HOUSE OF ASSEMBLY

Tuesday 8 May 1984

The SPEAKER (Hon. T.M. McRae) took the Chair at 2 p.m. and read prayers.

ASSENT TO BILLS

His Excellency the Governor, by message, intimated his assent to the following Bills:

Gas Act Amendment,
Health Act Amendment,
Industrial Conciliation and Arbitration Act Amendment (No. 4),
Planning Act Amendment,
Planning Act Amendment, 1984,
Renmark Irrigation Trust Act Amendment,
Road Traffic Act Amendment (No. 2), 1984
Sewerage Act Amendment,
Small Business Corporation of South Australia,
Waterworks Act Amendment.

PETITIONS: WATER QUALITY

Petitions signed by 459 residents of South Australia praying that the House urge the Minister of Water Resources to upgrade the quality of water supplied to residences in the Adelaide Hills, establish a water filtration plant to serve this area and, until this occurs, reduce the rates charged for unfiltered water were presented by the Hon. E. R. Goldsworthy and Mr Evans.

Petitions received.

PETITION: MILLIPEDES

A petition signed by 313 residents of South Australia praying that the House urge the Government to provide more money to research the biological control of millipedes, release the report of Dr Geoff Baker, and ensure that supplies of pesticide for the control of millipedes are readily available was presented by Mr Evans.

Petition received.

PETITION: CARRIETON POWER SUPPLY

A petition signed by 58 residents of Carrieton praying that the House provide for the reliable supply of electricity to Carrieton was presented by Mr Gunn.

Petition received.

PETITIONS: PORNOGRAPHIC MATERIAL

Petitions signed by 200 residents of South Australia praying that the House urge the Government to withdraw pornographic material from prisons were presented by the Hons. Michael Wilson and D.C. Wotton.

Petitions received.

PETITION: TEACHERS

A petition signed by 36 members of the school community of Uraidla Primary School praying that the House urge the Government to convert all contract teaching positions to permanent positions; establish a permanent pool of relieving staff; improve the conditions of contract teachers, and improve the rights and conditions of permanent teachers placed in temporary vacancies was presented by the Hon. E.R. Goldsworthy.

Petition received.

PETITION: KINGSTON COAL MINING

A petition signed by 104 residents of South Australia praying that the House urge the Government to oppose coal mining at Kingston until guarantees are made that the venture and associated works will not endanger the ground water resources of the South-East was presented by Mr Rodda.

Petition received.

QUESTIONS

The SPEAKER: I direct that the following written answers to questions on the Notice Paper, as detailed in the schedule that I now table, be distributed and printed in *Hansard:* Nos 278, 306, 310, 330 to 332, 334, 336 to 338, 343, 344, 361, 362, 374 to 376, 383, 418, 424, 431, 434, 436, 444, 446, 450, 451, 459, 460, 462 to 465, 469, 471, 483, 484, 487 to 490, 492, 494, 495, 498, 502, 514, 515, 522, 527, 531, and 532; and I direct that the following answers to questions without notice be distributed and printed in *Hansard.*

SALINITY CONFERENCE

In reply to the **Hon. P.B. ARNOLD** (28 March).

The Hon. J.C. BANNON: As I have explained previously, the Minister of Water Resources is very keen to have a water conservation campaign coincide with the Jubilee 150 celebrations. Such a campaign has been proposed by the Local Government Executive Committee of the Jubilee 150 Board. Before it can be endorsed, however, details of the proposal need to be developed further. I understand that the Executive Committee has been asked to provide those details.

With respect to the International Salinity Conference proposed by the honourable member, it is felt that it would be more narrowly based, involving technically oriented specialists and not the general community. Such a conference may, therefore, best be staged at an appropriate time, possibly by the River Murray Commission, with the support of all States and the Commonwealth. I understand that this matter was discussed by the River Murray Commission at its meeting in September 1983. It was resolved at that meeting that a conference of this nature would be a worthwhile exercise and that this matter would be discussed in more detail at a later date.

HAIRDRESSERS

In reply to **Ms LENEHAN** (10 April).

The Hon. G.J. CRAFTER: The Minister of Consumer Affairs is well aware that the Hairdressers Registration Act is in need of a comprehensive review. Several submissions have been received requesting that such a review be undertaken as a matter of urgency. The Minister is hopeful that the review can commence in June 1984, subject to adequate resources being available. In view of the anomaly which the honourable member has raised, the Minister is examining the possibility of correcting the anomaly by amendments to

the Hairdressers Registration Regulations as a matter of urgency.

SHOPPING CENTRE LEASES

In reply to **Mr GROOM** (5 April).

The Hon. J.C. BANNON: Whilst there would appear to be no legal impediment to the coupling of a power to assign with an express power to lease and embodying this power in the proposed Commercial Tenancies Bill, the real question is the inclination of lenders to leases as a form of security. I understand that the general policy of most financial institutions is to place no value on a lease of a shop or commercial premises. The call for greater access to finance generally comes from those purchasing existing businesses at too great a price, perhaps on too low a deposit, and with insufficient working capital and collateral. Consequently, at this stage there appears to be no advantage to be gained by including such a clause in the legislation.

PAPERS TABLED

The following papers were laid on the table:

By the Minister of Labour (Hon. J.D. Wright)—

Pursuant to Statute—

Industrial Relations Advisory Council—Report, 1983.

By the Chief Secretary (Hon. J.D. Wright)—

Pursuant to Statute—

Friendly Societies Act, 1919—Amendments to General Laws—

1. Manchester Unity,
2. Independent Order of Odd Fellows Grand Lodge of South Australia,
3. United Ancient Order of Druids Friendly Society,
4. National Health Services Association of South Australia.

By the Minister of Local Government (Hon. G.F. Keneally)—

Pursuant to Statute—

City of Elizabeth—By-law No. 10—Ice Cream and Produce Carts.

By the Minister of Mines and Energy (Hon. R.G. Payne)—

Pursuant to Statute—

Roxby Downs (Indenture Ratification) Act, 1982—Regulations—Borefield Road, Olympic Dam Project.

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

Pursuant to Statute—

Rules of Court—District Court—Fisheries Act, 1982—Review of Licence.

MINISTERIAL STATEMENT: PLANNING JUDGMENT

The Hon. D.J. HOPGOOD (Minister for Environment and Planning): I seek leave to make a statement.

Leave granted.

The Hon. D.J. HOPGOOD: I am pleased to announce to the House that the Full Court of the Supreme Court has today upheld the appeal by the South Australian Planning Commission in the Dorrestijn case which concerned illegal clearance of native vegetation on Kangaroo Island. In a majority decision, the court has confirmed the Government's interpretation of the 'existing use' provisions of the Planning Act. The key judgment, by Mr Justice Cox, makes it plain that 'development' in both rural and urban areas in South Australia requires planning approval. Many local councils and communities in this State will be pleased to know that the Planning Act does not confer unlimited rights of expansion of existing uses without proper planning consideration.

Members will recall that the Government moved in Parliament just before Easter to pass amending legislation to cover the situation, in case the Full Court's decision went against the Planning Commission. Sections 7 *(a)* and 7 *(ab)* of that amending Act would have suspended the 'existing use' provisions for a limited period, to safeguard the South Australian community's interest. In the light of the Supreme Court's decision, it will not be necessary to bring that section into operation. I can confirm that, in line with the undertaking given by the Government to this Parliament, section 7 of the amending Act will not be proclaimed.

The Government has acted decisively in the protection of what remains of this State's native vegetation. The Supreme Court's decision has upheld the validity of the native vegetation retention legislation. The judgment means that Mr Dorrestijn is restrained from further clearing without proper planning approval. The District Court will now reconsider the Planning Commission's application for a reinstatement order, which could require replanting of the illegally cleared land, or allow for natural regeneration of the area. It is fitting that the court's judgment precedes the winter/spring seasons, when South Australian climatic conditions are suitable for clearing, and those farmers wishing to clear should be aware of the Supreme Court's decision.

Mr Justice Cox found that, since most Australian native trees and plants are well adapted to fire, one would never say, 'That land has been cleared . . . when a fire has simply passed through the scrub.' The destruction by chaining or ripping, following scorching, is development requiring planning approval.

I know that all of those in our community, including most farmers, who are concerned for the preservation of our natural heritage, can take heart from this decision, which will mean that native vegetation is retained as part of that natural heritage for future generations.

LYELL McEWIN HEALTH SERVICE

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

Lyell McEwin Health Service (Redevelopment).

Ordered that report be printed.

QUESTION TIME

MARALINGA

Mr OLSEN: Will the Premier table in this House, if possible by Thursday, all unclassified documents in the possession of the South Australian Government relating to contamination of land in the Maralinga area by radioactive materials? I support the endeavours made to establish the truth of this matter. I seek this information in view of a number of public statements and certain media reports which suggest that it would be dangerous for members of the Yalata community to return to the Maralinga lands. I refer in particular to an article in this week's *National Times*, under the headline 'The terrible legacy of Maralinga', which deals at some length with the matter of contamination of the Maralinga lands by radioactive material and which states, in part:

South Australian Government plans to hand over the area to traditional Aboriginal owners will need to be reconciled with the

fact that significant areas contaminated by plutonium are not even fenced off.

The article is based on a report, known as the Pearce Report, prepared in 1968 by the United Kingdom Atomic Weapons Research Establishment, following a decontamination and closing down procedure at Maralinga undertaken by a British team. I understand that a copy of that report was in the possession of the Dunstan and Corcoran Governments for at least three years. It was obtained in 1976 by the former Minister of Mines and Energy, Mr Hudson. While the *National Times* report makes some alarming statements about the existence of plutonium contamination in the Maralinga area, it makes no reference at all to the comprehensive report by the Australian Ionising Radiation Advisory Council published in January 1979, entitled 'Radiological safety and future land use at the Maralinga Atomic Weapons Test Range'. That report was prepared with the assistance of officers of the South Australian Government departments made available for the purpose by the Dunstan Government. Among other things, it gives a significant amount of information about the activities at Maralinga in addition to the bomb testing. The report made findings in relation to radioactive contamination of the area and recommendations for the future management of the Maralinga range. The findings of the advisory council comprising eminent South Australian scientists do not support some of the more alarming comments made in the *National Times* report, particularly the following statement:

This means that visitors today can walk on areas without warning that may have dangerous levels of plutonium still in the topsoil.

In fact, the council found exposure to plutonium contamination in the soil or the atmosphere did not present any serious risk now, and that this risk would diminish in the future. The council also suggested that only very limited restrictions were needed to ensure safety, and I understand that these restrictions, including fencing and warning signs, have been established.

The question of burial in the area of other contaminated material has also been raised during the current public debate and, here again, it seems that information is available. For example, I refer to a letter written by the Yalata Community Incorporated to the Aboriginal Lands Trust, dated 27 July 1976. That letter referred to salvage operations being undertaken in the Maralinga area by the Yalata Community, and stated, in part:

We have found several detailed maps showing where the 'cemetery' areas are located, and are fully aware of the dangers in those areas. Some people have expressed concern from time to time that Aboriginals engaged in demolition work at Maralinga may inadvertently frequent the cemetery areas. We wish to assure you that the relevant areas have been pointed out to the Aboriginal workmen, and they are extremely anxious to keep well away from them.

There is a copy of that letter available if the Premier wishes it. These salvage operations were undertaken following negotiations between the Dunstan Government and Canberra for the further use of the Maralinga area. As part of those negotiations, begun in 1972, I understand that the then Government was given a considerable amount of information in relation to the burial of contaminated material.

The Opposition believes it is vitally important for all relevant information to be made available relating to the aftermath of nuclear testing activity at Maralinga, particularly in view of suggestions such as those in the *National Times* that it would be dangerous for members of the Yalata Community to return to the Maralinga lands. It is apparent that former Governments, in particular, the Dunstan Government, obtained a great deal of information about these activities which has not so far been made available, and that is why I ask the Premier whether any unclassified information of this nature in his Government's possession can be made available to the House at the earliest opportunity to assist public debate and understanding of this matter.

The Hon. J.C. BANNON: Certainly, I would like to oblige the House and I will see what can be done. Nothing that the Leader of the Opposition mentioned in the explanation of his question, in which he referred to a number of public documents, is news. The real question relates to how thorough were the salvage operations, how comprehensive were the identifying maps and, indeed, what extent of documentation is in the possession either of the South Australian or more particularly the Federal Governments to ensure that all available information held by the British authorities is in the public knowledge. That is the real problem and the real question that confronts us at the moment. On the one hand, one could argue certainly that there is considerable documentation that alludes to or relates in some way to the Maralinga operations in South Australia held by the State and, as members would be aware, there is a comprehensive attempt going on at the moment to collate and assess that. That is still under way and the extent to which I can table documents will depend on what we have, but I will certainly endeavour to do so.

Equally, it is apparent that in a number of areas where one would expect documentation to be available, it is not. This could mean that the State Government, at the time the Maralinga operations, tests and experiments were taking place, having simply handed over the land, took the view that this was a Federal responsibility and that the State's involvement or interest in it stopped at that point; or it could mean that there was such information, but that somehow it is no longer available.

That is a very hard question to answer. I am aware that there is some dissatisfaction also at the Federal level about the degree of information. I suspect again that we have a situation where, in the atmosphere and under the policies of the Menzies Government of the 1950s and the 1960s, the attitude was that we would simply lend ourselves to whatever defence purposes the British wanted to carry out, co-operate with them, and not ask too many questions.

Therefore, at the moment I am not in a position to say that we have all the information that is available. I believe that we must continue our search in an attempt to find it. Of course, there is later this month to be a further inspection of the area. I hope that the inspection this year, at which there will be State observers, can be conducted with a greater range of documentation and some greater thoroughness than has perhaps been the case in the past, or at least since the salvage operation of the late 1970s. That is the position at the moment. I will be glad to supply what documents it is possible to supply to the House. I recognise that the sooner they can be tabled before the House rises the better.

HOVE CROSSING

Mrs APPLEBY: Will the Minister of Transport give urgent consideration to the installation of a speed discriminator at the Hove railway crossing, on Brighton Road? Commuters using Brighton Road are being seriously disadvantaged at the Hove crossing by the time delay factor of 25 minutes a day. This situation has been a continual reason for complaint by constituents of Glenelg, Brighton and Mawson electorates, as I am sure my colleagues in this House would agree. On investigating this matter it appears that the cost of installation of a speed discriminator at the crossing would be $35 000 at non-contract price. A second cost that should be considered in this matter is the cost to commuters of such time delays. Cost benefits to the public in petrol and other commuter delay costs could be as high as $30 000 a year on a loss of

a 25 minute delay a day. I ask the Minister to treat this matter urgently in the light of concern expressed by the community, Brighton Council and my Parliamentary colleagues (the members for Mawson and Glenelg).

The Hon. R.K. ABBOTT: The problem of delays at the Hove crossing has been thoroughly investigated by the State Transport Authority. It agrees that a speed discriminator is necessary at this location. The device reduces the amount of time that the road is closed by the boom gates when they are triggered by a train stopping at the station, rather than going straight through. The Authority intends to install the device in the not too distant future when new signalling equipment is acquired. It would be extremely expensive to modify the existing equipment. However, I assure the honourable member that I will ask the Authority to install this equipment as soon as it is possible to do so.

BUILDERS LABOURERS FEDERATION

The Hon. E.R. GOLDSWORTHY: Will the Minister of Labour ask the Federal Minister for Employment and Industrial Relations to hold an immediate inquiry into standover tactics being used by the Builders Labourers Federation in South Australia in its attempt to ensure that its union members receive priority when applying for jobs through CES offices, which are partly funded by the State Government? The issues I raise in this question have been brought to my attention and subsequently verified by a minute circulated within the Federal Department of Employment and Youth Affairs.

In March of this year, the Crippled Children's Association sought workers for a CEP project from the Job Centre at Enfield. The Association's application included two riggers, two builders labourers and one plumber. The Association representative who applied for the workers also provided the names of three members of the BLF which, he claimed, had been submitted to him by the BLF. Some of these were registered in centres other than Enfield and were therefore not eligible for the project being undertaken by the Crippled Children's Association.

Subsequently, the centre selected other eligible job seekers and interviews were arranged with the Association. The Enfield CES office was then contacted by an officer of the Employment Programmes Branch, who issued an instruction that referral of two of the three union-nominated members should proceed to prevent any difficulties with this or future CEP projects. I am informed that on 14 March an officer of the Association was contacted to establish exact information on the two individuals it wished to employ.

It was subsequently discovered that one of the applicants had registered at the Unley office of the CES one week previously, and as such did not meet the eligibility criteria. But a further call from an officer of the Employment Programmes Branch instructed that the referral of both applicants should proceed to the project and that the adjustment of funds from 'wage' component to 'non-wage' component would cover any apparent eligibility anomaly.

I am informed also that one of the applicants commenced on 15 March and the other on 21 March. I am told that the pressure to refer non-eligible or union-selected persons to the Crippled Children's Association project placed the Enfield CES office in an untenable position. The non-adherence to guidelines laid down for the provision of jobs under this scheme is depriving genuine applicants of the opportunity of jobs because of the pressure applied by the BLF.

The Hon. J.D. WRIGHT: First, I want to assure the honourable member that the information as related to the House certainly has not been given to me and I wonder why, as I am the person responsible for job creation activities in this State, the complainant did not take it up with me personally. I fail to understand that. There are guidelines, the first of which I am very concerned about; that is, the non-compliance regarding three months registration, which is absolutely necessary. The honourable member would be well aware of that. One of the most absolute guidelines is that one must be unemployed for a period of three months before one becomes eligible for job creation work, and it is one of the matters which is causing a further problem with flow-on work, and so forth.

Nevertheless, it is an absolute condition and why the CES would entertain deviating from it I have no idea. I will have the whole matter checked out for the honourable member. I will certainly take it up with the Federal Minister. I will not prejudge the situation; let me say that now. I am relying only on the information given to me, and I am sure that the honourable member is relying on information given to him—whether statutory evidence or whatever it may be. However, I will check out the facts because I have been pretty strong in making sure that those guidelines are adhered to. I will obtain a report for the honourable member.

INSURANCE CONTRACT DOCUMENTS

Mr MAYES: Will the Minister of Community Welfare, representing the Minister of Consumer Affairs in another place, urgently investigate introducing legislation to require insurance companies to issue policy contract documents for each new policy? I have been contacted by a constituent who took out a new policy with JM Insurance Pty Ltd for an automobile comprehensive policy. That person was told, when he presented for payment of the policy and was given a receipt, that a policy document would be available. When he did not receive that policy document he then contacted the company and was told further that a policy document would be able to be viewed but would not be made available to him.

That person had no knowledge of the extent of that coverage nor the details of the policy involved, and he was very concerned that he should be issued with a coverage and not know the precise details. I note further from an *Advertiser* article of Saturday last that there is currently a discussion in the press between certain insurance companies regarding policies and what details are covered with the issue of a policy. I note the comments made by the Manager of SGIC in complaining about comparisons used in a recent series of advertisements by JM, as follows:

> The thing that has disturbed us on behalf of the community is the fact that you are not comparing that same jonathan apple.
>
> They are entirely different products. And it's all very well to put qualifications in fine print on a TV ad because it is there for a very short time and most people have no hope whatsoever of reading what it says.

The Hon. G.J. CRAFTER: I thank the honourable member for his question. I will certainly refer it to my colleague in another place for his urgent investigation. The matter to which the honourable member referred would seem to be contrary to the normal practice in the insurance industry in this State. Obviously, it is fundamental to consumers that they do have a copy of the policy they have purchased, and are aware of the rights that are conferred by the purchase of such a policy. I hope that this is a matter that the Minister in another place can attend to speedily.

ANALYTICAL LABORATORY

The Hon. MICHAEL WILSON: Will the Minister for Technology make the strongest representation to his Federal

colleague, the Minister for Science and Technology, to ensure that the Australian Government Analytical Laboratory on Tapleys Hill Road at Seaton is retained in this State? On 7 March this year the report of the Independent Committee of Inquiry into Commonwealth Laboratories, known as the Ross Report, was tabled in the Federal House by Mr Barry Jones, the Commonwealth Minister. One of the prime recommendations of that Report was that all regional Commonwealth laboratories should be centralised in Sydney. The Australian Government Analytical Laboratory in South Australia provides a real service in this State: for instance, it determines the percentage of pesticides and toxins in foodstuffs; it determines the amount of heavy metals in meat and fish; it controls the analysis of illicit drugs; and the microbiological quality control of a variety of foods. It does provide a real service in this State.

It also employs about 30 people, and I am told that almost none of those 30 people wish to move to Sydney, if in fact that is to be the case. The point I make to the Minister is that it is important that this Commonwealth facility remain in South Australia, and it is important that those 30 jobs remain in South Australia. Therefore, I ask the Minister to make the strongest representations to his Federal colleague on the matter.

The Hon. LYNN ARNOLD: I certainly note the concern of the honourable member, and very much share it. Indeed, it had already been brought to my attention by the member for Henley Beach in whose district the facility lies. As a result of his bringing it to my attention, I have asked officers of my Department to prepare a case I will put to my Federal colleague, Barry Jones, the Minister for Science and Technology. I intend to put in the strongest terms that such a facility should remain in South Australia. That is being prepared at present, and that will be done in writing. I will take it up personally with my Federal colleague at the meeting of Ministers of Industry and Technology to take place in Hobart in June, and add my further support on that occasion.

I note the support of the member for Torrens, and I add that to the strong case I have already had put to me by the member for Henley Beach. I will make sure that the Federal Minister knows full well the extent of concern we would have if such a facility were closed down.

STATE TRANSPORT AUTHORITY

Mr GREGORY: Can the Minister of Transport state the losses made by the State Transport Authority on its tour and charter service and catering and trading activities, and are they of sufficient size to justify the Government's closing them down or selling them? The recent proposal by the Leader of the Opposition to sell a number of Government enterprises has caused concern amongst workers employed in those enterprises. Officials of their unions have approached me with their grave concern about the possible job losses and deterioration of employment conditions if these organisations are sold. What is the justification for such a move?

The Hon. R.K. ABBOTT: I was intrigued by the statement made by the Leader of the Opposition. He was obviously a little desperate to find things he could sell to support his rather naive attempt to reduce taxes. In fact, selling off these enterprises would increase taxes, as the Leader does not seem to know that both enterprises are run profitably at present. The tour and charter operations had been operating marginally in recent years and were a matter of concern. However, I recently had a task force review the operations and it has reported that they can be operated profitably. I have agreed that a two-year trial take place of a more rational efficient operation, and that the future operations of the STA charter be assessed at the end of that period. This seems to be a sound businesslike way of considering the situation rather than the knee jerk reaction of 'Sell it off because I do not know how to fix it' attitude of the Opposition.

Tour and charter operations have been taken from a marginal loss in recent times to a profit of $4 000 in 1982-83 and a profit so far in the nine months of this financial year of $43 000. The Leader does not seem to have caught up with 1984: he still thinks that the world is in the doldrums of the previous Liberal Government.

He says that he would sell the enterprise for $2 million, but the best valuation the Government can get (and we are well aware of potential purchasers for the operation) is between $330 000 and $500 000. One would think that the Leader would try to be a little more accurate in his assessment before committing his Party to such a policy. When one looks at his suggestion to sell off the catering and trading activities, one finds similar errors in fact and a total lack of understanding of the operations. The STA operates five stalls in the Adelaide railway station: the Tavern Bar, the dining room food services, and other catering facilities. This service also made a profit in 1982-83 of $99 000 and so far this financial year to March 1984 the profit is $110 000. So, the service is making money.

This is most significant in the light of the fact that new accounting procedures have meant that all costs have been identified and allocated to these ventures: these profits are real and are not the result of hidden costs. In fact, there are plans to further update and rationalise these operations when the development of the Adelaide railway station takes place. This Government takes reasonable and sound management attitudes to these activities. Public sector trading can be profitable and also provide employment and continuity in more stable circumstances than in some private enterprises. Public sector ventures such as the tour and charter operations can set desirable standards for safety and service, and provide sound competition. We know that they can be operated viably, but I wonder why they do not flourish under Liberal Governments. If the Leader can be so wrong in his assessment of these operations, I wonder how well thought out were his other policies in relation to reducing taxes.

INTEREST RATES

The Hon. B.C. EASTICK: Does the Premier support deregulation of home loan interest rates and, if he does, will he amend the Building Societies Act so as to deregulate the interest rates of South Australian building societies? While the Campbell and Martin Reports have recommended deregulation of home building interest rates, the Premier has not in the past supported such a move. He made the following statement in a debate on the Building Societies Act on 10 December 1981:

> It is the theory of some economists that the impact of implementing the Campbell Committee recommendations would be to lower interest rates over the longer term. I think that that is fairly questionable.

It would appear that the Premier's thinking is out of step with that of the Prime Minister, the Federal Treasurer, and the Federal Minister for Housing, Mr Hurford, who all now advocate interest rate deregulation. At a recent seminar on the Martin Report, Mr Hurford indicated his support for deregulation, and said that the Federal Treasurer would consider a package of housing measures including the lifting of controls on interest rates. Under section 27 of the Building Societies Act, the South Australian Government has power to fix a maximum rate of interest to be charged by South

Australian building societies. The thrust of my question is whether the Government is considering an amendment to this provision, in view of support within the Federal Government for a lifting of this type of control.

The Hon. J.C. BANNON: I have been following the debate on this matter very closely and with some interest. I do not think that the argument could be validly made in the context of 1981, of course, bearing in mind the generally high level of interest rates at that time. Since then interest rates have come down without any deregulation of interest rates for housing. That has been a very welcome relief to everyone in our community, and is one of the reasons for the economic revival that we are experiencing at present. As I have said, I am following the debate fairly closely, but in my view the case has not been made for deregulation of housing interest rates. I am aware of the arguments; I am aware that there is a fairly considerable body of eminent economists, and indeed some Ministers, who believe that advantages would be gained from it. I think the key to the Treasurer's remarks, as referred to by the honourable member, is the reference to a package of measures. At the very least, if there is to be deregulation in this highly sensitive area, then it must be as part of a package of measures that ensures that we do not see a rise in interest rates. At this stage I believe that the regulations on housing interest rates should remain.

NUCLEAR DAMAGES

The Hon. PETER DUNCAN: Can the Premier say whether the Government will conduct a review of the laws of South Australia to ensure that there are no legal bars preventing nuclear veterans and their relatives from pursuing actions for damages in the courts, and will it bring down a report to this House following that review? Many constituents have contacted me concerning the Maralinga and Emu Fields nuclear testing over a long period, and particularly they have raised the question of the difficulties that they are having in taking actions for damages, for health problems they claim have arisen from their or their husband's or father's having been employed at Maralinga or Emu Fields during the nuclear weapons tests.

I understand that there are problems associated with evidence, because of the unavailability of Government records, the official secrets provisions, or because records have been destroyed. I understand that there are problems of medical causation that could be greatly reduced if a mortality study of Maralinga employees were to be undertaken, published, and made available to claimants. I also understand that the unavailability of class actions in South Australia is also inhibiting claims that might otherwise be taken. In the light of the fact that most of the staff at Maralinga during the testing are or were citizens of South Australia, this matter is obviously of major concern to the people of this State, and the information that I seek would be of great value to these members of the South Australian community.

The Hon. J.C. BANNON: I will certainly have the matter looked at, and I will consult with my colleague the Attorney-General in another place. The matter is fairly complex, and I am not sure whether State jurisdiction can move into an area where requirements could be made for disclosure of either British or Australian documents, if such documents for a start could be identified. I am not aware whether studies concerning mortality rates and other matters have been carried out, or who would be the responsible party to do so. Also, I am not sure whether the majority of people, as the honourable member contends, were citizens of South Australia, but what is important in this case for the service personnel is the liability *vis-a-vis* their employer, either the British or the Australian Government, at that time. The citizens of South Australia who would be included in this would be any of those connected with the area for civilian purposes or Aboriginal peoples who were living in or around the vicinity. So, the matter is very complex indeed, but I will undertake to have it examined.

PRISONER PAROLE

Mr BAKER: Will the Minister of Local Government representing the Minister of Correctional Services in another place seriously consider reintroducing the clause in the Prisons Act Amendment Bill debated earlier which provided for notification of the Commissioner of Police prior to the release of a prisoner on parole? In recent months there have been a number of occasions when prisoners have been released from the system when serious charges have been outstanding. On at least four occasions publicity has been given to people charged with very serious offences who have unwittingly been released. The Government and the Police Department have been put to great expense in bringing these people back, and I understand that one of them is still at large.

When the Prisons Act was being debated, I requested that a clause be maintained in the Bill which allowed for the notification of the Commissioner of Police prior to any parole application being considered. This was a balance on the system and provided the police with the ability to contact the Prisons Department to prevent such occurrences as have happened recently.

The SPEAKER: I have been more than generous up to date in allowing the honourable member to debate the matter, and I would ask him to come back to the point.

Mr BAKER: Some three weeks ago I noted that the Minister made a press statement that such releases were inevitable and were unable to be prevented. My question concerns the fact that there was a preventive mechanism within the system but that the Minister has removed it.

The Hon. G.F. KENEALLY: I will refer the question to my colleague in another place and bring down a report for the honourable member.

TECHNOLOGY COUNCIL

Mr FERGUSON: Will the Minister of Education inform the House whether his Department has been prepared to accept the recommendation of the South Australian Council of Technological Change to establish a degree and/or diploma oriented to manufacturing and industrial engineering or associated technology. The South Australian Council of Technological Change, in considering automation and modern manufacturing technology, has made a series of recommendations. One of these recommendations was to introduce degree and/or diploma courses oriented towards manufacturing and industrial engineering and associated technology.

The Hon. LYNN ARNOLD: I thank the honourable member for his question on this matter. Members may be aware that last year when the council brought down its technology appraisal on automation it made the recommendation to which the honourable member refers. Recommendation 2 states:

> The South Australian Government foster the establishment of degree and/or diploma courses oriented to manufacturing and industrial engineering and associated technology. (As a first step, the Ministry of Technology and the Tertiary Education Authority of South Australia be requested to identify procedures for achieving this objective).

In October last year I wrote to Professor Stranks, Chairperson of the council, advising him that I had accepted the recommendations made by the council in the technology appraisal including, of course, that recommendation. I advised him that I was requesting the Director of the Ministry for Technology to arrange joint action with the Tertiary Education Authority of South Australia to formulate procedures for the establishment of suitable manufacturing and industrial engineering tertiary education courses in South Australia.

The first meeting to be arranged between the Director and the Tertiary Education Authority is due to take place this month. The reason for the delay in that is that, of course, the Ministry for Technology has been actively concerned with the debate on the technology strategy which has occupied much of its time in recent months. Of course, TEASA has been actively involved with funding issues regarding tertiary education, and that has occupied much of its time in recent months. Certainly, it is proposed that there will be a meeting this month. I expect a report from that body in the not too distant future. Also, I intend to visit the CSIRO facility on manufacturing technology here in South Australia to see the work that is taking place there.

If we are to look to the future development of South Australia, we must pay careful attention to the way in which manufacturing technology can be addressed in the way of the educational response, such as is proposed by the council or, indeed, in the support and development of initiatives being undertaken by enterprises, which is an area that should be addressed perhaps more than it has been in the past.

TOURISM

The Hon. JENNIFER ADAMSON: Will the Minister of Tourism seek Government approval for Parliamentary debate on the South Australian Tourism Development Plan when the House resumes for the Budget session, following the South Australian Tourism Conference to be held early in June? The tradition of Parliamentary debate on reports of significance to the future of the State is well established and has been recently reinforced by the debate on the technology strategy. The South Australian Tourism Development Plan was drawn up and adopted by the Tonkin Government in 1982. It has since been adopted by the Bannon Government, and its implementation has been monitored by the South Australian Tourism Industry Council.

We will soon be entering the third year of a five-year plan, which is critical to State development, so far without Parliamentary scrutiny of the plan's content or direction. In a recent speech to the Local Government Association Annual Conference, the Lord Mayor of Adelaide (the Right Honourable Wendy Chapman), who is also Chairman of the South Australian Tourism Industry Council, said that few members of Parliament had a real understanding of the value of tourism, although the Lord Mayor was kind enough to exempt the Minister and shadow Minister from that criticism. She also said that few do more than pay lip service to the industry which, if properly developed, has a greater capacity than any other to create jobs. Parliamentary debate on the Tourism Development Plan would be another tool to heighten public and political awareness of the importance of tourism.

The Hon. G.F. KENEALLY: First, I think I should defend some of my colleagues on both sides of the House from the criticism of the Chairman of the South Australian Tourism Industry Council. It is true that the community at large was not aware until recently of the importance of tourism and its capacity to generate jobs and economic activity, but it is also true that members of Parliament are as aware as the community at large (in fact, I think they have a greater awareness than the community at large) of the importance of tourism, and I think that that is as a result of members' interest in South Australia's well-being generally. However, I do not know whether I would exempt either myself or the shadow Minister from the criticism that South Australia generally is not doing enough in the tourism area.

It is only in very recent years that both Governments have lifted their game, in a sense. Having said that, I think that it is also a valid point to make that the efforts now being generated in South Australia, in Government and in industry, towards promoting South Australia as an ideal tourist destination, not only for interstate visitors but for South Australians themselves to take advantage of, are bearing fruit. The concept of providing Parliamentary time for debating matters of interest to the State is, as the honourable member said, one long in tradition, although certainly not in the South Australian Parliament.

I have been here for 14 years, and I do not recall another instance, other than one involving my colleague the Minister for Technology, where such a facility has been provided for members of Parliament. Certainly, the tourism development plan will be the subject of discussion at the seminar and possibly of change. I do not think that there is a great deal of difference between the shadow Minister's position on the general concept of the plan and that of the Government because, as the honourable member has pointed out, the plan was initiated during her term in office, and I am certainly prepared to give her credit for that. I will consider the question that the honourable member has raised. Certainly, I personally have no objection to it: I think that it could be a very useful exercise. I will discuss this with the Leader of the House and the Premier—

The Hon. Michael Wilson interjecting:

The Hon. G.F. KENEALLY: I do not think that that is the purpose of the suggestion. As my colleague says, he does not believe that it would be an enormous tourist attraction in itself. However, I am prepared to concede that the suggestion has merit, and I will consider and discuss it with the Leader of the House and the Premier to ascertain whether time can be made available.

BUILDERS LICENCE FEES

Mr KLUNDER: Will the Minister of Community Welfare, representing the Attorney-General in another place, ask the Attorney-General to investigate whether part of builders licence fees or any other moneys can be set aside to form a fund which can be used to help fix builders' mistakes or omissions in circumstances where normal legal remedies are insufficient?

A constituent of mine recently purchased a property on which extensions to the house had been built by a licensed builder for the previous owner. Unfortunately, some cost-cutting exercises were indulged in and the extensions were built over existing earthenware pipes, rather than having those pipes replaced with PVC pipes. My constituent is now required to bear the full cost of the replacement of those pipes. Owing to the unknown whereabouts and, in any case, the reportedly impecunious circumstances of the builder at his last known address, no legal remedy seems to be available to my constituent to recover those costs.

I have been informed that in Victoria part of the builders licence fees are set aside specifically for the purpose of fixing problems such as I have just outlined, and I ask the Attorney-General to investigate whether such a scheme will be practical here. Finally, will he say what progress has been made with

regard to the 1983 Builders Licensing Act amendments, which might be used to cover problems such as these?

The Hon. G.J. CRAFTER: I thank the honourable member for his question. I am sure—

The Hon. Ted Chapman interjecting:

The SPEAKER: Order! The honourable member for Alexandra is grossly out of order. The honourable the Minister.

The Hon. G.J. CRAFTER: I am sure that the question is of interest to many members who have had similar problems raised with them. The honourable member will be aware that legislation passed in 1983 to amend the Builders Licensing Act requires holders of a general builders licence or provisional general builders licence to ensure that, where they carry out domestic building work above a prescribed value for which approval is required under the Building Act, a policy of insurance should be in force in relation to that work which insures the owner should the builder be in breach of the statutory warranties under the Act and the consumer is unable to recover damages by reason of the death, insolvency or disappearance of the builder. This scheme will be brought into operation as soon as the necessary regulations have been drafted. In essence, the aim of the scheme is to protect consumers against financial loss in circumstances where they have no other avenue of redress under either Statute or common law. I think that is the situation to which the honourable member referred in his question.

The honourable member referred to the Victorian scheme. However, the Victorian scheme is applicable only to the construction of new buildings. Consequently, the fund set up is of no benefit to consumers who have had extensions or alterations carried out in relation to existing buildings. There is a marked difference between the Victorian situation and that in South Australia. I will obtain a full report on this matter for the honourable member and his constituent.

VEGETATION CLEARANCE

The Hon. TED CHAPMAN: Does the Minister for Environment and Planning agree that today, in announcing the majority decision of the Supreme Court Justices King, Cox and Legoe of 2-1 in favour of the Government's appeal in the *Dorrestijn* Kangaroo Island land clearance case, the Minister has confirmed that collectively to date two prominent members of the South Australian bench have supported the farmers' land tenure rights in this State, and that two equally prominent members of the South Australian bench have supported the Government's view; that in announcing that the Planning Act as recently amended will not be proclaimed; and that in announcing that his Department may now call on Dorrestijn to regenerate the land in question the Minister knows or has assumed that there will be no Supreme Court leave to enable Dorrestijn to lodge an appeal before the High Court? If this is so, from what source has the Minister based that knowledge or assumption?

The Hon. D.J. HOPGOOD: To the extent that I can boil that down into one question the answer is 'No'. The honourable member assumes that Mr Justice Legoe, in his dissenting statement, in fact pronounced on the merits of the 'existing use' provision and the controversy which was canvassed in this place, as it was before the lower court and before the Supreme Court. That, in fact, is not the case and the honourable member can be forgiven, because obviously he has not yet had a chance to study the judgment. When he is able to bring the full force of his Parliamentary experience to the examination of that judgment he will see where his assumptions have led him astray. It was not necessary for Mr Justice Legoe to pronounce on this matter, because Mr Justice Legoe found another matter upon which he could base his decision: that was his understanding that, because a portion of the Dorrestijn land had been razed by fire, it had effectively already been cleared. That is why I incorporated in my Ministerial statement what might have seemed to some to be the apropos of nothing penultimate paragraph, where I said:

> Mr Justice Cox found that, since most Australian native trees and plants are well adapted to fire, one would never say, 'That land has been cleared . . . when a fire has simply passed through the scrub.' The destruction by chaining or ripping, following scorching, is development requiring planning approval.

It was at that point that Their Honours parted company and in fact, as far as I can see from reading his judgment, Mr Justice Legoe did not see fit to pronounce further on the matters which exercised the minds of his brother judges. It cannot—

The Hon. Jennifer Adamson interjecting:

The Hon. D.J. HOPGOOD: The honourable member is impatient to the extreme. I have not forgotten the other parts of the honourable member's question. I am just coming to them in my own way. It does not follow that Mr Justice Legoe is at one with Judge Ward in the lower court in relation to this matter because it was not necessary for Mr Justice Legoe to address himself to that point. As to the possibilities of an appeal by Mr Dorrestijn, or at least the seeking of leave to appeal, that is entirely a matter for Mr Dorrestijn.

The Hon. Jennifer Adamson interjecting:

The SPEAKER: Order! While in one sense the Minister was correct in saying that the statement might be thought to be apropos of nothing, that could be unparliamentary because of necessity since it comes from a judicial source it must be apropos of something.

The Hon. D.J. HOPGOOD: Am I in a position to make a personal explanation? I was really reflecting on myself, and not the court and the way in which I had constructed the Ministerial statement.

CARRIAGES FOR NON-SMOKERS

Ms LENEHAN: Will the Minister of Tourism ask the Minister of Health to initiate discussions with both the Federal Ministers for Health and Transport with a view to providing either a separate carriage or a completely separate section for non-smokers on all Australian National intrastate and interstate trains? I ask my question in response to a serious and sensitive complaint from two of my constituents. On a recent eight-hour train trip to Mount Gambier my constituents found to their dismay that although they had booked seats in a non-smoking area they were told by the guard on boarding the train that no carriage was set aside for non-smokers. This was despite the fact that the train that day comprised five carriages. One of my constituents suffers badly from bronchial asthma so what was to have been a pleasant trip turned into a nightmare because of the effect of cigarette smoke on his physical condition. My constituents have told me that, although they are recently retired and would like to see South Australia by train, they will never again travel by train. Perhaps the Minister would like to comment on the health aspects of this problem as well as on the effects it could have on tourism in South Australia.

The Hon. G.F. KENEALLY: I take it that the honourable member wishes me, as Minister of Tourism, to comment on her question and to refer it to my colleague, the Minister of Health. I will refer the question to my colleague, who has indicated, I suppose, a high profile on this question. I know that he is concerned about the health aspects of the matter raised.

As Minister of Tourism, I would like to say one or two things about this problem. I worked on the railways for 20 years before coming into this place and from memory I think that the railways used to provide for non-smokers in its passenger services. If that is not the case at the moment I will certainly take up that matter with Australian National, as Minister of Tourism. I know from my own experience as the local member that, when the passenger rail service to Port Pirie was closed, passengers from Port Pirie who needed to travel to Adelaide had to do so on Stateliner buses. People with bronchial or asthmatic complaints who had previously travelled by train had to travel on buses and found themselves in an awkward position. In saying what I am now saying I am in no way reflecting upon people who smoke cigarettes. As a non-smoker I am very much aware, in a closed area, of the presence of smokers. I in no way want to reflect on or interfere with the rights of smokers to smoke cigarettes. In answering this question I am not entering into that debate; I am merely saying that people who have complaints of a bronchial or asthmatic nature and who find themselves in this situation find it incredibly awkward.

As the honourable member pointed out, this can be deleterious to their health. I am happy that in Port Pirie the passenger service has been recommenced and the *Bluebird* now services that city. In those air-conditioned vehicles where the cigarette smoke circulates through the carriage because of the air-conditioning, passengers have a problem if their health is affected by smoke. I will take up the matter with my colleague and with the railways authorities to see that non-smokers are given an opportunity to travel in a non-smoking compartment and smokers in a smoking compartment. In this way, the rights of smokers and non-smokers will not be interfered with.

STEWART COMMITTEE REPORT

Mr LEWIS: Can the Minister of Mines and Energy say when he received the report of the Stewart Committee and when he intends to make it public? I understand that the report has been handed to the Minister and I am concerned that the Government has not the guts to publish its contents.

The Hon. R.G. PAYNE: The answer to the honourable member's question is in two parts: first, a short time ago; and, secondly, within a few days.

SCHOOL FURNITURE

Mr HAMILTON: Will the Minister of Education say whether attention is being given to ergonomics in the design of school furniture? Parents of students have complained to me about the design of school furniture. Some of them, for example, have said that the chairs are uncomfortable for students to sit in for long periods. I have also received complaints about the quality of the furniture supplied to schools and it has been suggested that better design could result in the longer life of the furniture.

The Hon. LYNN ARNOLD: I thank the honourable member for his question. Many members have had comments from parents about school furniture. Indeed, the member for Coles has raised this matter with me. As one who has attended meetings of parents in schools and kindergartens, I know of the special ergonomic problem experienced by adults in using this facility. The problem is serious because many postural problems can be ingrained in young children as a result of using school furniture rather than by the way they sit in it. A furniture committee comprising representatives of the Public Buildings Department and of the Education Department has sought out the latest data received from overseas on ergonomic design with the aim of incorporating this in the design used by the Education Department in future. That committee has been subject to recent changes in its operation and more specific attention will be given to such questions. The matter of furniture design and redesign is one of ongoing concern, and I take this opportunity of referring to changes that have taken place in this regard over recent months.

For the past 12 months a new chair design has been used, replacing a former design. We believe that the new design includes a more suitable frame, both in width (to suit existing furniture) and the method by which the seat is attached to the frame. Not only is it of a more ergonomically sound design, but we hope that it will be longer lasting and will satisfy the honourable member's second question. The double desks were subject to redesign about six months ago. The single secondary student's desk, whilst its basic design was developed about 12 years ago, underwent minor modifications about 12 months ago. That kind of work will be considered as an ongoing procedure. As more information becomes available on the ergonomic and economic issues of school furniture, investigations will be undertaken by the furniture committee, and I hope that we will see benefits available not only for the students but also for parents attending school meetings.

ADMINISTRATION AND PROBATE ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

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

That this Bill be now read a second time.

Under suggested new Rules of Court prepared by the Law Reform Committee there is a proposal that certain matters arising from common form practice in the Court will be delegated to and dealt with by the Registrar of Probates. I seek leave to have the explanation of the clauses of the Bill inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

In order to achieve this objective it is necessary for the Administration and Probate Act to be amended to enable the Court to empower the Registrar to deal with such matters.

In addition, provision has been made to allow an administrator appointed under the Mental Health Act to obtain a grant of probate or administration on behalf of the patient during the patient's incapacity where the patient would, but for his incapacity, be entitled to such grant. A special provision has been proposed in the new rules relating to grants in the case of mental or physical incapacity making this change to the Act necessary.

Clause 1 is formal. Clause 2 inserts in the principal Act a new section 7a providing that the Registrar of Probates may exercise the jurisdiction, powers and authorities of the Supreme Court or a Judge of the Supreme Court to such extent as may be authorised by rules made under the principal Act. The provision extends to jurisdiction, powers or authorities whether arising under the principal Act or otherwise. Under the proposed new section there may, subject to the rules, be an appeal to a Judge of the Supreme Court against a judgment, determination, direction or decision of

the Registrar given or made in the exercise of a jurisdiction, power or authority of the Court or a Judge.

Clause 3 amends section 118 m of the principal Act which sets out the powers of a person appointed under the Mental Health Act, 1976, to be administrator of a patient's estate. The clause adds a new power, namely, that the administrator may obtain a grant of administration, on behalf of the patient during the patient's incapacity where the patient would, but for his incapacity, be entitled to obtain a grant of probate or administration. Clause 4 amends section 122 of the principal Act which empowers the Supreme Court or one or more of its Judges to make rules. The clause adds a provision providing for rules to be made authorising and regulating the exercise by the Registrar of Probates of any specified jurisdiction, power or authority of the Supreme Court or a Judge of that Court whether arising under the principal Act or otherwise.

The Hon. H. ALLISON secured the adjournment of the debate.

AGED AND INFIRM PERSONS' PROPERTY ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

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

That this Bill be now read a second time.

The powers of a person appointed to be a manager of the estate of an aged or infirm person are enumerated in section 13 (1) of the Aged and Infirm Persons Property Act. At present, a person appointed to be such a manager has no power, without the sanction of an order of the court under section 25 of the Act, to apply for a grant of administration for the benefit of the protected person where the protected person would, but for his incapacity, be entitled to a grant of probate or administration in respect of the estate of some deceased person.

The Bill proposes the addition of such a power in order to render effective a proposed new Rule of Court which makes special provision for grants of administration in cases of mental or physical incapacity. I seek leave to have the explanation of the clauses of the Bill inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clause 2 amends section 13 of the principal Act which provides for the powers of a person appointed to be manager of the estate of an aged or infirm person. The clause adds a new power, namely, that the manager may obtain a grant of administration on behalf of the protected person during the person's incapacity where the person would, but for his incapacity, be entitled to obtain a grant of probate or administration.

Mr OLSEN secured the adjournment of the debate.

DENTISTS BILL

Received from the Legislative Council and read a first time.

The Hon. G.F. KENEALLY (Minister of Tourism): I move:

That this Bill be now read a second time.

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

Explanation of Bill

This Bill seeks to repeal the existing Dentists Act and replace it with legislation appropriate to the practice of dentistry in the 1980s and beyond. The fundamental purpose of the Bill is to ensure that the highest professional standards of competence and conduct are achieved and maintained, thereby ensuring that the community is provided with dental services of the highest order. Historians regard the early story of dentistry in South Australia as falling into two periods—one pre-dating and the other post-dating the inauguration of legislative control and official educational effort.

The Australian Dental Association's 1937 publication *History of Dentistry in South Australia 1836-1936* observes that:

> For the first four years following the proclamation of the State as a British province, there is no record of any established dental service. It would appear that, apart from the dilettante efforts of blacksmiths and others, the original settlers had to be content with such relief from the pains and aches of dental troubles as resident or visiting surgeons and apothecaries could effect by extraction of diseased teeth.

The 1840s onwards saw the arrival and establishment of dentists in South Australia. The 1890s were regarded as 'remarkable, for a large influx of dentists of all kinds—of good, doubtful and no qualification whatsoever—together with a marked increase in competitive advertising and intense price cutting'. This was largely attributed to the passing of the Dentists Act in Victoria. The Government of the day in South Australia was asked to introduce similar legislation, and, in 1901, a Bill was introduced. An election intervened, and a redrafted Bill of 1902 established a Dental Board and made dentistry in South Australia subject to Statute Law. South Australia in fact has the dubious distinction of being the last State to exercise statutory control of the practice of dentistry. It is perhaps a little surprising that South Australia was the last State, since the *Hansard* reports of the time indicate that dentistry was seen to be intimately connected with the maintenance of the good health of every human being. Indeed, the *Hansard* reports of July 1902 record that Hon. J.L. Parsons, in moving the second reading, as having said that:

> While in one sense men and women were little lower than angels, it was absolutely certain that in another sense they were neither more nor less than animals; and in order to maintain their life it was necessary that they should partake of food. In order that they might assimilate and derive strength from their food it was absolutely imperative that it should be masticated. In consequence, it might be said that the general health of the individual and the general virility of the community depended very much upon the chewing power of the individual and the community as a whole.

The debate continued, and South Australia ultimately had its first Dentists Act. The role and function of dental boards in monitoring dental qualifications and regulating the practice of dentistry have thus been long established. However, the last three decades have seen dramatic developments which have had a marked effect on the practice of dentistry throughout the world. For example, fluoridation of drinking water and the personal application of fluoride in the form of toothpaste and mouth rinsing have had dramatic effects in the prevention of dental decay. Greater community awareness of personal dental hygiene has led to a change in the level of oral health and the demand for particular types of preventive and restorative care. Advances in dental technology, the introduction of operative dental auxiliaries, the development of specialist disciplines within dentistry, the introduction of dental health insurance and prepaid dental

programmes—all have had an effect on the practice of dentistry.

These factors, together with increasing numbers of practitioners, have resulted in members of the profession being faced with challenges to traditional ethics and procedures. The need has emerged for a review of the purpose of registration systems and a reappraisal of the role and functions of boards, to ascertain whether those systems, roles and functions can adequately keep pace with today's needs and problems.

Registration obliges practitioners to ensure, and entitles the public to believe, that certain standards of competence and ethics will be maintained. In effect, this requires members of the profession to be accountable to the public, as well as to their peers for their actions. It is not just a question, however, of establishment and monitoring of standards by the profession—it is a question of the public's confidence in the system.

Registration boards have an important role to play in the relationship between the public and the profession. They are, in a sense, the interface between the public and the profession. They must be responsive to community needs. By their action, or lack of action, they can have a major effect on the public image of the profession and the public's confidence in it.

To be effective, they must also be provided with legislative powers appropriate to deal with contemporary needs. The Government recognises that the current Dentists Act has long passed the stage where it is adequate to deal with contemporary dental practice.

The Government came to office with a policy commitment to undertake a comprehensive review of the Dentists Act; institute a system of peer review in consultation with the dental profession; and register qualified and experienced dental technicians to supply dentures direct to the public. The Government acknowledges that the profession itself had recognised that the Act was in need of revision and had submitted proposals which were being reviewed. That review was brought to fruition as a matter of priority, culminating in the Bill before you today.

The Bill will completely replace the existing Act. It will introduce reforms to the registration and disciplinary mechanisms of the present Act. A specialist register will be introduced. Provision will be made for the registration of clinical dental technicians, to deal directly with the public in the supply of full dentures, based on the recommendations of a Select Committee in another place. Provision will be made for the practice of dentistry by companies, along similar lines to the recent provisions for medical practitioners.

To take some of the main features of the Bill in more detail, the first major provision envisages a restructuring of the Dental Board. The Board will consist of eight members, instead of five as at present. To give practical effect to the Government's and profession's acceptance of the legitimacy of the public interest perspective being brought to bear on the profession, the Board will include a legal practitioner and a 'consumer' member. For the first time, a specific charter of powers and functions for the Board is defined in the legislation. Emphasis is given to the Board's role in maintaining high standards of competence and conduct.

The Board is given power to establish committees to assist it in its functions. Important areas in which it is envisaged that committees will be formed are peer review and education and training. Provision is made for the expertise of the Board to be augmented by committee members who are not members of the Board.

An important public protection initiative in the Bill is the power for the Board to deal with situations where the competence of a registered person is in question. If the matters alleged in a complaint are established, the Board will be able to impose conditions on the practitioner's registration. Similarly, where a practitioner is suffering from mental or physical incapacity but refuses to abandon or curtail his or her practice, the Board may suspend registration or impose conditions on it.

Another major and long-awaited initiative in the Bill is the establishment of a registration system for clinical dental technicians. As members will recall, a Bill was introduced in another place last year in relation to this matter. In the event, it was referred to a Select Committee. The Select Committee was able to recommend substantial improvements to the original concept, and the Bill before members today embodies the majority of the recommendations of the Select Committee.

A Clinical Technicians Registration Committee is established, consisting of five members—a lawyer as Chairman, a 'consumer' and a dentist (all of whom shall be members of the Dental Board), together with two persons nominated by the Minister to represent the interests of clinical dental technicians. It will be the job of the committee to consider and determine, on behalf of the Dental Board, applications for registration as clinical dental technicians. In order to be registered, it is envisaged that persons will have undergone a course of assessment to be conducted by the Department of Technical and Further Education, as recommended by the Select Committee. Registered clinical dental technicians will be confined to the fitting and taking of measurements or impressions for the fitting of dentures to a jaw in which there are no natural teeth or parts of natural teeth and where the jaw, gums and related tissue are not abnormal, diseased or suffering from a wound. A penalty of $5 000 is provided for a breach of that provision.

An important feature of the Bill is the restructuring of the disciplinary mechanisms. In a sense, the present Dentists Act is more advanced than some of the other, older established registration Acts, in that it does include a separate 'statutory committee' as a disciplinary mechanism. However, there is a need to update this mechanism, in terms of its membership and the sanctions it can apply. The Bill therefore provides for the establishment of a Professional Conduct Tribunal, a seven member body, under the Chairmanship of either a person holding judicial office under the Local and District Criminal Courts Act, a special magistrate or a legal practitioner of not less than 10 years standing.

Provision is made for the inclusion of a 'consumer' member, as the Government believes it is particularly important for the community voice to be heard in this context. For the purpose of a hearing, the Tribunal shall consist of the Chairman and not less than two other members. If a dentist is the subject of the hearing, then the other members may only be dentists and the 'consumer' member. If a clinical dental technician or a dental hygienist is the subject of the hearing, then a clinical dental technician or a dental hygienist must be included as a member of the Tribunal for the hearing.

Complaints will initially be lodged with the Board, which may itself investigate the matter, or taking account of the seriousness of the matter, refer it to the Tribunal. The Tribunal will have a range of sanctions it can apply, including reprimanding the registered person; imposing a fine of up to $5 000; imposing conditions restricting the right to practise; suspending the person for up to one year or cancelling registration. There will be a right of appeal to the Supreme Court against a decision of the Tribunal.

An important inclusion in the Bill is the power for the Board to require parties to appear before the Registrar if it is satisfied that a complaint was laid as a result of a misapprehension or misunderstanding between the parties. This is essentially a conciliation clause, based on the assumption that some complaints are really the result of poor commu-

nication. The Government believes the revised disciplinary mechanism will facilitate the handling of complaints, will encourage improved communication and will assist in maintaining positive relationships between the profession and the community.

The Bill provides in similar fashion to the existing Act for the registration of dentists and dental hygienists. Qualifications for registration will be set out in the regulations. The scope of practice for dental hygienists will be covered by regulation, as is the case under the existing Act.

In relation to dental therapists, the Bill as it was introduced in another place made provision for the continuing employment of dental therapists by the South Australian Dental Service in the provision of dental treatment to children in the School Dental Service. It envisaged, in line with the present situation, that registration would not be required, but qualifications and experience for such persons would be prescribed by the Minister.

This provision was amended in another place, in a manner which is totally unacceptable to the Government. The amendment requires the South Australian Dental Service, if it is providing dental treatment to a person over 12 years of age, to provide that treatment through a registered person. The immediate effect of this will be to disrupt the services currently provided to almost half of the primary school children in year 7. It will also mean that the service in its existing form will be withdrawn immediately upon proclamation from 13 000 Government assisted secondary students—students from the lowest income families. In addition, it will sabotage the Government's school dental programme. There was a clear commitment to extend school dental care to secondary school students up to the age of 16 years prior to the last election. This was canvassed in detail with interested parties. The amendment therefore cuts across a clear mandate upon which the Government was elected to office. I give notice that I will be moving to strike out the amendment in Committee.

A new provision is the establishment of a specialist register for dentists. At present, the register does not distinguish between 'ordinary' practitioners and specialists. However, it is recognised that specialist disciplines have developed within dentistry. In addition, with the advent of dental benefits, the matter of recognising specialists has become increasingly important for payment of specialist benefit rebates to patients of specialists. Several States already have specialist registration and the profession is anxious that it proceed in South Australia. Under the proposals, branches of dentistry would be declared by regulation for the purpose of specialist registration.

A specialist will be restricted to practising within his or her specialist branch, unless the Board has authorised the person to do otherwise. This discretionary power of the Board has been included following representations from some members of the profession who have done and wish to continue to do some general work, as well as specialist work. It is also envisaged as covering a specialist in a country situation who may wish, or find it necessary, to undertake general work. The Government is confident that the Board will exercise its discretion judiciously.

Also on the subject of registration, provision has been included to enable the suspension of the registration of a person who has not resided in the Commonwealth of Australia for 12 months. This should assist in compiling a more accurate picture of the number of registered persons in the State. At the request of the dental profession, the Government proposes to allow the practice of dentistry by companies. Other States have allowed this to occur, but in contrast with the situation in other States, which do not have specific legislation dealing with the matter, the Government believes that safeguards to regulate such a practice by companies should be contained in the Dentists Act. The Bill makes provision accordingly, and also enables clinical dental technicians to practise as companies, under similar conditions. The provisions are similar to those recently enacted in relation to medical practitioners, and I shall deal with specific aspects in the explanation of clauses which follows.

The attention of members is particularly drawn to the provisions relating to the practice of dentistry by unregistered persons. The Government regards it as a serious matter, indeed, for unregistered persons to hold themselves out, or permit others to do so, as if they were registered under the Act. Substantially upgraded penalties, including imprisonment, are provided. Honourable members' attention is also drawn to a clause prohibiting dentists and clinical dental technicians from practising unless they are properly indemnified against negligence claims. The Government sees this as a protection for the practitioner and, more particularly, the public. Members will note the regulation-making powers in the Bill, and, specifically, the power to regulate advertising. This is a vexed area—it is an area that the Government will be discussing with the profession, with a view to arriving at a situation whereby the public may be provided with more information than is currently available.

In respect of each of the matters dealt with by the Bill, Parliament and the public are entitled to be informed of the directions which the profession is taking and the manner in which the Board approaches the interest of both the profession and the public. Accordingly, the Board will be required to prepare an annual report for presentation to the Minister of Health and tabling in Parliament. By this means, it is intended that the community should be better informed about the manner in which the profession operates and the profession itself should become further accountable to the public. This Bill is the first major revision of the Act for many years. It embodies an awareness of public accountability, as well as serving the purpose of proper regulation of dental practice. I commend it to the House.

Clauses 1 and 2 are formal. Clause 3 repeals the Dentists Act, 1931, and provides for the necessary transitional matters on commencement of the new Act. Clause 4 provides definitions of terms used in the Bill. Subclause (2) provides that the Act will apply to unprofessional conduct committed before its enactment. This is in the nature of a transitional provision. A practitioner who is guilty of such conduct cannot be penalised under the old Act after it has been repealed. This provision will ensure that he can be disciplined under the new Act. Paragraph *(b)* of the subclause ensures that a practitioner can be disciplined for unprofessional conduct committed outside South Australia. Clause 5 establishes the Dental Board of South Australia. Clause 6 provides for the membership of the Board and related matters. Clause 7 provides for the appointment of a President of the Board. Clause 8 provides for procedures at meetings of the Board. Clause 9 ensures the validity of acts of the Board in certain circumstances and gives members immunity from liability in the exercise of their powers and functions under the Act.

Clause 10 disqualifies a member who has a personal or pecuniary interest in a matter under consideration by the Board from participating in the Board's decisions on that matter. Clause 11 provides for remuneration and other payments to members of the Board. Clause 12 sets out the functions and powers of the Board. Clause 13 will enable the Board to establish committees. Clause 14 provides for delegation by the Board of its functions and powers to the persons referred to in subclause (2) *(a)* (i), to the Clinical Dental Technicians Registration Committee and to a committee established by the Board. Clause 15 sets out powers of the Board when conducting hearings under Part IV or considering an application for registration of reinstatement

of registration. Subclause (4) gives a witness before the Board the same protection as he would have before the Supreme Court. This provision will give witnesses protection in relation to any defamatory statements that they might make in the course of giving evidence. Clause 16 frees the Board from the strictures of the rules of evidence and gives it power to decide its own procedure. Clause 17 provides for representation of parties at hearings before the Board. Clause 18 provides for costs in proceedings before the Board. Clause 19 provides for the appointment of the Registrar and employees of the Board. Clause 20 requires the Board to keep proper accounts and provides for the auditing of those accounts. Clause 21 requires the Board to make an annual report on the administration of the Act. The Minister must cause a copy of the report to be laid before each House of Parliament. Clause 22 establishes the Dental Professional Conduct Tribunal.

Clause 23 provides for the membership of the Tribunal and related matters. There will be seven members of the Tribunal. Clause 24 provides for the constitution of the Tribunal. Clause 25 provides for the determination of questions by the Tribunal. Clause 26 ensures the validity of acts and proceedings of the Tribunal and gives the members immunity from liability in the exercise of their functions and powers under the Act. Clause 27 provides for the disqualification of a member who has a personal or pecuniary interest in a proceeding before the Tribunal. Clause 28 provides for remuneration and other payments to members of the Tribunal.

Clause 29 establishes the Clinical Dental Technicians Registration Committee and provides for its membership and other related matters. Clause 30 provides for procedures at meetings of the committee. Clause 31 provides for the validity of acts of the committee in certain circumstances and gives members immunity from liability. Clause 32 provides for the disqualification of a member of the committee who has a personal or pecuniary interest in a matter under consideration by the committee. Clause 33 provides for remuneration of and other payments to members of the committee. Clause 34 provides that the function of the committee is to consider and determine, on behalf of the Dental Board, applications by natural persons for registration or reinstatement as clinical dental technicians. Clauses 35, 36 and 37 make it illegal for an unqualified person to hold himself out, or to be held out by another, as a dentist, a clinical dental technician or a dental hygienist, respectively.

Clause 38 prohibits the recovery of a fee or other charge for the provision of dental treatment by an unqualified person. The effect of this is that fees charged by such persons may be paid but cannot be recovered in a court of law. A 'qualified person' is defined in subclause (3) to be a dentist or a person who has qualifications recognised by or under an Act of Parliament. Clauses 39 and 40 provide for the registration of persons on the general and specialist registers. The qualifications, experience and other requirements for registration will be prescribed by regulations. Subclause (3) of clause 40 provides that a specialist may not, without the approval of the Board, provide treatment in any branch of dentistry in which he does not specialize.

Clause 41 provides for the registration of clinical dental technicians. Subclause (2) confines their area of practice to fitting and taking measurements and impressions for fitting dentures to a jaw in which there are no natural teeth or parts of natural teeth and where the jaw, gums and related tissue are normal and not suffering from a wound. Subclause (3) provides that all applications by natural persons to the Board for registration as a clinical dental technician shall be dealt with on behalf of the Board by the Clinical Dental Technicians Registration Committee.

Clause 42 provides for the registration of dental hygienists. Subclause (2) provides that a dental hygienist may be restricted in his provision of dental treatment by regulation.

Clause 43 provides for limited registration. Registration under this clause may be made subject to conditions specified in subclause (3). Subclause (1) will allow graduates, persons seeking re-instatement, other persons requiring experience for full registration and persons wishing to teach or carry out research or study in South Australia to be registered so that they may acquire that experience or undertake those other activities. Subclause (2) gives the Board the option of registering a person who is not fit and proper for full registration. He may be registered subject to conditions that cater for the deficiency.

Clause 44 provides for provisional registration.

Clause 45 provides for registration of companies on the general register of dentists or on the register of clinical dental technicians and provides detailed requirements as to the memorandum and articles of such a company.

Clause 46 provides for annual returns by registered companies and the provision of details relating to directors and members of the company.

Clause 47 prohibits registered companies from practising in partnership. Clause 48 restricts the number of dental practitioners who can be employed by a registered company. Clause 49 makes directors of a registered company criminally liable for offences committed by the company. Clause 50 makes the directors of a registered company liable for the civil liability of the company. Clause 51 requires that any alterations in the memorandum or articles of a registered company must be approved by the Board.

Clause 52 provides for reinstatement of registration. A person whose name has been removed from a register for any reason will not have a right to be automatically reinstated. Before being reinstated he must satisfy the Board that his knowledge, experience and skill are sufficiently up to date and that he is still a fit and proper person to be registered. The Tribunal may under Part IV suspend a practitioner for a maximum of one year or may cancel his registration. Subclause (3) of this clause provides that a practitioner whose registration has been cancelled may not apply for reinstatement before the expiration of two years after the cancellation. Clause 53 provides for the keeping and the publication of the registers and other related matters. Clause 54 provides for the payment of fees by registered persons.

Clauses 55 to 57 make provisions relating to the register that are self-explanatory. Clause 58 will enable the Board to obtain information from registered persons relating to their employment and practice of dentistry. This information is considered important to assist in manpower planning of dental services for the continued benefit of the community. Clause 59 is a provision which will allow the Board to consider whether a practitioner who is the subject of a complaint under the clause has the necessary knowledge, experience and skill to practise in the branch of dentistry that he has chosen. This important provision will help to ensure that registered persons keep up to date with latest developments in their practice of dentistry. If the matters alleged in the complaint are established the Board will be able to impose conditions on the person's registration.

Clause 60 is designed to protect the public where a practitioner is suffering a mental or physical incapacity but refuses to abandon or curtail his practice. In such circumstances the Board may suspend his registration or impose conditions on it. Clause 61 places an obligation on a medical practitioner who is treating a registered person for an illness that is likely to incapacitate his patient to report the matter to the Board. Clause 62 empowers the Board to require a registered person whose mental or physical capacity is in

doubt to submit to an examination by a medical practitioner appointed by the Board. Clause 63 gives the Board the power to inquire into allegations of unprofessional conduct. If the allegations are proved the Board may reprimand the practitioner. However in a serious case it may take the matter to the Tribunal.

Clause 64 gives the Board power to vary or revoke a condition it has imposed on registration or that is imposed by clause 3 of the Bill. Clause 65 empowers the Board to suspend the registration of a registered person who has not resided in the Commonwealth for 12 months. Clause 66 makes machinery provisions as to the conduct of inquiries. Clause 67 provides that a complaint alleging unprofessional conduct by a registered person may be laid before the Tribunal by the Board. The orders that can be made against the practitioner or former practitioner are set out in subclause (3). Clause 68 provides for the variation or revocation of a condition imposed by the Tribunal.

Clause 69 provides for a problem that can occur where a practitioner who is registered here and interstate and has been struck off in the other State continues to practise here during the hearing of proceedings to have him removed from the South Australian register. Experience has shown that these proceedings can be protracted. This provision will enable the Board to suspend him during this process. Clause 70 makes machinery provisions as to the conduct of inquiries. Clause 71 relaxes the rules of evidence in inquiries before the Tribunal and enables it to conduct its hearings as it thinks fit. Clause 72 provides powers of the Tribunal as to the taking of oral and other evidence. Subclauses (5) and (6) empower the Supreme Court to make necessary orders to enforce the powers of the Tribunal. Clause 73 provides for the assessment and payment of costs. Clause 74 is a rule- making provision.

Clause 75 provides for appeals to the Supreme Court. An appeal will lie from the refusal of the Board to grant an application for registration or reinstatement or imposing a condition on registration. Appeals will also lie from orders of the Board or the Tribunal under Part IV. Clause 76 allows orders of the Board or the Tribunal to be suspended pending an appeal to the Supreme Court. Clause 77 empowers the Supreme Court to vary or revoke a condition that it has imposed on appeal. Clause 78 requires dentists and clinical dental technicians to be properly indemnified against negligence claims before practising dentistry. Clause 79 makes it an offence to contravene or fail to comply with a condition imposed by or under the Act. Clause 80 requires a practitioner to inform the Board of claims for professional negligence made against him.

Clause 81 provides for the service of notices on registered persons. Clause 82 provides a penalty for the procurement of registration by fraud. Clause 83 provides that where a practitioner is guilty of unprofessional conduct by reason of the commission of an offence he may be punished for the offence as well as being disciplined under Part IV. Clause 84 provides for the summary disposal of offences under the Bill. Clause 85 is a provision relating to the employment by the South Australian Dental Service Incorporated of persons having experience and qualifications prescribed by the Minister. Subclause (2) provides that a person employed by the South Australian Dental Service to provide treatment to persons over the age of 12 must be registered under the Act. Clause 86 provides for the making of regulations.

The Hon. JENNIFER ADAMSON secured the adjournment of the debate.

APIARIES ACT AMENDMENT BILL

The Legislative Council intimated that it did not insist on its suggested amendment No. 1 to which the House of Assembly had disagreed.

The SPEAKER: Call on the business of the day.

SOUTH AUSTRALIAN HEALTH COMMISSION ACT AMENDMENT BILL

Second reading.

The Hon. G.F. KENEALLY (Minister of Tourism): 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 has three main purposes. First, it will enable the South Australian Health Commission to license private hospitals on the basis of need. Existing licensing responsibilities with respect to physical standards of private hospitals will become a part of the new scheme, in order to avoid a double licence system. Secondly, it will remove barriers in the present South Australian Health Commission Act to part-time employees of the Commission and incorporated health units becoming contributors to the South Australian Superannuation Fund. Thirdly, it broadens the fee-fixing regulatory powers, to ensure that the level of fees of all hospitals funded pursuant to Commonwealth/State funding arrangements can be regulated, not just those incorporated under the South Australian Health Commission Act.

Turning to the matter of licensing of private hospitals, honourable members will recall that the Bright Committee of Inquiry into Health Services in South Australia (1970-73) recommended the establishment of a single State Health Authority, with overall responsibility for planning, co-ordinating and rationalising the provision of health services in South Australia. The objectives of the resulting South Australian Health Commission Act are, among other things, to:

> ... achieve the rationalisation and co-ordination of health services in South Australia and to ensure the provision of health services for the benefit of the people of the State ...

Section 16 of the Act gives the Commission a specific charter of powers and functions aimed at promoting the health and well-being of the people of this State. In particular, the Commission is required:

> To ascertain the requirements of the public, or any section of the public, in the field of health and health services and to determine how those requirements should be met to the best advantage of the public, or the section of the public concerned.
>
> To plan and implement the provision of a system of health services that is comprehensive, co-ordinated and readily accessible to the public.

In practice, however, the Commission has been restricted in exercising its State-wide statutory charter, owing to the lack of clear specific statutory powers in the private sector. At present, the Commission's role has been restricted to oversight of the public sector.

The hospital system in South Australia consists of 81 recognised (public) hospitals, 37 private and community hospitals and two Commonwealth hospitals. Private hospitals comprise 24 per cent of the State's acute bed provision. Under existing arrangements the Commonwealth Department of Health approves private hospital beds for the pur-

pose of payment of the daily bed subsidy for the three categories of private hospitals. Under the State's Health Act, local and county boards of health license private hospitals, largely on the basis of physical facilities. Health system-wide issues, such as geographical distribution, service mix and co-ordination of services do not, and cannot be reasonably expected to form part of a local board's consideration of a licence application. They are, however, factors which must be taken into account at a State level if haphazard development of services is to be prevented and if the Health Commission is to fulfil its role of rationalising and co-ordinating services. They are factors which are all the more important in times of constrained economic options.

Concern about the accountable and effective use of available health care resources has been expressed in numerous reports and inquiries at both State and Federal level over the past decade. The majority of these reports have supported the need for State Government controls over the establishment of new services in both the public and private sectors, to provide for accountable management of public moneys and the responsible oversight and distribution of hospital services. Indeed, official files indicate that in 1981, the then Commonwealth Minister for Health, Hon. Michael MacKellar, wrote to the then State Minister of Health in the following terms:

> I would reiterate the hope that I expressed at the recent Health Ministers' Conference that you would move quickly in the direction of adequate and effective control of growth of private hospital facilities in your State to ensure that any growth which does take place is consistent with the proper planning of an efficient and effective hospital system in your State, complements the public hospital system and does not exacerbate any existing maldistribution of public and private hospital beds.

The reply from the then State Minister indicated that proposals were in fact being worked up, for Cabinet's consideration.

The recent Inquiry into Hospital Services in South Australia, under the Chairmanship of Dr Sidney Sax, also addressed the question of the need for State Government controls on the establishment of new hospital services, facilities and beds in both public and private sectors. Factors identified by Sax as supporting the need for State Government controls include:

> The presence of a high proportion of small hospitals; the existing over-provision of beds.
> Unnecessary duplication of services and equipment;
> The lack of control over both capital and service developments in the private sector.
> The requirements of two medical schools, and in particular, the clinical services regarded as essential for teaching purposes;
> Quality assurance considerations.

Sax noted that New South Wales and Victoria had both introduced legislative controls in this area and recommended that legislation be introduced in South Australia 'to ensure that the establishment of additional private hospital facilities complies with State and sector strategic planning guidelines and does not prejudice the economic and efficient delivery of health care services in South Australia'.

In summary, it is recognised that private hospitals have an important role to play in the provision of health care in the community, but it is essential that there should be balanced development.

The legislation before honourable members today therefore introduces a power for the Health Commission to license private hospitals on the basis of need. In order to avoid a double licence system, existing licensing responsibilities under the Health Act with respect to physical standards are transferred to the Commission.

It should be noted that premises licensed as nursing homes or rest homes under the Health Act are not affected by the Bill—the existing system will continue to apply in relation to nursing homes and rest homes. This system will be reviewed in due course. Separate policy decisions will be taken in relation to these areas, and there will be extensive consultation with local government, health surveyors and other interested parties before implementation.

The Commission, when considering an application for licensing a private hospital, will have regard to a number of factors, including the scope and quality of the proposed services; standards of construction, facilities and equipment; location of premises and their proximity to other health service facilities; adequacy of existing facilities; the impact on the economic or efficient delivery of health services in the State. It should be noted that the Commission is required, upon application, to grant a licence to holders of existing licences under the Health Act.

An important power included in the Bill is the ability of the Commission to impose conditions on licences. Such conditions may limit the services to be provided; limit patient numbers; prevent alteration or extension of premises without Commission approval; prevent or require installation or use of facilities or equipment; require specified staffing standards. The Commission will be able to vary or revoke conditions or impose further conditions. Where a further condition is imposed, it does not take effect until the expiration of a period of 30 days. The regulation-making powers of the present Act are broadened by this Bill, consequent upon the transfer of licensing responsibilities from the Health Act, and to take account of quality of care considerations (e.g., standards, staffing, medical record keeping).

Power is included for the Commission to suspend or cancel a licence under certain circumstances. An appeal to the Supreme Court is provided against any decision or order of the Commission. It will be an offence under the legislation with a penalty of up to $5 000 to operate a private hospital without a licence or to contravene a licence condition. Where a body corporate is guilty of an offence, every member of the governing body will be guilty of an offence and liable to the same penalty, unless he or she proves that he or she could not, by the exercise of reasonable diligence, have prevented the commission of the offence. The Government regards the private hospital licensing provisions as an essential feature of the promotion of an effective and efficient hospital and health service in South Australia. I commend the provisions to the House. The other two main issues dealt with by the Bill are superannuation for part-time employees and fee-fixing powers.

In relation to superannuation, when the South Australian Health Commission was established, membership of the South Australian Superannuation Fund was restricted to full-time permanent employees. The South Australian Health Commission Act reflected this position in its provisions relating to superannuation. As a result of Government policy to encourage part-time work, the Superannuation Act was subsequently amended to allow specified permanent part-time Government employees to become members of the Superannuation Fund. It is appropriate that part-time Commission and incorporated hospital and health centre employees should also be eligible. The South Australian Salaried Medical Officers Association has, in fact, specifically requested that the necessary amendments be made.

The Bill makes provision accordingly. It also removes an anomaly whereby persons who transferred to the Commission on Public Service Act terms and conditions, and thereby enjoy Superannuation Fund eligibility, may work alongside Health Commission Act employees who do not currently have that eligibility. In relation to fee fixing, under the Medicare Agreement, 1984 (and preceding Commonwealth/State cost-sharing arrangements) all recognised hospitals are required to charge the same level of fees for ordinary patients.

For hospitals incorporated under the South Australian Health Commission Act, the regulations made under section

39 of that Act are applicable. For hospitals which are not incorporated under that Act (but under the Hospitals Act or Associations Incorporation Act) it is necessary for a hospital board to adopt the levels of fees set in those regulations as the levels at which the charges which will be made at their hospital. Given the Commonwealth requirements, and taking account of the fact that recognised hospitals receive Government funding in respect of their operating expenses, it is appropriate that fees be fixed in a consistent manner. The Bill therefore broadens the fee-fixing regulatory powers to cover recognised hospitals, rather than just hospitals incorporated under the South Australian Health Commission Act.

Clause 1 is formal. Clause 2 provides that the measure is to come into operation on a date to be fixed by proclamation, but that specified provisions may be brought into operation at a subsequent date. Clause 3 is a formal provision amending section 4 of the principal Act which sets out the arrangement of the Act. Clause 4 amends section 6 of the principal Act which provides defintions of terms used in the Act. The clause inserts new definitions of 'private hospital' and 'recognised hospital'. 'Private hospital' is defined to mean a hospital other than a recognised hospital. 'Recognised hospital' is defined to mean an incorporated hospital or a hospital prescribed by regulation. Clause 5 amends section 21 of the principal Act which provides at subsection (1) that a full-time officer or employee of the Health Commission may become a contributor to the South Australian Superannuation Fund. The clause amends the subsection by deleting the word 'full-time' so that the provision may extend in its operation to permanent part-time officers or employees of the Commission.

Clause 6 amends section 31 of the principal Act which provides at subsection (1) that full-time officers or employees of an incorporated hospital may become contributors to the South Australian Superannuation Fund. The clause removes the reference to 'full-time'. Clause 7 amends section 38 of the principal Act which provides that the board of an incorporated hospital may make by-laws. Paragraph *(g)* of subsection (1) of the section provides that by-laws may be made to 'provide or regulate the standing, parking or ranking of vehicles . . .' The clause corrects this wording by substituting for the word 'provide' the word 'prohibit'.

Clause 8 amends section 39 of the principal Act which provides that the Governor may, be regulation, regulate the fees to be charged by incorporated hospitals for services provided by them. The clause amends the section so that the fee-fixing power relates to recognised hospitals, that is, all non-private hospitals. Clause 9 amends section 52 of the principal Act which provides at subsection (1) that full-time officers or employees of an incorporated health centre may become contributors to the South Australian Superannuation Fund. The clause removes the reference to 'full-time'. Clause 10 provides for a new Part IVA dealing with private hospitals.

Proposed new section 57b provides that it shall be an offence punishable by a fine not exceeding $5 000 if health services are provided by a private hospital except at premises in respect of which a licence is in force under the new Part. Proposed new section 57c provides for applications for licences in respect of private hospitals to be made to the Health Commission and the manner and form in which applications are to be made. Proposed new section 57d provides for the matters to be taken into account by the Health Commission in determining an application for a licence in respect of premises or proposed premises. Amongst the matters specified are the questions of the adequacy of existing facilities for the provision of health services to persons in the locality, the existence of any proposals for the provision of health services to such persons through the establishment of new facilities or the expansion of existing facilities and the requirements of economy and efficiency in the provision of health services within the State.

Proposed new section 57e provides that the Commission may impose conditions upon a licence, being conditions which, in general terms, regulate or control the physical standards of the licensed premises, or the scale, range and quality of the health services provided.

Proposed new section 57f provides that it shall be an offence punishable by a fine not exceeding $5 000 if a licence holder contravenes or fails to comply with a provision of the Act or a condition of the licence. Proposed new section 57g provides for the duration of licences. Subject to the Act, licences remain in effect until surrendered or until the holder dies, or in the case of a body corporate, is dissolved. The section provides for annual fees and annual returns containing certain prescribed information. Proposed new section 57h provides for the transfer of licences, the Commission being required only to be satisfied as to the suitability of a proposed transferee. Proposed new section 57i provides for the surrender of a licence and for the suspension or cancellation of licence by the Commission where the Commission is satisfied that the licence was obtained improperly or that the licence holder has contravened or failed to comply with a provision of the Act or a condition of the licence. Proposed new section 57j provides for an appeal to the Supreme Court against a decision or order of the Commission. Proposed new section 57k provides for the appointment and powers of inspectors. An inspector may enter premises of a private hospital at any reasonable time and inspect the premises and any documents or records. It is an offence not to comply with a requirement of an inspector under the sections or to hinder or obstruct an inspector.

Clause 11 provides for the insertion of new sections 64a, 64b and 64c. Proposed new section 64a provides that a notice or document required or authorised to be given or served under the Act may be given or served by post. Proposed new section 64b provides that a member of the governing body of a body corporate that is guilty of an offence against the Act is also to be guilty of an offence unless he proves that he could not by the exercise of reasonable diligence have prevented the commission of the offence. Proposed new section 64c is an evidentiary provision relating to the holders of licences and the conditions of licences under proposed new Part IVA.

Clause 12 inserts in the regulation making section (section 66) new powers to make regulations relating to physical and quality standards for private hospitals, records to be kept by private hospitals and exemptions by the Commission. Clause 13 makes consequential amendments to the Health Act, 1935, removing the requirement for private hospitals to be licensed under that Act and removing the power to make regulations under that Act relating to private hospitals.

The Hon. JENNIFER ADAMSON secured the adjournment of the debate.

SOUTH AUSTRALIA JUBILEE 150 BOARD ACT AMENDMENT BILL

Adjournd debate on second reading.

(Continued from 2 May. Page 3896.)

Mr OLSEN (Leader of the Opposition): The Opposition opposes this Bill, which seeks to expand the size of the Board set up to arrange South Australia's 150th anniversary celebrations from 14 to 19 members. In opposing this measure I am in no way downgrading or reflecting on the importance of the Jubilee celebrations or the present make-up of

the Board. I believe that the Jubilee celebrations in 1986 are important for many reasons: as a vehicle to make South Australians more aware of their State; as a method of improving State pride; as a way of promoting South Australia interstate and overseas; as a tourist attraction; and, perhaps most important, as an opportunity for all South Australians to participate in having a good time together in celebrating our birthday. All of those aims are commendable.

The programme being drawn up by the existing Jubilee 150 Board appears to be exciting and imaginative, but whether all the proposals are realised will be another question. What is important is that valuable work has been done with the encouragement and co-operation of successive Governments of both persuasions, and that spirit must continue.

My major concern about this Bill is the possibility that the Jubilee 150 celebrations will become political—a vehicle for vote winning or an excuse for spending public funds in a way that might benefit the Government of the day. I regret that my genuine representations to the Premier on some difficulties the Board was experiencing were rejected out of hand by the Premier. So much for a bipartisan approach; so much for consensus. Those representations were and will remain private, as the discussion with the Premier was on that basis. So much for the concept of the Premier being reasonable.

The celebrations should be for all South Australians, whatever their beliefs, their backgrounds, or their tastes in entertainment. It is fortunate that the celebrations in 1986 coincide with an Adelaide Festival of Arts year and a Royal visit. It is, perhaps, not quite so fortunate that 1986 could easily be an election year.

If the Board is increased from 14 to 19 members, I cannot see how the Premier expects to improve the already first-class organisation that has been established under the chairmanship of Mr Kym Bonython. I think commendation should go to both Mr Bonython and members of the Board for the manner in which they have drawn together this programme. Having regard to interstate experience, indeed, the South Australian experience is to the fore: it is excellent programming, and members of the Board should be commended for their endeavours.

Certainly, a Board of five or six members would have been too small, too narrow in its interest, and lacking in broad community skills and representation to carry out the organisation work required to set up the 150 celebrations. But the Board of 14 people seems adequate to meet all the necessary criteria. In addition, the expansion of the size of the 150 Board from 14 to 19 members provides the Government of the day with the opportunity to change the balance of interest, power, and direction of the Board.

I understand that several people have been approached to join the enlarged Board who would be sympathetic to the attitudes and ideals of the present Government. It would be a tragedy if the present Government attempted to use the additional positions on the Board to move control of the arrangements for 1986 away from the Board and to apply direct influence to the Board.

The programme details so far released, and others which will be announced in the coming months, clearly have some electoral appeal. They provide the Government of the day with a platform for making expansive and popular announcements and, in doing so, it has deviated substantially from the original concept of a bipartisan, non-political approach envisaged when the 150 Board was first set up. The Premier will recall his involvement and participation, as Leader of the Opposition, in some of those announcements.

If the Board is expanded with nominees of the Government, then there is a danger that the Board will become the tool of the Government rather than the independent organising body it has been and should be. In his brief second reading explanation the Premier gave no undertaking that that would not happen. In fact, he was silent on the matter. I am also concerned that the Deputy Chairperson of the Board will now apparently be chosen by the Government from the next members of the Board, not from existing members. It is unrealistic and undemocratic not to allow the Board, which has now been in operation for four years, to appoint its own Deputy Chairman. It ought to have that right so that it has the opportunity to select a Deputy Chairman who has been involved with planning to date and who understands the procedures of the Board and difficulties with which the Board has to grapple. The Jubilee 150 Board is being deprived of the right to appoint an experienced deputy, someone who has had years experience. This again raises questions about the continued determination of the Government to ensure that the Board remains non-political and bipartisan.

In summary, I oppose this expansion of the Jubilee 150 Board on several grounds, namely, that the present Board of 14 members has done an outstanding job; the membership of 14 members appears to be more than adequate to carry out the work necessary for the Jubilee 150 celebrations; the present Board is representative of a wide section of the community; it is assisted by a wide range of other groups from the Festival of Arts organisers and the Public Service to service clubs and voluntary organisations, and purpose-formed community groups; and the expansion of the Board from 14 to 19 members allows the Government of the day to change the broadly independent composition of the Board and make it the captive of Government direction. The position of Deputy Chairperson should come from within the present 14 members who are experienced in the arrangements so far laid down, or being planned. In his second reading explanation the Premier did not refer to his intentions in this regard.

In conclusion, I once again put on record my support and admiration for the work already carried out, and which is still being done, by the existing Board. The Jubilee 150 celebrations will open the world's window on South Australia, and it is vital that the programme be diverse and exciting, and captures the spirit of South Australia, past, present, and future. The present Board has attained a high level of excellence, and I see no reason to change the balance of that Board and no reason to expand the Board and leave the Jubilee 150 celebrations open to any suggestion of political patronage by one Party or another. The Jubilee 150 celebrations must not only be bipartisan, not only be outside direct political influence, but they must also be seen to be non-political. They must be celebrations for all the people—for the benefit of all the people.

Mr EVANS (Fisher): I wish to emphasise the Leader's comments in relation to an increase in the number of people serving on the Board. I must admit that I have an interest as a Chairman of one of the committees of the State in the Stirling district. We have a twin in regard to a town called Humble in Houston. I assure the Premier that, in taking on that role, there is absolutely no politics played in the activities of the group. We invite others to join. We do not have much to say about money other than money that we raise ourselves. Except for major redevelopment projects, like the mill project, in which the Government could take an interest, or things such as a cultural centre, a museum, or an arts and crafts workshop, or something similar, we do not set out to make demands for money for projects that we would like to see completed for the State's 150th anniversary celebrations or for the subsequent Australian Bicentenary.

It is important that such community committees be made up of people of all political persuasions. Some of the people

involved are very apolitical, and do not involve themselves in any political philosophy. It is important that the community should see that such committees are being managed by people who are not concerned about political persuasions, decisions, or with supporting an aim of the Government of the day.

When the Board management committee was originally created that was one of the points that was strongly emphasised by both sides of politics. It should remain so. I believe that we are going down the wrong path, and it could create distrust in the community. Once that happens, what should be a joyful and happy occasion in 1986 will be one of distrust and in some cases debate and dispute in the community, only because of what may be read into what is happening today. The Premier can say that we are at the beginning of that by using that debate: that is not the case.

There is no real need for an increase in the number of members at that level. There may be need further down the line in obtaining more community participation, but that will not happen by creating a bigger head structure. The place to do that is by good public relations and by convincing people that it is not a political stunt and it is one to work for the betterment of the community. There are a number of things that we can do in 1986 to show the celebration for what it should be and for looking back at what has happened in the past 150 years in this State. I ask the Premier to reconsider what he is doing, because it could be disastrous for something I believe he said that he believed in in the beginning, and we may not be setting out to achieve the same goals now.

The Hon. J.C. BANNON (Premier and Treasurer): I have taken note of the remarks made by the Leader of the Opposition and the member for Fisher, and I assure them that there is no intention to politicise the Jubilee 150 Board or its activities. I find it an extraordinary allegation in terms of suggesting that by seeking to increase the Board that the Government is trying to distort its balance in favour of some political tendency, bearing in mind that the then Opposition at the time that the Board was established on an interim basis was never consulted about the membership of that Board in any way. The Government of the day made those appointments, and it was its prerogative to do so: I am not objecting to that. The Act was not in force at the time of the change of Government, and one of the first things that we did was to put the Act before Parliament in that December session and have it passed through the House.

We could have been in a position—and it was early enough—to restructure the whole Board within the existing purview of the Act. We did not do that, and quite properly did not do so in my view, because we were confident in the abilities of its members and of the ongoing programme. We had not been in Government long enough to judge the stage of progress or how well the Board was working. I had discussions with the Chairman on that point, and he offered some opinions about members of the Board and how it was going. There was a period of time over which one had to assess the strengths and weaknesses of the Board, and where areas were not represented.

Let me bring one example to the notice of the House, and there will immediately be a cry of political bias which I will reject, that there was no representative of a trade union movement on the Board. Bearing in mind that there are a number of industrialists and others, I would have thought that that very important institution (and I am not suggesting that it should be represented institutionally but that that group of people who are represented by that institution) should have some direct input. I do not think that the Leader of the Opposition would disagree with that. There were one or two other areas where one could suggest that the composition of the Board was not as representative as it might be. What does one do in that situation? Does one make room by dispensing with the services of a range of members of the Board, or do what we are doing here—increase the numbers.

Mr Olsen: There were two places.

The Hon. J.C. BANNON: Yes, but there are reasons in both of those cases that I will not canvass in Parliament. However, there has been very minimal change to that interim Board, and all members, whether they are continuing or not, have made an important and significant contribution for which I pay a tribute. However, equally, as we are approaching the time of the Jubilee, the Board could benefit from an infusion of new individuals. If in fact they are introducing representation in the broader sense (and I am not suggesting, let me stress again, that they should be delegates of any particular body or organisation), all members should be there in their own right, but by introducing that element it will strengthen the Board and the Board's penetration in the community.

It is clear that the workload is increasing: it must increase as we get nearer to the Jubilee, and the individual members of the Board are more and more preoccupied. They are giving of their services on a part-time basis, and that is important to remember. Their burden must be increasing as the time gets nearer. Therefore, by increasing the numbers, one allows that workload to be spread a little more fairly and equally amongst them.

It is only an increase of five in addition to the 14 already on the Board. It is not some massive expansion of the Board or an attempt to disturb its balance. It is simply to provide the Government with an opportunity, without affecting in any substantial way the existing composition of the Board, to add to it further individuals who can help share the workload, and that is obviously going to be so important.

I endorse completely the remarks made by the Leader about the Jubilee, its progress, and the way that it should be approached. It will be a very exciting and important year for South Australia, and it will be a year that involves all South Australians, irrespective of their politics, and that is as it should be. The House well knows that the Opposition is represented on the Board and will continue naturally to be so. The Leader has access to briefings and information as is required from the Board. So, all the paraphernalia and all the machinery is in place to ensure that this is seen as a truly bipartisan exercise, and that is how I intend it to remain. However, I would ask members' support for this amendment to the Act to expand the representation.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—'Membership of the Board.'

Mr OLSEN: Does the Premier not agree that union representation on the Board could have been achieved by replacing one of the two persons, whom the Premier has asked not to continue sitting on the Board, with a union representative? I do not necessarily argue with the principle that the Premier put forward, but it could have been achieved without wholesale changes. In his second reading explanation the Premier did not refer to the position of Deputy Chairperson. He did not indicate why the Government should nominate that position rather than the Board elect from its members the Deputy Chairperson to ensure that someone with the past four years of experience is able to take over the chairmanship as and when called upon.

The Hon. J.C. BANNON: I used the trade unionist as one example. I chose one quite deliberately that has clearly an absence of representation on the Board, and used it in order to make clear that that would certainly be one category

that we felt was omitted when the previous Government established its Board, and which ought to be corrected now.

The Leader is right: that is just one category, and there are a number of others on which one could seek wider representation. However, with only one or two places it becomes very difficult indeed. The appointment of a Deputy Chairman is referred to in the Act, whereby the Governor may appoint from among members of the Board a Deputy Chairman of the Board. It was clearly in the Act, and that provision is exactly the same as the one the Tonkin Government introduced. I stand to be corrected on that if I am wrong, but I do not recall asking for or authorising such a change. But the Deputy Chairman, who will have an increasingly important role in assisting the Chairman as we get nearer the Jubilee, is to be appointed by the Governor, and I think that that is quite appropriate.

That position has been very ably filled up to this point by Mr Bob Lott, who is not continuing in the role of Deputy Chairman, although he is continuing as a member of the Board, and I am glad that his services will be used there. Mr Lott is also, in his own professional capacity, involved in one or two of the events that are taking place, and he has a high professional reputation in that area. But, as his need to concentrate on those events will obviously also increase as we get near to the Jubilee, I felt after discussion with him that it was not appropriate for him to continue as Deputy Chairman. That is fine, but in terms of a replacement the position is really quite open at this stage. In fact, I have invited the Board to submit to me some names of people it is thought are suitable. They will be looked at in conjunction with other suggestions we have, and then the powers of appointment contained in the Act will be exercised.

Mr OLSEN: Would the Premier indicate to the Committee the other categories of specific interest groups or representation that he believes have been lacking in the Board's composition to date, and say in which other categories, in addition to the two positions referred to previously, the Government is seeking nominations for appointment to the Jubilee 150 Board?

The Hon. J.C. BANNON: I cannot give an exhaustive list.

Mr Olsen: The Government has already approached two people I know about going on the Board. The Premier must at least know their occupations.

The Hon. J.C. BANNON: The Leader knows more than I do. But, be that as it may, there are categories such as wider ethnic representation; there is no public sector representation as such (whether or not that is desirable will be considered by the Government). Those are three categories, and there is a whole range of others. I will not give an exhaustive list. One of the vacancies the Leader of the Opposition talks about has in fact been filled by the appointment of Mr Bruce Abrahams, who represents sporting community interests, and that involved a gap on the Board at that time.

Mr OLSEN: Will the Premier assure the House that in appointing the Deputy Chairman to this Board—and I understand that in discussions on the appointment of a new Deputy Chairman to replace Mr Bob Lott the Government has indicated that the new Deputy Chairman will come from new Board members and not from existing Board members—he will have lengthy discussions with the Chairman (Mr Kym Bonython) to ensure that the Board Chairman endorses the Government's nominee for the position of Deputy Chairman? In view of the Premier's commitment that this Board and its announcements and direction over the next 18 months to two years should be of a bipartisan nature, will he ensure that in any action that the Board undertakes and in which he participates, true bi-partisanship is demonstrated by the Opposition being invited and present whenever the Premier makes announcements on Jubilee 150?

The Hon. J.C. BANNON: As to the latter, I hope that that can be done.

Mr Olsen: It hasn't been done in the past, and you know it.

The Hon. J.C. BANNON: I do not think that is true. But, as to the first point, I have already said that I will speak to the Chairman about that, because clearly we want the Chairman to be able to work with the Deputy Chairman, and vice versa.

Mr EVANS: Before the Premier's announcement that we were seeking to have a major motor race around the city as part of our celebration in that year, did he inform the Board that he was going to make that announcement?

The Hon. J.C. BANNON: The grand prix proposal was generated in conjunction with the Jubilee 150 Board, and the Government took it up very enthusiastically.

Mr Olsen: You did not tell the Board you were going to announce it, and you know it.

The CHAIRMAN: Order! The honourable member for Mallee.

Mr LEWIS: I was amazed when I saw this Bill first come into the Chamber last week and was curious when I read the Premier's second reading explanation. Now, I am absolutely aghast at the Premier's ignorance of the reasons why he wants to amend the Act in this fashion. He has put his argument and reason for expanding the Board on the basis that there is not sufficient or wide enough representation from all sections of the community at present. By expanding the Board to 19 presumably that will mean that there will be a sufficiently wide representation from all sections of the community.

The second reading explanation did not detail the categories of people whom he considered had been omitted, nor did it refer to the respective sectional executive committees which are functional under the auspices of the Board in organising the activities to be undertaken during the Jubilee 150 celebrations in 1986. It did not, therefore, suggest that any of those subcommittees or groups of subcommittees of the Board were not well understood by the Board itself whenever it had put before it any information about their proposals.

None of that evidence has, therefore, been presented to us in the Chamber. We are simply, as part of the Parliamentary process, expected to accept that the Government has the wisdom (even though its representative here on this matter—the Premier—is ignorant of that wisdom) to determine, first, that the Board is not big enough and, secondly, that it should therefore be increased by five members—not three, four, six, seven or any other number, but five—and that by increasing it by five it will become big enough. Then we are finally expected in this Parliament, without any back-up information about the wisdom of that figure, to accept that it has not been working well up to date and that under this new structure it will work not only better but, presumably, excellently. It implies a criticism of the Board and its operation up to now that it is considered necessary to amend the numbers, yet no criticism has been made of any decisions, or any lack of decisions, taken by the Board.

Why then, I ask myself, should we increase it, and increase it by five and not by some other figure? If we cannot get better information than that, I put it to the Premier that either his advisers are treating him like a fool or, alternatively, he expects us, even though he himself has the information, to accept that we do not need it when deciding whether or not to support the proposition.

We apparently do not need that information: all we have to do is simply trust the Premier. That reminds me of the Premier in another State in banana-bending land. I do not

accept that that is the way in which either Parliament should conduct its business or Governments ought to operate, so I ask the Premier on whose advice and on what information was the number of five (as the number by which the Board needed to be expanded) determined, and what categories or sections of the community have not been represented or have complained about or been identified as being inadequately represented.

The Hon. J.C. BANNON: As I think I have made clear, there is no implied criticism or specific criticism of the Board and its activities. I have explained why. As the Jubilee approaches, as the work load gets heavier, and as the number of events proliferates, we can do with more people on the Board, and that would strengthen also the depth of representation on the Board. The Act provides that the Board shall consist of not more than 14 members. The amendment will make it not more than 19 members. Whether or not all five are appointed is a matter of discretion, but at least it gives that ability to increase the numbers by that much if the circumstances warrant it.

Mr LEWIS: Did the Premier receive advice from anyone about the sections of the community which are not sufficiently well represented or are not represented at all?

Clause passed.

Clause 3 and title passed.

Bill read a third time and passed.

CITRUS INDUSTRY ORGANISATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 1 May. Page 3860.)

Mr EVANS (Fisher): This is a very important Bill in relation to the citrus industry, and I find that it would take me some time to express my view on it. The citrus industry has gone through some very hard times, and those involved in it know that the benefits afforded some of their fellow growers in other countries have caused the difficulties that affect the growers in this State. At a time when in the decentralised parts of South Australia other industries are failing, such as the abattoirs at Port Lincoln and the cannery in the Riverland area, the citrus industry is one for which we should be doing all in our power to help gain a wider share of the world market.

Of course, the problem is that, when benefits are being increased in such an industry, more people start to plant trees, and an increase in production results. Unless there is an increase in sales and an ability to reach some of the markets available to us, there are some ongoing problems. However, in the main I support the Bill, and as I am not the main speaker (the member for Alexandra is) I will conclude by saying that I have no objection to the Bill.

The Hon. TED CHAPMAN (Alexandra): On behalf of the Opposition I indicate that we support the Bill as it was presented to the Upper House. We have had a chance to peruse the objects of the Bill put forward by the Minister of Agriculture on behalf of the citrus industry of South Australia, and we have no objection to the two component parts of the measure.

The Hon. LYNN ARNOLD (Minister of Education): I thank honourable members for their support for this measure.

Bill read a second time.

In Committee.

Clauses 1 to 32 passed.

Clause 33—'Polls on continuation of this Act.'

The Hon. TED CHAPMAN: Clause 33 deals with an amendment to section 36 of the principal Act, and I might say that at present there are approximately 1 600 identified citrus growers in South Australia. The number required to petition the Government for the purpose of determining whether or not a board structure should remain stands at 100, and we think that the proposal to increase that number to 200 is legitimate and appropriate in the circumstances.

The Hon. LYNN ARNOLD: I note the comments of the shadow Minister of Agriculture on this clause. I certainly appreciate his support on this matter. Of course, the view expressed to the Government was that the figure of 100 was very small and that, given the compact geographical location of most of the growers concerned, it could lead to uncertainty within the industry with regard to the Act.

The Hon. Ted Chapman interjecting:

The Hon. LYNN ARNOLD: That may be another way of saying the same thing. The requirement that 200 be the case still allows for legitimate concern that may be felt by a significant minority, yet on the other hand allows for some stability in the future of planning for the industry.

Clause passed.

Remaining clauses (34 and 35) and title passed.

Bill read a third time and passed.

SEEDS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 1 May. Page 3860.)

The Hon. TED CHAPMAN (Alexandra): The Opposition supports this amendment to the Seeds Act. The matter of labelling of fine seed and cereal seed containers has been the subject of debate within the industry and at times within this Parliament in recent years. The current requirement to identify all contents of such containers is fair and reasonable. In South Australia the seeds industry is required to identify not only the seed content of a container but also the inert material that might be present, inert material being material including cracked seed, sand, stones, sticks, and/or whatever foreign matter that might be present. Certified seed contains very little inert matter (indeed, in most instances considerably less than 1 per cent of the total content of the bags or containers of these products) and as the other States do not require reference to inert material on the labels of such containers it is appropriate for conformity in the market place that we dispense with that requirement, albeit a minor one. It is about that particular issue that the Bill was prepared and introduced into the Upper House. I reaffirm the Opposition's support for the amendment to the Seeds Act contained in this Bill.

The Hon. LYNN ARNOLD (Minister of Education): I thank the Opposition once again for its support on this matter and indicate that the views were expressed by industry to the South Australian Government that it was an unnecessary burden upon South Australian industry, in this regard the seed industry, and was in fact affecting its capacity to compete against other producers in other States in what is a lively market for the interstate trade of seeds. The Government, on considering this, appreciated the point just reconfirmed by the member for Alexandra that indeed very little inert material is in seed materials produced in South Australia in any event and therefore the labelling requirement is of minimal value and can be dispensed with.

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

EGG INDUSTRY STABILIZATION ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 1 May. Page 3861.)

The Hon. TED CHAPMAN (Alexandra): This Bill has been introduced in another place and the Opposition has had some considerable time in which to consider its objectives. The second reading explanation given by the Minister on this subject as it accompanied the introduction of the Bill clearly outlines the intent of the industry initially, and the support and thereby the intent of the Government. We have no objection as an Opposition to this measure being put into effect; that is, in short, reducing the definition of hen, currently at 26 weeks old, to a hen being defined as a chook at the age of 22 weeks old—in other words, reducing the identifiable age of a hen in the industry from its present 26 weeks to 22 weeks. The purpose of doing this has already been canvassed by the Minister, and I do not believe it is necessary to repeat it again in this debate.

I do however take the opportunity to point out to those who over a period of time have expressed some concern about the orderly marketing role of the egg industry board and the industry at large in South Australia that there are members of this place, and I believe also members in the community, who are of the view that the egg industry board, albeit being a board that is funded by the industry and not by public revenue, has the power to fix the consumer price of eggs; in other words, a role in determining the retail price of eggs. I am of the view (and have had it recently reconfirmed by the industry) that the Act does not enable the board or its staff to identify or indeed determine the retail price of eggs in South Australia. The board's role is to promote the production of eggs and on receipt at its depot to grade, prepare, pack and market those eggs on behalf of the industry to the wholesale traders of the State.

The Act in part requires the industry to ensure that the consumers of South Australia will have continuity of supply of fresh eggs. Having regard to that requirement, the board must of necessity during slack periods have a number of hens that can produce the number demanded by the consumers and during the flush egg producing period of the year understandably there will be some surplus. One of the functions of the board is to seek to stabilise the price and supply of fresh eggs to the consumer market place and, when a surplus occurs, dispose of that surplus for whatever it can reasonably recover. It is my understanding that the surplus of eggs over and above the public consumer requirement in South Australia has in past years been quite substantial and that recently that egg surplus in South Australia has been reduced to around 7 per cent. The move proposed in this instance is hoped to reduce further that surplus of eggs that is required to be disposed of at a net return of less than what might otherwise be attracted from the marketing of fresh eggs to the wholesale trade.

The term 'dumping' has been used (and indeed I have been guilty of using that term myself) when referring to the disposal of surplus egg production in the industry. I was reminded by the industry in recent days that it is inappropriate to use the term 'dumping' in this context, that in fact the surplus eggs are pulped and/or prepared in some conveniently movable way for export, in the main to Japan, and whilst the price recovered for the egg pulp in Japan is, as I understand it, at or about the same price a dozen eggs as is recovered on the wholesale market in South Australia, the cost of delivering the egg pulp to Japan is a cost incurred and carried by the egg industry itself.

So the net return from the sale of that egg pulp is, I have been informed, about 30c a dozen equivalent. I can therefore understand that the consuming public, aware of the practice of disposing of surplus eggs at such net price returns, would be concerned but, when one analyses the practice and recognises that in any industry where a guaranteed continuity of supply is present, one sees that there will be times on a seasonal basis when a surplus will occur, that pulping or powdering of the egg content will be necessary, and that it shall then be stored and marketed wherever conveniently disposable.

Therefore, the objective of the industry board to minimise the surplus production of eggs in South Australia, whilst at the same time assuring the consuming public of a continuity of supply, is an objective that the Opposition supports. I affirm our support for the orderly marketing structure of the Egg Board and commend the way the board has applied itself to its role. Further, I applaud the development of the industry to the point where it can function in the field of production in the processing arena, and in the administration of its own industrial business at expenses totally incurred and therefore funded by the industry itself and not as a primary industry that sucks on the public purse for the purpose of sustaining its role, as has been alleged from time to time by critics of the orderly marketing system in general and of the Egg Board in particular. I support the Bill.

The Hon. LYNN ARNOLD (Minister of Education): I thank the shadow Minister for his comments, to which the attention of the Minister of Agriculture will be drawn. The Government appreciates the support that has been given to the passage of the Bill.

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

CHILDREN'S PROTECTION AND YOUNG OFFENDERS ACT AMENDMENT BILL

Adjourned debate on second reading
(Continued from 1 May. Page 3861.)

The Hon. H. ALLISON (Mount Gambier): The Bill relates to several matters that the Opposition supports. Under the principal Act, a children's aid panel comprises:

(a) where an offence other than truancy is alleged, a member of the Police Force and an officer of the Department of Community Welfare;
(b) where truancy is alleged, an officer of the Department of Community Welfare and an officer of the Education Department; and
(c) where truancy and any other offence is alleged, a member of the Police Force, an officer of the Department of Community Welfare and an officer of the Education Department.

A children's aid panel deals with young offenders who are referred to it by a screening panel which has determined that reference to a children's aid panel is more appropriate than proceeding against the young offender in the Children's Court.

The Bill does two things. First, a more or less technical amendment makes clear that, where truancy or truancy and another offence are involved, it is the Director-General of Community Welfare who chooses the Education Department officer as a member of the panel from a list of recommended officers provided by the Director-General of Education. Secondly, the Bill adds a person approved by the Minister of Health to the children's aid panel where an offence under the Narcotic and Psychotropic Drugs Act of 1934 is alleged to have been committed. The Opposition supports both amendments.

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 explained, this Bill deals with certain community problems in a more effective way and provides our system with more options to deal with those young offenders who have offended in this way. I commend the measure to the House.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—'Constitution of children's aid panels.'

Mr GUNN: This clause is wide ranging. Petrol sniffing is a problem in my district and has concerned me for a long time. People involved in selling and pushing drugs should be dealt with by the law in the most stringent fashion. I am most concerned that an educational research programme be conducted to ensure that young people and their parents will be fully aware of the damage to be incurred by petrol sniffing. The Minister has seen people walking around with a piece of wire around the neck and a coke tin hanging from it, blatantly sniffing petrol, with horrendous effects. In some places the petrol bowsers have had to be just about bolted up. I have seen, and as I think the Minister has seen, a young child trying to get the hand piece out of a bowser.

Recently, I discussed the matter with medical officers in the north-west of South Australia and they expressed great concern at the long-term effects of petrol sniffing. I was told that recently a death was caused by petrol sniffing. Various chemicals and glue, as well as petrol, are used to stimulate people in this way. Will the members of the children's panels be dealing with people who are unfortunate enough to be involved in petrol sniffing? I am informed that the lead in the petrol has a long-term effect which, being cumulative, eventually will kill people.

I understand that certain chemicals can be placed in petrol so that people will not get the same kicks out of it and so that it produces a terrible smell. In certain areas attempts are being made to buy diesel vehicles. Will the Minister say whether the children's panels will also be dealing with people who unfortunately are involved in these practices and whether his Department or the Minister of Health's Department have engaged in long term research to ascertain the long term effects of this practice? Secondly, what educational programmes can be designed to clearly demonstrate to those involved the effects of this practice? Currently there is an advertisement on television which must have an effect on every person who smokes, and I refer to the wringing out of tar from a sponge used to represent a lung. It would be useful to have video films developed along those lines to demonstrate to young people the long term effects on their health caused by the practice of petrol sniffing. To some extent that may discourage them from continuing those practices.

The Hon. G.J. CRAFTER: I thank the member for raising this matter. This is a subject that I have discussed with the Minister responsible for this measure. Currently he is ascertaining whether the provisions of the Children's Protection and Young Offenders Act can assist particularly petrol sniffers in the more remote Aboriginal communities in this State. The matter of petrol sniffing is not new. It has been with us now for some years, but it is not a problem that is experienced only in Aboriginal communities. I understand that it is a common malady in one form or another amongst oppressed communities throughout the world. I have had the opportunity to discuss the problem with experts from overseas in an attempt to gain a better appreciation of how we should try to tackle the problem. Also, the matter has been raised at Ministers' conferences and I have raised it continually with Aboriginal communities, which are obviously very concerned about the matter. It cannot be resolved easily, because, as I said, it is a problem common to all oppressed communities.

As the honourable member would know, I am continually appalled at the bleakness of life for many children living in Aboriginal communities in this State, and I recognise the need for recreational facilities and perhaps a new approach to educational programmes and community life in general and for a rethink in regard to the health system. As has been said, health education and the way it is carried out is an important facet of this problem. Communication is important, as is consideration of how that should be achieved. Employment in these communities is rare; sometimes unemployment is as high as 90 per cent. In many ways the communities, both in South Australia and in other parts of Australia, are unnatural, the people having come there so that they can receive sustenance from Government authorities or a charitable institution. So, because the communities themselves are unnatural that adds to the boredom and the lack of purpose in the lives of many people.

One of the things that does concern me (and I think the honourable member touched on this) is the lack of understanding of this problem within the families themselves. It is important that support be given to families to help them to come to grips with this problem. It is a problem not only with children but is a problem with some adults as well. Traditionally, alcohol has been an escape for many adults in Aboriginal communities, but now adults are also engaging in petrol sniffing. The honourable member referred to some of the graphic details of remote communities which are now well known to those of us who have visited those communities for one purpose or another. I hope that this will not be a problem that will be left to the Government alone to resolve.

Indeed, it is a problem for Parliaments and the community as a whole. In some ways it is mirrored in the general drug scene and with glue sniffing, which is evident in certain parts of our community. So, this is a very complex matter. I cannot confidently say to the Committee that it is a problem that we can eliminate. I can assure honourable members that it occupies a great deal of my time, and I am actively seeking the development of programmes that will minimise the incidence of this malady in remote Aboriginal communities. Hopefully, we will see some results. Maybe this legislation will in some way assist us in achieving that end.

Mr GUNN: I thank the Minister for his comments. I would hope that this is a matter on which all members take a completely bipartisan attitude. Any member unfortunate enough to see at first hand young people engaged in these practices would be concerned about the problem. The Minister touched on some of the methods that could be used to alleviate the situation. We must find something constructive for these people to do, especially in their leisure time. Every time I visit these communities there are large numbers of people moving around aimlessly with nothing to occupy themselves. When they are involved in some positive activity the problem will be alleviated to a large extent.

Further, I hope that the medical practitioners recently appointed to these areas will soon be able to engage in a health education programme to assist and encourage the people in every way possible. Such a programme will need to be spread over a number of years. The problems in the North-West and at Yalata have not happened recently, but are of a long term nature. Because the State Government provides a number of vehicles in these areas, in future it ought to ensure that it supplies diesel vehicles. I know that it is not always possible to use diesel engines, but any extra cost involved should be ignored, and we should use only diesel vehicles.

An amendment to section 32 of the Act will provide that in regard to the allegation of truancy and a drug offence a member of the Police Force, an officer of the Department,

an officer of the Education Department, and a person approved by the Minister of Health will be involved. Students absent from school because of drug offending are to be pitied and need all the help they can get, but those scoundrels in society lurking around the schools and encouraging children to engage in these activities concern me most. Will the panels be having consultation with the people in the schools in the North to ensure that everything possible is done to apprehend these dregs in society and to ensure that they are placed behind bars, which is the only place where they ought to be allowed to lurk? To have adults participating in the illegal use of drugs is bad enough, but it is a very sad situation when young people, those responsible for the future of this nation, are hooked on drugs. I hope that everything possible will be done to make young people in our schools aware of the dangers and problems associated with the use of drugs, especially marihuana.

As someone who has smoked heavily for most of my life—and might I say that I am now reformed—I approve of the education programmes in that area. However, I am concerned as a parent with school age children about some of the things that I have been told as to the types of temptation placed in their way. Education is a most important facet and the Police Department deserves all the help it can obtain in making sure that these scoundrels and villains are placed behind bars. I make no apology for saying that. The strongest criticism possible should be heaped on these dregs who are attempting to destroy the future of many young people.

I do not want to turn this into a political debate. As one who has a large number of schools in my electorate, varying in size from a one teacher school to large schools, I am genuinely concerned about these matters. On many occasions teachers have advised me of their concern. Will these panels be involved in the education programme, and what help will be provided to the police to apprehend those people responsible for supplying the drugs?

The Hon. G.J. CRAFTER: This Bill travels with the Controlled Substances Bill, which brings down the heaviest of penalties in this area and should prove a deterrent to those who desire to corrupt society in the way in which the honourable member refers. There is a limit to the maximum penalty that one can bring down that will achieve the intended deterrent value. This legislation provides for the victims, particularly young children who are victims of the peddling of drugs. It provides an early intervention system, hopefully, so that some meaningful assistance can be given to that young person and those who care for that person. That is the aim, and if there is an educational component available to the panel to which it can refer that young person, whether within the education, the health system, or the community itself, obviously that panel will give that proper consideration. Also it may be that within the family or the peer group of that young person particular attention should be paid, and the panel will take an interest in achieving that result as well.

So, as I said in reply to the member for Mount Gambier, it provides for that wider range of options to deal with this problem in the interest of overcoming addiction or offending by the young person in this way. The simple answer to the honourable member's question is that there are heavy penalties, indeed probably the heaviest in this country, for the perpetrators of these offences. Secondly, there are being developed and already in existence within the health, education and welfare systems in this State and, indeed, within the community, programmes to assist young people to come to a better understanding of the dangers of drug taking (as the honourable member has found with cigarette smoking), alcohol consumption, and so on.

Mr GUNN: I thank the Minister and entirely agree that everything possible should be done to assist young people who are unfortunate enough to become involved in these activities. There is no point in punishing them; they are to be pitied and helped. There is no point in having severe penalties on the unfortunate victim. However, as the Minister pointed out, the ones that I am concerned about are catered for to some degree in the controlled substance legislation, even though there are certain provisions in that that I am far from happy about.

Huge amounts of money are to be made in this illicit trade, and even the provisions of the controlled substances legislation will not deter some people, because there are devious ways of stacking money away. In all sincerity, these people should be subjected to some physical damage themselves. Many people think that I am wanting to turn the clock back to the 1700s, but we should be considering the birch for people convicted of pushing heroin. It is all very well for us to talk about monetary funds but much of the money involved is tied up in international drug rings overseas. Houses can be seized in this country but if a person spends a few years in gaol he can then go overseas and live in luxury. If people are convicted they should be made to suffer, because they are leading young people down the road to great suffering and eventually premature death if they become hooked on heroin.

I appreciate the sincerity with which the Minister has replied because they are matters of great concern to me. I want to see action taken that will protect young people from these villains in our society.

Clause passed.

Title passed.

Bill read a third time and passed.

LICENSING ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 2 May. Page 3935.)

The Hon. JENNIFER ADAMSON (Coles): The Opposition supports the intention of this Bill to amend the Licensing Act in order to ensure that applicants for licences of a prescribed class are not able to obtain the advantages which might accrue to them if the licences are granted over the next few months and if, as a result of the review of the Licensing Act, they then obtain other additional advantages which some of them may currently foresee. That is a pretty complicated situation but it simply means that the Government is placing a moratorium on the granting of wine licences, distillers' and storekeeper's licences, club licences, cabaret licences and 20-litre licences.

This moratorium dates from 18 April, of which the Minister gave notice, and the Opposition has no quarrel with that. However, it does feel a degree of concern that in the other place the Minister refused to accept an amendment for a sunset clause which would have had the effect of ceasing this moratorium in February next year, which we believe is a reasonable period of time to allow the Government to consider the review of the Licensing Act and to implement it in the legislative form. The Minister of Consumer Affairs' refusal to consider this termination date of the moratorium places an extremely heavy obligation on him and his Cabinet colleagues to ensure that legislation to repeal the Licensing Act and re-enact it in a form appropriate for the 1980s is brought into this place and despatched well before the end of the year.

The Attorney and Minister of Consumer Affairs could not give an undertaking that it would be introduced in the Budget session. Yet, he was not willing to accept a sunset

provision for the Bill. It is not my intention in Committee to move in the same way, because the result will obviously be precisely the same as it was in the other place. But, nevertheless, I stress as strongly as I can that the pressure is on the Government. If the Government does not respond to that pressure, which is even greater with the enactment of this legislation, then there will be a well justified outcry from those individuals who have developed proposals for licensing. It will come from the tourism industry in areas where facilities may well be needed, but which will be delayed, deferred, or possibly even cancelled as a result of this legislation. So, with those qualifications and quite severe reservations the Opposition supports the Bill to amend the Licensing Act.

The Hon. G.J. CRAFTER (Minister of Community Welfare): I thank the Opposition for its support of this measure, and the points made by the honourable member with respect to the sunset provision, which was suggested in another place, are noted. Whenever the Government brings down a moratorium such as this, there is pressure on the Government to achieve the end result. It is not appropriate I believe and, as the Attorney-General explained in another place, necessary to hog tie the Government in this way. The community is quite capable of expressing its concerns and demands.

There are, as it was said, proposals that are obviously being developed to fall within those five licence categories to which this legislation refers. They have an economic dimension of which we are well aware as a Government, and certain beneficial factors that apply to this State as a whole. So, it is not in anyone's interest to defer this matter unnecessarily. Once the report is brought down, which I believe is to be quite soon, there will be a need for some form of public discussion on it, and legislation to be drafted to go through the processes of Parliament. I believe that the Opposition fears about this matter will be taken care of in time, and by the operation of good Government.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Moratorium on the grant of licences of certain classes.'

The Hon. JENNIFER ADAMSON: The Minister has acknowledged the points I have made and said, 'Yes, they will all be taken into consideration and we will act with all possible speed,' but equally his colleague in another place has acknowledged that 'these things often take longer than they should'. We all know that very well indeed, which is why the suggestion for the moratorium to have a sunset provision was made by my colleagues.

The Hon. G.J. Crafter: Those things should not be hurried.

The Hon. JENNIFER ADAMSON: As the Minister rightly says, things should not be hurried. This is what one might call a watershed review. It will be a complete repeal and rewrite of the Licensing Act. I do not suggest for a minute that it should be hurried or that every interested party should not have an opportunity to put their views to the Government on the review. Much depends on when the review comes out. If it is released in the next four weeks, as the Attorney said it would be (which was last week), and we have now three weeks to wait for it, that would mean that if the Government allowed June, July and August, there would be three months, which seems a fair period for people to make representation, or comments on the review. We all know that following that the normal processes of getting a Bill together, through Cabinet, Party rooms and into Parliament, can take a long time, especially when there are other pressures on the Minister.

I simply say that both Ministers have expressed hopes, rather than undertakings: no commitments have been given. Therefore, many people, possibly only a few (I do not know how many development proposals are in the pipeline), can be kept in a state of suspension, which can be very costly if they have sites upon which they are waiting to build or plans they are waiting to put into action. If they are paying interest on a capital loan or keeping land idle that could be developed, the moratorium will cost money. I simply repeat a warning and the notice given that it will be not only the developers and applicants for licences that are pressing the Government, it will be the Opposition also if this legislation is not brought in in time at least to be implemented early in the New Year.

Clause passed.

Title passed.

Bill read a third time and passed.

CRIMINAL LAW CONSOLIDATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 3 May. Page 4024.)

The Hon. H. ALLISON (Mount Gambier): This Bill seeks to implement recommendations of the Law Reform Committee in its 70th report in relation to *locus standi*—that is prisoners' rights—and to implement a recommendation of the Fourth Report of the Mitchell Committee of Inquiry into Criminal Law and Penal Methods Reform. This Bill differs somewhat from that which was originally introduced in another place. The former Attorney-General (the Hon. K.T. Griffin) did arrive at some personal compromise, I believe, after having strongly opposed all suggestion that section 296 of the principal Act should be repealed. We support the present position that any prisoner having any dealing with property or any contractual matter, normally has his affairs dealt with under the Criminal Law Consolidation Act (Part X) by the appointment by the Governor of a Curator of Convicted Estates.

The Government of the day recommends to the Governor in Council the appointment of either the Public Trustee, or, more frequently, a person who may be either the lawyer for the prisoner, a friend, or even a relative. The person or persons appointed then act as curators of the convicts' estates in dealing with the property of the prisoner in entering into contracts or acting as a trustee. The Opposition has no objection to prisoners remaining capable of exercising their rights in respect of ownership of property, dealing with their property whether it be real or personal, entering into contracts, or acting as trustee. To that extent, we support the Bill. However, I understand that the Minister in charge of this legislation intends to reinstate the Bill as it originally entered another place.

Perhaps I should call the attention of the House to existing section 296 of the Criminal Law Consolidation Act, which provides:

(1) If any person hereafter convicted of treason or felony, for which he is sentenced to any term of imprisonment exceeding twelve months, with hard labour, at the time of such conviction, holds any civil office under the Crown, or other public employment, or is entitled to any superannuation allowance, payable by the public or out of any public fund, such office or employment shall forthwith become vacant, and such superannuation allowance or emolument shall forthwith determine and cease to be payable, unless such person receives a free pardon from His [Her] Majesty, or the Governor on behalf of His [Her] Majesty.

(2) Any person so convicted shall become, and (until he has suffered the punishment ordered by competent authority substituted for that ordered, or receives a free pardon from His [Her] Majesty, or the Governor on behalf of His [Her] Majesty), shall continue thenceforth, incapable of holding any civil office under the Crown, or other public employment.

The argument that such conditions as are imposed by section 296 impose a double jeopardy is to a certain extent valid, and the compromise Bill before this House makes provision for an imprisoned, convicted former public servant still to retain some superannuation rights. However, we believe that the provision for a convicted public servant to be dismissed and no longer to be eligible to hold public office is a proper punishment. The Bill removes the distinction that has existed for a long time in theory between felony and misdemeanour, but the distinction has become considerably blurred over the decades.

It is certainly the case that some misdemeanours already carry more severe penalties than felonies, so to have that distinction on the Statute is not really a relevant thing. Therefore, we support the legislation in so far as it removes that distinction between felony and misdemeanour. However, I refer honourable members to that intention of the Government to repeal section 296 of the Criminal Law Consolidation Act in its entirety, and point out that the Mitchell Committee's Fourth Report states, in paragraph 1.1.6 on page 386:

Disqualification upon Conviction of Felony. Traditionally a conviction of felony has carried with it certain disqualifications from office. One such disqualification is prescribed by section 296 of the Criminal Law Consolidation Act, 1935-1976, under which a person convicted of felony and sentenced to imprisonment with hard labour for a term exceeding 12 months loses any office which he may hold under the Crown or any public employment, and any superannuation payable out of a public fund. This disqualification does not follow a conviction of misdemeanour followed by a similar term of imprisonment. We see no justification for the discrimination, but we point out that, if the distinction between felonies and misdemeanours is to be abolished, an examination of the Statutes to discover any references to the consequences of conviction of felony only and consequential amendments will be necessary.

There is no evidence that the present Attorney-General has undertaken any strenuous search of the existing Statute. One of the things I would like the Minister to elucidate is whether it is the intention of the Government to go through the Statute to amend any Statute that may not carry conditions involving dismissal as one of the penalties for imprisonment. We maintain that the Bill as it stands is a better proposition than the Bill intended by the Minister when he subsequently moves his amendment. We believe that loss of office should be automatic, rather than for the Minister, the Government, or anyone else to have to be asked to take subsequent additional action. It should be a mandatory thing.

Under normal circumstances it never seemed to have been easy to remove an officer of the Crown for whatever reason and, if there is any Statute presently that does not make automatic provision for such removal, we believe that the inclusion of the condition in the present Bill and its acceptance would be certainly much more logical. I believe that the arguments the Minister puts forward when he introduces amendments may be better addressed during Committee, so we support the Government's intention in the Bill to implement the recommendations in the 70th Report of the Law Reform Committee, but we have strong and continuing reservations about the Government's intention to repeal section 296 *in toto.*

The Hon. G.J. CRAFTER (Minister of Community Welfare): At this stage I say that it is the Government's intention during Committee to move an amendment to make provision in this piece of legislation for the repeal of section 296 of the Criminal Law Consolidation Act, as was intended when this matter was introduced in another place. I have some information in my possession provided by the Attorney-General that I think will answer the question to which the honourable member has referred. In my explanation for the Government's intention to introduce the amendment in this place, I will refer to that and attempt to explain the situation as I understand it.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Conviction to disqualify for office.'

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

Page 1, lines 17 to 31—Leave out clause 3 and insert the following clause:

3. Section 296 of the principal Act is repealed.

In moving this amendment, I advise that the Government had made provision in this Bill, when it was introduced in the Legislative Council, for the repeal of section 296 of the Criminal Law Consolidation Act, which provides that a person convicted of a felony and sentenced to imprisonment with hard labour for a term exceeding 12 months loses any office he may hold under the Crown or any public employment and any superannuation payable out of the public fund.

Clause 3 appears as amended by the Opposition in the Upper House. The effect of this clause as it now stands is that a person who is convicted of any offence resulting in a sentence of more than 12 months imprisonment loses any Government office or employment. The Government cannot accept this position. The amendment proposed by the Government will remove section 296 from the Statute altogether. In proposing this amendment, the Government is indicating that the law should be amended to provide if a person is convicted of a criminal offence the court should penalise that person directly and he should suffer no other disability at law unless that criminal behaviour affects his performance or relationship with others.

For example, in the case of employment in public office, if the criminal behaviour related to or affected the proper performance of his duties, in which case the Statute by which his appointment is authorised, or section 36 of the Acts Interpretation Act, would enable dismissal to be carried out. The basic proposition put by the Government is that there should not be double jeopardy or double penalties. If a person is accused, convicted and penalised for a criminal offence, that should be the penalty. If a person is imprisoned for a criminal offence, that should be the penalty. The criminal law should not provide a double penalty.

With respect to the holding of office, the Government believes that that should be handled by the Statute that creates the particular office or handled by common law rules relating to Crown appointments. I think that this is the matter to which the member for Mount Gambier referred a moment ago. In fact, most Statutes that establish offices provide for procedures for the removal from office of people who are convicted of offences leading to imprisonment. For instance, dishonourable conduct is mentioned in a number of Statutes such as in the South Australian Ethnic Affairs Commission Act. If a penalty is to apply to a person in terms of an office he holds, because of a criminal conviction, that should flow from the Statute that creates the position and not from the general criminal law. For this reason the Government proposes that section 296 should be deleted altogether.

If a Statute creating a statutory office contains no express provisions relating to removal from office, then section 36 of the Acts Interpretation Act is available to a government. That section states that words giving power to appoint to any office or place, or to appoint a deputy, shall be deemed to include power, first, to suspend or remove any person appointed under such power. The Crown Law opinion has in fact backed up that advice.

The Hon. H. ALLISON: The Opposition opposes this amendment, which will reinstate the Bill to its original form

as it was introduced in another place. This Bill retains a provision for loss of office and it still protects public servants' superannuation rights. That was a compromise arrived at by the Hon. K.T. Griffin in another place, but I am still not satisfied that the Crown Solicitor's advice is absolutely reliable, and I understand that the Attorney-General expressed some uncertainty about it. He held that while it might be possible for there to be differing views about the effect of section 36 of the Acts Interpretation Act (the Act upon which the Crown Solicitor gave some extensive advice in another case), he said that that is the opinion of the Crown Solicitor expressed in relation to another matter, but nevertheless where the principles are similar. The Attorney-General said that, if the opinion is correct, then the Crown could withdraw a person's appointment to an office, even a statutory office.

The Attorney-General was not absolutely decided in that case, and he believed it would only be in cases where the Statute specifically precludes such dismissal that any problems would arise. Why entertain such possibilities if by this legislation we can automatically provide for the dismissal of a person who has committed an offence? The Attorney-General in another place referred to the fact that in most Statutes creating positions and offices provision exists for removal from office by the Crown of those office holders who have been guilty of dishonourable conduct, but what about those Statutes where there is no provision? Certainly, under the Constitution Act a member of Parliament who is convicted of a felony loses his or her seat. That is one Act which contains specific provision, but what about a number of Acts (and there is no evidence that the Attorney-General has made a search of all Acts to find out just how widespread this doubt is), which do not specifically provide for this. Why not cover them in the legislation and remove that doubt?

The Attorney-General said that one would assume that a court would hold conviction of an offence which produces a term of imprisonment to be associated with dishonesty, but such an assumption is not a guarantee. He suggested that there are other formulas. The Attorney-General also considered that in any event section 36 of the Acts Interpretation Act, in the Crown Solicitor's view, does enable there to be dismissal at will, even for a statutory appointment, but he still conceded that that might be subject to some argument. If there is that aspect of ambiguity and existing doubt in the Attorney-General's mind, I suggest that any doubt could be removed by the simple acceptance of the Bill as it now stands, instead of accepting the amendment that has just been introduced.

I believe that the better course of action would be to accept the compromise which has been already passed in another place and which stands before us so that the superannuation rights of a person are protected, but that the possibility of his continuing to hold office should be denied. We have already agreed to a compromise on the superannuation question, but what happens if the theory that if a person ceases to contribute then he or she ceases to benefit is overcome by a prisoner being able to continue contributions through ill-gotten gains as a result of nefarious activities conducted during his occupation with the Public Service? Could a prisoner continue to pay superannuation contributions out of money he has mulcted from the Government funds? There is nothing in the legislation to suggest that that is not possible. I would remind the Committee that this legislation has stood at least since 1874 without any substantial opposition being raised, and we believe this compromise Bill is the more acceptable one, and oppose the amendment.

The Hon. G.J. CRAFTER: The Government rejects the assertions raised by the Opposition on this particular matter. The member for Mount Gambier has not addressed himself to the principal concern of the Government, which is the matter of double jeopardy and which seems to be the fundamental principle that is at stake in the way of dealing with this matter that the Opposition would seek.

I pointed out that this is a matter that has been the subject of consideration by the Law Reform Committee of South Australia, which is a group of very eminent practitioners who have obviously given deep consideration to this matter. It is a matter that has been considered by the Criminal Law and Penal Methods Reform Committee (known as the Mitchell Committee) in its Fourth Report on the substantive criminal law. In the second reading explanation I referred to the fundamental principles that are embodied in the International Bill of Human Rights, and quoted Article 10 of the Universal Declaration on Human Rights, which provides that everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal in the determination of his rights and obligations. Article 14 of the International Covenant on Civil and Political Rights provides that all persons shall be equal before the courts and tribunals. I think these are the fundamental issues that are at stake here, and to throw aside those principles in order to achieve the results that the Opposition seeks is not satisfactory.

The honourable member referred to the opinion given to the Government by the Crown Solicitor. Obviously, one cannot say with absolute certainty that that is the law that will be adjudged as such by the courts, but this matter has been considered by eminent jurists sitting on the Criminal Law and Penal Methods Reform Committee and on the State Law Reform Committee and we can accept with much certainty that that is the law. I will ask the Attorney-General whether it is the Government's intention to go through every Statute relating to the employment of people under the Crown to see whether amendments are required, but it would seem that they are not required to provide the end result sought by the Opposition in this matter.

The Committee divided on the amendment:

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

Noes (17)—Mrs Adamson, Messrs Allison (teller), Ashenden, Baker, D.C. Brown, Chapman, Eastick, Evans, Goldsworthy, Gunn, Ingerson, Lewis, Meier, Olsen, Oswald, Wilson, and Wotton.

Pairs—Ayes—Messrs Hemmings and Peterson. Noes—Messrs Becker and Blacker.

Majority of 5 for the Ayes.

Amendment thus carried; clause as amended passed.

Remaining clauses (4 to 6) and title passed.

Bill read a third time and passed.

STATUTES AMENDMENT (OATHS AND AFFIRMATIONS) BILL

Adjourned debate on second reading.

(Continued from 3 May. Page 4025.)

The Hon. H. ALLISON (Mount Gambier): The Opposition supports the Bill, which reflects the proposals for reform in the forty-sixth Report of the Law Reform Committee of South Australia, which was tendered in 1978. The Bill does two things. First, it deals with the form of oath to be used in the courts and other tribunals and it brings together all of the various statutory provisions relating to such oaths,

making some amendments. Secondly, it deals with the criminal offence of perjury.

The present law relating to the taking of oaths is somewhat restrictive and the provision in the Bill will, in fact, allow any person who objects to taking an oath to make an affirmation, which will have the same effect in law as the making of an oath prior to giving evidence. The Bill also allows a person to take an oath either on the Bible, which contains either or both of the New Testament and the Old Testament, or in any other manner or form in which the person taking the oath declares to be binding on his conscience. That will accommodate those people who are not Christians but who believe that the oath is an appropriate form to give in the witness box, but where such an oath upon the Bible, in his view, would not be binding on his conscience.

In addition, the Bill creates a general offence of making a false statement under oath or affirmation and it brings together in the Criminal Law Consolidation Act all matters relating to perjury. The requirement for corroborative evidence is no longer to be persisted with. This is an important change to the law, because in the past it has been difficult to obtain a conviction for perjury where one knows that false evidence has been given deliberately but where the necessary corroboration has not been available to obtain a conviction under the Criminal Law Consolidation Act. These changes in the law are supported by the Opposition.

The Hon. G.J. CRAFTER (Minister of Community Welfare): I thank the Opposition for its support of the measure, which brings into effect the forty-sixth Report of the Law Reform Committee of South Australia. That report was forwarded to the Government in August 1978, so, obviously that committee will be pleased to know that eventually its recommendations have found their way into the law of the State, that the benefits of that law will be passed on to the community as a whole, and that there will thus be brought about the result intended by this measure for the proper conduct of South Australian courts.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Oaths, affirmations, etc.'

Mr GUNN: I believe that subscribing to an oath or affirmation is a most serious business. I want an assurance that the provisions in the Bill will strengthen the responsibilities of people in regard to taking an oath or making an affirmation. I have read the Minister's second reading explanation which, I understand, is based on the South Australian Law Reform Committee's report. I seek from the Minister an undertaking that this and other provisions in the Bill will in no way diminish or weaken the position of a person taking an oath or making an affirmation. I entirely agree with the provisions in the Bill concerning people involved in committing perjury.

The Hon. G.J. CRAFTER: Subsection (5) of new section 6 provides that:

> Every affirmation has, at law, the same force and effect as an oath.

I think that will clarify the matter. Further, subsection (6) of new section 6 provides that:

> No oath or affirmation is invalid by reason of a procedural or formal error or deficiency.

So, the honourable member can be assured that an affirmation does, in effect, have the full force of the law as has an oath. Honourable members would be aware of the consequences at law of making an oath, as provided under the Oaths Act.

Mr GUNN: I thank the Minister. My colleague has prompted me to point out that, if people take a false oath or make a false affirmation, they can now be charged with perjury, which I understand was not possible under previous legislation. Is that correct?

The Hon. G.J. CRAFTER: Off the top of my head I cannot give an opinion on that, but the matter we are dealing with relates to corroboration in perjury, and the Law Reform Committee made recommendations with respect to that. It has always been possible to charge a member of the public who has committed perjury. This provision tidies up the law in that respect. I refer the honourable member to debates that took place in another place with respect to the requirement of corroboration in the offence of perjury.

Mr GUNN: I was not endeavouring to seek a lengthy legal opinion from the honourable member. I am aware that he is qualified to practise at the bar. I simply wanted to clarify the position in regard to a person's having taken an oath before a court or tribunal who is then proved to have given false or misleading information, and whether under the provisions of this Bill that person could then be charged with an offence.

The Hon. G.J. CRAFTER: Clause 4 provides that:

> A person who is convicted of perjury or subornation of perjury is liable to imprisonment for a term not exceeding four years.

It goes on to outline the circumstances relating to that and provides that 'an "oath" includes an affirmation'. So, the penalty provisions are provided for there. The Oaths Act provides a range of penalties for breaches of that Act. So, I think the honourable member can remain assured that persons breaking laws in this respect will be duly punished.

Clause passed.

Clause 4—'Perjury and subornation.'

The Hon. H. ALLISON: New section 239 of the Criminal Law Consolidation Act provides that:

> A person who makes a false statement under oath is guilty of perjury.

In that regard for 'oath' can we substitute 'affirmation'?

The Hon. G.J. CRAFTER: Yes.

Clause passed.

Remaining clauses (5 to 8) and title passed.

Bill read a third time and passed.

ADJOURNMENT

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

> That the House do now adjourn.

Mr EVANS (Fisher): First, I refer to a matter which arose earlier and which should be clarified for the sake of the record of the House. I refer to a vote that was taken in regard to the Criminal Law Consolidation Act Amendment Bill. A misunderstanding occurred between the two Whips and perhaps between members of the Public Works Standing Committee. Two members on that Committee from this side of the House were of the opinion that the pairs that had been arranged would apply for the afternoon, until 6 o'clock, whereas Government members interpreted the arrangement as being applicable until the end of the Public Works Committee meeting. The result was that there was an imbalance in the voting. I put on record that Mr Rodda and Mr Mathwin would have voted with the Noes had they not interpreted the arrangement to mean that they should stay out of the voting until 6 o'clock because of a prior arrangement. I do not reflect on anyone in this regard, except to say that perhaps the two Whips should have put their heads together more closely in this regard.

I want to refer to the tourism industry and job opportunities available for young people and, to a degree, those

available to more mature people. This matter was highlighted in an article written by Max Harris which was published on the weekend and which made the point that visitors to Adelaide on the Easter weekend had difficulty in finding a restaurant that was open or any available entertainment. Significant numbers of people from other States and other parts of the world, such as New Zealand and places farther afield, visit Adelaide over the Easter weekend because of the racing carnival, and so on. Also, on the most recent occasion the holiday for Anzac Day followed the Easter weekend. Mr Harris referred to the lack of facilities available for people wishing to go out for an evening over the holidays or even during the day, particularly on Easter Sunday.

My family recently received a letter from a friend who has been travelling the world for some three years and working in restaurants and hotels, particularly on the Continent. That person's salary is 8 per cent of the takings plus tips. In other words, that person receives no weekly salary but collects 8 per cent of the sales made. I am not advocating that as a system in Australia, but that is the system that applies in other countries which are plying for the world tourist trade, and which in many cases are much more successful than we are. People can fly from the States to the Continent more cheaply than to Australia because of the distance involved and because of the massive populations being catered for. It is also much cheaper to fly in most cases between Japan and many other parts of the world than from those countries to this country.

As far as passenger travel is concerned, our nearest clientele comes from Asian or South-East Asian countries or from New Zealand. There is a tendency to neglect South Africa: we tend to think that South Africa has some form of social disease and that we should not associate with it, although I am not one of that ilk, and I believe that we should be trading more with South Africa. Its internal structure is no worse than that of other countries involving particular races of people, and it is not a matter for me to judge when it comes to creating job opportunities for our people; otherwise, we should not trade with any of those countries which tend to deprive individuals of their rights and freedom to travel and move around their country as they wish.

People on the Continent work for a wage based on what they can sell. In England it is a little better, some argue, because employees start on a low salary plus a percentage of sales, plus tips. The person who wrote to my family has made a lot of money under that system, even though there are not the same high wages as we appear to have here.

In recent days I have been asked to welcome 70-odd Americans at a particular function to be held in June. They are staying in our city for only one week and then going to New Zealand. When the committee in question was advised of this, some people said, 'Why don't they stay longer? Why only a week?' When it was explained that they receive only a fortnight's holiday a year and three weeks holiday a year after 10 years work, the people around the table were amazed that a country like America was able to operate on such a system, compared to this country which has four to five weeks annual leave and long service leave which the Americans do not have and which I believe no other country in the world has on the same basis as Australia. There is also sick leave to consider and—

The Hon. J.W. Slater interjecting:

Mr EVANS: I am not objecting to it; I am drawing a comparison. There is also the 17½ per cent loading on annual leave and a lot of public holidays.

The Hon. J.W. Slater interjecting:

Mr EVANS: The Minister had some interest in tourism previously, and I am pleased that he lost it if he believes that this State can have that sort of wage and benefit structure and still be able to compete with other countries. Max Harris was making the point that unless we are prepared to look at the penalty rate system (leaving all the holidays if you like) and say that a person can be employed five days a week, regardless of which days of the week they may be, and that there will be no penalties, then we will always have trouble in the tourist industry. It will always be difficult to ensure that enough business houses are open Saturday or Sunday nights or on public holidays, if the cost structure is such that the employer cannot scrape enough out of the customer to make it a viable proposition.

As a country with fewer than 15 million people, many of them children, there is a limited market for wining and dining. When one considers that South Australia has a population of less than 1½ million people, with the eastern seaboard of Australia having approximately 12 million people of the total population, one can see that the South Australian market is very limited. Further, people living in Melbourne can, for instance, take a trip to Tasmania or Queensland rather than visit Adelaide, which does not have a very different lifestyle from that of Melbourne, and it is a complicated matter for South Australia to gain many tourists from the Eastern States. I do not deny that the current 'See Aussie first' advertisements will not be successful to some degree.

If keen young people were asked to take a job without penalty rates so that they worked on Saturdays, Sundays and public holidays at the same rate as those applying to the rest of the week, the majority of those young people would be prepared to do that to get the experience. In many cases they would prove to be more capable than the more senior people holding positions in the tourist industry. There would be better customer response and it would create a lot more jobs, as it would not cost as much to provide the food and drink and the services in the tourist industry, the accommodation industry associated with it, or in the travel industry. We as a country, before we become a third world nation, need to realise that we cannot continue giving a lot to a few, at the same time denying a great many within our society, as we are doing at the moment. Not only the trade union movement but Parliamentarians and employers need to wake up. There needs to be a change of thought if we are to create jobs for the young, particularly in the tourist industry.

Mr PLUNKETT (Peake): In 1979, I gave evidence at a Public Works Committee hearing on behalf of the Thebarton High School in support of the upgrading of that school. At that time teachers and students at the two Thebarton High School campuses were suffering under appalling conditions. The school was very old and run down. There were no sporting facilities, no ovals, no playing fields—students were transferred to adjoining school ovals to play sport. At this time, with student numbers in the western areas declining, there was a big possibility of a high school, in particular, Thebarton High School, closing. Redevelopment was expensive.

On Monday last I had the privilege of touring a redeveloped and thoroughly modernised Thebarton High School on one campus, situated in Ashley Street, Torrensville. The Principal, Mrs Mary Crowley, is very proud of her school, teachers and students. The school is now oriented towards community involvement and parent participation in all aspects of school life. The school is a credit to all those involved in its upgrading, particularly the Public Buildings Department for the work in which it was involved. Magnificently redeveloped and refurbished, the school is designed to comfortably accommodate 500 students and is situated in one of the best locations, close to many cultural, vocational and sporting facilities.

The architects are to be congratulated on the fine blend of old and new in the redevelopment. The school now boasts sturdy, purpose built, all brick buildings with luxurious modernised facilities which are some of the best in the State. The school has the advantage of air-conditioned, fully carpeted classrooms, a superb fully equipped gymnasium, swimming pool and extensive new sportsgrounds. It has bright, modern, commercial business management accounting areas. It has extensive performing arts facilities, a computer laboratory with 12 BBC terminals, and automotive, electronics and technical facilities second to none.

The grounds of Thebarton High School are beautifully landscaped and very attractive and appealing. The school now has a fully equipped, up to the minute, resource centre able to transmit colour television and computer displays to all classrooms. The new Thebarton High School is bright and modern and has a learning programme to match its new facilities.

The aim of the school is to encourage all students to achieve their maximum potential in the areas of academic, sporting and social life. The school strives for excellence while continuing to provide a caring, well disciplined learning environment in which students may choose freely and widely from an interesting array of career pathways as they progress through the school. From year 8 through to year 10 much effort is put into making sure that students develop and progress well. Computing studies begin in year 8. Languages—Greek, Italian, German, Chinese, and Vietnamese—are offered. The emphasis is on English, mathematics and science as the core subjects. In year 9, music, drama and again languages and technical studies are offered. In year 10 the emphasis is on career education.

In the senior school, full matriculation courses are aimed at university entrance. The small class sizes allow for individual attention. The school also offers specialised courses and assisted learning programmes. Computer assisted learning is offered to all students. Word processors are in use for language assistance. The learning programmes are many and varied. Students, staff and parents can participate in the performing arts projects. Art and drama are very much encouraged. Sporting facilities and outdoor education are offered. The quality is amongst the best offered in the State.

As mentioned before, the school is committed to the principles of community involvement and strives to have parents participating in all aspects of school life. Parents are well informed with both written and oral communications (in all community languages). Strong community links are also forged through the work experience programme which involves business, industrial and commercial community groups. This school has developed into a warm, caring environment. There is a feeling of family within the whole school environment.

I take this opportunity to congratulate the Public Works Standing Committee and the Public Buildings Department on having the foresight and taking the initiative to redevelop this school. Members on both sides, I am sure, will agree with me that this magnificently redeveloped Thebarton High School contains and offers some of the most luxurious and modernised facilities available to young and maturing students of this State.

Mr GUNN (Eyre): I wish to raise three matters in this grievance debate. The first concerns the problem faced by one of my constituents who is a school teacher at Coober Pedy about what appears to be excessive rent he has been charged. I quote from a letter that he sent to me:

> I am writing seeking your assistance with a matter that has caused me considerable frustration and worry over the past 12 weeks. The matter may be familiar to you as you were kind enough to discuss it with me when I met you on your visit to Coober Pedy Area School in late February this year. The matter concerns the amount of rent I am required to pay on a Teacher Housing Authority leased dugout at Coober Pedy. Initially I was required to pay $206 per fortnight rent. After 10 weeks of phone calls and being shunted from the Education Department Regional office to head office to Teacher Housing Authority and back again I was finally informed . . . that the Education Department would pay $48 per fortnight subsidy and that I would be required to pay $158 per fortnight rent. I was informed that these amounts had been arrived at by applying a standard 'rent formula' to the amount being paid by Teacher Housing Authority.
>
> . . . if I am unable to obtain an additional rent subsidy then I am faced with three very unsatisfactory alternatives. These are:
>
> 1. To try to find cheaper, less suitable accommodation (I have already tried this and no other suitable accommodation can be obtained for less). As my wife has to be home all day I would not like her to have to live in depressing, shabby accommodation; or,
> 2. To pay the $158 per fortnight rent and reduce our already very simple life style to a bare minimum existence; or
> 3. To request an immediate transfer out of Coober Pedy or, after 19 years, terminate my employment with the Education Department and seek alternative employment.
>
> I would like to stay and fulfil my obligations to what I believe to be a job requiring several years to establish within the school and the community. I believe my background and experience suit me for this demanding, difficult job of Aboriginal Resource Teacher, and I would like the opportunity to do the job.
>
> Mr J.W. Hignett, a field group co-ordinator at SAIT, has been very helpful and has offered to assist me in this matter. He has been in contact with both Teacher Housing Authority and the Education Department on my behalf, but as I resigned from the union some years ago he is unable to pursue the matter further.
>
> I am very disappointed with the treatment I have received from the Education Department in this matter. I have, I believe, made some considerable sacrifices to come to Coober Pedy to take up the appointment of Aboriginal Resource Teacher. These sacrifices include my rejecting an offer to return to senior teacher status with an extra $3 000 per annum salary, and the uprooting of my family from a very settled seven years at Kadina where we had excellent Teacher Housing Authority housing at reasonable rent and excellent community facilities. I came to Coober Pedy believing that the challenge of the job would be worth the sacrifices and never for a moment believing that I and my family would be financially penalised by being forced to pay exorbitant rent. As I feel rather helpless at this point, and because I am faced with very unfortunate alternatives, I am seeking your assistance. When I spoke with you in February you indicated that you would be willing to raise the matter with the Minister or even, if necessary, ask a question in Parliament.

I intend to do that tomorrow. I have provided the Minister with a copy of this letter, because this will be the last occasion I will have for some time to raise this matter. I believe that what this gentleman has said is totally correct. I call upon the appropriate people in the Education Department to give this man a fair go. He is paying far more rent than is the Principal. His letter was endorsed by senior officers at Coober Pedy, one of whom said:

> This is an accurate summary of the situation. Chris is very effectively doing one of the most difficult jobs in the school. It is imperative that this domestic anomaly is rectified so that it does not detract from the professional operation of the school.

The next matter I want to raise again concerns Coober Pedy. One of my constituents has shown some initiative by setting up a company to operate a tourist mine. I quote from a letter that I received on 1 May 1984 from Mr T. Flemming:

> Our company is initiating a tourist mine in Coober Pedy. As stated above, we can foresee it as a benefit not only to the town of Coober Pedy but to this State of South Australia. Coober Pedy is the largest opal producing centre in the world. It is truly a unique place. With the tourist mine operable, interstate and overseas money will benefit not only Coober Pedy but South Australia via the tourism it will generate. This is the opportunity for tourists to see opal mining in its natural setting.

The letter also states:

> In approaching the South Australian Insurance Company (SGIC) in order to comply with regulation 6, 'Appropriate insurance to cover visitors to the mine shall be held by the owner(s) of such mine' in the guidelines we were duly informed that they are not prepared to provide us with any public liability cover for the

mine and further suggested that we might find coverage through an overseas company.

Given our endeavour is a South Australian enterprise which can only benefit tourism within the State, and has been given active support from the Mines Department, then it would seem incongruous that a South Australian sponsored insurance company is not prepared to support a State initiated venture with all its built in safe guards. We would enlist your support in having the State Government Insurance Commission re-evaluate its stance regarding our business venture.

I sincerely hope that the SGIC does reappraise this matter. I have spoken to the Minister of Mines and Energy about it. He shares my amazement at the failure to find an adequate cover.

The third matter concerns the Minister of Tourism, who I understand has been approached by one of my constituents who is involved with proposed development of the old Hawker railway station. I raise this matter because various Ministers have inspected this building with which departmental officers have been involved for a considerable time. I believe it is a project worthy of adequate State Government support. Last week I received a copy of a letter dated 6 May from the Chairman of the Hawker Railway Development Working Party Committee and addressed to the Minister of Tourism. I quote from that letter.

You will probably be aware that a lot of effort has recently (since late 1983 in particular) been put into a project to restore the Hawker railway station buildings; further, to put them to productive use.

The Hawker Railway Development Working Party was set up to create and oversee the early stages of the project; its members come from the National Trust (South Australian), National Trust (Hawker branch), Department of Environment and Planning Heritage Branch, Department of Tourism, Hawker community, and the District Council of Hawker.

The restoration and use of these buildings is of paramount importance to the Flinders Ranges, as the restored complex will house a high-quality restaurant (of which there are none in the Northern Flinders at present), craft and art gallery, tourist information centre, and tourist interpretative centre. As approximately 250 000 visitors come to and through Hawker each year, these facilities are very badly needed; we are breaking new ground in every area of use, as none of these services is available now. It's worth emphasising that, apart from a very minute number using the Yunta-Arkaroola road, all of those people come to Hawker at or near the start of their 'adventure' in the Flinders.

The purposes of this letter are to acquaint you with the broad outline of our plans, and to seek your support for this project. I have found very disappointing the Department of Tourism's rejection of our request for $1 000 to help pay for the heritage architect's fee of $3 000 to allow the project to get off the ground.

We will need some funds later to equip the interpretative centre properly, and have had extensive talks with your Regional Manager, to this end. He has been closely involved since October last year.

At this stage we seek your commitment in principle to the project, and offer to supply whatever further information you feel is necessary. We are sure that a proper understanding of it can only come from a personal visit; I am very pleased to invite you to Hawker for this purpose, and can assure you of an interesting inspection of the biggest project undertaken in this area, one which will give tourism in the Flinders Ranges a major boost.

I understand that there has been some hesitancy on the part of the Department of Environment and Planning and the Department of Tourism to assist with this project, and if that is the case I think that it is rather unfortunate. A similar letter was written to the Minister for Environment and Planning (Hon. Dr Hopgood).

I have raised these three particular matters because they have been brought to my attention over the past few days and I believe that they are worthy of proper consideration by the House and the departments concerned. I hope that the State Government Insurance Commission will take a reasonable approach. I have approached officers of the SGIC on other occasions and have found it to be an organisation that is prepared to have a second look at problems. In relation to the problem at the Coober Pedy Community School, I am concerned that a person would be required to pay so much rent per fortnight. I have had some experience with the Teacher Housing Authority and in my judgment on occasions it has left a fair bit to be desired. I do not want to have to go into any detail.

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

Mr GUNN: That is unfortunate, Mr Deputy Speaker. There is a lot more I could have said.

Motion carried.

At 5.53 p.m. the House adjourned until Wednesday 9 March at 11.45 a.m.

HOUSE OF ASSEMBLY

Tuesday 8 May 1984

QUESTIONS ON NOTICE

PORT AUGUSTA HOSPITAL

278. **Mr GUNN** (on notice) asked the Minister of Tourism, representing the Minister of Health:

1. On whose recommendation was the new Port Augusta Hospital Board appointed?
2. What qualifications for these positions do the appointees have and what experience in general public administration have they had?
3. What were the reasons that led to the decision to dismiss the previous Board and was that Board furnished with the reasons for dismissal?
4. Is the Minister aware that due to his decision to dismiss the previous Board and his criticism of the medical practitioners, there is a lack of confidence in the hospital and the facilities provided there?

The Hon. G.F. KENEALLY: The replies are as follows:

1. The constitution of the Port Augusta Hospital provides for the members of the Board of Management to be appointed by the Minister of Health. The constitution also provides that vacancies on the Board will be advertised in the local newspaper in order to ensure that interested persons and organisations have the opportunity to seek appointment to the Board. The membership of the Board was determined, having regard to the applications received and consultations with various organisations and individuals in Port Augusta. The present Board's composition reflects a sensible balance between various interest groups within the city.
2. The present Board offers a set of skills and previous experience which suits them well for the task of performing their duties as a Board of Directors for the Hospital. Some members are skilled and qualified in financial matters, others have a proven record of involvement in similar activities, and most bring to bear special insights and concerns for the component parts of the Port Augusta community.
3. The Minister of Health has made a number of statements to the House and publicly regarding the circumstances which led to the resignation of the previous Board. Those statements are recorded in *Hansard.*
4. As a consequence of the recent problems at Port Augusta, there was a good deal of public concern regarding the services and facilities provided by the hospital. However, in the last 12 months there has been impressive development in the range and quality of the services provided by the hospital and public confidence is now well founded. Mechanisms have been developed and implemented to check and, where required, improve the quality of care at the Port Augusta Hospital, for example:

   delineation of privileges for all doctors who admit patients to the hospital;

   establishment of a quality assurance committee which carefully reviewed every aspect of the hospital's operation. The Board and hospital staff have addressed 17 recommendations made by that committee and have already overcome most of the identified deficiencies;

   an ongoing quality assurance committee has been established to oversee and co-ordinate a wide range of reviews which are continuously undertaken in the hospital;

   the Board has decided to seek accreditation by the Australian Council of Hospital Standards by the end of 1985 (the process of accreditation is accepted as the most respected method of achieving an even higher standard of care and continually maintaining and improving standards);

   significant staff development has occurred, notably in the nursing area where the impact of a quality assurance programme, a staff establishment study and introduction of the nursing process, is already beginning to be felt;

   the hospital has also attracted the services of a second surgeon, who now lives in the city, a speech pathologist, an Aboriginal liaison nurse, a consultant geriatrician and a consultant oncologist;

   at the end of this month, a new medical superintendent, who is a specialist anaesthetist, will commence his duties, and negotiations to attract an orthopaedic surgeon are well advanced;

   an after hours emergency service is provided by doctors who are prepared to 'live-in' on a roster basis. Any patient will be seen by the rostered doctor if their practitioner is not available. Outside the major metropolitan public hospitals this service is unique in South Australia and indicates the co-operation and commitment of the doctors of this city.

Port Augusta Hospital's quality assurance procedures, its range of available medical and nursing skills, together with the support of its service staff, provide the basis for an excellent service in which members of this community can have great confidence.

NATIONAL PARKS AND WILDLIFE ACT

306. **The Hon. D.C. WOTTON** (on notice) asked the Minister for Environment and Planning: Has the review of the National Parks and Wildlife Act, 1972, which commenced during the term of the previous Government, been completed and, if not, why not and, if so, what stage has been reached in preparing amendments and when is it intended to introduce such amendments into the Parliament?

The Hon. D.J. HOPGOOD: No. Consultation with interested parties and thorough consideration of proposed amendments to ensure changes are valid and consistent with Government policy objectives are continuing. It is expected that amendments will be available for introduction to Parliament later this year.

CALCA TENNIS CLUB

310. **Mr GUNN** (on notice) asked the Minister for Environment and Planning:

1. What stage have the negotiations with the District Council of Streaky Bay and the Calca Tennis Club reached in relation to resolving the dispute between them and the Department of Environment and Planning?
2. If it has not been resolved, will the Minister take action to rectify the matter to allow the Calca Tennis Club to carry out the proposals they have put forward as soon as possible?

The Hon. D.J. HOPGOOD: Negotiations between the District Council of Streaky Bay, the Calca Tennis Club and the Department of Environment and Planning are still in the preliminary stage pending the production of a Draft Management Plan for the Calpatanna Waterhole Conservation Park. The Draft Management Plan for the park has been commenced but is not expected to be released for public comment until mid-1985. The draft plan will suggest the extension of the area leased by the Calca Tennis Club to include one extra tennis court, as requested by that club. However, I understand that the draft plan will recommend that extra land should not be made available from the conservation park for the establishment of an oval.

JOB CREATION SCHEMES

330. **The Hon. D.C. WOTTON** (on notice) asked the Minister for Environment and Planning—What examples can be provided to indicate how the Government has been able to mobilise the enthusiasm and the environmental sensitivity of young people in tree planting or similar activity as part of its job creating initiatives?

The Hon. D. J. HOPGOOD: The honourable member's question is clearly derived from a reading of this Government's election platform. The relvant point in that policy was to:

> Mobilise the enthusiasm and environmental sensitivity of young people in such programmes as tree planting. We will endeavour to involve unemployed people in some of the projects as part of our job creating initiatives. We will dovetail such a programme into Bob Hawke's national job creation scheme.

As can be appreciated from this statement, the Government sees job creating initiatives as complementary to other means of achieving environmental sensitivity of young people. The Department of Environment and Planning is very much involved, in conjunction with teachers, councils and other departments and agencies, in providing information and educational programmes to create and enhance environmental sensitivity in our community, including among young people.

In regard to tree planting and similar activities, young people are involved in the following projects. Under the Greening of Adelaide Project, schoolchildren will be involved in planting 5 000 trees and shrubs along the Glenelg tramline. Also, some 12 000 trees will be distributed in late May (as in previous years) to schools for planting projects. Many schools have become very active in planting through the Greening of Adelaide Project.

It is anticipated that a major planting scheme using Community Employment Programme resources will be undertaken under the Greening of Adelaide. Young people are also involved in various projects in the Botanic Gardens, Black Hill, the National Parks and Wildlife Service, and Woods and Forests Department using CEP funds. While these projects do not all involve tree planting, they all contribute to managing and enhancing the conservation resources of South Australia. The people involved can derive satisfaction knowing that they are doing something which is worth while and beneficial, both for themselves and the community.

CONSERVATION MOVEMENT

331. **The Hon. D.C. WOTTON** (on notice) asked the Minister for Environment and Planning—What specific action has been taken by the Government since coming to office to upgrade the resources available to the voluntary and independent conservation movement?

The Hon. D. J. HOPGOOD: Annual grants have been increased for 1983-84. Assistance has been given to the Conservation Council in acquiring permanent accommodation for use by the council and other groups within the conservation movement. Assistance is also being provided to enable the Nature Conservation Society of South Australia to acquire office furniture for these premises.

TOXIC SUBSTANCES LEGISLATION

332. **Hon. D.C. WOTTON** (on notice) asked the Minister for Environment and Planning—Has the Government commenced drafting legislation to ensure effective management of the production, importation, storage, use, transport and disposal of toxic substances and, if so, when is it intended to introduce the legislation and, if it has not been commenced, when will it be?

The Hon. D. J. HOPGOOD: The member's question ignores the fact that several pieces of legislation already exist which cover hazardous chemicals. Cabinet has established a committee to review the legislation and make recommendations on how best to approach this complex problem.

The committee is drawn from six departments: Department of Environment and Planning, Services and Supply, Mines and Energy, Labour, Agriculture, Transport, Health and Waste Management Commissions, the Metropolitan Fire Service, Chamber of Commerce and Industry, and the Trades and Labor Council. It is not possible at this stage to provide the honourable member with a detailed time table.

BEVERAGE CONTAINER LEGISLATION

334. **The Hon. D.C. WOTTON** (on notice) asked the Minister for Environment and Planning—What specific action is the Government taking to extend the provisions of beverage container legislation to classes of beverage containers which do not have a high return rate?

The Hon. D.J. HOPGOOD: This matter is under continuous review.

NATIONAL PARKS RANGERS AND INSPECTORS

336. **Hon. D.C. WOTTON** (on notice) asked the Minister for Environment and Planning—What specific action is being taken by the Government to integrate the activities of rangers and inspectors in the conservation reserves, pastoral lands and State forests including a pooling of capital resources?

The Hon. D.J. HOPGOOD: This Government has come to office with the Minister for Environment and Planning and Lands portfolios being held by one Minister. This strategy has added considerably to the degree of liaison between the two Departments and the fostering of joint programmes associated with ecological surveys, rangelands monitoring and wildlife management. Public seminars on Arid Land Management are also providing a forum for further exchange of ideas on the future management of arid lands and the emerging role required of officers of both Departments in the management of resources within those lands.

There is continuing and developing liaison between the Department of Environment and Planning, Woods and Forests Department, Pastoral Board inspectors, and Country Fire Services on control and suppression of rural fires.

ENVIRONMENTAL PLANNING

337. **The Hon. D.C. WOTTON** (on notice) asked the Minister for Environment and Planning: What progress has been made in the establishment of the framework for an environmental survey of the state with a view to providing a sound data base for environmental planning?

The Hon. D.J. HOPGOOD: Considerable progress has been made in the establishment of the framework for an environmental survey of the State. An interdepartmental committee convened by the Department of Environment and Planning was established to report on the scope and priorities for the proposed Environmental Survey of South Australia and to recommend a strategy for its implementation. The committee has the following membership:

Department of Environment and Planning
Department of Agriculture
Department of Mines and Energy
Highways Department
Department of Lands
Engineering and Water Supply Department
Department of Fisheries
South Australian Museum

and terms of reference:

Having regard to the Government's policy commitment, 'to establish the framework for an Environmental Survey of South Australia', the Committee is to be responsible for:

(i) defining the scope and priorities for that framework
(ii) recommending a strategy for implementing the commitment, including suggested organisational arrangements
(iii) ensuring that the environmental sub-system complies with the general objectives, policies, standards, and priorities for the development and operation of the approved Land Information System for South Australia
(iv) overseeing the development of further defined stages of the environmental sub-system
(v) achieving a level of inter-departmental and authority co-ordination commensurate with effective and efficient development implementation and management
(vi) reporting to Cabinet, through the Minister for Environment and Planning and the Resources and Physical Development Committee on the above matters, and any other issues which, in the committee's opinion, warrant Cabinet's attention or require Cabinet approval.

The implementation schedule recommended by the committee has been approved by the Government and the tendering process for the computer hardware and software which will effectively establish the environmental node of the Land Information System is well under way.

MONARTO ZOO

338. **The Hon. D.C. WOTTON** (on notice) asked the Minister for Environment and Planning:

1. What stage has been reached in the development of the open-range zoo at Monarto?
2. What progress does the Government intend making in this project during 1984?
3. What specific action has been taken by the present Government to preserve the planted forest areas at Monarto?

The Hon. D.J. HOPGOOD: The replies are as follows:

1. The Government has a commitment to the construction of an open-range zoo of world class at Monarto. A steering committee, comprising representatives from the Departments of Environment and Planning, Tourism, Treasury and from the Royal Zoological Society of South Australia and the Murray Bridge Council, advises on matters relating to the planning, design, construction and managment of a proposed zoological park at Monarto. A site of over 1 000 hectares at Monarto has been set aside for purposes of establishing the zoological park. It is located 2 kilometres north of the South-East Freeway and approximately 13 kilometres east of Murray Bridge. A breeding and agistment area, which has already been established and is to be leased to the Royal Zoological Society of South Australia, and a fauna management facility being constructed from the National Parks and Wildlife Service, will together occupy some 160 hectares in the south-east corner of the site and constitute Stage 1 of the zoo development. To date approximately $250 000 has been expended on establishment of these facilities with a further $450 000 of expenditure programmed to complete Stage 1. A consultancy study into the likely financial viability of the open-range zoo at Monarto has been commissioned to enable decisions to be made on the size and scope of development. This study is well advanced and the consultant's report is expected in the near future.

2. As outlined above, a considerable amount of progress has already been made this year, and work will continue throughout the year. The extent and direction of development for the rest of 1984 will be dependent on the recommendations made by the consultants, through the steering committee. There are plans for specific development works to proceed whilst the feasibility study is in progress, such as the construction of an intensive care building for use by both the zoo and the National Parks and Wildlife Service, and the establishment of soil test pits to provide data for future development works.

3. In addition to continuing with the voluntary Heritage Agreement Scheme to protect vegetation on land soil for agriculture, this Government has taken several initiatives to protect vegetation in the area, namely:

(a) the constitution in September 1983 of 266 hectares of land as the Monarto Conservation Park;
(b) the management of approximately 1 200 hectares of plantations by the Woods and Forests Department under a multiple use concept to ensure its retention and conservation.

Community employment programme funding has also been made available to employ 3 people for 1 year to study the benefits of the plantings for agricultural and conservation purposes.

ARID LAND ECOLOGY

343. **The Hon. D.C. WOTTON** (on notice) asked the Minister of Lands—What progress has been made in undertaking the five year study of arid land ecology as recommended in the Vickery Report?

The Hon. D.J. HOPGOOD: The Government decided, in August 1983, to temporarily set aside the Vickery Report recommendation for a five year study of arid lands in favour of a further more public review process comprising the recently convened public forums at Quorn and Adelaide. This decision was publicised in a press release of 3 September 1983, and further announced and explained at my meeting with United Farmers and Stockowners pastoral membership at Peterborough on 13 October 1983. Accordingly, at this stage the proposed study has not been initiated.

SCHOOL BUILDING MAINTENANCE

344. **The Hon. MICHAEL WILSON** (on notice) asked the Minister of Education—What is the total building maintenance backlog, including matters of health, safety and security for schools in each of the Education Department regions?

The Hon. LYNN ARNOLD: The total school building maintenance backlog is not available for each of the Education Department regions. Accurate costings of individual projects are, in most instances, not available, and a considerable number of person days of effort would be required to assess the data in the form asked. Nevertheless, the situation for the State as a whole is that between $8 million and $9 million worth of maintenance work has been identified. Responsiblity for this general maintenance work is vested in the Public Buildings Department, under the control of the Minister of Public Works, from the revenue maintenance allocation provided for the upkeep of all Government assets, including schools. Consequently, schools must be considered along with other assets for priority funding. In the establishment of such priorities, the basic criteria of health, safety and security are used, irrespective of regional boundaries, and funds are directed to those parts of the State where the greatest need exists.

Apart from the Budget provision for cyclic and urgent maintenance, additional sums of $900 000 for the Public Buildings Department and $500 000 for the Education

Department have been approved this financial year to be applied to urgent maintenance works. This is expected to have considerable effect on the maintenance backlog. Even if further funds could be applied, there are limits to the extent of work which civil works contractors can undertake. The funds allocated this year have been calculated in accordance with estimates of what the industry is capable of absorbing.

PASTORAL INSPECTORS' REPORTS

361. Mr GUNN (on notice) asked the Minister of Lands: Will the Minister of Lands ensure that the reports made by pastoral inspectors to the Pastoral Board are made available to the owners or managers of pastoral leases after they have been considered by the Pastoral Board?

The Hon. D.J. HOPGOOD: The Pastoral Board is not prepared to release pastoral inspectors' reports to lessees. However, where appropriate the intended contents of inspectors' reports are discussed verbally with lessees prior to their presentation to the Board. Rangelands officers reports and assessments of range use and management problems based on quantifiable scientific data and other evidence are supplied to, and discussed with, lessees prior to submission to the Pastoral Board.

LIVESTOCK TRANSPORT

362. Mr GUNN (on notice) asked the Minister of Transport:

1. Are Highways Department inspectors deliberately checking all transport carrying livestock to the North of the State and, if so, why?
2. Do inspectors monitor two-way radio communications, for example, the Flying Doctor network or similar forms of communication used by transport operators?
3. Is any leniency shown to people carrying cattle particularly where it is difficult to ascertain the correct weight where there are no weighbridges?
4. Will the Minister request inspectors to be more tolerant in dealing with the weight and height of cattle trucks?

The Hon. R.K. ABBOTT: The replies are as follows:

1. No.
2. Yes—while on duty.
3. No special leniency is shown in the case of cattle transports.
4. The question of whether greater tolerences should be allowed for cattle transporters will be referred to the recently formed Commercial Transport Advisory Committee for consideration.

YEAR 12 STUDENTS

374. Mr BAKER (on notice) asked the Minister of Education: For each high school in South Australia—

(a) how many students were enrolled in year 12 during 1983;
(b) how many sat for the PEB Matriculation exam; and
(c) how many matriculated?

The Hon. LYNN ARNOLD: It is not appropriate to give the information in the form requested. The former Public Examinations Board had a policy of not releasing information of this kind, since, if such information was made public, then unfair inferences could be drawn concerning the effectiveness of schools. I was informed in 1983 by the then Chairman of the Board that both Government and non-government school representatives on the Board at that time were united in discouraging the supply of this information. The Senior Secondary Assessment Board of South Australia has not yet determined its policy on this matter, but until it does, it is operating under the policies of the previous Public Examinations Board.

The following broad information can, however, be given:

(a) The total number of students enrolled in both Government and non-government schools in year 12 as at July 1983 was 10 689.
(b) The number of students in both Government and non-government schools presenting for Matriculation in 1983 was 7 424. This excludes adult matriculants and students taking single subjects.
(c) The number who matriculated (that is, received a scaled score of 295 or more) was 4 854 being 65.4 pc of those who presented for examination.

If the honourable member wishes, he may consult local schools in his electorate to obtain particular details from each, if they make that information public.

GIRLS HIGH SCHOOL

375. Mr BAKER (on notice) asked the Minister of Education: Has the Minister undertaken any research into the feasibility/advisability of providing a single sex (female) high school in the southern metropolitan area?

The Hon. LYNN ARNOLD: There presently exists in the southern area a girls' high school, namely, Mitcham Girls High School. There has been no specific research into the feasibility of establishing an additional girls' high school in the southern area.

PRISONERS' PAROLE

376. Mr BAKER (on notice) asked the Minister of Education representing the Minister of Agriculture:

1. As at the date of proclamation of the Prisons Act Amendment Act (No. 2), 1983, how many inmates had exceeded their non-parole period and have since been released from prison, what were their names, major offence for which imprisoned, sentence and non-parole period imposed, respectively, and which of these prisoners had been refused an earlier parole application?
2. How many other prisoners as at 20 March 1984 have been released at the termination of their non-parole period, what were their names, major offence for which imprisoned, sentence and non-parole period imposed, respectively, and which of these prisoners had been refused an earlier parole application?

The Hon. LYNN ARNOLD: The replies are as follows:

1. The Prisons Act Amendment Act (No. 2), 1983, was proclaimed on 20 December 1983. As at that date 101 prisoners had exceeded their non-parole period and have since been released. Details pertaining to each of these persons are provided in list 1.
2. As at 20 March 1984, 126 other prisoners had been released at the termination of their non-parole period. Details relating to each of those persons are provided in list 2.

LIST 1

Name	Major Offence	Sentence	Non-Parole Period	Previous Parole Application Declined
Baker, Francis Henry	Office Break and Larceny	3 years	1 year	Yes
Balmer, Brendon Mark	*(a)* Armed robbery *(b)* Larceny in dwelling	*(a)* 3 years *(b)* 1 year	1 year	Yes
Banbury, Paul Michael	Attempted Rape	3 years 6 months	1 year 6 months	—
Battye, Robert Leslie	*(a)* False imprisonment *(b)* False imprisonment *(c)* Common assault (2)	*(a)* 4 years *(b)* 4 years *(c)* 6 months	1 year	—
Bennet, Wayne Larence	Drive whilst disqualified	4 months	6 weeks	—
Blaskowski, Heinz	*(a)* Assault with intent to rob *(b)* (1) Canteen break and larceny (2) Larceny (4) counts	*(a)* 2 year 6 months *(b)* (1) 12 months (2) 2 months	3 months+ 9 months	Yes
Bransden, Darren James	*(a)* Robbery with violence. *(b)* (1) Drive without consent. (2) Drive without consent. (3) Wilful damage. (4) Drive without consent.	*(a)* 18 months *(b)* (1) 6 months (2) 4 months (3) 2 months (4) 2 months	8 months	—
Brutnell, Edward Charles	*(a)* (1) Larceny as a bailee (3) (2) Fraudulent sale of mortgaged goods (3) False pretences (2) counts. (4) False pretences.	*(a)* (1) 9 months (2) 9 months (3) 18 months (4) 18 months	9 months	Yes
Cannon, Daniel John	Receiving	1 year	4 months comm. 22.11.83	—
Childs, Dennis William	*(a)* False pretences (7) *(b)* Forgery pottering (2) counts *(c)* Receiving *(d)* Larceny *(e)* Assault	*(a)* 18 months *(b)* 18 months *(c)* 9 months *(d)* 9 months *(e)* 1 month	1 year	Yes
Christianos, John Ross	Cultivating Indian hemp	1 year 6 months	6 months	—
Cleland, Gregory James	*(a)* (1) Shop break and larceny. (2) Accessory after the fact. *(b)* Attempted break.	*(a)* (1) 4 years 6 months (2) 1 year 6 months *(b)* 5 months	2 years	Yes
Collins, Terry	*(a)* Possess heroin for sale *(b)* Possess of heroin. *(c)* Accessory before the fact, armed robbery.	*(a)* 7 years 9 months *(b)* 7 years 9 months *(c)* 2 years	4 years	Yes
Cox, Michael John	Drive without consent	9 months	4 months	—
Craig, Russell John	*(a)* Arson (2) counts *(b)* Arson	*(a)* 5 years *(b)* 3 years	2 years	Yes
Curtis, James Thomas	Falsification of accounts (6) counts	6 months	2 months	—
Daniels, Brett James	Robbery in company	4 years	1 year 6 months	Yes
De Ruiter, John Alexander Graham	Receiving	18 months	4 months	Yes
Dingaman, Brian Roberts	*(a)* Indecent assault *(b)* (1) Assault (2) Resist Police (3) Assault (4) Escape custody	*(a)* 2 years *(b)* (1) 6 months (2) 14 days (3) 2 months (4) 1 month	9 months	Yes
Dimitrof,. Liubo	Armed robbery	5 years	18 months	—
Drew, Ian Harold	*(a)* Larceny *(b)* Receiving	*(a)* 6 months *(b)* 6 months	2 months	—
Earl, Charles Adrian	Drive w/o consent Break enter and steal Drive w/o consent	2 months 5 months 2 months	2 months	—
Elkenhans, Peter Daniel	Indecent assault	12 months	3 months	—
Keenihan, Andrew Robert	Robbery with violence	4 years 6 months	21 months	Yes
Kilgour, Desma	*(a)* (1) Drive under influence. (2) Breach Road Traffic Act. *(b)* Armed robbery.	*(a)* (1) 12 days (2) 3 days *(b)* 2 years 6 months	9 months	Yes
Kyriacou, Jack Kynacous	*(a)* House break and larceny 3 counts *(b)* School break and larceny 2 counts *(c)* cultivate Indian hemp	*(a)* 2 years *(b)* 2 years *(c)* 6 months	9 months	—

Name	Major Offence	Sentence	Non-Parole Period	Previous Parole Application Declined
Linsell, John Desmond	*(a)* (1) Housebreak and larceny (2) Workshop break and larceny *(b)* Breach recognizance	*(a)* (1) 9 months (2) 12 months *(b)* 9 months	4 months	Yes
Love, Robert William	*(a)* Burglary *(b)* (1) Club break and larceny (2) Drive motor vehicle without consent	*(a)* 3 years *(b)* (1) 6 months (2) 21 days	1 year	Yes
Lovett, Dallas Dixon	*(a)* Burglary (2) counts *(b)* Assault with intent to rob. *(c)* Wilful damage.	*(a)* 4 years *(b)* 21 days *(c)* 7 days	18 months	Yes
Lyn, Dez	*(a)* Possession hashish *(b)* Possession Indian hemp *(c)* Larceny chemist	*(a)* 6 months *(b)* 6 months *(c)* 3 months	2 months	—
Macnab, James Cameron	*(a)* Possession house break implements *(b)* Factory break with intent to steal	*(a)* 18 months *(b)* 12 months	6 months	—
Mather, William	Drive in a manner dangerous to cause actual bodily harm	12 months	4 months	Yes
May, Robert John	Assault occasioning actual bodily harm	5 months	1 month	—
Meyer, Gerald Anthony	*(a)* Escape from prison *(b)* Attempt to escape *(c)* (1) Housebreak & larceny (2) Schoolbreak & larceny	*(a)* 10 months *(b)* 6 months *(c)* (1) 1 year 6 months (2) 4 years	5 months	—
Mitchell, Peter Wayne	*(a)* Shopbreak and larceny *(b)* Clubbreak and larceny *(c)* Breach recognizance (larceny)	*(a)* 9 months *(b)* 6 months *(c)* 6 weeks	10 weeks	—
Morrow, Christopher Robin	*(a)* Schoolbreak and larceny *(b)* (1) Drive without consent (2) Drive without consent	*(a)* 18 months *(b)* (1) 8 months (2) 6 months	6 months	Yes
Pearce, Arthur John	Shopbreak and larceny	9 months	2 months	—
Phypers, Clive Raymond	*(a)* Armed robbery *(b)* Assault	*(a)* 4 years 9 months *(b)* 1 month		Yes
Pietsch, Anthony John	*(a)* (1) Armed robbery (2) Clubroom break and larceny (3) Shopbreak and larceny (4) False pretences 4 counts (5) Schoolbreak and larceny *(b)* Clubhouse break and larceny	*(a)* (1) 5 years 6 months (2) 12 months (3) 2 years (4) 18 months (5) 12 months *(b)* 1 year	18 months	Yes
Pilgrim, Christopher Alvin	Rob from person	3 years	1 year	Yes
Piotrowski, Teddy Michael	*(a)* Receiving *(b)* Breach of parole	*(a)* 12 months *(b)* 475 days	4 months	Yes
Pollock, Leigh William	*(a)* Illegal use. *(b)* Unlawful wounding	*(a)* 5 years *(b)* 3 years	2 years	Yes
Power, Louis Joseph Charles	*(a)* Breach recognizance—shop break and larceny and garage break and larceny *(b)* Robbery with violence	*(a)* 2 years *(b)* 3 years 6 months	15 months from 1.7.82	Yes
Queama, Phillip Stanley	*(a)* house break and enter and larceny *(b)* Wilful damage	*(a)* 12 months *(b)* 3 months	7 months	—
Radkov, Roy Gordon	Possession Indian hemp for sale	8 months	2 months	—
Redibaum, Solomon	*(a)* False pretences 4 counts *(b)* False pretences 3 counts *(c)* False pretences	*(a)* 12 months *(b)* 3 months *(c)* 1 month	*(a)* 12 months *(b)* 3 months *(c)* 1 month 4 months	—
Ryan, Francis John	Indecent assault	3 years 6 months	1 year 8 months	Yes
Roberts, Kenneth Neil	Hotel break, enter and steal	12 months	4 months	Yes
Sach, Kenneth Flinders	Larceny	6 months	3 months	—
Sansbury, Terry Charles	Robbery with violence	3 years	18 months	Yes
Scott, Graham Frederick	*(a)* Unlawful sex/intercourse *(b)* Indecent assault *(c)* Unlawful sex/intercourse *(d)* Unlawful sex/intercourse	*(a)* 2 years *(b)* 1 year *(c)* 2 years *(d)* 2 years	6 months	Yes
Smith, Brenton Victor	Robbery with violence	3 years	18 months	Yes
Smith, Stephen Keith	*(a)* (1) Assault O.A.B.H. (2) Common assault *(b)* Breach recognizance (Assault)	*(a)* (1) 12 months (2) 9 months *(b)* 21 days	3 months	Yes
Sparacio, Nicola	Indecent assault	3½ years	14 months	—
Stoumbas, John	*(a)* Unlawfully set fire to shed *(b)* Breach recognizance	*(a)* 18 months *(b)* 1 year	9 months	—

Name	Major Offence	Sentence	Non-Parole Period	Previous Parole Application Declined
Struthers, Desmond Mark	*(a)* (1) Possession heroin for sale (2) Possessing LSD *(b)* Breach recognizance *(c)* Drive disqualified	*(a)* (1) 4 years 6 months (2) 1 year *(b)* 6 months *(c)* 2 months	18 months	Yes
Suckling, Daryl Francis	*(a)* Shopbreak and larceny (2 counts) *(b)* Escape legal custody	*(a)* 2 years 6 months *(b)* 9 months	9 months	Yes
Taylor, Jeffrey Mark	*(a)* Buildings break, enter and steal *(b)* Housebreak, enter and steal	*(a)* 18 months *(b)* 12 months	9 months	—
Treloar, Arnold Maxwell	*(a)* Assault occasioning actual bodily harm *(b)* Assault police	*(a)* 6 months *(b)* 21 days	2 months	—
Trimmis, Theo	*(a)* Larceny *(b)* Larceny	*(a)* 12 months *(b)* 12 months	8 months	Yes
Thomas, Charles Henry	Indecent assault	12 months	4 months	—
Tucker, Ian Leith	Factory break and larceny	14 months	2 months	—
Tweed, Stephen Anthony	*(a)* House break and larceny *(b)* Attempted house break *(c)* Larceny *(d)* Larceny *(e)* Larceny *(f)* Office break and larceny *(g)* Malicious damage *(h)* Shop break and larceny	*(a)* 15 months *(b)* 3 months *(c)* 12 months *(d)* 6 months *(e)* 4 months *(f)* 12 months *(g)* 12 months *(h)* 9 months	1 year 8 months	Yes
Uzzell, Michael Paul	Factory break with intent to steal	12 months	4 months	—
Van Beusichem, Raymond	*(a)* (1) Drive by dangerous driving (2) Driving under influence (3) Drive w/o consent (4) Break of parole. *(b)* Breach recognizance larceny (2 counts)	*(a)* (1) 6 months (2) 2 months (3) 3 months (4) 87 days *(b)* 8 months	—	—
Wallace, Kevin Arthur	Assault occasioning actual bodily harm	9 months	3 months	—
Warren, Michael Ray	Breach of recognizance	4 months	1 month	—
Watson, John Kelly	*(a)* (1) Sell heroin (2) Possess heroin for sale *(b)* Breach recognizance	*(a)* (1) 6 years (2) 6 years *(b)* 2 weeks	21 months	Yes
Watson, Peter Frederick	*(a)* (1) Surgery break and larceny (2) Drive while suspended 4 counts (3) Possess housebreak implements (4) Drive prescribed concentration of alcohol. *(b)* Cause death by dangerous driving.	*(a)* (1) 9 months (2) 3 months (3) 3 months (4) 2 months *(b)* 4 years and 6 months	*(a)* 5 months from 18.9.82 15 months from 5.7.82	Yes
Wiggins, Peter Kenneth	Attempted break, enter and larceny	4 months	2 months	—
White, Christopher Lee	Robbery with violence	5 years	2 years	Yes
Whitehead, Mark Norman	*(a)* (1) Forgery 2 counts (2) Uttering (3) Receiving *(b)* (1) School break and larceny (2) Warehouse break and larceny (3) School break and larceny	*(a)* (1) 2 years (2) 2 years (3) 3 years *(b)* (1) 6 months (2) 6 months (3) 6 months	8 months 2 months	Yes
Whitehead, Warren James	Factory break and larceny	14 months	4 months	Yes
Williams, Christopher Barry	House break and larceny (4 counts)	6 months	6 weeks	—
Winkler, Craig Thomas	*(a)* Suspected person *(b)* Shop break, enter and steal	*(a)* 3 months *(b)* 12 months	6 months	—
Young, David Paul	*(a)* Unlawful possession *(b)* Common assault *(c)* False pretence.	*(a)* 4 years *(b)* 12 months *(c)* 9 months	2 years	Yes
Zanker, Shane Leslie	*(a)* Assault occasioning actual bodily harm *(b)* Breach recognizance	*(a)* 15 months *(b)* 6 months	7 months	Yes
Black, John Raymond	Attempted murder	16 years	4 years	Yes
Evans, Donald Robert	House break and larceny	27 months	10 months	—
Lucieer, Kym Robert	Larceny Possess Indian hemp for trade	15 months 12 months	4 months	—
Martin, Dean Colin	Ass. W/I to commit felony	2 years	8 months	—
Pantos, William	Shop break and larceny	12 months	5 months	—
Romeo, Domenico	Cultivate Indian hemp	5 years	1 year 8 months	—
Troiano, Elio Antonio	Assault occasioning actual bodily harm	9 months	3 months	—
Williams, Troy	Illegal use motor vehicle	14 months	5 months from 4.10.83	—
Damms, Stephen Paul	School breaking with intent to steal	8 months	4 months	—
Graham, Kirk Lionel	Hotel break and larceny (2)	8 months each count conc.	4 months	—

Name	Major Offence	Sentence	Non-Parole Period	Previous Parole Application Declined
Grindley, Colin	Attempted rape	28 months	7 months	—
Kotsonis, Spiros	Larceny	12 months	4 months	—
Martin, Dean Gregory	House break enter and steal	18 months	8 months	—
Milburn, Trevor Ashleigh	False pretences	3½ years	1 year	—
Morgan, Gordon Tracy	House break and larceny Breach of recognizance	6 months S/sentence 12 months conc. on above 6 months	6 months	—
Mouhalos, William	Shop break and larceny	18 months	9 months	—
Oberthur, Reginald	Break enter and steal (3)	18 months	10 months	—
Powell, Barry John	Larceny	15 months	5 months	—
Rozaklis, Minail	Conspiracy to prevent the course of justice	12 months	5 months	N/A
Sheenhan, Michael Thomas	Shop break and larceny	12 months	6 months	N/A
Warren, Graham Edward	Larceny	15 months	5 months	—
Anderson, Laurence	Shop break and larceny	8 months	4 months	N/A
Asplund, Terence Charles	Storeroom break and Larceny	2 years	9 months	N/A
Augeneder, Manfred	Clubroom break and larceny	12 months	4 months	N/A
Bennett, Noel William	Steal motor vehicle	9 months	4 months	N/A
Bradey, Aaron Kelland	Drive without consent	2 years	12 months	N/A
Bucyk, Michael	Attempted murder	7 years	2½ years	N/A
Bull, Michael Barry	Drive motor vehicle without consent	1 year	6 months	N/A
Chipperfield, Wayne Anthony	Forgery (17) Uttering (17)	3 years all counts conc.	21 months	N/A
Clarke, Richard John	Indecent assault	12 months	4 months	N/A
Coulthard, Rex Wayne	Rape (6 counts)	3 years 9 months	12 months	N/A
Doolan, Peter Rex	Drive motor vehicle without consent	9 months	5 months	Yes
Earls, Danny	Shop break and larceny	2 years	10 months	N/A
Eves, Arthur Lyle	Clubroom break and larceny Service station break and larceny Factory break and larceny	1 year all conc. 1 year 1 year	4 months	N/A
Flavel, Julie Ann	Possession of house breaking implements by night	9 months	3 months	N/A
Franklin, Roger Stewart	Unlawful use motor vehicle Drive motor vehicle without consent	6 months 6 months at exp.	6 months	N/A
Freeman, Dion Brett	House break and larceny	6 months	2 months	N/A
Gibson, Peter	Assault	6 months	2 months	N/A
Graham, Ian Stewart	House break with intent to steal	6 months	2 months	N/A
Gray, Gary	Armed robbery	3 years	18 months	N/A
Ham, Steven Geoffrey	Cause death by dangerous driving	2 years	8 months	N/A
Hampson, Andrew Mark	Shop break and larceny	18 months	6 months	N/A
Harding, Shiona	Larceny as servant	15 months	5 months	N/A
Hastings, Michael John	Assault police (4 counts)	12 months each count conc.	4 months	N/A
Heuzenoeder, James Phillip	Rape	10 years	2 years 9 months	N/A
Hier, Keith	Assault	4 months	2 months	N/A
Huynh, Van duc	Wounding with intent to cause grievious bodily harm	3 years	12 months	N/A
Jabaldjarri, Gregory Wayne	Breach recognizance Assault occasioning actual bodily harm	2 months 2 months at expiration	2 months	N/A
Johnson, Raymond Morris	Office break and larceny	2 years 6 months	10 months	N/A
Jury, Mark Anthony	Breach of recognizance (Assault)	16 months	7 months	No
Lucey, Grant John	House break and larceny	8 months	3 months	N/A
McLeish, Desmond Richard	Trade in amphetamine	3 years	20 months	N/A
Malayangu, Noel	Break enter and steal Drive without consent	4 months 4 months conc.	3 months	N/A
Marshall, Raymond	Attempted murder	5 years	21 months	N/A
Mayne, Michael James	Armed robbery	7½ years	2 years 6 months	N/A
Monterola, Rex	House break and larceny	10 months	4 months	N/A
Morley, Stephen Frederick	Armed robbery	4 years	9 months	N/A
Nguyen, Ngoc Minh	Assault occasioning actual bodily harm	5 months	3 months	N/A
Reid, Judith	Conspiring to trade heroin	2½ years	8 months	N/A
Reynolds, Howard James	Sex/intercourse with female 9 years (3) Indecent assault (5)	5 years each conc 2 years cuml. with above	18 months	No

Name	Major Offence	Sentence	Non-Parole Period	Previous Parole Application Declined
Rochester, Rodney Dean	Maliciously set fire to goods	18 months	11 months	N/A
Roy, Leah Anne	Conspiracy to trade heroin	2½ years	8 months	N/A
Rozaklis, George	a. Larceny b. Building break and larceny	12 months 6 months	4 months	N/A
Scott, Mark Charles	House break and larceny	6 months	3 months	N/A
Sousouras, Jim	Cause death by dangerous driving	1 year	3 months	N/A
Stewart, Valerie	Assault police	6 months	2 months	—
Town, Michael Peter	Burglary	4 years	2 years 3 months 6 weeks	—
Trengrove, Steven	Shed break and larceny Breach of recognizance	3 months 9 months suspended sentence revoked cuml.	3 months	—
Vanderspeck, Robert William	Break enter and larceny (2 counts)	11 months	3 months	N/A
Webb, Anthony Douglas	Assault (2)	8 months each conc.	4 months	N/A
Winters, Andrew Paul	Receiving False pretences	18 months 18 months cumlt.	8 months	N/A
Young, Christopher Woodrow	Shop break and larceny	18 months	6 months	N/A
Zappia, Giuseppe	Cultivate Indian hemp	15 months	5 months	N/A
Biela, Kazimerz	Rape (2 counts)	1 year con- 3 years current	6 months	—
Brooks, Quenten Elwood	Housebreak and larceny	2½ years	10 months	—
Brown, Stephen	Break enter shop commit felony (3 counts)	1 year each count concurrent	6 months	—
Burk, Stanley Roy	Attempted murder	5 years	1 year	—
Cotterell, Kevin Stephen	Possess methamphetamine for sale	2 years	8 months	—
Cunningham, John William	Breach of Recognizance	14 months	5 months	—
Fitzgerald, John Eric	Assault occasioning bodily harm	2 years	9 months	—
Grinstead, Nicholas Martin	House break enter and steal	11 months	5 months	—
Jan, Raymond Neil	Assault occasioning bodily harm	2 years	10 months	—
Johnstone, David Wayne	School break with intent to steal Arson	1 year 2 years concurrent	15 months	—
Kahle, Stephen Roy	Drive without consent Breach of recognizance (suspended sentence revoked)	9 months 16 months	6 months at time of breach	—
Kendrick, Roger Clive	Demand money with threats	2 years 6 months	12 months	—
Kiley, Gary Leonard	Armed Robbery	5 years	18 months	Yes
Koenig, Peter John	Cause death by dangerous driving	1 year 6 months	6 months	—
Lopresti, Domenico	Cultivate Indian hemp	3 years	8 months	—
McKellan, David Laird	Armed robbery	4 years 2 months	18 months	—
Morgan, Gerald William	Arson	3 years	18 months	—
Mungerannie, George	Larceny Breach recognizance	3 months 6 months at exp	2 months	—
Osenkowski, Eugene Edward	Possess heroin for sale	6 years	2 years	—
Phipps, Barry	Unlawful and malicious wounding	12 months	3 months	—
Roberts, Alan Lloyd	Indecent assault	15 calendar months	6 months	—
Robertson, Patrick Donald	Clubroom break and larceny	8 months	3 months	—
Saint, Peter James	Assault police	6 months	2 months	—
Salter, Tony	Flat break and larceny (2) Burglary	2 years 2 years concurrent with above	7 months 3 weeks	—
Smith, Colin John	Larceny (3)	1 year each count concurrent	4 months	—
Smith, David Gregory	Robbery with violence	15 months	6 months	N/A
Smith, Ian	Office break and larceny Unlawful sex/intercourse	1 year 1 year concurrent	4 months	—
Smith, Michael Conway	Indecent assault	15 months	5 months	—
Solomon, Kenneth Keith	Indecent assault	2½ years	12 months	—
Sutrin, Richard Nickolas	House break and larceny (2) Club break and larceny	2 years concurrent 2 years cumulative	2 years	—
Toune, Richard Graham	Cultivate Indian hemp	6 months	2 months	—
Bracegirdle, Brian Shaune	House break and larceny	9 months	3 months	N/A
Ciccarello, Antonio Lore	Trade Indian hemp	12 months	6 months	N/A
Crowe, Robert Michael	Assault occasioning actual bodily harm	2 years 6 months	15 months	N/A

Name	Major Offence	Sentence	Non-Parole Period	Previous Parole Application Declined
Howard, James	Unlawful sexual intercourse	4½ years	18 months	—
Husler, Robert Andrew	Shop break with intent to steal	6 months	2 months	—
Karpany, Meldrum John	Drive while disqualified (2)	6 months concurrent	3 months	N/A
Kirvan, Leon Robert	Drive without consent	9 months	2 months	N/A
Peterson, Warren John	Larceny (2 counts) Larceny	4 months each concurrent 4 months at expiry above	5 months	N/A
Augello, Frank Antonio	Possessing Indian hemp	2½ years	12 months	—
Brennan, Anthony Leo	Manslaughter	10 years	7 years 6 months	Yes
Campbell, Roger Maxwell	Breach of recognizance	6 months	5 months	—
Etherington, Henry Trevor	Unlawful sexual intercourse with person under 12 years	5 years 6 months	2 years	N/A
Forbes, Renni Alexander	Malicious damage in the night	15 months	6 months	—
Gebert, Gary Charles	Illegal use	14 months	6 months	N/A
Hughes, Alan Robbie	Indecent assault	18 months	4 months	N/A
Huynh, Chanh Van	Cause grevious bodily harm	3 years	9 months	N/A
Jones, Ronald George	Unlawful sexual intercourse with person under 12 years	3 years	12 months	N/A
Kreek, Jennifer Lorraine	Assault occasioning actual bodily harm	5 years	12 months	—
Lawrie, Richard Douglas	Indecent assault	18 months	8 months	N/A
Lukat, Rudolph	Assault (2)	6 months each count concurrent	4 months	N/A
Lynch, David Anthony	Unlawful possession False pretences (3)	6 months cumlative 6 months concurrent	4 months	Yes
Paget, Paul Lee	Shop break and larceny	4 months	2 months	N/A
Rigney, Mark John	Break and enter, steal	12 months	7 months	—
Sharpe, Murray William	Misprison a felony	4 years	18 months	N/A
Slattery, Brian Francis	Break, enter and larceny post office	12 months	3 months	N/A
Tavener, Andrew Charles	House break and larceny	14 months	5 months	N/A
Wanganeen, Gavin Francis	Shop break and larceny	12 months	6.12.83 to 31.3.84	N/A
Wanganeen, Gregory Paul	Assault with intent to rob	3 years	12 months	N/A
White, Allan Keith	Rape	6 years	2 years	N/A
Wylie, Vernon John	Receiving	18 months	6 months	N/A

HOUSING TRUST HOMES COSTS

383. **Mr BAKER** (on notice) asked the Minister of Housing and Construction: What is the average cost of homes and units, respectively, completed to date by the South Australian Housing Trust for 1983-84 and what are the comparable figures for 1980-81, 1981-82 and 1982-83?

The Hon. T.H. HEMMINGS: The South Australian Housing Trust's capital works programme between 1980/81 and the present time involved some 8 000 dwellings built throughout the State via the various schemes operated by the Trust, including 'Trust design and tender', 'Consultant design and tender', Design and Construction', 'Labour Only', 'Purchase houses' and 'Government Department Houses'. The dwellings themselves provide a wide variety of accommodation ranging from single bedroom units for the elderly to four bedroom family accommodation, built in attached or detached form in buildings ranging from one to three storeys in height. Each form of construction has different costs and the relative proportions of each type of construction vary from year to year.

Comparison of average annual housing costs can therefore be misleading unless those interpreting the results are fully aware of the significant factors that can affect prices. Factors affecting tender prices in addition to those mentioned already are the tender market, the size of the project, location of the project, competitiveness of the tender, site conditions, construction period and specification requirements including footing design, extent of siteworks, type of construction, proportion of end walling and offsets between units, etc. It is felt, therefore, that any realistic comparison of housing costs should be based on similar units tendered in similar locations under similar tender and specification requirements.

The following tables indicate the annual average tender prices for cottage flats for the elderly tendered in the metropolitan area and detached single unit houses tendered in the southern metropolitan area between July 1980 and the present, and show the annual percentage movement in tendered prices:

Cottage Flats

Financial Year	Overall Average Tender Price including Siteworks	Annual Variance as %
1980-81	15 308	—
1981-82	17 813	+16.4%
1982-83	16 777	− 5.8%
1983 March 84	18 983	+13.1%
Compounded Total Variance		+24.0%

Single Units

Financial Year	Overall Average Tender Price	Annual Variance as %
1980-81	23 086	—
1981-82	23 319	+ 1.0
1982-83	25 102	+ 7.6
1983-March 84	28 750	+14.5
Compounded Total Variance		+24.4

It is important to note that the tender prices quoted exclude other items of considerable significance in the total cost of the houses, but which are not related to the tendering process, such as land cost, statutory fees and charges, design and construction, supervision costs and interest charges. The overall price increase between 1980-81 and the present year as indicated by the above tables is approximately 24 per cent whereas the National Cost Adjustment Formula (NCA-1S) used to assess variation in building costs based on changes to award wages, on-costs indicates an increase of 39 per cent for the same period. This comparison indicates the highly competitive nature of tendering for Trust contracts during the period reviewed.

NATURAL SPRINGS AND SWAMPS

418. **Mr BECKER** (on notice) asked the Minister for Environment and Planning: Are there any natural springs and swamp areas in South Australia of significant importance to Aborigines as well as being of historical, scientific and tourist interest and, if so, where are they located and are they listed in the National Estate Register and, if not, why not?

The Hon. D.J. HOPGOOD: South Australia has a very large number of natural springs and swamp areas of significant importance to Aborigines as well as being of historical, scientific and tourist interest. In general, the most notable of those include the swamps of the Murray River and the South-East and the mound springs which occur along the margin of the Great Artesian Basin in the Marree—Oodnadatta region. Significant springs or swamps also occur in the Mount Lofty Ranges, on Kangaroo Island, Yorke and Eyre Peninsulas, and along the river systems of the Far North.

More than sixty areas containing natural springs or swamp areas are listed in the Register of the National Estate. Most areas have been listed because of their natural or general environmental significance, but a substantial proportion of these is undoubtedly of Aboriginal importance. Two mound springs (Blanche Cup and Twelve Springs) have been listed specifically because of their Aboriginal significance. In many cases, however, swamps or springs have not been listed, simply because adequate studies to define their significant features have not yet been undertaken. In this respect it is relevant to note that the Government is currently undertaking, promoting or planning several studies of wetland areas. In some cases areas of Aboriginal significance are not listed as the Aborigines do not wish attention to be drawn to important sites in this way.

ADVISORY CURRICULUM BOARDS

424. **Mr BECKER** (on notice) asked the Minister of Education:

1. How many advisory curriculum boards and committees have been appointed during the past two years?
2. Who are the members of these boards and committees and what are their qualifications for appointment?

The Hon. LYNN ARNOLD: The replies are as follows:

1. No new advisory curriculum boards or committees have been appointed to advise the Director-General during the past two years.
2. The Advisory Curriculum Board has existed in its present form since 1979. The 1984 membership and the groups they represent are as follows:

Mr R. Goldsworthy, A/Director of Curriculum, Curriculum Directorate (Education Department)

Ms M. Sleath, Largs Bay JPS, Equal Opportunities (Education Department)

Mr J. Coker, A/Assistant Director of Curriculum, Curriculum Directorate (Education Department)

Ms M. Creaser, Kindergarten Union of South Australia

Mr C. Senior, Modbury High School, South Australian Institute of Teachers

Dr K.F. Were, A/Assistant Director, Curriculum Directorate (Education Department) Special Ed.

Ms P. Hansen, Independent Schools Board

Mr I. W. Jones, Catholic Education Office

Mr D.J. Keegan, Open College of TAFE, Department of Technical and Further Education

Miss R. Rogers, Assistant Director of Curriculum, Curriculum Directorate (Education Department), Early Childhood Education

Mrs S. Nolan, President, S.A. School Parents Club

Mrs C. Fuller, SAA State Schools Organisations

Mrs R. Ellis, Association of Junior Primary School Parents Club

Ms M. Travers, Elizabeth Field JPS, South Australian Institute of Teachers

Mr N.L. Wilson, Research and Planning Directorate (Education Department)

Mr A. Gardini, Department of Local Government, Multicultural Education Co-ordinating Committee

Prof. I.S. Laurie (Chairman), Flinders University, Joint Matriculation Committee

Mr T.R Muecke, Chamber of Commerce and Industry

Dr B. Keepes, S.A. College of Advanced Eduation

Mr R. Felmingham, United Trades and Labor Council

Mr D. Ralph, Eyre REO, Regional Directors of Education

Mr C. Moller, Executive Officer, Curriculum Directorate (Education Department)

Vacant: Senior Secondary Assessment Board of S.A. (being filled).

Vacant: South Australian Institute of Teachers (being filled).

Vacant: Aboriginal Education (Curriculum Directorate) (being filled).

The membership of the various curriculum committees is printed in a supplement to the *Education Gazette*, volume 12, No. 9, which is available in booklet form in the Parliamentary Library.

HELICOPTER SERVEILLANCE

431. **Mr LEWIS** (on notice) asked the Minister for Environment and Planning:

1. What was the cost to the Department of Environment and Planning of using a helicopter to provide aerial surveillance of the opening of the duck season?
2. How many illegal duck hunters were apprehended or detected by the helicopter surveillance crew?
3. Over what parts of the State did the helicopter travel on the morning of the opening of the season?
4. Has helicopter surveillance of duck shooting activities been undertaken on any occasion since opening day and, if so, what additional expense has been incurred on each of those occasions and to where were the sorties flown?

The Hon. D.J. HOPGOOD: The replies are as follows:

1. $2 205.
2. No illegal duck shooters were apprehended. However, suspected breaches of hunting regulations were detected in the Mosquito Point Sanctuary area where two boats appeared to be used to rouse ducks and possibly to shoot ducks from moving boats.
3. The patrol covered Lake Alexandrina, Lake Albert and the Coorong, with special attention being given to Tolderol Game Reserve, Mosquito Point Sanctuary, Yalkuri Sanctuary, and the Coorong National Park and Coorong Game Reserve.
4. No.

SAND DUNE STABILISATION

434. **Mr LEWIS** (on notice) asked the Minister for Environment and Planning:

1. How much money has been spent on sand dune stabilisation on Younghusband Peninsula and how much of that money has been spent on the dune located on the peninsula adjacent to the Coorong Game Reserve?
2. How many freshwater soaks have been covered by drift sand in the vicinity of the Coorong Game Reserve during the past 10 years and the past three years?

The Hon. D.J. HOPGOOD: The replies are as follows:

1. Nil on both counts.
2. The Department of Environment and Planning has not carried out a specific survey to determine this point. However, it is known that various freshwater soaks, both within the game reserve and outside it, appear to become silted up, but the freshwater emerges elsewhere some distance (e.g. 30-50 m) away. Princes soak is an example of this within the game reserve, Tun Tun soak (not in the game reserve) is another.

GLENELG NORTH BUSES

436. **Mr BECKER** (on notice) asked the Minister of Transport: Will the STA be bituminising the bus turning area on Military Road near Anderson Avenue, Glenelg North, and providing a toilet block for the use of bus drivers and, if not, why not?

The Hon. R.K. ABBOTT: The bituminising of the bus turning area on Military Road near Anderson Avenue, Glenelg North, is a matter for the relevant local government authority. The State Transport Authority does not make funds available for this purpose.

The State Transport Authority has no plans to construct a toilet block at this location. In line with existing policy, the Authority pays a rental to the proprietor of the Ampol Service Station, Anzac Highway, Glenelg North (near up bus stop 18), for the use of toilet facilities for bus drivers during the hours that public transport services are provided.

PAROLE SYSTEM

444. **The Hon. D.C. WOTTON** (on notice) asked the Minister of Tourism representing the Minister of Correctional Services: What steps have been taken to involve—

(a) the Correctional Services Advisory Council; and
(b) any other body,

in monitoring the operation of the new parole system under the Prisons Act Amendment Act (No. 2), 1983?

The Hon. G.F. KENEALLY: The replies are as follows:

(a) None.

(b) Discussions have been held between the Department of Correctional Services and the Office of Crime Statistics with a view to reviewing the impact of changes in parole legislation. In addition, the Department of Correctional Services has sought advice on the proposed study from the Australian Institute of Criminology. As an interim step, parole officers and the Parole Board secretariat are continuing to keep records of the progress of every individual released on parole.

COMMUNITY EMPLOYMENT

446. **The Hon. D.C. WOTTON** (on notice) asked the Minister for Environment and Planning: What responsibilities will be given to each of the people employed in the 12 jobs created in national parks under the Federal Government's community employment programme announced in November 1983, over what duration of time will the employment continue and how much will each person receive in salary?

The Hon. D.J. HOPGOOD: Details relating to the employment of 12 persons in the National Parks and Wildlife Service, through the community employment programme are as follows:

Project Title	Responsibilities	Number of persons	Duration of Employment	Estimated Wages Payment
Nullabor Resource Inventory	Producing an inventory of the Nullabor Plain	2	5 months	$6 500 ea
Gammon Ranges Vermin Control	Rabbit Control	6	4 months	$4 387 ea
Coorong National Park—Tourist Improvements	Re-vegetation and weed control. Vehicle access track marking, and walking trail maintenance. Rubbish removing and cutting back vegetation encroaching on roads, erecting information signs, re-fencing vegetation plot.	4	6 months	2@ $5 820 ea 1@ $3 492 ea 1@ $4 714 ea

EDUCATION SYSTEM

450. **Mr BAKER** (on notice) asked the Minister of Education:

1. How many teachers have been dismissed by the Education Department in each of the past five years and on what grounds?

2. How many students have committed offences involving reports to police whilst in the confines of Education Department school grounds in each of the past five years?

3. How many students have been—
   (a) expelled; and
   (b) suspended,
from Education Department primary and secondary schools, respectively, in each of the past five years and on what grounds?

4. How many teachers in Education Department schools have been assaulted by students in each of the past five years?

5. Has the Minister commissioned any studies to ascertain whether discipline has been a significant factor in the increased demand for private schooling (at the expense of State schools) over the past five years and, if so, what were the results?

The Hon. LYNN ARNOLD: The replies are as follows:

1.

1979	4 Teachers	Incompetence, inefficiency and evidence of improper behaviour.
		Sexual assault and incompetence.
		Improper conduct with parents and representatives of students.
		Incompetence in the discharge of duties as a teacher.
1980	Nil	
1981	2 Teachers	Inefficiency and incompetence.
		Dismissed for improper conduct.
1982	2 Teachers	Disgraceful and improper conduct.
		Negligence, inefficiency and incompetence.
1983	Nil	

2.

1979	1980	1981	1982	1983
67	88	109	89	89

3. *(a) Expulsions*

1979		1980		1981		1982		1983	
P.	S.	P.	S.	P.	S.	P.	S.	P.	S.
-	2	1	-	-	7	3	2	-	6

(b) Suspensions

1979		1980		1981		1982		1983	
P.	S.	P.	S.	P.	S.	P.	S.	P.	S.
21	611	32	605	18	820	51	806	46	1023

P. = primary S. = secondary

The reasons include:

(a) Expulsions
Assaults against teachers
Persistent refusal to work
Offensive/abusive behaviour
Sexual interference
Alcohol

(b) Suspensions
Persistent disobedience and/or insolence
Violence towards teachers or fellow students
Persistent disruptive behaviour
Swearing
Vandalism
Smoking, alcohol, other drugs
Cheating
Wilful refusal to work
Truancy
Obscene acts, sexual interference
Theft.

4. No Study in the terms of the question has been commissioned.

HUMAN ORIGINS

451. **Mr BAKER** (on notice) asked the Minister of Education: Does the Minister intend to instruct teachers in State schools to present alternative theories of human orgins (creation and evolution) as has the Queensland Minister of Education?

The Hon. LYNN ARNOLD: In South Australia the responsibility for the curriculum in Government schools rests not with the Minister of Education but with the Director General of Education. This is stated in Part VII, section 82 (1) of the Education Act.

MEDICAL SPECIALISTS

459. **Mr BECKER** (on notice) asked the Minister of Tourism representing the Minister of Health:

1. What are the total amounts received by each public hospital for institutional billing on behalf of resident specialists since December 1980 when the 'A' and 'B' schemes were introduced?

2. How much has been retained by the relevant hospital and what percentage of the total amount collected does this represent?

3. What is the percentage of private patients treated by each specialist?

The Hon. G. F. KENEALLY: Information necessary to answer the honourable member's question has been sought from the hospitals concerned. A reply to the question will be provided as soon as the information is available.

GOVERNMENT HOSPITALS

460. **Mr BECKER** (on notice) asked the Minister of Tourism representing the Minister of Health: Has the facilities charge been introduced in Government hospitals against full-time specialists with rights to private practice since 25 June 1982 and, if not, why not and, if so, how much and from whom has been received by each public hospital under the scheme?

The Hon. G.F. KENEALLY: No. Schemes A and B were to terminate on 31 December 1983. New arrangements were to be introduced, including a facilities charge, which would take into account the Commonwealth requirements under Medicare. However, rights to private practice under the Medicare arrangements are the subject of a Commonwealth inquiry. Schemes A and B will continue at least until the conclusion of the inquiry.

MEDICAL SPECIALISTS

462. **Mr BECKER** (on notice) asked the Minister of Tourism representing the Minister of Health:

1. How many full-time and part-time medical specialists are employed in public hospitals and in what categories?

2. What are their average earnings for each of the past three years?

3. What constraints have been placed on these specialists in the past 12 months?

The Hon. G.F. KENEALLY: Information necessary to answer the honourable member's question has been sought from the hospitals concerned. A reply to the question will be provided as soon as the information is available.

SPECIAL BRANCH

463. **The Hon. PETER DUNCAN** (on notice) asked the Minister of Community Welfare representing the Attorney-General:

1. What is the current status of the Government's review of the present arrangements regarding the guidelines for the operations of Special Branch?

2. When was the review begun and when is it expected to be completed?

3. What are the names and positions of the persons conducting the review?

The Hon. G. J. CRAFTER: There is no formal review. The Attorney-General is conducting the review and has obtained advice from the Solicitor-General, Mr M.F. Gray, Q.C. The Government is currently seeking information from other States, in particular Victoria and Western Australia, about the arrangements regarding Special Branch operations in those States.

The Government also placed a submission before the Hope Royal Commission on ASIO and at the time indicated that the Special Branch guidelines of 1980 would be altered following the findings of that Royal Commission.

PRIVATE PRACTITIONERS' FUNDS

464. **Mr BECKER** (on notice) asked the Minister of Tourism representing the Minister of Health: How much has been paid to the Commissioner of Charitable Funds in each of the past five years by medical specialists granted the right of private practice at public hospitals?

The Hon. G.F. KENEALLY: The reply is as follows:

1978-79—$138 332.82
1979-80—$111 902.95
1980-81—$46 913.90
1981-82—$59 754.58
1982-83—$244.00

SUPPLY AND TENDER BOARD

465. **Mr BECKER** (on notice) asked the Minister of Lands:

1. Has an investigation been made into the Supply and Tender Board tender No. 736 of July 1983 specification AS2035 for the supply of certain lighting and sound equipment for Noarlunga College Theatre and, if not, why not?

2. What action is being taken by the Board to protect South Australian designed and manufactured equipment for Government contracts?

The Hon. D.J. HOPGOOD: The replies are as follows:

1. Yes.

2. The Board is responsible for applying the State preference policy which at present affords a preference to South Australian and Australian manufactured items except for items manufactured in Victoria (no preference is applied between the State Governments of Victoria and South Australia for stores and equipment manufactured in those States). The State preference policy is currently under review.

STATE TRANSPORT AUTHORITY

469. **The Hon. B.C. EASTICK** (on notice) asked the Minister of Transport:

1. What is the present charter of the State Transport Authority and if it has altered since first stated, what were the alterations and when were they effected?

2. Does the name 'State Transport Authority' correctly reflect the service provided to the community and, if not, what are the variants?

3. What, if any, individual losses were recorded by the Authority in its bus, tram, train and other services in each of the years 1980-81 to 1982-83 and what in effect has been the per passenger subsidy for each service in the same periods?

The Hon. R.K. ABBOTT: The replies are as follows:

1. The present charter of the State Transport Authority is expressed in its 1983-84 corporate plan and appeared in full in the Annual Report for 1981-82. The charter describes:

the main role of the S.T.A.;
its business approach;
its involvement in the overall transport system;
the S.T.A. as an employer.

The present charter has not been altered since its formulation in 1982, but the statements are currently being reviewed and any amendments will be incorporated in the Authority's 1984-85 Corporate Plan.

2. The name 'State Transport Authority' reflects the ownership of the organisation rather than the geographic coverage of its services.

The STA provides services for passengers on buses, trams and trains in metropolitan Adelaide and not throughout the State (except in the case of Roadliner Charters).

There is a common fare structure and an integrated network of bus, tram and train routes.

3. Net Cost of Providing Services:

	1980-81 $'000	1981-82 $'000	1982-83 $'000
Bus	35 473	41 420	46 751
Tram	1 035	1 671	1 955
Train	22 105	26 864	31 057

Subsidy per passenger journey:

	1980-81 $	1981-82 $	1982-83 $
Bus	0.58	0.68	0.73
Tram	0.32	0.52	0.58
Train	1.30	1.55	1.96

COUNTRY DENTAL CARE

471. **Mr GUNN** (on notice) asked the Minister of Tourism, representing the Minister of Health:

1. Will the Government provide assistance to residents treated by the Royal Flying Doctor Service dental clinics who are eligible for free dental care at the Adelaide Hospital but are unable to attend?

2. Will the Minister allow residents of the Leigh Creek, Coober Pedy and Woomera areas who are eligible for dental care at the Adelaide Hospital to receive dental care from local private practitioners who could then be reimbursed on a fee-for-service basis?

The Hon. G.F. KENEALLY: The replies are as follows:

1. Schoolchildren, Aborigines and people who qualify under the Pensioner Denture Scheme are eligible for treatment through the Royal Flying Doctor Service dental clinics at Government expense.

2. Dental treatment for primary and Government assisted secondary schoolchildren is provided on a fee-per-capita basis through private dentists at Coober Pedy and Woomera and by a salaried dentist employed by the School Dental Service at Leigh Creek. Private dentists at all three centres are reimbursed on a modified fee-for-service basis for the treatment of Aborigines and for the supply of dentures to pensioners and health care card holders under the Pensioner Denture Scheme. A system for the provision of general dental care (fillings, extractions, etc.) for eligible patients is currently being discussed with the Australian Dental Association, S.A. Branch Inc. However, approval has been given in special circumstances for the treatment of individual patients on a fee-for-service basis through local private dental practitioners.

PHOTOSENSITIVE LENSES

483. **Mr BECKER** (on notice) asked the Minister of Tourism, representing the Minister of Health: Will the Government consider including photosenstive lenses in the Spectacles Scheme if clinically required and, if not, why not?

The Hon. G.F. KENEALLY: The inclusion of photochromatic lenses in the South Australian Spectacles Scheme has been considered. Ophthalmologists have advised that photochromatic lenses are a cosmetic convenience and are not clinically necessary. The Scheme will provide a pair of tinted spectacles, where authorised as clinically necessary, in addition to white (that is, untinted) spectacles. The Government believes that inclusion of photochromatic lenses in the Scheme could introduce the potential for abuse. Furthermore, the additional costs would effectively limit the availability of the Scheme to those in real nead of assistance. Photochromatic lenses may be obtained if the patient elects to pay the extra cost.

MILLICENT TO TAILEM BEND HIGHWAY

484. **Mr LEWIS** (on notice) asked the Minister of Transport: What funds will be spent on the improvement of Highway 1 between Millicent and Tailem Bend during:

(a) the current financial year;

(b) the next financial year; and

(c) the ensuing five years,

and, in each period, on what specific sections of Highway 1 between Tailem Bend and Meningie will funds be spent and how much will be spent on each of those sections?

The Hon. R.K. ABBOTT: The replies are as follows:

Upgrading of the Princes Highway between Tailem Bend and Millicent:

(a) 1983-84 financial year:

Section	Estimated Expenditure $
(i) Kingston—Reedy Creek	250 000
(ii) 17 km to 10 km north of Millicent	11 000

(b) 1984-85 financial year:

Subject to the availability of funds, it is proposed to continue upgrading between Kingston and Reedy Creek and to commence upgrading from the Wellington turn-off to Ashville. The precise amount of funding for these projects has yet to be determined.

(c) 1985-86 to 1988-89 financial years:

It is not possible to predict funding at this stage.

KEITH HOSPITAL

487. **Mr LEWIS** (on notice) asked the Minister of Tourism, representing the Minister of Health: Is the Minister of Health willing to ensure that the people in the Keith community are able to obtain beds in the Keith Hospital, provided on a contract by that hospital for those patients under Medicare alone.

The Hon. G.F. KENEALLY: Officers of the South Australian Health Commission are currently negotiating with the Board of Management of the Keith Hospital in relation to the possible funding of community hospital beds at that hospital. Research is being undertaken into the community's hospital needs as a consequence of the introduction of Medicare, and into the financial viability of the hospital.

SOUTH AUSTRALIAN OIL AND GAS CORPORATION

488. **Mr BECKER** (on notice) asked the Minister of Mines and Energy:

1. Why is South Australian Oil and Gas Corporation investing moneys in Bass Strait Oil and Gas (Holdings) Ltd?
2. How much is SAOG investing, and what percentage return will the investment earn in the farm-out agreement?
3. Who are the major partners in the agreement?
4. What benefits could flow to South Australia from this investment?
5. Why is such capital not invested in South Australia in the search for oil and gas?

The Hon. R.G. PAYNE: The replies are as follows:

1. South Australian Oil and Gas Corporation is not investing money in Bass Strait Oil and Gas (Holdings) Ltd. It has entered into farm-in agreements to earn interests in exploration permits for petroleum T/14P and T/18P. Together with a number of other companies, Bass Strait Oil and Gas N.L. (not Bass Strait Oil and Gas (Holdings) Ltd) is the current holder of an interest in one of these permits. The farm-in agreements provide for joint venture relationships among the parties and there are no implications of partnership or equity of any one company in another in such farm-in agreements. Farm-in agreements are a normal method of obtaining rights to explore for petroleum in the industry.

2. SAOG will spend $5.8 million on exploration in the two permit areas over the next two years and will earn a 25 per cent working interest in the total area covered by the permits. The exploration expenditure will be part of an exploration programme jointly carried out by SAOG and AMOCO Australia Petroleum Company. AMOCO will expend $11.6 million, to earn a 50 per cent working interest in the two permit areas. AMOCO will be the operator for the exploration works.

There is no guarantee of any return on the investment. However, if the exploration is successful in proving commercially exploitable petroleum in the area of the permits, a development project would be entered into and that development investment could be expected to provide a good return on exploration and development expenditure.

3. The farm-out joint venture partners in exploration permit for petroleum T/14P are:

	Per cent Participating Interest
Cue Minerals N.L.	6.00
Cue Petroleum Pty Ltd	3.75
Setright Oil and Gas Pty Ltd	6.50
Romsey Resources Pty Ltd	2.50
Galveston Mining Corporation Pty Ltd	2.50
Cue Energy Resources N.L.	2.50
South Eastern Petroleum N.L.	1.25

The farm-out joint venture partners in exploration permit for petroleum T/18P are:

	Per cent Participating Interest
Bass Strait Oil and Gas N.L.	8.75
Tasmanian Oil and Gas N.L.	6.875
Hampton Oil & Gas Group Pty Ltd (as Trustee for Forsayth Oil and Gas N.L. 3.75 and Phoenix Oil & Gas N.L. 3.125)	6.875
Tassoil Limited	1.25
South Eastern Petroleum N.L.	1.25

4. The permits T/14P and T/18P are prospective for both oil and natural gas. There is a potential for large accumulations of natural gas which, if capable of commercial exploitation, would be available as an additional source of supply for the South Australian gas requirement. The finan-

cial returns to SAOG from an oil discovery could also be of major significance.

5. SAOG spent in excess of $20 million on exploration in South Australia over the past two years and expects to spend at least a further $17 million over the next two years. There are two major factors that justify exploration in the Bass Basin. First, if commercially exploitable gas discoveries are made, they will be close enough to the South Australian market to be transported by pipeline to South Australia thus providing a valuable additional and alternative source of supply to the existing supply from the Cooper Basin. Secondly, the prospectivity of the Basin as assessed by SAOG is higher than any area within South Australia which is available for new exploration ventures. The programme in the Bass Basin is complementary to the current SAOG exploration programme in South Australia and provides an acceptable widening of the company's exploration base.

ROXBY WATER SUPPLY

489. **Mr BECKER** (on notice) asked the Minister of Water Resources:

1. How many existing bores and springs will be affected by pumping from Roxby Management's water bores A and B located in the Great Artesian Basin?

2. What existing water supplies are provided to the affected users?

3. What seismic work has been done and how many wells have been drilled by Roxby Management in the Great Artesian Basin in the search for good quality water for the Olympic Dam project?

The Hon. J.W. SLATER: The replies are as follows:

1. It is considered that up to approximately 14 stock bores and approximately 14 springs will be affected.

2. There are no existing reticulated public water supplies in the area likely to be affected by pumping from borefields A and B.

3. Seismic work carried out to date comprises eight traverses totalling 68 km. Nineteen water investigation boreholes have already been drilled in the Great Artesian Basin, and an additional programme of three holes is currently in progress.

OLYMPIC DAM RESERVES

490. **Mr BECKER** (on notice) asked the Minister of Mines and Energy:

1. What now are the known reserves and current market value of copper, gold, silver and uranium at Olympic Dam?

2. How many persons are currently employed on the project?

3. How many staff of the Department of Mines and Energy are located at Olympic Dam?

4. When will the construction phase of the project commence and approximately how many additional jobs will be created?

The Hon. R.G. PAYNE: The replies are as follows:

1. Drilling at Olympic Dam has indicated reserves totalling 2 000 million tonnes. The contained metals include copper (32 million tonnes), U_3O_8 (1.2 million tonnes), gold (1 200 tonnes) and silver (8 200 tonnes). Market value as at 29 February 1984 of copper was $1 540/tonne; uranium $22/lb; gold $13.50/g; and silver $337/kg.

2. Three hundred and seven are currently employed.

3. None.

4. The joint venturers are required under the indenture to make a decision on commercial development of the deposit by the end of 1984. However, under certain circumstances, this date can be extended. The indenture contemplates a project employing up to 3 000 at the mine and a township with a population of 9 000.

HEYSEN TRAIL

492. **Mr GUNN** (on notice) asked the Minister of Recreation and Sport:

1. Is the Minister aware of concern that has been expressed about the location of the Heysen Trail by holders of land adjoining this trail?

2. Is the Government concerned about legal liability of local councils and adjoining landholders?

The Hon. J.W. SLATER: The replies are as follows:

1. Yes. The Department of Recreation and Sport is presently consulting with adjoining land owners, with the intention of determining a suitable route for the Heysen Trail in the Mount Remarkable area.

2. Yes. Officers from the Department of Recreation and Sport and Crown Law are currently investigating ways in which potential problems relating to the legal liability on the Heysen Trail can be alleviated.

HOUSING TRUST DEVELOPMENT

494. **Mr ASHENDEN** (on notice) asked the Minister of Housing and Construction: Does the South Australian Housing Trust plan to construct homes on the triangle bounded by Hancock Road, Golden Grove Road and Yatala Vale Road in the suburb of Golden Grove and, if so:

(a) how many;

(b) what type (i.e. material to be used and whether detached, semi-detached, flats, etc.);

(c) for what purpose (i.e. whether rental purchase, subsidised rental, etc.);

(d) when will construction commence; and

(e) when will they be ready for occupation?

The Hon. T.H. HEMMINGS: The land bounded by Hancock Road, Golden Grove Road and Yatala Vale Road is not owned by the Housing Trust but forms part of the Golden Grove Development Area. At the present time there are no firm proposals on what parts of Golden Grove will be developed for public housing.

PARACHILNA SCHOOL

495. **Mr GUNN** (on notice) asked the Minister of Education:

1. Does the Education Department have any plans to close the Parachilna School and, if so, what plans has the Department for the students currently attending the school?

2. What is the minimum number of students required to maintain a one teacher school?

The Hon. LYNN ARNOLD: The Area Director is looking at the possible closure of Parachilna as it has a current enrolment of only seven children. Discussions have been held with the School Council, which is seeking agreement by the Department to conditions that will apply, in the event of closure, with respect to bussing of students to Leigh Creek. The Acting Regional Director will be meeting with the School Council in June. Each case is considered on its merits, but basically when numbers go below 20 the situation is looked into, and when numbers go below 15 serious consideration is given to closure.

HOUSING TRUST RENTAL ACCOMMODATION

498. **Mr BECKER** (on notice) asked the Minister of Housing and Construction:

1. How many persons are currently awaiting various classes of rental accommodation offered by the South Australian Housing Trust?
2. What is the current waiting time?
3. How long will it take for the Trust to provide the accommodation required and what is the estimated capital cost?
4. Will there always be a waiting list for rental accommodation offered by the Trust?

The Hon. T.H. HEMMINGS: The replies are as follows:

1. At June 1983 a total of 28 744 applicants were listed for Housing Trust rental accommodation. Of these, 25 142 were awaiting pensioner accommodation.
2. Current waiting times vary depending on house type and location. For example, the application dates of those currently being housed in line in three bedroom housing in Adelaide range from December 1978 in the inner metropolitan area to April 1981 in the northern suburbs. In Elizabeth/Salisbury application dates range from December 1980 to July 1982 and in the Noarlunga area those currently being housed in the three bedroom family accommodation applied in September 1981. Similar variations occur between country areas with, for example, Mount Gambier applicants who applied in February 1983 and Port Lincoln applicants who applied in mid-1982 currently being assisted in family accommodation.
3. During the current year the Trust has received sufficient funding to add 3 100 dwellings to its rental stock. The Government is seeking funding to further increase this number during 1984-85 and subsequent years. Provided that the existing programme can continue to be expanded and an expected 3 800 vacancies occur per annum in existing rental dwellings, it would be possible to house in excess of 29 000 households over four years.
4. It is the aim of the Government and the Trust to reduce the waiting list for Housing Trust rental accommodation and considerable effort is being applied to achieve this aim. Despite these efforts the length of the waiting list at any time in the future will depend on the many and complex social, economic and demographic factors which contribute to the numbers of households seeking public housing assistance. It should be noted that there has been a 50.7 per cent increase in applications for Trust accommodation over the past three financial years and therefore it is anticipated that the waiting list will continue to grow in the immediate future.

FOUNDRIES

502. **The Hon. D.C. BROWN** (on notice) asked the Minister of State Development:

1. How many foundries have closed in South Australia since the beginning of 1983 and what companies have been involved in such closures?
2. What action is the Government taking to protect the foundry industry from becoming completely run down?

The Hon. J.C. BANNON: The replies are as follows:

1. Three iron or steel foundries have been closed since the beginning of 1983, two of which were part of much larger manufacturing operations. At the same time one new foundry was opened, and one, which had closed in 1982, was reopened in 1983. It is worthy of note that there has been a substantial increase in non-ferrous casting in recent years due to expanded business in such castings for the motor vehicle industry and for power transmission equipment. Much of the work from closed 'in house' operations has been transferred into local subcontracting firms which, for the most part, have upgraded technology and capacity. The foundry survey of the Metal Industries Association shows that, whilst there has been a downturn in the industry, South Australia has fared better than other States. Total tonnage in South Australia fell 21 per cent in 1983, compared with a national decrease of 29 per cent. The Federated Iron Workers Association advises that their membership of foundrymen has been relatively static over recent years. This would be due, in part, to the increase in non-ferrous operations.
2. Most of the positive restructuring in the foundry industry has been as a result of market forces and changing technology, although the South Australian Government has played a facilitative role where appropriate in the past and will do so in the future.

EDUCATION DEPARTMENT REORGANISATION

514. **The Hon. MICHAEL WILSON** (on notice) asked the Minister of Education: Has a detailed cost benefit study been carried out to ascertain if the reorganisation of the Education Department is justified on economic grounds and, if so, what were the results and was the study carried out before the decision to reorganise was taken?

The Hon. LYNN ARNOLD: The 'decision to reorganise' was taken by the previous Government on advice from a Reorganisation Steering Committee which by virtue of its membership certainly considered the costs as well as the benefits of reorganisation. The changes made by the present Government will further improve the quality of service and administration. The improvements include:

better structure for resource management.
shorter and more direct lines of communication from schools.
better corporate decision-making.
a shift in the locus of decision-making towards schools.
improved co-ordination of curriculum services.
more appropriate operational support for Area Directors.

From a cost point of view, the reorganisation will occur within existing resource levels. There will be some 'once only' establishment costs (for example, country housing, new management technology) but in the medium term there will be no overall increase in costs. As an indication of the commitment to these resource constraints it is worth noting that the number of directorates has been reduced from 15 to seven and an establishment of 35 compared with the previous 41 officers of ED4 status or above has been approved.

EDUCATION DEPARTMENT FUNCTIONS

515. **The Hon. MICHAEL WILSON** (on notice) asked the Minister of Education: What personnel or working parties has the Minister appointed to examine the feasibility and cost of decentralising functions within the Education Department?

The Hon LYNN ARNOLD: No additional personnel have been engaged to implement the reorganisation. The Department has established a reorganisation task force chaired by the Deputy Director-General and a number of in-house working parties to work through the reorganisation. This process is proceeding at deliberate pace engaging those affected by the reorganisation. These groups are working to the objectives of reorganisation and within the limits of available resources.

ADELAIDE RAILWAY STATION

522. **Mr BAKER** (on notice) asked the Minister of Labour: What contingency allowance has been made in the estimated construction cost of the proposed Adelaide Railway Station complex for—

(a) disruption by the Builders Labourers Federation; or

(b) *ex gratia* payments to guarantee industrial peace?

The Hon. J.D. WRIGHT: These are hypothetical questions.

ELECTRONIC VOTING

527. **Mr BAKER** (on notice) asked the Minister of Community Welfare, representing the Attorney-General: Does the Government intend to introduce an electronic voting system incorporating optical mark reading devices for the next State election?

The Hon. G.J. CRAFTER: An electronic voting system incorporating optical mark reading devices will not be introduced for the next State election. Considerable further investigation is necessary before extending electronic counting to cover Parliamentary elections. It is anticipated that such a system would not be available before the end of the decade.

AMERICA'S CUP

531. **Mr BAKER** (on notice) asked the Premier: Further to Question on Notice No. 367, under which line will the loan for the South Australian America's Cup challenge be financed and will it be from revenue or Commonwealth Loan funds?

The Hon. J.C. BANNON: The funds will be provided from the capital component of the consolidated account. It is envisaged that the loan will be advanced through a tourism line.

SUPERANNUATION REVIEW

532. **Mr BAKER** (on notice) asked the Treasurer: When will the report of the triennial review of the South Australian Government Superannuation Scheme be presented to Parliament?

The Hon. J.C. BANNON: The Public Actuary's report on his triennial investigation of the Superannuation Fund is made to the Superannuation Board, which transmits a copy to me together with any comments or recommendations which it may wish to make. I expect that the Superannuation Board will receive the report shortly.