

HOUSE OF ASSEMBLY

Wednesday 28 March 1984

The House met at 11.45 a.m.

The CLERK: I have to announce that, because of illness, the Speaker will be unable to attend the House this day.

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

MINISTERIAL STATEMENT: KANGAROO ISLAND TRANSPORT SERVICE

The Hon. R.K. ABBOTT (Minister of Transport): I seek leave to make a statement.

Leave granted.

The Hon. R.K. ABBOTT: I would like to inform the House that the Government has recently completed a detailed consideration of sea transport services to Kangaroo Island. These considerations involved a report into the operation of the m.v. *Troubridge* and consideration of plans by the March family of Kangaroo Island to provide a new car-carrying ferry between Cape Jervis and the island. The report on the *Troubridge* is being released for comment today, and I would like to table it in this House. The *Troubridge* report is a detailed study of the options available to the Government for the continued provision of a ferry service to Kangaroo Island. The Government has looked exhaustively at a number of alternatives including the short crossing between Cape Jervis and the island, operations out of other ports south of Adelaide the need to continue services to Port Lincoln and the possibility of making the service a freight only operation.

The report has recommended that a modern replacement vessel for the 23-year-old *Troubridge* be built as soon as possible and that it should be berthed at Outer Harbor. The vessel could be built in about two years. It would cost an estimated \$11.4 million. South Australian firms, such as Eglo Engineering, have the capacity to build such a vessel and the Government will make every effort to ensure that it is locally constructed. Such a project would generate 200 jobs in the construction period. Shortly, I will be setting up a committee to look at the detailed designs for this vessel.

New berthing facilities at Outer Harbor would more fully utilise the existing infrastructure at that location, such as passenger and cargo areas. Developing a roll-on roll-off berth at that location would cost about \$650 000. The operating loss for the *Troubridge* has been increasing dramatically in recent years. It is expected to exceed \$3 million this financial year and this report details methods of containing these losses and bringing the service to an economically supportable level in the future.

As part of these measures, a new pricing policy will be implemented. First, charges for vehicles will be based on space occupied rather than the present system, which has differential rates for various cargo and for loaded or emptied vehicles. Secondly, the Government intends to achieve full recovery of operating costs over a nine-year period. This will mean that rates will be adjusted to provide a 25 per cent increase in revenue in the first year of operation. This will be introduced in two six-monthly adjustments of 12½ per cent. In subsequent years, revenue increases will be the cpi plus 10 per cent. A realistic pricing policy is essential for this service to continue. The present level of subsidies, which would have increased even further if nothing had been done, cannot be supported. Despite the new pricing policy, the services will still be substantially subsidised by the provision and servicing of the capital necessary for the replacement vessel and associated harbor facilities.

When considering the future for the *Troubridge* service, the investigating committee also took into account the potential effects of the operation of *Philanderer III*. It has been found that both vessels can operate in conjunction and, although some revenue will be lost from the *Troubridge*, its operations are still justified. The report also recommends that passenger facilities continue to be provided on the *Troubridge*. The report considered the *Troubridge* services to Port Lincoln and recommends that these services be continued provided that it remains competitive with road transport under the new pricing policy, and that it causes no detrimental effects to the provision of a suitable service to Kangaroo Island.

In the light of the recommendations of the *Troubridge* report and of investigations by the Tourism and the State Development Departments, the Government has decided to fully support the introduction of a new ferry, *Philanderer III*, operated by the March family of Kangaroo Island. This new carrying vessel would provide a service between Cape Jervis and Kangaroo Island. Government guarantees will be provided for the construction of this new vessel, which is worth approximately \$1.5 million and is expected to be built by Eglo Engineering at Osborne, and the project will create 25 extra jobs. The Government will also provide additional harbor facilities for this ferry at Cape Jervis and Penneshaw at a total cost of approximately \$6 000, which will be shared by the Government and the operators of the ferry.

The Hon. Michael Wilson: Did you say \$6 000? Have another look at the figures.

The DEPUTY SPEAKER: Order!

The Hon. R.K. ABBOTT: I will omit that figure because I think it is incorrect. I just picked this document out of the typewriter when I left the office and that figure could be a typographical error. This has been a most complex inquiry into future sea services to Kangaroo Island. We are satisfied both services can be operated successfully together. It is the most significant upgrading of transport to Kangaroo Island for 25 years and will provide an amazing stimulus to the economy of the Island and to tourism in this State in general. I apologise for not having a copy of my statement made available for the Opposition spokesman. However, I will have one provided to that honourable member immediately.

PUBLIC WORKS COMMITTEE REPORT

The DEPUTY SPEAKER laid on the table the following interim report by the Parliamentary Standing Committee on Public Works, together with minutes of evidence:

Adelaide College of Technical and Further Education, Stage 4.

Ordered that report be printed.

QUESTION TIME

TAX INCREASES

Mr OLSEN: Will the Premier give a categorical commitment that there will be no tax increases or new taxes introduced before the end of the next financial year? Whilst the Premier is maintaining and has given assurances that the 1983-84 Budget is on course, he has also indicated that wage increases are putting severe pressure on the longer-term budgetary situation. The Government has added to that pressure by increasing spending above Budget estimates and, as the Premier revealed last week, employing more people.

State taxation will increase this year by an estimated 14 per cent, double the projected inflation rate and more than that in any other State except Western Australia. The Premier has already broken an election promise not to increase State taxation, and there would be widespread community reaction should the Premier continue on another significant tax hike in the next financial year. I ask the Premier for a commitment for less than half—that is that, in the next 15 to 18 months, taxes will not rise, nor will any new taxes be introduced, and that is less than half the period in relation to which the Premier gave a commitment prior to the last State election.

The Hon. J.C. BANNON: I appreciate the Leader's advice about public reaction, and certainly I would agree with him that there is widespread reaction when Governments must increase charges or taxes. From December 1982 I have stated very categorically and clearly the Government's financial policies and the action that it has had to take. This year I believe that the tax measures that we put in place were based on sheer necessity, bearing in mind that we were unable to do much to affect the Tonkin Government's incredible Budget blowout last financial year.

The Hon. E.R. Goldsworthy interjecting:

The DEPUTY SPEAKER: Order!

The Hon. E.R. Goldsworthy interjecting:

The DEPUTY SPEAKER: Order!

The Hon. J.C. BANNON: The situation was compounded by the impact of the extraordinary natural disasters. I am pleased to repeat again in this place, as I have repeated publicly, that, in terms of the result we are seeking to achieve this year, the Budget is on course. There are a number of ponderables in regard to the 1984-85 Budget. I will not become involved in a Budget guessing game, with members opposite raising questions and asking for categorical statements about this, that and the other thing. It is most unlikely that we will find it necessary to increase taxation in the next Budget. Certainly, we will be seeking very strenuously to avoid that action, and I thank the Leader for his assistance in that process.

HARBOR FACILITIES

Ms LENEHAN: In view of the Ministerial statement made by the Minister of Transport a short time ago about the Government's plans to improve harbor and berthing facilities at Cape Jervis and the plans for the construction of a larger ferry, *Philanderer III*, can the Minister estimate the impact of these developments on tourism both on Kangaroo Island and on Fleurieu Peninsula?

The Hon. G.F. KENEALLY: Of course, the impact on tourism on Kangaroo Island would be considerable. I do not believe that anyone would expect otherwise. I would like to congratulate Mr Peter Marsh for his initiatives and for the way in which he has been able to work in with officers of the Department of Marine and Harbors and the Department of Tourism in bringing this project to fruition. I certainly hope that by the end of this year *Philanderer III*, with its capacity to ferry 30 vehicles and 200 passengers between Cape Jervis and Penneshaw, will be operating. It would certainly be in Mr Marsh's financial interests if it was operating before or during the prime tourist season in South Australia.

It is significant for us to remember that only 1 per cent of the 877 000 or so visitors to South Australia annually goes to Kangaroo Island, and one of the reasons is that it is difficult for people who come to South Australia in their private motor cars (which is in the way in which more than 80 per cent of visitors come to South Australia) to visit Kangaroo Island. They can put their car on the *Troubridge*

and go to Kangaroo Island and back in that way, but I believe that we all acknowledge that the *Troubridge* was built not as a tourist vessel but to ferry cargo between the mainland and Kangaroo Island.

Although it is provided as a tourist facility which has been used by many people over the years, that was not its prime purpose. *Philanderer III* will have that capacity, so I expect a considerable increase in visits to Kangaroo Island. That will mean added pressure on tourist facilities on the Island and also, because of the number of people who will visit there, I believe pressure will be put on the natural resource—the environment—of the Island. It is absolutely essential that any development on the Island takes place in a way that preserves the natural beauty which exists, and which is one of the Island's prime attractions.

Mr Mathwin interjecting:

The DEPUTY SPEAKER: Order!

Mr Lewis: Especially the local member.

The Hon. G.F. KENEALLY: Especially the local member! We could perhaps work on promoting the image of the local member. That might be of some benefit to the Island, but that is a matter which we had not considered. The importance of planning any future tourist development on the Island cannot be overstated, because Kangaroo Island, like the Flinders Ranges and Murray River, is a prime tourist attraction, but it is also a very fragile area that could be easily destroyed and, therefore, lost not only to South Australians but to all Australians. I do not think we can take that risk, nor do I think that that risk necessarily presents itself. However, I felt that the point ought to be made.

So, there will be a dramatic increase in the number of people who will be able to visit Kangaroo Island. It will do enormous good for Kangaroo Island, both for the local economy and in job creation. Also, it will obviously do much for South Australia. Eighty per cent of South Australians have not visited Kangaroo Island. So an enormous market exists. Its major market is South Australia and then there are the interstate markets of Victoria and New South Wales. Also, I expect that a flood of international tourists will come to Australia within the next year or so, knowing that Kangaroo Island is very strongly promoted internationally. People on the Island have much to look forward to in relation to their tourist ventures. I congratulate the Department of Marine and Harbors and Mr March for their decision.

TAB SUBAGENCY

The Hon. E.R. GOLDSWORTHY: Did the Minister of Recreation and Sport authorise the establishment of the TAB subagency at the Windsor Hotel, Windsor Gardens?

The Hon. J.W. SLATER: The subagencies established at the Windsor Gardens Hotel and Belair Hotel resulted from a decision made by the Totalizer Agency Board. Certainly, I supported that decision, simply because I believe that the opportunity should be provided for the racing public to invest in the TAB to minimise the effect of illegal book-making. The two hotel agencies are operating on a trial basis of six months only, and, when the trial concludes, the matter will be re-assessed.

An honourable member: Did you authorise it?

The Hon. J.W. SLATER: I supported that decision of the Board to establish those subagencies. I point out that subagencies are established and, of course, those subagencies and agencies of the TAB are referred to the Minister for his approval. So, in fact, I have supported their endeavour to have a trial of subagencies in hotels. I repeat that it is a trial period and that at the end of six months the matter will be reassessed.

SOUTH-EAST SALVAGE OPERATIONS

Mr MAYES: Will the Minister of Tourism encourage the Department of Tourism and the South Australian tourist industry to increase the promotion of the South-East's tourism and, particularly, request the industry to draw attention to the unique salvage operations undertaken by the Woods and Forests Department following the Ash Wednesday bushfires? Recently, as a member of the Public Works Standing Committee, I had the opportunity to tour the salvage operation sites in the South-East. It is worth drawing the South Australian community's attention (and that of the Australian community) to the unique exercise that has been undertaken in that area and to the way in which the salvage of that timber has been conducted by the Woods and Forests Department.

The Hon. G.F. KENEALLY: Yes, I will certainly speak to officers of the Department of Tourism and the Woods and Forest Department to consider the proposition put to the House by the member for Unley. Quite often we overlook the importance to the tourism industry of what industry itself can do, and in regard to interpretative centres, for instance, in the South-East, we do not hear anywhere near as many of those as we should. Hopefully, that can be addressed within the next couple of years. So, in a sense visitors to the South-East of South Australia wanting to look at how industry preserves a resource (and a very important resource to South Australia) would be very interesting and it could be very easily placed within the tour packages of the South-East and encouragement could be given to people to visit.

So, I will have a word to officers of the Department of Tourism and the Woods and Forests Department and have the value of the suggestion checked for its tourist importance. I will let the honourable member know. However, I thank him for the idea, which is a unique idea and which could very easily work to the benefit of the South-East.

ALP SOCIAL CLUB

The Hon. B.C. EASTICK: Is the Minister of Recreation and Sport the Secretary-Treasurer of the Enfield District ALP Social Club Incorporated, and does that club purchase all its liquor supplies from the Windsor Hotel? Further, does the club as one of its objectives have the raising of funds for the ALP, and does the financial membership of the club come from the electorates of the Minister and the Premier?

The Hon. J.W. SLATER: The answers to those questions are: yes, I am the Secretary-Treasurer of the Enfield District ALP Social Club and have been for the last 14 or so years; yes, we do under the provisions of the Licensing Act purchase liquor from the Windsor Hotel; and the members of the club are members of the Labor Party in the north-eastern suburbs.

WEST LAKES HOTEL COMPLEX

Mr HAMILTON: Will the Minister of Tourism provide the House with details of today's announcement that an \$8 million hotel complex is to be built at West Lakes and, further, what job opportunities will be provided by this project? Since its announcement this morning, I have received a number of inquiries from delighted business houses in my district seeking further information on this project. I would like to go on record as expressing my delight at this project.

The Hon. G.F. KENEALLY: I was delighted to be given the opportunity this morning to in a sense launch the project. It is the announcement that was made today: the project itself will not be long in coming to fruition. I think that the decision by the West Lakes people, certainly Mr and Mrs Howell and their financiers, to invest \$8 million in a hotel tourist complex in the West Lakes area was a very wise decision indeed and a very opportune one because the time will never be better for investment of this nature. The West Lakes area itself is one that very often South Australians overlook for its tourist potential. It is certainly—

Mr Becker interjecting:

The DEPUTY SPEAKER: Order! The honourable Minister of Tourism is answering the question quite capably.

The Hon. G.F. KENEALLY: The development is obviously not in the electorate of Hanson, but I can assure the honourable member that his constituents certainly will take the opportunity to participate in the first-class facilities that are to be provided at West Lakes, and I am pleased to see that the member for Hanson is totally in support of that project.

It is an indication that the hospitality industry in South Australia is alive and well, quite contrary to some of the comments that I have seen in the *News* (I think it was) within the past day or two, alongside of a photograph that someone must have found in the rogues gallery and put my name under it. When I saw the photograph I felt like asking the Premier for six months leave to recuperate. The photograph was not much good and the story was not much good either because tourism in South Australia is alive and well. Investors are making very hard-nosed decisions about the provision of facilities for tourists coming into South Australia, and people are making hard-nosed decisions about investing in further tourist facilities.

One of the interesting things about this development is that I understand that, for the first time in 20 years, a major hotel development is being constructed outside the city commercial heart—the Adelaide square mile. That also is a good decision, which complements the number of other attractions that have been constructed along our beaches: South Australian beaches are admirable and well worth promoting. The Lakes Resort Hotel will assist the State Government in the promotion of that part of South Australia as a prime tourist destination. The South Australian Government will continue its role in promoting South Australia. We look to the industry, the investors and the entrepreneurs in industry to participate also in promoting South Australia. It is a first class decision and a first class facility. I suggest that all members take the opportunity to look at the plans and, when it is constructed, to go down and take advantage of the first class facilities provided.

TAB SUBAGENCY

The Hon. MICHAEL WILSON: Will the Premier investigate the role of the Minister of Recreation and Sport in the establishment of the TAB subagency at the Windsor Hotel and ascertain whether there has been a serious conflict of interest? This TAB subagency was the first in any South Australian hotel when it opened on 11 December last year. I understand that it has been of considerable benefit to the hotel business and that the hotel also receives a TAB commission from its operation.

However, concern has been expressed to the Opposition by three people who have been associated with the Enfield District ALP Social Club and who have supplied the following information: that the Minister gave a personal instruction to the TAB to establish this first subagency at the Windsor Hotel; that the Minister did this when he was

already involved in the purchase of considerable quantities of liquor from that hotel as Secretary-Treasurer at the ALP Social Club, which has clubrooms and bar facilities at Klemzig, to raise funds for the ALP; that the Minister controls all major activities at that club, including the purchase of liquor; that the Minister has improperly used his office to provide financial gain to a hotel with which the Minister and the Labor Party have close business dealings; and that the Premier should immediately investigate this serious conflict of interest.

The Hon. J.C. BANNON: Well, well, well; working on a bit of a scandal thing; this is the Greiner approach.

Members interjecting:

The DEPUTY SPEAKER: Order! The honourable member for Torrens has asked a question of the Premier. He was listened to in fairly good silence, and it is quite right and fitting that the Premier should have the right, in silence, to reply to the question.

Members interjecting:

The SPEAKER: Order!

The Hon. J.C. BANNON: Desperate men use desperate measures. This is partly prompted by today's Morgan Gallup Poll, which indicates our—

The Hon. B.C. Eastick interjecting:

The DEPUTY SPEAKER: Order! The honourable member for Light is out of order.

The Hon. J.C. BANNON:—receiving a vote which would have added another six members to this side of the House, and probably is about the sort of result we will have when next we go to the polls in this State. So, faced with this sort of evidence the Opposition will use a few of the tactics used by those superb political operators, Mr Ian Sinclair, Mr Andrew Peacock, Mr Nick Greiner, and others. It will be a very sad day for South Australian politics if this sort of tactic is introduced in this place.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. J.C. BANNON: I am going to answer the question, but I will answer it in my own way. I begin by saying that, first, I deplore the tactics which are used—the tactics which have begun with a question, a supposedly innocent question about the Windsor Hotel. In fact, in his reply the Minister said that there were two: I wonder what nefarious goings on there are in Belair—perhaps the honourable member should go and do some investigation around there. Then, the next question was again a quite unrelated question about the ALP Club at Klemzig, which has been there for many years, which has operated very successfully, and with which a number of people have been connected. The Minister has been very actively involved, quite properly, and I think it has even been declared in his statement of pecuniary interests. Then we come to the clincher: the next question is directed to me, so that I will be put in a position of saying I will investigate this. You then have your little package together of headlines of soft scandal, innuendo and the statement that the Premier will investigate—and it is all orthodox.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. J.C. BANNON: If this was a genuine exercise, I would have thought that the first step (particularly with our noble member for Torrens, whose hands are getting more grubby daily, much to the surprise of many people) would be to approach the Minister and say, 'Certain allegations have been made; what is going on?'

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. J.C. BANNON: Members opposite laugh; they treat that with utter contempt. Their purpose is not public probity, but to try to get some cheap publicity out of it. If

their real purpose was the propriety of certain actions, then I suggest that what I have outlined is the appropriate starting point, but, no, the members opposite wait until they get in the House, behind the cloak of Parliamentary privilege, and set up a series of questions, a bit of innuendo, and some added accusations. Having said all that, I point out that I have taken note of the questions and also the replies given by my Minister. Naturally, I will have a discussion with him about this matter: I suppose my having said that in this public forum has linked legitimacy to this extraordinary little exercise by the Opposition. However, I will answer the question by saying, yes, I will have a discussion with my colleague, although he has given his answers, which are on the record, as to the way in which this exercise was embarked on, and I will simply confirm that that is so. Let us hope that these tactics will cease, and I assure members that, if there are genuine complaints—

Mr Ashenden: Get the Minister to stop looking after his mates.

The DEPUTY SPEAKER: Order!

The Hon. J.C. BANNON: The member for Todd—what sort of shabby exercises has he been involved in over the course of time—misrepresenting Government policies, lying about the extent of electricity increases—

Members interjecting:

The Hon. J.C. BANNON: Sorry, I withdraw that remark, Mr Deputy Speaker.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. J.C. BANNON: Yes, I apologise for using the term 'lie' instead of saying 'peddling untruths'. I issue a warning to the Opposition here and now. I will not tolerate these tactics being used in South Australia. This State has had a record of probity in public life which must be maintained. I and my Government will maintain it in the way in which it should be maintained. If members have any concerns, I invite them to place them before the Government in the proper way.

Members interjecting:

The Hon. J.C. BANNON: Yes, it is a Parliament, where unfounded accusations are being made under the cloak of Parliamentary privilege.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. J.C. BANNON: If, in fact, there is substance to what is said or in regard to what has been understood, then by all means the matter should be raised in Parliament where it can be openly discussed, but let us start properly and let us contain this trend before this sort of attitude, which is so endemic federally and in the Eastern States, breaks out in South Australia.

CHILD ABUSE AWARENESS CAMPAIGN

Mrs APPLEBY: Will the Minister of Community Welfare inform the House of the aims and implications of the campaign of awareness of child abuse that was launched yesterday? As many child carers in my district have expressed concern at what they believe to be an increase in suspected maltreatment of children, and the problems of helping not only the child but also the parent or parents of the child in question, I welcome the launching of the campaign. As reported earlier this year, child abuse reports increased in South Australia by nearly 44 per cent in 1982-83. In my district and adjacent areas there were 107 reported cases in 1982-83, an increase of 30 reports.

The Hon. G.J. CRAFTER: I thank the honourable member for her question and interest in this area of work carried out by my Department and a number of other departments.

The member is aware of specific details of reports of child abuse within her area that emanate from the Marion district office of the Department for Community Welfare. Members may be interested to know that there has been a substantial increase in the reporting of child abuse in recent years. I point out that that does not necessarily mean that there has been an increase in the incidence of child abuse in the community, but there is certainly an increase in the reporting of such matters. That is the result of a great deal of work done by the human service departments of Government to encourage people to report cases of child abuse.

The current campaign is aimed at helping people who have a statutory responsibility to report child abuse. A booklet will be handed to every teacher and teacher aide in this State in the next few weeks, and officers of the Department for Community Welfare will hand booklets to other professional persons working in this area. It is hoped that there will be a focus by those persons on what to do and what would happen as a result of child abuse. In the statistics available for the current year, there is a further increase in reports, and it is encouraging to the staff to know that many professional people now take a particular interest in this matter, particularly in the education system, but also amongst chemists, doctors, people working in kindergartens, and the like. If this is detected at an early stage, the whole family can be helped to come to grips with this problem. Very few cases require a child to leave the family unit, and in a great majority of cases very real and practical assistance can be provided to support that family at a time of crisis.

Many of the requests made to the Department for Community Welfare come from the parents or those who are very close to the family. It is encouraging to know that people feel that they can receive assistance at this time. In the past, this has been a very hidden area of family life, and there has been a substantial disincentive to disclose it. One fear is that of prosecution and, whilst of course very serious matters are reported to the police and prosecutions do occur, that happens in only a very small number of reported cases. This ongoing campaign will, I hope, give assistance to the professional people working in this field, and in that way it is hoped that such child abuse will be detected at an early stage, and assistance provided to families in need.

CASINO

The Hon. D.C. BROWN: Did the Premier approach his predecessor before making allegations in this House in 1982 about Federal Hotels Limited? In 1982 the then Leader of the Opposition and his Deputy made some very wild allegations in Parliament about Federal Hotels Limited in relation to the establishment of a casino in South Australia and certain inducements apparently offered by a so-called unnamed Minister. These allegations were denied by Federal Hotels Limited and never substantiated by the then Leader of the Opposition or his Deputy. I am sure that you, Mr Deputy Speaker, can recall the several occasions on which those allegations were made in this House. In view of his setting of standards this morning in the House—

The Hon. E.R. Goldsworthy: Double standards.

The Hon. D.C. BROWN: Double standards.

The DEPUTY SPEAKER: Order! The honourable member has sought leave to explain the question, not to comment.

The Hon. D.C. BROWN: Thank you, Mr Deputy Speaker. I point out that earlier this morning the Premier, in answer to a question by the member for Torrens, stated that he should have approached the Minister first, rather than raise the issue in the House. Therefore, I draw attention to what appears to be a double standard now being adopted by the

Premier in that, when he was in Opposition, things were different from the present situation. The Premier is suddenly on a crusade, on a white stallion.

The DEPUTY SPEAKER: Order! The Chair has pointed out that it will not allow comment, and the honourable member for Davenport has just commented further. If the honourable member does not come back to the explanation of the question, the Chair will rule the explanation out of order.

The Hon. D.C. BROWN: Thank you, Mr Deputy Speaker. I certainly will not continue to breach Standing Orders, if I have done so.

The DEPUTY SPEAKER: The Chair will decide that.

The Hon. D.C. BROWN: I refer to a situation that plainly exists.

The Hon. J.C. BANNON: The circumstances were entirely different, and I would suggest that, if the honourable member checked the record—

Members interjecting:

The DEPUTY SPEAKER: Order! The Chair does not want to continue to interrupt Question Time, but members opposite are asking a question and, upon receipt of the answer, immediately going into a little huddle and indulging in general conversation. That sort of situation will stop, or the Chair will start to use its authority.

The Hon. D.C. Brown interjecting:

The DEPUTY SPEAKER: Order!

The Hon. J.C. BANNON: This is a good fill-in for Question Time. I suggest that the honourable member check the history of this incident. The introduction of a casino Bill, the establishment of a Select Committee, and various other public statements that were made at that time must be checked before one can put those statements into context. Let me say, however, that on at least two occasions I was in possession of facts relating to improper conduct of certain members opposite, and on each of those occasions, rather than taking the temptation of raising the matter in the House as a public issue, I spoke to those members, apprised them of the contents of the communication, and gave them an opportunity to comment before the information was made public. That has always been my practice, and it will continue to be my practice.

STOCK BURIAL

Mr GREGORY: Will the Minister of Mines and Energy provide the House with further information on the stock burial investigation that is under way in the South-East? I am aware that this investigation has received some media coverage in recent times, and I would appreciate more detailed information on the aims and progress of the investigation to this point.

The Hon. R.G. PAYNE: Yes, I can, and I think it is probably a timely reminder to all members of the horrendous nature of the stock losses incurred. For example, I take one aspect of that very bad day that we refer to as Ash Wednesday, and the figures I give to the House will improve our understanding of the very great disasters which befell many of our farmers and stock raising people throughout South Australia.

Since the bush fires in the South-East, the Departments of Mines and Energy, Engineering and Water Supply and Agriculture, have been working together to assess the groundwater pollution potential resulting from the mass burials of stock destroyed in the fires. Although criteria for the selection of burial sites were provided to minimise the possibility of groundwater pollution, the magnitude and urgency of the task meant that the criteria were not always observed.

Given the state of shock which prevailed in the aftermath of the fires, that is highly understandable. A few weeks after the fires, it became clear that there was inadequate knowledge of the location of all the burial pits. Officers of the Department of Mines and Energy and the Engineering and Water Supply Department then undertook a detailed survey, working systematically through the fire-affected areas between mid-April 1983 and early August.

The survey disclosed: 297 burial sites holding approximately 177 000 sheep and 10 000 cattle (and we are dealing, in essence, with the South-East alone); more than 40 per cent of the sites were located within 250 metres of existing water supply wells used for domestic and stock purposes; and almost half of all the burial sites were located in areas where the depth to the water table was less than two metres. After an assessment of the survey results, departmental officers recommended the drilling of a series of water quality observation wells in the vicinity of six selected burial sites. The pits were chosen to provide a cross-section of site conditions and took account of the number of stock buried, the depth of the water table and the lithology of the aquifer. Each of the sites selected will have three wells drilled down-gradient from the pit, generally at a distance of 50, 100 and 250 metres. So far, the Department of Mines and Energy has completed wells at three sites, and work will follow at the others.

The Engineering and Water Supply Department has taken water samples at one site and these will be analysed for both chemical and pathogenic concentrations. Should pollution be detected at any of the sites, the results will be correlated to sites of similar hydrogeological conditions, and further investigations will be undertaken. The continuing pollution monitoring programme will be undertaken by the Engineering and Water Supply Department, initially at a frequency of three months and then at longer intervals depending on the results obtained.

STATE PLANNING AUTHORITY

The Hon. WOTTON: Has the Premier been able to establish whether the now Deputy Premier (at that time the Deputy Leader of the Opposition) had first approached the Premier (the then Premier) or any of his Ministers on a matter which is referred to at page 2734 of *Hansard*, dated 10 February 1982? It is again a matter that I wish to bring to the notice of the House in regard to the double standards of the Premier and his Government, as was indicated in the previous two questions. On page 2734 of that *Hansard* volume the then Deputy Leader of the Opposition (now Deputy Premier) asked:

Will the Premier ask the Attorney-General to investigate allegations that the Minister of Agriculture has attempted to frustrate inquiries by officers of the State Planning Authority about what is believed to be an illegal shack at Emu Bay, on Kangaroo Island?

He then referred to a letter that the then Opposition had received in regard to this matter. He indicated that he felt that it was important that the Premier investigate this matter because of the allegations that had been received by the then Opposition. I would suggest that when the Premier talks about standards and double standards—

The DEPUTY SPEAKER: Order! The honourable member is now commenting and has been commenting for quite some time. I ask the honourable member to return to the explanation.

The Hon. D.C. WOTTON: It is an issue of conflict of interests and, in the light of the answers that the Premier has provided to two questions asked previously in this House, I ask the Premier to explain whether he regards this as a matter of double standards.

The Hon. J.C. BANNON: Questions on Notice are meant to be about important issues of the day. Obviously, we have run out of them. However, in response to the honourable member, I do not know of the circumstances that prompted that question.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. J.C. BANNON: I would be interested in the then Premier's reply. I will check the record and ascertain what the position is to satisfy myself.

ABERFOYLE PARK HOUSING TRUST DEVELOPMENT

Mr PLUNKETT: In last week's *Advertiser* a statement was attributed to the Minister of Housing regarding a proposed South Australian Housing Trust development at Aberfoyle Park. Concern was expressed regarding whether the Trust obtained land in an underhanded manner. Can the Minister please explain the true situation?

The Hon. T.H. HEMMINGS: It was claimed in a letter to me, a copy of which was released to the *Advertiser* and members opposite, that the Housing Trust acted in an underhanded manner in obtaining land for future development at Aberfoyle Park. I have now stated publicly that this allegation is wrong. Not only is it wrong, however, it is also damaging to the Trust and to the thousands of tenants who live in Trust houses. The claim assumes and implies that the Trust needs or desires secrecy for its dealings. As former Ministers of Housing and many members of this House would know, this is completely without foundation.

I have explained to those concerned that the land in question was available for sale to the private or public sector and that the Trust paid the full market price. It was hardly an underhanded or secret deal. The local council, local action groups and the present member for Fisher have known of the purchase since 1982. The Trust has even held a public display of its plans for the development prior to seeking planning approval. This type of accusation levelled against the Trust has mushroomed over the past year. It mystifies me that, after nearly 50 years of Trust housing in this State, certain people have suddenly decided that the Trust is unacceptable and that Trust tenants should be prohibited from living in certain suburbs. This amounts to social apartheid.

I find these arguments particularly hard to take, not only because their philosophic base is to be found close to the state of mind that engenders racism, bigotry, snobbery and elitism but also because I personally have had a very close relationship with Trust areas since I came to Australia. The member for Peake asked his question because he feels the same way as I do. I have known for many years of his concern for Trust tenants and the provision of affordable housing for lower income groups, and I know that he is incensed by the spate of recent attacks against new Trust developments.

The ignorance or discrimination—I prefer to think it is the former—displayed in the letters that I have received from so-called 'residents action groups' continues to amaze me. So many of them demand that only design and construct Trust homes should be built. These are privately designed homes that the 'concerned' citizens assume will be much preferable. Obviously they are not aware that the Trust has won 19 design and commendation awards over the past few years and not one of those awards has been won by a design and construct project. So many protesters act as if a large-scale Trust development will envelop their private estate. The fact that they are usually protesting against medium or small-scale Trust developments, in my mind, their

true motives. For instance, the ruckus created at Aberfoyle Park is over 13 single unit houses; not 200, 100 or 50 dwellings—but 13! I believe that South Australia has a much better sense of community than the one indicated by protests of this kind.

The argument concerning devaluation of private property in areas where the Trust builds is perhaps the one issue arising from these protests that should be given some attention. My personal reaction is that this is largely a self-fulfilling prophecy—one originated, espoused and fulfilled by people who have a prejudice against public housing and low-income families. It appears to be a concern in some suburbs only. It is my concern to gain acceptance of the need and desirability of Trust dwellings throughout the community, rather than to rein in the Trust's buying and building programme in response to ignorance and prejudice.

The State Government's position on public housing is that there is a continuing and expanding need for public housing in South Australia. All people have a right to affordable housing, of a decent standard. To avoid creating ghettos of particular social groups, public housing should be built where there is a need, provided that the Housing Trust can buy suitable land. Our goal is an integrated community based on social mix objectives, something which I believe has been supported by South Australian Governments for the past 15 years.

This State Government will not be a party to the generalised smearing of Trust tenants as undesirables. People with different attitudes, lifestyles, cultures—call them what you will—live in all suburbs and in all areas. They are certainly not peculiar to public housing. My personal experience with Housing Trust areas has given me a sense of pride and humility to have known so many good people who have not had the wealth or good fortune of many others.

SALINITY CONFERENCE

The Hon. P.B. ARNOLD: I ask the Premier: further to my question of 21 September 1983, and the Premier's favourable response on 16 November 1983, has the Government decided to sponsor an international symposium on salinity, irrigation and drainage, as it affects the Murray Valley river system, to coincide with the Jubilee 150 celebrations? On 16 November, the Premier acknowledged the merits of such a conference, and the Jubilee 150 Local Government Executive Committee is very keen to see a major water management campaign as part of the State's Jubilee 150 celebrations in 1986.

Also, following the Premier's favourable initial response to my question last year, I had contact with the Colorado River Basin Salinity Control Forum through its Executive Director, and informed him of the possibility of such a conference being held in Australia. The Salinity Control Forum there is representative of the seven Governors of the seven Basin States of the Colorado River: Arizona, California, Colorado, Nevada, New Mexico, Utah and Wyoming. In the final paragraph of Mr Barnett's letter to me he said:

I am excited about the prospects of an international conference on salinity being held in Australia in 1986. I hope that you are successful in arranging this conference, and I would appreciate your informing me as soon as some decisions have been made in this regard.

It has been put to me that it is essential that, for such a conference to be successful and with the long lead time required, a decision be made forthwith if leading engineers and scientists from other parts of the world will have the opportunity to attend such an important conference.

The Hon. J.C. BANNON: I will need to get a more up to date report on the progress of that proposition, but the member as a representative of the Opposition on the Jubilee 150 Board would know probably about the considerations that have taken place on that Board, and he would have more up to date information than I have on its considerations.

I know that my colleague, the Minister of Water Resources, is very keen to have a conference, and indeed to have a water conservation campaign, linked into Jubilee 150 as 1986 would be a very good year in which to focus attention on probably what is one of our scarcest and most important natural resources. The Minister of Water Resources has had discussions (or is certainly aware of statements which have been made by the Local Government Association) about the possibility of general conferences discussions, and a campaign based around water resources in South Australia. I understand that the Minister is developing that programme and has written to the Government representative on the Jubilee 150 Board (who is now the Minister of Tourism) in order to put before him certain propositions in relation to that programme.

In regard to the matter of the proposed conference raised by the honourable member, that could either be a separate exercise or be somehow integrated into the programme. I understand that the preliminary thinking by my colleague is that to concentrate on salinity alone in terms of a major emphasis on water and water conservation in South Australia would not have a broad enough public appeal and that therefore a broader campaign should be looked at by the Jubilee 150 Board. The Board will be considering that shortly, if it has not already done so.

The Hon. P.B. ARNOLD: Time is running out.

The Hon. J.C. BANNON: If that matter had been considered by the Board I imagine that the Minister would have mentioned that in his explanation. In the meantime, the proposed salinity conference may best be looked at on the basis of a separate technical-type of conference. In that instance, obviously the co-operation of the other Murray River States, and perhaps the River Murray Commission itself, would have to be sought. We are certainly exploring that matter, but at the moment, as I understand it, the thinking is to try to focus on the matter of water in South Australia in 1986 around a much broader concept than that which the member has proposed.

PHARMACEUTICAL PRICE RISES

Mr KLUNDER: My question is to the Minister of Community Welfare, representing the Minister of Consumer Affairs in another place. Will the Minister of Consumer Affairs get the Prices Commissioner to investigate the rapid rise in price that seems to be taking place in regard to some pharmaceutical items? On the advice of his doctor a constituent of mine purchases a cream called Halciderm, which is a cream to help control problems with dermatitis. A 100-gram tube of Halciderm cream cost \$6.55 on 3 January this year. Apparently the manufacturer then increased the price of that item by \$1. Through a process that my constituent finds very difficult to understand, this has resulted in the retail price of the preparation rising from \$6.55 to \$11.05. My constituent tells me that this involves a considerable extra expense incurred by him, which, of course, is only partly covered by private insurance, which covers only to a maximum of \$150 a year. Halciderm is not on the pharmaceutical benefits list of the Commonwealth Government, where there would be a 25 per cent increase mark-up for chemists and a \$1.98 dispensation fee. The difference in retail price there would be an increase of only \$1.25. As the

preparation is a non-government prescription item, a chemist's mark-up of 66 per cent applies, as well as a dispensation fee of the order of \$3. However, this would still raise the price by a maximum of only \$1.67. Therefore, there is an unexplained price rise of \$2.83 in the distribution and retail process involved with this product. This is a matter I would like the Prices Commissioner to investigate.

The Hon. G.J. CRAFTER: I will certainly refer the honourable member's question to my colleague in another place. The Minister of Health might also look at this matter because it may be that this pharmaceutical ought to be brought within the ambit of subsidised pharmaceuticals at the Federal level. There may also be an alternative pharmaceutical as equally effective which the doctor may not be aware of, or he may have some particular reason for prescribing that pharmaceutical. I will refer the member's question to both Ministers in an effort to obtain an answer that will be of assistance to his constituent.

TAB SUBAGENCY

The Hon. JENNIFER ADAMSON: In view of the Premier's reluctance to examine the question of conflict of interest with the Minister of Water Resources, will the Premier say whether the Minister made him aware of where the Enfield ALP Social Club purchased its liquor before the TAB was instructed to establish a subagency at the Windsor Hotel?

The Hon. J.C. BANNON: I have said that I will discuss this matter with the Minister, and that is all that needs to be said at this time. I do not accept, at this stage, any of the innuendo contained in the member's question, and it does her no service asking a question framed in that way.

OVERSEAS TOURISM PROMOTION

Mr GROOM: Will the Minister of Tourism indicate how effective has been the tourist promotion involving Paul Hogan which was undertaken in North America by the Australian Tourism Commission, and to what extent will South Australian tourism gain from this promotion? Last Thursday in Sydney the Federal Tourism Minister, John Brown, revealed to a large tourist industry gathering, including a number of South Australians, what results had so far been obtained following the showing of television commercials on the West Coast of the United States devised by the Mojo Advertising Agency and Mr Paul Hogan. According to reports that I received, there is evidence of a whole new optimistic mood and confidence in our ability to attract tourists from overseas.

The Hon. G.F. KENEALLY: The Australian Tourism Commission's promotion on the West Coast of the United States has been enormously successful. I was in Sydney on Thursday of last week to participate in the domestic tourism launch relating to this matter by the Federal Minister, and also to listen to Paul Hogan discuss some of his thoughts on the tourism industry generally. The interest in Australia, shown by people on the West Coast of America, has increased enormously. The Qantas office in San Francisco and the Australian Tourism Commission office in Los Angeles have been swamped by American inquiries—there are over 900 inquiries a day. The waiting time for telephone callers in both San Francisco and Los Angeles is over 20 minutes and those inquiries are being converted into interest in holidaying in Australia. The number of visa applications for permanency in Australia has been increased by over 200 per cent, and the number of visa applications for visits to Australia has

increased by about 90 per cent. This indicates that the advertising campaign has been enormously successful.

One or two other figures given to the people at the domestic launch last week are well worth repeating: first, the tourism industry in Australia is worth \$12 000 million and it is still growing. It is the largest single industry in the world and is still growing world wide. It creates 400 000 jobs in Australia, and that figure is increasing. There has been a 5 per cent increase in domestic tourism, that is, people who holiday in Australia rather than go overseas, and that will result in the creation of a further 20 000 jobs.

We are talking about a very big industry, and I never get sick and tired of telling people just how important this industry is to South Australia. We in South Australia work very closely with the Australian Tourism Commission. Our officers are stationed in the Commission's offices in New Zealand and Singapore, and we will seek to provide offices in Japan and the United States of America. The funding in that regard has not been provided, but that proposal comes under our forward planning. South Australia benefits enormously from the marketing programme of the Australian Tourism Commission. We are tapping into that programme, and our own marketing programmes have been enormously successful. The increased number of visitors to South Australia is an indication of that. I thank the honourable member for his question. Tourism in South Australia has much to look forward to.

PERSONAL EXPLANATION: HOUSING TRUST

Mr EVANS (Fisher): I seek leave to make a personal explanation.

Leave granted.

Mr EVANS: In answer to a question, the Minister of Housing and Construction mentioned my name as though I knew and understood all the implications of the debate and discussions that have taken place in the Aberfoyle Park area and in other parts of the metropolitan area regarding Housing Trust developments. I wish to put the record straight. I was informed that 14 houses (not 13, as stated by the Minister) were to be built. The community made representations to me that the land in relation to which they believed underhandedness had taken place was subject to a change of land use—there was to be a change of land use from 'school' to 'residential' without the community having had the opportunity to contribute to discussions. These people believe that a community always has that opportunity. I was asked to make representations in relation to the 10 acres of land on the corner of Sunnylea Drive and Pine Drive. However, I believe that the Trust has held that land for a long time and that there is no change of land use.

When the debate began, I was asked to make representations in relation to a piece of land zoned 'shopping' that was to be changed to 'residential', with the Trust building a substantial number of houses on that land. I made that representation. Early in 1981-82, people in that community had discussions with the Trust, and I was asked to sit in on those discussions, so I am implicated. The Trust was asked to build houses at the rate of one Housing Trust house to three private houses, and there was no objection to that. It was stated that the Trust homes built by Alan Hickinbotham were excellent. I was also asked to make representations to the Trust that identical letter boxes, drive-ways and the like not be provided for each house. The Trust has obliged in that matter and I believe that it has made a big difference. In fairness to that community, proof that it

has no objection or adverse feelings towards Trust occupants or residents as people and as a matter of principle is the fact that a person who lives in a Housing Trust house and who has lived in that area for only a short period was elected to the new council.

REGIONAL CULTURAL CENTRES ACT AMENDMENT BILL

The Hon. J.C. BANNON (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the Regional Cultural Centres Act, 1976. Read a first time.

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This Bill makes an amendment to the Regional Cultural Centres Act, 1976. Under that Act, four regions were designated in the State, and a trust was established in respect of each region, the purpose of each trust being to provide a venue for the performing arts within its own region. Each of the four trusts has nearly accomplished this objective. The South-East and northern regional venues have been completed and it is envisaged that the Riverland and Eyre Peninsula regional venues will be completed prior to or during 1985. At the same time, the trusts, together with the Arts Council of South Australia and the Department for the Arts, have formulated regional arts policies. Now that the initial objective of establishing venues has been or is being achieved, the long-term objective of each trust is to provide for the overall cultural needs of the community served by it.

The purpose of this Bill is to facilitate the achievement of that long-term objective. The Bill provides for a change of emphasis in the principal Act. The principal Act presently focuses on the centre in relation to which a trust is established. The effect of the Bill is to widen that focus and require each trust to consider the overall needs of the region it serves, fostering a general appreciation of the arts while maintaining a venue within which they may be enjoyed.

While the number of trustees appointed to each trust has not been increased, the Bill requires that at least six of the trustees be resident within the region served by the trust, in order to ensure adequate representation within each region. The Bill also provides for a widening of the powers of each trust to encourage the development and appreciation of the arts within the community served by it. The opportunity has also been taken to transfer provisions dealing with budget, accounts and annual report from the regulations into the principal Act.

Clauses 1 and 2 are formal. Clause 3 amends the long title to the principal Act to an Act to provide for the establishment of cultural trusts, to provide for their operation and management and for other purposes. Clause 4 amends the short title of the principal Act to the Cultural Trusts Act, 1976.

Clause 5 amends section 3 of the principal Act. The definition of 'centre' is struck out and definitions of 'local resident' (being, in relation to a particular trust, a person whose principal place of residence is situated in a part of the State in relation to which the trust is established) and 'trust' are inserted. Clause 6 is a transitional provision. Notwithstanding the change in the name of each of the

existing trusts, each is deemed to have been established under the principal Act as amended by the Regional Cultural Centres Act Amendment Act, 1984, as if the principal Act as so amended had been in force at the time of the establishment of each trust.

Clause 7 repeals sections 4, 5, 6 and 7 of the principal Act, substituting new sections as follows:

New section 4 provides that the Governor may by proclamation establish a trust in relation to a defined part of the State, specifying a name for the trust. New section 5 provides that such a trust is a body corporate with perpetual succession and common seal, may sue and be sued, and is capable of dealing with real and personal property.

New section 6 provides that a trust shall consist of eight trustees appointed by the Governor. At least six trustees must be local residents and where the part of the State in relation to which the trust operates contains the area or areas of one or more councils, at least two of the local residents are to be nominated by the council or councils. One of the trustees is appointed chairman of the trust by the Governor. A trustee holds office for a term, specified in the instrument of his appointment, not exceeding three years. He is eligible for reappointment. A trustee may be removed from office by the Governor on the ground of mental or physical incapacity, dishonourable conduct or neglect of duty. A trustee's office is vacated if he dies, his term expires, he resigns, in a case where he was nominated by a council—that nomination is revoked, or the trustee is removed from office by the Governor.

Clause 8 amends section 8 of the principal Act. The existing subsection (1) is struck out and a new subsection substituted, which provides that, subject to the Act, a trust may provide, manage and control premises and facilities for the arts, encourage the development and appreciation of the arts within the community served by the trust and exercise any incidental or ancillary function. A consequential amendment is made to subsection (3). Clause 9 amends section 14 of the principal Act by striking out subsection (4), a provision relating to the incidence of duty under the Gift Duties Act, 1968, which no longer serves any purpose.

Clause 10 inserts new sections 14a, 14b and 14c after section 14 of the principal Act. Section 14a provides that, before the commencement of a financial year, each trust must present the Minister with a budget showing estimates of its receipts and payments for that year. The Minister may approve such a budget with or without amendment. A trust shall not, without the Minister's consent, make any expenditure not disclosed by an approved budget.

Section 14b requires each trust to keep proper accounts. The Auditor-General is empowered at any time, and at least once per year, to audit the accounts. The powers vested by the Audit Act, 1921, in relation to public accounts and accounting officers are conferred upon him in relation to a trust established under the Act. Section 14c requires each trust to deliver, on or before 30 September every year, a written report upon its activities for the preceding financial year. The report must incorporate the audited accounts for that year. The Minister must cause a copy of the report to be laid before each House of Parliament.

The Hon. B.C. EASTICK secured the adjournment of the debate.

[Sitting suspended from 1 to 2 p.m.]

CLEAN AIR BILL

In Committee.

(Continued from 27 March, Page 2847.)

Clause 3—'Interpretation.'

The Hon. D.J. HOPGOOD: When we reported progress on this matter yesterday afternoon I was in the process of replying to the member for Murray's amendment. The Government opposes this amendment but it does not do so lightly. I would have thought that it followed obviously from the tenets of good government that Government would not seek to send a company broke as a result of a demand to install high technology equipment to improve the quality of emissions. I think that track records of Governments of which I have been a part and of which the member for Murray has been a part would certainly bear that out but there is a difference between the normal political pressures urging caution on a government and statutory processes hindering a government from carrying out the function entrusted to it in Statute.

I would put to the Committee that there is an important psychological difference between the board of a company sitting down to determine what it should do in the light of a notice from the Minister that certain things had to happen, and on the one hand, advice that has been given to that board that the company can proceed in a fairly sanguine manner because obviously the Government is not going to close the company down, and on the other hand, saying that the Government cannot close it down because of certain clauses in the Statute. In the first instance, of course, the chairman of the board may well say that he does not suppose the Government will close the company down but the company had better do something about the situation because the Government just might close it down because the power is there, and, on the other hand, the chairman of the board could say that the situation can be taken to law because there is redress because Parliament has looked after the situation by putting in a clause that really precludes the full force of the Statute being brought to bear in the circumstances in which it finds itself.

I certainly give an assurance to the Committee that the Government will be very careful in the way in which it uses the powers that will be committed to it under this Statute. That would be understood. We are in difficult economic times, and one would not expect any Government would operate in such a way as to put people out of work.

Mr Lewis: Come on!

The Hon. D.J. HOPGOOD: Perhaps the honourable member can give some examples of the way in which, by his lights, this Government has acted irresponsibly to throw people out of work. I cannot think of an example such as this. It is important that the Statutes be there. The normal political considerations will apply, considerations that will certainly urge caution on me and on other Ministers. However, if industry is to sit back on the wording on the Statute and say, 'We don't have to apply. We have certain legal assurances on the matter,' it seems that that will largely vitiate the powers laid down in the Statute. Although there is an important point of principle here, my interpretation is the way in which environmental legislation has to go. The Bill contains areas of discretion for the Minister and for the Government, but to cut away too much of that would be to put the balance too far in the other direction.

Mr LEWIS: The Minister goes too far in the way he deduces, from the Opposition's desire to include the new wording as part of the definition of 'prescribed matters', that it will mean that any business can simply avoid complying with a reasonable request on the grounds that it would be uneconomic to do so. It would be possible elsewhere in the legislation to spell out those economic implications and to provide how they shall be taken into account. As the Bill stands, the Government could use the existing definitions, as well as other clauses to which they relate, to close down or prevent the commencement of industries

without having to take into account the economic implications of doing so.

For instance, the legislation could be used to close down Roxby Downs. Let no-one say that this could not happen. When the Planning Act went through this House in the previous Parliament, it was never contemplated that it would be applied to the clearance of native vegetation, yet this Government has chosen to interpret that legislation in the way it has done, and that interpretation is a legitimate one. No consideration had to be given to the consequences of applying the legislation in the way it has been applied. This legislation could be applied in the same way and it would be to the detriment of South Australia, as industries that could help create jobs would be deliberately closed down as a result of political mischief by interpreting this legislation in a way in which it was never intended to be interpreted.

I can think of other instances in which this Bill could be made to apply more out of political convenience than out of concern for clean air. Such action would be the doing of the *kamikaze* left in its belief that such things should not be permitted and, therefore, should be made uneconomic by the introduction of regulations and directions, in pursuance of those regulations, to businesses as to what they may or may not do. So, it is vital for the future of jobs in South Australia that any decision must take into account the implications of requiring any person in question to install or use certain technological processes.

Another example that I could give to prove the imperative necessity to include the additional words in the definition is the consequence of putting grain dust back into silos. That could happen. I know that some sections of the public employed by the Government would not intend that the definition as it stands should be used in that way, but the legislation contains nothing to prevent its use.

Those people presently serving the State as public servants will not be there for ever. Who knows what kind of people might replace them and what their inclinations and sympathies might be in three, five, 10 or 20 years from now? I believe that the Opposition has quite properly drawn attention to the problems which might arise if we do not include, under the definition of 'prescribed matters', the definition of 'economic implications' so that they can be brought to account, in concert with other factors, in determining the appropriateness or otherwise of insisting on any measure.

I urge the Committee, notwithstanding the apparent sincerity with which the Minister has made his remarks, to recognise the realities of performance, not only of this Minister but of the Government, and the way in which it has failed to deliver; after sincerely stating that it would do so.

Mr MEIER: I support the amendment. The definition of 'prescribed matters', in the first case under paragraph (d), is as follows:

the availability of those technological processes, and the suitability of the premises in question for the implementation of those processes;

The suggested amendment (*da*) reads:

the mechanical implications of requiring any person in question to install or use any technological processes;

Surely, a prime consideration should be the economic factor, because if we are going to attract industry to this State we have to be competitive with the other States, particularly the Eastern States. I believe that if we have such definitions in 'prescribed matters' as (*d*) without the inclusion of (*da*), industry will not be interested in coming to this State, because it will be too scared that possibly some irresponsible Minister will use his discretion in the wrong manner.

It is all very well for the present Minister to say he gives an assurance that it will not be misinterpreted. I believe we heard a similar thing in an earlier debate when the Minister of Transport gave an assurance in respect of interstate trans-

port plates that adequate information would be provided for transport operators so that they would not be disadvantaged during the changeover period. Yet, we have heard examples in this House suggesting that they were disadvantaged. Again, an assurance is fine while this Minister is in power: I will take him at his word there, but I do not think it gives any security at all for the future.

The Minister mentioned that he would like to know of any example where Ministerial action has led to fewer jobs or jobs not being available any more. I point out very clearly that Ministerial action in stopping Honeymoon and Beverley led to many jobs not being available. Therefore, examples do exist.

The Hon. D.J. Hopgood: They were not a going concern.

Mr MEIER: They were to be a going concern, though. Again, if we are looking at an example of South Australia not being sufficiently competitive, we find the financial institutions duty where the same situation arose: it was pointed out in debate that if we brought that tax into South Australia some financial institutions might take their business interstate. It is apparent that that has actually happened. Do we want to lose industry in this State at a time when we need to gain industry and at a time when we do not have any real economic advantages over the Eastern States? This Bill has its positive features: it is designed basically to try to produce cleaner air in our environment, which is fine. However, if we are not prepared to support an amendment to ensure that economic activities also are an important factor under consideration, then I believe that this Bill will be detrimental to the future advancement of South Australia. I urge the Minister and the Government to support this amendment.

The Hon. D.C. WOTTON: I am not satisfied with the answer that the Minister has provided for the reasons why the Government is not prepared to accept this amendment. The Minister is aware that, in the legislation that the previous Government introduced in 1982, economic consideration was part of the prescribed matters. It is, in fact, a removal of that consideration, and the Minister has not really explained why he has found it necessary to remove it from the prescribed matters set out in the 1982 legislation. He must have more reasons than he has indicated in this House. I agree with what the Minister has said and I indicated in my second reading speech that until now the old regulations and responsibility for administering those regulations have been handled very well indeed—very responsibly.

However, as I mentioned in my second reading speech, I cannot get away from the concern that I have about what may happen under different circumstances, different governments, different Ministers and different people in Government departments who are given the responsibility for implementing the provisions pertaining to this legislation. I cannot see any major difficulty that the Minister will have to face when it comes to handling this very serious situation. I am not suggesting (and I think that the Minister would recognise this) that it would be a matter where, on every occasion that an instruction was handed down to an industry to take certain action to overcome a problem, the economics of the situation would have to be taken into consideration. However, when it relates to a major sum of money having to be spent by a company, industry or organisation I do not think it would be too difficult for the Government or its departmental officers to consider the economics of the matter at the time. I can only repeat that I think that the Minister is skirting around the real reasons as to why he is not prepared to go along with this amendment, and I hope that he will later give better reasons than he has been able to give so far in this debate for not wanting to support the amendment now before the House.

Mr BAKER: I have not spoken during this debate so far, and what I say will be very brief. I would like to record my dissatisfaction with the Minister on the issue of clean air. I think that it is obvious to members of the public at large, who have stated to the members of this House that the Bill in its current form, particularly the odour references and the lack of reference to economic considerations, is (in pure terms) idiocy. The great concern that I have with clauses like this (and we see them creeping into ALP legislation day after day) is that we start out with what is perceived to be the best of will and then we find that they are used for other purposes.

It is a bit like the Government's election promises about no tax increases. This is a Government that cannot be trusted. It simply cannot say, 'We will be taking these factors into account. They are not written in the legislation, but we will, in our qualitative form, take into account the things that you have mentioned when we make a decision.' I say that that is utter rubbish because the Government has continually shown us that it has no respect for its promises, or for business in this State.

If the Minister thinks that he will suddenly please a lot of people with this legislation, he has another think coming. Enormous numbers of people will be running to his door complaining about having a smell in the neighbourhood—I can imagine some of the neighbourhoods where that will be occurring. The simple fact of life is that there are many odours that offend us, whether temporary or permanent. It is absolutely impossible to have legislation that will provide the sorts of remedies that we believe we need, but the Opposition's amendment to the Bill seeks to overcome the major difficulties in regard to the assessment of the impact of the odour as opposed to what would happen if an offending enterprise was lost or a certain amount of money had to be spent to alleviate a problem that existed in relation to it. I cannot understand why the Minister cannot take on board this simple proposition, unless it is intended to close down a number of works in South Australia today which may in fact be on the nose.

Mention has been made of Samcor and other Government works which spew out the worst odours in Adelaide. Without incorporating this amendment in the Bill the Minister will have some difficulties with the matter because the public will suddenly query the double standard applying, namely, that certain Government enterprises are allowed to continue to operate on the premise of economic need while the Government enforces Draconian measures on those industries that do not have Government protection. If the legislation is not amended the Minister and his Department will have an enormous workload imposed upon them. I note that the Minister is not shy in coming forward for resources. At least if he really wants to take on this matter seriously he will be conquering the unemployment problem in Adelaide, although the public purse will have to be expanded to an extraordinary degree to deal with the number of complaints that I perceive as occurring. The amendment would provide a let-out clause in relation to economic circumstances. It would provide the rationale for saying that reasonable efforts have been made but that that is all that can be done without affecting employment and industry. I ask the Minister to reconsider the amendment which I think is essential to the proper working of the legislation. If it is not accepted, I foresee that we will be back here in about 12 months time trying to clear up the odour left by the Minister.

The Hon. D.J. HOPGOOD: I do not doubt the Opposition's sincerity in these matters. However, for example, the member for Mallee both yesterday and today has collectively suggested that through this legislation it will be possible for me to close down strawberry farms and cut

flower industries, and this afternoon he mentioned Roxby Downs. I ask the honourable member to cast his mind back to his maiden speech, when he complained about the fetid atmosphere from the cooking in this place. Is he really suggesting that I have Parliament House in my sights?

I believe that what people must consider in this case is that it is always possible under any legislation, no matter how closely defined are the Minister's powers, for an irresponsible Minister to slash around the place and do all sorts of things. But how well he will be able to proceed along those lines, and the political costs of what he is doing must surely be the basic brakes that have to operate. I believe that if we want to secure our environmental objectives it is important that the principle remain unsullied and that normal political pressures be brought to bear to ensure that the administration of this power is handled sensibly.

Mr LEWIS: I take issue with the Minister's remarks about my contribution to the debate thus far. At no time during the course of those remarks did I suggest that strawberry farms or cut flower operations would be closed down. I simply said that there are people who are allergic to the gases associated with those operations who can suffer distress because of them. I did that to point out and support the view that I had that—

Mr Trainer interjecting:

Mr LEWIS: The member for Ascot Park was also rude to me by way of interjection during the course of the Minister's speech. I will deal with him in the form of a personal explanation, later. However, I wish to point out that at no time did I use those instances to do any more than illustrate that those odours can cause discomfort. The fewer odours that we expose ourselves to, the more sensitive we become to the effect of them. Secondly, I said that it is possible to desensitise people to things which cause irritation, whether on the skin or in the respiratory and nasal passages: that is a known medical fact.

The Minister's assertions that I was implying that he would be closing down strawberry farms and cut flower controlled atmosphere production units were quite wrong. I said that it would be possible for Roxby Downs to be closed under this Bill, if it becomes law, because all one would have to do would be to prescribe for that mine a level of radon in the atmosphere which it would be quite impossible to get below, and would indeed be exceeded by Ministerial officers in the basement of this House.

The Hon. D.J. Hopgood: Have you heard about the indenture?

Mr LEWIS: That aside—

The Hon. D.J. Hopgood: You can't put the indenture aside: this Parliament has approved it.

Mr LEWIS: To what extent does that mean that the operator of the mine or anything associated with it would be exempt from this Act?

The Hon. D.J. Hopgood: Precisely, 100 per cent.

Mr LEWIS: Altogether?

The Hon. D.J. Hopgood: That is what it is all about. I was on the Select Committee.

Mr LEWIS: That is not my understanding. In any case, in other instances, just as important as Roxby Downs, it would be possible for a Minister in future (and not necessarily this Minister but whomever it is that succeeds him), once he has shifted into one of the more sensitive portfolio areas—

The Hon. D.J. Hopgood: For example?

Mr LEWIS: For example, housing or local government—the next Minister may do any kind of thing. This Minister has illustrated his willingness to use an Act, and the capacity to produce regulations under it, in a way that was never intended at the time that Act was introduced and passed through this House: I refer to the Planning Act. Also, I am

disappointed that he has chosen to facetiously interpret my remarks in the fashion that he has.

The Hon. D.C. WOTTON: Before a vote is taken on this matter, I again express my disappointment at the attitude taken by the Minister. He has not given any further reasons as to why the Government is not prepared to support this amendment: he has skirted the issue and not indicated why the Government has taken the action it has. After much consultation, and before introducing the 1982 legislation, we saw this as a very important provision. If the Government does not support this amendment, it will result in neither the inspectors responsible for the administration of this Act, nor the Minister, needing to have any regard at all for economic factors when requiring the occupier of an industry or a business to carry out work related to this legislation. I am sure that I speak on behalf of those who are in industry and developers in this State particularly who have expressed much concern about this provision.

Mr MEIER: The more we debate this Bill the more I become concerned about it. In my second reading speech I said that I saw the Bill at that stage very much as the Minister described it when he said that he saw the proposal as a key piece of environmental legislation, in that measures to control air pollution will be contained in one comprehensive enactment rather than scattered throughout a variety of statutory instruments, such as Health Act regulations, local government by-laws, indentures, etc. It seems to me that the idea of streamlining the whole apparatus so that we do have cleaner air, the idea of Government interference in health matters where possible, might not be the real reason for this after all.

I am quite convinced that industry particularly is far too bound up by rules and regulations which are stifling industry and development in this State. This proposed amendment gives an opportunity for common sense to prevail. It would recognise that we do not want to pollute the environment unnecessarily and that the appropriate people have the right to give advice and guidance, and certain specific statements are laid down as to what an industry should do in accordance with the provisions of the Bill. I am very disappointed that the Minister does not seem to appreciate that leaving out this amendment will be a deterrent in encouraging new industry into this State. It will only do harm to the future economic development of this State. At this eleventh hour, I hope the Minister will have second thoughts about it and accept this amendment.

The Committee divided on the amendment:

Ayes (21)—Mrs Adamson, Messrs Allison, P.B. Arnold, Ashenden, Baker, Becker, Blacker, D.C. Brown, Chapman, Eastick, Evans, Gunn, Ingerson, Lewis, Mathwin, Meier, Olsen, Oswald, Rodda, Wilson, and Wotton (teller).

Noes (23)—Mr Abbott, Mrs Appleby, Messrs L.M.F. Arnold, Bannon, Crafter, Duncan, Ferguson, Gregory, Groom, Hamilton, Hemmings, Hopgood (teller), Keneally, and Klunder, Ms Lenehan, Messrs Mayes, Payne, Peterson, Plunkett, Slater, Trainer, Whitten, and Wright.

Majority of 2 for the Noes.

Amendment thus negated.

Progress reported; Committee to sit again.

DAVID JONES EMPLOYEES' WELFARE TRUST (S.A. STORES) BILL

Adjourned debate on second reading.
(Continued from 21 March, Page 2680.)

The Hon. H. ALLISON (Mount Gambier): The Opposition supports the Bill. A Select Committee of the Legislative Council on the Bill met four times. Advertisements were

inserted in the *Advertiser* and the *News* inviting evidence from interested persons and organisations. The Committee heard evidence from Mr D. Neil (Clerk of the David Jones Welfare Trust), Mr G. Polglase (Chairman of the David Jones Welfare Trust) and Mr A. Cielens. No objections to the Bill were received and the Committee reported in another place that it was satisfied that the Bill was an appropriate measure and recommended that it be passed without amendment.

We comment briefly that there is retrospectivity included in this clause on two counts. The object of the David Jones Employees' Welfare Trust Act is to provide pensions and other benefits to past and present employees of the former Charles Birks store (which I believe was established around 1921) and the former David Jones (Adelaide) store which currently has no employees because that store was taken over by David Jones (Australia) Pty Ltd. The retrospectivity of this Bill is to satisfy requirements of management which wishes to ensure that those former employees of Birks and David Jones (Adelaide) and the present employees of David Jones (Australia) are legitimately able to benefit from the trust funds. For that reason it is necessary to amend this legislation by an Act of Parliament because there was no provision in the original deed of trust to alter the provisions in any other manner. Therefore, we support this legislation.

The Hon. G.J. CRAFTER (Minister of Community Welfare): I thank the Opposition for its support of this measure. I guess that in the history of this State the role that the large departmental stores have played has been part of the history of commerce. No doubt part of that image that has been built up by department stores and their part in this State has been their function in the wider sense, their concern for staff and, indeed, the wider community, particularly those who are less privileged. We have seen this manifest in many ways. The role that John Martins has played in providing the Christmas Pageant and its offer of Carrick Hill to the people of South Australia for their enjoyment and that of visitors to this State is well known to us all.

So, part of this history is manifest in this measure. Over many years the store that we now know as David Jones has cared for its staff; it wishes to continue to do so and, indeed, the dependants of its former staff members. That is why this trust deed must be amended in the way recommended by the Parliament. The matter has been the subject of a Select Committee in another place. Its recommendations are before us, as the member for Mount Gambier said. I take this opportunity to commend the management of this department store and the other department stores on what they do for their staff and for the wider community. I commend this measure to the House.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—'Amendment of trust deed.'

The Hon. JENNIFER ADAMSON: I address myself to this clause simply to say what I should perhaps have said during the second reading debate when I was unavoidably called from the Chamber. I believe that I would be the only member of this House who was an employee of both Charles Birks and David Jones. Therefore, for old times sake, I would like to speak briefly to this clause, which refers to the trust deed amending clause 1 by striking out the definition of 'the company' and substituting the definition relating to David Jones formerly being called Charles Birks and Company.

I was in fact out of the Chamber trying to establish the date on which I commenced my employment with that company, and I will try to stick to the clause which refers to the company's being incorporated in New South Wales.

I believe that the time when I was working for Charles Birks and Company and it was being overtaken by David Jones was in 1955 or 1956.

Mr Ferguson: You would have been very young.

The Hon. JENNIFER ADAMSON: I was pretty well fresh out of school.

The CHAIRMAN: Order! The honourable member for Coles.

The Hon. JENNIFER ADAMSON: It may be of interest to the Committee that I was in fact employed in the advertising department as a copy writer for Charles Birks and David Jones, and I would simply like to endorse the Minister's remarks in commending Charles Birks and David Jones, as employers, for the interest which they took in their employees, as exemplified by the establishment of the trust which is being amended by this Bill, designed to assist the welfare of the employees. It was an extremely happy company to work for and I believe that it still is, despite its change of ownership. It has always insisted upon standards of service for its customers. Although I stress that I have no pecuniary interest whatsoever in this matter, as a former employee I am pleased that the Parliament is facilitating the company's efforts to continue to assist its employees.

Clause passed.

Preamble and title passed.

Bill read a third time and passed.

TRUSTEE ACT AMENDMENT BILL (No. 2)

Adjourned debate on second reading.

(Continued from 21 March. Page 2681.)

The Hon. H. ALLISON (Mount Gambier): The Opposition supports this legislation and I note with probably a little surprise that this Bill is in some ways consequential upon the attorney's and agency legislation, yet to be debated in this House. However, the content of that legislation is something which we can deal with quite separately. Among the reasons why we support this legislation are that the recommendations included in the legislation arise from Law Reform Committee recommendations. Under section 17 of the present Trustee Act there are limited powers for a trustee to delegate his or her powers, specifically when he or she is to be absent from South Australia.

I am quite sure that members of the House will appreciate that, with travel arrangements now so easily managed and for people to be away from the State at very short notice, it could cause problems in the administration of such matters. Therefore, section 17 is now to be amended to allow all the powers, authorities and discretions of a trustee to be delegated to any person residing in South Australia. There is a provision that that applies, unless there is also a restrictive clause contained in the deed of trust itself which would, of course, negate the conditions of this legislation.

The provisions contains some limitations on the power to delegate: such power must come into operation within six months of the granting of the power of attorney by the trustees and cease to operate at the termination of the ensuing 12 months, that is, 12 months from the granting of that delegation. Another limitation is that the powers of the Supreme Court in respect of the appointment of new trustees will be in no way limited or affected. The Opposition supports the Bill.

The Hon. G.J. CRAFTER (Minister of Community Welfare): I thank the Opposition for its support of the measure. As the member for Mount Gambier has told the House, this is part of a package of four Bills that have been prepared to implement the proposals of the State Law Reform Com-

mittee concerning powers of attorney. Whilst it would have been desirable to deal with all of these together, we are somewhat at the mercy of our colleagues in another place. But I am able to advise the honourable member that the other three Bills have been introduced and should be dealt with as soon as possible. I am pleased that the honourable member has seen fit to deal with this matter at the time when it has come before the House. It is part of an integral package so that the laws providing powers of attorney can be brought into line with the current needs of the community.

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

OMBUDSMAN ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 21 March. Page 2665.)

Mr OLSEN (Leader of the Opposition): The Opposition supports the general thrust of this Bill, but I will propose an amendment to ensure that this legislation remains fair to all those who will be affected by it. Before dealing with that amendment, I ask the House first to consider some of the recent history of this matter. As the Premier pointed out in his second reading explanation, the Ombudsman, in a report to Parliament in March 1982, called for the repeal of section 18 (1) of his Act—that section which is now the subject of this amending Bill. In doing so, the Ombudsman claimed that without such a repeal his Act provided an opportunity for doctoring or manipulation of information in files, and collaboration between officers.

Indeed, these were serious allegations involving, as they did, public servants, and officers of statutory authorities and local government. The former Government immediately sought evidence to justify them. At the time of the change of Government in late 1982, it needs to be said that no hard evidence had been forthcoming to support allegations of doctoring or manipulation by any particular person or agency as a result of formal notice being given by the Ombudsman before the commencement of an investigation.

However, the former Government had fully and diligently considered the submissions put to it by the Ombudsman and, as a result, the then Premier had indicated to him that he would be prepared to consider amendments to the Act to clarify the power of the Ombudsman to conduct informal inquiries. This is now what the present Government is proposing, but the House also needs to recognise that this is not what the now Premier suggested as the solution to this problem, when controversy erupted after the tabling of the Ombudsman's Report in March 1982. In the aftermath of the newspaper and media headlines generated by that report, the Leader of the Opposition, as he then was, sought a full Parliamentary debate on the report, and alleged that the former Government was on a collision course with the Ombudsman unless something was done. The action he implied that a Labor Government would take was to accept the Ombudsman's case to repeal section 18 (1). The now Attorney-General went even further in statements just before the last election. Mr Sumner promised in a statement quoted in the *Advertiser* on 16 October 1982, that:

... a Labor Government would immediately review the powers of the Ombudsman and would remove a requirement for the Ombudsman to notify a Government Department before starting an investigation into it.

This is therefore another case of the ALP's promising to do one thing in Opposition then acting very differently when confronted with the realities of Government. We certainly saw very much to the fore, during Question Time today, the double standards of this Administration. Under this Bill

the requirement remains for the Ombudsman to notify a department, authority or proclaimed council before commencing an investigation within the meaning of the Ombudsman's Act.

The Hon. D.C. Brown: What you have to appreciate is that the Premier said today things were different.

Mr OLSEN: They were different until we cited a case that was exactly the same: that is, conflict of interest in Ministerial performance.

The DEPUTY SPEAKER: Order! The honourable Leader of the Opposition and the member for Davenport cannot carry on a personal conversation.

Mr OLSEN: I am merely highlighting to the House in dealing with the Ombudsman Act that there are double standards on this matter, as indeed there are on a range of matters involving this Administration and the Premier, both in words and on the record. The Premier, with this Bill, has endorsed the approach which the former Premier was considering before the last State election, and the records will be in the Premier's office and the Ombudsman's office to prove that point. The politicking by the Labor Party which occurred over this matter before the last State election is now exposed as very shallow indeed—politicking, what is more, over a position which has judicial status and supposedly, therefore, should have been kept above such activity.

The office of the Ombudsman is an important one in our society, particularly as we see more and more Government control and regulation being imposed on the community. Any action to facilitate the investigative process of the work of the Ombudsman should receive serious consideration. When in government, the Liberal Party never had any objection to the Ombudsman making informal approaches to determine whether further investigation of a complaint would be necessary. Usually, such approaches were by telephone call. This Bill is not specific about what constitutes a preliminary investigation, but if by that is meant a telephone call from the Ombudsman's office to a department, authority or council, then there is no need for the Ombudsman to notify the principal officer of the agency concerned before making such an approach.

However, in the absence of clarification about what is meant by a preliminary investigation, the Opposition believes that this proposed amendment needs some tightening to cover the situation in which the Ombudsman or one of his officers physically enters the premises of an agency, or seeks the production of files and documents of that agency. In those circumstances, the Opposition believes that the Ombudsman should be required to inform the department, authority or council concurrently with such an approach, or as soon as practicable thereafter. The requirement should be that the Ombudsman inform the principal officer of the administrative act that he is investigating.

That will prevent any ambiguity about which administrative act is being investigated in a preliminary way, which files or documents should be produced or from which officers the Ombudsman should seek information in respect of that administrative act. The amendment I have placed on file will help to ensure that a preliminary investigation can help in the satisfactory resolution of complaints, as the Premier suggested in his second reading speech that it should. With the acceptance of that amendment the Opposition will support this Bill.

Mr EVANS (Fisher): I wish to speak in general terms about the office of the Ombudsman. I appreciate why the Government has brought forward this proposal to amend the Act before the Parliament. I support the concept, with the rider that I also support the amendment proposed by the Leader of the Opposition. As the initial promoter of the creation of an office of Ombudsman within Australia and

the person who was successful in first getting such a resolution before Parliament for Parliament to accept the fact that an office of Ombudsman should be created. I am appreciative of the success that that office has had over the years. Of course, I appreciate that at times there will be conflict between the Ombudsman and some local government officials, or concern felt by public servants. When I wanted to move to have an Ombudsman appointed I had only five supporters on my side of Parliament and the Premier of the day. Mr Dunstan, said that such an office would be unnecessary because there was no need for it. My Leader, Mr Steele Hall, said that he would not appoint a super inquisitor to intimidate public servants. I argued at the time that on many occasions an Ombudsman would, in fact, prove a public servant's or local government officer's actions to be correct and that, in the main, it would be of benefit to those people. I believe that, over the years, that has proven to be the case.

At times officers within the Ombudsman's office can cause conflict and it may be that that is what the Government, with the Opposition's support, is attempting to rectify with this Bill. An officer should state under what administrative Act he is seeking to make inquiries. I am pleased that a position of Ombudsman has been created in most States. Also, there is a Commonwealth Ombudsman. My original suggestion for such an office to be created was rejected violently. I appreciate the senior Labor Party person who came to me at that time and told me to keep going because the ALP would change its policy and support the creation of an Ombudsman. I have been disappointed over the years that the only press reaction to the creation of the position of Ombudsman has been to state that the ALP originated it, that it was the ALP that got the related legislation through Parliament, and that it was to the credit of Don Dunstan. I want it placed on record that I had a hell of a fight at the time to get either side of politics to accept my proposal and the debate had to be kept going for months until one Party changed its philosophy and accepted the necessity for such an office.

In supporting this Bill and the concept presented by the Leader of the Opposition to amend it, I am thrilled that after so many years the office is proving to be what it was intended to be—the protector of the rights of citizens in the community from over zealous public servants or local government officers. I am sure there will be extensions in the functions of the Ombudsman into different aspects of our lives as our community develops to a greater extent. I support the proposal.

The Hon. J.C. BANNON (Premier and Treasurer): My reply need be only brief as I want to tackle one point only. The amendment to the Ombudsman Act before the House meets the needs of the Ombudsman and the problems that were raised in his report. As far as the Government is concerned the amendments will ensure that the Ombudsman has the requisite powers that were so controversial when this matter was first raised in the Ombudsman Reports, debated and raised as a public issue. I think it is just playing with words to say that we are not repealing section 18, which we promised to repeal. At that time the repeal (the total removal of the section) dictated the way in which the debate was being conducted but, of course, everyone agreed that there had to be some procedures under which the Ombudsman would operate. Effectively, what we are doing here is removing the existing section 18 and replacing it with a different section laying down some different procedures, but nonetheless laying down procedures. In other words, a suggestion that by the repeal of section 18, as that discussion was generated in 1982, we were suggesting there should be open slather for the Ombudsman simply to go in

without notification of any kind or set procedure was quite wrong. That was never the intention, and I doubt if one could find reference to that in any record of the speeches or discussions around the issue.

It was said there had to be a way of meeting the Ombudsman's objections and the legitimate concern he had raised about the possible impeding of the conduct of his investigations. That is what this particular clause is aimed at doing—it preserves procedures and protections for those who are the subject of an Ombudsman's investigation. At the same time, it allows him to do his job much more effectively, particularly in his preliminary investigations, without the problems that he highlighted in his earlier reports. I commend the measure to the House.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—'Procedure on investigation.'

Mr OLSEN: I seek from the Premier clarification of the term 'preliminary investigation'. The original Act defines an investigation as an investigation made or, as the case may be, to be made by the Ombudsman under the Act in relation to an administrative act. This Bill refers to a 'preliminary investigation', but there is no definition of what constitutes such a preliminary investigation. Does it mean a telephone call from the Ombudsman or one of his officers, or does it mean more: for instance, a visit by the Ombudsman to the premises of a department, statutory authority or council; a request for information, files or documents; or a search through documents or files without any specification being given about the administrative act being investigated? The term 'preliminary investigation' is so vague because it is not defined in the legislation.

The Hon. Michael Wilson: When does a preliminary investigation stop and the real investigation start?

Mr OLSEN: Yes. Will the Premier indicate what is meant by the term 'preliminary investigation'?

The Hon. J.C. BANNON: A range of circumstances is involved here. The Ombudsman, as the officer charged with administering the Act, must determine those circumstances. He is answerable, through his reports and the processes of law, as to whether or not he exceeds the jurisdiction conferred on him by the Act. It will cover the range of matters referred to by the Leader of the Opposition, and it will certainly cover telephone inquiries. I imagine that it could also include, in some circumstances, the provision of documents. However, once one moves into the field of documentary evidence or inspection, one gets much closer to the concept of a formal investigation in which written instructions or requests for information are involved.

A preliminary or informal investigation will encompass a range of procedures which, in practice, Ombudsmen in this State have undertaken, although not until this measure has passed have they undertaken such procedures with the sanction of the legislation under which they have operated. Also, we can count on common sense in the administration of this order but, if common sense fails, there is recourse to a challenge to the jurisdiction of the Ombudsman, a challenge that is open to anyone who is the subject of an inquiry.

Mr OLSEN: Will the Premier, between the passage of the Bill in this House and its introduction in another place, consider incorporating in the Bill a proper definition of 'preliminary investigation'? This matter is important because in recent years this Act has been the subject of considerable debate in this Parliament and in the public arena. Therefore, the limitations should be clearly defined in this Bill so that the matter is not in doubt and so that we do not have a repetition of the difficulties experienced in recent years. I am sure the Premier would agree that there has been some

grey area as it relates to the Act. There has been some uncertainty and it seems to me that, while the Bill is before Parliament, we should try to remove that uncertainty by inserting an adequate definition of 'preliminary investigation.'

The Hon. MICHAEL WILSON: If the Ombudsman or one of his officers attended at a department of the Government and requested or demanded files, would that constitute a preliminary investigation?

The Hon. J.C. BANNON: It would depend on circumstances: in some cases it would and in others it would not. The Act defines 'investigation'. A preliminary investigation clearly does not encompass the investigation side. It is true that this has been a grey area and that the purpose of the Bill is to allow a grey area to be investigated by the Ombudsman before moving to the formal procedure in respect of which the full provisions of the Act operate.

Any administration officer working within the provisions of the Act must have some discretion. I think that that is within the nature of the Ombudsman's function. He is the guardian of the rights of individuals affected by administrative acts and one would hope that, in exercising his jurisdiction under the Act as a Parliamentary officer, he would exercise his powers, first, in the interests of those people who have complained to him and, secondly, in such a manner that he would have regard to the rights of those who might be the subject of the investigation. It is an area which defies precise definition and which relies to some extent on the ability of the officers required to discharge their functions. Nevertheless, a challenge can be made if the Ombudsman is perceived or believed to have exceeded his jurisdiction.

Mr OLSEN: Although there is a capacity to challenge provisions, in passing legislation it should not be left to a challenge to determine such things: it is for Parliament to determine the matter. I take it that the Premier is not willing to consider our request between the passage of the Bill through this House and its introduction in another place. That being so, the Opposition must consider its position to ascertain whether it should itself move an appropriate amendment in another place.

I refer to section 18 (1) of the Ombudsman Act. It is clear that the Premier has a failing memory, as he has demonstrated on other matters, including a matter raised earlier this afternoon during Question Time. During my second reading speech on the Bill, I referred to statements by the Premier and by the Attorney-General before the 1982 election. On 3 March 1982, the Premier, as the then Leader of the Opposition, said:

Does the Premier intend to introduce legislation to remove section 18 (1) of the Ombudsman Act from the Act and, if not, why not, in the light of the report tabled in Parliament today.

The question implied a complete acceptance of the Ombudsman's report, even though it had been tabled only minutes before the question was asked and the Premier had no idea of the detail in that report. The question was typical of the politicking that went on over the Ombudsman's position during the life of the former Government, politicking that was generated by the then Leader of the Opposition. As I pointed out in my second reading speech, Mr Sumner, before the 1982 election, gave an unequivocal commitment to do what the Ombudsman's report called for—totally repeal section 18 (1). The Government has not honoured that promise, as indeed it has not honoured many of its promises. I move:

Page 1, after line 19—Insert new subsection as follows:

(1aa) Where, in the course of a preliminary investigation, the Ombudsman wishes to inspect a document held by a Department, Authority or proclaimed Council he shall inform the principal officer of the Department, Authority or proclaimed Council concerned of the administrative act that he is investi-

gating, this information to be given concurrently with the commencement of the preliminary investigation or as soon as is reasonably practicable thereafter.

During my second reading speech, I gave my reasons for moving this amendment. The matter should be put beyond doubt. There should not be a grey area such as that left by the Bill. The term 'preliminary investigation' is not defined in the Bill as drafted, so we cannot determine what is a preliminary investigation. Further, we shall not be able to ascertain the powers of the Ombudsman in a preliminary investigation and this matter should be clarified.

The amendment clarifies the position by inserting in the legislation a requirement that the Ombudsman shall, prior to proceeding to inspect a document held by a department, authority or proclaimed council, inform the principal officer of the department, authority or proclaimed council concerned of the administrative act that he is investigating. This information is to be given concurrently with the commencement of the preliminary investigation or as soon as is reasonably practicable thereafter. My amendment clearly indicates the requirement that the Ombudsman shall act in a prescribed way and it will not inhibit his power to make a preliminary investigation. It does not turn upside down what the Bill seeks to do, but it is appropriate because it put beyond doubt the requirements of the Ombudsman, especially in the light of the vague set of circumstances that have applied in recent years.

The Hon. J.C. BANNON: I am not sure that the circumstances have been vague: the powers are where vagueness has arisen. The conciliation powers of the Ombudsman are the important part of his function. I think that it is quite unreal to take the case to the sort of logical end that the Leader of the Opposition is implying, which is that Parliament really has to look at each and every case and the procedures used in it. It would be impossible for it to do this. It has appointed the Ombudsman to perform that function and to exercise some discretion. Indeed, in exercising that discretion, obviously he is answerable to Parliament and to the provisions of his Act. That is quite clear, but if we circumscribe it by precise definition in some areas we are simply defeating the purpose of the section. It may be, for instance, in specific instances that even a telephone conversation on an issue is part, or could be construed to be part, of a formal investigation and should have been accompanied with or preceded by notice.

That is fairly unusual because telephone conversations, I would think by and large by their nature in this area, are part of the informal preliminary investigation. In this amendment the Opposition is seeking to say that at least one definition of what constitutes a formal investigation is the request by the Ombudsman to inspect a document. But once he wants to inspect something, he wants to see a letter, document or whatever, that immediately must bring into operation the notice provisions to which the second part of the clause refers. I accept that that could be one definition. I presume that by doing that the Opposition is saying that there is at least a basic part of the definition, but I suggest that there may be a number of cases where inspection of documents, or a request to inspect documents, is not part of formal proceedings. Indeed, if it is a preliminary investigation then of course some discretion must arise as to the officer so requested.

In fact, the Ombudsman has made the point, and it would be well for the Opposition to bear this in mind, that he is very often the receiver of complaints some of which are fairly vague in their nature and others that are not adequately documented. It is in the interests of solving the grievance, getting a matter fixed up, that the Ombudsman can act quickly and informally to do something about it. In some of those instances, perhaps in a number, the Ombudsman

has made the point that it is often difficult to establish the actual administrative act complained of. The allegation or complaint can be either of a general or complicated nature that cannot, strictly speaking, identify an administrative act. In that instance inspection of some documentation and discussion with the department, preliminary investigation along that line, may well serve to define what indeed is the administrative act and then invoke the formal provisions of section 18 (1) (a), which is the full investigation requiring notice. In those circumstances, I think that to have the inflexible requirement shown here would be wrong. I can say that, as far as my Government is concerned, we are not frightened of the Ombudsman's power, which is part of the whole feeling one gets from the Opposition. Certainly, some of the strictures that were levelled at the Opposition by the Ombudsman perhaps give them reason to feel concerned about his power, particularly those strictures levelled at Ministerial level in terms of inference. So, I can understand the Opposition's feeling about this.

On the contrary, though, I believe that the Ombudsman is a very important part of making the public sector efficient and answerable and that complainants must have full confidence in that process. Certainly, as I have said before, I accept that there must be safeguards within the Public Service in terms of how the Ombudsman conducts his investigations—there must be procedures. I do not understand what was the Leader's point when he referred, for instance, to my question of Premier Tonkin on section 18 (1), which was quite legitimate. I asked whether the Government was then prepared to take up the Ombudsman's recommendation or some variation of it and was it prepared to repeal it. It was a legitimate question and a legitimate debate about it.

However, as I said a moment ago, one still has to have some procedures, even if one removes that provision completely from the Act. I think that we are now in a position where we have a fairly workable combination of formal and informal procedures which provide protection for the public sector on the one hand and an effective means for the Ombudsman to do his duty on the other. That really is what this amendment is all about. If, in fact, despite this procedure the Ombudsman does feel constrained in his administration, obviously he can report again along those lines. I doubt it, because he believes that this is a satisfactory method of dealing with the problem that arose. If, on the other hand, on the other side of the coin, it would appear that using these provisions in a particular way has jeopardised the proper processes, obviously Parliament will have to have a look at that too.

Again, I do not think, in this area where common sense is such a vital ingredient, that we should get into these problems. There is sufficient definition and understanding of what is intended and to constrain it in the way that the Opposition amendment seeks to do will, in my view on looking at this amendment as it is worded, defeat in part the whole object of the amendment we have moved. Let us see the Ombudsman's ability to get on with his job. If that involves, at times, criticising administrative acts of the Public Service or Government, we have to cop that and respond to it. We have to say that complaints or criticisms are legitimate and do something about them, or we can say that there is a defence in a matter and here is the reason behind it. That is the way the Ombudsman and his jurisdiction should be approached, I believe, not in fear and trembling, which is rather the attitude that the Opposition is suggesting today.

Mr OLSEN: The Premier misrepresents the Opposition when he suggests that we live in fear and trepidation of the position of the Ombudsman and his powers. That is not the case; that is nonsense. We have a basic responsibility

as a Parliament to pass laws through this Parliament that can stand the test of time.

The Hon. Michael Wilson: And the test of application.

Mr OLSEN: And the test of application, as the member for Torrens rightly points out. We suggest that the Government is bringing in amending legislation that is not clearly defined. That has been clearly substantiated by the Premier's remarks when he said, I think, what it would and would not apply to, when referring to the powers of the Ombudsman.

The Hon. J.C. Bannon: It depends on the circumstances, I said.

Mr OLSEN: Yes, almost going to the point of saying, I guess—

The Hon. J.C. Bannon: Do you want each and every case?

Mr OLSEN: If the Premier will allow me to finish, that is vague and is not the basis upon which this House ought to be passing legislation. The amendment under discussion is not inflexible and does not apply total constraint to the Ombudsman at all. I draw attention to the wording of the amendment specifically where it says, 'concurrently with'; therefore, there is no prior notice needed to be given to the Ombudsman before he undertakes his investigation. It further reads, 'or as soon as practicable thereafter'. There is another constraint on the Ombudsman that he cannot give notice concurrently with the commencement of those investigations. That is the legitimate framework clearly enunciated in the legislation and the amending Bill that gives clear guidelines to the incumbent of that position as to the scope that he has in such investigations. It does not inhibit his investigation, but gives guidelines as to the implementation of the section about which we are talking under this amending Bill. I want to refer to one other aspect. The Premier said he could not understand my reason for raising section 18 (1). I did that because he made a specific commitment prior to the last election to repeal it.

The Hon. J.C. Bannon: I did not say that we would abolish procedures.

Mr OLSEN: The Premier said specifically that he would repeal section 18 (1) of the Act. I am just pointing out to the Committee that he has not implemented an election promise, which is consistent (I must give the Premier full credit as to implementation of election promises: he is consistent in that he is not implementing them). We will have the opportunity to point out a whole range of other legislative matters before the House that follow a similar line all the way through. That is the reason why section 18 (1) was raised, specifically as a result of the Premier's question to the Parliament and an election promise given in the name of the shadow Attorney-General. However, I return to the amendment.

The Hon. J.C. Bannon: Do you think it should be repealed?

Mr OLSEN: I have put specific reasons for the amendment in my name before the Committee. I do not believe that the Premier's response answers adequately the need not to incorporate this amendment in the legislation. The Opposition will persist with it because we believe that it is reasonable and that it is really accepting the responsibility of the Parliament, particularly the Opposition, to scrutinise legislation brought before this House by the Government and to improve that legislation where we believe it is inadequate. We believe that the legislation is inadequate in that area as it relates to what is the definition of a preliminary investigation (and we have not had that clearly defined), but more importantly as to procedures that ought to be implemented by the Ombudsman, having commenced those preliminary investigations.

The Hon. MICHAEL WILSON: I was trying to recall an event that took place when I was Minister of Transport,

and I may not have all the facts. I certainly do not have all the facts at my disposal.

The CHAIRMAN: I hope that this has something to do with the clause.

The Hon. MICHAEL WILSON: Very much, Mr Chairman. It has nothing to do with the O-Bahn system or anything like that. It is about this matter. Mr Bakewell may have a clearer recollection of the facts, but the incident went something like this: I received a telephone call from an officer of one of my departments, and I think that it was not a department associated with my office or the Director-General of Transport's office—a decentralised part of the department—to say that officers of the Ombudsman were there and demanding to see files, and the officer concerned was quite upset because he did not quite know what to do. I instructed him immediately (or, through the Director-General, because it is not really the Minister's job to intervene in this: it should be the departmental head) to hand over those files, because I was confident that there was nothing to hide, nor should one try to hide it anyway.

The thing was resolved quite amicably, because later I think that my Director-General contacted the Ombudsman and we found out why the Ombudsman wanted those files. I merely relate the incident: it is certainly no criticism of the Ombudsman. He in fact praised my departments once or twice in his reports: he was critical on other occasions, but that is the nature of the thing. I am certainly not criticising the Ombudsman at all in this matter. However, I relate the incident to the Premier to show what we are trying to achieve with this amendment in that, if the Ombudsman's officers descended upon a department to demand files (and it could be at a decentralised location), we are saying that, as soon as those officers obtain those files or as soon thereafter as practicable, the Ombudsman's office should notify the Director-General (or the head of that department) of the matter under investigation.

It is really a matter of courtesy, if nothing else. Therefore, I make that point to the Premier in support of the Leader of the Opposition's amendment. It merely gives an example. Similarly, if the Ombudsman (who has the power) telephoned a public servant and asked for a file to be sent over, then I think that the Ombudsman should as soon as possible thereafter notify the departmental head or chief administrative officer that that file had been called for and that there was a matter under investigation.

By the Premier's own admission that is a preliminary investigation, although he is not quite sure where a preliminary investigation ends and a full investigation begins. However, I say this in support of the Leader's amendment because it would have the effect of the department concerned being notified that it was under preliminary investigation for a certain matter, instead of having to wait until it received official and formal notification of a full investigation, and there is no inflexibility about that process.

The Committee divided on the amendment:

Ayes (20)—Mrs Adamson, Messrs Allison, P.B. Arnold, Ashenden, Baker, Becker, Blacker, D.C. Brown, Chapman, Evans, Gunn, Ingerson, Lewis, Mathwin, Meier, Olsen (teller), Oswald, Rodda, Wilson, and Wotton.

Noes (22)—Mr Abbott, Mrs Appleby, Messrs L.M.F. Arnold, Bannon (teller), Crafter, Duncan, Ferguson, Gregory, Groom, Hamilton, Hemmings, Hopgood, and Klunder, Ms Lenchan, Messrs Mayes, Payne, Peterson, Plunkett, Slater, Trainer, Whitten, and Wright.

Pair—Aye—Mr Eastick, No—Mr Keneally.
Majority of 2 for the Noes.

Amendment thus negatived; clause passed.

Title passed.

Bill read a third time and passed.

CLEAN AIR BILL

Adjourned debate in Committee resumed.
(Continued from page 2938.)

Clause 4—'Non-application of this Act.'

Mr LEWIS: I move:

Page 2, after line 42—Insert new subclause as follows:

(1a) This Act does not apply to, or in relation to, the handling of grain.

Clause 4 (1) presently refers to the fact that the Act will not apply to or in relation to the process, or an appliance used in the process, of preparing food or beverages in a private household. Of course it is interesting that it does not refer to their being for the consumption of the household, so that one could boil down tallow, or whatever one likes, so long as it is in a private household; it does not specify that it has to be for one's own use. Clause 4 (2) states:

Apart from sections 38 and 39 and Part VI, this Act does not apply to, or in relation to—

(a) a domestic incinerator; or

(b) the burning of garden refuse by a fire in the open on the premises of a private household.

Because I have failed to get what I regard as being adequate assurances from the Minister as to how this Act could not be used to incur a cost of millions of dollars to the grain handling industry as well as the loss of several lives, and because of the Minister's previous record about the way in which he answers me in one way and then goes and does something else or lectures me about trying to mislead him and the House, I find myself in the position of having to move this amendment.

I do not want to see a situation arise where people involved in Co-operative Bulk Handling and the grain handling industry no longer have to take account of the effect that their industry and actions may have on the general public. Apart from this amendment, I am unable to see how I can avoid allowing either the Minister or some other irresponsible Minister at some future time to introduce regulations of the kind which apply in the United States regarding the grain handling industry, and thereby cost the lives of people working in that industry, to which I referred in my second reading speech, and do the enormous damage that explosions in grain silos cause when grain dust has been pumped back into them in the process of shifting wheat from one container to another. It is a great pity that has occurred.

I am in a bind: the Minister will not agree to implementing regulations which would outlaw dangerous consequences, economic or otherwise. The Minister has insisted upon environmental effects being taken into consideration alone and in isolation from an economic impact statement and a sociological impact statement. I have always believed that the three factors should be taken into account when making any decisions. It is not simply a matter of satisfying one criterion. One must ensure that people are consulted, which accounts for the sociological factor; that the cost consequences are considered in a cost benefit analysis, which accounts for the economic factor; and that an environmental impact statement is provided, which takes care of the environmental consequences.

I can see no other way of addressing what I see as being potentially an enormous problem. I dare say that as a result of my drawing the matter to the attention of the Parliament, and hopefully the community of South Australia, no Minister, present or future, would dare to be so presumptuous as to require grain handlers to pump the dust back into the silos into which grain has been put. It is a very effective way of getting rid of the dust but an even more effective way of blowing up the silos and killing people.

The Hon. D.J. HOPGOOD: I am not sure that I can say much more than I have during the second reading debate.

The Government cannot entertain an amendment that leaves this form of activity subject to no controls whatsoever. I made it clear previously that controls have been exercised in the industry for some time under the existing regulations and have proven to be satisfactory. There is expert opinion which suggests that a continuation of this activity will not in any way endanger lives, and that indeed a cessation of that activity would have an effect on occupational health. In those circumstances it seems only proper that this sort of control should continue. If the Committee agrees with the member for Mallee's amendment, the effect of that will be to render inoperative the regulation which is currently operating I believe in the interests of the industry, its employees and the public in general.

Mr LEWIS: Why did the Minister not consult with primary industry interests in the preparation of this Bill? For instance, no primary industry representative is to be on the committee. Further, during the course of the preparation of the legislation why did the Minister not specifically preclude the possibility of promulgating regulations of the type that I have referred to as being possible unless my amendment is carried? The system we have in operation at the moment is very good. We ought to continue down that path, but the new Act will enable the direction to change completely. I am concerned that, if dust control measures are under a different Administration, we will run the risk of the same problems occurring as have occurred in the United States.

The Hon. D.J. HOPGOOD: I am a little surprised that the honourable member should have committed such a *non sequitur*. I do not know whether he intended his remarks to come out quite the way they did, but if he consults *Hansard* tomorrow he will see clearly what he has just said, namely, that he was surprised that the rural industry was not consulted on this matter, as demonstrated by the fact that there is no rural representative on the proposed committee. One does not follow from the other. There was wide consultation at officer level in the long process which led to the formulation of this legislation. I was not personally involved in all of that consultation, nor indeed was it appropriate that I should be. Some of it occurred in the days when the honourable member's colleague was Minister.

As to the form of the controls that will operate, while it is true that there is no intention of altering the procedures which currently apply, one cannot tie oneself up in a Statute so that, every time there is a minor change in an administrative procedure, one has to come back to the House in order to obtain an amendment to the Act. The drafting of the legislation before us is sufficiently broad to take into account the measures that we would want to apply in the foreseeable future. It does not leave it anywhere near as open as the honourable member is indicating.

The Committee divided on the amendment:

Ayes (19)—Mrs Adamson, Messrs Allison, P.B. Arnold, Ashenden, Baker, Becker, Blacker, Chapman, Evans, Gunn, Ingerson, Lewis (teller), Mathwin, Meier, Olsen, Oswald, Rodda, Wilson, and Wotton.

Noes (22)—Mr Abbott, Mrs Appleby, Messrs L.M.F. Arnold, Bannon, Crafter, Duncan, Ferguson, Gregory, Groom, Hamilton, Hemmings, Hopgood (teller), and Klunder, Ms Lenahan, Messrs Mayes, Payne, Peterson, Plunkett, Slater, Trainer, Whitten, and Wright.

Pair—Aye—Mr Eastick. No—Mr Keneally.

Majority of 3 for the Noes.

Amendment thus negatived; clause passed.

Clause 5 passed.

Clause 6—'Constitution of the Committee.'

Mr LEWIS: Why has the Minister not included a representative of primary industry on the committee? I have an amendment to move to this clause that would enable such a person to be appointed by the Advisory Board of

Agriculture, which would rectify that deficiency. The Minister may be able to give a satisfactory answer to that, although I cannot deduce from anything he has said so far what that might be.

The Hon. D.J. HOPGOOD: The honourable member and I are in agreement on this: I will not be able to satisfy him. The committee is, if anything, too big as it is, and it is unfortunate that it is not possible to include representation of all groups that potentially would be affected by the legislation. There are five or six other groups which would have strong claims for representation but unfortunately it is not possible to grant all of those claims.

Mr MEIER: Will the Minister say what the allowance or salary is to be for the 10 members proposed to serve on this committee? Yesterday in the second reading debate I said that the information that I had been given was that allowances could vary from \$1 500 to as high as \$7 000.

Members interjecting:

The CHAIRMAN: Order!

Mr BAKER: I rise on a point of order.

The CHAIRMAN: Order!

Mr MEIER: Will the Minister give some indication of the allowance that these 10 persons would receive on the committee?

The CHAIRMAN: I point out that the amendment has not been moved.

The Hon. D.J. HOPGOOD: I apologise to the honourable member and to the Committee, because the honourable member foreshadowed his concern in the second reading debate. I should have taken advice on it, but I have not done so. People would receive the standard sitting fee as laid down by the Public Service Board for non-public servants to serve on such committees. Any public servant serving on the committee is not paid: it is regarded as part of normal duties. The situation would arise, for example, in relation to paragraph (h) which refers to:

... a person nominated by the Minister after consultation with the Chamber of Commerce and Industry (S.A.) Incorporated; ...

It is unlikely that that person would be a public servant, and he would therefore be entitled to a sitting fee. I apologise that I do not have the immediate information available, but I will certainly obtain it and make it available for the honourable member. However, I make the point that some positions almost certainly will be filled by public servants. I think that if the honourable member reads the clause he will be able to pick out which ones they are.

The Hon. D.C. Wotton: No more than four.

The Hon. D.J. HOPGOOD: Well, that is four; those positions would clearly not attract a fee.

Mr MEIER: I rise on a point of order, Mr Chairman. Are we discussing any part of clause 6, or only the foreshadowed amendment?

The CHAIRMAN: The member for Goyder is quite at liberty to speak on any part of clause 6. I was simply pointing out to the member for Mallee that he had not moved his amendment.

The Hon. D.C. WOTTON: Before the amendment is put to the Committee I seek some clarification from the Minister. Clause 6 (2) (j) provides:

One shall be a person nominated by the Minister after consultation with a conservation group from time to time selected by the Minister.

That is a rather novel way of going about it. Can the Minister explain how he intends to administer that? Has he in mind a particular conservation group with which he would seek to consult? It is quite obvious from the way that that paragraph is worded that the Minister intends to change that nomination from time to time. I do not know whether that is a good thing; I think it is probably a retrograde step to take.

The Hon. D.J. HOPGOOD: The drafting significance of the term 'from time to time' escapes me. I would have thought that probably it added very little to the meaning of the clause itself. I would agree with the honourable member that it would be undesirable to have a rapid change in representation from whichever body we might be talking about here but the general intent of the subclause is to leave the Minister relatively unfettered as to the way in which the nomination is made. I would imagine that probably I will be seeking a panel of names from the Conservation Council, because that is the umbrella group for most of the active conservation bodies within the State, but it would certainly not be my intention to rotate the position on a rapid basis, for the reasons that the honourable member indicates.

Mr MEIER: I am concerned about the size of this advisory committee. Unfortunately, the Minister has not been able to provide specific financial details as to what it will cost. The list seems to include as few as two persons who would be public servants, although I stand to be corrected, and as many as eight non-public servants, which could vary considerably. If eight persons are paid an allowance each of \$5 000, that would involve a payment of \$40 000 each year. I believe that a few of those persons are not necessary, in the sense that I see no greater argument for the last five than I see for an extra three or so persons, one of whom is referred to in the foreshadowed amendment of the member for Mallee, involving a rural representative. I was thinking along the lines of a representative from the UFS, which would make the total 11, but I also believe that the E & WS Department could be represented, because odours and smells are certainly associated with sewage works. I think that a representative of SAMCOR could also be on the advisory committee, as well as a representative from one of the stock and station firms. That would make the number of members 14, and I would not want to see it any larger than that; in fact, I want to see it reduced. It was pleasing to hear the Minister say that he felt it was perhaps already too large. I believe that the first five named positions seem to be necessary.

Mr Baker interjecting:

Mr MEIER: The member for Mitcham says that it should be abolished but I do not think I would go as far as that, because I see a need for some advisers. The clause states that one shall be an officer of the Department nominated by the Minister. It is recognised that the Minister would have to have fairly close liaison with this committee, so I fully accept that he should put forward his nominee. It is also provided that one shall be a person who has qualifications or experience in chemical engineering nominated by the Minister. This would be a person who has technical knowledge and experience, and I think he would be able to cover a wide area. He could probably supply a lot more information than some of the people in the second group of five, so I accept that one. The third person shall be a person who has qualifications or experience in fuel technology nominated by the Minister. I suppose this is also because industry uses so much fuel and, although it does not specify the type of fuel, I guess it is the petroleum extract fuel. We are all well aware of some of the pollution that has been caused by such fuels.

Furthermore, it is possible that this Bill will be enlarged in the future to include a provision including motor vehicles. I believe I saw an article recently about pollution from buses in a particular area, so I accept that third person. The fourth person shall be someone who has qualifications or experience in meteorology nominated by the Minister. I think I mentioned yesterday that with the air pollution potential we have here such a person is necessary. Being a geographer myself, I am well aware that expert knowledge

is required in determining the need for an air potential alert. So I am in agreement with the Minister on that point. The fifth person shall be a person who has qualifications or experience in the field of air pollution control nominated by the Minister. That one intrigues me, and I would like the Minister to explain what sort of person has experience in the field of air pollution. I would have thought that such advice on air pollution could be given by the person with meteorological experience or the chemical engineer, because I do not know of any person who has a good knowledge of air pollution, but maybe I am not seeing the obvious.

I am prepared to accept a person nominated by the Minister of Health because as the Minister said in his second reading explanation one of the statutory instruments incorporated in this new Bill is the Health Act regulations and, therefore, I guess we could allow the Minister of Health to have his representative. The list then refers to local government, the Chamber of Commerce, United Trades and Labor Council and a person from a conservation group. I have nothing against those four groups of people but I do ask why those four were selected, particularly in view of the foreshadowed amendment by the member for Mallee to have a rural representative on the advisory committee, because I believe that as much say as possible needs to come from that area which represents the greatest proportion of South Australia. I wonder whether we as a State can afford to keep on branching out, because all new Government regulations need extra persons to police them. This is another example of our having to find more money. It is all very well for the taxpayers to say that they want controls but I think that the controls can be just as well exercised by the first six people in the list and will not necessarily be exercised any better with the extra four people as envisaged in the Bill.

The sum of \$16 000 was needed for the provision of State flags for various organisations, but the Premier said that we did not have the money for that purpose; yet money is apparently no object when it comes to finding it to pay the extra four members on the advisory committee. I express my serious reservations about the large group on the advisory committee and about the absence of a primary producer representative.

The Hon. D.J. HOPGOOD: In considering air pollution, three forms of technical expertise come to mind: first, the chemical engineer deals with things that are happening at the source of the pollution; secondly, the meteorologist deals with things that are happening in the atmosphere as a result of pollution; thirdly, the air pollution expert has the technique to tackle air pollution by designing equipment that will help mitigate its effects. Those are separate disciplines, and it is important that we have recourse to advice from all three.

Some members have expressed concern about the cost and the size of the advisory committee, but another factor to be considered is the frequency with which the committee will meet. I understand that it is expected to meet only once a year, so the cost may be less than is apparently expected by some members. Under the present scale of fees for Government committees, it is anticipated that the Chairman of the advisory committee would be paid a sitting fee of \$55 per half day and that other committee members would receive \$45 for the same sitting. Assuming that members of this advisory committee are eligible to receive that sort of fee and that the committee meets, say, twice a year, the cost of salaries will be about \$1 000 a year, which to me seems not unreasonable.

Mr LEWIS: I move:

Page 6—

Line 10—Leave out 'ten' and insert 'eleven'.

After line 29—Insert new paragraph as follows:

(ia) one shall be a person nominated by the Advisory Board of Agriculture.

The Minister had his blinkers on when he issued instructions for the preparation of this Bill and ignored the implications of the legislation to primary industries that would be affected by it, because the advisory committee contains no-one having an empathy with primary producers. The greatest number of primary producers would belong to the United Farmers and Stockowners Association, but I doubt whether there would be any more members of that association who would be affected by this Bill than the number of members of the fruitgrowers and market gardeners organisation. So, rather than play favourites between those organisations, in my amendments I have named the Advisory Board of Agriculture, which comprises members from all rural areas of the State who, elected by the various bureaux of agriculture, consider matters referred to them by the Minister for their advice.

I regret that the Minister cannot accept the amendment, because no other single group of people in any industry could be so seriously affected in terms of cost consequences than the group I seek to have represented. Yet the Minister has seen fit to have a member of the conservation group included on the committee. The committee should include the most important person—the representative of primary industry.

The Hon. D.C. WOTTON: When I supported the amendments previously, on the second reading and when speaking on another amendment, I expressed concern about the effect of the Bill on rural interests. Obviously, neither the Minister nor any of his colleagues has had any contact with the rural sector in this matter, and members of the Government do not understand the concern expressed by rural people about this legislation and the many problems that will result from its implementation. Although at odds with the Minister on some matters, I share his concern about the size of the committee, which I think is a little larger than the committee provided for in the 1982 legislation.

In any case, whether that be the case or not, I am concerned about the size of the committee. But I reiterate what the member for Mallee has said: if we are concerned about that I see it is just as important, if not a lot more important, to have someone representing the rural sector than having someone representing the trade unions, for example, and some of the other areas that are listed as being representative. I can only repeat that the rural community has expressed some major concerns about this legislation. I referred in the second reading speech to the article which appears on the front page of the *United Farmer and Stockowner* this week under the heading, 'Examination made of proposed new air pollution laws', and which states, in part:

The legislation proposes to establish a 10 person committee representing various interests, but a rural industry representative was not included among those named . . . It seems strange that conservation and union interests would be accommodated on the committee structure but not so primary industry.

So, I urge the Minister to reconsider this matter, because I am sure that if a person from the rural sector or someone representing agricultural pursuits could be included it would help tremendously in the liaison between those who are administering this legislation and country people with rural interests generally.

Mr MEIER: I too support the amendment moved by the member for Mallee. I thank the Minister for his answer, particularly to the question relating to cost. If what he says is true, that the committee may meet only once or twice a year, that is not a significant factor. It has become clear to me that it is not intended to reduce the size of the committee, that we will have a committee of at least 10 people and, therefore, the very obvious omission from it is someone

from the rural sector. I believe that a person from the Advisory Board of Agriculture would be most suitable. I mentioned earlier that I see this legislation primarily as looking after the metropolitan area, because that is where the majority of air pollution would occur as it affects people in a relatively concentrated area. I would not want to see the committee and the officers enforcing this Clean Air Bill spreading their tentacles into country areas unnecessarily, especially if it is going to affect industrial development outside the metropolitan area.

Mr Lewis: But they can, with clearance controls under the Planning Act. Whoever thought it would happen?

The CHAIRMAN: Order!

Mr MEIER: I could not. The member for Mallee has pointed that out earlier. But I believe that by having a person from the Advisory Board of Agriculture there will be a governing element. There will be this rider and at least a voice represented on the committee. Seeing that it is not going to add greatly to the cost, and seeing that the argument against the cost seems to be lost at this stage, let us at least make the committee comprehensive and not one that is lacking in one real area. I would not want to single out any other person from the last group of four who would be more or less important than any others. However, I believe that this rural representative is very necessary. I hope that perhaps the Minister will see at this late stage the way open to including that eleventh person.

The Committee divided on the amendment:

Ayes (18)—Mrs Adamson, Messrs Allison, P.B. Arnold, Ashenden, Baker, Becker, Blacker, D.C. Brown, Chapman, Evans, Ingerson, Lewis (teller), Mathwin, Meier, Olsen, Oswald, Rodda, and Wotton.

Noes (22)—Mr Abbott, Mrs Appleby, Messrs L.M.F. Arnold, Bannon, Crafter, Duncan, Ferguson, Gregory, Groom, Hamilton, Hemmings, Hopgood (teller), and Klunder, Ms Lenehan, Messrs Mayes, Payne, Peterson, Plunkett, Slater, Trainer, Whitten, and Wright.

Pair—Aye—Mr Eastick. No—Mr Keneally.

Majority of 4 for the Noes.

Amendment thus negated: clause passed.

Clauses 7 to 13 passed.

Clause 14—'Construction, alteration or extension of premises in which a prescribed activity is to be carried on must be approved by the Minister.'

The Hon. D.C. WOTTON: I referred in my second reading speech to my concern about this matter. If one looks at that and then looks at Division III, clause 26 on page 8, particularly where it states, in part, 'unless the written approval of the Minister has first been obtained,' one can see that that is inconsistent with the previous interpretation. Does the Minister not see that, or would he like to clarify the situation?

The Hon. D.J. HOPGOOD: Clause 26 (3) refers to the carrying out of certain works without the approval of the Minister, and this is in the context of a process—

The Hon. D.C. Wotton: I am referring to clause 26 (1).

The Hon. D.J. HOPGOOD: The whole of clause 26 refers to a process which has to be carried out, whereas clause 14, which is before us, relates to approvals for building work. Therefore, one clause is talking about the construction of the shell in which certain activities will take place and the other about the actual process occurring within those premises. Therefore, I do not see that there is any conflict at all.

The Hon. D.C. WOTTON: I am not totally satisfied with that answer, but it might be easier if I consulted with officers at a later stage to clarify the situation.

Clause passed.

Clauses 15 to 20 passed.

Clause 21—'Renewal of licences.'

Mr MEIER: I move:

Page 7, line 24—Leave out 'one year' and insert 'three years'.

The Minister mentioned yesterday that the Government had given consideration to having licences renewable every three years rather than every year. I do not remember the words used, but he said that, in the end, they had decided in favour of licences renewable every year. I hope that the Minister will give serious consideration to a three-year licence, because the only reason I can see for having yearly licences at this stage is that perhaps there is some doubt in the Minister's mind about this legislation being as it should be and that he thinks that some unforeseen circumstances might arise. If that is the case, we should not have the legislation before us now. Therefore, I do not see that there is any reason for holding back from issuing a three-year licence.

What are the advantages of a three-year licence? First, it would certainly save a considerable amount of paper work and time so far as the industry is concerned. Obviously it has to use its clerical staff to ensure that licences are renewed. Likewise, it will save time for the department handling the licences if it does not have to send out renewal applications every year. Therefore, there will be considerable savings in the area of administrative work, both for the industries and the administrative departments involved. We have so many rules and regulations that people say that they are sick of them. If we want to encourage industry, and if there must be licences, then this is one way to say, 'You will not find the licence any real problem because it comes up infrequently'—in other words, every three years.

I also believe that many industries are subject to other licence requirements in their normal day to day operations. Obviously, a business must have a licence to run, for a start. I am not certain how often such licences are renewed now. There are various forms required to employ apprentices, so businesses are dealing with paper work of that sort at present. I know that some firms have to have licences for special items of equipment. I believe that a mobile crane is one item of equipment for which a company must have a licence. Therefore, businesses are already laden down with enough licences and the paper work that goes with them.

Some of these licences may be issued on a yearly basis and some on a longer term basis. The fact of the matter is that there has been a trend towards longer term licences over the years. The classic example of this that most people over the age of 16 years in this State would appreciate is that of drivers licences, which are now renewable every three years rather than every year. The advantages seem so obvious that, once it was implemented, one questioned why it took so many years to make that change. The Teacher Registration Board has registrations renewable every three years rather than every year, and I think that the sense of that is well appreciated by those engaged in teaching. I understand that plumbers licences are renewable every three years. This information came to me from a plumber who approached me a short while ago expressing some concern about a new form that had come out. I asked him, 'How often do you have to renew your licence?', and I am certain that he said that it was every three years. Therefore, I guessed that there would be other trades that required licence renewal on a three yearly basis rather than a yearly basis.

I always bring up economics where possible. In this matter it would possibly be six of one and half a dozen of the other. However, I think that there could be a small saving in real cost to industry if this system were implemented. I have no idea what licences will cost. Maybe the Minister can enlighten me with an approximate figure later. If one took \$10 as the current cost of a licence and added inflation, in a year it would cost nearer \$11, in two years nearer \$12; so, if one added the cost for the three years hypothesised one would have a \$10, a \$11 and a \$12 licence, a total cost

of \$33. However, if a licence were applied for now for three years it would cost \$30 as opposed to that \$33, a 10 per cent cost saving. I re-emphasise that the major saving would be in administrative work such as paper work, postage and handling.

I cannot see why, if the Minister and the appropriate department did consider one-year licences *versus* three-year licences, they came out in favour of one year licences except for the reason I gave at the beginning: they may have had doubts about this legislation working and it was a safeguard so that they could change the licence system quick smart if they saw problems. However, I hope that that is not the case. We should not perhaps be discussing the matter because, if it does not work out (as one would hope it would), it will apply for many years to come. I hope that the Minister gives due consideration to accepting this amendment for a three year renewal period for licences.

The Hon. D.J. HOPGOOD: The honourable member's concern (as is mine) is with ease of administration and minimising the cost to industry. The three-year licence term would probably, from the viewpoint of my Department, be easier to administer and may be, to a certain extent, easier for industry. However, I put to the honourable member that, if in fact we are to issue three-year licences, we will build an 8 per cent inflation factor into that cost.

If industry likes to put that money in the bank it can get 12 per cent on it. Therefore, not having to make that larger initial outlay will save industry money. In its present form the Bill will save industry money. A three-year licence fee will cost industry more money in the long run than would a one-year fee, because of the differential between the 8 per cent inflation factor which the Government would apply and the 12 per cent rate that can be earned on money in the bank. The other matter referred to concerned the scale of the fee involved. Of course, that depends on the size of the industry. At this stage we would be considering an annual fee of \$30 for a very small operation up to \$2 500 for a very large industry. Having regard to the top end of that range, and the factors that I have just described in regard to an annual fee or a three-year fee, it seems to me that the saving involved would be worth while for industry.

The Hon. D.C. WOTTON: I support my colleague's amendment. I wonder whether the Minister or those who have been responsible for consultation on this legislation have in fact asked industry what it would prefer. I agree with the Minister that we should be doing everything we can to make it easier for industry and for the Department to administer the legislation. It therefore makes sense that a three-year licence fee structure would facilitate that. In regard to the cost of the fees, to range from \$30 to \$2 500, I cannot imagine that an 8 per cent rate for inflation over that period would be of great significance. I would have thought that if the Minister or those responsible for consultation had asked industry they would have found that industry prefers a three-year period rather than being concerned about the cost. Did the Minister consult with industry on this matter?

The Hon. D.J. HOPGOOD: I personally did not, but I point out to the honourable member that this matter was specifically raised during the time when he was preparing legislation prior to the last State election. The matter was checked out, and I understand that the advice received at that time was along the same lines as that received by me, and for the same reasons.

The Hon. D.C. Wotton: Was it not a three-year licence in the 1982 Bill?

The Hon. D.J. HOPGOOD: The previous legislation provided for a licence in perpetuity with an annual renewal. So, the charges were still levied on industry on an annual basis. I would hope that the Opposition is not urging upon

me that we have three-year licences as well as annual fees. That would be awkward for both Government and industry. I believe that the two have to move in phase, and it is a matter of whether it is three years with the cash coming forward over that period or whether it is one year. All I can ask honourable members to do is consider the mathematics that I have outlined, namely, the simple difference between on the one hand a 12 per cent return on money and, on the other hand an 8 per cent escalation in line with inflation on the other: industry must come out in front.

Mr MEIER: I am concerned that the fee could be as high as \$2 500, which would be a real impost on industry. I acknowledge the Minister's point that with a three-yearly fee industry would not be able to use that money over the subsequent two-year period. I had no idea that it was contemplated that the fee would be so large, even for a large industry. For an industry such as Mitsubishi that will be a large impost when one considers that such industries operate at losses costing millions of dollars. Every thousand dollars such industries can save is \$1 000 that the company would prefer to keep on site, for the sake of the company, and for South Australia. I appreciate that a licence is necessary, but why will the cost vary so significantly?

I thought it would cost \$200 to \$300, but if it is to cost thousands of dollars it seems that suddenly this legislation that I spoke in support of is legislation that may impose an unnecessary burden on industry in this State at a time when we do not want any extra burdens and when we want to try to make it as easy as possible for industry so as to relieve it of all unnecessary hardships. Nevertheless, I believe that the arguments I put forward in regard to a three-year licence still apply. I guess the Minister could argue that to a large company the amount of \$2 500 is equivalent to what an amount of \$30 is to a small company. Does the Minister have any comment about why there is a very large variation between licence fees?

The Committee divided on the amendment:

Ayes (19)—Mrs Adamson, Messrs Allison, P.B. Arnold, Ashenden, Baker, Becker, Blacker, D.C. Brown, Chapman, Evans, Gunn, Ingerson, Lewis, Mathwin, Meier (teller), Olsen, Oswald, Rodda, and Wotton.

Noes (22)—Mr Abbott, Mrs Appleby, Messrs L.M.F. Arnold, Bannon, Crafter, Duncan, Ferguson, Gregory, Groom, Hamilton, Hemmings, Hopgood (teller), and Klunder. Ms Lenehan, Messrs Mayes, Payne, Peterson, Plunkett, Slater, Trainer, Whitten, and Wright.

Pair—Aye—Mr Eastick. No—Mr Keneally.

Majority of 3 for the Noes.

Amendment thus negatived; clause passed.

Clauses 22 and 23 passed.

Clause 24—'A licence may not be transferred.'

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

Page 7—Leave out clause 24 and substitute new clause as follows:

24. (1) A licence under this Act may be transferred in accordance with this section.

(2) Upon application for the transfer of a licence being made in a manner and form determined by the Minister, and the prescribed fee being paid by the person to whom the licence is to be transferred, the Minister shall transfer the licence to that person.

This is one of the matters pressed on the Government by the Chamber and it believes, after due consideration of the request, that it can be acceded to in this form, and I urge the Committee's support for the amendment.

The Hon. D.C. WOTTON: The Opposition supports this amendment.

Amendment carried; clause as amended passed.

Clauses 25 to 31 passed.

Clause 32—'Air pollution of certain kind must not exceed prescribed standards.'

The Hon. D.C. WOTTON: There is a need for the Minister to provide more legal definition than has been the case in this Bill. I refer here to 'prescribed standards', and the Opposition will be interested to see what happens as far as the regulations are concerned; much of this legislation relates to the regulations. I assure the Minister that the Opposition will be watching those regulations very closely. Clause 32 (2) refers to 'reasonably practicable' and clause 14 (10) and clause 20 refer to 'such other matters as the Minister considers relevant.' A lot of areas are very airy-fairy. I presume that there is no other way of dealing with this matter, or else the Parliamentary Counsel would have made further suggestions. Concern has been brought to my notice by people who have had an opportunity to look at the legislation. I doubt that the Minister would be able to do much about it. I express my concern about statements such as 'is reasonably practicable' and I would hope that those responsible for the administration of this law will act responsibly and sensibly in the future as they have in the past, particularly when it refers to matters referring to 'reasonably practicable'.

The Hon. D.J. HOPGOOD: I thank the honourable member for his assurance that the Opposition will be viewing the regulations with a great deal of interest, which I hoped would be the case. If it has any misgivings in relation to these matters I hope they will be taken up at the appropriate level, whether it be a direct approach to me or through the normal mechanism of the Joint Committee on Subordinate Legislation. Referring to subclause (2) the concept of reasonableness is one that is widely recognised in the courts, and clearly the verbiage is there to give some protection to the person against whom the Government may be proceeding under this section. He would be in a position to plead in court, if it came to that, that the action taken in the circumstances was all that he could reasonably be expected to take. The concept of the reasonable man is one that is deeply embedded in British jurisprudence and one that does not have the same recognition in, for example, the United States courts with I would suggest rather adverse consequences from time to time to both defendants and litigants. The words are not airy-fairy but an attempt to ensure that the State is not acting in a capricious way in relation to a person who appears to be in breach of the law.

Clause passed.

Clause 33—'Excessive odours must not be emitted from any premises.'

The Hon. D.C. WOTTON: It is no good my continuing with this clause because the Government has made clear it will not take into account the concern expressed by the Opposition in regard to the provision for odours in this legislation. However, as this is the major clause dealing with that provision, I once again express my concern at the Minister's and the Government's attitude. I would be going against Standing Orders if I repeated what I have said. However, I bring to the notice of the Minister the concern of the Opposition and of many people in the community generally in relation to this clause.

Clause passed.

Clause 34 passed.

Clause 35—'Minister may require certain action to be taken to prevent or mitigate air pollution.'

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

Page 11, after line 31—Insert new subclause as follows:

(4) The Minister shall not, in exercising his powers under this section, require the occupier of premises to take any action that would necessitate the occupier closing down his entire operation on the premises, unless the Minister has first consulted with the Minister for State Development in the matter.

I do not want to take the time of the Committee, but quite frankly we see this as being a safeguard measure in regard to further unemployment. In the legislation that was intro-

duced in 1982 it was intended that it was necessary to consult with the Minister of Labor at that time because, under the previous Government, the Minister of Labor was responsible for employment matters. It was felt necessary that, if the Minister for Environment and Planning had reached that stage (and we all had hoped that it was not going to happen) where he felt it was necessary for some reason or another to close down an industry, before he did so he would consult with his colleague the Minister responsible for employment. I hope that the Minister and the Government will support this amendment, which is only a safeguard. I hope that the Government will recognise the problems we have in this State with unemployment: it certainly has made considerable noise about this problem that faces this and other States, but I would hope that the Minister would see this as being a safeguard measure and include it in the legislation.

The Hon. D.J. HOPGOOD: The Government supports the general thrust of this amendment. I have a couple of what might be called technical queries, possibly of you, Sir. First, I assume that there is a misspelling in the second to last line of the amendment as it is on file where it states, 'The Minister for States' Development'. Can we handle that clerically?

The Hon. D.C. Wotton: That is obviously a mistake.

The Hon. D.J. HOPGOOD: Yes. Secondly, I am a little unclear on what we do if the Minister of State Development suddenly becomes the Minister of Employment or Minister of Industrial Development, or whatever. Can that be handled under the Acts Interpretation Act? Would that handle the situation if we no longer had a Minister of State Development?

The Hon. D.C. Wotton: I would have thought so.

The Hon. D.J. HOPGOOD: I have taken advice and I am given to understand that in fact the Public Service Act copes with this eventuality. In those circumstances the Government accepts the amendment.

Amendment carried: clause as amended passed.

Clauses 36 to 38 passed.

Clause 39—'Director-General may permit burning in certain weather conditions.'

Mr TRAINER: This whole Bill is like a breath of fresh air, but I would like to make a few remarks about this clause which deals with domestic incinerators, a frequent source of aggravation in neighbourhood disputes. I first became aware of the problems that could be caused by incinerators about 15 years ago when I lived in a different residence from that in which I live today. A neighbour with an incinerator close to our back fence had the uncanny knack of lighting the incinerator whenever my wife or I had hung clothing on the line. The problem was aggravated by the fact that our neighbour occasionally put duck feathers in the incinerator, and I did not appreciate the pungent odour of burning duck feathers emanating from a spot just beyond the back fence. The result was that occasionally we finished up with a Hills hoist load of nappies reeking of that odour.

With the passage of time, my memory of that experience diminished somewhat until I moved house and found myself in possession of an incinerator. For a time I used it rather thoughtlessly myself until I realised the error of my ways. One or two people in my neighbourhood still are occasionally guilty of causing offences with their backyard incinerators, and I have had my fair share of complaints from constituents about what their neighbours are doing with their incinerators. Disputes about the use of incinerators arise especially when those incinerators are not used properly. Such improper use falls into one of three categories: the very poor choice of time at which the incinerator is lit; secondly, the inclusion of offensive materials in the incinerator; and thirdly, oper-

ating the incinerator in such a way as to provide inadequate combustion of the materials therein.

Regarding poor timing: people using incinerators often do not properly consider the time of the day at which they light their incinerators, with the result that neighbours who have left their windows open to cool down the house in the late afternoon or early evening find themselves inconvenienced by the fumes from the neighbour's incinerator. The operators of incinerators should have a degree of consciousness of what is happening around them so that they do not light an incinerator while someone has a full load of washing on the line or is entertaining guests for a backyard barbecue.

Further, it is unwise to operate an incinerator when there is a high fire risk. During the four-month summer period of 1980-81, the Metropolitan Fire Service reported 204 fires that were the result of unattended household incinerators. Other problems are due to people who choose to use incinerators on a day when the wind is blowing fully in the direction of their neighbour's property, and it is sometimes no accident that people choose to light their incinerators in such circumstances merely because they do not like their neighbour.

Regarding the burning of offensive materials: these include garden clippings that produce vast volumes of smoke, and the same can be said of disposable nappies, sanitary napkins, soiled rags, rubber, plastic materials, and other dangerous and offensive materials and chemicals. Some of the materials would burn properly in normal circumstances, but frequently they are burnt while in a wet condition because people either put the material in when it is wet or leave the lid off the incinerator, thus allowing the rain to dampen the material.

That produces inadequate combustion, which I mentioned as one of the three categories of misuse. Another way in which one could have inadequate combustion occurs when people try to operate their incinerators when they are chock-a-block full with ashes at the bottom and the system is choked. It could also be choked through putting in unburnable material, such as bottles and tins, or it may be because of the way in which it is loaded. People often pack material down tightly, which prevents a proper draught of air.

One could have similar problems with household combustion heaters which can also, if not properly loaded and operated with an inadequate draught of air, particularly with woodettes, produce very bad odours out of the chimney of the house which spread through the neighbourhood in the same way as happens with the incinerator. Ideally, incinerators that were properly operated could perhaps be a bearable proposition, even in our urban environment. If they are operated so that a high temperature is maintained in them, using only dry combustible materials and, if there is a good air draught passing through them, incinerators can operate in such a way that the combustible organic material is broken down to carbon dioxide and water in the form of steam, and there would be minimal smoke emanating from the incinerator.

Unfortunately, that does not usually happen. One has instead great clouds of soot and ash made up of fine carbon particles and other chemicals. The gaseous products are likely to contain as much carbon monoxide as carbon dioxide and other odorous and offensive chemicals and by-products which greatly aggravate the neighbours. The unnecessary use of incinerators in those circumstances can be a source of a great deal of aggravation. Most people are aware of this. One of the earliest press releases of the current Minister for Environment and Planning, after the change in Government, as pointed out on 18 November 1982 that a recent survey conducted for the Australian Environment Council revealed that 89.7 per cent of Adelaide people strongly supported 'no burn' days for incinerators.

That survey result indicates to me that there would be a great deal of public support for this Bill, and particularly for this clause and a subsequent clause which directly relate to incinerators. Unfortunately, the legislation that was originally prepared for the previous Government did not include provisions for controlling burning in incinerators. For example, it was pointed out in the *Advertiser* on 24 July 1982 that the Liberal Government had left any reference to domestic incinerators out of its draft. Whether or not the Minister at the time was in favour is uncertain, but the *Advertiser* article points out:

It is understood that any reference to domestic burning will be deleted from this section of the proposed Bill following Cabinet concern.

I am not quite sure what the concern was, but certainly the public is very much in favour of this Government's approach.

It may well have been that the previous Government favoured a slightly different approach which is not necessarily one with which I disagree, but one which, in itself, may not be a sufficient solution. I think the approach that it tended to follow was to encourage local councils to conduct total waste collection. There is nothing wrong with that, but I strongly suspect that we need to go that little bit further to allow for those people who have not taken advantage of the opportunities provided by councils, such as Marion council in my area, which have an excellent total waste collection.

I wish to praise the efforts of Marion council, which is one of the pace setters in the metropolitan area, particularly in waste collection. The collection day varies from street to street, but in my area every Monday I can put out a whole bin full of material, or even two or three. There is in Marion no real restriction on the number of bins one can put out, as there is with some councils. They will take just about anything away provided that it is reasonably portable and is not likely to damage the material in the crusher unit of the compacting section of the truck. That means, for example, one cannot put out rocks, building materials, bedsteads, or things of that nature, but just about anything else, provided that it can be carried by one person and is not of such a hard nature as to destroy the truck compactor, is acceptable. That service is very much appreciated by most of the residents of the Marion council area.

The council went to a great deal of effort to try to promote this service to reduce the use of backyard incinerators. At the time it was introduced a character called Gus the Garbo was used as a promotional vehicle to advertise the service. An article in the local *Guardian* of 6 January 1982, entitled 'Marion urges smokeless new year', quoted Assistant Town Clerk, Keith Usher, as saying:

... with council's weekly total collection of garbage there was no need for backyard burning ... If you pay in your council rates for a total collection of soft and 'hard' rubbish, why not use the service fully rather than submit your neighbour to a smelly haze of smoke? Council gets numerous complaints each week about backyard burning. These come from housewives with washing on the line, people having a pleasant afternoon at weekends ruined by a neighbouring incinerator, and, in warm weather, from people prevented from leaving their windows open.

About a year later, that was having some impact on the use of incinerators but not enough, because the council ran another campaign to try to reduce the use of incinerators. A *Guardian* article of 23 March 1982 stated:

'With the introduction of the total collect rubbish service some time ago no Marion resident has any need to burn in his backyard', he said. All residents are asked to consider their neighbours and leave rubbish out for collection rather than burn it.

Again, that was quoting Mr Keith Usher. It appeared to have some effect, though not as much as was hoped, because a later article on 14 September 1983 again quoted Mr Usher as saying:

... complaints from residents about neighbours' smoky incinerators had decreased. This indicated that more people were using the total-collect garbage service instead of the backyard incinerator.

Other councils have followed suit either with a total collect service or something approximating to it. I noticed that late last year Mr Bratton, of Brighton, had a letter published in the *Guardian* of 9 November, headed 'When will they stop burning?' in which he praised the Brighton council for having taken up a good rubbish collection service. He pointed out that as well as the rubbish collection of the local council, there were ways of distributing unwanted material other than burning it. He said:

We have the hard rubbish collection—

that is of the council—

charities collecting waste paper ...

The ACTING CHAIRMAN (Mr Whitten): Order! The honourable member's time has expired.

Ms LENEHAN: I too would like to support this clause in the Bill. In so doing, I would like to congratulate the Minister on what is an excellent Bill. In respect to the question of backyard burning and domestic incinerators, I have been approached by many constituents who have requested that the Act should be amended to prohibit totally all forms of backyard open burning and domestic incineration. I have a great deal of understanding for their position. Quite obviously, as the member for Ascot Park has very clearly described, many people suffer greatly from inconsiderate 'burners'. However, I believe that this situation cannot be introduced until we have in South Australia a total waste collection service which would operate throughout the metropolitan area.

Mr Becker: How much would it cost?

Ms LENEHAN: That is a very interesting question. It would be up to individual councils. I will go on to explain that. I am supported in my feeling about the introduction of a total ban on backyard burning by the Director of Waste Management, who was reported in the *Advertiser* on 29 October last year as saying that he believed South Australia should be moving to a total waste collection system. He was reported as having said:

Under the system councils and their contractors would collect all household and garden refuse possibly in the large 240 litre mobile containers which would replace the present small rubbish bins.

As the member for Ascot Park pointed out, many councils in the metropolitan area have introduced this total waste collection. Among them, of course, are the Marion, Woodville, Enfield, and Tea Tree Gully councils and, in my own electorate, the council of Noarlunga, which apparently will take away anything that can be carried by two people. That includes even a refrigerator if the door has been removed. So, in answer to the interjection from the honourable member—

Mr Becker: For Hanson—

Ms LENEHAN: Yes, he would like to get his name in *Hansard*. Obviously many councils have decided that it is not beyond their means to introduce a total waste collection system. The article to which I referred a minute ago goes on to say that those councils which have introduced such systems in other States have found a favourable response and, after the initial capital costs, some savings as well.

It would seem to me that it is not only a responsible direction that we should be taking in South Australia but it is not prohibitive in terms of expense. I refer to what is happening in the Brighton council, which has introduced the system of large garbage bins and which apparently has them in operation at a cost of \$38 a bin. The Waste Management Commission has endorsed this concept of the large garbage bin collection system, and the article to which I refer concludes by stating:

If it [this system] is introduced here, the troublesome backyard incinerator and its smokey intrusions would become redundant. And neighbourhood disputes would disappear.

Surely this is an incredibly important aspect of the whole discussion, to try to solve and resolve neighbourhood disputes.

The Hon. D.C. WOTTON: In representing the Opposition I will certainly have more to say about this at a later time on a later clause. However, I refer now to the Opposition's concern about controls on backyard burning and particularly the responsibility being given to local councils to administer this provision in the legislation. When the previous Government was in power I introduced, through the Department of Environment and Planning, a series of advertisements encouraging the community and the public generally to be more aware of their neighbours. One of the matters referred to in those advertisements was backyard burning. We were trying on that occasion to educate people rather than regulate in this regard. I have concerns not so much about the controls or the time permitted to burn, but the administration of the provision.

I have concerns also, as I mentioned previously, about the success of administering this provision. I have been contacted by a number of councils which have expressed a desire to be given the opportunity to administer the regulating of backyard burning. I have been contacted by many other councils which are concerned about this responsibility being given to them. I might point out that, particularly in regard to country councils, much concern has been expressed. I refer briefly to a letter received from a country council, which states:

I thank you for your letters regarding the Clean Air Bill and I advise that this matter was discussed by council at its meeting . . . My council was very concerned that this appears to be another Bill which has possibly more relevance to the metropolitan area and ignores that the country exists. Council has resolved that it considers that this type of legislation is not relevant to this council area.

I support what that council is saying. It is not as important in country areas as it is in the metropolitan area that these controls should exist. I have particular concerns about how local councils will police this regulation under the provisions in the Bill. We are led to believe (and, of course, we will not know this until later) that people will be able to burn only between 10 a.m. and 3 p.m. I presume from that that local councils will have to have people sitting around for the rest of that 24-hour period in case someone, on a warm night, lights up an incinerator at midnight or 11.30 p.m. and the person next door complains to the local council. How they do that I am not quite sure. I guess that local councils will have to have after hours numbers for these people to be informed.

Mr Becker: They have that now.

The Hon. D.C. WOTTON: That might be the case in some areas, but I suggest that the cost to councils will be prohibitive—

An honourable member: They won't do it.

The Hon. D.C. WOTTON: Exactly—they will not do it. They cannot be expected to do it. If some councils have the ability and the finance to employ enough people to police it properly, that is fair enough. However, I repeat what I said in this debate yesterday: what is the use of bringing in legislation that cannot be policed or administered? We know that that will be the case. I suggest that very few councils in the metropolitan area will be able to properly administer this part of the legislation.

An honourable member: What is your answer?

The Hon. D.C. WOTTON: It has already been pointed out by one of the honourable member's colleagues. We felt that we should move towards a total collection, and I still believe that that is the case. We also believe (if the honourable

member had been listening) that we could do more by trying to educate people through advertisements on the radio and television about the problems being experienced in this area. I believe that that was starting to work because the number of people who talked to me about it and who referred to those advertisements was quite substantial. The last speaker referred to neighbourhood disputes. The present Minister would have to speak for himself, but while I was Minister I was aware of the number of complaints which came in about backyard burning and which really revolved very much around neighbourhood disputes. A lot of problems came about because neighbours could not get together and talk about their problems, and I think that it is a very sad state of affairs when we have to consider legislating to overcome those problems.

I would imagine that there are some cases which are quite genuine, where young mothers have washing on the line and people next door, who give no consideration whatsoever to their neighbours, insist on lighting up an incinerator and causing a nuisance. I know that that happens: there are genuine cases, but I am sure that there are many cases where, if the neighbours involved had their heads banged together and were made to talk it out or were encouraged to do so, the problem would to a large extent disappear.

Ms Lenahan interjecting:

The Hon. D.C. WOTTON: If that is not the case, then it is a different situation. However, I do not see why this Government or anyone else should expect local government or council officers to solve neighbourhood disputes. If the Government cannot work it out itself, does not know how to solve the problems (and it is difficult) and does not have the answers, I do not see why it should throw it onto local government and say, 'We all realise that it is a problem. You go out and fix it'—first, because of the cost involved; secondly, because of the difficulty in properly administering the legislation; and, thirdly, for the reason I have just suggested, namely, I do not think that it should be local government's responsibility any more than it is that of a Minister of the Crown to be solving neighbourhood disputes in this manner. I will be saying more about this a little later in discussing a clause that is yet to be considered by the Committee. At this stage I am flagging the concern of the Opposition in regard to the proper administration of this clause in the legislation.

Mr MEIER: The member for Ascot Park's second reading speech, made during the consideration of clause 39, was interesting. Although his remarks had little to do with the measure, he made some relevant points. The suggestion was made that apparently a previous Government had not intended to consider the matter of incinerators. Clause 4 provides that, apart from sections 38 and 39 and Part VI this Act does not apply to, or in relation to, a domestic incinerator, and so one could argue that for the most part the Act does not apply to the domestic incinerator. Sometimes comments in a speech made by a member can be misinterpreted.

Clause 39 provides that the Director-General 'may, by order, prohibit, unconditionally or conditionally, the burning of fires in the open or of incinerators, or incinerators of a specified class, during such period, or periods of time and within such area, or areas, of the State as may be specified in the order': will incinerator burning be regulated in a similar way to fire bans which operate in set areas of the State at present? Is it possible that country areas may be affected very little in normal circumstances? I point out that there are differences in country towns; perhaps we should refer to certain country towns as hamlets or villages, where there is very little need, if any, for controlling burning. However, I am well aware that in some of the larger country towns problems similar to those which occur in the city can

occur as a result of incinerator burning. Will the Minister comment on how different sections of the State will be advised as to whether burning can occur during certain periods?

The Hon. D.J. HOPGOOD: First, let me set the context of what I want to say by harking back to a good turn done to me in the *News* not so long ago by my old friend Tony Baker. When notice was first given of this legislation he wrote one of his fascinating columns, wherein he said:

Who is this Hopgood fellow who is bringing in the heavy hand of the State again in order to stop us burning a little piece of paper, or whatever it is, in the backyard incinerator?

If correspondence columns in the newspapers are any sort of an indicator (and we all tend to work on the iceberg theory, of course), the *News* was inundated with responses from people saying, 'Lay off, Baker, the Government is doing the right thing in this respect.' I am not surprised that that was the result, because soon after the Government came to office with a commitment to implement this form of legislation a poll taken indicated that a little in excess of 80 per cent of people felt that there should be some control over backyard burning.

I put to the honourable gentlemen opposite that education is simply not enough; it is not sufficient to compose a jingle that says 'Be neighbourly' or 'nice' or something else and whack it on the television and expect that overall the problem will be solved. As a matter of fact, the Liberal Party knows this well, because for many years it urged on Labor Governments in this State legislation in regard to control of litter. Enormous amounts of money by some people's standards are put into educational campaigns with regard to litter through an effective organisation called KESAB and in other directions, and of course KESAB promotions and other educational campaigns have had some impact.

The Liberal Party of the day recognised that education of itself was not sufficient and urged that there should be specific legislation imposing fining for littering, and of course that happened. That was instituted against a recognition that it would not be possible to detect every incidence of littering that occurred within this State. To be able to detect every incidence of littering there would have to be an enormous army of inspectors, police or boy scouts especially sworn in to do the job. Nonetheless it was recognised that having a stipulated offence carrying a penalty would have a salutary effect on this anti-social activity. The present Government has accepted that present philosophy: it will not be possible to detect and prosecute every breach of the Act.

The Hon. D.C. Wotton: It's totally different.

The Hon. D.J. HOPGOOD: It is not totally different: it is an amenity issue, an environmental issue. It is a matter that is difficult to police, and we accept in advance that it would not be possible to detect every offence.

The Hon. D.C. Wotton interjecting:

The Hon. D.J. HOPGOOD: In some respects the honourable member is right: it will be easier to detect offences under this Act than it was to detect the minor littering offence. Members opposite are being totally inconsistent in the way that they are opposing this reform, whereas they very vigorously urged reform which would lead to the recognition of the offence of littering in this State. Certainly, there is flexibility in the way in which this regulation can be promulgated and administered. It would be possible to totally prohibit backyard burning in certain areas and it would be possible to not proceed with the regulations in relation to certain other areas. It is recognised that this is rather more a metropolitan problem than a country problem. One is being far more anti-social in lighting a smokey fire in Unley than at Lower Light, and maybe we will move towards the regulations taking into account that factor.

At this stage it is the intention that the general regulation, which has been fairly widely canvassed in the press, will apply throughout the State. This matter has been discussed with local government. The health inspectors in local government are well aware of our intentions, and in most part they are anxious that this power be available to local government. This is largely a local problem; I see it as being quite appropriate that local government should have the power of administration.

Mr HAMILTON: I had not intended to make a contribution at this stage, but I feel that either the previous Minister for Environment and Planning is deliberately misleading the House or his memory is very poor. I remember that many years ago an eminent politician in this State said that if one chose to ignore the law one paid the penalty. In relation to this clause, people should accept guidance from Government and semi-government authorities and be prepared to live in harmony with their neighbours. I would suggest that many neighbours are most tolerant in regard to acts which they believe are offensive, which include backyard incinerator burning. Many people request that their neighbours desist from this practice when, say, there is washing on the line, although some people choose for whatever reason best known to themselves to ignore that. There are means available for people to obtain assistance, and I refer to the Brompton Community and Legal Service, where warring neighbours can obtain assistance from people who try to reconcile differences of opinion—where, to use the words of another member, they 'bang their heads together' to try to get some sense into the situation.

Just digressing, this situation applied successfully in New South Wales and now here in South Australia. If people cannot see sense, then one has to do something to redress the problem. I refer to an incident that affected me in which a neighbour, over a period of over 12 months, pumped his septic tank on to his garden. I lived in the country, and I put up with it for 12 months because I did not want to become involved in a dispute with my neighbour. However, it reached a point where neither I nor my wife could tolerate the stench which resulted in my involving the local health inspector. That chap no longer carried out that practice.

Most people in the community are very tolerant towards their neighbours, but there should be penalties for people who are not prepared to accept what the majority of the community wants. This has been amply demonstrated by many speakers today and in the past week in relation to the surveys and polls carried out. If the previous Minister chooses to ignore that fact, then he is in cloud cuckoo land and out of his tree.

Ms LENEHAN: Clause 39 refers to 'incinerators of a specified class'. Will the Minister assure the Committee that under the regulations 'incinerator' will be carefully defined? What sort of incinerators will there be, how are they to be specified, and whether in fact the traditional practice of people using 44-gallon drums to burn off, calling them incinerators, will continue? It has been put to me by many constituents that that practice is completely inconsiderate. Pieces of paper fly into neighbours' yards, and it also presents a very serious fire hazard if the incinerator is not in some way covered. Does the Minister intend, in the regulations, to prescribe the sort of incinerator which will be covered by this Act?

The Hon. D.J. HOPGOOD: The Act allows some flexibility in the way in which the regulations will operate. It will be appropriate in certain circumstances that there be a regulation prescribing the container in which the burning will take place. This is to anticipate debate which will no doubt occur on the Joint Committee of Subordinate Legislation. It is one matter which, with the passage of this

clause, the Government in its general administration procedures will be able to take cognisance of.

The Hon. D.C. WOTTON: I give notice that when the time comes to debate those regulations, if the opportunity is provided in this House, I will be opposing any provision where every person is limited in the type of incinerator they can use. It depends entirely where one lives. I do not believe that we should be told that we have to have a standard incinerator. I have used, for years, a 44-gallon drum; I do not have a neighbour in sight, and I will be blown if I will go to the expense of putting in a specified incinerator, just because someone in the metropolitan area might have problems. I am sure that the majority of people in the metropolitan area have proper incinerators. I am probably out of order in debating this matter, but I give notice that, if that is to be part of the regulations, I will have something to say when the opportunity is provided.

Mr BECKER: This is turning out to be an incredible debate.

Mr Peterson interjecting:

Mr BECKER: I would not have to try too hard to beat your effort. You play with your toy train; the member for Glenelg will fix you up.

The ACTING CHAIRMAN: Order! The member for Hanson.

Mr BECKER: I said in the second reading debate that this would be a Committee Bill. We have spent considerable time in the Committee stages, about which I am pleased, because it has given members the opportunity to express their concern. I support this clause although I believe the legislation is as weak as dishwater. It does not go far enough. I can support certain members' claims because I have received complaints that incinerators cause more problems than anything else to people with bronchial asthma and other respiratory problems. There is this feeling within the metropolitan area of the community, and the Government of the day must have some opportunity to protect people with respiratory problems and disabilities.

The member for Mawson quite rightly raised the matter of a prescribed incinerator. I become annoyed with legislation that we are asked to consider and debate when we do not know what we are dealing with until we see the regulations. That is totally wrong. I would rather know now whether or not a 44-gallon drum with an open top is permitted, or whether a brick incinerator with fine mesh over it is acceptable. My neighbour has a swimming pool and is not happy with my burning off, so we do not burn any more. I can understand the problem expressed by the member for Albert Park: he is quite right. People in the metropolitan area have difficulties with incinerators. However, I can understand, as the member for Goyder said, that there is a different situation in the country, although I believe that most country towns (certainly where I was born in the Barossa Valley) do not like incinerators spewing out smoke.

Further down, clause 39 provides that an order will be published in a daily newspaper circulating throughout the State. Which paper or papers does the Minister have in mind? Daily newspapers do not now reach every household. The other point I raise refers to the broadcast by radio throughout the area, or areas, of the State to which the order relates. I hope that means every radio station in the State, whether it be AM or FM (I hope that it will not be the exclusive right of 5AA). Will the Minister clarify those situations, particularly with regard to the use of the print media, where there has been a definite change in readership? Also, if all the radio stations are used (and the morning television stations would have to be considered as well), it will be a costly exercise, but one which may have to be adopted to make sure that there is total coverage in the hope of reaching about 75 per cent of the population. Could

the Minister explain to the Committee what is meant by the terminology in that clause?

The Hon. D.J. HOPGOOD: We will use exactly the same procedure that the Department of Agriculture uses in relation to fire bans. I think that is quite proper.

Mr BECKER: The Department of Agriculture procedure is not always satisfactory as far as I am concerned, because one is told to ring one's local council, about which I am not happy. I do not see why we should put the responsibility on the local government authority. I believe that if the Department for the Environment is going to bring in this legislation it is up to that Department to police it. The Henley and Grange Town Clerk has informed me that if that council has to appoint additional inspectors or upgrade its inspectorial staff it could mean up to a 6 per cent surcharge on rates. Just think what would happen if local government was looking at those sorts of imposts and put on rates notice, 'There is an additional 6 per cent added on to your rates because the Government of the day wants the council to police the air pollution legislation.' There would be quite a backlash. I give a warning there to the Government.

I do not think that it is satisfactory to use the Department of Agriculture, and I should not have to ring the local council or try to find an after hours number to ask whether I can light a barbecue or incinerator. There should be a better system of communication. The Minister did not answer a question I asked about publishing the information in a daily newspaper to be circulated throughout the State or a broadcast on radio throughout the State to which the order relates. If that system is not to be used why put it in legislation?

Mr MEIER: I would like to ask the Minister a question about the time period. The Bill provides that if conditions are not satisfactory for burning then a certain period of time may be stated in which one cannot burn. I have heard banded about a period of 10 a.m. to 3 p.m., but I am not certain whether that is the actual time or whether it is to be 10 a.m. to 12 noon or some other time. If it is envisaged that it will be from 10 a.m. to 3 p.m. has the Minister considered the impact on families where both partners are working and have no other time to burn rubbish such as fish or crayfish which it is necessary to burn within a 24-hour period?

Mr EVANS: As concern has been expressed about this matter I suggest that the Minister might follow this course. I accept that if the information is published in one daily paper which is circulated throughout the State some people may still not see it. Also, it is very expensive to advertise on radio stations, but there is an alternative. People have to ring their local council to find out about fire bans, and so on. But, we have a number to dial for the news or for weather or sports details, and perhaps we might consider putting this information on a similar system. It is no more expensive than dialling the local council. It will be direct access. If people cannot get through, they could dial a prayer.

The Hon. D.J. HOPGOOD: I thank the honourable member for that suggestion. It is certainly one that I should take up with my officers. In relation to the matter raised by his colleague, it is the present intention, subject of course to review by the Subordinate Legislation Committee, that the regulations should be so worded that burning is permitted from 10 a.m. to 3 p.m., Monday to Saturday inclusive. We believe that this is a sufficient spread to allow those who want to burn to do so.

I also point out, since the honourable member represents a rural electorate, that in most parts of rural South Australia no burning is permitted in any circumstances during the extended summer months, and so as an administrative

problem it is one which relates only to a segment of the year. Finally, getting back to an earlier point that was made in this matter by the shadow Minister, I remind that gentleman that, of course, the CFS has a recommended incinerator for use in country areas. As I understand it, it is not mandatory that it be used but the general feeling on the part of the CFS is that in fire prone areas, such as that which the honourable member represents, to use a lesser standard than that which is recommended is really quite irresponsible.

Mr Meier: You should see my 44-gallon drum.

The Hon. D.J. HOPGOOD: I would hope the 44-gallon drum has certain specifications or modifications which would bring it into line with that recommended by the very responsible body.

Clause passed.

Clause 40—'Minister may cause work to be done where any notice or order is not complied with.'

The Hon. D.C. WOTTON: I seek clarification. I presume that we will have to refer to line 29, because I intend to deal with the insertion of a new subclause. Amendments to lines before we reach that point refer to the new subclause. Could we deal with that first, with the concurrence of the Chair?

The CHAIRMAN: I suggest that the honourable member move his first amendment, but he could also speak to the new subclause.

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

Page 13—

Line 20—After 'parts of premises and' insert ', subject to subsection (3a).'

Line 26—After 'taken' insert 'to avert serious injury to public health'.

I am moving the amendment because I am particularly concerned about a number of industries. The Chamber of Manufactures itself has also expressed concern about this breaking and entering provision in the legislation. I hope that it is not likely to be used. I keep repeating that in the past, because of the responsible attitude of officers in charge, it is not likely to have to be used but one can never be sure.

As has been explained to me (and I am sure that members on the other side, and certainly the officers responsible, would know it is not just a matter of going in and closing down premises or turning off a couple of switches or knobs, particularly in some of the very sophisticated industries and premises that we have in this State, it needs to be handled very carefully. I cannot see why when we look at regulations it should not be mandatory that the officers responsible, when a licence is provided, should be given a copy of after hours telephone numbers, and so on, so that they always have a contact with people in authority in the industry that might be closed down. I cannot see that it would be too difficult to contact someone at senior level who is responsible for those premises. An arrangement could then be made quickly for that person to accompany the officer when the final step is taken of closing down the premises.

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

The Hon. D.C. WOTTON: Before the dinner break I was explaining to the Committee that I thought that it was not too much to expect, particularly with the preparation of the regulations, that provision be made, for example, for the provision of telephone numbers to be mandatory by senior members or directors of a company, or senior management of an industry, that was likely to be closed during certain periods. I emphasise that we would hope that this would not be the custom. I would hope that we would not see the situation occurring often, where, as a result of a breach of this Act, the Minister found it necessary to close down a particular industry. However, I think that it is necessary for there to be some provision in the regulations to enable these

precautions to be taken and that is why I am moving this amendment. There are virtually three amendments in relation to clause 40. The amendments relating to lines 20 and 29 on page 13 are supplementary, I would suggest. The matter of line 26 is a different matter. Is it the wish of the Chair that these amendments be debated together?

The ACTING CHAIRMAN (Mr Whitten): I suggest that they can be debated together. Do you now wish to debate lines 20 and 29?

The Hon. D.C. WOTTON: I have done that, and will debate line 26 later on.

The ACTING CHAIRMAN: That is right.

The Hon. D.C. WOTTON: Obviously the amendment to clause 40, page 13, line 20, will depend on what happens after line 29, in any case, with the insertion of a new subsection. I move:

Page 13, after line 29—Insert new subsection as follows:

(3a) Where an authorised person has exercised his power under this section to break into premises without warrant, he shall not do anything, or cause anything to be done, on the premises otherwise than in the prescribed manner.

I hope that the Government recognises what we are on about in this amendment. We are not suggesting that it is a clause that will be used often, but that it is merely a safeguard should the situation arise where the clause is needed.

The Hon. D.J. HOPGOOD: Here we are talking about two specific situations: first, an inspector is called out to industrial premises as a result of a complaint—someone smells an unusual odour which suggests that there are emissions occurring which should not be occurring, or there has been some visual evidence that something is happening. The inspector gets to the premises and is confronted by a high cyclone fence with a locked gate; somewhere inside that fence is the actual industrial plant. He is unable to raise the people in the plant. How does he get into the plant? In those circumstances, it is envisaged that he would force entry through the gate. Secondly, a situation could arise where there is an automatic plant in operation, unmanned, and in those circumstances the inspector has to be able to get into the plant to find out what is happening.

Mr Evans: You mean unpersoned.

The Hon. D.J. HOPGOOD: Precisely, as the honourable member reminds me. It is impractical to require that we have the telephone numbers of everyone who could be involved here because we are talking about potentially every industry in the State. I agree with the honourable member that we would see this clause operating in very limited circumstances indeed, but no-one can predict which industrial plant will be subject to this possibility, or when.

The Hon. D.C. Wotton: But every industry has to apply for a licence. Surely when it applies it is not too, much to expect that a telephone number be provided?

The Hon. D.J. HOPGOOD: It may be possible. It seems to me administratively cumbersome. The main problem I have here is that the amendment, in those circumstances, envisages that we should prescribe the manner in which entry is to take place. I think that that is too limited. I do not think that we can encompass within a regulation all the possible circumstances that could arise that will enable this action to take place. Unless the honourable member can come up with some machinery to get around that, I urge the Committee to reject the amendment.

The Hon. D.C. WOTTON: First, the Minister put forward a situation where an inspector is faced with a 20-ft. barbed wire fence, or whatever the case may be. Admittedly that might happen on certain occasions, but I still cannot see why something should not be written into the regulations to indicate a procedure that has to be gone through before that procedure can be followed. I cannot see any difficulties

in telephone numbers being provided so that officers can contact the people concerned. If they go through those telephone numbers and are unable to contact someone, then they might have to go through the procedure of breaking and entering. However, I think that as the clause is written it is far too wide open. I feel as if I am a recording, when I say that I hope that the officers will treat with respect the responsibility that they have here. I am sure that, under the present conditions, that would be the case. However, if an officer did not comply then untold damage could be caused by someone breaking into premises and doing what he thought was the appropriate thing to do at the time.

Advice that I have been given, particularly from those who are managing very sophisticated industries, suggests that it is vital that, if any action was taken by any officer, there should be someone to advise officers how to go about this process. So far as the way they should go about it is concerned, the clause uses the words 'other than in a prescribed manner.' I cannot see any problem in regard to that. Surely in the regulations it is just a matter of bearing that in mind and, while one is in the preparation of the regulations, being aware that one has to indicate the process required to be gone through before this very severe action is taken by an officer of the Department on the direction of the Minister to close down a business, factory or whatever the case may be. I cannot see any difficulties in determining a procedure that should be followed in regulation.

The Hon. D.J. HOPGOOD: To assist the honourable member and the Committee further, I make the point in relation to this business of telephone numbers that there are at present about 600 establishments that are prescribed under the regulations. That is about the number that would continue to be prescribed under this regulation. That leaves out hundreds and hundreds of other smaller plants which have the potential for problems to occur. In relation to the prescribed industries or industrial locations, clearly the information may be immediately available to us, but it will not necessarily be available in all other circumstances mentioned. Obviously the departmental officers would prefer in the first instance to be able to make direct contact with the principals of the firm. We would want to enlist their aid in ensuring that the problem which has been identified is cleared up as quickly as possible. However, that may not be possible. Certainly, the immediate information will not be available to us through the machinery of prescription. I ask the Committee to reject the amendment. I believe that the administration will be done in the proper way, as it has been in the past, and I do not share the fears that the honourable member has.

Mr EVANS: I can understand that this will not happen very often—

An honourable member: Well, we hope so!

Mr EVANS: Plants usually operate only when people are present. However, I suppose that there will be automatic plants or plants operating without personnel in attendance. All I am doing is offering a suggestion (one I am sure officers are probably aware of) regarding how entry can be gained even if no-one is around and the senior officers or management personnel cannot be contacted. From experience gained in serving on the Fire Brigade committee I know that Fire Brigade officers have keys to most businesses within their locality. If a real difficulty arises I do not think it would be very hard for us to look at it and say that the officer had taken all the action necessarily possibly including contacting of the Fire Brigade, to gain entry. I may be wrong (and the other former members of that Select Committee will correct me if I am), but if my memory serves me correctly, the Fire Brigade does keep such keys. I am not saying that this is the sole solution to this problem, but it

is just another thought on this matter if it has not been raised before.

Mr PETERSON: The point I was about to make was that just made by the member for Fisher; the Fire Brigade, the CFS, or a security service generally have access to plants. The thing that I cannot quite understand, and perhaps the Minister can explain this to me, is that, if a plant is causing a problem with emissions and dirty air, surely the plant is operating; if it is not operating it is on fire, and therefore the fire brigade will go in, but if it is operating there has to be people inside. Surely, in answer to all the points made here, the necessity to break in would therefore be removed and access could be obtained through the people working on the site. If people are not present then an emergency situation will exist and some other body will have to gain access.

The Hon. D.J. HOPGOOD: It may be that the plant is not on the phone. It may be that the officer is at the gate trying to get in and the people in what may be a noisy plant are not aware that he is there. They may not be immediately aware that a problem has arisen, as it may be in relation to external emissions that are not immediately affecting the workers in the plant. Finally, of course, the right of entry of the inspector is an important one to secure. It is hard to imagine circumstances where there was a problem and the people working inside a plant did not want an inspector to come on the premises. However, it seems to me it is important that that right be secured in the legislation.

Mr PETERSON: I will make just one point (and this is the point I made earlier in the debate) about restrictions made upon the burning of things. I assume that we are talking here about a notice or an order that will be covered under the regulations. The point that particularly concerns me is the way people burn hazardous materials in an open plant or home incinerator. That could be covered at the time of burning. Does the Minister envisage that, under the regulations to this Bill, there will be some form of regulations issued whereby a list of hazardous items will be issued in conjunction with a suggestion that the items on that list are not to be burnt in household incinerators so as to lessen the effect or damage that may be inflicted on people due to the burning of plastics and that type of thing in either a commercial or domestic situation?

The Hon. D.J. HOPGOOD: The intent of the regulations will be to specify what can be burnt rather than what cannot be burnt. That seems to be the safer procedure, so when in doubt, do not.

Amendment negatived.

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

Line 26—After 'taken' insert 'to avert serious injury to public health'.

I do not think I really need to spend a lot of time on this amendment. It was a matter that was dealt with under the previous legislation. I believe that it is important to clarify the situation here and that there should be some spelling out of what the clause is about. To suggest serious injury to public health is the only reason why this provision should prevail is easily understood. I do not intend saying anything more about this matter at this stage.

The Hon. D.J. HOPGOOD: The Government does not believe that this amendment adds anything significant to the clause, so I do not really feel obliged to accept it.

The Hon. D.C. WOTTON: If that is the case, I really cannot understand the Minister's attitude. The clause states:

An authorised person shall not exercise his power to break into premises except upon the authority of a warrant issued by a justice, unless the authorised person believes, on reasonable grounds, that the circumstances require immediate action to be taken to avert serious injury to public health.

It is just a further safeguard and it is very shortsighted of the Minister to say that it is not necessary. If he feels it is

not going to add anything to the legislation he is entitled to his opinion, but it is seen as another safeguard. I think that it would only be in a situation where serious injury to public health could be caused that this provision should prevail. I will be very disappointed if the Minister cannot see the necessity of qualifying this provision.

The Hon. D.J. HOPGOOD: It narrows the ambit of the clause considerably. It may well be that the circumstances are not spelt out in detail here, but my officers might well be doing an industry a good turn, because there could be a severe financial loss to an industry if immediate action was not taken. However, one could hardly argue before a court that the letter of the clause that the honourable member is urging upon us could be satisfied. I can see other circumstances, other than that very narrow definition, in which we would want to proceed under this power.

Mr MEIER: I support the member for Murray in this amendment. It is interesting to hear the Minister reply that there could be other circumstances involved here such as economic loss to the industry. That is a change of heart from earlier when we looked at, I believe, clause 3, and when the member for Murray wanted to insert an extra clause so that the economic implications of any interference through required technological change would be taken into account. The Minister was not prepared to accept that amendment. Now we suddenly find, if the Act is being kept within its strict limits, the Minister is not prepared to accept the fact that the Act is limited in its direction. It has caused me concern during this Committee stage that we have found that the Act is much broader than it was first thought to be, that it is broader than perhaps necessary to simply tie up the various bodies or authorities that have been operating to date. I am disappointed that the Minister is not prepared to accept the member for Murray's suggestion that it is only in a case involving public health that someone should be given the right to break into a premise.

The Hon. D.J. HOPGOOD: I am trying to be as helpful as I possibly can to honourable members opposite. Let us take another situation in which there is an industrial premise emitting a considerable amount of sulphuretted hydrogen (and it does not need a great concentration of sulphuretted hydrogen to produce a rather unpleasant smell) and the whole area is blanketed fairly quickly with a reasonable concentration of this gas. It would seem to me that, in those circumstances, if it is not possible to get action on the part of the people from the plant or from the management of that plant, my officers would have a right to enter in this way. There may be no immediate bodily danger or danger to health, or the sort of thing the honourable member envisages, but if we are to limit the power of the clause in the way the honourable members are suggesting, then in that situation, my officers' power is extremely limited indeed. Amendment negatived.

The ACTING CHAIRMAN: I presume the honourable member for Murray does not wish to proceed with his amendment to line 29.

The Hon. D.C. WOTTON: That is so.

Clause passed.

Clause 41 passed.

Clause 42—'Deputies.'

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

Page 14, lines 6 to 9—Leave out subclause (1).

This and the amendments that I foreshadow to clauses 45 and 46 are Government amendments that have been altered at the request of the courts to fit in with the rostering system that currently applies. The Bill was not drafted with that system in mind, but the removal of this subclause and the other changes which I foreshadow will bring us in line with the system as the courts now operate.

The Hon. D.C. WOTTON: I indicate that the Opposition supports this amendment.

Amendment carried; clause as amended passed.

Clauses 43 to 44 passed.

Clauses 45—'Allowances and expenses.'

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

Page 14, line 42—After 'Tribunal' insert '(other than the chairman)'.
I move this amendment for the same reason that I moved my amendment to clause 42.

Amendment carried; clause as amended passed.

Clause 46—'Conduct of business.'

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

Page 14, line 44—Leave out, ' , or in his absence, his deputy'.

I move this for the reasons I moved the previous amendment.

Amendment carried; clause as amended passed.

Clauses 47 to 51 passed.

Clause 52—'Appointment of authorised officers.'

Ms LENEHAN: I think this clause refers to the question of policing of the Act and who is responsible for that policing. This is something which was raised with me by several constituents who were concerned, and this point was raised earlier in the debate on these clauses, about who would be responsible for actually policing the Act. Quite obviously it is going to be officers of the council when we are talking about the domestic situation. Given that some councils do not have an officer on duty from 5 o'clock on Friday afternoon until 9 o'clock on Monday morning, some of my constituents have expressed concern about the problem of illegal burning during the weekend period. It seems to me this is not an insurmountable problem. I would like to quote the Local Government Association General Secretary, Mr Jim Hullick, who is reported in an article that appeared in the *Advertiser* on 29 October last year as follows:

They may be difficult to police, especially as most burning is done at weekends. . . . But councils will just have to put people on to do the job. . . .

It will involve additional costs, but it will service a demand in the community.

I propose to take this point up a little later when talking about fines and regulations involving fines, because I feel that there is an answer to that whole problem of extra costs to be met by the councils involved. I want to raise the point because I think that the appointment of authorised officers is pertinent, particularly where councils do not have an authorised officer on duty over the weekend.

Mr MEIER: I have several questions to ask the Minister on this matter. I think he touched on one matter after the second reading speech. Subsection (1) of clause 52 states:

The Minister may appoint such numbers of persons to be authorised officers as he thinks necessary. . . .

First, how many persons is it envisaged will be appointed at this time? Secondly, how is it envisaged that these officers will be paid? Can savings be made in some other area? Thirdly, relating back to the fact that apparently the smell through one's nose will be an important criteria to detect unpleasant odours, etc., what sort of qualifications are necessary for a person to be judged an astute sniffer?

The Hon. D.J. HOPGOOD: I had not intended that there be tests of olfactory sensitivity as a condition of employment in this area. As I think I told the House before we went into Committee, we presently have two inspectors and two engineers operating in this area. It is not intended, at least in the short term, to increase that number. It will be a matter of seeing how the new legislation works out and determining whether indeed that is sufficient staff to meet demand.

The Hon. D.C. WOTTON: I have stated on a number of occasions during the debate that I cannot see for the life of me how the Minister can expect officers currently appointed to carry out the increased workload as a result of this legislation. I think that it is quite ridiculous, if this legislation is to go through in its present form with the added responsibility under this legislation, to expect those responsible for this area within the Department at the present time to carry on with this work. I think that the Minister is fully aware of my attitude and that of the Opposition in regard to the appointment of a lot more people in the public sector, but I cannot see how the people involved here can be expected to carry out the workload involved here. Will the Minister give a commitment at this stage that he will notify me when further officers are appointed as a result of this legislation being brought down?

The Hon. D.J. HOPGOOD: Making a commitment like that does not give me any problem at all. I do not know if the honourable member reads the *Gazette* regularly, but any such position would be advertised, and then the filling of the position notified, in the *Gazette*. This is a matter of public record and, in those circumstances, I am simply drawing the honourable member's attention to the fact that such an appointment has taken place. I suppose I am, in part, doing his homework for him, but I am a generous man and do not mind acting in that capacity.

Mr EVANS: As the Minister has given us that guarantee, I ask whether he is seeking to appoint people, say, who belong to the Clean Air Club. I would suggest that he consider members of that club, who wear a tie that is quite easy to distinguish from any others. I would not like to display one, but I saw one earlier this evening which I would be quite happy to wear. Has the Minister considered appointing people who belong to the Clean Air Club and who have an appropriate tie to wear while carrying out their duties?

The Hon. D.J. Hopgood: I hope that the honourable member is not involved in a conflict of interest at this point!

Clause passed.

Clause 53—'Powers of authorised officers.'

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

Page 17, lines 33 and 34—Leave out ', is being or is about to be' and insert 'or is being'.

This clause relates to the powers of authorised officers. The Government's amendments to this clause arise from the discussion that I had with the Chamber. I do not suggest to the Committee that the Government is going as far in these amendments as the Chamber urged upon the Government, but certainly we have not closed our ears to the suggestions that the Chamber made. The representatives of the Chamber were concerned about how one could justify action in relation to intent or imputed intent. We can see the force of their argument and accordingly are quite happy to make the amendment to the clause. I would urge that the amendment be accepted.

Amendment carried.

The ACTING CHAIRMAN: We have two identical amendments, one to be moved by the Minister and the other by the member for Murray. I will take the Minister.

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

Page 17, lines 41 and 42—Leave out 'any of them or make copies of any of them' and insert ', or make copies of, such of them as he has reasonable cause to believe would afford evidence of an offence against this Act'.

In these circumstances I do not think any detailed explanation from me is necessary.

Amendment carried.

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

Page 18, line 12—After 'taken' insert 'to avert serious injury to public health'.

This is similar to a previous amendment moved which was not successful. However, I again ask the Minister to support this amendment. I do not intend to repeat what I said previously, but I see this amendment as providing a safeguard and I hope that the Minister will support it.

Amendment negatived; clause as amended passed.

Clause 54—'Council responsible for enforcement of certain provisions.'

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

Page 18, line 38—After 'section 64 (2)' insert '(da) or '.

The amendment to this clause concerns a reference to proposed section 64 of the Act and the insertion of a new paragraph (da). I presume that the Committee will deal with this matter as it relates to clause 54 first, and use it as a test of the Government's attitude on this matter.

The ACTING CHAIRMAN: The honourable member can canvass the matter now, but on the understanding that if the amendment fails he will not continue with the matter in regard to clause 64.

The Hon. D.C. WOTTON: Paragraph (da) refers to the determination by a council of the hours during which the burning of matter by fires in the open or in domestic incinerators may or may not be carried out in the whole or any part of its area. I indicated earlier my concerns about the responsibility being given to local government in this State to administer the provisions under this legislation in regard to backyard burning. I recognise the difficulties in policing the provisions and the cost to local government involved and the problems that local government will have in trying to sort out domestic disputes.

They are the three main reasons why I believe that it is imperative that councils be given the opportunity of opting in or out of the administration of the legislation. I referred previously to a letter from a country council which indicated that it did not want to be bound to the regulations in the same way as will be the metropolitan councils. Obviously, some councils will be able to afford to put on extra staff to police the regulations, although I cannot see how this part of the legislation can be administered properly. I think it will cause terrific headaches for the Minister, and the Government, and in particular for local government, because it will be local councils which will be the bunnies that bear all the problems.

Ms Lenehan interjecting:

The Hon. D.C. WOTTON: They do not already. At this stage there is nothing in legislation that binds councils to do it. Unless the Government is prepared to accept my amendment henceforth local government will be bound by legislation to enforce these provisions. Whenever a complaint arises it will be not the Government or the Minister who gets the blame but the council, because it has been unable to carry out the responsibility properly, which will occur unless councils are prepared to put on extra staff at great cost to ratepayers. Members of the general public have made it quite clear that they are not prepared to continue to pay out of their pockets for this sort of legislation. There may be a very few people who are worried by backyard burning: as I have said, there are genuine cases where people cannot sort out their problems with neighbours who insist on being a nuisance. If a neighbourly dispute has got to that stage I doubt very much whether this legislation will help resolve it. It might overcome the problem as far as backyard burning is concerned, but if such hostility exists between neighbours, a person will find something else to annoy his next-door neighbour.

We are bringing down a sledgehammer to crack an almond. The Minister has indicated that he will not accept this amendment, so we will have to move it in another place.

However, if the Government is successful there in getting this legislation through, obviously we will have to sit back and see how effective it will be. I believe strongly that it will not be effective, and never will be, in overcoming that problem. All that it will achieve is to impose a greater expense on the average ratepayer. Local government and its employees will be put in an invidious position with the responsibility for carrying out the legislation when the majority of people should recognise that it cannot work.

Ms LENEHAN: I support the original clause, and I do not agree with the points made by the member for Murray. First, he says that if his Party is unsuccessful with its amendments in the Upper House, the only alternative is to wait and see whether it works. It would be a much more reasonable proposition to say, 'Let us see first whether this proposition, which is to give councils the power to enforce the regulations and to police them, will work.'

Mr Lewis: Whether they want it or not.

Ms LENEHAN: I will not respond to the interjection. I make the point that not all councils are opposed to accepting the responsibility. As the local member, with four councils in my electorate—

Mr Lewis: I have 19.

Ms LENEHAN: I am sorry, I do not have 19; I do have four fairly large councils. I have the biggest electorate in the State in terms of population, so that I would have more than my fair share in terms of burning problems. Many people do not understand that the council at the moment does not have the power to enforce any sort of regulations. People go to the council, and the council then has to say to them, 'We are sorry, we do not have the power under the existing Local Government Act, or whatever, to enforce your neighbour to stop burning at all hours of the day and night.' It has been put to me that people burn an amazing range of matter, including rubber and anything else one could imagine.

I do not accept the arguments of the member for Murray that by giving the councils this power, there will be an incredibly large cost. I will take up this point when we deal with clause 61 about the actual cost of the fine and where it goes, because that is relevant and pertinent to this whole discussion about the financial impost which the honourable member has claimed many councils are afraid of. As I said earlier, the Local Government Association is not opposed to councils having the power and enforcing the regulations.

The Hon. D.C. WOTTON: Many of the councils are!

Ms LENEHAN: Not all of them.

The Hon. D.C. WOTTON: It is obvious that the Minister will not accept the amendment. An amendment which I intend to move later provides:

For the determination by a council of the hours during which the burning of matter by fires in the open or in domestic incinerators may or may not be carried out in the whole or any part of its area.

Would the Minister be agreeable to the Department being given the responsibility of determining the hours, with the Council being given the opportunity to determine whether or not it would go along with the legislation? Would he be prepared for the councils to be able to determine that part of the council area which should come under these provisions? Is the Minister concerned about the councils being given the power to determine the hours? After having given some thought to this part of the amendment, I did have some concern about individual councils determining the hours during which burning can take place. It is best for the Department, with the responsible officers who have the expertise in this area, to be able to indicate the hours in which backyard burning should be permitted. Is that causing the concern? I cannot see why the Minister would want to push a country council, for example, into this if it did not

have a problem with regard to atmospheric conditions, which is another matter that needs to be canvassed. What is the purpose of this provision? Are we worried about clean air and atmospheric conditions, or are we concerned about domestic problems? Are we worried about the complaints we receive because people are upset at the effect that smoke is having on their washing?

Ms Lenehan: That is a clean air item, surely.

The Hon. D.C. WOTTON: I am not too sure, but I would like the Minister to indicate his concerns and say why he is not prepared to accept this amendment. Is it because of the power to be given to local councils to determine the hours, or is it the overall situation?

The Hon. D.J. HOPGOOD: There is no doubt that we would want to consult very closely with local government in the bringing down of regulations, but it is possible for regulations to be varied from place to place in relation to any matter which the regulations address. My concern, however, is particularly for the metropolitan area and more closely settled country areas. Air pollution is no respecter of local government boundaries. It may be in the member for Mallee's electorate that what happens at Karoonda has no bearing on the quality of air at Tailem Bend. However, in the metropolitan area, for example, the boundary between Glenelg and Brighton runs along back fences. We would be getting into a very difficult situation if people on one side of that back fence were subjected to one set of regulations and people on the other side were subjected to a different set of regulations.

The way around it seems to be that the Minister sets the regulations but endeavours, in the bringing down of the regulations, to take account of those varying situations. There is probably very little problem with having an entirely different set of regulations for Tailem Bend and Karoonda, but if one allows for the possibility for that to happen (as between Glenelg and Brighton) in relation to the hours, what can be burnt and the manner in which it can be burnt, it seems that one is really opening up all sorts of problems.

Mr LEWIS: I am astonished that the attitudes expressed could be sincerely held as the only way in which to find a solution to problems of urban situations that do not arise in rural situations. Why cannot city corporations, regardless of where they may be, along with the entire metropolitan area (which includes a large number of city corporations, I know) be proclaimed under one section, and leave the rural councils, which have a smaller rate revenue base, to decide whether they wish to opt in or out?

Surely that would meet the desires of all elements expressing contending views about this problem. I do not accept that it is fair to impose an unwelcome responsibility upon district councils of the kind that I represent just because it is convenient for people living somewhere else to have those regulations in place for their own interests. There are other instances where this sort of approach is taken. Where road funds are allocated, for instance, that kind of distinction is made between urban and rural situations. Why can it not be so in this instance?

It is not necessary to dictate to those small country towns not in city corporations that they must not only introduce but enforce these regulations when it will only exacerbate any neighbour to neighbour difficulties. I could foresee an instance of a teacher or anyone else resident in a country town who is not familiar with the mores of rural land management for cereal production complaining bitterly on a day at this time of the year when a farmer who owns an adjoining paddock to the town finds that he has to burn off his stubble, and thereby cause a problem to someone who may not otherwise be able to take any action about it. If the Minister can assure me that I am mistaken in my interpretation of the consequences I guess that may allay

some of the concern that has been expressed to me about the problem.

The Committee divided on the amendment:

Ayes (19)—Mrs Adamson, Messrs Allison, P.B. Arnold, Ashenden, Baker, Becker, Blacker, D.C. Brown, Chapman, Eastick, Evans, Goldsworthy, Gunn, Lewis, Meier, Olsen, Rodda, Wilson, and Wotton (teller).

Noes (22)—Mr Abbott, Mrs Appleby, Messrs L.M.F. Arnold, Bannon, Crafter, Duncan, Ferguson, Gregory, Groom, Hamilton, Hemmings, Hopgood (teller), Keneally and Klunder, Ms Lenehan, Messrs Payne, Peterson, Plunkett, Slater, Trainer, Whitten, and Wright.

Pair—Aye—Mr Oswald. No—Mr Mayes.

Majority of 3 for the Noes.

Amendment thus negatived; clause passed.

Clauses 55 to 59 passed.

Clause 60—'Offences committed by body corporate.'

The Hon. D.C. WOTTON: I seek clarification from the Minister who would be aware from the letter received from the Chamber of Commerce that that body was concerned about this provision. The chamber has indicated that this clause relating to directors' responsibilities is causing concern because of the need to define some of the terms used. The Chamber is of the opinion that this provision should be in line with the provision contained in the Companies Act, insofar as it relates to the responsibilities of members of the governing body of the body corporate. I would like the Minister's advice on this matter.

The Hon. D.J. HOPGOOD: This is the standard clause which is placed in all regulatory Acts. I guess with a little notice I could make a list available to the honourable member and the Committee, but I am assured that it is the standard clause in those acts.

Clause passed.

Clause 61—'Proceedings for offences.'

Ms LENEHAN: On several occasions people have raised the point with me that it is important that severity of fines be a deterrent to people who are continual burners. I will not go into the details but we are all aware that people will burn, irrespective of penalties. This point is very relevant. We have heard from the member for Murray earlier this evening that councils consider that this will be a heavy financial impost. However, it is my understanding that, as the councils have the power to collect the fines, those fines will then be able to be used to pay for the inspectors who police the regulations in their council areas. I am plucking figures out of the air, but, for example, if we are talking about a \$50 on the spot fine or a \$100 fine if one is served with a summons and goes to court, the collection of those fines would more than pay the cost of inspectors to police the regulations.

I think that it is worth making this point because there are people in the community who are concerned that fines of merely \$10 will be set, and who will worry about a \$10 fine? Does the Minister envisage that the level of the fines will be such that they will act as a deterrent to those people who are habitual burners, and am I on the correct path when I suggest that the council can use the fines to pay for the inspectors?

The Hon. D.J. HOPGOOD: The honourable member is correct. I draw her attention to clause 61(3), which provides:

Where any proceedings for an offence against this Act are brought upon the complaint of an authorised officer who is in the employment of a council, the amount paid by the defendant in those proceedings by way of any fine shall be paid into the general funds of that council.

Therefore, the honourable member's interpretation of the clause is clearly correct and it certainly would be our intention that the fines should be set in such a way as to provide an effective deterrent.

Clause passed.

Clauses 62 and 63 passed.

Clause 64—'Regulations.'

The CHAIRMAN: The honourable member for Murray canvassed this clause during debate on clause 54.

The Hon. D.C. WOTTON: Of course, I cannot proceed. There is no point in my proceeding now that the Government has made it quite clear where it stands on this matter. Again, recognising that the Government is as determined as it is not to satisfy the requirements of the Opposition (and I am sure the majority of people in the State), I register my concern about the pig-headedness of the Government in this matter.

The Hon. D.J. HOPGOOD: I am glad that the honourable member mentioned that, because surely he would have had his attention drawn to report No. 7 of the Australian Environmental Council—Public willingness to part pay for clean air, which reports on a survey which was taken in Sydney and Adelaide in relation to the acceptance of measures to limit incinerator usage. In Sydney 90.4 per cent of people questioned said that they believed that there should be controls operating, and only .6 per cent said that there should not be. In Adelaide 91.6 per cent said, 'Yes', and 1.2 per cent said 'No'. In those circumstances it is a little difficult to give any credence to the honourable member's suggestion that the vast majority of people in this State are opposed to this method of proceeding, because the method of proceeding which the honourable member was urging upon us would have opened up the possibility of no regulations operating at all in a large number of local government areas.

Mr BECKER: I have heard from the member for Mawson some of the most naive arguments that I have heard for a long time in this House Chamber.

Ms Lenehan: You haven't even been here.

The CHAIRMAN: Order! The honourable member for Hanson has the floor.

Mr BECKER: One does not always have to be in the Chamber, Madam, to hear what members say in a debate. The reason that I complained earlier in debate on this legislation was that officers of the Henley and Grange council informed me that, if they have to employ inspectors to police this legislation, it is anticipated that there could be a rate rise of about 6 per cent. Henley and Grange ratepayers (and ratepayers in any other council area) will not be too happy if they have to pay additional rates of that magnitude. To say that under this clause fees and fines will be set that will be sufficient to recoup or give councils the opportunity to cover costs is not logical.

Recently officers of that same council had to take one of the ratepayers to court for breaches of the Dog Control Act. The fine was \$20, and it cost the council about \$500 in legal fees. The penalty provided in this legislation is about \$500. No court awards the maximum fine: generally it is a quarter for the first offence. Therefore, one will find that rarely are costs awarded against the ratepayers; even if they are, they do not cover all the costs, and one will find again local government out of pocket. That is the real problem that one has to face when considering legislation such as this. As I said previously, this is a Committee piece of legislation. When one comes down to the last clause (the crunch clause), one finds that there are so many things which will be set down by regulations and which will make it even more difficult and time consuming for the Government to have this legislation properly and thoroughly enacted by the time it has run the gauntlet of the Subordinate Legislation Committee.

I do not think that we are achieving what the people want the Parliament to achieve in regard to the total banning or controlling of backyard incinerators, which would be one of the worst kinds of air pollution in the metropolitan area.

As I said, regulations will be set down controlling industries. I cited the example of one company in my district which spent about \$80 000 to \$100 000 trying to control pollution. Here the powers could be very wide indeed and, as I said, we have to be very careful that we do not set up regulations or that the Parliament gives powers to make regulations that could put industry in a very difficult situation. There is no doubt that it will cost jobs in some areas, but we are creating a bureaucracy, too, and a large number of inspectors will be required. I view this clause with some doubt because we will not really know what it is all about until we get those regulations before the Parliament.

Clause passed.

Title passed.

The Hon. D.J. HOPGOOD (Minister for Environment and Planning): I move:

That this Bill be now read a third time.

The Hon. D.C. WOTTON (Murray): Very briefly, I want to indicate my disappointment at the Minister's attitude to some matters concerning this legislation. I perceived three major issues on which we were concerned to have the Government accept the Opposition's amendments. The first one related to the fact that the word 'economic' has been removed from the definition of 'prescribed matters'. We have determined that it does not appear in any other form anywhere else in the legislation, so, as a result, we conclude that neither inspectors nor the Minister need have any regard to economic factors when requiring the occupier of premises to carry out any particular work. As I said before, this was recognised particularly by those in industry as being imperative.

The second matter relates to the inclusion of a reference to odours in the Bill. We have opposed that in Opposition as strongly as we possibly can and we will be taking that matter further in another place. In relation to the control of backyard burning, we will not be opposing the provisions relating to local government, if it feels that it can administer them and has the power to do so. I do not want it to be seen that we are opposing an opportunity being provided to councils which believe that they have a particular need to become involved in the control of backyard burning. As I have said a number of times in this debate, there are obviously those councils that feel strongly that this action should be taken, but I believe strongly that the Government should have provided an opportunity to those councils in country areas, and those that feel that they cannot adequately police these provisions which have been forced upon them, to opt out.

If the local community was of the opinion that the councils should have been involved, then they could have expressed themselves quite clearly to the council and made it quite clear to that council that it should be involved but, under the provisions of the Bill as it stands at the third reading, councils have no option but to accept the stringent responsibilities laid down in this legislation.

They are the three particular concerns the Opposition has in regard to this legislation. I repeat the member for Hanson's statement that, in relation to the administration of this legislation, a tremendous amount will depend on what comes out in the regulations. Admittedly this House will be given the opportunity to look at those regulations when they are brought before the Parliament. I can assure the Minister that we will be looking very closely at those regulations when they become available.

The Hon. D.J. HOPGOOD (Minister for Environment and Planning): I would like to thank members for the attention they have given to this measure during its passage

through the House and through Committee. It is, I believe, historic legislation. It is an unfortunate consequence of modern civilised society that we tend to treat those necessities of life, air and water, as sewers and it is therefore an unfortunate fact that legislation has to reflect the necessity to control the discharge of wastes into the air and into water.

In introducing this legislation I was conscious of the fact that under a set of regulations in another Act there has been over 10 years of administration of air pollution in this State. I believe that by transferring those head powers to new legislation, rather than relying on the limited powers in the old Act, we are opening up a new charter for air pollution control in this State. At the same time I can give an assurance that the administration of the Act, should the Bill successfully find its way through another place, will be done with tolerance and understanding and with very close consultation with all of those people who will be affected by it. Obviously, the major departure from the attempt made by the previous Government to proceed with such legislation is the introduction of the controls on domestic incineration. I believe that we are entering this exercise with a very high level of public support and I would hope that the administration that would be applied by this Government and by local government will be sufficient to control the problem, and that is all anyone asks. One does not ask that the controls to be applied should be more than is necessary to reasonably control the problem that one is addressing.

A good deal of the issues that have arisen, particularly in Committee, have been in relation to the age-old argument between Governments and Oppositions as to whether the ambit of the area in which Government can operate is one that should be set by Government itself, or by Statute, and I guess that that is an argument that will continue for as long as we have Governments and as long as we have Parliaments and Oppositions.

Bill read a third time and passed.

HEALTH ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 7 December. Page 2500.)

The Hon. D.C. WOTTON (Murray): It is not my intention to go into a long debate on this legislation. It is consequential upon the Bill that has just passed this House and the Opposition indicates that it supports it.

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

PLANNING ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 7 December. Page 2500.)

The Hon. D.C. WOTTON (Murray): This again is consequential upon the legislation that has just passed this House. There are matters relating to clean air that did give me some concern to begin with and I know that questions were asked, again of the Chamber of Commerce, in relation to the rights of appeal that it had before the tribunal, which it felt were being taken away from it. However, I recognise that that matter is now tied in with this Bill. As it is consequential upon the clean air legislation, the Opposition supports it.

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

SMALL BUSINESS CORPORATION OF SOUTH AUSTRALIA BILL

Adjourned debate on second reading.
(Continued from 21 March. Page 2668.)

Mr OLSEN (Leader of the Opposition): I do not oppose this measure although I do intend to move some minor amendments to clarify certain aspects.

The establishment of a Small Business Corporation was part of Labor's election policy, and it is some consolation to see that the Premier is keeping at least one of those promises he made during the last State election campaign.

Ms Lenehan interjecting:

Mr OLSEN: The member for Mawson makes some pained sort of response to that, and I can understand why she would feel that way because it happens to be a factually accurate and true position. Certainly there have been dozens of election promises which have been forgotten or blatantly disregarded, and many of these have had direct and damaging impact on small business in South Australia.

From the point of view of small business, the measure before the House is little more than a cosmetic change from the existing Small Business Advisory Bureau. As I will outline in a moment, the funds being made available to the new Corporation for assistance to small business in South Australia represent a very small increase on those already available through the Bureau. The desirability of establishing yet another Government corporation is open to severe questioning. Before addressing the substance of this Bill, it would be appropriate to briefly examine what the present Government has done for small business, and the major change applied by this Government to small business is in the area of taxes and charges. During the next three years let us not forget the promise made by the Premier during the last State election campaign that—

The ALP will not reintroduce succession duties and will not introduce new taxes nor increase existing levels of taxes during our term of office.

That is a promise that would be welcomed by many small business operators but a promise callously and blatantly broken by the Premier within weeks of coming to office. He also promised:

We will not allow State charges—like transport fares, electricity and hospital charges—to be used as a form of backdoor taxation.

Ms Lenehan: What has that to do with small business?

Mr OLSEN: It has plenty to do with small business, but I can understand the member for Mawson not understanding the impact of taxes and charges on small business. If she got out and talked to some of the small business operators in her electorate she would understand the impact of the Bannon Labor Government's taxing measures and charges on small business operators. If she did that, she would not make such an inane interjection as she has just made.

Since coming to office less than 17 months ago, the Labor Government has increased electricity charges twice, pushed up public transport fares by more than 40 per cent, and overall increased nearly 90 Government charges.

Mr Ferguson: What's that got to do with the Corporation?

Mr OLSEN: Indeed, it has a lot to do with the Corporation, and the member for Henley Beach well knows that small business operators in this State have had it up to their eye balls with taxes and charges inflicted by this Government. The Small Business Corporation is to be established, if he did not know and was prepared to read the second reading explanation, for the purposes of giving assistance to small business. If the Bannon Labor Government was dinkum about applying assistance to the small business sector, it would get off its back, get out of its own way and bring taxes down, not put them up.

Ms Lenehan: Like your Party did in Government.

Mr OLSEN: That it is an interesting comment, because the current Premier has not to this date responded to or attempted to argue against the statement I made in the House in December 1982 relating to the financial position that was left by the Tonkin Liberal Government for this Administration. He said publicly, but I must admit he has never countered those statements in this House, that he was left with a deficit. He was not left with a deficit. It was his Ministers who overspent in the Government departments by \$23 million, and full well he knows that. If the Premier had a position to stand on, a basis on which to argue against that statement, he would have, either in this House or publicly, argued against that position which I outlined, backed up by Treasury documents available to us legitimately as the Government of the day before the election on 6 November 1982.

But the Premier has not been prepared to do that, because he knows he cannot argue against it. He knows that he was not left a legacy of a massive deficit in this State, and he well knows it. He has never argued that point, never attempted to respond to that statement of mine in December 1982, simply because he cannot respond to it, and because that statement was backed up by Treasury documents, by public servants in this State legitimately supporting our particular position. Many of the charges to which I have been referring relate directly to small business, that is, the 90-odd Government charges that have been put up by this Administration.

Mr Groom: Tell us what you would have done.

Mr OLSEN: I would be pleased to respond to the member for Hartley. What we would not have done was, first, overspend in Government departments by \$23 million in a period of some seven months after the State election. That \$23 million would have been a saving for people. In addition, we would not have increased the size of the Public Service by in excess of 1 000 people with an annual cost to South Australian tax payers of \$25 million. We need not have had f.i.d., the first new taxation introduced by an Administration in this State for some 10 years, had it not allowed the Public Service to blow out in size by some 1 000 people. I am pleased to respond to the honourable member for Hartley's interjection.

The DEPUTY SPEAKER: Order! I am not pleased that the Leader has responded to the honourable member's interjection.

Mr OLSEN: I will be pleased to abide by your ruling. Sir, if you will at least ask those members opposite to refrain from interjections that really do need answering because they are blatantly inaccurate. In addition to the 90 Government charges to which I have already referred, there are some four taxes that have been increased and two new taxes, one being the f.i.d., and the other the reintroduction of the gas levy in this State. All those taxes and charges have placed massive additional financial burdens on small business in South Australia. Let me quote the Chairman of ICI Australia, Mr Bridgland. He summed up the impact of these taxes and charges in his recent report to shareholders, as follows:

The costs of State Government services and taxes and of workers compensation insurance are increasing at an alarming rate, and there seems, as yet, to be little recognition by State Governments that their mounting cost structures are progressively reducing the capacity of industry to maintain, let alone expand, employment prospects.

He went on:

There is also a sad failure of the Australian community to understand how important it is to keep our industries strong. In its concern for the social redistribution of wealth, the community has lost sight of the prior need to generate that wealth. Governments pay lip service to the need while actively bleeding the patient.

These statements may have been made by a representative of a large corporation, but they apply equally to small business. Indeed, larger companies are better able to absorb increased costs than are small businesses. No Government in recent history in this State has bled the patient so brutally and with such blatant disregard for promises made before an election. Any assistance that this Bill may provide for small business has been negated 100-fold by the harsh and unnecessary taxation policies of this Government. There are many other areas of administration which have hampered small business under the present Labor Government.

For example, the Premier promised that 'as a first step we will establish the South Australian Enterprise Fund to assist the expansion of industry'—end of quote, and certainly the end of the promise. He went on to say that the Fund would get behind businesses which have potential to expand and create jobs. However, the Government has been in office 17 months, and the Enterprise Fund that was to be established as a first step has still not appeared to assist small business.

Members interjecting:

Mr OLSEN: It seems to me that, in terms of honouring its election promise, that is, in fact, accurate. I understand that we may see something in the next financial year, nearly two years after the original promise was made, if the difficulties of finding a suitable person to head the fund are overcome. I understand that the Premier has been casting around the metropolitan area of Adelaide to find a business leader to head up this Enterprise Fund. Having done over the first 20 business leaders in the State, and having received a negative response, he is now on the second level of the business community of Adelaide attempting now to get its support to head up the Enterprise Fund. It may be that the member for Elizabeth, as a new-born capitalist in South Australia these days—

Ms Lenehan: You're just jealous.

Mr OLSEN: That is interesting. There is the member for Elizabeth championing the socialist cause, having via the capitalist system picked up a dollar or two out of the sale of his 5AA shares. I have no difficulty with his picking up a dollar or two out of those shares, but it seems to be a contradiction with his stand in this place. As he has done so well out of the sale of his shares in 5AA, he might be a good prospective chairman for the Enterprise Fund in South Australia. The Labor Party has no other post for him at the moment, so perhaps that chairmanship might be a suitable berth.

Ms Lenehan: You must be desperate.

Mr OLSEN: I assure the member for Mawson that we are not desperate: obviously she is, because since the break between the December Parliamentary session and now she has done some door-knocking—

Mr Trainer: You just said that she did not get out to see people.

Mr OLSEN: There is a difference. I remind the honourable member that there is a difference between seeing people in business houses in the electorate and door knocking individuals at their households. The Government promised to establish the Ramsay Trust to inject funds into low-cost housing. We know the result of the Ramsay Trust proposal: it collapsed through lack of support and the Government has given no indication that it will attempt to revive that unkept promise. The Government, without consultation or mandate, shut down the Honeymoon and Beverley uranium mines and deprived the State of an investment of more than \$500 million. That investment would have meant increased opportunities for small businesses in this State. The decision resulted in the loss of existing contracts for a wide range of firms in areas such as catering, transport, surveying, housing, and many others in the metropolitan

area of Adelaide. In so doing it cost job opportunities for young South Australians in the metropolitan area of Adelaide in the service industries to those major projects.

The Government promised an examination into ways of reducing unnecessary red tape associated with small business. However, in its first 17 months of Government the only identifiable area of action has been to abolish the Government deregulation unit, which had carried out extensive work on the elimination of unnecessary and over zealous Government cost and interference under the previous Government. In its small business package the Labor Party promised to examine the problems associated with the proliferation of retail shopping centres and the associated problems facing small businesses. No such report has been made available. It promised to lead a campaign to encourage South Australians to buy locally made products, products produced by small businesses: no such campaign has been held. The Government promised to provide real incentives to attract high technology industries to South Australia. The incentives have not been obvious, nor has the flow of new industries into South Australia.

An honourable member interjecting:

Mr OLSEN: Yes, it has, and I suppose the Premier will refer to British Aerospace, concerning which the Hon. Dean Brown, as Minister, had attracted and secured the contract for its establishment at Technology Park, as all honourable members would know, prior to the change of Government. An area of major concern to businesses, both small and large in South Australia, is the rising cost of workers compensation.

The Hon. J.C. Bannon interjecting:

Mr OLSEN: The Premier says that the Government is going to do something about it, although we have been hearing that for 12 months.

Mr Ferguson: What were your achievements in that area?

Mr OLSEN: The present Government has talked about workers compensation now for 17 months.

The Hon. J.C. Bannon interjecting:

Mr OLSEN: I remind the Premier (if he likes to look at the statistics) that workers compensation premiums over the last three years (which includes a small portion of the time of the former Administration) have increased by 244 per cent, and that that escalation has taken place during the present Government's period of administration. However, so far the Government has done nothing other than talk about and promote seminars and conferences to discuss the problems, without actually addressing the issue of legislative action to slow down the spiralling costs of premiums.

Mr Ferguson: What is your answer to that?

Mr OLSEN: If the member for Henley Beach had read the newspapers he would know what the answer is: we have clearly enunciated a policy in relation to workers compensation, which is more than the present Government has done. It has become more and more obvious that the Government is going to talk around the problem without making any change before the next election because of the likely reaction from the trade unions.

The Hon. H. Allison interjecting:

Mr OLSEN: Indeed, 400 businessmen thought that our policy was okay. I would bet that the Premier has not been able to attract 400 businessmen to any of his business labor lunches. I suppose that is why Bob Hawke has been called in to come to the next business Labor lunch, because they want him to boost the numbers, being a little embarrassed about the Liberal Party being able to attract such large numbers to its lunches.

Ms Lenehan: What about the latest *Bulletin* poll?

Mr OLSEN: I am glad the honourable member mentioned the latest *Bulletin*. Last Monday night the Premier's staff—

The DEPUTY SPEAKER: Order! The Chair has been fairly tolerant during this debate. In fact I am coming to the opinion that I have been too tolerant. Interjections from either side of the House are out of order. The Leader will come back to the Bill before the House.

Mr OLSEN: Thank you, Sir, for your protection, but I would have liked the opportunity to respond to the comment about the opinion polls because—

The Hon. H. Allison: Mr 60 per cent, you mean?

Mr OLSEN: That was a bit of a facade last Monday night, selectively leaked to radio station 5DN after the story had been run in the country edition of the *Sunday Mail* only. So, it was selectively leaked to the *News*, but, of course, in giving it to the *News* they said, 'You cannot have a copy of the report but this is what the results are.' Anyway, the Morgan poll put to rest Mr 60 per cent: in fact it had dropped down a bit.

The DEPUTY SPEAKER: Order!

Mr OLSEN: Incentives have not been obvious nor has the flow of new industries into South Australia. I refer again to high technology industries and specifically to the promise made by the Leader of the Opposition prior to the last election about high technology. I have referred to workers compensation and the platitudes about that matter from the Deputy Premier. I remind the House that the Liberal Party has a firm policy on workers compensation that was laid down earlier this month. That policy, which will be implemented as a matter of urgency by the next Liberal Government, will cut compensation insurance premiums by at least 20 per cent.

The basic aim of the policy is to lessen the compensation burden on industry and to create a climate for increased job opportunities. To the forefront of that is the small business community. I remind the House that last financial year workers compensation premiums cost South Australian business about \$120 million. A survey of 10 major companies in South Australia has revealed that the number of claims they incurred between 1979 and 1983 increased from 5 886 to 20 157—a rise of 244 per cent, to which I have previously referred.

The rise in claims must inevitably mean further increases in premiums and, in many cases, it will be an almost unbearable cost on employers. The Liberal Party scheme will save employers more than 20c in the dollar in premiums, savings which can help give industry the capacity to create many new jobs. As a small business operator of some 17 or 18 years, I well know the impost of Government taxes and charges and such things as insurance premiums, workers compensation premiums, and how they sap the capacity of the business to create and maintain job opportunities. When the going gets tough, as it has been for the small business community over recent years, the small business community cuts costs. If one is to cut costs, the main cost structure of any business is its labour component and its on-cost. The reason for that is that one winds back turnover rather than seeking to increase it, and one winds back job opportunities rather than increasing them. In other words, as a small business operator, a person determines to become smaller rather than bigger because of the cost and the on-cost of those operations. If anyone were to trace the history of the small business operators and its employment opportunities (maintained and a capacity to create, what is more) they would see that what I say is statistically supported.

I return to workers compensation. I will indicate to the House what the Liberal's policy is on workers compensation because it seems that the Government is devoid of ideas in this area. It wants to bring speakers in from all over the world to give it some direction on the matter. The Liberals will implement a policy which has a direct benefit on the small business community, and the Bill before the House

relates to the Small Business Corporation. We are talking about impost and cost to the small business operators in this State. That policy will radically streamline court procedures to avoid delays in dealing with claims, create a new division in the Industrial Court to hear all compensation cases, set up informal hearings to settle claims up to \$20 000, institute compulsory conferences between parties before a magistrate so that all cards are on the table early, limit common law claims to a loss of future earning capacity, insist that contributory negligence by a worker is assessed, and pay weekly benefits of 90 per cent of average weekly earnings, including overtime but not site allowances assessed over the previous six months employment. The present weekly payment is full average weekly earnings.

The policy will avoid double dipping in relation to benefits, place greater emphasis on safety in the work place and commence rehabilitation soon after the accident, replace the existing Rehabilitation Board with a Workers Compensation Advisory Committee with wide responsibilities, including rehabilitation, monitoring occupational health and safety, the collection of statistics, recommendations to the Minister in relation to self insurers and oversight of the general operation of the Act. It will ensure effective discounts for employees with a good safety record, and provide for directors of small businesses to opt out of workers compensation for themselves if they so desire. That is so they will not be automatically caught in the net, as they are at the moment. That plan will create employment by cutting more than 20 per cent from workers compensation costs. These are not my figures but figures assessed by the Insurance Council of Australia on our proposal which was put to them for comment and recommendation as to what the likely reduction would be in premiums on that basis.

If we are dinkum about creating job opportunities for young South Australians, we have to give business the capacity to employ. Over the past 10 years the capacity of business to maintain existing jobs or create new jobs has been eroded. We have sapped out of the business community every ounce of spare cash, every ounce of liquidity, and in so doing we have put people on the unemployment queue. If we are dinkum about creating job opportunities or maintaining those jobs in the small and big business sectors, then we need to ensure that they have the capacity to maintain those people: that means giving them the capacity to employ; that means stopping the erosion of liquidity of those companies by taxes, charges and premiums, such as workers compensation premiums. In the coming weeks I intend to outline a proposal which will ease the burden of taxation on industry and individuals. The scheme will break new ground in South Australia. It will take political debate in a new direction. Action must be taken as a matter of urgency to cut back the continued increase of cost burdens on private industry in South Australia. Before the last election the Premier said:

Small business dominates the retailing, wholesaling and manufacturing sectors in South Australia.

That is a statement with which I agree. The Premier further said:

Small business is a major employer of labour in our State, providing an estimated 60 per cent of total employment in the private sector.

The Premier went on to say that small business had the greatest potential to create jobs in South Australia, and that the performance of small business is vital to the future economic development of our State. I could not agree more with the Premier's statement, but I do not agree with the overall approach that the Government has adopted to encourage stability and growth within small businesses in South Australia. By imposing new taxes and increasing existing taxes and charges, the Government has discouraged

investment and growth in private industry capital. It has increased the financial burden on firms which the Premier agrees provide an estimated 60 per cent of total employment in private industry. The Government has adopted the policy of economic management by rhetoric and not by action. Small business has quickly found out that rhetoric, the grand unfilled promises, does not pay the bills or create job opportunities.

The Bill before Parliament is full of tokenism and is designed to give an impression of action when it does little more than change the structure of the present advisory bureau. My first concern is that the Government finds it necessary to form yet another statutory authority to satisfy its professed aim to help small business. There are more than 300 statutory authorities in South Australia, each of which has an inbuilt long term cost to the taxpayer. Most people operating in small business are aggressive, inventive and have, ability to initiate. It is therefore ironic that the Government sees fit to establish a statutory authority, a symbol of bureaucracy, to look after their needs.

Mr Ferguson: I am sure he has not read the report.

Mr OLSEN: I can assure the member for Henley Beach that I have read the report that this Government commissioned, and I highlight to him that, as a small business operator of some years, I have known the impact of paying a wage bill week after week for 14 or 15 employees, what the cost of that is, and what the escalation of wages means to the small business operator. In other words, I have experienced the problems that we are trying to address related to the business community. The plain facts are that the honourable member does not understand the basic problem.

Mr Ferguson: You need to read the Bill.

Mr OLSEN: I have read the Bill, which does not address the problem of the small business community in South Australia. A redirection of the economic package of this Government will assist the small business community far more than the tokenism of the Small Business Corporation. I said at the beginning of this speech, as it relates to the Small Business Corporation, that I do not intend to oppose the Bill: I will seek to amend it. We will give this Bill and this Corporation some capacity to perform, and it will be interesting in 12 to 15 months to see what its track record is. I hope its track record is far better than the Ramsay Trust and most other initiatives of this Administration. I hope that its track record in getting up and running is far better than that of the Enterprise Fund and as it relates to the South Australian Development Corporation. That is another story that one could relate about a Labor Administration trying to help the small business community of this State. The statutory authority to which I referred before those interjections has created concern and in some cases a lack of confidence.

Of course, there is a real need that moneys allocated by the Government should benefit small business directly and not be swallowed up by administrative costs. I believe that the aims of the Government for small business could have been achieved more effectively with a simpler administrative structure. I believe it would be more constructive if the present Small Business Advisory Bureau were upgraded. The next step would be to work more closely with trade and professional organisations to avoid the potential duplicity of another statutory authority. We already have more than 275 trade organisations and associations in South Australia that represent small business in similar areas to those outlined in this Bill.

While many of these groups carry out useful, worthwhile work in putting to the public and the Government problems faced by their members, there is little likelihood that the formation of a statutory authority will provide them all

with a central and trusted body that will be able to solve all of their problems. The makeup of the Corporation board is the basis of some concern. The Bill stipulates that the Corporation should be made up of seven members and chaired by a representative of the Department of State Development.

It is essential that the board members are people who clearly understand, from practical experience, the problems of small business. This is not set out in the legislation and I will be seeking an assurance from the Premier that this will not become another resting place for people with little knowledge or understanding of the problems that the board will need to address. We have seen, of course, a few jobs for the boys in recent months as handed out by this administration. One could look at the Electricity Trust Board, for example, and the breaking of its nexus. One could mention a number of other appointments of former Ministers in a Labor administration, so I hope that this will not become a resting place for some of the Labor Party's former Ministers. I recall that before the last election the Premier gave an undertaking that the board would be representative of the small business community. I seek an assurance from him that, in fact, he will achieve that objective with this board. I will now refer to some specific points in the Bill which seeks, as one of its functions:

... to provide advice to persons engaged in, or proposing to establish, small business; . . .

I believe that it is just as important to give advice that will stop people and make them rethink a proposal before they become an unnecessary bankruptcy statistic as it is to give advice to an existing business that needs help. Another reference relates to the improvement of management skills, training and educational programmes. Management skill is the skill most frequently lacking in the small business community. The reason why it is lacking, which we understand, is that the small business operator works from the early hours of the morning to late at night, because of cost pressures, to maintain his business. He has not got the capacity or time to be able to be involved in education programmes; that is, the development of management skills to maintain his business, because he is in the business of surviving. Having established a business and committed his life savings, he is in the business of surviving. With taxes, charges and other imposts we have seen, 'survival' is the key word. This person is spending five, six, or seven days a week and many many hours maintaining the viability of his business and has not the time, capacity or ability able to get away from that business to develop the management skills so badly needed in the small business sector.

When one recognises that it has been indicated that something like 60 per cent of all bankruptcies are caused by bad management, that area quite clearly has to be addressed. The problems are not only providing management expertise, advice and education programmes, but also communicating to the small business community that it is available, where it is available, how they can seek it out and how that information can be passed on or disseminated to them. This is the key problem. One of the problems I believe the Small Business Bureau has is that it has, and provides, some of these skills. But to advise the small business community how to gain access to them has been a major inhibiting factor, because they do not know where to go, or how to seek that advice. So, that matter clearly has to be addressed. The Bill says that that is one of the objectives.

I laud that objective because I think it is very basic and a necessary one. This matter has to be addressed, and we have to go all out to open up access to small businessmen so that they know where to go and who to contact for this advice. I believe that the Corporation will do the small business community a major service if it can co-ordinate

the many educational and training programmes currently available through the trade and professional associations, the Chamber of Commerce and TAFE to increase management skills.

Many of the programmes are excellent. Some have good motives, but with greater guidance they could be more widely supported. There is a need to get the Commonwealth and State Governments together in this education field so that training programmes for industry are working together and so that there is no duplication of effort, as there is at the moment. There is, strictly, a wastage of funds that would better be directed towards having these education programmes accessed to the small business community by redirecting those funds; that would remove the duplication of effort that currently exists. I again quote:

To monitor and make representation on the effect of policies and practices of Governments.

I support strongly this function as the most common statement made by small business people and their representative organisations. When asked what help they needed, or what is the most important thing Governments could do to help their cause, the answer was, 'Just get out of our way. Reduce the burden of regulation and give us a fair go. We want a fair go to survive on our own initiatives.'

Mr Ferguson: Absolute nonsense!

Mr OLSEN: It is not absolute nonsense. If the honourable member wanted to set up a delicatessen and had to apply for 17 separate licences to do so he would not believe that that statement was absolute nonsense. If he had to sit down after running his shop for 9 or 10 hours a day and fill out Government forms and regulations to forward he would not say it is nonsense. The member for Henley Beach has never been in a position to fill them out, so he does not understand what the impost of Government regulations and red tape is on the business community of South Australia.

It is well documented by big business, which has had time, capacity and staff to devote to obtaining these statistics, what the cost is in employment time merely to provide Government with those statistics. The cost to business to provide that information to Government is extraordinary. There is no doubt that State Taxation is one of the greatest burdens, inhibiting factors or mechanisms by which we in Government get in the road of the small business operators of this State, or indeed any State of this country.

Mr Ferguson interjecting:

Mr OLSEN: That inane interjection from the member for Henley Beach clearly indicates that he does not understand the small business community and its problems. Members opposite are trying to address a problem they do not understand because they have not had any experience of it. If one looks along the front bench opposite it is clearly demonstrated that there is no experience in the small business community there. I quote again from the Bill before the House:

To provide advice to persons engaged in or proposing to establish a small business.

I believe it is just as important to give advice that will stop a person and make him rethink his proposal before becoming an unnecessary bankruptcy statistic as it is to give advice to give an existing business that needs help or to give advice, quite often when it is too late, to someone who is in an irrecoverable position in relation to finance or liquidity of their business.

It is necessary to give adequate advice and guidance to people prior to their taking on a small business enterprise. Another reference in the Bill relates to the promotion of improved management skills, training and education programmes. I refer here to what I said previously, that there is no doubt that in this area there is a lot of ground that can be made and a lot of useful service that this Bill can

provide to the small business community. The Bill also comments on consulting and co-operating with representatives of small business. That is a most critical role as there are 275 separate organisations in this State now and to further duplicate resources and effort would be quite wrong and unnecessary.

The training areas mentioned earlier need co-ordination and consultation, not duplication. The Bill refers to 'financial assistance' and 'to provide financial assistance by way of guarantees or grants'. There is a real danger of duplication with the IDC. As the IDC is currently concerned with the matter, some clarification from the Premier on how this would dovetail is essential, I believe. It is more efficient to have one body managing the Government loans and grants of the State and a clear definition of responsibilities must be made in that regard. Therefore, the functions of the IDC and the new Corporation are clearly defined. I will be seeking by way of amendment a guarantee limit of some \$50 000 from the Corporation without referral to the IDC for endorsement of grants or guarantees on loans to the small business community greater than that.

The legislation states 'to promote and assist development of small business in the State.' That is a fine statement, although the Bill does not specify precisely how this is to be done. It has been said many times that, if each small business in the State took on one person, we would not have an unemployment problem. Clearly, that is an accurate statement. Small business is principally a people business and in a possible costing statement on page 70 of the working party report, an extra \$60 000 has been suggested for programmes of training and advice. In a State Budget of \$2 billion, this is a pittance to assist a sector that provides 60 per cent of private sector employment in South Australia.

An honourable member: Do you want us to spend it all?

Mr OLSEN: I do not want the Government to spend it all. All I want it to do is contain the size of the Public Service in South Australia and we would have had \$23 million or \$25 million available for such programmes, not \$60 000 as nominated thus far. That \$60 000 is really the tokenism of this measure of the establishment of the Small Business Corporation. As the Corporation will commence officially on 1 July, I look forward with interest to the moneys to be allocated in the next Budget for loans and grants to the small business community.

I have outlined briefly some of the shortcomings of the Government's actions to assist small business so far, and my concerns about the measure at present under debate. However, the Government has a mandate for the establishment of this Corporation and the Opposition will therefore not oppose the broad thrust of this measure. What is tragic is that the Government—

An honourable member: It's terrible—

Mr OLSEN: We do not believe that the measure is terrible. We believe that the Government is misguided in how it attains its objective. The objective is clear. We are at one on the objective of the Small Business Corporation, but the critical thing is how one attains the objective. What is tragic is that the Government has seen fit to impose so many brutal taxes and charges on small business, without consultation or apparent consideration for the real hardships that those taxes and charges have caused. It is hypocritical for the Government to bring before the House a measure like this and claim that it cares about small business, when in the past 17 months the Premier has embarked on one of the greatest taxation gathering exercises seen in this State.

Mr Klunder: Since the last Government.

Mr OLSEN: I am glad that the member for Newland interjected because the track record is quite clear. We have seen in this last year a tax increase of something like 14 per cent. The only State to have a greater increase is Western

Australia. I remind the honourable member that, in the last year of the Tonkin Administration, the tax levels fell in this State by 5.4 per cent and in the three years of the Tonkin Administration the previous Liberal Government took South Australia to the lowest taxed State per capita in Australia, and that is a record that this Administration will never ever be able to emulate, witnessed by the massive tax increases since the Government changed hands.

Members interjecting:

Mr OLSEN: And well members opposite might react, because that is a statistical fact. That is the clear difference between a Labor Administration and a Liberal Administration. We believe in reducing the tax burden, not increasing the tax burden as indeed this Government has done. Even today, the Premier has refused to give an undertaking that taxes will not increase further between now and July next year. The Premier was specifically asked and he would not give any indication. He wants to leave it open for the opportunity to have round 2 of tax increases under the Bannon Labor Administration. For the Premier to refuse to give this undertaking, when 17 months ago he was brazen enough to suggest that there would be no increases for the next three years, is hypocritical and dishonest. However, we also saw in Question Time today the double standards that are applied by this Administration. Conflict of interests about Ministerial performance was mentioned.

An honourable member interjecting:

Mr OLSEN: Why did the honourable member not tell me about this conflict of interest? When the Premier was Leader of the Opposition, we could give not one, but four or five examples where he not once sought to have a discussion with the Minister or Premier of the day. What double standards! What hypocrisy we have emanating from the front bench on the other side!

The taxes and charges already imposed by this Government have been an enormous burden to small business. The smoking of further rises which the Premier has now pointed at individuals and businesses for the next 15 months must have a detrimental effect on business growth and development. We have the Prime Minister and the Federal Treasurer asking for capital works programmes and capital investment to stimulate the economy. We will not get capital investment projects undertaken by the business community while there is doubt about the future and about taxation measures, and if they have to persevere with a 14 per cent increase in taxes over the next 12 months, facing the prospect of a little amount over the next 12 months, they will not invest in capital. They will protect the *status quo* and their position now.

We have seen the actions of this Government directly counter to those put forward by the Federal Prime Minister and the Federal Treasurer. The Federal Finance Minister drew attention to the fact, as did Senator Button, that, if the Federal Government was asked to back up such industries as BHP to protect jobs, the State Governments had to reduce the tax burden because it was no good the Federal Labor Government's assisting industry to see a State Labor Government draw off all that money given in assistance to prop up ailing State Budgets. It is a tragedy that the Premier could not see his way clear to give that undertaking to the Parliament today as it relates to taxes and charges; we might have got some capital investment if the Government had a sure direction. However, the track record of this Government in terms of giving directions is somewhat shaky.

It is also a tragedy that the Premier could not see his way clear to give the undertaking to show the way to business and give it grounds for confidence and decisive forward planning. I have mentioned earlier and have given notice of the moving of three amendments which have been tabled to the Bill currently before the House and which the Oppo-

sition believes are necessary in the interests of better legislation and the protection of the South Australian taxpayer. The first of the amendments circulated in my name relates to clause 6 of the Bill. This provides for staggering of appointments every 18 months so that the composition of the board of the Corporation will alter after each 18 month period.

That is a sensible amendment (and indeed I am attempting to describe to the House the reason for the amendment that the Opposition has put forward, and I will speak to these amendments in detail when I move them during the Committee stage) which, while retaining the actual length of a board member's term of service as three years, allows for the composition of the board to alter after a shorter period of time. The Opposition believes that this will mean a better board and hence a better Corporation as new and fresh ideas can be contributed as a result of a more dynamic changing leadership. The business world is fast moving, and a world in which ideas and initiatives in this new era (the technological era) particularly are constantly being presented and changing. As ideas change, so do people's expertise and ability to contribute to the more efficient running of an organisation such as this particular Corporation.

The second amendment relates to clause 13 of the Bill and is designed to set an upper limit on the amount the Corporation is empowered to guarantee in respect of any one loan taken out by a small business or individual seeking to start a small business and requiring Government assistance. There have been numerous experiences in the past where Government guarantees have been allowed to businesses or individuals and the South Australian taxpayer has had to bear the brunt of bad debts and bankruptcy proceedings. The history of the South Australian Development Corporation, which was disbanded by the former Government, is littered with cases where guarantees, grants or loans were made to businesses in good faith but resulted in large losses of public funds.

The dangers of repetition of this type of misuse and loss have already been highlighted in my speech, and it is for this reason that the Opposition seeks to stipulate clearly in the legislation how much it can guarantee for any one individual or business. We believe that the future limit should be \$50 000, with any larger amounts being referred to the Industries Development Committee (which has amongst its membership members of both the major Parties and a representative from the Treasury). This puts a control mechanism on the giving out of guarantees larger than \$50 000 more in the control of Parliament, which I am sure the Government would agree is an appropriate move and a necessary one. That is a check system on allocation of grants greater than \$50 000.

The third amendment we seek to move to make a minor adjustment to the legislation is related to clause 21 of the Bill, which refers to a requirement for applications for grants or guarantees to be in writing. The Opposition believes that, since no provision exists at present for the Bill to ensure that such written information remains confidential, an amendment is necessary to ensure that confidentiality. It is vital that any information given in confidence to officers of the Corporation be kept within the bounds of that organisation. That is only natural, in the light of normal business practice in the private sector. Confidentiality is expected in the business sector, particularly in the professions such as in the law and in banking and finance. It should therefore be expected in respect to the business practices of the Small Business Corporation.

To briefly repeat, in summary, the Opposition does not oppose the measure before the Parliament. It will seek to amend it in several areas, as I described in my second reading speech, with proposed amendments which we believe

streamline the operation and provide some safeguards and protections in the measure. I trust that this measure will go a long way towards assisting the small business sector in this State. I have some doubt that it will achieve the objective put down. I believe the objective of assistance to the small business sector in South Australia would be better achieved by reducing the tax burden and the charges placed upon the small business community, by reducing the red tape placed upon the small business community, and the inherent cost of red tape on the small business community, by a continuation of the role of the Deregulation Unit established by the former Administration in this State and disbanded by the current Administration, and getting out of the way of the business community.

Where I am at one with the Government, as it relates to this measure, is in relation to the education programme and advice to be offered by this Corporation to the small business people of this State to ensure that there is not duplication and, where there is duplication, that it can be eliminated to ensure that those programmes currently available to the small business community can in fact be expanded and the small business community can have greater access to those programmes, because in fact that area of management expertise and skills is the critical area where we need to give adequate assistance to the small business community. I am concerned that any provision of lender of last resort is merely a proposal to prop up so-called lame ducks. The Premier has indicated in public statements that that is not his or the Government's objective in the establishment of the Small Business Corporation.

Mr Lewis: Can you believe him?

Mr OLSEN: We cannot believe him on his statements thus far, particularly as they relate to election promises. However, on this matter I trust that the Premier's objective is indeed one that can be attained. The measure before the House recognises in some way the role of the small business community. It is a vital ingredient of the economy of this State, and indeed of Australia. It deserves the wholehearted support of the whole political spectrum.

I suppose the argument that has emanated tonight centres around how to provide that assistance to the small business community and in many respects, as I have highlighted to the Parliament tonight, we disagree with the Government on how that objective can best be met, and I say that, not only representing the view of the Liberal Party, but as someone who had some personal and practical experience in the payment of wages to 14 or 15 people every week and the problems and the survival aspect of the small business community particularly. With that understanding of that problem, I hope we can get to the stage of developing a proper and cohesive programme directed to support and education, but not to prop up those lame ducks which I mentioned just a moment ago; rather, to provide meaningful assistance so that it has the capacity to reward those small businesses that are showing initiative and flair and have the capacity to grow, because of that tremendous wealth in the small business man for initiative, for capacity to grow, because of ideas and the fulfilment of those ideas by personal effort by small business men. With the amendments outlined, the Opposition does not intend to oppose the Bill.

The Hon. J.C. BANNON (Premier and Treasurer): I move:

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

Motion carried.

Mr GROOM (Hartley): I think that, in significant parts, that was a very disappointing contribution from the honourable the Leader of the Opposition. Quite clearly, what

was omitted was the failure of Liberal Government financial policies during 1979 to 1982. We really heard very little about the failure of economic management during that period of time.

Members interjecting:

Mr GROOM: It is no good carrying on that we are the lowest taxed State if we have the highest deficit, and it is a very simple matter of prudence that if we spend more than we are getting in we must get into a deficit situation.

Members interjecting:

Mr GROOM: What occurred during 1982 was that the Liberal Party's Budget completely got out of control. It got out of control because the Liberal Government was coming into an election period, and it completely overspent. It did not exercise prudent restraint and seek to redress that situation, so the fact of the matter was that it imposed on this State a record deficit of the magnitude of \$63 million. Even assuming that the Leader of the Opposition is correct about his figure of \$23 million (and I hasten to add he is not), take that off the \$63 million and we are still left with a deficit of some \$40 million, not to take into account the raid on the capital fund.

That is to be contrasted with the surplus that was left in the Treasury when the Corcoran Government left office. If honourable members want to ask themselves why small business encountered economic difficulties, they simply have to look at their record from 1979 to 1982, and the answer is there. It is no good carrying on raising this phantom figure of \$23 million and saying, as the Leader of the Opposition did, that it should not be spent. Where was that money spent? Quite clearly, it was spent on teachers, on the police, on hospitals, and on welfare. I would like the Leader of the Opposition to explain how he would not have spent that so-called \$23 million that he plucked out of the air.

Having heard the contribution from the Leader of the Opposition, I really wonder what depth of small business expertise there is on the other side of the House. Honourable members opposite simply focus on one issue, time and time again, and they point to the wages component and magnify it out of all proportion, as if that was the only problem small business encountered. That is only one component of the overall cost structure of small business. There are very heavy components in terms of leasing, if you have to lease your own premises. The purchase of elementary things like stationery is extremely high.

Repair costs of equipment are very high. The cost of services to have people come and repair equipment is high and the actual purchase of equipment is very expensive on the open market. You have to be able to determine that you purchase the right equipment, not having some smart salesman come and sell you a computer for some \$20 000 odd that is out of date. This is what the Small Business Corporation is going to provide. It will provide one-stop shopping for small business people who will, at the one location, be able to obtain advice on all these matters at the one time. That is why the working party recommended a departure from the Small Business Advisory Council set up by the previous Dunstan Administration in 1977: it no longer met the needs of small business. Indeed, the Small Business Corporation will. Honourable members opposite continually focus in on wages, as if getting the wage component down answers all the problems of small business. That is just plainly ridiculous. I do not know how many members opposite have ever operated a small business.

Mr Lewis: Obviously you do not.

Mr GROOM: For the honourable member's benefit, the legal practice I am associated with employs a total of 20 people, so I do not think the honourable member is correct. That has grown over many years.

Members interjecting:

Mr GROOM: That is just not right. The cost of services is the biggest factor, the cumulative cost of services in terms of lease payments, interest payments, which are extremely high, stationery and telephones, equipment and purchase of equipment. That is what small business needs advice on. Wages is only one of the components; of course it is a significant component. What did honourable members opposite do for small business during the period 1979 to 1982? All they did was reduce pay-roll tax to some extent. I have looked at the record. What did honourable members opposite do?

An honourable member: Reduced the tax burden.

Mr GROOM: It is no good reducing the tax burden if you just whack up the deficit to such an alarming proportion that you have to pay for it in other ways. What has this Government done in relation to pay-roll tax? An article in the *Advertiser* on 3 February states:

Since the present Government came to power in South Australia in 1982, pay-roll tax exemption levels have been lifted from \$125 000 to \$140 000 and then to \$160 000, and now it will be \$200 000.

In just over 15 months that is an extraordinary record for a new Government facing the sort of economic climate honourable members opposite placed this Government in. Because they were coming into an election period (and honourable members opposite know it), they did not increase taxes and charges to redress the imbalance because they were going to do it after the election. They expected to win.

Members interjecting:

Mr GROOM: Do not carry on with those ridiculous and inane interjections. The honourable member opposite wants to look at small business as a whole, the financial viability of the small business sector, and look at the benefits that will come from this type of corporation, and indeed the economic policies of both the Bannon Labor Government and the Hawke Labor Government.

Mr Becker: How many jobs?

Mr GROOM: For the benefit of the member for Hanson, can honourable members opposite see Malcolm Fraser pouring \$77 million into South Australia for job creation schemes? I cannot. Honourable members opposite opposed these schemes. By June of this year some \$77 million will have been spent—

Mr Lewis: Of taxpayers' money.

Mr GROOM: I take it the honourable member opposite is opposing job creation schemes. That is the import of his objection. I am pleased to see that the member for Mallee is now on record as saying that he opposes these job creation schemes. Some \$77 million is being spent and will have been committed in South Australia by the end of June this year. These funds will employ some 7 000 people approximately in 900 community projects. Apart from the employment aspect, who is going to be the greatest beneficiary of that \$77 million? Small business will be, because in addition to employing people it must purchase goods and services. Honourable members opposite do not like that because their Federal Government would not have done the same thing. Woe betide South Australia had the Fraser Liberal Government succeeded in 1983. The fact of the matter is that South Australian small business has gained enormously as a consequence of the election of the Bannon Labor Government and the Hawke Labor Government, and honourable members opposite know they would not have spent \$77 million in South Australia.

I am indebted to my colleague the member for Albert Park. In the *Advertiser* of Thursday 8 March, a former Liberal Prime Minister and capable Treasurer, Sir William McMahon, said 'Hawke re-election is vital to recovery'. Quite clearly, by implication, the election of the Peacock

Government would have set economic recovery in Australia back to such an extent that it would take years to come out of the quagmire created by the type of policies of honourable members opposite.

In the whole of his speech, the Leader of the Opposition could not point to anything positive that the former Tonkin Liberal Government had done for small business in this State. I know it did reduce pay-roll tax to some extent, but nothing like the Bannon Labor Government has done in 12 months. I congratulate the Premier on this measure, and I hasten to add that the Deputy Premier must feel very satisfied that this legislation is being introduced into the House, because he was one of the prime movers in ensuring that it was part of Australian Labor Party policy at the last State election. I know he travelled to Victoria and extensively looked at the Victorian Small Business Corporation.

Members interjecting:

Mr GROOM: Honourable members opposite can laugh. This is not a laughing matter. It is for the benefit of small business in South Australia. It is not a matter about which the member for Coles can give those girlish giggles that she is quite prone to do. It is not a matter to giggle at, for the benefit of the member for Coles. It is a serious matter in the interests of the economic welfare and well-being of South Australia and South Australian small business and the people it employs, because it employs something like 60 per cent of the work force in South Australia. I ask the member for Coles not to laugh at this matter, to treat it seriously, and give it the importance it requires.

It is and was an important plank of Australian Labor Party policy at the last State election. The Deputy Premier can be well pleased with the role he played, because it will advance the interests of small business. It is well to remember that the first advancement in terms of small business in South Australia came in 1977, with the establishment of the Small Business Advisory Council by the Dunstan Government. That no longer meets the needs of small business and a Corporation, with entrepreneurial skills, is required. It is well to remember that, of the seven members on the board, six will come from private enterprise to ensure that there is sufficient entrepreneurial skill and that it does not degenerate to a red-tape bureaucracy, that it has flexibility and is in keeping with the partnership required in South Australia between the public sector and the private enterprise sector. This Government can be justly proud of its record since coming to office in November 1982. It has had to increase taxation, but those increases have been kept to a minimum to ensure that economic growth continues and that employment opportunities are maintained. We have reduced pay-roll tax by a massive amount; \$77 million has been spent on job creation.

Mr Becker: It has not been spent.

Mr GROOM: The honourable member is quite right. It will be committed by June: a total of \$77 million. A vast amount is being spent during that period of time. Only recently the Premier announced a variety of job creation projects where private enterprise itself was on the move. The Premier is to be commended for this measure. It will enhance the viability of small businesses; it will protect them from bankruptcies in future. One of the biggest problems that small businesses face, apart from the various components that make up their operational costs, is lack of management expertise.

Far too many people go and purchase goods and equipment, borrow large amounts of money and then find that they have to repay the capital, which becomes part of their taxable income. The net result is that suddenly they find they have no cash flow. Management is an essential part of the viability of small businesses. There are too many small business people who go into business without sufficient

background and expertise in management. This Corporation will provide one-stop shopping for small business in future. It will put together all of the necessary ingredients to make a successful small business. I commend the Premier for introducing the measure.

Mr INGERSON (Bragg): I support the Bill and, to a degree, the general principles and aims of the Government in introducing the concept of a Small Business Corporation. I agree with the Leader's view that it could have been done another way, but I recognise clearly that it is a very important part of the Labor Party's policy and as a consequence of that I would support the Bill. The member for Hartley stated very clearly that the previous Government left a large deficit and that according to Treasury documents it was obvious that had Liberal principles continued the deficit would have been about \$13 million. In fact, we ended up with a deficit of some \$63 million, a considerable amount of which was due to natural disasters. An important point which is not often talked about by members opposite is the \$23 million over spent by Government departments. It is interesting that IPA, an independent survey group, has pointed out very clearly that in the past year there was an increase in taxation of some 14 per cent and some 26.7 per cent over the past three years. The member for Hartley's comments about budgeting were interesting: on the one hand the Government maintains that it is unacceptable to have a deficit of \$63 million, but with its own deficit, with increased income and expenditure, it has ended up with a bigger deficit. The latest statements put out by the Treasurer indicate that today we are looking at a deficit of \$100 million: it will be interesting to see whether or not that can be reined in to the budgeted figure of some \$68 million.

The member for Hartley maintained that we on this side of the House do not understand what wage costs are all about. However, I point out that wage costs usually vary between 15 per cent and 25 per cent of a total cost of a business, with other costs making up the remaining component. The biggest single increase in costs arises from the imposition of Government charges. They have risen in the past 12 months by some 14 per cent. Costs to businesses which use power or gas have increased by 25 per cent. A situation now exists where some of the other costs are now line ball with wage costs. There is no question that wage costs have moved forward a little ahead of inflation, but significant cost increases have occurred now through Government charges.

It is interesting that the member for Hartley should refer to pay-roll tax, because we have just done a little exercise on that, and I point out that it is absolute nonsense for a Government to say that that is a big thing for small business to pay, because hardly any small businesses pay pay-roll tax, and so any big increase is not very important at all, because few people are involved. It is not a big exercise. The Government has said how marvellous it was to push the exemption level up by \$25 000, but in fact it means nothing at all, because so many businesses are not caught up in it.

The Hon. J.C. Bannon: But they would have been had we not lifted the exemption level.

Mr INGERSON: That is nonsense. Very few small businesses are between the \$175 000 and \$200 000 levels. The other matter I want to put straight concerns the interjection that this was not a statutory authority and that perhaps the Opposition should read a few comments made about the matter. However, if the honourable member concerned refers to page 2666 of *Hansard* she will find that the Premier's speech indicated very clearly that it was the view of the working party after consideration of alternative organisation structures that a statutory authority would be the most

appropriate framework to give effect to the Government's small business programme. If it is not a statutory authority, perhaps the Premier can tell us what it is. The most important thing that has been highlighted is that the Government has recognised that there is a need to support small businesses, and I commend the Government for doing so. There is no question that Governments in the past have paid only lip service to small business. The matter of small businesses has been a Party-political exercise of attempting to gain votes, but neither Party has really sat down and looked at what could be done for small business. I congratulate the Government for at least putting together some aims that will help small business considerably.

I believe the problems of small businesses fall into six main categories, namely, management, finance, education and training, industrial matters and problems, taxation and Government charges, and legislation. I refer first to what small business people themselves see as being the problems, which they would like the Corporation to look at. As mentioned clearly in regard to the aims of the Corporation, it ought to advise Government on problems regarding legislation and on what can be done to help small business groups in that regard. The most common single factor that came from our investigation of the small business group was that all the people concerned wanted the Government (of whatever persuasion), to do was to get out of their way, to remove hurdles, reduce Government regulation, taxes and charges, and reduce the licensing and effect of licensing at local government level. I refer to a report on the Australian Small Business Association in the *Financial Review* of 22 May. Paul Greenwood, who is the Director of the Australian Small Business Association in New South Wales said:

The ASBA was born out of a feeling of frustration among many small businessmen that they were being neglected. It is the classic situation where a person or group takes so much before reacting. Since the early 1970s, the small businessman has borne the brunt of taxation and legislative change to the point of desperation. It has taken them until 1983 to come forward to protest.

The ASBA has pinpointed high taxation, the increasing cost of employing staff, difficulties in raising finance and frustration in dealing with all levels of government as the problem areas that need reform.

It is interesting that the member for Hartley should say that the cost of employing staff is not an important factor, when here is an independent group of small businessmen, their numbers increasing by some 100 per month (who will probably comprise the most vital small business association in Australia), clearly pointing out that the cost of employing staff is a very important factor in this whole area.

Small business has more influence than it thinks and hopefully through this Corporation its board representatives will be able to follow through in examining legislation and the effect that it has on small business. The second point was that the Association wanted a fair deal and not a special deal. It does not want anyone running around and giving it assistance: all it wants is to be able to compete in a fair and reasonable way, to get on with the job and to make sure that Governments get out of its way. The next area concerned industrial awards, which as many in this place know are principally designed for big business, big unions and Governments. Because small business is not represented as well as it ought to be at the award level, it needs to have some other or some different sort of industrial award system. Hopefully this Corporation will look at other alternatives that will still guarantee certain conditions of employment to the employee.

The next point raised was that in tendering for contracts, making Government payments and the purchase price of goods, many times small business is clearly selected against, and hopefully the Corporation will look at that area. It is interesting to note that the Corporation talks about advocacy

in its objectives. More and more small business national associations are forming, because it is believed that the role of the small trade associations is not able to be as effective as it ought to be and these national bodies are being set up to lobby on behalf of small business. If it believed that corporations similar to this was the way to do it, why is it that stronger national bodies are being formed in an attempt to lobby Government at both State and national level? They do not want to see duplication of resources and effort. They see this Corporation as being a body to fill gaps and/or to meet needs and not as being a direct competitor, and surely that is an important factor. Any duplication of resource does not have an end benefit for small business, and one of the prime aims of the Government ought to be to make sure that the end benefit is to the small businessman himself and not to the corporation in the corporate structure.

The question of a need for the Corporation was put to many trade associations and individual business people. There is no doubt that something is needed and a Corporation is seen by the majority as the way to go about it. However, the matter which needs clarification, which is not spelt out in the Bill but which will be dealt with at the Committee stage, is that involving the Small Business Corporation in Victoria, which is deemed to be the most successful corporation in this field. People, when asked about it, said that the reason for its success was the people on the board and the people it employed. It is absolutely essential that in South Australia we obtain the best people from the private sector with small business practical experience to work on the board, and that the staff have a background of small business. I again quote from the article quoting Mr Greenwood in the *Financial Review* as follows:

'When a person starts a small business and it grows to a level where he needs help, he simply advertises and makes a deal about wages and conditions with an employee. What we say is that if one accepts the definition of a small business man as fundamentally an owner-manager, we feel there are not any significant differences in bargaining power between the small businessman and the employee.

That contrasts with the big business situation where professional managers, who are themselves employees of the enterprise, negotiate terms and conditions with other employees further down the organisational structure. What we think are unfair are the labour costs, the penalty loadings, the shift allowances, the annual leave loadings, which bear no relation to performance at work. Small business is looking to pay dollars for effort. It is very simple . . . if the cost of labour exceeds what the price of a product can bear in a competitive market, then the business ceases.'

Mr Greenwood wants to see an overhaul of the industrial and arbitration system to consider small business.

'The system has developed through the activities of government, large business and big unions dealing in areas of common interest. They set awards which affect the whole of the work force. Those engaged in small business, who as a group employ more people, have no voice in this.'

While Government and big business may be able to absorb higher labour costs because it is generally a smaller component in the total cost of production, it can invariably break a small operator.

'This leaves the option of either subsidising small business or allowing it to opt out. I think the latter would be fairer.'

Mr Greenwood wants all arbitration and legislation to be subjected to a small business impact study, much the same way as it is looked at for, say, environmental considerations. We think that would be the biggest and most constructive step forward. We accept there should be consumer laws, fair trading and trade practices legislation, but we should also look at their effect on small business.'

Similar co-operation should come from Governments and regulators.

'We have to develop a bureaucracy that understands the needs and problems of small business in its administration of the policies of government. At present, it is hardly sympathetic, from corporate affairs down to local government level. We want co-operation and a lot less regulation.'

Those statements, clearly setting out the cost and regulation problems involved, are made by an independent man who is now the New South Wales Director of the Australian

Small Business Association. He clearly outlines the problem of regulation and Government involvement getting in the way of small business. I have already mentioned the six major issues that I believe cause small business problems, and the most important one is management. In many cases this is caused by the lack of previous experience or by lack of formal qualification in business. Generally, the persons concerned are frightened to go to associations or do not know that associations have information available. People are not aware that they can purchase management advice, they do not know where to go for that advice, and they are not aware that in many instances Government departments—and in this case the previous Small Business Bureau—provide that sort of advice.

Mr Mathwin: They're timid.

Mr INGERSON: Generally, they are poor communicators and, as the member for Glenelg has said, quite often timid people who are concerned about their future but who do not know where to go. The IBIS group recently carried out studies on small businesses and declared that some 64 per cent of all bankruptcies are due to bad management and not necessarily to financial problems.

The other management problem which was mentioned by the Leader was that small business people have to work such long hours to survive. They have to be managers, workers and accountants. Consequently, because of tiredness and other factors, they simply do not carry out management exercises as they should.

Many things have been said about the lack of finance which causes problems for these people. When I have discussed this matter with many small business people their major concern is availability of finance, not that interest rates are too expensive. This is often caused too because for management reasons small business people traditionally make poor presentations of their proposals and accounts to the banking system and other financial institutions. The lack of availability of finance is principally due to regulation of the financial system.

There is no question that with a controlled interest rate there was a positive discrimination in favour of small business people over the past years which acted against the flow of amounts of money available to them. It is only common sense that if there is a sum of money available, if a business is prepared to pay 15 per cent for it and if by statutory requirement, one has to sell at 13 per cent to someone else, there will be less money available at 13 per cent than at 15 per cent.

The boards that run banks and financial institutions are bound to make sure that they get the best possible return for the investor's money and those who bank money, on the other side of the ledger. I believe that the quickest and best way in which we can help small business in this area is to totally deregulate money. It is interesting to see that a Government which traditionally would not be in this area—the Hawke Government is moving quickly to deregulate the financial area, for which it should be congratulated. My only concern is that it will not open the banking system enough to allow more banks to come in.

The best thing we can do for business, particularly small business, is to have more competition; the more banks in the system, the more money available, particularly for small business. The other reason for problems in the finance area is the traditional policy of banks permanently requiring asset mortgages to back up any loans. As anyone in small business will know one only has one's house one's mother's or auntie's house and any other number of homes which one could put up—bricks and mortar to guarantee the loan. That sort of policy acts specifically against small business. It is a traditional banking policy which is starting to change. I was interested, in discussion with a member of the State

Bank, to hear that it is intending to offer some very impressive packages in the near future, with changes in the banking system that we have not seen for a long time. It will be a move away from the traditional method of guaranteed asset mortgage.

The Government obviously is pointing itself towards certain areas of concern. In that excellent report of the Working Party into Small Business it was mentioned that there two main areas to be considered: venture and equity capital. There is no question that banks have not been interested in going into direct partnerships with small business (that is the equity capital area in which there is a very large hole). However, I am a little concerned that governments themselves may see it necessary to enter that area. But, as I said, if there is a gap which needs to be filled that is the sort of area that governments, through the Small Business Corporation, ought to be looking at.

Ample sources of money are available to small business. But as I said the effects of asset mortgage in particular and interest rates having been controlled are the two biggest factors working against small businesses. In either of those things the State Government can have little effect. But it is interesting to see that the Hawke Government is moving reasonably rapidly towards deregulating this system. I believe that this is one single factor that will help more small business than any other. The groups of small business men who are in the most difficulty in the financial area are obviously in the high risk shops, such as delicatessens, greengroceries, and other businesses. I single those out not meaning that they are the only ones, but using them as examples. Banks and financial institutions particularly are not prepared to lend them money at other than high risk, which obviously is represented in high interest rates. Another difficult area comprises the poor operators and those who demonstrate poor management. Another area that Governments should look at is the rapidly expanding profitable business liquidity and the need for that kind of business. Because of the current method of asset mortgage banking it is impossible for many small businesses to expand and take on personnel.

In the finance area there is equity and venture capital, and in the rapidly expanding areas I see the guarantee system being put forward in this Bill as part of the Corporation's function, which will be a very important factor. However, I do suspect that in the early days of the Corporation there will be a large number of applications which will not stand up to any management guidelines. Hopefully, as it settles down the Corporation will be able to use its guarantee system to suit the purposes of all small businesses.

I turn now to education and training. As the Leader pointed out, some concern has been expressed about not duplicating existing facilities. We have a great number of providers of facilities, but the best thing that the Corporation could do would be to co-ordinate and evaluate the current systems provided for small business. After all, the Federal Government provides facilities through its National Training Council. It is currently setting up in this State some 15 of those councils in different industries that are looking specifically at training programmes. The State Training Council works in conjunction with the Federal Government and TAFE. Recently TAFE has been upgraded with its computer and small business centre in the city. That course has been made more practical. That is the most important factor that the Corporation needs to look at. There are plenty of academic courses around, but that is not what is required. We need simple straightforward management courses that can get across the message very clearly to the small business man to manage his business much better.

There are many trade organisations, such as the Master Builders Association, which have an excellent training pro-

gramme specifically geared for small businessmen in the building industry. The Chamber of Commerce is continually running training programmes for small business, and the Australian Institute of Management hires out its services to any trade association interested in taking up management training. There are plenty of providers. As I said earlier, a lot of the courses are far too academic and I hope that one of the main roles of this corporation will be to co-ordinate.

The ACTING SPEAKER (Mr Ferguson): Order! The honourable member's time has expired.

Mr MATHWIN (Glenelg): I rise on a point of order. In view of the agreed arrangements regarding the business of the House that we have an early start in the day and an early finish in the evening. I move:

That this debate be adjourned.

Motion negatived.

Ms LENEHAN (Mawson): I wish to wholeheartedly support the introduction of this Bill and, in so doing, to congratulate the Premier on bringing this Bill into the Parliament. I believe that it is the most significant introduction by the Bannon Labor Government. I want to speak very briefly about the Bill tonight, and I will commence by talking about the economic context in which we have introduced this Bill. As has been widely reported in the past, nearly half of all small businesses go into receivership within three years and approximately 80 per cent are out of business in 10 years. These are frightening statistics in view of the significant employment involved. The high incidence of early small business failures highlights the importance of developing mechanisms to deliver appropriate education, training and counselling to those in small business.

Whilst there will always be a number of small business failures, the current rate has been far too high and the resultant social cost is totally unacceptable. A vigorous and viable small business sector is essential to the economic and social well-being of the State. The major obstacle in developing more effective counselling and advisory services is the reluctance of small business owner-managers to seek advice. Therefore, in order to implement effective small business initiatives, the establishment of a statutory authority is essential. For reasons of autonomy, and to establish credibility, acceptability and visibility within the business community, a statutory authority within the broad functions set out in the Act and as determined by its budget is not tied to the basic conventions and practices of the Public Service and is, therefore, better able to develop programmes and services for small business using private enterprise flair and entrepreneurial skills.

I would like to briefly summarise some of the functions of the Small Business Corporation. The report of the Small Business Working Party confirmed beyond any doubt that the prime need of small business is management education. Therefore, it is appropriate that the Small Business Corporation will, first, stimulate and co-ordinate the efforts of the Education Department, tertiary institutions, industry and other associations in the provision of relevant and practical small business management. Secondly, it will expand and upgrade counselling services. Thirdly, it will develop the capacity to deliver a wide range of cost effective advice to small businesses through the development of an innovative path-finder network of expertise using the skills of retired and unemployed professionals. Under that last category I believe that one of the things that the Small Business Corporation will be able to do is set up regional offices in the regional areas of Adelaide, such as the south and north, and also within other regions, such as the country areas. I believe that under the provisions of this Act the

Small Business Corporation will indeed have the power to establish such regional offices. It will also have the power—

An honourable member interjecting:

Ms LENEHAN: I think that it may well do. For example, it will also have the power to be able to place an officer in such an organisation as a business opportunities office, which has been proposed by the southern regional councils. The point I want to make is that the Small Business Corporation will have the flexibility of which members opposite have been extremely critical. I now pick up some of the points made by the Leader of the Opposition. He talked about this Bill being nothing more than tokenism. He also said that people in small business are aggressive and inventive, and a statutory authority will somehow stifle these qualities. I put to the House that that is utter nonsense. In fact, by setting up a statutory authority it will have the flexibility to be creative, to respond to the needs of small business, and to meet the educational needs of the owner-managers who need the sort of advice that the Small Business Corporation will be able to offer. I find the kind of criticism and negativeness that I have heard from the Opposition tonight very disturbing indeed, particularly when one considers the Opposition's record.

The previous Liberal Government (as the member for Hartley has so rightly pointed out) was, to its detriment, able to preside over one of the highest rates of bankruptcy for small business in Australia since the Depression. Yet members of the Opposition are standing up tonight and criticising this exciting initiative that has been brought into this Parliament by the Premier. I find this very disturbing, as the small business community in this State will. I stand here as a member of this House who has somewhere near 900 small businesses in my electorate.

An honourable member interjecting:

Ms LENEHAN: That is very interesting. As a member who keeps in touch with the needs and opinions of the 900 small businesses in my electorate I very much challenge that particularly caustic remark.

An honourable member interjecting:

Ms LENEHAN: Of course, that is the only way the honourable member can. I conclude by saying that I believe that the implications of this initiative will also have a far reaching effect on other aspects of economic development in South Australia, namely, the tourism industry. I believe that this will have a marked effect on a whole range of small businesses which now comprise the area of tourism. In conclusion, I once again congratulate the Premier on bringing this measure before the House.

The Hon. JENNIFER ADAMSON (Coles): I do not oppose this Bill. However, it seems to me that the Government has once again engaged in a classic case of raising expectations, wrapping some rather flimsy material in a very attractive package and using—

Mr Baker: Cellophane.

The Hon. JENNIFER ADAMSON: It is yet to be seen whether or not it is cellophane: it may be a little hard to see through it at this stage, but I believe that the services which are already being provided by the Small Business Advisory Bureau are excellent. I doubt very much whether the Corporation, in its statutory arrangements, will be able to do a great deal better. I certainly hope that it can particularly in the areas in which the bureau has excelled, namely, counselling and education for management. However, the whole question of small business revolves essentially around management capacity, entrepreneurial ability and the lack of barriers to the exercise of that capacity and ability.

Therefore, if we are looking at ways to assist small business, we should, in the first instance, be looking at the removal of barriers to the success of small business. The Leader of

the Opposition has already outlined very effectively some of those barriers, a vast number of which have been put up by the State Government. It is within the power of the State Government to remove the barriers and the continuing increase in charges and taxation of an excessive order and, also, to remove the regulation which is choking small business. The report of the working party into small business defines small business as a business in which one or two persons are required to make all the critical management decisions; finance, accounting, personnel, purchasing, processing or servicing, marketing and selling without the aid of internal specialists and with specific knowledge in only one or two functional areas. The Wiltshire report suggested that the conditions defined would be found to exist in the majority of enterprises with less than 100 employees.

As my colleague the member for Bragg has stated, because of my special interest in the tourism industry I propose to address the contents of this Bill with regard to their effect upon the tourism industry. The tourism industry in South Australia has very, very few big operators. They could be numbered on the finger of one hand. The Hilton would be the biggest. The hotels and major accommodation sector would comprise major operators, notably, the Gateway, the Oberoi, The Grosvenor and other large hotels. Of course, the airlines would come into that category. Murray River Developments would probably be the biggest tour operator in this State and I doubt if its employees would exceed 100, so all the others are in the small business category and, as far as tourism is concerned, that sector is very much uncharted territory. It has not been documented; no catalogue exists of those who operate in it, how many people they employ, or what their rate of success or failure is. It is very difficult indeed to tell and only personal knowledge of the scene and knowledge of businesses opening and closing will give one an idea of trends occurring in tourism operating as a small business.

The report of the working party stated on page 9 that the attention of too many small business owner managers is directed towards keeping the ship afloat rather than trying to chart the course ahead. I believe that that is particularly apt in respect of its application to the tourism industry and in that regard the South Australian tourism development plan developed under the Tonkin Government, endorsed by that Government and endorsed by the present Government, has provided at least a charting of the course ahead for businesses in the tourism sector. However, whilst a broad course may have been chartered, there is difficulty with many of the smaller operators in determining their own course, particularly when it comes to marketing, promotion and capitalisation.

Page 15 of the report of the working party identifies the skills that small business owner managers perceived a need for. The list includes financial management and advertising and promotion. I note that marketing itself is not identified, and yet from my observations that would be one of the critical deficiencies. The report further identifies the skills as being using one's account effectively, cost and stock control, pricing products and services and obtaining funds for the business. There is no mention in that list of staff training and development or of efforts to achieve improved standards of service, yet for many small businesses, including those in the manufacturing sector, which are not service providers in the traditional sense but nevertheless have an obligation to provide a service, notably in meeting orders and deadlines, and being reliable about deliveries and things of that nature, standards of service are absolutely essential for success.

I believe that in omitting staff training and development and the achievement of standards of service, a serious omission has been made, not so much perhaps by the Bailey

Report, but by those small business owner managers who identified their own needs. There is clearly a lack of appreciation at the operator level of where one of the serious deficiencies lies at the moment. I firmly believe that if tourism is to develop and expand in South Australia, and if we are to achieve a competitive edge over the other States, it will only be if we can provide better standards of service than operators in other States, so I perceive a very great need for improved staff training and development and I am pleased to pay tribute to the South Australian Tourism and Hospitality Industry Training Committee for its efforts in that regard.

I repeat that the efforts presently being made are not sufficient and a huge effort needs to be put in right across the board, particularly in the hospitality industry and in the retailing industry. It is extraordinary, when times are hard and money is available to be spent, to go into a shop with money in one's pocket, handbag, cheque book or credit card wanting to buy a product and simply not receive any acceptable standard of service in terms of assistance from staff in seeking out the suitable product that one is looking for. I have noticed this particularly in the purchase of clothing and I believe it is also apparent in the sale of other goods.

The working party report, in identifying the various needs of small business, at page 36 states that whilst activity in the Government guarantee area has increased since late 1981 when the South Australian Development Corporation was wound up, the extent of this increase suggests that there is not a strong need for residual finance. That may be the case in the general area of small business, but I do not believe that it is the case in the tourism sector. In fact, at page 37 the working party report states:

It considered a deferred interest loan scheme put forward by the Department of Tourism to provide cash flow assistance to new tourist ventures in the formative years, but felt, as the established lenders already by negotiation provide principal repayment holidays, there was little reason for the Government to introduce an interest deferral scheme for small business generally, although the Government may wish to consider the scheme being promoted by the Department of Tourism if it believes such a scheme could be selectively used to encourage development of desirable tourist plant.

I would take issue with the working party on this question of no real need for resource capital and the claim that existing financial institutions are meeting existing needs. In my travels around South Australia as Minister of Tourism and subsequently, and in my intensive questioning of tourist operators in the regions, the one issue that is continually raised is the urgent need for access to funds. I was in the Mid North a few weeks ago and this question was raised. An example was given of an excellent rural farm that hosts tourists, that is extremely well run, but at the moment it is not looking its best simply because there is no capital available for what should be a complete new silage system within the farm, which at the moment would be a costly exercise that the operator could simply not contemplate.

The person involved cannot borrow funds for that purpose. People in the whole region feel that it is essential that that aspect of the farm be upgraded if the standard is to be maintained and if visitors are to continue to be attracted to it. This view about the need for access to capital was endorsed by Mr John Haddad of Federal Hotels when he addressed the Australian Hotels Association annual conference in Adelaide last year. He said:

As is normal with any growth industry, there are constraints which continue to restrict the capacity of suppliers of tourist services—

and bear in mind that these stock suppliers, with very few exceptions, are small businesses—

to meet the market demands. One of the key constraints is in the financial area where competition for public sector funding could force the tourist industry into a too narrow resource base.

In fact, Mr Haddad added by interjection, as I recall, that the tourism industry pays far too much for its money in light of its capacity to contribute to employment and to create jobs. He made the point that governments all round Australia are desperately trying to create jobs and are using taxpayers' funds to do so. At the same time Government borrowings have, in the past, forced up interest rates, which has made it difficult for tourism, and indeed other industries, to have access to development capital. Mr Haddad went on to say:

Equally, earnings from existing resources need to improve to encourage institutional lenders to provide adequate funds.

If one asks around the tourism industry, one will find that people go from one bank or financial institution to another in an effort to obtain risk capital. As far as the banking industry is concerned, tourism seems a little like entertainment, a very high risk area. It has proved to be extremely difficult for tourist operators to have access to development funds. Today's good news about the establishment of a resort hotel at West Lakes marks years of very determined effort by the operators to gain access to risk capital. In fact, that hotel complex tried to obtain guarantees from the Government unsuccessfully. In the end, Australian Fixed Trusts financed the project, but nevertheless the project still wants access to a deferred interest loan scheme, a scheme which the Premier promised he would establish a year ago and about which not a word has been heard since.

I return to Mr Haddad and repeat his remark that earnings from existing resources need to improve to encourage institutional lenders to provide adequate funds. How can earnings from existing resources improve when the profit margins of most tourism operations continue to be very small indeed? One of the reasons they continue to be small is increasing Government taxes and charges. Upon re-reading Mr Haddad's words I could not help reflecting on the crisis that confronted the hotel industry when liquor tax was increased, originally by 33 1/3 percent, subsequently by 25 percent of that original total high, on the other taxes, particularly the f.i.d. which are hitting the industry, of the increased costs which will accrue because of Government legislative initiatives such as the Industrial Conciliation and Arbitration Act Amendment Bill currently before the Parliament, and of increases in charges such as electricity and water.

The electricity price hike which took place at the beginning of this year had a quite devastating effect on small business and certainly reduced its earning capacity. I did some research in my own electorate and found one hotel with a monthly electricity bill of about \$1 500 that was going to be severely affected. Local butchers, many of whom paid around \$800 a quarter in the summer for electricity are now paying up to almost \$1 000 per quarter. Local delicatessens currently paying around \$1 000 per quarter for electricity were working on very fine price margins. Dry cleaners, some of whom paid \$1 000 a quarter to fire their boilers for only three or four hours per day, are now having to find \$1 250 a quarter to do that, and so it went on. The capacity of small business to increase its earnings is very severely restricted by continual increases in Government taxes and charges. To return to Mr Haddad's speech, he then made reference to an issue which is a Federal Government issue, and said:

The industry must be tireless in its efforts to increase the level of depreciation allowance on tourist plant and buildings, and to retain and improve the present investment allowance despite its unsatisfactory limitations.

I note that the present Government, in its tourism policy, undertook to petition the Federal Government to achieve just those things. We have seen no result of this so far and one can only hope that, in this Federal Budget, those petitions will be answered.

The Bill sets out a series of very fine goals. It is to have the function of providing advice to persons engaged in or proposing to establish small businesses. That function, of course, is being well fulfilled, although with limitations acknowledged in the working party report, by the present bureau. I again pay tribute to Mr Peter Elder and his staff. On many occasions they have responded to requests by me as the local member to assist small businesses in my electorate that were encountering difficulties, or small businesses in the tourism industry well beyond the scope of my electorate that were having difficulties, and in each case I believe that my constituents were extremely grateful for the advice offered. The Corporation is to promote awareness of the value of proper management practices in the conduct of small businesses, and to promote, co-ordinate and, if necessary, conduct management training and educational programmes. It is to disseminate information for the guidance of persons engaged in or proposing to establish small business, monitor and make representations with respect to the impact on small business of the policies, practices and laws of the various branches of Government.

I have grave doubts about the Corporation's being able to achieve those aims. The goal of the Corporation as laid down in the Bill is to act as an advocate. How can people appointed by the Government act as an advocate for small business in respect of its interests when those interests are being gravely threatened by the very Government that appoints the members of the Corporation? It is simply a conflict of interest which I cannot see working. The best advocate for small business is the independent sector of small business, organised in such a way as it is now being organised on a State and national level, as to be able to speak without fear or favour. With the best will in the world, I would be very surprised if the Corporation, through its chairman, can be effective as an advocate because the role of Government in determining the effectiveness of small business, or the future of small business, is becoming so powerful as each year passes that any advocate who attempts to challenge the Government and in doing so attempts to fulfill his role as an appointee of the Government will find himself or herself in an extraordinarily difficult position.

I have doubts about that aspect of the Bill. The record shows that boards and committees appointed by the Government tend to be very muted in their criticism of Government, whatever the justification of that criticism on behalf of the people whose interests they purport to represent. The guaranteeing of liabilities as outlined in clause 13 of the Bill is something that should help small business, but one wonders to what extent it will. The extent to which this will be possible will become apparent in Committee, as will details of the guidelines and the general attitude of the Government in making funds available by way of guarantee, and the limits.

When considering the number of small businesses in South Australia and the number of those that will no doubt seek assistance, one realises that it will not be possible for everyone to be served as they would like to be, and there will have to be some very strict criteria applying in that regard. Again, I go back to my premise that under-capitalisation is the biggest problem for many businesses, at least those in the tourism sector. The majority of operators have initiative, dedication and the willingness to work. They may buy management expertise through management and consultancy firms, but they cannot buy capital. As far as I can see, it is not the role of the Government to provide yet another lending service. The working party agrees with that attitude, and it recommends that there should be merely a guarantee function. I do not see why the State Bank cannot be asked to make available a certain proportion of funds

specifically for lending to small business, notably those involved in tourism ventures. If indeed it is a Government that promotes tourism and recognises that tourism has a greater capacity than any other industry to generate employment, it should be a case of putting your money where your mouth is and making those funds available.

As the Leader pointed out, the real problems faced by small businesses relate to costs. The member for Hartley was somewhat hysterical in his insistence that we on this side of the House believe that wages are the only cost that is burdensome on some small businesses. Of course that is not the case. Many other costs that he outlined as well as those that members on this side referred to, notably taxes and charges, are burdensome. Other problems can relate very much to dealing with the public sector, to fulfilling the obligations imposed by the statutes, notably in respect of planning laws, which increasingly are being regarded as excessively time consuming and costly by both large and small businesses. These matters are not addressed in the Bill, and yet every day they are addressed by the Government in this House. In its dealings on those matters the Government seems to be very unsympathetic to the needs of small businesses.

The provisions of the Industrial Conciliation and Arbitration Act Amendment Bill are a classic example of that lack of sensitivity to the impact of legislation in a general area on a small business. It is fine to introduce a Bill in regard to the Small Business Corporation of South Australia and to mouth fine sounding words about what the Government will do for small business, but it is quite another thing to pass legislation in the same fortnight which will have an adverse effect on small business. It amounts to taking \$100 away with one hand and giving back \$10 with the other—I suspect that that ratio of give and take is not very far off the mark.

I certainly wish the Small Business Corporation well. I think that the educational role will be admirably fulfilled if the Corporation maintains its standards already set by the Bureau. I believe that the advisory role will also be well carried out, but I have very grave reservations about the efficacy of the advocacy role, and in Committee stages I certainly want to question the Premier about just how much real financial aid will be given to small business by way of the guarantee and by way of grants for services which small business claims to need.

I repeat that the tourism aspect of small business (and there is no small business that does not benefit from tourism development) has been rather slightly dealt with in the working party's report and has been scarcely considered in the Government's attitude to its other legislation. The proof of this Bill will be in its enactment. I hope that in 12 months time we can see a number of practical measures that have been undertaken and recognised by small business as being helpful. The most helpful thing that the Government could do would be to hold at a firm level some of its charges and to really fulfil its promise not to increase taxes.

Mr FERGUSON (Henley Beach): I also extend my congratulations to the Premier on introducing this legislation. There are 338 small businesses in my electorate, and I have taken the opportunity of contacting every one of them. When the Labor Party was elected to office after nearly three years of Liberal rule, within about two days I was contacted by small businesses which operate in my electorate seeking assistance because of the dire straits they were in following the Liberal regime. Bankruptcies reached an absolute peak during that period and profit rates, about which we hear a great deal from members opposite, were very slim if there at all. The catch cry of three members opposite who spoke was that Governments should get out of the way

of business, but that sentiment is not reciprocated by the businesses in my area.

Mr Oswald: Come on!

Mr FERGUSON: Small businesses have been seeking assistance from Government continually, especially following the Liberal Government's term of office. They do not want Government to get out of the way; they want assistance from the Government. During the time I have been a member of the House I have been seeking this sort of legislation.

Members interjecting:

The ACTING SPEAKER (Mr Whitten): Order!

Mr FERGUSON: I have been seeking this sort of legislation so that we can make sure that business gets some assistance, because small businesses in particular have been crying out for assistance and for Government to help them. The previous Administration got out of the way of business, and look what happened! There were record bankruptcies, and businesses were collapsing all over the place. Although in due course I would like to see all the recommendations adopted, I am happy with the contents of the legislation. In due course I will refer to the recommendations not covered.

Every time I rise to speak the member for Mitcham screams like a monkey. I know that he has experience in every field, but I would like him to show courtesy for a change and keep quiet. I understand that there is no opposition to the Bill and that we are all in agreement on the proposition before us. The object of it is to stimulate and co-ordinate the efforts of the Education Department, tertiary institutions, industry and other associations, in the provision of relevant and practical small business management training, which is to be lauded. The Leader of the Opposition said that this was one of the best parts of the Bill, and for once he and I are in agreement.

The problem he related of getting training to the people is the nub of the problem, because merely to run a course in TAFE, or by any other means, and to get business men to attend, especially those in my area, will be difficult. The new statutory authority will have to devise a means of bringing training to the people rather than asking business people to come to the training. I do not have palatial business establishments in my area. There was mention of 15 employees: if there were 15 employees in the area of Henley Beach it would be an extremely large shop. Most small businesses in the area employ only one or two persons, although they are extremely important, because when one adds up the number of hours worked by people in this area, it makes a very large number.

The other objective of this proposition is to expand and upgrade the counselling services, hopefully with the provision of regional sections. When this Bill is enacted, I certainly hope that the western area will be taken into consideration for the provision of counselling services, which are certainly most necessary. I have been in constant contact with the organisation now in vogue in order to assist small business people in the area who have difficulty and need counselling services, and I hope that this service to our small business people can be increased.

A further objective is to develop the capacity to deliver a wide range of cost effective advice to small business through the development of an innovative path-finder network of expertise, utilising the skills of retired and unemployed professionals, and I find this an admirable objective. It is difficult for people undertaking new ventures to obtain the necessary advice at a price they can afford. There are many consultants, but when people come to my office with a new idea and I suggest to them a range of consultants, it is usually beyond their capacity to pay. A path-finder service in the Small Business Corporation is an excellent idea, and one which I feel sure will be supported on both sides of the House.

The inquiry found that there was no need for small business to have a direct lending capacity. However, the Government believes that the establishment of a streamlined small business loan corporation scheme administered by the new Corporation would significantly improve the access of small business to finance. When looking at this issue at the Party committees, I was in favour of allowing direct finances to be provided to small business because one of the constant arguments, which has also just been put forward by the member for Coles, is that finance is unavailable. However, after listening to the arguments, I had to bow to logic, because it was suggested that, once the Government enters into this field, finance through the normal financial institutions will dry up and we will find ourselves in a very difficult situation.

The member for Coles said that the matter of a voice for small business should be left to the private institutions. During my travels through my electorate, very few people have managed to take up affiliation with any of the business affiliations available to them. I doubt whether there will be much change in the situation. We are dealing with people who enter business usually for an average life of about three years, and they do not have the time to look around for this sort of advice; quite frankly, they are not prepared to spend that sort of money. I find no difficulty in the suggestion that the new business corporation will become a voice for small business, and I see no reason why this cannot happen.

When I asked how Opposition members would assist small business I was surprised and shocked by some members' answers. The Leader suggested that he would assist small business by reducing workers compensation costs, and the way he would do that would be to penalise those people hurt in industry.

Mr Mathwin: Rubbish! Don't be silly.

Mr FERGUSON: That is what the Leader said, and the member for Glenelg can refer to the *Hansard*: 90 per cent of the average weekly earnings would be paid to people who had been hurt. What they receive now is 100 per cent. In other words, he would fine those people hurt in industry 10 per cent, and that money would be used to assist small business. I do not see that as a way of assisting small business, and I am sure that it would not want to be assisted by doing someone else in the eye. The member for Bragg referred to the dangerous comments made by a Mr Paul Greenwood, of the Small Business Association, which views the member said he supported. These matters have been mentioned by all three Opposition speakers: they would like to see the industrial awards done away with and replaced with some other fancy relationship; it was nothing substantial, except that all industrial awards would be done away with in the small business area.

Mr Lewis: What a good idea!

Mr FERGUSON: 'What a good idea', says the member for Mallee. The member for Coles from time to time in this House, and to her credit, has defended the rights of women by asking questions and trying to improve their status. However, I would pose this question to her: how would she support a 16 year old girl employed in a delicatessen without the protection of an award? How would she pay an 18 year old girl?

Someone mentioned Target. What would the Government do about young people employed at Target? Protection in this area is very poor now in any case. They need protection of awards and the Department of Labour. What we have heard from the Opposition, so far is that we should do away with the industrial awards as a way to help small businesses.

Mr Groom: They would bring back child labor.

Mr FERGUSON: If the Opposition had its way it would send six-year-old boys up chimneys, as happened in the eighteenth and nineteenth centuries. If one is to do away with industrial awards, what would the Opposition put in

their place? The only reason it wants to do away with those awards is that it wants to cut the cost of labour and exploit those teenagers who are now working in small business. The small protection that they now have is what the Opposition wants to take away from them. If I am wrong, let the Opposition tell me how it will go about it.

The member for Coles started out as a prophet of doom. I can see these black clouds on the horizon. She doubted that the Corporation would succeed. What evidence would she produce to substantiate that? All I have heard from the other side is nothing but criticism. The working party made recommendations on a commercial tenancy tribunal to be established in concert with the Commercial Tribunals Act, involving some sort of protection in respect of leases and rents charged.

It is a wonder we have not heard anything about it from the Opposition. If it was really concerned about small business, it would be up in arms about the sort of chicanery that is going on so far as rents and leasing are concerned. I have not heard one member of the Opposition, in the time I have been in this Parliament, say anything in support of the proposal of the member for Hartley. Defenders of business—we are hearing very little from them.

An honourable member: You're right behind them, aren't you?

Mr FERGUSON: I support small business in my electorate. A chemist shop proprietor came to me and said that his rent was being increased from \$105 per week to \$300 in one hit. This proprietor was being forced to work seven days and seven nights a week as part of the new lease being forced on him. If he was able to go to a commercial tenancy tribunal this matter could be arbitrated. Many examples of this sort of exploitation exist in my electorate. I certainly support small business men in this area, and I believe that they should be protected from exploitation by big business men. I hope that in due course the total recommendations made in the report of the Working Party into Small Business will be considered by this Parliament.

Mr BAKER (Mitcham): I, like my colleagues on this side of the House, support the principle of recognition of small business and recognise the mandate that the Government has for introducing this measure. But, before getting on to some of the principles of the Bill, I would like to take up certain comments made by the three gay pretenders on the other side of the House. Unfortunately, we do not know how many Ministerial positions will become available, but they have all tried tonight, and on their performance they will get a guernsey for incompetence.

Mr Groom: Deal with the Bill.

Mr BAKER: I am just saying that they are technically incompetent. Let us refer to our friend the member for Hartley. He tried hard: he said that he did not know what the Budget deficit was during our period in Government but settled on a figure of \$40 million.

Mr Mathwin: He had a quick stab.

Mr BAKER: He had a quick stab, but he failed to mention that that represents 2 per cent of the South Australian Budget, whereas our friend Mr Hawke, who has been receiving tremendous praise, is running a \$10 billion deficit, which represents something like 12 per cent. This is a matter of economics. The member for Hartley did not fail to congratulate Mr Hawke on his wonderful effort, nor did he fail to congratulate the Premier on his. He congratulated the Premier on raising taxes. He is the first person I have ever known to say that an increase in taxation creates jobs.

Mr Groom: That's is not what I said.

Mr BAKER: That is exactly what you were saying. I find that incredible. The honourable member must sell the busi-

ness community that little proposition. If he wants to talk —

Mr Groom: What about the Leader of the Opposition?

Mr BAKER: There is a bit of noise from the other side. I heard him quite clearly congratulate the Premier on increasing taxation. That was the whole tenor of his speech. That is the only contribution he can make to this House—congratulating the Premier on increasing taxation.

Mr Mathwin: He has to congratulate the boss.

Mr BAKER: Yes, he does. As I said, the three gay pretenders.

The ACTING SPEAKER: Order! I hope that in the next 28 minutes the honourable member for Mitcham will come back to the Bill.

Mr BAKER: I am certainly dealing with the Bill and following up some remarks that were made in this debate. I think it is important that we lay them to rest before we go much further. The member for Hartley mentions, of course, that this would be one-stop shopping. If the Labor Party record continues, it will stop there and not go any further. It is one-stop shopping in its true sense.

The member for Mawson, who made a marvellous contribution to this debate, said that it is essential that we have a statutory authority. We have records to show that we have 240 statutory authorities in SA with accumulated deficits of something in the order of \$1 billion. This must be fairly conclusive evidence that we need another statutory authority! The only two things the member for Mawson mentioned, besides profusely congratulating the Premier, was that bankruptcies had reached record levels. I tell the member for Mawson that they reached record levels during the Labor regime.

If we want to talk about performance, the Premier said in Parliament in 1982, having won Government, 'Take note of the unemployment rate that we have been left with.' Since that time has unemployment fallen as a result of Labor policy? Have we seen a sudden increase in the number of jobs made available to young people? Have we seen businesses improve their profits? Have we seen South Australia going ahead? We have not. Do not talk to me about the performance of the State Government. The Labor Government loves spending money. Every department overspends. Actually, I think one or two did a little bit better than others. The member for Henley Beach was supporting small business. I ask him how many people he put out of work when he was head of the Printing and Kindred Industries Union. How many people lost jobs in the printing industry because of the outrageous demands perpetuated by that union?

An honourable member: Give us an example.

Mr BAKER: The honourable member should look at what has happened to employment in that union. Any time he wants to get educated—

Members interjecting:

Mr BAKER: Any time that the member for Albert Park wishes to get educated, he can read my report on the printing industry. There has been a 25 per cent loss of employment in the printing industry in the last four years.

Members interjecting:

Mr BAKER: The honourable member can collect it from the Department of Labour.

Mr Mayes: You tell us now.

Mr BAKER: The honourable member can collect my report on the printing industry from the Department of Labour any time he likes from his colleague, the Minister of Labour. He said that 300 small business men in the area were crying out for Government assistance. One constructive comment that the member for Henley Beach did make tonight, and I congratulate the member on that one comment—

Mr Mathwin: He sat down early.

Mr BAKER: That was early, but he did contribute something that the other two speakers did not. He said that training has to be taken to the people. That is one comment with which I can agree because people in small businesses do not have the time to go on training courses. I thought that that was quite an astute observation. He probably had to be told about 500 times, but it was astute. Then he made the startling revelation that he had been suddenly convinced that guaranteed loans were the best idea because funds would dry up if the Government gave cash. I agree with the guaranteed loan situation and with most of the references in this Bill. However, the incredible comments that have come from Government members about this matter fail to amuse me.

I will comment on the five matters which have to be seriously addressed if this Bill is to be a success. There is no doubt that there is bipartisan agreement on the needs of small businesses and the need to give them a fair go in the market place. We have mentioned venture capital and the education process, and the member for Henley Beach (to his credit) spoke about the fact that small businessmen invariably do not have enough time to attend courses. We have talked about effective counselling services. I hope that the officers who are appointed to these positions are skilled and have been successful in businesses in their own right.

Members interjecting:

Mr BAKER: If the speeches to date are any indication, I think that there is not a businessman amongst them. Then we heard the member for Mawson suggesting the setting up of regional offices.

Members interjecting:

The DEPUTY SPEAKER: Order! The honourable member for Mitcham will resume his seat. It is very difficult for the Chair to work out who is speaking on this debate. I have allowed a bit of latitude, but I think that the time has come for the latitude to be tightened. The honourable member should come back to the debate and show a bit of decorum. I ask the honourable member for Mitcham to come back to the Bill.

Mr BAKER: Thank you, Sir. I am grateful for your protection. The member for Mawson also mentioned the fact that we would have a vast network of regional offices. I think that the Premier will have to explain that situation.

Mr Mathwin: She said it.

Mr BAKER: Perhaps the member for Mawson is making Government policy or perhaps the Premier can tell us a bit more about that and will communicate more with Government members, because as far as I am aware that is not the intention in the Bill.

Mr Mathwin interjecting:

Mr BAKER: That is probably the case. We have the concept of regional offices with the expenses, overheads and everything associated with them. Whilst it may be easier to provide access to particular people in small business in regional areas through this mechanism. I submit that the hub of Adelaide is in Adelaide and that the most sensible spot for this organisation is in the Adelaide area. I would be horrified if the Small Business Corporation were to set up regional offices because that would be uneconomical. It will not provide the services that are necessary because—

Mr Becker interjecting:

The DEPUTY SPEAKER: Order! The honourable member for Hanson is out of order, too.

Mr BAKER: He made a very relevant comment, though, Sir.

The DEPUTY SPEAKER: Comments are out of order, as I told the honourable member before.

Mr BAKER: They certainly are. One thing that rather amazed me was the congratulation given to the Deputy

Premier. He was congratulated on the fact that he had gone through Victoria and looked at the possibility of setting up a statutory authority to look after small business. Only a week ago we saw the Industrial Conciliation and Arbitration Act Amendment Bill passed in this Parliament, which is anti business and anti jobs, yet we have congratulations extended to the Deputy Premier from that side of the House. One wonders why we ask whether this is window dressing. All Government members understand that the Industrial Conciliation and Arbitration Act Amendment Bill will have a fundamental effect on business in South Australia, yet the Deputy Premier gets congratulated for searching out this new idea. Is this supposed to be the offsetting mechanism? This is the sop. For the edification of the member for Henley Beach, he has missed some of the best parts of the Bill. I mention the member for Henley Beach, because he spent a large proportion of his contribution on this subject talking about exploitation of people in the workforce. He also said that award wages are the only mechanism to achieve justice.

I say that that suggestion is rubbish. There are many other mechanisms available which are stifled by the very laws in Australia that we should be trying to change. Those laws relate to the ability of people to work in partnership with equity in business with some form of remuneration and with the final rewards being associated with the strength of the business. That must be the best system: the people involved not only get a wage but also have a share in the future of that business. Unfortunately, the Labor Party is unwilling to concede that there are better ways of the labour force organising itself and better ways of reaching agreement between two parties, such as employees and employers. There is a vast number of organisational arrangements overseas that actually promote the business enterprise ethic, and if we have to continue with this drivel in the House, then this State Government will certainly not further the cause of any business in this State. We have had mention of what contribution the Small Business Corporation will make to small business. Let me say that there are some very practical things that the Government could do in its own camp to make life easier for small business. I will give six examples of people who have come to see me in the last two months. They are practical examples.

Members interjecting:

Mr BAKER: If any member wants to check the record he is quite entitled to do so. The first example relates to a person who wanted to expand his business and he needed to sell off part of his property. When it came to getting the necessary agreements from the Engineering and Water Supply Department, it took six weeks. It placed the contract and the business of the person involved at risk. If that agreement had been achieved in two weeks the business would have gone ahead as planned. Fortunately, we were able to remedy that situation. All I am saying is that that additional four weeks wait for a simple approval could have placed a business at risk.

Let me relate to honourable members the tyre retreading situation, and they have their friends in Canberra to thank for this particular exercise. The Commonwealth Government introduced a taxation on tyre retreads. It was based at the wholesale level of tyres. As most people would understand, much of the tyre retreading business is wholesale. It sells direct to the retail outlets such as service stations and to the larger firms that have fleets of cars. It is a very competitive market. The Commonwealth Government introduced a 25 per cent sales tax on retreads, payment of that tax to be within 21 days of the end of the month in which the transaction took place. The fact that the people involved were on 30 and 45 day credit lines meant nothing to the Commonwealth Treasury. They had to pay tax before they

received their revenue. That sent two of the smaller tyre retread firms in Adelaide to the wall. That is an indication of how the Commonwealth Government views small business.

I know a delicatessen owner whom I help out occasionally by explaining regulations to him because he has difficulty in filling in the massive number of forms he receives. I had a communication from a small business man who was building a house and who said, 'I have got my house completed, but I have not got my water, sewerage or electricity.' Of course they are all Government instrumentalities. That person could not sell his house until those services were connected. He was on credit, which meant that every month he failed to sell that house—

The Hon. Peter Duncan: Where was the house? Was it at Coober Pedy West? How could he not get Government services?

Mr BAKER: That is a brilliant comment from the member for Elizabeth. If he talks to the Master Builders Association or the Housing Industry Association, they can identify at least 50 houses which are completed on the ground but have not yet had these services supplied. If the member does not believe me, why does he not go and find out? Perhaps he can actually assist them and convince some of his own Ministers that they should get their act together.

Mr Mathwin interjecting:

Mr BAKER: He has a lot of influence. If he wants to check this out, and assist small business. I ask that he go along to the organisations concerned, find out where the problems are and then go back and tell the Minister of Water Resources and the Minister of Mines and Energy that there is a problem here, because they do not seem to want to do anything about it. If business is to operate in this State, it has to be serviced properly by Government. Another example at a local government level relates to the signs policy. I know of a council that has suddenly stated it is going to introduce a whole range of measures relating to signs. The council is dictating how large a sign can be placed on a delicatessen. It has taken away the right to advertise, even in an aesthetically pleasing way. How does that assist small business? Of course, they charge people, because they have to put in an application to have a sign.

I received a phone call today from a person who wished to develop a tulip farm and who is stymied by Federal Government regulations as to the number of tulips he can bring into the country. This is just a small selection of the people who have come to my office, some of whom I have been able to assist and others whom I have not. Every member, I would imagine, who has the confidence of the electorate, has the same difficulty. I am sure that there are a number of small businessmen who have gone to the member for Albert Park and said that they have a problem and could he help them out. How many members of the House identify a problem and find that it relates back to the Government?

If we can say that we are going to assist these people, we will do far more than set up a Small Business Corporation and will do far more than they could expect through the Small Business Corporation. I conclude on the note that this measure has support from the point of view that it does set up a centrepiece for small business. We would have done this somewhat differently. I agree that the Government has a mandate to do this. I just ask that, when the Small Business Corporation does set up and when small business men come to that Corporation and explain the difficulties they have with Government, that Corporation feeds information back into the Government system and tries to fix up some of the problems that these people are facing out there on the ground.

Mr HAMILTON (Albert Park): I welcome the opportunity to speak in this debate. From the outset I declare my support for the Bill. It is quite clear that this Government has been given a mandate to implement this policy. Labor Party policy is one of continuing support for small business, as stated in our pre-election promises and also in the Governor's 1983 Speech to members of this Parliament. I found it rather interesting, when listening to some of the contributions made by members opposite tonight, to hear what they had to say about the deficit that this State has. It may be that my memory is not the best. However, I do think it is very good in some respects. I listen to repeated requests from members opposite, particularly the Leader and the Deputy Leader of the Opposition and their shadow Ministers, for money for this, money for that, money for something else, requests for tens of millions of dollars, coming from the Opposition benches, yet members opposite then criticise this Government for having a deficit. Their requests and following comments are typical crocodile tears. They care not about the deficit in this State. All they are concerned about is trying to bring down a Government, reduce business confidence, and preach the doom and gloom that we heard for three years leading up to the 1979 election and are now starting to wear again.

Let members opposite get out in the business community and talk to people. It is very good to read in the media that a previous Prime Minister of this country, Billy McMahon, says that Hawke is great for business recovery in this country. That is something that members opposite do not deny and we know that, coupled with the Hawke and Bannon Governments, small business is getting a better go in this State—there is no doubt about that. I will refer to some of the articles. Maybe Mr Schrape, for example, is wrong in his comments made late last year when the full centre spread of the *News* read 'Let's back South Australia'. Obviously members opposite have not read this article. There were also the headlines 'Rapid progress on road to recovery' and 'South Australia leads way to recovery' on 17 October 1983. Let them read the editorials. They do not want to do that. Let us have a look at what this Government has done in terms of assisting small business people.

Our housing policy, for example, has resulted in hundreds of millions of dollars being poured into this State to assist the housing industry and associated industries, which have benefited from that. Of course, small business has been affected by that. The member for Todd laughs because he does not believe that there are small businesses in the housing industry. He has a lot to learn obviously from many of those small people involved in those particular industries and the associated effect they have on all those facilities needed to make up a home unit. We all know what is required in the whitegoods industry and how that industry has been affected by the upsurge in the manufacturing sector. They have been delighted by the increase in sales.

There is no doubt that this Bannon Labor Government has greatly assisted small business people. I was pleased to hear the comment from the member for Mitcham when he spoke about the amount of work that I do in my electorate amongst small business people. I know that members opposite, whether they are prepared to admit it or not, know that I get out amongst the 400 people in small businesses in my electorate and talk to and listen to them. If the member for Todd would listen he might learn a little bit. One can always learn from someone else and he should close his mind off.

Another matter that concerned me was the comments coming from the other side of the House in relation to doing away with industrial awards. It has become obvious during the period of time that I have been in this Parliament

that there is a lack of knowledge of the Conciliation and Arbitration Act. If one looks at the amount of time lost through industrial disputes for the 12 months ending July 1983, only 114 working days were lost per 1 000 employees in South Australia, compared to the national average of 289. The figure in Queensland is 492. It is obvious to me which State has the best industrial record. That is attributable to the knowledge of people on this side of the House who understand and have the confidence of the trade union movement. That is reflected quite clearly in the reduction in the number of disputes within the trade union movement and industries across this State.

There is no doubt that the business community has seen and acknowledged what we are trying to do. For example, the Deputy Premier had the opportunity to go to New Zealand to look at the Workmens Compensation Act as part of a review of that Act to try to reduce its cost to industry. That is not acknowledged by members opposite. As much as they dislike it, they know damn well our knowledge and our desire to improve the workers' rights in this State, to assist small business in this State, is quite evident to any clear thinking and pragmatic person who looks at this Bill. I would like to conclude by referring to today's announcement about the project at West Lakes. There will be 270 jobs in this \$48 million project. I congratulate Peter and Marilyn Howe for their confidence in South Australia. It will be an enormous fillip, not only to the north-western suburbs and particularly the electorate of Albert Park, but also to those many people in that area who have been looking for work. It will assist the hospitality industry and also the sporting and recreational facilities available in the north-western suburbs. I have said repeatedly that Football Park and the rowing facility in this area are just two facilities of international standard. They should be properly exploited while at the same time taking into account the needs of residents in that area.

There is no doubt in my mind that the future of this area is great in terms of this industry and, indeed, for the developers and the management of this project. I can see more and more business houses benefiting from this project in the West Lakes area. The West Lakes area has had assistance from successive Governments over a period of many years going back to as early as 1969. I am absolutely delighted by what has taken place today. I was aware over 12 months ago of what Peter Howe was trying to do because he came into my office and explained the situation to me. Members opposite have a very short memory in relation to the tourism industry. If they go back and look at the announcements made since this Government has been returned to office, I believe they will be pleasantly surprised, as indeed have many people, particularly small business people in South Australia, by the amounts of money that have been poured into the tourism industry. I look forward to the success of this small business legislation. I know that more and more business people will be given the information coming from the finality of this Bill. One must express some concern as to how it will come out in that other House. Nevertheless, I wish this Bill a speedy passage and believe that it augurs well for our commitment and the future of small business here in South Australia.

Mr BECKER (Hanson): Any moves by any Government to encourage free enterprise in South Australia must be welcomed. It is a pleasure to hear that the members from the socialist Party and the central left, left of centre and sideways of centre, support small business and free enterprise in South Australia. There was a time under previous socialist Governments in this State when everything was done to kill off the initiatives of and encouragement for free enterprise. Let us remember that tonight we have a blow and a shift from the left to the centre left in supporting free

enterprise. We hope it continues because that is from where employment will come in the future. The member for Mawson again gave one of her awful inane speeches. It was quite an embarrassment to listen to someone who is so ignorant of the needs of free enterprise, not only in her area but also in the rest of South Australia. All she could talk about was bankruptcies. She made quite a play of bankruptcies for quite some time, particularly in her attempt to get into Parliament, almost as if she was gloating over the tragic situation of so many bankruptcies occurring. Bankruptcies have been occurring since time immemorial, some of them for tax dodging purposes. Perhaps she should contact the painters and dockers about this matter.

Members interjecting:

The DEPUTY SPEAKER: Order! I hope the member for Hanson will come back to matters pertaining to the Bill before the House

Mr BECKER: The legislation establishing this Corporation is not necessary. We presently have an organisation to cater for the needs of small business in South Australia. This legislation is a fulfilment of a Labor policy enunciated before the 1982 election. People conceived the idea that a Labor Government would do something good for free enterprise and particularly small business in South Australia. But it is only window dressing, and the legislation could well be misleading. I hope it is not, for the sake of those who need help, because it would be a cruel trick to play if the Government does not fulfil its promises. It will be extremely difficult to support small businesses in the way it has been promised, particularly having regard to some of the promises made this evening. The member for Henley Beach said that there are some 350 small businesses in his electorate, most of which employ two or three people.

Mr Ferguson: There are 336.

Mr BECKER: Yes. Unfortunately, one of the tragic areas in the honourable member's electorate is the Henley Square shopping centre where much has been done over the years to encourage small businesses, but because of geographic location small businesses do not seem to survive. If ever an area needed help it would be the Henley Square centre. But there has to be sufficient population and the right business to survive in any given area. I well remember a few years ago, when part of the Glenelg area was within my electorate the proposal by A.V. Jennings to establish the Bay Junction Shopping Centre. The project was eventually purchased by, I believe, the State Superannuation Fund. The developers spent some 18 months surveying the small businesses in that location and established businesses on Jetty Road and surrounding areas. That shopping centre has proved to be an unsuccessful venture. One must be careful when establishing such businesses. It all comes back to the Planning and Development Act, more than anything else.

The member for Henley Beach did not remind us of some of the large companies that operate within his electorate. The Target-Arrow Group would provide well over 100 jobs at its Fulham Gardens premises. Also, there is Rothman's on Grange Road, the shopping centre on Grange Road, where Coles is located or the Independent Grocers, on Findon Road at Kidman Park. There are many large businesses, warehouses, and organisations that employ many people in the area that he represents, people who are dependent on good business management and good business relations. These establishments have survived because of astute management. Mistakes have been made and there have been failures, but these ventures have been able to continue with their operations. Counselling alone does not solve all the problems; a business needs skilled management and good luck to be able to survive in today's business climate and that which has prevailed over the last few years.

More importantly, one needs the working capital necessary to first establish a business.

We have heard nothing from Government members in relation to service stations, the petrol resellers in South Australia. All members would well recall what has occurred in the past four or five years in that industry under the administration of both the Liberal Government and the current Government. No one has done anything to help those people. We all know what they need: there should be a fixed wholesale price for petrol to give the resellers a chance to make a fair and reasonable profit. This proposed small business authority will not achieve the result that those people want. I cannot see how it can do it. The Small Business Advisory Bureau is not the answer to the problems in the petrol resellers' area. Problems have arisen when people, particularly those in the later years of life, having suddenly found themselves unemployed, have taken their capital to establish a small business, some skilled and some semi-skilled. Some of those businesses have survived, but at least 50 per cent of them will not survive. That is the tragedy of the free enterprise system. We cannot guarantee everyone that no matter what industry, profession, or business, they go into they will survive. That is the uncertainty with the political scene and structure that applies today not only in South Australia but in the rest of the country and the world.

I well remember the supermarket at West Beach which had had approval from a previous Minister of Labor and Industry that enabled it to trade seven days a week from 9 a.m. to 9 p.m. Upon assuming office a new Minister wrote to the proprietor advising him that within a few days he would no longer be able to trade seven days a week from 9 a.m. to 9 p.m., he would have to trade normal hours. As a consequence, 114 young people lost their jobs as did 14 full time people.

We fought against that decision and got a nine month reprieve for that business, but 114 young people lost the opportunity to gain work experience and employment and the chance to support themselves while studying at the Institute of Technology or the university. Also, unfortunately, several full time jobs were lost by people of ages that made it extremely difficult for them to find employment.

Young people have a big problem getting their first job or their first start, but even bigger problems occur in regard to mature age people attempting to find employment when they suddenly find themselves out of work after working for perhaps one employer for 10, 20 or 30 years. The Small Business Advisory Bureau would have found that there is keen competition from other States in Australia to attract new businesses, and South Australia has not been without problems in that regard in the past. The members who have served on the Industries Development Committee would know very well the difficulties and decisions that have had to be faced. This legislation relies on the support of the IDC to investigate certain applications over \$30 000.

I can remember the battle that we took on to try to save Golden Breed, as well as many other companies which had established operations in the industrial complexes to the south and to the north of Adelaide. At one stage the Government backed a ceramic tile manufacturer to the tune of \$3 million, but before the first perfect tile was made it went bankrupt. On another occasion a Government guarantee was sought and granted to someone who sought to purchase an oil drilling rig worth \$1.5 million or \$1.6 million, and the person involved put down \$10 000 deposit. What a gamble! But it was a gamble that paid off, and has resulted in a very successful drilling firm for South Australia. Many benefits have been derived from the Government's support through the Industries Development Committee in helping

those who have good ideas but who lack the working capital to succeed.

That was always the dream of Sir Thomas Playford: if one has a good idea, a good concept which will create employment, and it is in the interests of the State, then the Government should take it up and support the establishment of those businesses. The role of this authority will be as a lender or financier of a last resort. An applicant will have to approach a bank or business house at least one or two (perhaps sometimes three) times, and if the application for capital is refused, that person will then have to come to the authority and apply for a Government guarantee. Through the Development Corporation there was the situation of Government guarantees, debentures and shares. Whilst the South Australian Development Corporation did not have a good track record, it was a lender of last resort and took terrible risks to save a number of jobs over a number of years, some of which paid off quite well in the long term but, in the short term, there were losses. The Riverland cannery is one example, and the huge debts created in that cannery will have to be written off. There is no way that anyone could ever trade out of that situation.

The Hon. B.C. Eastick: A bit like Rare Earth.

Mr BECKER: Yes: the plunge is taken, and if it does not come off, then it has to be written off. It is an awful way of dealing with taxpayers' money but if one is to create and protect jobs and arrive at a principal scheme as we envisage under this legislation one has to take risks. The Industries Development Committee supported the Coalyard Restaurant, which still survives. It is an interesting story and I will not vouch for what was said in the book *It's Grossly Improper*, but that demonstrates the type of applications that we receive from time to time. There is also the industrial complex at Salisbury that has survived and not only employed people to support the local retailing market but also: the export market, and that is the area we want to get into; to be able to manufacture and export.

One case that comes to mind when we were in Government is the manufacture of safety sporting equipment, south of the city, by a firm called Fox Sportswear which manufactured fire protection clothing for racing car drivers, motor cyclists and moto-cross riders. The company and its product were so successful that Vern Schuppan wore it a few years ago on the international circuit in Europe, where he received many inquiries from international racing drivers. He helped to promote this firm overseas. He is a gentleman we are very proud of, he won the Monte Carlo rally last year, and we hope he will continue to support and represent South Australia in publicising this State when he is overseas again this year.

Motor cycle and moto-cross riders were permitted to wear the Fox Sportswear product in every State of Australia except South Australia, as well as in New Zealand and America. However, that firm could not obtain approval from the Auto Cycle Union in South Australia. We went along to the Small Business Advisory Group (I think it was Lincoln Rowe) and representations were made to see whether the group could approach the controlling authority of motor cycle sport in this State to obtain approval and have the safety standards accepted, because it had met safety standards around the world. Finally, approval was given, but the whole story is that Fox Sportswear, whilst employing about 20 young South Australians, had been approached on numerous occasions to transfer the factory lock stock and barrel to a location out of Melbourne. The Victorian authority found out about the problems being experienced in South Australia, which were not of the Government's making, and was prepared to do anything to encourage a new industry to be established in the heart of its local market. It was prepared to do anything to take that company away from

South Australia. It was a very simple approach and request, and a Government authority was able to sort the problem out, and we saved that company for South Australia, and it is now doing very well.

Last Thursday, the Premier opened the Independent Grocers warehouse at Plympton North, in my electorate, a \$6 million project. It is encouraging to see organisations such as that able to expand and develop with their own capital. I am not critical of what the Government is trying to do, because I want to do all I can to instill confidence in the small business sector as well as the free enterprise system in this State. It employs 60 per cent of the people of South Australia and it will be the first sector of our community that will recover quickly and afford employment opportunities. When in Government we instituted pay-roll tax exemptions and so we did what we could, and I believe that created many hundreds of permanent jobs. It was well received. The employment programmes mentioned involve \$77 million, and only a part of that has been allocated or expended. I do not mind that amount of money going towards employment creation schemes, provided that they are permanent employment projects that will give community organisations the chance to employ someone so that they can become viable and self-generating. Unfortunately, too many are used for political purposes.

There are three main clauses of the Bill. Clauses 13 and 14 deal with the process and the authority, and give the real authority to the Corporation. The second reading explanation states:

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

Certainly this was the experience when I was a member of the Industries Development Committee, but it does not tell prospective applicants that, if they apply for this type of support funding, everything will be laid before the committee and the Government and one is tied up lock, stock and barrel when it comes to supporting these guarantees.

One might not have much equity, but the Government will insist on having every remaining bit of equity one has, say, in household property or personal effects. It will insist on personal business insurance in case something happens to the proprietor. Honestly, the demands and expectations that are made by the Government and have been made in the past to persons seeking support are frightful.

I think it is wrong for the Government to offer a guarantee, to say it will give this and that, and then for it to turn around and, in terms of some of the worst lending institutions in the State, take one and tie one up for everything one has. So, if the venture does go bad a person loses everything. I do not think that should be the idea of it at all. I do not think a person's dignity has to be taken away. If someone has a good idea and there is a chance that it is viable, that it will create employment, that person should be given financial support by way of a grant to try to prove the project's worth. If the department or authority does its homework it is in the authority's interest to make sure that the project succeeds because it is supporting it.

But, as I said, it is not right to tie up a person to such an extent as has happened in the past. If the Government is to insist on doing that one may as well forget all about it, because this is what the money lenders and banks do. Why go to the Government where there is the risk that all this

information is placed before this gigantic bureaucracy? I have seen it happen. There is only one real way to help small business or any new business or viable scheme and that is to provide long term low interest loans. If the Government was genuine, this is what it would do.

The State Government cannot do it in South Australia. It would have to come from the Federal Government, which can unlock funds held by the Reserve Bank. The trading banks in this country must lodge with the Reserve Bank a certain percentage of their deposits as a statutory reserve. Those deposits earn very low interest. At one stage it was about 1 per cent and it is probably about 2 per cent today. But, the Federal Government (through the agency of the Reserve Bank) is the receiver of millions of dollars of very low interest money. If the Federal Government was genuine, and if the State Government Treasurers all got together and put some clout on to the Federal Government, I believe they should ask for some of those funds to come back to the State at around 3 or 4 per cent. Then I believe no-one would complain about it.

But, certainly under the scheme and under the proposal for this authority, no-one will be able to afford cheap money. Probably in most cases they will be paying 0.5 per cent or more above the normal commercial rate. That will not help any business at all. If we could give them interest free loans, better still, but certainly let us look at the scheme in relation to the moneys held by the Reserve Bank in its statutory fund. I hope that the Treasurer will talk to his counterparts in all the other States, go to the Prime Minister and Federal Treasurer and say, 'We want a slice of the statutory reserve funds lodged with you by the banks. We want to use that to start new business ventures and small business so that we can lend it out at about 4 per cent.' It could be done. The Federal Government would cover handling costs. I do not think it is paying any more than about 2 per cent for those funds.

The other area about which I was disappointed recently relates to a constituent of mine who has a motel which he wanted to expand to make it easily viable, and to add a restaurant. He had been to the various financial institutions and could not get all the money he wanted. He was several thousand dollars short. He went to the Government for Government guarantees and support and the only reason he could not get the money was because the Government does not support, through the Industries Development Committee, motel projects. The excuse was that if he was given support all the other motels would come forward and seek the same sort of assistance.

We have heard so much, particularly from the member for Coles and the Minister of Tourism, that the growing labour intensive industry in this country at present is tourism. Surely this Government and any other Government would want to encourage hotel and motel development. It is tremendous to think that in the Albert Park electorate of West Lakes there will be a new hotel project. I do not think the Chappells will be too happy. But at least somebody is prepared to spend \$8 million and create 100-odd jobs. We do not know how many full time jobs it will create, but certainly there will be many jobs created.

So, what chance has small business got to expand and develop in this State if the Government cannot really give it what it wants; that is, ample working capital at long-term low interest? It is no good having advisers and theorists. Theories do not sell businesses or products, even though they may help in the management of business. It is in this State's interest to encourage the people to come up with ideas. It is in South Australia's interest to encourage small business and the development of ideas.

The motor car started from a small project. The Bell Corporation is the largest telephone company in the world,

but it started from a little idea and a small business. For every 10 businesses that start, possibly only one or two will survive and grow into large corporations or organisations. It is worth the risk and the gamble, and it is worth the encouragement to give to the people of this State the opportunity to prosper in this area. I hope that we will see the true and rightful direction that this authority will be given to encourage that support.

Mr OSWALD (Morphett): I support the Bill, but I must say how I doubt the sincerity and motivation of speakers from the Government back bench. Clearly, if we are not going to have a Small Business Advisory Bureau, then it must be replaced with something that will provide similar advice to small business, particularly people in business who are about to set up and who need expert advice on finance, on methods of setting up business, interviewing staff, and all those minor matters that still have to be addressed.

The Government has a mandate for this piece of legislation and the Opposition will not oppose the Bill. However, I will be supporting several of the amendments that were put forward and telegraphed by the Leader of the Opposition. My doubting of the sincerity of ALP speakers goes back to about 1980, when it suddenly became popular, even fashionable, for the then Leader of the Opposition (now the Premier) and his supporting speakers to become very pro business. It was very noticeable in 1980 to members then in the House that it was suddenly the done thing for the then Labor Opposition to be very pro small business.

At every opportunity Labor Opposition members got up and sang the praises of their policy towards small business. Unfortunately (I should say 'unfortunately for small business'), the Bannon Government, when elected, continued its oratory in support of small business, on the one hand, while, on the other hand, it belted small business savagely with increased taxes and charges. That accusation is an historic fact now and one that cannot be denied by any Government speaker. In this Bill the Government is simply reconstituting the Small Business Advisory Bureau into a statutory body as the Labor Party's contribution to small business development in this State.

Unfortunately, I have not yet been able to detect anything else that the Australian Labor Party has been doing towards helping small business. I put to the Government through you, Sir, that there are many other ways in which the Government can be far more effective in assisting small business, and I will come to those propositions later. First, let us consider the proposal before the House. The objectives of any advisory body, whether it be a statutory body or a Government run body in the form of a department or whatever, is to promote and encourage a prosperous small business sector. It does this by providing appropriate advice and assistance to persons who have the flair, expertise and enthusiasm to go out in this world, put up some risk capital, and try to set up a business and make it work.

It has also the job of providing assistance to existing businesses which have the potential to expand and diversify into other markets. The Minister's second reading explanation refers to major initiatives empowered in the Bill. He stated:

Major initiatives empowered by this Bill include the upgrading and expansion of advisory and counselling services;

That is a vital part of the Bill and one which I support. I supported it in the former concept of the Advisory Bureau and to see it developed in the Corporation is desirable. The Premier continues:

the co-ordination, promotion and possible conduct of training and educational programmes for small business management;

That is also a vital part of the Small Business Advisory Bureau and the Corporation. The Premier continues:

and the provision of financial assistance to small business by way of grants or loan guarantees to enhance the efficiency of a small business operation.

Once again, that is a vital role for the Corporation to play. I also raise the desires raised by the member for Hanson, extremely eloquently, namely, the need to provide finance at the right interest rate—a competitive interest rate—and also a need to provide finance in industries such as the tourist industry which has extraordinary difficulty at times getting money from banks because of being able to put up certain guarantees. The Minister's explanation continues:

The Corporation also will perform an important advocacy role and will monitor the impact on small business of all new legislation and regulations.

I am pleased to see that there is some provision that will monitor new legislation and regulations and consider what impact those regulations will have on small business. The Tonkin Government went to extraordinary lengths with its Deregulation Unit, and I will come back to this shortly. However, under the Tonkin Government a Deregulation Unit was set up with one purpose in mind: to get Government off the backs of small businesses. These roles, in the second reading explanation to which I have just referred, are fine, but they are quite capable of being carried out by the Small Business Advisory Bureau under a Government and a Minister who are sympathetic to the needs of small businesses, rather than a Government whose only interest in supporting small business is because it sees the private sector's ability to create jobs and provide profits from which the Government, through direct and indirect taxation, can cream off money to fund its socialist programmes.

That is theoretical politics, but it is a fact of life that the ALP consistently has shown its interest in small business not only as a means of creating jobs but as a means or source of direct and indirect taxation to fund its programmes. Without that source of taxation from the private sector it could not survive, because Governments cannot print money. We all know that; they can only spend the money that they get, and the only source of money is the private sector. I see smiles on the faces of certain members opposite with trade union backgrounds because this has been the theory under which they have operated all their working lives. I do not blame them for that; it is a political philosophy that they have grown up with, but it is not mine nor that of those who have been involved in small business enterprises in their business and working lives.

I will look at some of the comments in the report of the Working Party into Small Business, dated August 1983. Members will find when we go through a few paragraphs that even this working party was split down the centre on the value of the Small Business Corporation. On page 58, under the heading, 'Small Business Corporation', and under 'The Need' it says:

The Working Party is confident that a statutory authority is the most appropriate organisational structure to give effect to the Government's small business policy. Three alternative administrative frameworks were considered:

- (i) An upgrading of the existing Small Business Advisory Bureau, with the Manager of the Bureau responsible to the Director of State Development;
- (ii) The establishment of an autonomous Small Business 'Department'...

with a Minister that could follow the lines of Victoria or other States where they have a Minister of Small Business. Then comes the third alternative:

(iii) A limited liability company funded from General Revenue (based on the Western Australian model).

All three proposals have distinct disadvantages in comparison with a statutory authority. The first two proposals do not overcome

the major deficiencies of the existing Bureau, and the third has no particular advantage compared with a statutory authority.

At that stage the authors of this report are saying that they support the formation of the Corporation as against the idea of having an advisory bureau or an autonomous small business department. However, when we go over the page we find that the author goes on:

The success or otherwise of the recommended initiatives will depend upon the establishment of a visible, vital organisation, highlighting itself as a caring, empathetic, and highly professional service, at arm's length from the Government.

Fair enough, but then the report states:

However, the Working Party wishes to emphasise that establishing a statutory authority is potentially a two edged sword.

This was not mentioned in the second reading explanation by the Premier. It goes on:

Whilst the Working Party is adamant that a statutory authority is the most appropriate vehicle to give effect to the Working Party's recommendations, a statutory authority is also likely to bring with it greater expectations as to what can be achieved.

That can be a real concern. It is no good going into this exercise where people have great expectations of the Corporation that will not be delivered. It goes on:

And of course, there is no inherent reason to expect a statutory authority *per se* to be more effective than a Government department or a division of a department.

There is the contradiction. Earlier it was speaking in favour of the Corporation, and here on the next page we have:

And of course there is no inherent reason to expect a statutory authority *per se* to be more effective than a Government department or a division of a department. Therefore, unless the Government is able to make resources available to enable the Corporation to implement the programs and carry out the functions, recommended by the Working Party, the Government is likely to attract criticism that the Corporation is nothing but a sham.

So, quite clearly, the authors of the Working Party into Small Business are very apprehensive about a corporation. They see it as a two edged weapon. It concludes:

Indeed, the Working Party believes that unless the setting up of a statutory authority can be accompanied by a significant expansion in the assistance and services offered to a small business, a statutory authority is not warranted.

That is quite clear. Unless it can deliver the goods it is not warranted. What we question is the fact that the existing advisory bureau, under careful Ministerial guidance from a Minister who is pro-small business and understands small business, can in actual fact make a great success of that particular Ministry. As I said earlier, the best way that a socialist Government such as the Bannon Government can help small business is to get out of their way, get off their backs, by providing immediate relief from State taxes, State charges, penalty rates, licence fees, and so on. It should do something positive about the exorbitant unit cost of labour which at the moment is costing South Australians jobs. It is an enormous impost on the gross turnover from business.

The bottom line is a small net profit which, when equated to the members of staff, ultimately results in staff being dropped off. It is a real problem that the Government seems to have turned a blind eye to. However, it is a problem that does exist. The Government can also assist by removing a clause from its small business policy in which it encourages the establishment of employee and State owned enterprises designed to compete with the private sector. I refer to a booklet entitled 'Small Business—Growth Sector for the 80s', which is signed by John Bannon as Leader of the South Australian Parliamentary Labor Party and dated October 1982. This was the policy for the last election and at page 26 it states:

A Bannon Labor Government will encourage the establishment of more employee-owned enterprises in South Australia through the application of co-operative principles, employees share ownership and other acceptable arrangements.

That is a very vague, blanket expression. It refers to 'other acceptable arrangements'. That leaves the way clear for a policy of State ownership through Government sponsorship.

I cast members' minds back to the old days of the Frozen Food Factory and the clothing factory and other Government fores into the private sector. It was a disaster for the taxpayers who put up the money. Nevertheless, that policy still exists in the policy speech of 1982 where the Bannon Government, once again as a matter of policy, is preparing itself to move into the public sector. That would be a total and utter disaster for the small business sector in the community. I will tell the Government why the Australian Labor Party can never claim to command the confidence and respect of the business community and those men and women who are employees within the private sector.

The DEPUTY SPEAKER: Order! I think it might be better if some honourable members sat down.

Mr OSWALD: The reason for this is quite philosophical and is clearly reflected in the small business policy of the Australian Labor Party—either one is a Socialist and believes in those principles, or one does not. I know that some members opposite claim to be only democratic Socialists and, as such, they talk about a mixed economy. I know that members opposite really believe that we should have a mixed economy, that public and private sectors should share in that economy and in the turnover of cash as it flows through. Unfortunately for South Australia there are too many members of the left wing in the Australian Labor Party, both in the Parliamentary ranks and also around at Trades Hall, who do not carry the democratic socialism tag and who proudly claim the radical left wing guernsey—the progressives that we have been reading about in the papers.

It causes great concern to people in the business community when they hear members opposite speak on small business, knowing their backgrounds and political philosophies. It is a fact of life that Labor policies stop well short of total commitment to private enterprise, and that the further to the left one is in Labor Party politics the less committed one is to supporting the private sector. It is very nice for members opposite to pay lip service on this matter. If members opposite are embarrassed by what I am saying, I can understand why. Those whose politics are to the left would agree with what I am saying. Those on the middle ground would be embarrassed because what I am saying is true.

Ms Lenehan interjecting:

Mr OSWALD: I would not expect the member for Mawson to do anything other than react, because her politics are so far to the left that it does not matter. However, I am rather curious that other members opposite are reacting in the way they are doing. There is no way that the progressive left, which now controls the Labor Party in South Australia will give its unequivocal support to the essential role of private enterprise in our community. The member for Brighton is laughing, although I do not know that her background is such that she should laugh at an issue such as this. I do not see any reason why the progressive left would make a commitment to smaller government, backed by the elimination of unnecessary agencies and duplicated agency functions. They are not interested in that sort of thing. Also, I do not know that the progressive left would endorse with any certainty, or show any consistencies in the future towards, policies that apply today.

The DEPUTY SPEAKER: Order! The Chair is finding it extremely difficult to link up the honourable member's remarks to the Bill.

Mr OSWALD: I will do so in a moment. Unless that is done business men today cannot make financial commitments that they know can be used as a planning base in the future. These matters involve the impact of Labor Party

policy on small businesses in this State. Many business men in the community are apprehensive about these matters. Government members spoke tonight at great length in praise of the Small Business Corporation and about what they are doing for small business in South Australia. All the Labor Party has done is formulate legislation to promote small business through a Corporation; it has done nothing to provide relief to small business men in real need due to the savage attacks which have been made on small business in the past 12 months by way of increased taxes and charges. Small business could be helped far more if the Government reversed its high taxation, big government policies and reverted to Liberal Government policies involving lower taxation and smaller government. Small business would then get some genuine relief. Small business does not have a show if the Government continues to proceed down the track that it is taking now. I am sorry if I am embarrassing members opposite.

Members interjecting:

Mr OSWALD: Members opposite can laugh; I know that they laugh when a chord is struck. However, history shows the Labor Party's performance up until 1979, and history will show the effects of its performance from 1982 onwards, resulting from big government and big taxation. In 12 months time the deficit will have blown out further.

Mr Trainer: Have a look at the Gallup poll.

The DEPUTY SPEAKER: Order!

Mr OSWALD: It would not hurt to mention to the House the impact that the Deregulation Unit had under the Tonkin Administration. In the Bill I notice that one of the roles of the Corporation is to oversee any effect that future legislation will have on the viability of small business. The charter of the Deregulation Unit was as follows:

- (a) Sweep away unnecessary or duplicatory bureaucracy and requirements;
- (b) Remove redundant regulations;
- (c) Substitute standards as to the end result (known as performance standards) in place of detailed regulations and requirements which now specify how the result should be achieved;
- (d) Reduce paper work to the essential minimum;
- (e) Negotiate with the Commonwealth to avoid overlapping returns;
- (f) Eliminate governmental delays to the greatest practicable degree;
- (g) Ensure that statistical data and assessments drawn from returns to Government are readily available to assist business;
- (h) Create the confidence that Government exists to assist rather than control.

If those principles can be incorporated and executed by the Corporation, that will be tremendous. I submit that, with the way the Tonkin Government set it up, with the Deregulation Unit administering those principles and the Small Business Advisory Bureau operating as it was, we could achieve the same aim, and superimposed upon that, is a policy of small Government taxation where we will get away from much of the small business and let the entrepreneurs who know how to run small business have a free hand without interference by the democratic socialists who are hell bent on getting control of small business. The socialists want to gain control of it and get the public sector to move into the private sector. The problem is that eventually they will choke the goose that laid the golden egg. There will be less businesses producing turnover and less taxation to cream off.

I refer now to a press release that came out on 7 December from the Chamber of Commerce. It was put out by Mr M. Deare, who is the Trade Development Manager for the Chamber of Commerce. It will give some indication of employer reaction to the question of Labor Party policies which are affecting the State. The release states: take in quote on galley proofs.

Small business, 'well on the road to recovery under the previous State Government,' is being impeded by the Bannion Government according to the Chamber of Commerce and Industry . . . 'There are too many unnecessary and unreasonable regulations and rules applying to the small businesses' he said. Many regulations were out of date and did not apply to businesses operating today. 'The former Government established a deregulation unit with the aim of removing obsolete and unnecessary regulations. It was disbanded following the election of the Bannion Government in March.' The Premier, Mr Bannion, said no moves would be made to re-establish the unit. The unit was disbanded because its work and 'no tangible benefits and was a waste of scarce resources.'

My personal feeling is that it is scandalous that the Deregulation Unit was removed. I sincerely hope that the Corporation does include all its aims and ideals in its charter. With the disbandment of the Small Business Advisory Bureau, the Corporation has to succeed. It has to succeed, for the benefit of those potential business men and those already with businesses who are in need of help and advice, financial assistance and sometimes moral support when their businesses are in trouble. They need to sit down with someone who has a lot of knowledge and background in business and who can do a lot to bring that businessman back onto the road to recovery.

In the interest of small business, I hope the Corporation will be successful. We will watch with great interest. I am not sure that it is the right track to follow as the Small Business Advisory Bureau could have achieved the same aim under a Government with different taxation and charges policies. In the interests of small business, I do wish the Corporation success in the future, and I hope sincerely that it will succeed.

Mr PETERSON (Semaphore): I rise to support the legislation. Anything to help small business in this State must be supported, but this legislation probably will not have the effect that many people expect of it. A company will have to be on its knees before it obtains assistance from the Small Business Corporation but still, it is there, and there is that chance of raising money. Comments from both sides have been varied, and it is difficult to pick who is supporting what. The comment about additional State costs adding to the costs of business is logical. We know in daily life that State taxes have increased costs. There has also been no clear definition of small business, and I suppose that it is impossible to define. I assume that most people were speaking of small business men in retail trade shops, but that is not the only type of small business.

The functions of the Corporation in the Bill are to provide advice to persons, to promote awareness of the value of proper management, to disseminate information, to monitor the effect of the policies and practices of Government, which would probably be taken up fairly quickly, and to consult and co-operate with persons and bodies representative of small business and where appropriate represent their views to the Government, which is exactly what any small business organisation should do. It is an important part of our economy, and I do not believe their voice is heard often enough in our policy-making forum. The Premier in his explanation commented that this Bill fulfils a major commitment of the Government to actively encourage the development of small business, and that the Small Business Corporation will be directed to increase the number of viable small businesses. He also said that our economic future depends on strong partnership between private and public enterprise, and the private business sector. Previous speakers spoke of the need for assistance to business, and I agree with the member for Hanson, who referred to statutory reserve deposits being a source of funds. I do not believe States or any small group within a State can fund these small businesses. He referred also to the small petrol resellers

who have been faced with many problems. This is not the only way we can help small business. There are many ways in which it could be done, and one is a realistic look at shop trading hours for various businesses, looking at the public's access to the business and how it will affect their viability. That problem has not been approached in a realistic way. On several occasions I have raised in this House the situation of a furniture retailer in my electorate who has been driven to his knees because of a change in shop trading hours. Another way to support small business as a State is to purchase goods from it. We do not do that enough. I also raised in this House the matter of the boat-building industry where, at a meeting of boat builders, representatives from two major Government departments told those boat builders that they would not buy their boats.

That is not the way to run a business and I believe that we must support our industries. I have referred to major developmental projects in this State that contract out of the State for the materials required, and in particular I mentioned a metal treatment firm that carried out work for a Victorian firm which obtained the contract. Only the other day I talked to a person from an engineering firm who told me that he had been contacted by a contractor on the Continent to do a job in South Australia. That is stupid, senseless and a waste. If a South Australian firm can do the work, we should keep the jobs here. We are not supporting industry in this State. There is no Government organisation to look after the interests of State business. We must consider assistance for small business.

I heard one honourable member refer to people who have received offers to take their business interstate, and I know of several people who have received offers from the Queensland Government to take their business to that State. If we do not support industry, it will leave the State, and jobs will go too. I understand that the Premier spoke today (or yesterday) with major defence people about the submarine project. Obviously, that is not a small project and it will

affect business in this State. The point was made to me today that we are talking about building submarines, which must be considered as the most sophisticated naval vessels in the world today. We have heard the Minister of Marine talk about building the *Philanderer III* at Eglo, and the *Troubridge* replacement. They are obviously big and complicated jobs, and I pray that they are undertaken in this State—

The Hon. B.C. Eastick: Whom do you expect to answer your prayer?

Mr PETERSON: I usually answer my own prayers. I hope that that work comes here, because Eglo is in my district. These projects will mean a lot of work for my district, for Port Adelaide, and for South Australia, and that is important. The point was made to me that we are promoting the State in relation to building submarines, and replacements for the *Troubridge* and the *Philanderer III* but only the other week we told the rest of the world that we could not build a 70-foot aluminium yacht. If we can do it, let us do it, but if we cannot do it, let us say that we cannot. We should tell the rest of the world what we can do. If the State Government does not support industry and if industries fail because of the lack of practical support from the Government in the form of orders and work, it is no good having a measure such as this. One has to go on one's knees to get anything out of this legislation. Let us support our own industries. Let our Government support our State industries.

Mr LEWIS (Mallee): At 1.5 a.m. I now have some insight into the meaning of the term 'early sittings'. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

ADJOURNMENT

At 1.5 a.m. the House adjourned until Thursday 29 March at 10.30 a.m.