Premier speaks, he closes the debate.

Mr BECKER: On a point of order, Mr Deputy Speaker, I seek your ruling as to what will be the procedure in respect of outstanding Questions on Notice when Parliament resumes: whether outstanding Questions on Notice will appear on the Notice Paper for the first or second day of the new session.

The DEPUTY SPEAKER: I understand that the practice generally adopted in the past will be adopted again on this occasion and that any outstanding Questions on Notice on the Notice Paper will lapse and will have to be reinstated to appear on the Notice Paper for the new session.

Mr BECKER: A point of order, Mr Deputy Speaker—

Mr Hamilton interjecting:

Mr BECKER: It has been the practice in the past and under previous Labor Governments (before the member for Albert Park was even in the House) that Questions on Notice were automatically transferred.

The DEPUTY SPEAKER: Order! There is no point of order at this point of time and the Chair has no intention of allowing the member for Hanson to go into debate about an issue. The situation has been explained by the Chair and that is how it stands.

Mr BECKER: I can speak to the motion before the House and in doing so I can speak for or against it if I wish, and I do not want to oppose it—

The DEPUTY SPEAKER: Order! The Chair does not wish to prevent the honourable member from speaking to the motion, but the Chair does point out that it is of the understanding that the honourable member had been speaking to the motion and, therefore, was using that situation. I ask the honourable member that if he does speak he must speak to the motion.

Mr BECKER: That I will do and I thank you, Sir, for your indulgence. It is a pity that the current session has come to a close, not officially as such, but we will move a procedural motion to adjourn the House to another time. That does not really mean anything. It means that the next session or the second session of the Parliament will commence on or about 28 July. I appeal to the Deputy Premier as to whether he would give consideration to carrying forward the Questions on Notice that are not answered.

The Hon. J.D. WRIGHT (Deputy Premier): I reiterate for the record that I do not accept the criticisms by the Deputy Leader in relation to the slowness of answering questions. I believe that this Government has been very energetic in getting members' questions answered. Some of the questions that have been placed on notice have been difficult and have taken a lot of investigation and research. Therefore, those questions (irrespective of which Party had been in power over the past 12 years since I have been here) have taken a lot of time by public servants to research them and that is the reason why answers have sometimes been delayed.

The Hon. E.R. Goldsworthy: It took three months to come up with no answer to one of the questions!

The Hon. J.D. WRIGHT: It must have been one of those sorts of questions.

The DEPUTY SPEAKER: Order! Question Time finished some time ago.

The Hon. J.D. WRIGHT: There was no need for the member for Hanson to come into this debate at all because he added nothing to it and, in fact, he detracted from it. The Deputy Leader was able to explain completely what the Opposition was looking for; I fully understood that and I did not need help to understand it. I do not know whether or not the member for Hanson has an audience in the House.

The DEPUTY SPEAKER: Order! That remark is out of order.

The Hon. J.D. WRIGHT: It seems that there was something wrong with the member for Hanson for him to be rising to his feet on five points of order over a very simple question to which he knew the answer. The honourable member has been here longer than I have (in fact one year more than I have) so he has more experience—not as intelligent, I realise—

The DEPUTY SPEAKER: Order!

The Hon. J.D. WRIGHT: He is certainly a little more experienced, and the practice, to the best of my knowledge and memory, has always been that those questions which are left unanswered are answered by the appropriate Minister by letter. There will be no departure from that procedure on this occasion. I do not think it is proper to depart from that principle because I believe that any honourable member is entitled to get answers as quickly as possible. If we merely reinstate them on the Notice Paper (which could be done if it was so desired) then that member will not receive an answer until the next sitting of the House. However, I do not think that that is proper or Parliamentary and we will adopt the practice of the past by answering unanswered questions from members as quickly as possible.

Motion carried.

STATUTE LAW REVISION BILL

Second reading.

The Hon. G.J. CRAFTER (Minister of Community Welfare): I move:

That this Bill be now read a second time.

Its object is to make sundry minor amendments to the Mental Health (Supplementary Provisions) Act, and the Workers Compensation Act, prior to both of these Acts being reprinted in consolidated form pursuant to the Acts Republication Act. The amendments principally remove obsolete material, up-date provisions to bring them into line with other inter-related Acts and correct minor errors. The two abovementioned Acts are virtually ready for publication and only await incorporation of the amendments sought by this Bill. I seek leave to have incorporated in *Hansard* the detailed information of the clauses and the schedule attached to the Bill without my reading it.

Leave granted.

Explanation of Clauses

Clause 1 is formal. Clause 2 effects the amendments contained in the schedule. The schedule amends, firstly, the Mental Health (Supplementary Provisions) Act. The amendment to section 42 provides a necessary definition of 'approved hospital'. Obsolete references to mental hospitals are to be deleted. The substituted section 45 repeats the existing section minus obsolete references to 'institutions', which are no longer defined in the Act. The amendment to section 46 removes references to obsolete institutions and substitutes a reference to training centres under the Children's Protection and Young Offenders Act. The amendments to sections 51 and 52 remove obsolete references to mental hospitals. The repealed section 54a is redundant and should have been repealed when the Act was amended in 1977. The amendments to section 56 remove obsolete references to institutions. The amendment to section 56a removes a reference to a schedule that was repealed in 1977. The amendment to the nineteenth schedule deletes references to obsolete institutions.

The schedule secondly amends the Workers Compensation Act. The amendment to section 57 removes a reference to prohibiting hospital and other expenses from being deducted from weekly payments, and makes it clear that no deductions at all may be made from weekly payments. The amendments to sections 86b and 86c correct several minor errors in titles. The amendments to section 89 delete phrases that are no longer used as the Acts Interpretation Act covers such matters. The amendment to section 91 corrects an error in citation. The amendment to section 102 substitutes the word 'silica' for the incorrect word 'silicosis' (the word 'silicosis' means the disease, not the substance). The amendment to section 111 corrects an error in wording that conflicts with the rest of the subsection. The amendment to section 131 removes a phrase no longer used or necessary.

The Hon. JENNIFER ADAMSON (Coles): The Opposition supports the Bill.

Bill read a second time and taken through Committee without amendment.

The Hon. G.J. CRAFTER (Minister of Community Welfare): I move:

That this Bill be now read a third time.

Mr MATHWIN (Glenelg): I do not want to delay the House but if they upset me (and I am the first speaker) I may speak for quite a while.

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr MATHWIN: Please tell these people to get off my back as they are upsetting me.

The DEPUTY SPEAKER: Order! The Chair has no intention of allowing the member for Glenelg or any other member of the House to have some public forum to debate something that has nothing to do with the third reading of the Bill. I ask the honourable member for Glenelg that if he wishes to speak to the third reading to confine his remarks to the Bill.

Mr MATHWIN: I appreciate your advice. I understand that this Bill is needed. I presume that it has created some sort of record by the speed that it has got through this House—until this moment, of course. As it is, I have been assured by the member for Coles that it is an area requiring amendment; it is a technical matter, and I am quite happy to support it on those grounds. However, in so doing I object to the fact that we have not had very much time to really go into it.

Bill read a third time and passed.

WORKERS COMPENSATION ACT AMENDMENT BILL

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 1 (clause 4)—Leave out the clause.

No. 2. Pages 1 and 2 (clause 6)—Leave out the clause.

No. 3. Page 2 (clause 7)—After line 9 insert new paragraph as follows:

(aa) by striking out from subsection (5) the passage ', subject to subsection (5a),';

No. 4. Page 2, line 12 (clause 7)—Leave out all words in this line.

No. 5. Page 2, lines 30 and 31 (clause 8)—Leave out 'no regard shall be had to' and insert 'the court may, if it thinks fit to do so, disregard'.

No. 6. Page 2, lines 38 and 39 (clause 8)—Leave out paragraph *(c)* and insert paragraph as follows:

(c) any factor that would have affected only temporarily the earnings of the worker if he had continued to be so employed.

No. 7. Page 3, line 3 (clause 10)—After '(4), (5) and (6)' insert—and substituting the following subsection:

(4) Where a worker fails to submit himself for counselling by appropriate officers of the Workers Rehabilitation Advisory Unit in accordance with arrangements made under subsection (3), the Executive Officer shall notify the employer, in writing, of that failure.

The Hon. J.D. WRIGHT: I move:

That the Legislative Council's amendments be agreed to.

I am not happy about these amendments: in fact, I am disturbed about the way in which the Bill has been treated in the Legislative Council. Historically, the Legislative Council has the worst record of any House in Australia when it comes to workers compensation.

Members interjecting:

The Hon. J.D. WRIGHT: Over the past 12 years it has consistently attempted to destroy every piece of legislation affecting the working class, and it has been consistent again this year by taking out what I would describe as the guts of the Bill.

Clauses 4 and 6 were important clauses, merely restoring the circumstances that existed prior to amendments made to the Act by the Liberal Party when it was in power which destroyed the legislation. This Government was merely trying to reconstruct the legislation to put it in the form it was in when Labor left Government in 1979. We were not trying to make history, or create new conditions, principles or fundamentals. We were merely remedying a wrong that had been done.

I think the way that the Legislative Council treats any legislation affecting the working class of this State is quite wrong. It means that in these circumstances a Government cannot govern. I can recall when I was Minister between 1975 and 1979 introducing some 14 Bills, 10 of which were either thrown out by the Legislative Council or certainly cut to pieces, making them unacceptable to the Government of the day. In fact, in 1977 the conference on the workers compensation legislation lasted one minute.

I am not happy with the amendments, but I am forced into a position of having to accept them. I have to save something out of the Bill, and that is what accepting the amendments will do. Clauses 4 and 6 were the amendments that restored the right of working people in this State to receive no more or no less workers compensation than they were entitled to receive, and that is a fundamental principle of the A.L.P. However, clearly the principle of the Liberal Party is that they ought to receive less on workers compensation than they receive when they are at work, and I think that that principle is quite wrong. Having said that, I will deal with the Bill as it now stands. Of course, I cannot deal with clauses 4 and 6, because they are no longer in the Bill. Therefore, I will deal with the positive amendments.

The Hon. E.R. Goldsworthy: Where are the amendments?

The Hon. J.D. WRIGHT: I do not know. It is not my job to distribute them.

The CHAIRMAN: Order! The Chair understands that copies of the schedule were distributed last evening, and members ought to have a copy.

The Hon. J.D. WRIGHT: For the benefit of the Deputy Leader of the Opposition, I point out that clause 4 has been taken out of the Bill, as has clause 6. The first clause we then deal with is clause 8, which amends section 71 of the Act. The Government preferred the provisions in the original Bill but does not oppose the amendment. I suppose that we cannot (that would be a better word) oppose the amendment. We have been forced into a situation where we must accept the amendment or lose the entire Bill, which I am not prepared to do on this occasion.

As to the amendment to clause 8, giving the court discretion to disregard certain factors, I point out that the Government's Bill made it mandatory that they be disregarded. As the effect is likely to be little different from that contained in the original Bill, the clause as now amended will not be opposed. I think that it is a matter of semantics. I do not think that the Legislative Council's amendments do anything dastardly to the clause as it was. I think that it is merely a matter of playing with words. Again, I am forced into the situation of accepting this proposition, because I do not have the numbers in the Upper House.

As to the provision seeking to disregard strikes in calculating variations to weekly payments, the Government agrees in principle to the proposed amendment as it covers the situation that the Government sought to avoid in the original Bill. Again, I do not think that the Legislative Council has achieved very much; it has certainly changed a couple of words around but, whether they are for better or worse, I am not prepared to say. However, I do not think that it changes the Bill very much. I do not know why the Legislative Council wants to play semantics and cross a 't' here and dot an 'i' there. I think that the Bill was in much better shape when it originally left this Chamber. I do not think that the Legislative Council has improved the wording, the meaning or extent of the Bill in these circumstances.

Clause 10 deals with section 86 of the Act, involving removal of the coercing powers of the rehabilitation unit, and the amendment to this provision is also agreed to. The Bill is not affected in relation to the removal of those powers: the executive officer is merely required to notify the employer if the worker fails to present himself for counselling. It should have been made necessary for the employer to encourage the worker to use the counselling services of the rehabilitation unit. This Government is a very strong supporter of rehabilitation. It does not believe that workers compensation on its own without rehabilitation is a workable factor.

Later on this year I will be establishing what I hope will be some new fundamentals dealing with workers compensation. However, on this occasion all we were trying to do by amending the existing provision was take from the rehabilitation unit and the insurance companies the power of forcing the employee to be rehabilitated. We do not believe that that is good sense in respect of encouraging the person to rehabilitate himself. The emphasis ought to be placed on encouragement and not on mandatory regulations so far as the employee is concerned, and our amendment sought to remove that provision. Again, I believe that the Legislative Council has played with semantics to a large extent by merely using a couple of different words in that clause which I do not think greatly alter the meaning of my amendment.

The rehabilitation unit must report the employee concerned to the employer, and I am in the position of having to accept that amendment. I cannot reject it or I lose the whole Bill. I sincerely hope that the employer will not take advantage of employees, because a vicious employer, wanting to force employees back to work before they are fit and well (and in fact before the doctor wants them to go back in many cases), could take advantage of the employees in those circumstances.

I am accepting these amendments only because I have to. The new member smiles. Some day, somehow, I hope

that we can govern this State. I sincerely hope that some day the Legislative Council is in the hands of the Labor Party, because we cannot govern at the moment. That is crystal clear.

Members interjecting:

The CHAIRMAN: Order!

The Hon. J.D. WRIGHT: Unless one has control of both Houses of Parliament, one cannot put legislation through, although the people of this State gave the Labor Party a mandate to do these things, which were all included in our policies. Every amendment moved by us in this Chamber is consistent with what we said in Opposition and consistent also with our policy speech before the last election.

I can remember times when Liberal Party Legislative Councillors would not deny the Labor Party the right to pass legislation for which mandates had been given. That has now gone by the board. There is a different class of person there at the moment. When I first came into this place it is a matter of record that on many occasions some of the Liberal Councillors passed legislation that was proposed in the Labor Party's policy speech. That was an honest thing to do, but that position exists no longer. It does not matter whether we have put forward something by way of policy or whether we bring it forward afterwards—we cannot get it through.

Members interjecting:

The CHAIRMAN: Order!

The Hon. J.D. WRIGHT: In these circumstances, I think that the Legislative Council should be strongly condemned. It did not treat this Bill as a Bill for which the Government had a mandate.

An honourable member interjecting:

The Hon. J.D. WRIGHT: An employer is interjecting from the benches opposite. I would like to hear him say something about workers compensation. He probably knows nothing about it. Here, the Legislative Council is not prepared to accept legislation from a Government which had a mandate to introduce such legislation. It appears that we shall have to put up with that over the next three years, in which case, if the Legislative Council is going to throw out or cut up legislation affecting the working class, we must try to change the composition of that Chamber at the next election. I accept the amendments very reluctantly.

The Hon. E.R. GOLDSWORTHY: The Minister did not let me know that he would be dealing with these amendments.

The Hon. J.D. Wright: It's on the Notice Paper.

The Hon. E.R. GOLDSWORTHY: Nonetheless, my conversation with him at lunch did not indicate that they would be considered at this stage, although I believe that I am reasonably well prepared to reply to what the Minister had to say. First, let me put to rest this question of the Government's mandate. The policy speech given by the Labor Party before the election spelt out that it would do a number of things. First and foremost in that speech, which no doubt commended itself to the public, was that the Labor Party did not intend to raise taxes.

The Hon. J.D. WRIGHT: I rise on a point of order, Mr Chairman.

The CHAIRMAN: I do not want a point of order taken. However, I point out to the Committee that the debate is covering a much wider range than that of the amendments before the Chair. To save time and embarrassment, I ask that all members adhere to the matter before the Chair.

The Hon. E.R. GOLDSWORTHY: I will have no trouble in linking up these remarks, because one of the points that I made when this matter was originally debated in this House was that this legislation would increase costs to employers and increase unemployment. One of the promises made by the Labor Party prior to the election was that a Labor Government would generate employment. That was one of its policy planks, and that was the mandate this Government had—to generate employment in this State. I strongly believe that the original Bill, which the Minister now claims has been largely amended, would have increased unemployment. The point that the Minister makes in relation to the Government's having a mandate for this legislation runs quite counter to other promises put forward in the Labor Party's policy speech.

The CHAIRMAN: Order! I must pull up the Deputy Leader at this stage. There is no question of there being a Bill before the House: we simply have amendments from the Legislative Council for consideration, and I would ask every member, not only the Deputy Leader, to adhere to those amendments.

The Hon. E.R. GOLDSWORTHY: I support the amendments, because they partially improve the Bill. The amendments seek to a limited extent to minimise the effects of the legislation on employment in South Australia. The reason for the stance taken by the Liberal Party in regard to this legislation is that we believe that a maximum effort should be made to maintain employment in South Australia. The amendments from the Legislative Council, as far as they go, will tend to reduce the Bill's impact on an employer's ability to keep people on his pay-roll. As I peruse these amendments quickly, I note that the effect of the amendments is to leave out a provision which sought to delete the two-year limit within which claims for hearing loss had to be made.

In other words, the provision in the Act that a claim must be made within two years after retirement will remain. Further, one of the substantial amendments is to remove all these extra payments sought to be made in relation to workers compensation, that is, overtime, site allowance, and the like. I am pleased that the Council in its wisdom has removed these provisions, which would have had the effect of inflating workers compensation payments to an extent not known anywhere else in Australia, with the possible exception of Tasmania, which still has the most acute employment problem in the nation. Nowhere else in the mainland States do provisions such as those which the Minister sought to insert apply.

Not for a moment do we wish to deny sick or incapacitated workers their rights, but that must be balanced against the real and competitive world in which we live. We cannot afford to be more generous in South Australia, with our unemployment level at such a high rate, than the other States. We would like to give people twice their normal wage, but it would be absurd to suggest such a thing. The other amendments concern the advisory unit and modify the clause originally proposed by the Minister. I think that the amendments improve the Bill very considerably. I am sorry that the Democrats who, of course, have power in the other place (far outweighing their numbers, which is the nature of the proportional representational system that we have in Australia and in this State—

The CHAIRMAN: Order! Those remarks are out of order.

The Hon. E.R. GOLDSWORTHY: I was going to give the Democrats a back-hander, but if that is out of order I will have to refrain from doing so.

The CHAIRMAN: The Chair hopes that the Deputy Leader will refrain from doing so.

The Hon. E.R. GOLDSWORTHY: I was going to say that the Democrats in the other place are like jellyfish; you do not know which way they will wobble.

The CHAIRMAN: Order! The Chair cannot allow the Deputy Leader to continue in that vein. I ask him to please come back to the debate.

The Hon. E.R. GOLDSWORTHY: With due respect, Sir, I have the utmost respect for your chairmanship. However,

the honourable member made some disparaging remarks about the Legislative Council in particular.

The Hon. J.D. Wright: They were very apt.

The CHAIRMAN: Order!

The Hon. E.R. GOLDSWORTHY: I was rather refining the point that he was making (although I do not accept that point), and I was refining it down to certain members in the Upper House, particularly the Democrats, who do not know which way to wobble. One moment they are going to oppose the legislation, saying so on television, while the next minute (after someone from the Minister's office has been in the Democrats' ear), they decide that they will support the legislation. Finally, they wobble somewhere down the middle, so some of the amendments are accepted and some are not. I do not think one of the outstanding qualities of the Democrats is decisiveness. Anyway, when one is sitting on a barbed-wire fence, I suppose that one can be pricked fairly easily, and the poor old Democrats really do not know how to balance. All in all, however, let us give the Democrats some marks for agreeing with the Liberal Party in improving this Bill.

Mr Whitten: The Liberal Party agreed with the Democrats, that's what happened.

The CHAIRMAN: Order! The Chair has allowed too much latitute in this debate. I ask the Deputy Leader to come back to the amendments.

The Hon. E.R. GOLDSWORTHY: We support the amendments, and we are glad that the Minister has the wisdom to accept them, even though he professes to do so in a grudging fashion. The parts of the mandate that the Labor Party seeks to honour first are those involving promises made to the union movement.

Mr BAKER: I am delighted with the amendments from the Upper House, as I am sure the Minister is also. He huffed and puffed and banged like an empty can for a while and said 'We really do have to accept them', but it gets him off the hook a little. I am pleased that he has accepted the amendments because he will not now lose jobs that would have been lost otherwise, and he has satisfied his friends in the union movement. The Minister has made an attempt, and he can go back to them and say, 'That House up there has done it again to us, and we have failed.' In the process, we have had this matter tested, and I believe South Australia has won as a result of these amendments. I congratulate the Legislative Council on its action, and I am sure that the Minister does also.

Mr ASHENDEN: The points made by the member for Mitcham and my Deputy Leader sum up exactly how I feel. As members would recall when this Bill was previously before us, I said that the clauses, which the Legislative Council has amended, would have a disastrous effect on industry in South Australia. The Bill still fully protects the injured worker but it removes many anomalies and costs that management would have been forced to bear quite unfairly. I believe that the Legislative Council in this instance has acted extremely responsibly, and I am pleased to see the Government accept the amendments that have come from that Chamber.

Mr LEWIS: It was with interest that I heard the protestations from the Deputy Premier about the necessity, as he saw it, to accept these amendments. He said that these amendments 'rip the guts' out of what the Bill sought to do. The situation is more interesting because of what he did not say: if his amendments had passed into law, the viability would have been ripped out of South Australian industry.

Regardless of the difficulty the Deputy Premier may have in explaining to the United Trades and Labor Council on South Terrace that he has been unable to deliver the goods, nonetheless, I trust that he will now be able to reassure those people that the jobs of all their members are very much more secure by virtue of the failure of the Minister's measures to pass the Legislative Council. He knows, as does anybody who has the ability and inclination to do a very simple economic analysis, that that is the case. If the measures as proposed by the Government, and insisted upon in its liaison with the United Trades and Labor Council and the affiliated unions, had come into effect, quite clearly large numbers of South Australian jobs would have disappeared. They would have disappeared as a direct result of the immediately increased cost of production. This would have created a loss of confidence on the part of not only existing enterprises but any entrepreneur thinking of setting up in South Australia, as well as any business already established and thinking of expanding. That fact was brought home to me by a large number of people whom I know by virtue of my experience and contact with them in business prior to entering this Parliament.

Frankly, I think the Deputy Premier could have been more generous and more sensible in his appraisal of the effects of these amendments from the Legislative Council. That would have served the purpose of this institution and the interests of people seeking employment in South Australia far more effectively than the comments he made. I am grateful that we belong to a bicameral Parliament and that it does have a democratically-elected base in both its Chambers for it ensures, at least in some part, that political Parties and the henchmen to whom they answer cannot dictate on their own terms what the law will be. This is a classic illustration of the value of that system and its value, in turn, to the prosperity and employment prospects of all South Australians.

Motion carried.

PAPER TABLED

The following paper was laid on the table:

By the Minister of Community Welfare (Hon. G.J. Crafter)—

Pursuant to Statute—

Referendum (Daylight Saving) Act, 1982.

EVIDENCE ACT AMENDMENT BILL (No. 2)

Adjourned debate on second reading.

(Continued from 1 June. Page 1837.)

The Hon. JENNIFER ADAMSON (Coles): The Opposition has grave reservations about this Bill which were expressed by my colleague the Hon. Trevor Griffin in the Legislative Council. Certainly, the Liberal Party endorses the goal of trying to ensure that all spouses are competent but not necessarily compellable to give evidence.

We support any amendments to legislation that go as far as the recommendations of the Mitchell Committee on this matter. However, this Bill makes spouses not only competent but also compellable other than when they are exempted from giving evidence by a trial judge. The Bill also extends protection to putative spouses, and this is an issue of deep concern to the Opposition. It certainly concerns me, and I have expressed that concern in another capacity about other legislation before the House.

It worries me to think that the law is continually elevating the status of putative spouse and providing such people with protection that has traditionally been extended to people living only in a matrimonial state. I feel that the progress (if it can be called that—I would refer to it as being regression) that has been moved in that direction will progressively

weaken the status of the family and of the family unit in society, and that would be much to the detriment of society. In that respect, this Bill is yet another small but significant move in that direction, and that concerns me.

The Mitchell Committee recommended against any variations in the classes of person who presently are not compellable to give evidence. We do not believe that the status of putative spouse should be elevated to receive the protection in criminal law provided by this Bill. Another concern about this Bill is that it creates uncertainty as to whether a spouse is compellable in any other particular proceedings and it leaves that determination to the trial judge, and that in our view is undesirable.

The matters were canvassed at some length in the Legislative Council. I do not intend to move in this House the amendments that were moved and lost in the Legislative Council. I am pleased to read into the record the recommendations of the Mitchell Committee, because it is on those recommendations that any legislation that would be introduced by the Opposition would be biased. Those recommendations are:

(a) We recommend that each spouse be competent to give evidence against the other in respect of all charges.

(b) We recommend that the prosecution be at liberty to comment upon the failure of a spouse to give evidence for the other.

(c) We recommend that where a spouse is competent but not compellable to give evidence against the other and it is intended to call that spouse to give evidence for the prosecution, the judge should explain to him or her in the absence of the jury that he or she can not be compelled to give evidence.

(d) We recommend that each spouse be competent and compellable to give evidence for the other in respect of all charges.

(e) We recommend that each spouse continue to be compellable to give evidence against the other in all charges in respect of which he or she is at present compellable and in a charge for assault upon a child under the age of 16 years.

(f) We recommend that where spouses are jointly charged each be competent but not compellable to give evidence for the other.

(g) We recommend that a spouse be competent but not compellable to give evidence for or against a person charged jointly with the other spouse.

That is the basis on which the Opposition would support changes to the legislation. This Bill goes further than the Mitchell Committee suggests, and introduces into the Statutes a further endorsement and support for the status of putative spouse which, I believe, is an undesirable move. The Opposition supports the second reading, but will oppose the Bill.

The Hon. G.J. CRAFTER (Minister of Community Welfare): I thank the honourable member for her indication of support at the second reading stage and her indication of the Opposition's concern about this matter. These matters were debated at some length in another place and were eventually passed by that Chamber. It is true that the Bill does not implement the whole thrust of the Mitchell Committee recommendations, but there are several reasons why that situation has occurred and why the recommendations of the Mitchell Committee were found to be not satisfactory.

The Mitchell Committee recommended that each spouse continue to be compellable to give evidence against the other in all charges in respect of which he or she is presently compellable and in a charge for assault upon a child under the age of 16 years. The spouse is presently compellable to give evidence for the prosecution where a person is charged with offences mentioned in the third schedule of the Evidence Act, but only as regards the age or relationship of the child to the husband and wife.

The spouse is also compellable where a Statute or common law so provides. The only statutory provision I have been able to find is in section 245 of the Community Welfare Act. Section 92 makes it an offence to maltreat or neglect children. The prosecution under that section cannot proceed unless authorised by the Children's Protection Panel. Thus the position is that a spouse is compellable where a spouse is charged with mistreating a child, but not where the spouse is charged with the murder or rape of the child.

The Mitchell Committee's recommendation that a spouse be compellable in a charge of assault upon a child under the age of 16 would not improve matters much. When the Mitchell Committee made its recommendations, it was thought that in common law a spouse was compellable when the other spouse was charged with personal violence against a witness.

I think it is important for the House to note that since then there has been a change in the law, and the House of Lords in *Hoskings* case in 1978 ruled that that was not so in the present law, and the Mitchell Committee recommendations are unsatisfactory for that reason and the anomalous results are thus produced. It is probably impossible to list all of the crimes for which a spouse could be compellable and even if a crime is considered for listing it may not be appropriate for a spouse to be compelled to give evidence. It is for that reason that the Mitchell Committee recommendations were departed from.

The other point the honourable member raised is the matter of the elevation of the status of a putative spouse, and I think that my views on that matter are known to the House. What the legislation is doing is taking account of reality, and such criticism should not be levelled at the legislation but to prevailing attitudes within the community and the forces that have brought about this situation. One of the things that concerns me is that many people will not enter into a legal marriage relationship because of their fear of the consequences of the marriage laws as they now exist. I think deeper problems exist in the community, and it is wrong to say that we should not be countenancing such matters in legislation as is happening more often today.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—'Provisions governing competence and compellability of close relatives of accused persons.'

Mr BAKER: I have had only a few minutes in which to read this Bill and I cannot claim to know a great deal about it. I have read the clauses and I am concerned about clause 4 (6). I have expressed many times much disquiet about the law as it appears to be operating in this State and the way in which it appears to be being changed.

I shall be dealing with one when the Aboriginal lands rights legislation is next before members. It concerns me that this Government is taking away peoples' rights as we understand them historically. There seems to be a complete inconsistency in respect of the provisions of clause 4, which enacts new section 21, subsection (6) of which provides that the relative is compellable to give evidence and the accused is not. Parliament seems to keep making changes to this law, and I fail to understand the reasons for such changes. I am not satisfied that we are working in the best interests of the people of South Australia. It seems inconsistent to make this change in the way the courts have operated. If I still believe, after the coming Parliamentary recess, that that

is the case, I intend to move an amendment to restore the position to what it was previously.

Clause passed.

Clause 5 and title passed.

The Hon. G.J. CRAFTER (Minister of Community Welfare): I move:

That this Bill be now read a third time.

The Hon. JENNIFER ADAMSON (Coles): Opposition members oppose the Bill, which is in the same form coming out of Committee as it was when it went in. The Minister's defence of elevating the status of the putative spouse to give that spouse protection in terms of evidence in criminal law courts is spurious if it rests on the fact that people are choosing not to get married in order to avoid the provisions of the family law. I believe that that is merely grounds for ensuring that the family law should be amended or improved to ensure that family life and married status are promoted and elevated, because I believe that they are the very foundation of individual nurture and fulfilment and of community and national security and satisfaction. Therefore, the Opposition cannot accept the Minister's arguments, and opposes the Bill.

Bill read a third time and passed.

MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) BILL

In Committee.

(Continued from 1 June. Page 1840.)

Clause 2—'Interpretation.'

Mr LEWIS: I wish to move the amendment standing in my name, because the present definition as we find it in clause 2 of the term 'spouse' is—

The CHAIRMAN: Order! The honourable member's amendment on page 2 after line 18 is to insert a definition.

Mr LEWIS: That is the intention. I believe that the present definition of the word 'spouse' in the Bill is inadequate, and that it is necessary to extend it. I am aware that the necessity for me to include this amendment arises out of the inadequacy of the definition of 'spouse'. Regrettably, the first letter of the word 'related' is 'r' and that comes in the alphabet before the letter 's', which means that I have to discuss this matter 'related person' as an included definition before the definition of the word 'spouse'.

The CHAIRMAN: Order! The Chair recognises the situation that the honourable member finds himself in, but points out that he must move the first amendment standing in his name, clause 2, page 2 after line 18, but he can canvass the second amendment.

Mr LEWIS: I move:

Page 2, after line 18—Insert definition as follows:

'related person' in relation to a member, means—

(a) a member of the family of the member; or

(b) a person with whom the member has, during the preceding period of twelve months—

that is the period for which the member is reponsible to submit his or her return—

had sexual relations (whether heterosexual or homosexual) on more than one day within a period of three months.

The purpose is not to reflect on or place value judgments on the lifestyle of any members regardless of whether I agree with it or not. It is to ensure that, as I understand it, casual sexual liaisons, which occur in the lives of some people and are capabale of occurring in the life and behaviour of members of Parliament, are not intended to be considered relevant in the context of the register of interests of that member of Parliament along with other members of Parliament.

The casual affair is ruled out. I am compelled, nonetheless, to draw the attention of members to the conflict of interest that can arise from members engaging habitually in sexual relations with other human beings. We only have to look at what happened in the Profumo affair, the Jeremy Thorpe situation, and even closer to home and in more recent times the Jim Cairns and Junie Morosi situation, to recognise the relevance of such liaisons in the way that they will influence the judgment and decision of a member of Parliament.

Mr Hamilton: What about Gorton!

Mr LEWIS: I do not know that it was ever documented that there was a sexual relationship between Sir John Gorton and Ainslie Gotto. Members may find the matter amusing because of its novelty, but it has probably never been debated in recent times in this or any other Parliament, and I ask members to consider seriously the implications of the measure. I am, and there are implications that contemporary history illustrates for our benefit. If we are to be fair dinkum about the necessity to register the interest and influences to which we may be subject as members of Parliament, it is only reasonable for us to do it in a way that is judicious and consistent across the board, regardless of the difference in lifestyle between one member and another.

I do not presume or impute that any member of Parliament is necessarily engaged in any such relationship or that they necessarily have been in the past. As a matter of conscience and consistency it would be sensible for us to ensure that the member of Parliament knows, (whether they are married and living within that marital relationship without committing adultery or whether they are adulterers) that information must be declared on the register about the kind of people they are relating to in this way, regardless of their status in that relationship in law. Indeed, they may be unmarried, and this amendment takes account of those circumstances.

I do not see that the present Bill is consistent in the way that it requires members of Parliament to proclaim their interest in the register just because they are married, whereas any member who is not married does not. I will explain how that happens to be so, soon, when I move a subsequent amendment.

I believe that I have explained to honourable members as sincerely and frankly as possible the reason I am wanting to include a definition of 'a related person'. I commend the amendment to honourable members, and ask for their support.

The Hon. G.J. CRAFTER: The Government opposes this amendment for the reasons primarily expressed by members opposite during this debate. The Government has considered the definition of 'spouse', and has chosen one that is settled at law. I think that the honourable member who has moved this amendment has made a massive miscalculation of what the legislation intends, and has tried to extend it to areas that no other legislature in the world has tried to include. I think that the effect of this would be to lead the role of the Parliamentarian and Parliament into one of ridicule and derision, and I think that we are trying to achieve the opposite by this very piece of legislation.

Mr MATHWIN: It seems to me that the Minister is saying one thing on the one hand but means something else on the other. If one reads the Bill as it was presented to this House, it is quite apparent that the Government's intention is to try to make members more responsible in situations where they could possibly be blackmailed or where they could be security risks, and many other aspects. I suggest that that is one of the main reasons for the Bill, because we have to supply all this information to anyone

who walks in off the street. The member for Mallee is trying to make it a fair situation and I agree with his assumption that people who get into situations like this could be more susceptible to blackmail and the like than those who are in a stable marriage.

It would appear to me that the Bill, as it now stands without any amendment at all, would mean that people living in what one may term a normal married life would be subject to more scrutiny than those who are not. I am not sure what the honourable member meant when he said, 'A person with whom a member has had during a preceding period of 12 months sexual relations on one or more days within a period of three months.' I think that he is being a bit short on in his calculations. Nevertheless, I suppose that it is a possibility that that could happen. People could live together for so long and not do what the honourable member is trying to put over in these amendments.

That is part of the amendment which the honourable member is putting forward for consideration. I think that the principle of it and part of the explanation of it is quite right. I think that it is only fair that these people should also be under scrutiny as any other member's husband or wife is. If this Bill passes, anybody could walk into this House and demand to see any of the information on the file about a member of Parliament, the spouse, and their children.

However, it stops at that. It means that those people who are not married but are living as they wish to (and that is their business, I suppose; nobody has ever asked me to live with them so I suppose that I will remain as the lone ranger for many years) come under the same scrutiny. I think that the member for Mallee is on the right track.

Mr PETERSON: It seems to me that the definitions in paragraphs *(a)* and *(b)* of the amendment, 'a member of the family' or 'a person' need clarification. What if there is an 'and'? For instance, the situation comes to mind that there may be people in this House who may be involved in an extra-marital affair. It is a possibility. What happens then? If a member of this House happens to be having an affair, can one honestly see him or her putting on a piece of paper which is open to the public that he is having an affair, and that he will be putting down the address? That shows how ludicrous this legislation is. As I read this clause, there could be a list, or even carbon copies. I have been offered a black book already. However, it is a point. If a member of Parliament happens to be in that sort of relationship outside of a marriage, he or she must put that down on the list, and I cannot see that happening. I do not care if the penalty is $20 000, as with poker machines. I am sure that they will not put that down for anybody, especially for their marriage partner to pick up. I cannot see it. I would like clarification of that from the mover of the amendment.

Mr TRAINER: I support the Bill as it stands. The member for Mallee has once again come up with one of his arguments which suggest that he has given a new meaning to the term 'political asylum'. I think that the sort of amendments he has come up with are designed to discredit a serious attempt on the part of the Government to bring reasonable (and I stress the word 'reasonable') scrutiny to bear on some of the financial affairs of members. I stress the word 'financial' in relation to 'affairs'.

We pay a price for becoming public figures. We accept certain elements of what is sometimes referred to as the 'goldfish bowl', but the suggestions on sexual matters put up by the member for Mallee are quite absurd and bring the Parliament into disrepute. I almost feel that we should not even be commenting on them and thereby giving some sort of credibility to what he has come up with by doing so. I do not think that he should be able to get away with some of this silliness. This Bill as it stands is not unfair in its intrusion into the privacy of the member by taking—

The CHAIRMAN: Order! The Chair must pull up the honourable member. We are dealing with a clause, not the Bill.

Mr TRAINER: Financial matters are one thing: sexual matters are of completely different dimensions. I do not think that it is the concern of anyone here as to what private matters occur in member's private lives. I could not care two hoots if the member for Mallee has given a new meaning to the term 'animal husbandry'. I think that it is no concern of members or of the public at large. The sort of suggestion he has come up with is heading in the direction of Western Samoa. I quote from the Parliamentary newsletter of the Commonwealth Parliamentary Association of 26 November 1981 under the heading 'Unseating of a Member.' The article states:

> A member of the Parliament of Western Samoa has been unseated on ground of immorality. This is in accordance with Article 10 *(j)* of the Electoral Act 1963, which states that 'if while he is a member of Parliament he has sexual intercourse with any person other than his spouse by valid marriage', a member shall be disqualified from holding his seat.

Application of that approach here in this Parliament could possibly leave some seats vacant if the mores in here are on a par with those outside in the community. I condemn the frivolous attempt of the member for Mallee to bring disrepute to what is a well-intentioned Bill.

The CHAIRMAN: I hope that when the member for Mallee replies to those comments by the member for Ascot Park he will keep in mind that we are dealing with a particular amendment before the Chair.

Mr LEWIS: I would have hoped that that was how the member for Ascot Park would take it in the first instance. I remind the honourable member that I am not silly. If he cannot understand the relevance of the effect that strong emotional attachments have on the judgment of human beings, especially where it relates to money matters, then why on earth did the Government bring this Bill into this House in the form that it is in? Why is it required that financial interests of a spouse are required to be declared and not those of people in unmarried relationships, either homosexual or heterosexual? I put to the honourable member that he is condemned by his own argument, because elsewhere in the Bill there is no definition relevant to the context of a relationship outside marriage. A court must find that the circumstances exist. The honourable member is dead wrong if he thinks that the Bill covers *de facto* relationships, because it does not.

Mr Trainer: Wait and see.

The CHAIRMAN: Order!

Mr LEWIS: I have checked with several prominent lawyers and judges of the Family Court: as it stands, the Bill before the House does not do so. I want to make it plain that I object very strongly to my being required at law, in sufferance of a sanction and a penalty, to provide information for the public benefit about the financial affairs of my wife and any children under the age of 18 years that I might have when there is absolutely no way in the law that I can compel my family to give me that information. If my family refuse to tell me, I am guilty of an offence for not disclosing that information even though I could not obtain it. As the Bill stands at the moment there is no way that I can compel them to provide that information. The Bill is indeed a farce. If we sincerely believe that there is a public interest to be served by disclosing not only the interests of members but also the interests of members of the family and people with whom a member has a strong emotional association, the only way that we can make it workable and consistent in its effect—

Mr Trainer: That is going to be covered.

Mr LEWIS: It is not covered at present. My certain advice from a number of experts who have been engaged in this aspect of the law for a longer time than has the member for Ascot Park is that my interpretation is correct. They have unanimously stated that; there is not one variation of opinion. If we are to be consistent we must adopt a consistent line in the way in that members must record the way in which they can be influenced by their concern for those to whom they are attached emotionally, whether within marriage or outside it. The member for Semaphore did not quite understand the point that I was making. He did not understand that I have sought to preclude the sort of one-night-stand affair.

Mr LEWIS: I have done so. You have got to do it twice and it must be done within a period of three months.

Members interjecting:

The CHAIRMAN: Order!

Mr LEWIS: I am quite serious about this matter and I want the member for Semaphore and other honourable members to understand that there must be an arbitrary cut-off point. If within a period of three months there is a repeat of the engagement and the performance, that would clearly indicate an affinity that extends to the realms where emotional ties have developed. Within this Bill we define that members have an obvious emotional tie with their spouses in marriage, and therefore establishes a basis of concern that the public ought to know about the married partner's business affairs. If we are to be consistent about it we must extend that beyond the question of lawful marriage. The emotional attachment is still as strong (as much as there is variation in the strength of feeling within a marriage) and it is acknowledged that there must be an emotional concern for the material welfare and well-being that each has for the other. It is equally and demonstrably the case that two people living together, cohabiting and engaging in sexual activity with each other, have exactly the same kind of emotional attachment and concern for the welfare of each other.

I do not bring these amendments to the attention of members of the House for the sake of entertainment of members. I believe that there is a need for consistency in defining the necessity to register interest. If honourable members believe that this is a necessary provision, then it should be extended (regardless of whether there is a marriage within law) to every other individual human being with whom the member is emotionally involved. That is the crux of the matter. That is what is being denied by the Government at present. The question of homosexual relationships is not canvassed; that matter is not contemplated in the existing Bill, and yet I have given contemporary history examples to the House and to the member for Ascot Park where it has been demonstrated that a homosexual relationship influenced the decision made by a member of Parliament and a Minister of the Crown, as it related to money matters being debated by the Parliament at the time; in fact, the public purse was used in the interests of a sexual partner to the exclusion of the public interest.

Mr GREGORY: I support the Bill. I am most concerned that we have had paraded in this House the concern more for peccadillo and casual relationships that people might have with persons of the opposite sex than the real problem at issue, namely, the pecuniary interests of people and the influence that that might have. I want to draw the honourable member's attention to a number of things. If the member for Mallee's argument is taken to its full extent, we would really need to list on the register not only the interests of people with whom one has sexual relationships, who may have an influence over one, but also social relationships and friendships that have no sexual involvement at all. If all the proposals put forward by the member for Mallee were taken up there would not be enough room here for some members to list all their social contacts. The other aspect concerns the matter of onus of proof. How would you prove it? Someone could turn up and say that his or her name was not on the register but that they had been with a member on at least two occasions during the past three months, because in some cases it might be a social advantage for a person to say that he or she had some relationship with a member of this House. By going back in history I can cite what I have been led to believe about the Hon. Charles Cameron Kingston. He was not exactly a monogamist and he was free with his favours: the mind boggles at the thought of what would have occurred if this sort of proposal had applied at that time.

Here we are with an issue that concerns people in our country, and we have this tomfoolery with people trying to deride the Bill and making a joke of it. What they are doing is avoiding the issue, trying to divert people's attention from the real issue. It is the influence over and money and gifts given to members of Parliament that is the issue, not what they may do in their spare time. As I said last night, one can only be led to believe that members are more interested in what is going on on top of the bed than what is going on underneath it.

Mr GUNN: How do you determine the onus of proof in relation to part *(b)* of this amendment. I believe it would be a most interesting exercise, if someone was called and questioned, on how the onus of proof would be determined. It would be of some benefit if the honourable member could briefly explain to the Committee exactly how he would envisage the onus of proof being determined.

Mr LEWIS: That is an interesting point and I will answer it immediately before I refer to the questions raised by the member for Florey. Nowhere in this Bill is the onus of proof and the merit of proving it defined or required—nowhere. In no circumstances does it set out how anyone shall be detected for committing such an offence. The honourable member merely exposes what I am already aware of, that is, that the Bill's provisions are farcical in that they provide no means by which investigation can be made and, by way of explanation not only of his point, but also to the member for Florey who accuses me of tomfoolery, I will read for him a provision which covers exactly all those matters that he was referring to.

It is clause (4) (3) *(g)*, or maybe he will read it and we can wait until we get to that clause. I want him to be aware that all the matters that he said were not intended to be included in the Bill are to be included in the Bill.

The CHAIRMAN: The honourable member for Mallee can refer to a particular clause but the Chair does not intend to allow the honourable member to debate a clause which is not before the Chair.

Mr LEWIS: If honourable members do not think that is adequate, I refer them to clause 4 (6), and our responsibility is to decide whether or not the disclosure of that information could represent an influence on a member's decision making; an interest that could affect the decisions he is going to make during the ensuing 12 months. The Bill is indeed farcical, but it is more than that in its present form; it is unfair and I ask the member for Florey to reconsider his opinion of the amendments I propose if he is considering supporting the Bill overall, because it does have serious implications and there are serious discrepancies as to the way it will be capable of defining the registrable interest from one member to another and I do not believe that this Parliament ought to discriminate between members according to their choice of lifestyle in regard to what they are compelled to disclose. This Bill does discriminate in that way.

Mr BAKER: I do not intend to support any of the amendments put from this side of the House. Let us make it quite clear what this Bill is trying to achieve. I am getting tired of some of the arguments being put from this side of the House. When we talk about pecuniary interest we are talking about those interests which a member may have had or which he may have had in joint partnership or may have shifted sideways into a family trust, for instance. We are talking about the direct relationship he has in fulfilling his duties.

Mr Lewis: Where does it say that?

Mr BAKER: Hold on. I am explaining what the problems with any legislation in this area involve. We are talking about the direct relationship between a member and the assets that he did have or may have had an interest in. That is what the legislation intends to cover. What it cannot do, though, is prescribe that in finite terms in the way we would all like. One cannot suddenly list the various items of a wife's assets which would be related to a member. I know the Bill appears discriminatory but sometimes we have to do things in good faith in this House and just use a little bit of common sense. I am tired of these amendments about sex relations. I do not care whether a man has 10 *de factos:* that has nothing to do with this Bill at all because it has nothing to do with the assets we are talking about. Unfortunately, we cannot get any legislation that will be able to define with finality what we are trying to provide for. However, I will not support any of the amendments moved on this side of the House.

Mr LEWIS: In response to the member for Mitcham, let me explain to him that he has failed to understand what I am sure the authors of the Bill intended in the definitions in clause 2. If he sincerely believes—and I thank him for his ignorance in now leaving the Chamber and his lack of manners—but since he has demonstrated his lack of interest in the debate, I will explain the situation to other members anyway. The Bill requires members of Parliament to disclose the interests not only of themselves but also of their families. It in no way restricts itself in its ambit to the matters that the member for Mitcham was speaking about. It goes beyond that; and that is the reason for my objection to it overall. If it is judged that indeed we should register the broader spectrum of interests of the people with whom we have strong emotional relationships, I believe we need to be consistent in the way that it is done so that all members of Parliament whose emotional attachments may be seen to take precedence over their public responsibilities have disclosed those emotional attachments in the register.

Mr MEIER: The honourable member for Mitcham made a statement to the effect that we cannot get finality in certain aspects of the legislation before us. For that reason I think those amendments moved by the member for Mallee have some sense, because the whole thing is a farce, in my opinion. As I have said on previous occasions, the Government is only looking at the economic aspect of a member of Parliament and is ignoring the social, religious and other attributes that are equally relevant, and particularly the family. If we cannot get finality into a Bill, I would much rather see it shelved until a proper draft can be brought forward. We should not have to debate such minor aspects of a Bill as we seem to be doing hour after hour.

Mr PETERSON: I agree with what the member for Goyder has just said. I think that as it stands the Bill is ineffectual and that it really will not achieve what it sets out to do. I believe that the debate on this Bill has gone on much longer than is necessary for a Bill of this nature and that it should be passed now and amended later. I believe that this Bill has been put up in its present form so that it can be amended. If it was brought forward in its ultimate form, I believe it would not be put through.

I accept the fact that the Bill is not complete and is not really effective, so let us put it through and amend it later. Many Bills are amended in this place. I believe this Bill should be passed and, if it proves to be ineffective in its minor form, there is still scope for the legislation to be adjusted. I really do not believe it is possible to put forward a completely effective register of interests Bill. I will be interested to see what happens in the future with the Bill to make it more effective in the eyes of the Government.

Mr Mathwin: Suppose it's a good, happily married couple.

Mr PETERSON: I have made as many points about the *de facto* situation as has anyone else, and I still think it is an anomaly in the Bill. I certainly do not think this amendment will solve the problem. I do not believe that sugggested changes will make the Bill any more effective. Let us support the Bill, get it on the Statute Book and start from this very poor position. We can then adjust it in the future.

Mr MEIER: I think what the member for Semaphore has said epitomises what poor government is all about. This Government has attempted things which are not quite right in this Bill and in this clause but says that we should let it go through and then fix it up later. Surely that is an argument for throwing it out now. It is a similar situation to what has occurred at the Federal level with the superannuation tax where the Treasurer said that, although the legislation had been brought in, it was necessary to amend it.

The Hon. G.J. CRAFTER: I rise on a point of order, Mr Chairman. The honourable member is referring to a matter that is not contained in the clause we are considering.

The CHAIRMAN: I uphold the point of order. We are dealing with a particular amendment moved by the member for Mallee.

The Committee divided on the amendment:

Ayes (5)—Messrs Blacker, Goldsworthy, Lewis (teller), Mathwin, and Meier.

Noes (30)—Mr Abbott, Mrs Adamson and Mrs Appleby, Messrs L.M.F. Arnold, P.B. Arnold, Ashenden, Baker, Bannon, Becker, D.C. Brown, Chapman, Crafter (teller), Duncan, Eastick, Gregory, Hamilton, Hopgood, Ingerson, Keneally, and Klunder, Ms Lenehan, Messrs Mayes, Oswald, Peterson, Plunkett, Slater, Trainer, Whitten, Wotton, and Wright.

Pairs—Ayes—Messrs Evans, Gunn, Rodda, and Wilson. Noes—Messrs Ferguson, Groom, Hemmings, and Payne.

Majority of 25 for the Noes.

Amendment thus negatived.

The CHAIRMAN: The Chair finds itself in a similar position to that which it was in on a previous occasion. There are two amendments before the Chair. To safeguard the rights of both members, the Chair intends to put part of their amendments as follows:

Leave out the definintion of 'spouse' and insert the definition as follows:

The Chair again points out to both movers of the amendments that if that amendment is carried the Chair intends to put the remainder of each member's amendment in turn. However, if the part referred to is defeated, neither amendment may be further proceeded with.

Mr LEWIS: I move:

Page 2, lines 28 and 29—Leave out the definition of 'spouse' and insert definition as follows:

'spouse' in relation to a member, includes a person who is cohabiting with the member as the husband or wife *de facto* of the member and—

(a) who—

(i) has been so cohabiting with the member continuously for the preceding period of five years;

or

(ii) has during the preceding period of six years so cohabited with the member for periods aggregating not less than five years;

or

(b) who has had sexual relations with the member resulting in the birth of a child:

The Chairman has ruled that the Committee must be allowed to decide whether to leave out the definition of 'spouse' before it can proceed to consider other amendments.

Members interjecting:

The CHAIRMAN: Order! There is too much audible conversation. The honourable member for Mallee.

Mr LEWIS: Members should know that at present the definition of 'spouse' on page 2—

The CHAIRMAN: Order! The honourable member for Todd wishes to move his amendment?

Mr ASHENDEN: Thank you, Mr Chairman, I certainly do. I move:

Page 2, lines 28 and 29—Leave out the definition of 'spouse' and insert definition as follows:

'spouse' of a member includes a person (whether or not of the opposite sex to that of the member) who is living with the member in a sexual relationship and has been so living with the member continuously for not less than three months:

I do not intend my amendment to be judgmental in respect of any member of Parliament or his or her style of living. In fact, it was difficult for me to move the amendment I wanted to move, and I had long discussions with the Parliamentary Counsel to try to produce an amendment to achieve what I am trying to achieve without having wording that could be thought to be judgmental. Originally, I wished to use the word 'cohabitation' but, unfortunately, according to the Oxford Dictionary that word has two definitions. So, had that word been used my amendment could have embraced persons that I did not intend to be included in my amendment.

People can choose their own lifestyle: that has nothing to do with me. I am merely trying to achieve equality for all members of Parliament. I assure members opposite that I do not wish to be flippant in my amendment, because this is an important issue. In the second reading debate, I said that I agreed with the principle of the Bill. I have no quarrel with disclosing my financial interests or those of my wife, provided that by so doing no other member of Parliament is given an advantage over me. In this respect I use the word 'advantage' not in its normal sense, as I believe that my wife, not I, would be disadvantaged because, as a member of Parliament, I must divulge information about her financial interests which, if I were not a member, I would not have to divulge; whereas at the same time some members in this and another place would not be required to divulge financial information regarding the person with whom he or she is living in a relationship that I regard as the same relationship as that between my wife and me. My amendment has nothing to do with the lifestyle of a member of Parliament or with sexual morality. It is purely and simply an amendment by which I seek to achieve equality for all members and their spouses or the persons with whom members may be living.

Last evening, the member for Florey (although he did not use my name or the name of my district) implied that I was more concerned with what happened on the bed than what went on under the bed. However, that is not part of my intention at all: I am interested only in equality for all members of Parliament and their spouses or the persons with whom they are living. My amendment has nothing to do with the flippant remark with which the member for Florey tried to score against the points which I found difficult to express last evening. It gives me no pleasure to stand here this afternoon trying to ensure that the Bill achieves what it purports to aim to achieve: namely, to have recorded on a public register a list of any financial constraints or pressures that could affect a member in the way that he or she votes.

I cannot countenance a Bill that forces me to divulge information about my wife's financial affairs while it does not cover a situation in which two people could have been living together for as long as my wife and I have been married (and that is over 20 years, of which I am proud). Someone might say that a putative spouse would include such a person, but that is not correct because, according to the definition of 'putative spouse' in the Bill, a person is only a putative spouse not if that person has lived with another person for five years or for six years with a continuous period of five years within that six years, not if a child has been born to the couple, but only if the court determines that such a person is a putative spouse.

What member will take another member to court to have the court declare that that member has a putative spouse? In this regard we must remember that, until the court determines that a person is a putative spouse, that person is not a putative spouse. My amendment is framed constructively so as to include all members of Parliament and the persons with whom they are living in a relationship equivalent to marriage. I believe that a five-year period is far too long, anyway; therefore, I have reduced the period to three months. A wife or husband could undoubtedly place pressure on a member of Parliament in relation to certain financial issues, but I cannot understand why members opposite do not believe that a person with whom a member of Parliament may be living, not in a marriage relationship but to all intents and purposes in a situation equivalent to a marriage relationship, could not apply the same pressure as the wife or husband could apply on a spouse.

I ask the Minister in charge of the Bill to comment on that aspect when he replies, because I have heard no member opposite comment on it. This Bill, which is about the interests of South Australia, aims to ensure that, when a vote is taken in Parliament, the financial interests of a member or his or her spouse do not have an undue influence. Where two persons are living together, not married but in the same relationship as married people, I believe that the member and the person with whom he or she is living should be bound by the same procedural rules as those that bind those of us who are married.

I believe that their situation should be subject to exactly the same scrutiny. I believe that an emotional tie is stronger than the tie that a piece of paper has. A husband and wife may be separated (one of them being a member of Parliament) and there could be absolutely no emotional tie between those two whatever, except perhaps for anger, or even more than anger. Under this legislation the member of Parliament is still required to divulge the interests of his spouse, while there could be two people living together who are very close emotionally and where the member is not required to divulge the financial interests of that person who is emotionally close to him or her. Where will the greater pressure come from: from a separated couple or from two people with a strong emotional tie who are living together? That point must be seriously considered.

I stress that I support the principle of the Bill. I have no quarrel with what the Government is trying to achieve. However, I believe that all members of Parliament should be treated equally. I do not believe that the Bill as it stands with the definition of 'spouse' does that. I implore members of Parliament to support at least this stage of the amendment so that it can be further considered so as to ensure that we are all treated equally and so that no member of Parliament could be in a position of pressure being applied due to the financial interests of a person with whom he or she is living and not having to disclose those interests, and thereby completely nullifying what this Bill is trying to achieve: that is, to make sure that any such pressures are out in the open

and, therefore, such votes when taken will be taken in the full knowledge of any such financial interests.

I ask whether the Minister is prepared to accept my amendment and I stress again the sincerity with which I am moving it. It is not flippant or designed to pry into the private lives of people in any way at all. The manner in which they are living has nothing to do with my amendment at all. The wording of my amendment has worried me throughout, but it was the only way that I was able to cover the situation that I hope I have explained clearly this afternoon. I am not being judgmental on how members of Parliament lead their lives. It has nothing to do with that at all. It is purely and simply an attempt to achieve the complete equality of the divulgence of the financial interests of another person with whom a member of Parliament is living and has very close emotional ties.

The Hon. G.J. CRAFTER: I have no doubt that the member for Todd is most sincere in the concerns that he has raised. However, I suggest to him that the reason why he has had so much difficulty in finding a form of words is that he should be trying to amend the Family Relationship Act and not this legislation. The reason why the Government has stood by the Family Relationship Act is one that I have given previously—that it is precise law, known and defined by the courts, and it has a degree of stability about it. I suppose the key to the honourable member's proposed amendment is the term 'sexual relationship'. I think that he alluded to many other situations as well as the sexual relationships which could bear an influence on a member. I think that for those reasons the track that he has decided to go down is a very imprecise one, and I do not think that anyone will ever reach a precise definition, whatever form of words one tries to use.

The Government is prepared to accept the amendment of the member for Mallee in this matter because it includes in the legislation the definition of 'spouse', in line with the Family Relationship Act. This overcomes the problem of having to make a declaration to a court, or receiving a declaration from a court, to have that relationship established at law. That certainly makes the definition section of the measure more clear, if that is so required, and it makes the machinery of seeking that declaration much simpler. However, for the reasons I have given, the Government must oppose the amendment of the member for Todd, as in the long run it would not be in the interests of good law and, as I have said so many times in this debate before, the real reason for this legislation is predominantly to cover material interests.

Mr ASHENDEN: I ask the Committee for its forebearance, because it has been put to me that the Government is prepared to accept the amendment by the member for Mallee. I certainly do not wish to be unreasonable, but the definition of 'spouse', which is going to be accepted by the Government, does not go as far as I would like. The amendment still does allow a period of five years, which is a long time for two persons to be living together before any such financial interests are required to be divulged and, also, it refers only to a heterosexual relationship. The latter situation does not concern me quite as much as the situation involving the five-year period. Is the Minister prepared to look at a period of less than five years, or is five years the only period that he is prepared to accept?

The Hon. G.J. CRAFTER: As I said previously, if the honourable member wants to reduce that period of relationship, he ought to look at the Family Relationship Act and take that into context with the prevailing moves in the community. I think it would be quite wrong if in this instance a different definition of a putative spouse was arrived at from that appearing in the Act which establishes that definition.

Mr ASHENDEN: I am prepared to withdraw my amendment, although I do not wish in any way to indicate that my views on this matter have changed at all. That is not the case. I am withdrawing it purely and simply to aid the procedures here this afternoon. I seek leave to withdraw the amendment standing in my name.

Leave granted; amendment withdrawn.

The CHAIRMAN: The position now is that, because of the withdrawal of the amendment moved by the member for Todd, only one amendment is before the Chair.

Mr LEWIS: Following the truncation of my remarks earlier, I was able, through informal discussion with the Minister, to determine that the Government would accept this definition of 'spouse', which is identical to that in the Family Relationship Act, but for one important exception, and that is that in this instance, by stating it in this fashion, we preclude the necessity of any court to rule that it is so.

Secondly, I want to thank the Government for its sensible approach in that regard. Thirdly, I want to place on record my gratitude to those people (without naming them) in the Family Court who are prominent legal practitioners, and those involved in the judiciary who have been known to me for some time. A person to whom I spoke confirmed my impression that, indeed, a court would have to rule that way. That is what concerned me when I introduced this definition.

Next, I want to point out to the Minister and other members, whereas I have chosen to use this definition in the amendment to get clarity into the Bill as it relates to the interests of those members who are not married, when that definition was drawn up for the Family Relationships Act it was for quite different reasons, in that it was attempting to determine a time frame over and beyond which it would be legitimate and reasonable for a citizen living in a *de facto* relationship to claim some material benefit if that relationship dissolved.

It was designed to ensure that the gold-digging class of people who preyed upon the emotions of others would not be able to establish a short-term *de facto* relationship with a person who may have had considerably more wealth than the gold-digger and, having established that relationship for a year or so, claimed that they wanted out and walked away from it, taking with them half the victim's assets.

The Minister knows that that was the reason why the definition of 'spouse' in the Family Relationships Act was determined at five years, or cohabiting for a period of at least five years within a total period of six years.

In addition to that, the definition of *de facto* being a spouse quite sensibly includes the provision that, if there have been children from the union, it automatically indicates that a clear cut commitment exists between the two. That is fair enough. Again, I do not imply any personal value judgment by putting this proposition forward. I find this, as did the member for Coles in remarks made earlier today on another matter, further acceptance of the *de facto* relationship in law odious, in that it breaks down the foundations upon which a stable civilised society can be sustained. Anybody who believes that it is possible for a Government to have more brains than parents in bringing up children has another think coming.

I am compelled to stay within the ambit of this definition and not stray beyond it. However, by doing so I acknowledge that it has some further effect on breaking down the importance of marriage in society by our accepting it. However, it is a practice and it is necessary for Parliament to acknowledge it, even as it affects its own members.

I will not be pursuing that great list of amendments to a later clause, as they relate to an earlier definition of a related person which has been defeated.

The CHAIRMAN: The Chair understands that the honourable member will not be pursuing other amendments.

Amendment carried; clause as amended passed.

Clause 3—'Lodging of returns.'

The Hon. G.J. CRAFTER I move:

Page 2, Line 42—Leave out 'preceding period of ninety days' and insert 'period of ninety days preceding the day on which he became a member'.

The effect is consequential. It removes an ambiguity in the present wording of clause 3 (2). The amendment is designed to make clear that a primary return is required to be lodged by a member, within a period of 90 days preceding the day on which he became a member, and ought to be returned only as a requirement. It merely clarifies the position in the Bill.

Amendment carried; clause as amended passed.

Clause 4—'Content of returns.'

The Hon. G.J. CRAFTER: I move:

Page 3, line 28—After 'State' insert, ', by an employer'.

This amendment arises out of the point raised by the member for Coles that a spouse whose employment requires him or her to travel frequently interstate will be required to disclose such travel each time. This could be onerous when much travel is required, and it was not the intention of the Bill. This amendment clarifies it.

The Hon. JENNIFER ADAMSON: I support the amendment, and I am grateful to the Minister for taking account of the points I made during the debate. The clause, as it stands, requires the member to identify the source of the funds for travel, not the location or number of times of travel, as I had understood when I spoke in the second reading debate.

Nevertheless, even the requirement to disclose the source of funds for travel undertaken by a spouse in the course of his or her employment goes further, I believe, than the Government now believes was the intent of the Bill. This amendment simply removes that requirement for the spouse to identify the source of funds for travel undertaken in the course of his or her employment.

I should add that clause 4, which is a key clause of the Bill, is unacceptable in so far as it requires spouses and members of the family to declare what I consider to be their private affairs. I support the clause as it applies to members of Parliament, but I do not support it as it applies to their spouses and families. However, I support the amendment, because I think that it makes the clause a shade less onerous on spouses than it now stands.

Amendment carried.

Mr LEWIS: I move:

Page 3, line 29—Leave out 'to' and insert 'for or towards the cost of'.

Paragraph *(c)* of clause 4 (2) provides that a return shall contain:

the source of any contribution made in cash or in kind of or above the amount or value of five hundred dollars (other than any contribution by the State or any public statutory corporation constituted under the law of the State or by a person related by blood or marriage) to any travel beyond the limits of South Australia undertaken by the Member or a member of his family during the return period;

I believe that to restrict this to the cost of travel alone is ridiculous, and I thank the Government for its acceptance of the necessity to include in this provision a stipulation that, if the amount is over $500, details of costs of meals, accommodation, and so on must be declared. Members would know that we are already provided with an allowance that in most cases covers the cost of travel undertaken in any one year. Therefore, this provision eliminates the risk of a member obtaining the benefit to be derived by having someone else pay the rest of the bill without disclosing that fact.

The Hon. G.J. CRAFTER: The Government accepts this amendment to clause 4.

The Hon. JENNIFER ADAMSON: Clause 4 (1) requires that a member's primary return contain not only a statement of any income source of that member or a member of his or her family, or that which they expect to have in the period of 12 months after the date of the primary return, but also the name of any company or other body, corporate or unincorporate, in which the member of his or her family holds any office whether as director or otherwise. I can see the intent of the provision, and I support it so far as it applies to members.

However, I wonder whether the Government fully appreciates the extent of the invasion of privacy of the spouse and the members of the family of a member of Parliament in the application of that provision. For example, I cite a hypothetical example, but not an impossible one. A member's spouse might be an office bearer in the branch of a political Party of a different persuasion than that to that which the member belongs. I would regard that as being entirely the business of the member and his or her spouse. It is even conceivable, although in practical terms unlikely, that the spouse might not be aware of it. However, the practicalities are less important than is the principle, which is that ordinary individuals should not be required by law to disclose their political affiliations, which is what this clause requires them to do.

To me this is offensive, and I rather believe that the principle of it would be unacceptable to the Minister here, and indeed to the Minister who introduced this Bill. It simply highlights the absolute futility of trying to express in legislative form a principle of disclosure of interest. This subclause demonstrates the extraordinary length to which the Legislature must go if it wants to have a shot at achieving disclosure of interest. Such things become Draconian when, in an effort to embrace normal directorships and pecuniary interests, one starts delving into the political, private, and personal interests of members of Parliament and their families.

I find it quite amazing that, on the one hand the Attorney-General of South Australia has established a committee to inquire into privacy of citizens in South Australia in an effort to protect the rights of South Australians, while at the same time he has introduced into Parliament a Bill that unilaterally requires the spouses and families of members of Parliament to disclose their political affiliation; whether they hold office in a political Party; or, indeed, even if they hold office in the local sewing guild or a tennis club. That is not the business of any member of the public who, under this legislation, is entitled to come to Parliament House and examine the register, which will disclose all this information.

The point I am making underlines my opposition to bringing spouses and families within the ambit of this legislation. I stress again that I have no objection to my own financial and political affairs being made public. In fact, I did so during the second reading debate when I laid them out for all to see, and pretty simple they are.

My own return will be a short one unless I start listing my office holdings in various associations and as patron of numerous sporting associations for which we pay a rich price for the privilege. But, I should like the Minister to advise the Committee as to whether he thinks that the situation which I have outlined and which is required by this clause is acceptable, or whether he believes that it is an unwarranted intrusion into the privacy of spouses and families of members of Parliament and, if so, what does he intend to do about it.

The Hon. G.J. CRAFTER: Whether it is in this measure when it becomes law or whether it is in the way in which

we conduct ourselves in our public life, there are gross invasions into the privacy of our families, and that is something we all have to live with. It is offensive to us to receive telephone calls late at night and in the morning, or constituents knocking on our doors, when we are not there, harassing our families, and so on in our public life. Our spouses must attend many functions and perform all sorts of public duties when they would rather be doing something else. There are many prices we have to pay, and I will agree that sometimes those prices are high indeed, and I would think that on occasions, have proven too much for some spouses to tolerate.

The Hon. Jennifer Adamson: And some marriages!

The Hon. G.J. CRAFTER: As members of Parliament, we have to not only be beyond reproach but we have to be seen to be beyond reproach. We are put on a pedestal: members of the community expect more from us than they do of themselves, in general terms, and this Bill embodies that concept. That is a real and considered perspective in the community, and Legislatures in the western world have responded to it in one form or another. Yes, there will be an invasion of privacy, although I remind the honourable member that subclause (7) provides some protection. I have discussed the effect of that section with the honourable member.

The Hon. JENNIFER ADAMSON: I am pleased to have the Minister's acknowledgment that this is an invasion of privacy. I go further and say that it is an unacceptable invasion of privacy. I know that the Minister and the Government regard subclause (7) as something of a consolation in terms of the fact that family details can become blurred with member's details. I point out that in many situations that will not be the case. If the spouse or child of a member is an office bearer, for example in a political Party other than a member's own, it will become abundantly apparent immediately. If the wife of a member is an office bearer for example of the Women's Electoral Lobby or the National Council of Women it will become immediately apparent. Many organisations are orientated directly either to men or to women or to a political Party that will become immediately identifiable and distinguishable from any to which the member could possibly belong. I make these points simply to underline my strong opposition to the families of members being drawn within the ambit of this Bill.

Mr MEIER: I, too, express my strong opposition particularly to any reference to the family in various parts of clause 4 and I do not believe that I will be able to answer for my family if they wish to withhold information from the register. What is the end result of that? If I read it correctly, and I would like the Minister to inform me if I am reading it incorrectly, it would appear that clause 7 (1) includes a penalty not exceeding $5 000. Let us take the $5 000 as a maximum: that means that my wife and family, if they uphold their own individual freedom, wish to withhold from me or from the register any directorship they may hold or other income they possibly expect to earn in the next 12 months, will be faced with a fine up to $5 000. If that is the situation, then it shows what sort of legislation this is, and I could not possibly support it.

Mr LEWIS: I rise because of the concern I have that is identical to that expressed by the member for Coles and member for Goyder. This clause, even in its amended form, is still unreasonable. As I take it, we will vote on the amendments, and then consider the clause as a whole. I would therefore wait until such time as consideration has been given to those amendments before proceeding with my remarks in relation to those other matters.

Amendment carried.

Mr LEWIS: I move:

Page 3, line 31—After 'period' insert 'and for the purposes of this paragraph "cost of travel" includes accommodation costs and other costs and expenses associated with travel'.

Amendment carried.

Mr LEWIS: I move:

Page 4, after line 26—Insert subclause as follows:

(4a) A member shall be deemed to have complied with the requirements under subsection (1) to disclose information relating to a related person if he discloses all such information as is within his knowledge after making reasonable inquiries of that person.

By way of explanation, I refer to subclause (1) of clause 4.

Clause 4 (1) *(b)* and *(c)* provide:

(b) The name of any company or other body, corporate or unincorporate, in which the member or a member of his family holds any office whether as director or otherwise;

and

(c) The information required by subsection (3).

Clause 4 (3) provides:

For the purposes of this Act, a return (whether primary or ordinary) shall contain the following information:

(a) the name or description of any company, partnership, association or other body in which the member required to submit the return or a member of his family holds a beneficial interest;

(b) the name of any political party, any body or association formed for political purposes or any trade or professional organization of which the member is a member:

The remainder of clause 4 relates to a member of a family, in that it requires:

(c) a concise description of any trust in which the member or a member of his family holds a beneficial interest and a concise description of any discretionary trust of which the member or a member of his family is a trustee or object;

(d) the address or description of any land in which the member or a member of his family has any beneficial interest other than by way of security for any debt;

(e) any fund in which the member or a member of his family has an actual or prospective interest to which contributions are made by a person other than the member or a member of his family;

(f) where the member or a member of his family is indebted to another person (not being related by blood or marriage) in an amount of or exceeding five dollars—the name and address of that other person;

and

(g) any other substantial interest whether of a pecuniary nature or not of the member or of a member of his family of which the member is aware and which he considers might appear to raise a material conflict between his private interest and the public duty that he has or may subsequently have as a member.

All those things have to be disclosed. As it stands, neither this Bill nor the wider law makes it possible for a member of this place to be sure that he has obtained all that information from his spouse or members of his family, and yet if he does not obtain it all accurately and completely and get it on the register he is guilty of an offence which is punishable with a fine of $5 000.

The Hon. B.C. Eastick: And possibly the loss of his seat in Parliament.

Mr LEWIS: Yes, probably the loss of his seat in Parliament. It seems to me quite unreasonable that any member shall have to be ultimately unseated or year by year pay $5 000 to the State Government simply because he cannot discover all the information that is wanted and must be discovered to satisfy the provisions of this Bill.

Therefore, I think honourable members can see that what I am really seeking to do is to ensure that a member who makes an attempt to get the information has a sufficient defence against being prosecuted and perhaps unseated. Once a member has made that attempt he should be absolved of any further responsibility if their spouse or member of their family refuses to provide the information.

I think that is reasonable and I urge all honourable members to give their earnest consideration to it.

Before sitting down, I will read my amendment to the Committee so that the precise words that it contains can be clearly understood and on the record. The amendment should read:

A member shall be deemed to have complied with the requirements under this section to disclose information relating to a related person if he discloses . . .

I want to delete the words 'subsection (1)' and include the words 'this section'.

. . . all such information as is within his knowledge . . .

I guess that we should now change 'related person', since there is no definition of it in the terms, to 'member of his family'.

. . . relating to a member of his family.

It then would read:

. . . if he discloses all such information as is within his knowledge after making reasonable inquiries of that person.

Such words make the effect of the amendment more explicit. It is for that reason that I have sought to change them in that form. The general gist of the thing remains the same.

The CHAIRMAN: At this stage, without giving a ruling on it, the Chair is prepared to accept the suggested amendment to the member's motion, but will seek advice as to whether it is in order.

The Hon. G.J. CRAFTER: The Government does not accept the honourable member's amendment in whichever form he wishes to place it before the Committee. The Government believes that this amendment would allow substantial abuse to occur and that there are sufficient safeguards in the existing legislation to cover some of the situations to which the member for Goyder referred earlier. The opportunity to avoid the thrust of this legislation will be made quite simple if this amendment is agreed to. There must be some stricture of responsibility on members. The current provision is the one which has been shown to work in other jurisdictions, and there is no reason to believe that it would not work in the interests of the legislation in this jurisdiction.

The CHAIRMAN: The Chair points out for the clarification of the Committee that if the Committee agrees or so wishes that the honourable member has the right to alter the original amendment before the Chair, then so be it. The Chair will accept it on that basis. There being no objection, the Chair will accept it.

Mr LEWIS: As is always the case when members find that the amendment they wish to move is unacceptable to the sledge hammer, they express their disappointment at the impending result. I am no exception, but I am no nut and I do not intend to crack under the strain. I hope that no members of this place ever find that a member of their family has 'been keeping something from them', and they end up being clobbered. It will be clearly on the head of this Government if that happens, and not on mine. I have attempted in the best way possible at my disposal to remove the anomaly.

The Hon. G.J. CRAFTER (Minister of Community Welfare): I move:

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

Motion carried.

Mr LEWIS: I do not wish to be mischievous, as I know that time passes quickly, but I am concerned that the Government cannot accept the amendment. In the future there will arise a circumstance when it wished that it did accept the amendment. The judgment of the Hon. Mr Griffin in another place was all wise when he sought to include the same provision in the Bill in that Chamber. Honourable members will now find that there will not be any help from any quarter other than our good Lord if in some way we omit information about members of our families which unwittingly and unknowingly we have omitted from the register.

That only serves to reinforce my view that the Bill as it stands should be defeated.

The Hon. JENNIFER ADAMSON: I support the amendment and regret that the Minister does not. The amendment was part of the Liberal Government's legislation and was a carefully considered part of the Bill that the then Attorney-General (Hon. Trevor Griffin) introduced. I cannot accept the argument of the Minister that the amendment would weaken the Bill. It simply serves to demonstrate that there is no way in which a member could compel his or her spouse or member of the family to disclose a financial interest. If that does not occur, the member will be liable to a heavy fine. Members will undoubtedly inquire of their spouses, but not all members will disclose all the information required by the Bill, and the Minister knows that, as does every other member.

The goal, which I believe is a worthy one but impossible of legislative achievement, is to basically ensure that members are honest. At least by making reasonable inquiries a member is absolved of an offence which is beyond his or her power to avoid, human nature being what it is. I do not see that I or any other member should be liable to a fine of $5 000 simply because I, my spouse or my child believes that certain information is confidential and should remain confidential. In this regard I refer not necessarily to financial information but rather to the kind of information to which I referred in relation to clause 4 (1) *(a)* and *(b)*. The Government is being unduly coercive in refusing to accept the amendment, and that refusal is one of the many reasons why I shall not be able to support the Bill.

The Hon. G.J. CRAFTER: This matter has been debated at some length and in some detail in another place. Clause 7 refers to any person who wilfully contravenes, and the onus of the Bill falls on the member, not on the member's family. The member for Coles should take heed of the word 'wilfully' in that clause. No doubt that word would have to be defined by a court if the situation arose later, but the interpretation of 'onus' given by the honourable member is a very strict one and I would think that the words 'wilfully contravenes' take account of some of the circumstances referred to by her.

The Committee divided on the amendment:

Ayes (14)—Mrs Adamson, Messrs P.B. Arnold, Ashenden, Becker, Blacker, D.C. Brown, Chapman, Eastick, Goldsworthy, Ingerson, Lewis (teller), Mathwin, Rodda, and Wotton.

Noes (19)—Mr Abbott, Mrs Appleby, Messrs Lynn Arnold, Bannon, Crafter (teller), Duncan, Gregory, Hamilton, Hopgood, Keneally, and Klunder, Ms Lenehan, Messrs Mayes, Peterson, Plunkett, Slater, Trainer, Whitten, and Wright.

Pairs—Ayes—Messrs Baker, Meier, Olsen, and Oswald. Noes—Messrs Ferguson, Groom, Hemmings, and Payne.

Majority of 5 for the Noes.

Amendment thus negatived.

Mr LEWIS: Members are committing themselves, if they pass this clause and this Bill, to some fairly horrendous responsibilities with equally horrendous penalties if they do not comply. In the matter to which we have just been referring (if we decide to pass this measure), if a member of an honourable member's family, including the spouse, refuses to provide the Parliamentarian with the information required under this Bill, not only will the honourable member be guilty of an offence for which he can be fined $5 000 but, because the member of the Parliamentarian's family refuses under clause 7 (to which I must refer in the context of this matter) to provide information, that person has committed an offence by not telling the member of the

family who is the Parliamentarian who in turn is guilty of an offence for which a fine of $5 000 can be imposed.

There are some very wide-ranging matters that have nothing to do whatever with the amount of money that a member may have invested in a business or savings account— nothing whatever to do with the professional organisation with which the member may have been associated. It requires the member to find out from his family exactly to which organisations they belong. Every member here who has a child belonging to the Junior Red Cross or any other organisations such as cubs or scouts is required under the terms of this Bill to disclose such information. That has nothing to do whatever with pecuniary interests. It has everything to do with the register of certain interests, and that is what the Bill says it is about.

Members ought to more carefully consider the implications of this clause before they decide to support it. If they decide to support it, then it astonishes me that they can do so knowing that they will certainly, some time in the very near future, find one member of this place amongst our ranks guilty of an offence committed quite unwittingly simply because a member of that Parliamentarian's family failed to say that he or she belonged to one or another organisation or had a savings account. I am astonished that the Government could even require such information to be placed on a public register. It has far less to do with the kind of things which influence a member's decision than the people he sleeps with, and yet the Government rejects that concept in favour of this one.

I am appalled and will call for a division on this clause, because it embodies all the things that I find utterly objectionable about this kind of disclosure. I am not averse, if it is necessary, to disclosing what I am doing, but I am absolutely opposed to having to be responsible to tell the world what my family is doing; that is their business.

The Committee divided on the clause as amended:

Ayes (18)—Mr Abbott, Mrs Appleby, Messrs Lynn Arnold, Bannon, Crafter (teller), Duncan, Gregory, Hamilton, Hopgood, Keneally, and Klunder, Ms Lenehan, Messrs Mayes, Plunkett, Slater, Trainer, Whitten, and Wright.

Noes (13)—Mrs Adamson, Messrs P.B. Arnold, Ashenden, Becker, D.C. Brown, Chapman, Eastick, Goldsworthy, Ingerson, Lewis (teller), Mathwin, Oswald, and Rodda.

Pairs—Ayes—Messrs Baker, Meier, Olsen, and Wilson. Noes—Messrs Ferguson, Groom, Hemmings, and Payne.

Majority of 5 for the Ayes.

Clause as amended thus passed.

Clause 5 passed.

Clause 6—'Restrictions on publications.'

Mr LEWIS: I move:

Page 51—

Lines 4 to 13—Leave out subclause (1) and insert subclause as follows:

(1) A person shall not publish whether in or outside Parliament any information derived from, or comment on, the information relating to a member contained in the register or a statement prepared pursuant to section 5 unless—

(a) the publication includes a complete and accurate statement of all the information in the register or statement relating to the member;

and

(b) in the case of comment—the comment is fair and published in the public interest without malice.

After line 13—Insert subclause as follows:

(1a) Subsection (1) does not apply to publication by a member of any information, or any comment on information, relating to himself contained in the register or a statement prepared pursuant to section 5.

I believe that if this Bill passes no part of the register ought to be published in writing or put to air in a selective fashion, so that, therefore, if one does not publish all of it, one cannot publish any of it. Otherwise, it would be possible to claim in court (if the matter ever got to court) that one had acted without malice, even though one singled out all those things from the register of interests about the member, his wife and children which he knew would look bad to a special interest group and mailed the information off, simply stating that it was information pertaining to the member for Ascot Park, for instance. The honourable member then has had publicised selective quotations about the organisations to which he and his family may belong, and this may have some adverse impact on his public standing, even though it would not be possible for him to prove that that was so (nor would it be possible to demonstrate in court that that was so).

I sincerely believe that, if it is legitimate and necessary to bring to the public's attention any part of the published register, the whole of it ought to be brought to the public's attention by that medium in the first instance before a comment is made about that specific part which the news agency or medium believes to be relevant. Under the terms of my amendment, if a member makes a personal explanation in Parliament about the matter on record in the register concerning oneself, one does not have to read out all that information. One simply reads the relevant information from the register, makes the personal explanation and cites the instance in which it involves misrepresentation. That is to save Parliament's time.

If we as members do not do this, we will find that it will be impossible for us (as it is in the United States at present) to prove malice and libel, where scurrilous statements are made about us, by virtue of the way in which information from our personal registers is published. One cannot say that it is published with malice merely because it is put on a piece of paper which says, for instance 'Here is information about the member for Newland,' or the member for Kavel or member for Whyalla. Once that information is part of the register, nobody can say that that was done with malice. Nobody can prove that it was, unless there is some other comment about it.

Yet, it is selectively sifted from the full spectrum of information and, in the ultimate, could have considerable detrimental effect on the result of an election if some mischief-making mad fringe Party member from some organisation, not even represented in this Parliament, decided to be vindictive. One cannot prove malice, but I would not mind betting that malice would be behind it and, in due course, we would find that members in marginal seats would lose their seats simply because some people subjectively see, as bad, things that are presented to them in isolation from all the other things which they may subjectively see as good. This amendment will prevent misuse of that information from the register in that way. I urge all members and the Government to accept it knowing that otherwise what I have described will most certainly happen.

The Hon. JENNIFER ADAMSON: I support the amendment because it takes account of the matters which I raised during the second reading debate when I posed the question as to who would decide what was malice. I pointed out that whatever happened would happen after the event and after the damage, if any, were done to a member's reputation by virtue of the publication of information from the register. I think that the member for Mallee's proposition is a very practical and sensible way of ensuring that the public sees the interests of members, pecuniary or otherwise, in the context of the total information provided by the member.

The only way that this can occur is if there is a requirement that all information be published and that there can be no selective publication of information. This seems to me to be an eminently sensible amendment. In fact, it goes as far as one can go in a practical sense towards achieving what the Government wants to achieve, namely, that there be a

fair outcome if material is published. I certainly hope that the Minister will accept the amendment.

Mr ASHENDEN: I endorse the remarks of the member for Mallee and the member for Coles. I point out to the Minister that all of us in this place at some time or another have had cause to be angry or upset at the way in which we have been reported or misreported in various sections of the media. This is easily done. For example, only two or three lines from a detailed press release might be referred to, but that material could be taken quite out of context. This provides the opportunity for misreporting by an unscrupulous person in the media, or by someone who, for his or her own reason, may wish to make play of what might be a small point contained in a member's statement.

A small matter could suddenly become a headline, or an article could be written in such a way that comments could be taken out of context conveying a totally different impression from that which was conveyed in the original statement. There is no doubt at all that, if anyone is able to publish certain aspects of a member's record provided for public scrutiny, it could well be that just one aspect of a member's private or financial affairs, or details of membership in just one organisation, could be brought forward, to convey a certain impression, when in fact reference to the total record could indicate a different position as far as the true situation is concerned. I believe that the amendment is worth while, and I see no reason why anyone should object to a requirement that, if an aspect of a member's record is to be published, all of the record should be published, to overcome any possibility of misuse of information, whether deliberate or not.

The Hon. G.J. CRAFTER: The Government does not accept this amendment. I would suggest that, if honourable members want to have some respect shown to them by members of the press, they will not support this amendment. The Government considers that this would place a very unreasonable demand on the press, and I am sure it would be viewed by many elements of the media as a back-door way of prohibiting publication of this information. Clause 6 provides, in part, that:

> any information derived from the register or a statement prepared pursuant to section 6 unless that information constitutes a fair and accurate summary . . .

As honourable members would be aware, the penalty involved is substantial. There is a very great onus on those who publish this information to do so fairly and accurately in all circumstances. Of course, it must be published in the public interest. Information cannot be published with malice or in any way that would contravene the requirements of section 6. It is for those reasons that I believe that sufficient safeguard is contained in the legislation as it stands without the amendment, which I would suggest would render the provision almost unworkable.

Mr ASHENDEN: I am sure that the Minister would agree that the terms 'public interest' and 'fair and accurate' are virtually impossible to define. How on earth could anyone contest his belief that an article published about him was or was not in the public interest? There is no definition of 'public interest'. The Minister would recall that he indicated to me that he felt that the amendment that I attempted to have included earlier today was not workable because the term that I was trying to include in legislation was one that was not already defined, whereas the term 'putative spouse' is defined. There is no such legal definition of 'public interest'.

Similarly, how on earth do we determine what is meant by 'fair and accurate'? For example, I can envisage the situation where just one line from a member's record could be quoted, and provided that that line was without any error it could be maintained that it had been reported accurately. Further, I am quite sure that there is no legal definition of the term 'fair'. In other words, should a member feel that he has not been reported fairly or accurately, and that what had occurred was not in the public interest, the only choice that he would have would be to commence litigation. I am sure that the Minister, as a lawyer, would know that those terms are so undefined that such action would result simply in a long legal proceeding providing absolutely no satisfaction for the member concerned.

I cannot accept the Minister's remarks that the amendment is unreasonable. It certainly is not an attempt to come through the back door to stop the media from publishing the record. We are maintaining that they can publish the entire record. How can anyone misconstrue that to mean that we are saying that they cannot publish it at all? I urge the Minister to reconsider the matter, because I do not think that he can assure me that the terms 'public interest' and 'fair and accurate' will provide protection to members of Parliament from a person who may want to use information in the member's record to suit his or her own purposes.

The Hon. G.J. CRAFTER: Those words are used in the Bill because they are very clearly defined in case law surrounding the law of defamation. In particular, such words as fair and accurate, comment, summary, and public interest are in fact very clearly defined in case law. They are very settled indeed. I am sure that that would give guidance to anyone seeking to interpret the true effect and import of these measures.

The Committee divided on the amendment:

Ayes (13)—Mrs Adamson, Messrs P.B. Arnold, Ashenden, Becker, D.C. Brown, Chapman, Evans, Goldsworthy, Ingerson, Lewis (teller), Mathwin, Oswald, and Rodda.

Noes (18)—Mr Abbott, Mrs Appleby, Messrs Lynn Arnold, Bannon, Crafter (teller), Duncan, Gregory, Hamilton, Hopgood, Keneally and Klunder, Ms Lenehan, Messrs. Mayes, Plunkett, Slater, Trainer, Whitten, and Wright.

Pairs—Ayes—Messrs Meier, Olsen, Wilson, and Wotton. Noes—Messrs Ferguson, Groom, Hemmings, and Payne.

Majority of 5 for the Noes.

Amendment thus negatived.

The CHAIRMAN: The Chair must point out to the member for Mallee that the second part of the amendment is consequential. Does the honourable member wish to proceed?

Mr LEWIS: I would not have thought that it would be necessary for me to learn to suck eggs, Mr Chairman. You are quite right. It is nothing I can proceed with with any sense, and I have no intention of doing so.

The Hon. G.J. CRAFTER: I move:

Page 5, lines 17 to 19—Leave out subclause (3) and insert subclause as follows:

(3) Where any information or comment is published by any person outside Parliament in contravention of subsection (1), that person and any person who authorized the publication of the information or comment shall be guilty of an offence and liable—

(a) in the case of a corporation—to a penalty not exceeding ten thousand dollars; or

(b) in any other case—to a penalty not exceeding five thousand dollars or imprisonment for three months.

The amendment seeks to reduce the penalty that was imposed in another place under clause 6; that is a penalty of $50 000. This amendment amends the clause to provide that a maximum penalty of $10 000 shall apply in the case of a corporation and $5 000 or a period of imprisonment for a maximum of three months in the case of individuals. The latter penalty is consistent with the penalty provided for unfair and inaccurate reports in the Wrongs Act, which has

a similar provision, we would suggest, from which we have gained some comparison as to the nature of the penalty that is appropriate in these circumstances.

Mr LEWIS: I personally cannot accept that amendment. I view the inappropriate and mischievous publication of this information very seriously indeed. I want the Committee to understand why. It is not so much a concern for myself and for other members—we have accepted that we are in public life—but if this measure passes, there will be a great deal of information in the register about every member of our families that could be published in a way which would injure those people permanently and psychologically if it were published in a mischievous fashion. There is nothing that would be more devastating than for a teenager below the age of 18, in adolescence, to be subjected to the kind of victimisation in which some elements of the underground press would be willing to engage.

No damage could be worse than that kind of damage. I believe that commercial organisations, bodies corporate as well as individuals ought to understand that the law provides severe penalties indeed for people who maliciously or even mischievously misuse this information, especially as it relates to a member's family; and that could happen. I personally cannot accept what the Government is proposing by this amendment. However, having put on the record my opposition to that position, I will not call for a division. I will leave that to any other member who has the same strength of feeling about it as I have.

Mr ASHENDEN: I want to express my concern at the amendment. I can see absolutely no good reason for reducing the fine. I am sure the Minister would fully appreciate that some of the media corporations would regard a payment of $10 000 as being well worth while to get a good story. Some would not think twice about running the risk of outlaying $10 000 in a fine if they were to have a good story because—

The Hon. Jennifer Adamson: They would pick it up in circulation.

Mr ASHENDEN: Of course, it could possibly make a good story, as the member for Coles interjected. I believe that corporations would look much more carefully at a possible fine of $50 000. A story would then become very expensive indeed. Certainly the Minister has given me no good reason for accepting a reduction in the penalty that is outlined in the Bill.

Already I have expressed my concern about what could happen should one small part of a member's record be published. It could have a devastating effect on that person, particularly if he represented a seat that could swing either way at an election. I cannot accept this amendment. I believe that the way in which it came to us from the Council provided a protection which, for the Minister's own reason, he appears to want to remove.

The Committee divided on the amendment:

Ayes (18)—Mr Abbott, Mrs Appleby, Messrs Lynn Arnold, Bannon, Crafter (teller), Duncan, Gregory, Hamilton, Hopgood, Keneally, Klunder, Ms Lenehan, Messrs Mayes, Plunkett, Slater, Trainer, Whitten, and Wright.

Noes (13)—Mrs Adamson (teller), Messrs P.B. Arnold, Ashenden, D.C. Brown, Chapman, Eastick, Evans, Goldsworthy, Ingerson, Lewis, Mathwin, Oswald, and Rodda.

Pairs—Ayes—Messrs Ferguson, Groom, Hemmings, and Payne. Noes—Messrs Baker, Meier, Olsen, and Wotton.

Majority of 5 for the Ayes.

Amendment thus carried; clause as amended passed.

Remaining clauses (7 and 8) and title passed.

The Hon. G.J. CRAFTER (Minister of Community Welfare: I move:

That this Bill be now read a third time.

Mr ASHENDEN (Todd): I will speak only briefly because I want to explain how I am going to vote on this Bill as it has come out of the second reading. I want to make it clear that I agree with the aim of the Bill.

The Hon. J.D. WRIGHT (Deputy Premier): I move:

That the sitting of the House be extended beyond 6 p.m.

Motion carried.

MESSAGES TO LEGISLATIVE COUNCIL

The Hon. J.D. WRIGHT (Deputy Premier): I move:

That Standing Orders be so far suspended as to enable the Clerk to deliver messages to the Legislative Council when this House is not sitting.

Motion carried.

MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) BILL

Debate resumed.

Mr ASHENDEN: Before those two motions, I was saying that the way in which the Bill has come out of the Committee stages has left me in a quandary. As I have said many times, I agree with the aims that the Government states are behind the Bill. However, I believe it is a bad Bill. I have spoken about many aspects of it and I am certainly not going to canvass those points again. I cannot agree with many aspects of the Bill although I do agree, I stress, with what the Bill is supposed to achieve. I will therefore have no alternative but to abstain from voting on the third reading. The Bill will not achieve the aims that are supposed to be behind it.

An honourable member: Throw it out.

Mr ASHENDEN: My colleagues are suggesting that I vote against it. Unfortunately, in all conscience I cannot vote against it because I do not disagree with the divulging of my interests, but I cannot support it because of the many areas with which I disagree.

Mr LEWIS (Mallee): This is a stupid Bill. The Minister and the Government know very well that it contains those attributes which make it demonstrably (not arguably) stupid. For instance, clause 4 (3) *(f)* requires a member who is indebted to somebody from whom he is buying a car, or who has a family member who is indebted to somebody from whom they are buying a car, to disclose that information, but if that member is leasing a car he is not required to disclose that information.

This requirement applies to a whole range of equipment and consumer items and makes it possible for anomalous situations to arise. The Bill is quite inadequate in the way in which it attempts to do what the second reading speech intimated it was attempting to do. It goes wider than it needs in order to put on record those matters which members of Parliament ought to be required to disclose in the public interest, and could destroy the psychological stability of some people in their adolescent years if mischievous use is made of the information properly and accurately recorded about them as children of members of Parliament. For that reason, and for all the other reasons that I have put before the House during the course of this debate, I urge members to oppose this Bill and intimate that I will call for a division on the third reading.

The House divided on the third reading:

Ayes (25)—Mr Abbott, Mrs Appleby, Messrs Lynn Arnold, Baker, Bannon, Becker, D.C. Brown, Crafter (teller), Duncan, Eastick, Evans, Gregory, Hamilton, Hop-

good, Ingerson, Keneally, Klunder, Mathwin, Mayes, Oswald, Plunkett, Slater, Trainer, Whitten, and Wright.

Noes (5)—Mrs Adamson, Messrs P.B. Arnold, Chapman, Lewis (teller), and Rodda.

Pair—Aye—Mr Peterson. No—Mr Blacker.

Majority of 20 for the Ayes.

Third reading thus carried.

REAL PROPERTY ACT AMENDMENT BILL

Later:

The Legislative Council intimated that it had agreed to the recommendations of the conference.

JOINT SELECT COMMITTEE ON THE ADMINISTRATION OF PARLIAMENT

The Legislative Council intimated that it had suspended Joint Standing Order 6 to enable the Chairman of the committee to have a deliberative vote as well as a casting vote when there is an equality of votes; and that the Legislative Council members appointed thereto are the President and the Hons G.L. Bruce, C.W. Creedon, and K.T. Griffin.

JOINT SELECT COMMITTEE ON PARLIAMENTARY LAW, PRACTICE AND PROCEDURES

The Legislative Council intimated that it had agreed to the House of Assembly's amendment to the resolution concerning the committee and had suspended Joint Standing Order 6 to enable the Chairman to have a deliberative vote as well as a casting vote when there is an equality of votes; and that the Legislative Council members appointed thereto are the Hons G.L. Bruce, J.C. Burdett, M.B. Cameron, R.C. DeGaris, Anne Levy, K.L. Milne, and C.J. Sumner.

SITTINGS AND BUSINESS

The Hon. J.D. WRIGHT (Deputy Premier): I move:

That the members of this House appointed to the Joint Committee on Proposals to Reform the Law, Practice and Procedures of the Parliament and the Joint Committee on the Administration of Parliament have power to act on those joint committees in the recess.

Motion carried.

[Sitting suspended from 6.4 to 10.2 p.m.]

CASINO ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) BILL

The Legislative Council intimated that it had agreed to the House of Assembly's amendments Nos 1 to 6 and had agreed to amendment No. 7 with the following amendment:

Leave out from proposed new subclause (3) the words 'ten thousand dollars' and insert the words 'twenty-five thousand dollars'.

Consideration in Committee.

The Hon. G.J. CRAFTER: I move:

That the Legislative Council's amendment to the House of Assembly's amendment No. 7 be agreed to.

MR LEWIS: The effect of this amendment is to increase the penalty involved for a breach of the provision. The regrettable part about the whole question is that if a corporation is fined a sum of even $50 000 it is pretty small fry. We have merely to look, for the sake of a good story, at the classic example of the Hitler diaries forgery and the millions of dollars that changed hands with that. A fine of $10 000 or $25 000 would be peanuts, as a corporation could get that out of one issue in circulation. I regret that the amendment that comes to us stands at the piddling figures of $10 000 and $5 000 for the individual if the story was written by an individual and sold in that form. I just do not understand the logic and the thinking behind the decision to limit the penalties to such small figures.

Motion carried.

ADJOURNMENT

The Hon. G.J. CRAFTER (Minister of Community Welfare): I move:

That the House do now adjourn.

The Hon. B.C. EASTICK (Light): I take this opportunity to give due regard to a gentleman who will have retired from the Parliamentary scene prior to the resumption of Parliament. I believe that members of this House would want to place on record their appreciation of the work undertaken for the House over very many years by Mr Stirling Casson. Mr Casson has indicated that he will seek to retire from the service of the House on 29 June this year. Mr Casson first came here in 1956 and has provided a service to the House which has been quite unique and which will be sadly missed.

When he arrived, Mr Casson was the fourth member of the Library staff, and he has risen to his position today in the Library, the staff of which has increased to 10. In view of requests of members from both sides, the staff should perhaps be increased but taking into consideration the reality of finances, perhaps that will not happen for some time. Mr Casson's record in regard to members, the development of the library system in this place, and his continuing efforts (which I know will continue until the day he retires) are matters in regard to which I believe that every member of the House would want to give due accord.

The Hon. J.C. BANNON (Premier and Treasurer): By the time this Parliament assembles again, Mr Casson will have retired, and I believe it is most appropriate that the House put on record in this form in *Hansard* (and obviously there will be another occasion on which we can express our sentiments personally and directly to Mr Casson) our appreciation of the services that he has rendered to the Parliament. It is most appropriate that, while Mr Casson is still with us as Librarian of the House in all senses of the word, we express our appreciation of the work he has done.

The Library is very central to the operations of an efficient Parliamentary system. It is a resource, particularly for backbench members of both the Government and the Opposition, which we could not do without. Under Mr Casson I believe that the Library, its services and its facilities, and the use to which it is put, has been developed to the extent that the quality of research and contribution on a number of issues today have probably improved quite markedly. Whether our manner of debate has improved is quite another matter!

The Library under Mr Casson has demonstrated its value. Probably he would suggest that he leaves the Parliamentary

Library without enough resources and in need of improvements in some areas, but, within the capacity of the commitment that the Parliament made, it is the envy of most States. All of us who at different times, particularly as backbenchers, have had to use the services of the Library owe a very great debt to Mr Casson.

Over the period in which he has been Librarian I imagine that the composition of the House and its method of operation have changed constantly; a number of Governments have come and gone. Throughout it, the Library has provided that basic service without discrimination, fear or favour, as a proper research service should. We thank Mr Casson very much indeed for the great contribution that he has made to this Parliament and hope that his successors can live up to the high standards which he has set.

Honourable members: Hear, hear!

The Hon. E.R. GOLDSWORTHY (Deputy Leader of the Opposition): I would be quite remiss if I did not put on the record a view in relation to Mr Casson. This Parliament has been very fortunate in the outstanding contribution that various people on the staff have made from time to time to the smooth running of this place. We have recognised some of these in the past, and I believe that Mr Casson is one who has made an outstanding contribution to life here at Parliament House. I understand that he was given the charge of the Library in 1967, which was before most of us entered this place, so that for most of our Parliamentary lives he has been in charge of the Parliamentary Library.

He has always, certainly to me, shown unfailing courtesy, cheerfulness and helpfulness. I do not believe that we could have wished for any more from the Parliamentary Library and from the man who has been in charge of it. I shall personally regret his leaving the place. I endorse what the Premier and the member for Light have said: that we will be hard pressed to replace Mr Casson with one who will make the contribution that he has made at a personal level and to the development and smooth running of the Library. I wish Stirling and his wife happiness, contentment and pleasure in his retirement. We will certainly miss him, and we wish him well.

Honourable members: Hear, hear!

The DEPUTY SPEAKER: The Speaker would want me on his behalf, at least, to extend his very good wishes to Mr Casson for a long, healthy and successful retirement. It would be remiss of me if I did not say that, like so many staff of the Parliament, Mr Casson has played a very important role to all the members of the Parliament—not only of this House but also of the other place. It is a very unfortunate situation, but we all have to retire, some by necessity and some by age. Mr Casson by age, I suggest, is retiring. I think that the Speaker would want us to wish Mr Casson and his wife all the best for a long, happy and healthy retirement.

Honourable members: Hear, hear!

Motion carried.

ADJOURNMENT

At 10.20 p.m. the House adjourned until Tuesday 5 July at 2 p.m.

Opposition members rose in their places and sang the first verse of *God Save the Queen.*