HOUSE OF ASSEMBLY

Wednesday 15 May 1985

The DEPUTY SPEAKER (Mr Max Brown) took the Chair at 2 p.m. and read prayers.

PETITION: HOMOSEXUALITY EDUCATION

A petition signed by 34 residents of South Australia praying that the House oppose the South Australian Institute of Teachers policy on homosexuality within State schools was presented by Mr Meier.

Petition received.

PAPER TABLED

The following paper was laid on the table:

By the Minister of Education (Hon. Lynn Arnold)—

Pursuant to Statute—

Senior Secondary Assessment Board of South Australia—Report, 1984.

MINISTERIAL STATEMENT: BUSINESS STUDIES COURSE

The Hon. LYNN ARNOLD (Minister of Education): I seek leave to make a statement.

Leave granted.

The Hon. LYNN ARNOLD: I apologise to members for copies not being available, but they should soon be distributed to them. Yesterday in this House, in reply to a question from the member for Glenelg, I said I would investigate business studies staffing at the Kingston College of Technical and Further Education. My answer could have left the impression that there had been no earlier investigation of the matter. This, in fact, is not the situation. On 24 April, I signed letters to the member for Mawsom and the member for Brighton detailing reasons for a decision relating to the Kingston College of Technical and Further Education. In the intervening period I have since signed 430 letters and that volume in part explains my failure to recall that correspondence. Those letters also stated that it was regrettable that it was not possible to provide each college with as many staff as it would like.

I added, however, that one hopeful note for the future was that, once we know the final form for implementation of the recommendations of the Kirby Committee, it may be the case that an even greater shift in resource allocation to business studies will take place. Meanwhile we must work with the present range of courses, which at this stage seen to be most appropriate. Business studies have a share in this range of courses as do a variety of trade and general interest studies.

The share taken up in this range of courses by business studies, as with any other study area, is allocated on a regional basis rather than a college basis. Imbalances are frequently corrected, and the decision to reduce the number of business studies lectureres at Kingston by one at the end of the first semester this year was not an unusual move, considering a good supply of resources in the southern region and a deficiency in the northern region. To illustrate, the southern region now has 26 staff involved in business studies and related activities while the figure for the northern region is about 15. In putting the position to the Principal of the Kingston college, on 18 April, the TAFE Superintendent for the region, Mr Geoff Wood, said:

The reason that the decision to move the position was taken was that the argument has been put, and accepted, that the southern metropolitan area is disproportionately well serviced in business studies compared to the northern metropolitan area. Since financial constraints prevent this imbalance being removed by simply establishing more positions in the north, the only redress is to redeploy a position. This is what has occurred. The fact that business studies students in the southern metropolitan area have a choice of attending classes conducted by Panorama, Noarlunga or Adelaide Colleges, as well as still having a range of Kingston college classes available, did of course influence the decision.

PUBLIC ACCOUNTS COMMITTEE

Mr KLUNDER brought up the 39th report of the Public Accounts Committee relating to Department of Correctional Services prison officers' overtime and absenteeism.

Ordered that report be printed.

QUESTION TIME

TAX RELIEF

The Hon. E.R. GOLDSWORTHY: Will the Premier cut State Government spending to ensure that South Australians receive tax relief next financial year? Last night's mini Federal budget foreshadows a tough time for the States at the Premiers Conference. In his economic statement, the Federal Treasurer said the States would be expected to contribute to the policies of restraint required from all levels off Government.

During the past two years, spending by the South Australian Government has increased by more than 36 per cent—a very significant increase in real terms, and this is the reason why taxes have been increased by more than 40 per cent—about three times the rate of inflation. This financial year, the Premier will receive at least $28 million more in State taxation than he budgeted for. This gives him further revenue fat from which to fund tax relief. While cuts in Federal funding to the States appear certain, the extent of the tax hike in South Australia over the past two years means the tax relief must be this Government's first priority.

The Opposition believes that there are areas of non-essential Government spending that must be cut, and I ask the Premier for a commitment that this will be done to ensure tax relief, no matter what deal he receives from Canberra.

The Hon. J.C. BANNON: I am very interested in, and would invite the Deputy Premier to specify, those areas that must be cut. There is a lot of windy rhetoric on the opposite side about these great cuts that could take place, but very few specifics. On the contrary, even in the past few weeks we have had a series of announcements about how expenditure can be piled on—expenditure running into many hundreds of millions of dollars. It is not a one-sided debate. If we are to be criticised or urged to do certain things, I would like to hear some specifics from those opposite.

In terms of our State Budget and our spending programme, we have exercised rigorous constraints and, on a comparative basis, the figures are very favourable to South Australia. When I go to the Premiers Conference I will be in a position to put before that conference, as I can before the Federal Government, evidence which shows that in terms of restraint of expenditure and control of deficit, South Australia is doing very well indeed. Obviously, as I have said, if our revenue position improves and we are in a position to make tax cuts, they will be made—no question of it.

However, we would be irresponsible to move ahead of knowing precisely what our position will be in terms of

Commonwealth-State financial support, and the Federal Treasurer has foreshadowed we will get a pretty tough time in that area. I point out that the impact of last night's mini budget package on this State is quite considerable already. If one considers the overall sums that one would anticipate being spent in this State that will not be spent now, a rough calculation (and it can only be rough in the time since the statement was issued) shows that this would total about $20 million next financial year.

If one studies those items that will impact directly on the State Budget, one is looking at a figure of about $8 million. In other words, we go to the Premiers Conference seeking Commonwealth financial support already having suffered that kind of revenue reduction which we will have to make up some way or another. That is the background on which we approach it. It would be totally irresponsible to foreshadow at this stage any kind of revenue reduction until we know our position. It was that kind of irresponsibility that drove us right up to the point of bankruptcy in 1982-83 under the Tonkin Government.

That has involved long and painful work (painful in electoral terms as well—and we can see that) in getting this State's finances on an even keel. The work in terms of cutting waste and ensuring efficiency is continuing rigorously, and a number of further announcements will be made in relation to that. Having regard to all that, I will say again that if our revenue position improves substantially, we will have to consider those areas of necessary expenditure and service improvement, but also we must consider those areas where some kind of taxation cut can occur. I can assure honourable members that that will be done.

SPECIAL EMPLOYMENT INITIATIVES UNIT

Mrs APPLEBY: Will the Minister of Labour report to the House on the first year of operation of the Special Employment Initiatives Unit of the Department of Labour? Following a Cabinet decision made by the Government on 24 April 1984, it was agreed that a Special Employment Initiatives Unit would be responsible for several State programmes and that it would pursue new initiatives. The new initiatives include the adult unemployed programmes, which I believe recently addressed the problems relevant to this special group of unemployed people, resulting in some very positive action. Can the Minister provide details of the activities of the unit?

The Hon. J.D. WRIGHT: The honourable member was kind enough to tell me that she was going to ask this question, and so I have a detailed report for her. As the honourable member pointed out, Cabinet established a Special Employment Initiatives Unit more than a year ago. The unit was given responsibility for administering the following State programmes:

the self employment ventures scheme;
home assistance scheme;
State Government job creation initiatives; and
Government apprentice training initiatives.

It was also responsible for investigating and developing initiatives in a number of areas, including that of adult unemployment. The problems of the adult unemployed have received very little attention over the past few years. In fact, when I announced the establishment of the self employment initiatives unit in 1984, I said that the problems of the adult unemployed would be one area which would receive attention. Adult unemployed have suffered severe job losses over the past few years.

To give honourable members some idea, since the beginning of the 1980s workers in the 45 years plus age group have lost some 15 000 jobs in South Australia. Obviously, something had to be done. In December 1984 a conference on adult unemployment was convened by the Department of Labour to draw together the relevant agencies working in this area and to try to provide information to the Government and assist in clarifying what would be the best way of helping to tackle the problems of the adult unemployed. A number of different groups were involved in the conference. The State Government Departments of Labour, Community Welfare, and Local Government; together with the Local Government Association; the Federal Department of Employment and Industrial Relations; United Trades and Labor Council; and the S.A. Unemployed Groups in Action, were involved.

Much useful information came from the various groups involved in the seminar, and further research was carried out by the unit on the topics and suggestions raised. As a result of all this activity, the Premier announced in April of this year that Cabinet had approved a plan to provide $425 000 to establish programmes to help mature aged unemployed people improve their job prospects. No doubt that is one of the reasons why the Premier (and I know that all honourable members are very proud of this) is one of the most popular Premiers in Australia.

Mr Becker: How are the polls?

The Hon. J.D. WRIGHT: The Premier is running at 58 per cent, which is a lot higher than the figure applying to other Premiers.

Members interjecting:

The Hon. J.D. WRIGHT: I know that all members of the Opposition join with me in congratulating the Premier, and that they are all very proud to have such a popular Premier.

Members interjecting:

The Hon. J.D. WRIGHT: Now that you all agree, I will go on with the report. Community organisations involved in providing assistance—

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. J.D. WRIGHT: When you have finished having a chat, I will give the report. Community organisations involved in providing assistance to the adult unemployed in our community were asked to apply to the Government for funding for projects that would directly provide jobs or improve job prospects. I know honourable members are not interested in this, but nevertheless there may be some people in South Australia who are interested.

Members interjecting:

The DEPUTY SPEAKER: Order! A point of order is being taken.

Mr BAKER: Is this in fact a Ministerial statement that is being made by the Minister of Labour?

The DEPUTY SPEAKER: I do not uphold the point of order, but I point out that the honourable Deputy Premier is bringing a lot on himself by provoking the Opposition into some sort of crossfire of interjection. I ask the honourable Deputy Premier to come back to the answer.

The Hon. J.D. WRIGHT: I always oblige the Chair, and I certainly will do so now. Guidelines are being prepared for the grants which will follow the applications and have now been distributed to interested self help groups and organisations. The Government has also produced publicity material in conjunction with the South Australian Employers Federation. It is even working with the Employers Federation.

Mr INGERSON: On a point of order, Mr Deputy Speaker, is it possible for this to be recorded straight into *Hansard* without reading it?

The DEPUTY SPEAKER: Order! The Chair is not going to tolerate frivolous interjections or frivolous points of

order, and asks the House to come back to some sort of sanity.

The Hon. J.D. WRIGHT: If I have ever seen an indication that the Opposition is not interested in the unemployed, I have seen it today. The Government has also produced publicity material in conjunction with the South Australian Employers Federation and outside agencies. That publicity will be directed to employers to explain the benefits of employing the over 45 age group.

The unit is also concerned with other significant job creation programmes. One of the largest is the local government employment training programme. As a result of co-operation between the unit, the Local Government Association and the Federal Government, 162 young people have been employed and are now placed in a variety of local government jobs. They are receiving training through the Technical and Further Education Department and all efforts are being made to place them in full-time employment during their training period in the local government area. A couple of weeks ago I attended a seminar to present those young people with their certificates. I have never seen a more controlled or better behaved group in my life. They are a credit to the organisations that are training them.

There are many other areas in job creation and training with which the unit is involved. I am only too pleased to provide honourable members with any information they require in relation to these areas. I believe the unit is doing an excellent job in identifying areas that need attention in the community, and I look forward to its continuing its excellent work. I thank the House for its tolerance.

EDUCATION GRANTS

The Hon. MICHAEL WILSON: How does the Premier intend to fund the cuts in Federal education grants announced by the Federal Treasurer last night, particularly in the area of preschool services, and will parent fees for kindergartens be raised? I understand that the cuts in Federal funding to education will amount to some $6.5 million for South Australia. Cuts have occurred in the extremely important Participation and Equity Programme, thus negating the Federal Government's stated objective of encouraging secondary students to stay on at school. Furthermore, the reduction in capital grants to TAFE puts in jeopardy the building and upgrading programme for that sector.

However, the brunt of reductions will be felt in the preschool area, in both kindergartens and Education Department child/parent centres. The kindergarten children are to be kicked when it is the fat cats the Federal Government should be cutting. The Hawke Government has increased Commonwealth public sector employment by more than 18 000 over the past two years, putting up the Federal payroll by well over $400 million in a full year. These facts make it obvious that preschool children are to suffer because of the large escalation in Federal public sector employment.

Will the Premier say whether he intends to obtain the short-fall in funds from general Treasury resources, or is the money to be taken from other areas of education, including increasing the contributions of parents? Furthermore, the implementation of the new Children's Services Office is an expensive exercise that is further exacerbated by the Federal cuts in child care funding. We require a detailed statement from the Premier about the Federal cutbacks as they apply to South Australia. From which area are the short-falls to be made up and what modifications will be made to the setting up of staffing of the Children's Services Office?

The Hon. J.C. BANNON: This question is very interesting, coming from an Opposition that announced that Treasurer Keating's statement was just rhetoric, that there was no substance in it and that it was not really doing anything. Yet now we have a question about these grievous cuts that will cripple the education system! Let us get one thing straight: I thought it was members of the Opposition who had been calling for all sorts of cuts by the Federal Government, demanding an exercise in cutting inefficiencies and costs. That is done, but what does the Opposition do? It looks for every little piece it can find where a particular group might be affected in order to raise and complain about the matter.

That is really a hypocritical way of approaching the situation. The fact is that the Commonwealth package introduced by Treasurer Keating covers a whole range of areas, and there are some substantial cuts in areas like urban and regional development programmes and other areas that have not been raised as yet. I point out that in the education sector, certainly aspects of education funding by the Commonwealth did suffer, and the State obviously will have to look seriously at the implications of that.

Of course that is the case but, according to the figures we have, the cuts there were of the order of 1.5 per cent. Of all those areas that were cut as part of that package, education is one of the smallest. Only two or three others had cuts smaller than that. In that context what we are seeing here is a very cynical exercise indeed—looking around at which disaffected group the Opposition can find, which particular problem area, and then trying to erect it into some kind of attack. Either the Opposition wants the Federal Government to make these cuts and economies or it does not, and it should make itself clear.

The original question was how we were going to handle the areas that affect education. It is true, as I said in my statement, that both in the Participation and Equity Programme and in the area of preschool grants this State obviously will suffer some reduction. Our estimate, in the case of preschools, is a reduction that could be of the order of $2 million or so. In the case of PEP it is a cut which in 1985-86 would equate to about $1 million.

That is the sort of figure we are looking at, and obviously we have to consider in our own budgetary context what capacity we have either to make up the short-fall or make some other arrangements. I hope that when we do, we do not have the Opposition saying, as the Deputy Leader said a minute ago, 'You cannot do that, you cannot increase expenditure there, you should be cutting taxes.' Again, let us get back to hypocrisy. The first reaction to Treasurer Keating's statement was that it was rhetoric. The first question today was whether the Government was going to make tax cuts, despite the disadvantages. The next question was whether we were going to make up the deficiency in this area. The Opposition cannot have it all ways at once and it is not worth listening to.

Members interjecting:

The DEPUTY SPEAKER: Order! The Chair will not put up with this continual barrage of interjections and cross-talk during Question Time. It does not look good, and it is not good. The Chair will not put up with it. I hope honourable members will come back to what we ought to be doing in Question Time: asking questions and getting answers.

The Hon. D.C. Brown interjecting:

The DEPUTY SPEAKER: Order!

NORTH-EAST ROAD

Mr GREGORY: Can the Minister of Transport advise the House whether, if the hours of work being done on the main North-East Road were changed to those suggested by

the member for Todd, there would be an increase in the cost and, if so, how much that increase would be? On Wednesday 8 May 1985 the member for Todd referred to traffic delays on the North-East Road being created by roadworks and suggested that such work should be done between 9 a.m. and 3.30 to 4 p.m. on working days.

The Hon. R.K. ABBOTT: As I indicated in my reply to the member for Todd last week, the additional cost associated with the proposals he suggested would be quite astronomical. The project on the North-East Road is between Wright Road, Modbury, and Ascot Avenue, Manningham. The total project cost of this repair work is approximately $680 000, consisting of $480 000 for repair work to the carriageway and approximately $200 000 to provide a new cover of asphalt. If the times referred to were implemented it would increase costs by 40 per cent—$272 000 extra. It would increase costs by 40 per cent—

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. R.K. ABBOTT: —or in excess of $272 000. It would be quite irresponsible for the Government to waste taxpayers' money to adopt that proposal where there has simply been slight inconvenience to the motoring public.

WINE TAX

The Hon. JENNIFER ADAMSON: Will the Premier seek an immediate assurance from the Prime Minister that there will be no further increase in the sales tax imposed on wine in the August budget? While the Federal Government has attempted to sell last night's mini budget as a tough one, it is far from that, except in respect of its effect, in my opinion, on women, children and young people. Indeed, overall Commonwealth outlays are to increase by $3 billion next financial year, and there is to be further growth in Federal public sector employment when the reverse should be applied.

It is obvious that the Commonwealth will be seeking additional taxing measures to fund its growth in expenditure. Recent statements by the Federal Finance Minister, Senator Walsh, strongly suggest that a further increase in the wine tax introduced in the last Federal Budget is on the cards. Senator Walsh quoted selectively from figures to suggest that the Australian wine industry had not suffered from the imposition of the sales tax. What he ignored was the flood of overseas wines onto the Australian market since the Hawke Government lowered the level of protection for Australian wines.

The statistics also did not cover small wineries, which Senator Walsh has described as 'tin pot' operators, whose sales have fallen considerably. As Senator Walsh has shown such complete disregard for what is a vital industry to South Australia—an industry which the Hawke Government has already hit once—the Premier must take up this matter with the Prime Minister immediately to ensure that the industry does not suffer a further impost to fund higher Commonwealth spending.

The Hon. J.C. BANNON: Our attitude to this matter is quite unequivocal and is well known to the Federal Government. We will certainly be persisting with the lobbying against any kind of further impost on the wine industry in the lead-up to the Budget. I thank honourable members opposite for their support: I hope it is constructive support because it is vital that, if we are going to carry this argument, we do it on a proper factual basis and ensure that the Federal Government understands the arguments as they affect South Australia. It would be quite discriminatory to see an increase in a tax which affects an industry in a particular part of the country much more than in any other part of the country. So, those arguments will be made.

We have consistently opposed impositions. We were successful in getting lifted one that was causing severe hardship in the industry. We were not successful in preventing the 10 per cent increase in the last Budget, but we will be fighting against any further increase. When I refer to our having a factual case, we have to be careful that we do not lead with the chin, particularly as far as Senator Walsh is concerned. He is known for his fairly rigorous approach to arguments and his ability to analyse cases. Unfortunately, the honourable member, in giving her explanation, repeated a furphy that would have us completely carved up by Senator Walsh. It is not her fault: she has picked it up from Senator Messner, who made a particularly ill researched statement the other day about this matter. The point I am dealing with is a reference to the fact that wine sales have continued to improve after the imposition of the tax and that this should not be taken as evidence that the tax has had no impact: it is all due to a displacement factor because of imports of foreign wines. That is what Senator Messner said and was repeated by the honourable member as saying.

It is true that foreign wines are coming into the country but the figures on which the Commonwealth statements have been based exclude those imported wines: they are looking purely at domestic consumption and if I fronted up to Senator Walsh with a case based on Senator Messner's and the honourable member's statements I would simply be taken to the cleaners. In fact, the problem is that in the industry margins are such that the benefits of any increased sales are coming about because of absorption which is affecting the producers and ultimately the growers to a far greater extent than anyone else in the chain. There is a limit to which that absorption can continue.

In other words, it is still quite consistent to see an increase in the graph of wine sales, an increase in consumption, because prices remain stable, and to assume from that that, therefore, the tax had no impact. In fact, if one goes back through the chain and looks at what effect the shaving of retail margins is having on producers and growers, it will be seen where the impact is being most severely felt, and that is what we have to address ourselves to. That is the argument that should win in this case. All I am cautioning is that our arguments against this tax should be based on fact and not the ill founded rhetoric of certain Opposition members.

DOWN'S SYNDROME STUDENT

Ms LENEHAN: Will the Minister of Education outline what action has been taken with respect to a primary school principal who has allegedly made very offensive remarks to a parent who was seeking to enrol a child in his school? It has been brought to my attention that a complaint has been made against a principal of a metropolitan primary school by a parent who wished to enrol a Down's Syndrome child at that school. It is alleged that the child's parent recently attended an appointment with the principal to discuss the child's future schooling.

She was accompanied at the interview by her child and the integration teacher employed by Down's Children Inc. They were escorted into a small office and greeted by the headmaster with the comment, 'When I found out you had an appointment with me today with a view to your child coming to this school, I must tell you that my first reaction was quite frankly "Yuk".' This statement, together with the accompanying body language, upset both the mother and the teacher, who had done everything possible to prepare the child for a successful schooling experience. Further,

comments made such as, 'This is the last thing we need,' and 'let alone having someone like him,' show a marked lack of sensitivity when speaking not only to the mother but also in front of the child, who has good comprehension skills. It has been further stated that the headmaster was most unprofessional and degrading to his position and that it demonstrated that he had little, if any, knowledge of the Education Department's policy on integration.

The Hon. LYNN ARNOLD: I thank the honourable member for the question (with considerable regret, I may say, because it is sad to have to answer a question such as this). First, as Minister of Education, having responsibility for all the schools in the State and therefore all employees of those schools, I convey my apologies to the parent and the child concerned, because it is a matter of some considerable reprehensibility that the episode ever took place.

As a result of the complaint forwarded to my office by the Down's Children Association, action resulted. The Superintendent of Schools for the area concerned contacted the school (I will not name it, and I thank the honourable member for not doing so), and the Education Department's policy on integration of children was stressed to the principal of the school who advised that he was aware of that policy. He was counselled about the courtesy and consideration a person in his position should extend to all parents and prospective parents and that his insensitive remarks were quite inappropriate. He was particularly counselled about his behaviour and statements in front of the child concerned. As a result of that meeting, he has agreed to write a letter of apology to the parent concerned. Apparently, the Principal was unaware of the kinds of backup support available to schools.

A lack of knowledge about any of this support was considered to be a prime reason for his feeling that the school could not cope adequately. I stress that it was lack of knowledge and not lack of support: support should be and will be increased, but it does exist. I do not want to take away from the fact that that episode was reprehensible. Full apologies are due, and that is why I, as the Minister responsible for the entire education system, am glad to have in this House the opportunity to explain the position.

I noticed that, while the question was being asked, there were interjections from the other side such as, 'Why don't you write to the Minister?' or 'This is an example of personal denigration.' I thank the honourable member for the way in which she raised this matter. She did not name the school: she took the issue, which was grave, and treated it as important. Indeed, the matter has come to my attention through correspondence and is being handled. But how different it was from the example we had in this House in March when the shadow Minister in this place chose an entirely different approach towards this whole issue. He chose to denigrate a hard working school community whose members try to overcome a significant number of difficulties they face from time to time and to provide a good educational environment for their children.

Indeed, members will recall the matter at the time, because it was one of the most shameful episodes I have come across in this House. Since that time, the school has sent me a copy of the letter it wrote to the shadow Minister in which it made the following comments about this would-be Minister's remarks—this shadowy substance over there. The letter states:

> The derogatory, irresponsible statements sparked off large local media coverage, resulting in unnecessary worry and parental concern over the care of our children, later turning to anger towards you for baseless irresponsible comments. Your inference of unprofessional conduct on the part of the Acting School Principal and his staff was completely unfounded. The teachers, as you now know, were never on strike, nor were the students left unattended during a staff meeting; indeed, the last meeting was held after school hours.
>
> Another unfortunate fact is that you as an elected member of Parliament apparently failed to check information which resulted in these irresponsible statements, presumably used as an attempt to gain some political advantage at the expense of our school and community. For this, we demand a public apology!

The answer from the would-be Minister—the shadowy substance over there—was, *inter alia:*

> I should make it plain at the outset that I am not in the habit of making statements either in or out of Parliament which I do not consider to have a sound basis. However, obviously we both take strongly opposing views on the content of my statement, and this is understandable.

He then suggested that they meet in private, for a bit of buttering up, I suggest. The school's response was this:

> It is not a matter of opposing views: it is a matter of fact. Our teachers were never on strike; our students were never left unattended during a staff meeting—two facts that cannot present opposing views. Your correspondence appears to be a contrived attempt to avoid the issue, a simple apology, to curb any doubt parents may have on the credibility of the school's staff, credibility slighted by yourself.
>
> When we have our apology, recorded in Parliament, we will be only too happy to meet you to discuss your view of discipline in schools.

That is the sort of reaction one gets when one follows that kind of denigration, trying to pursue an issue that one thinks may be worthy of raising in this House. The more appropriate method is precisely that followed by the member for Mawson. In fact, the issue was followed up and is being pursued, because it is a matter of great importance. However, it is not handled well by the kind of approach that seeks, by public defamation through the forum of this House, to denigrate a specific school: as I have mentioned, a school for which I have the highest regard. The people involved in this matter have found this to be an incredibly distressing exercise, and it has been brought about by the would-be Minister.

LOCAL GOVERNMENT FUNDS

The Hon. B.C. EASTICK: I will be interested to see whether the member for Unley has learnt from the lecture we have all received. My question is as follows: as a result of the mini budget announced last night, does the Minister of Local Government believe that an increase in council rates will follow? It has been estimated that the mini budget will cut Federal funding of local government in this State by as much as $7 million. Because many councils are already committed to ongoing expenditure for existing capital works programmes, it is likely that the cut in Federal funds will force them to increase their rates.

The Hon. G. F. KENEALLY: I am disappointed that the Federal Government is not complying with the legislation that is currently on the Statute Book in Canberra. An amendment to that legislation was moved last night by the Federal Minister for Local Government. I recognise the important role of local government, its increased responsibilities and the stress that is occurring in relation to resources.

In relation to personal income tax reimbursements to the States, we need to be both realistic and positive. I have seen the article in today's *News* to which the honourable member referred and the reported comments of the Secretary-General of the Local Government Association in South Australia, Mr Hullick. I understand the responsibility that Mr Hullick has, but I know of no local government body in South Australia which has budgeted for the 20 per cent increase in PIT (the acronym for holding to the 2 per cent of personal income tax reimbursements). It involves an increase in disbursements to local government in South Australia of 20 per cent or, in effect, a 14 per cent real

increase over inflation that has occurred during the relevant period.

What we have got from the Federal Government is an increase of some 8 per cent, or a real increase to local government of 2 per cent. Local government in South Australia has to wait until the disbursement determined by the Grants Commission for South Australia has been received. All local government authorities in South Australia understand that. I do not think that any council would be so foolish as to budget before receiving that disbursement as decided by the Grants Commission. Anyway, the budgets for local government will not be decided until July of this year, so they have the time between now and then to make any adjustments they may wish to make.

Last night's announcement by the Federal Treasurer that local government would not receive the 20 per cent expected increase in revenue sharing funds for 1985-86 and that the Federal Government would substitute in lieu a new formula for the calculation of local government's share of personal income tax did not come as a great surprise to local government. Recently in Melbourne, at a meeting of Local Government Ministers and the Local Government Association of Australia (of which Mr Des Ross from South Australia is Chairman), we made very strong representations to the Federal Minister.

When I returned to South Australia I asked the Premier to also make very strong representations to the Federal Treasurer to ensure that no adjustments were made to the 2 per cent PIT until the Federal inquiry under Professor Searle had reported. That recommendation emanating from South Australia, both from local government and the State Government, was not followed, but we were assured last night by the Hon. Tom Uren in his second reading speech that it is a one-off situation and the future disbursement will be in line with the recommendations made by Professor Searle.

As I understand it, local government will receive an increase based on the expected CPI increase to be announced in the Budget speech. To that CPI increase a further 2 per cent will be added so that local government will get a real increase. This payment will be adjusted following the publication of the CPI figures for the March 1986 quarter. If the CPI is higher than estimated, a further payment will be made: if less, the amount will be adjusted from the 1986-87 figure, which means that the State Government would then receive less in the following year, because it received more in the 1985-86 year.

I believe that local government acknowledges that overall the Federal Government grants, both tied and untied to local government, now total nearly $1 billion per annum. This represents a 50 per cent increase in the first two years of the Hawke Government and the last year of the Fraser Government. Having said that, I repeat that this year local government is getting an increase of about 8.5 per cent, which is a 2 per cent real increase. In recent years there have been occasions when there has been a decrease in the disbursement of PIT, so when compared with that the present situation is very good indeed.

I still believe as Minister of Local Government that in South Australia we have to strive for the best possible deal for local government because of the increased responsibilities it has to bear. I would have preferred (and I am sure the Government would have preferred) the Federal Government not to have made a decision in relation to the PIT disbursements until Professor Searle's inquiry had reported. Comments are being made that there will be a decrease in the work force, or a decrease in the works programme, or an increase in rates: there is no justification at all for those statements. If the local government authorities were sensible in their budget planning (and I believe they have been), if there is a decrease in the work force, a decrease in the works programme, or an increase in rates, it will be because of matters other than the decision made yesterday by the Federal Treasurer. I believe that local government has been well aware that its disbursements have been under question for some time, and its budget would have taken that into account.

Nevertheless, there was an expectation in local government that the PIT legislation would have applied, and that expectation has not been met, but there has been a real increase in funds made available to local government throughout Australia: there has not been a decrease. There has been a decrease in the expected figure, but the bottom line is there has been a real increase in funds made available to local government.

TRAFFIC PLANNING COMMITTEE

Mr PLUNKETT: Will the Minister for Environment and Planning give an assurance that the Planning Committee comprising representatives of the Department of Environment and Planning, the Department of Transport, and the Department of Local Government will be convened to look into the traffic problems associated with Hardy's Road and Ashley Street, border streets between Lockleys Ward of West Torrens council and Jervois Ward of Thebarton council? I am concerned that this area continues to suffer from unplanned development. The proposal to convert the Coles warehouse located between Hardy's Road and Sherriff Street, Underdale, to a self-service cash-and-carry will have a devastating effect on this area.

This is already a heavy traffic thoroughfare, and Cash and Carry will attract a further 20 000 vehicles weekly through these residential streets to the industrial zone location of the warehouse. I have received more than 400 letters of protest from residents in the area about this matter, which is of great concern to them.

The Hon. D.J. HOPGOOD: I am quite happy to take up with my two colleagues and the two local government authorities involved the interesting and constructive suggestion that has been put forward by the honourable member. I am not without some knowledge in this matter because, at present, the South Australian Planning Commission in conjunction with local government is undertaking investigations to determine whether this development involves a change of land use. If a change of land use is involved, then the development must be subject to the normal controls that apply in the Planning Act. Whether or not, I am well aware of the fact that there is both a problem and a potential problem in regard to traffic management in the streets around the projected development and probably the suggestion that the honourable member has put forward is a very good one and one that we should consider.

The honourable member mentioned the Department of Local Government and the Department of my colleague the Minister of Transport. I shall be happy to speak to both those Ministers and, as I said earlier, the two local government areas of Thebarton and West Torrens should be involved in any investigation that is proposed. I will take up that matter immediately, and make the necessary information available to the honourable member.

GOVERNMENT CONSTRUCTION PROJECTS

The Hon. MICHAEL WILSON: Will the Premier table in Parliament today the report by the Auditor-General into a number of Government construction projects so that the report can be the subject of questions and debate in this

House tomorrow? I understand that the Auditor-General has completed a report that identifies a number of inefficiencies. The Aquatic Centre is one project that has been examined. That report should be tabled to allow debate tomorrow. If it is not, the Government will be seen to be attempting to avoid consideration of this vital question of responsible use of taxpayers' funds.

The Hon. J.C. BANNON: The Auditor-General reports directly to Parliament. It is not a question of whether or not I table reports from the Auditor-General: he will choose to do so under his Act. He produces an annual report to Parliament. Under the Act he is able to produce special reports as and when he deems it appropriate.

YEAR 12 SUBJECTS

Mr HAMILTON: Can the Minister of Education say what new Year 12 subjects can be expected to be introduced for 1986 and 1987? In February 1984, when establishing the Senior Secondary Assessment Board of South Australia, the Government said the public could expect to see a major contribution by the State towards making senior secondary education more appropriate. At that time it would have been fair criticism that our range of Year 12 subjects was not appropriate. The existing subjects have not been revised for years in many instances; our choices of language ignored significant community groups; subjects reflecting the needs of modern businesses and technology were lacking; and there was no provision for enlightening senior students on such subjects as politics, women's studies, and Aboriginal culture. Therefore, I ask whether any progress has been made, and what can we expect in those areas that I have enunciated.

The Hon. LYNN ARNOLD: I can provide information to the honourable member. Also, I refer members to the annual report that I tabled in the House today, as it contains much information on the progress of the Board. I commend the Board on the hard work it has done since last year in tackling what is a serious educational issue, and the way it has gone about trying to meet target dates in 1986 and 1987.

Much progress has been made as a result of the considerable time and effort that has been put in by members of the Board, various committees and employees of the Board, and those teachers and parents within the education system who have supported it. It has been able, through the significant budgetary contributions made by the Government, which has put considerable financial resources behind the Senior Secondary Assessment Board, to do its work.

Soon, many newly developed syllabi for Year 12 subjects will be before the accreditation panel of the Board. The subjects include politics; outdoor education; women's studies; agricultural science (a public examination subject); computer studies; engineering technology; word processing; small business management; and classical ballet. If those subjects achieve accreditation by the accreditation panel, they will then be introduced progressively throughout 1986-87. That indicates the breadth of interest the Board is taking in meeting what is being put to it as community expectation.

In addition, talks have been held with members of the Aboriginal community on the introduction of a subject on Aboriginal Australia. The most significant workload of the Board to date, apart from these new subjects, has been in the revising of existing subjects. I am glad that the honourable member said that the subject range was previously inappropriate rather than too limited. That is precisely the problem: inappropriateness of some of the subjects available. There was not a lack of subjects, in fact, in total the number of subjects offered by the PEB and the Secondary Schools Certificate of the Education Department totalled about 100 for Year 12 students.

It was important that those subjects be revised, if necessary amalgamated or redesigned. In the process of redesigning and revising those subjects, some 80 subjects have been through the consequent accreditation process that has now taken place. One of the things that has happened from that will be of great benefit to parents, students, and teachers; namely, that the former syllabus documents containing fewer than 10 pages will now contain between 20 and 190 pages setting out quite specifically the content of those subjects, so that people know exactly what they will be doing when they undertake that study or teach that subject. It will also make future revision of those subjects that much easier. It has been a very difficult task.

Eighty subjects have been revised substantially, new subjects are on stream, and the new board is bringing together two previously separate systems—the PEB and the SSC in the Education Department. It is an enormous effort, well done. There have been problems, and I am sad to say that Dr Graham Speedy is unable to continue in the position. I am sorry about that, because he has been a tremendous person to head the Senior Secondary Assessment Board. Those involved have done a tremendous effort, and I am sure that 1986-87 will see the kind of expectations we have, in passing legislation in this House, come to fruition.

GOVERNMENT CONSTRUCTION PROJECTS

The Hon. E.R. GOLDSWORTHY: Has the Premier had discussions with the Auditor-General about the report into Government construction projects, and will he indicate the content of the report and whether it is critical of the Public Buildings Department and its use of the taxpayers funds? If the report is available, it should be tabled in the Parliament at the first opportunity, as the report should be the property of the Parliament rather than of the Government.

The Hon. J.C. BANNON: I thought that I made clear in my previous reply that the Auditor-General reports to Parliament as and when the Auditor-General chooses. I can only say at this stage that, if the Auditor-General chooses to do so, that report will be tabled. I am not prepared to comment on anything that has gone between me and the Auditor-General.

Members interjecting:

The DEPUTY SPEAKER: Order!

BACKYARD WORKERS

Mr MAYES: Will the Minister of Labour report to the House on the steps his Department has taken to eliminate the exploitation of people working under a backyard subcontract situation in the clothing industry in South Australia? Last evening on the *Four Corners* programme there was an extensive investigation into the clothing industry in New South Wales. An interview during that programme was held with the manager of Osti, one of Australia's largest manufacturers of clothing, in which he said that honest manufacturers had been forced to the wall (including himself) because of backyard operators who were exploiting subcontractors, using backyard operators to manufacture clothing, and paying as little as a quarter of the award rate in order to achieve the same goods that are being manufactured by legitimate and honest manufacturers.

The Hon. J.D. WRIGHT: The member asked what the Department of Labour is doing about the exploitation of backyard workers, or out workers as we have come to know them, who work mainly in the textile and clothing industry.

The simple answer to the question is, 'Not nearly enough'. It is very difficult to trace these people, as was evidenced last evening. I saw the *Four Corners* programme in which a New South Wales inspector made the point that it was very difficult to locate and determine where these people were working. A union delegate who was also interviewed made the same point and talked about civil liberties of people who were working in tin sheds and backyards, and the like. He did not feel free to go into those places, either.

I have known about this problem for some time. I have been aware, without any direct evidence, of the exploitation and discrimination that are going on in this industry. For the first time in my lifetime, last evening some people who had the courage of their convictions came forward and identified the exact exploitation that has been occurring in this industry. For example, one woman said that she was making windcheaters for 50 cents and the interviewer asked her why she did it for 50 cents. Her answer was, 'If I don't do it for 50 cents someone else, perhaps from Vietnam or some other ethnic minority group, will do it for 35 cents.' That is the situation in which she was placed in New South Wales.

The other significant story that came out of last evening's programme was that one woman worked 10 hours a day, seven days a week, for less than $150 for the week and finished up with tenosynovitis. The difficulty about that situation was that she had no evidence. There was no employer, because she was a sort of subcontractor. Other examples showed that this woman was being exploited and discriminated against badly. Her investment in this project was $1 600, with one machine costing $1 100 and another costing $500.

In order to try to determine what was happening in South Australia in this area, one could only hazard a guess about how much is there, but clearly it is there: there is no question about that. I organised, through my departmental officers last year, a phone-in asking people to come forward and identify where they were working, what sort of conditions they were working in, who they were working for, what sort of rates, whether they were covered by workers compensation, whether they were covered by long service leave and sick leave, and all the normal provisions that an ordinary worker would be covered by and I was disappointed by the response. The response to that phone-in was in no way large. In fact—

An honourable member: How many calls did you get?

The Hon. J.D. WRIGHT: It was a bad response. In fact, that does not satisfy me that it is not happening in South Australia because—

An honourable member: Perhaps the people are happy with it.

The Hon. J.D. WRIGHT: They are not happy with it, because they see it as a living and they are forced into this situation. Far from being happy, it is fear that stops them from coming forward: there is no question about that—absolute and total fear. It is only since last evening, with the exposure of the New South Wales situation, that people around Australia are now aware that this is going on. What is happening in that industry is a disgrace to our community.

The member for Unley referred to Osti, one of the respectable manufacturers of clothing in Australia. When he was asked a question he said, 'First of all, there is total discrimination in the industry. As far as I am concerned I am existing and I am making a reasonably good living, but I am placed in an unfair position. All my workers get award rates of pay.' The programme showed his factory: his workers enjoyed good conditions, no-one appeared to be overworked (there were no machines racing, and so forth) and everyone was getting their proper industrial entitlements. He said that in the backyards and garages there was total discrimination, total exploitation. He went on to nominate some amounts that people were being paid and how they were being discriminated against. He raised the point that, as far as he was concerned, unless this industry was controlled, unless someone could take charge of this practice, the respectable business man would go out of business. That is what it amounts to.

Mr Ingerson interjecting:

The Hon. J.D. WRIGHT: If the member for Bragg wants to live with that sort of allegation, so be it on his shoulders. Here is a respectable business man from New South Wales saying that it stinks, and yet the member for Bragg supports it. I want to overcome such situations in South Australia if I can. The estimate given last evening by those people who were interviewed was that the number of people involved in the industry is about 30 000. What we are tolerating within our community in 1985 is the total exploitation, the total victimisation, of people who are not covered by an award, and if we take notice of the member for Bragg, we do not care about them, either.

PERSONAL EXPLANATION: NORTH-EAST ROAD TRAFFIC

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

Leave granted.

Mr ASHENDEN: I have been misrepresented by both the Minister of Transport and the member for Florey. Earlier today in Question Time they alleged that I had said that roadworks on the North-East Road should occur only between 9 a.m. and 3.30 to 4 p.m. I did not say that at any time. My question of last week included a number of suggestions to assist traffic flow on the North-East Road during peak hours. I suggested that no work should be undertaken on the downside of the road before 9 a.m. and that no work should be undertaken on the up side of the road after 3.30 to 4 p.m. I am reported in *Hansard* as saying:

> Constituents have put suggestions to me to overcome these problems. They have suggested (and I certainly agree) that no work should be undertaken during peak hours on the side of the road that is needed for peak hour traffic flow. In other States this sort of work is always held up until after the peak hour flow has passed so that with the traffic flow to the city no work is undertaken until after 9 a.m. and with the traffic flow travelling out of the city, no work is undertaken after about 3.30 to 4 p.m.

I then went on to put forward other suggestions such as the use of witches hats to change lane usage; the use of road signs to direct traffic onto other roads during the period of roadworks; and the use of advertisements to let motorists know that roadworks will be undertaken and that there will be interruptions to traffic flow.

It is absolute nonsense to state that my suggestions would cost an extra 40 per cent, because what I have put forward is what happens interstate. In those cases where repairs are being undertaken (and that is all it is, repair work, purely and simply patching sections of the road with bitumen), I am suggesting that the patches of road that are being repaired should be repaired on the uptrack during the early morning hours and that the patches of road that require resurfacing on the into town side of the road be undertaken in the afternoon peak hour. This will cause no interruption to the flow of traffic.

Mr GREGORY: On a point of order, Mr Deputy Speaker, the member for Todd is debating the issue and not explaining it.

The DEPUTY SPEAKER: I do not strictly uphold the point of order, but I point out that the member for Todd is certainly straying from a personal explanation. I ask him to come back to the point.

Mr ASHENDEN: I have been misrepresented in that today the member for Florey alleged that I had asked the Minister of Transport to stop all roadworks except between 9 a.m. and 3.30 to 4 p.m. I did not say that.

I suggested that roadworks should always be undertaken on the off-peak side of the road. I am sorry if that appears to be a debate, but that was the case I put to this House last week. In other words, I have been misrepresented, because I am happy for roadworks to be undertaken between 8 a.m. and 9 a.m. but on the other side of the road to that being used for the peak hour flow, and the same in the afternoon. It is time that this Government put constituents and not its own convenience first.

Members interjecting:

Mr ASHENDEN: It will not increase the cost at all.

The DEPUTY SPEAKER: Order!

PERSONAL EXPLANATION: MINISTER'S REPLY

Mr INGERSON (Bragg): I seek leave to make a personal explanation.

Leave granted.

Mr INGERSON: During the answer to the question that the Minister for Fudge made, I do not believe he also had a hearing problem as well as a fudging problem—

The DEPUTY SPEAKER: Order! The Chair will not accept the present remarks of the member for Bragg as a personal explanation at all.

Mr INGERSON: I would like to go on—

The DEPUTY SPEAKER: Order! Leave is certainly withdrawn.

PERSONAL EXPLANATION: MEMBER'S REMARKS

Mr GREGORY: During a personal explanation of the member for Todd—

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr GREGORY: I seek leave to make a personal explanation.

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr MATHWIN: I draw to your attention, Sir, that the honourable member is making an explanation and has not sought permission of you or the House.

The DEPUTY SPEAKER: Order! The member for Florey has not done anything at the moment as far as the Chair is concerned. He will seek leave if he wishes to make a personal explanation.

Mr GREGORY: I seek leave to make a personal explanation.

Leave granted.

Mr GREGORY: In a personal explanation to the House a few moments ago, the member for Todd alleged that in my question I said he had said something. I did not state that he said anything at all. I referred to suggestions he had made in his question, and that illustrates that the member for Todd does not listen and does not understand anything.

The DEPUTY SPEAKER: Order! The Chair is quite concerned about the number of cases where honourable members, particularly after Question Time, for reasons that I will not go into at this time, seek leave to make what is called a personal explanation and then immediately dive into debate. That will stop and the Chair will be quite strong on the point of seeking leave for personal explanations. Members must stick strictly to a personal explanation when seeking leave.

SELECT COMMITTEE OF INQUIRY INTO STEAMTOWN PETERBOROUGH RAILWAY PRESERVATION SOCIETY INCORPORATED

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

That the Select Committee of Inquiry into Steamtown Peterborough Railway Preservation Society Incorporated have leave to report its opinions and observations from time to time.

Motion carried.

AMBULANCE SERVICES 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 inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Bill

The purpose of this Bill is to provide for an Ambulance Board to organise and manage the provision of ambulance services in South Australia. Prior to 1952, emergency ambulance services in South Australia were provided by a number of independent bodies. An ambulance service provided by the St John Ambulance Brigade was limited to racecourse work, processions and assemblies. A number of locally organised services operated in both the country and metropolitan areas.

During the late 1940s and the early 1950s criticism of these arrangements lead to the South Australian Government of the day appointing a Committee of Inquiry into the South Australian Ambulance Services. The inquiry was chaired by Lt Col E. W. Hayward (later Sir Edward Hayward, President of the St John Council for S.A. Inc.). The committee recommended the incorporation of all existing services into a division of the St John Ambulance Brigade. However, the Brigade's rules of incorporation did not permit the use of hired staff, so the St John Council for South Australia Inc., was incorporated in 1952 with responsibility for, *inter alia*, hiring staff and oversight of all aspects of running metropolitan ambulance services including the power to levy charges and disburse subsidies.

The council was also empowered to provide financial and other forms of assistance to the country services, the St John Ambulance Association, and the St John Ambulance Brigade. A grant of ten thousand pounds was made to the St John Council by the State Government. However, no formal written agreement was ever concluded. The service has operated for almost thirty-three years on the basis of a 'gentlemen's agreement'.

Ambulance services, either operated or co-ordinated by the St John Council, grew steadily. By the end of 1974 there were 38 metropolitan ambulances, 168 country ambulances, 34 clinic cars and three air ambulances. However, country ambulance services were run autonomously by local St John Brigades, councils, or service clubs. In the late 1970s the St John Council developed a strategy for a single Statewide ambulance service. In 1982, 46 of the 55 separately incor-

porated country ambulance services amalgamated to become part of the St John Ambulance Service, under the control of the St John Council. Nine non-amalgamating services have remained independent to date.

Following its election to office, the Bannon Labor Government announced an inquiry into the St John Ambulance Service. The inquiry was conducted by Professor L. J. Opit, Department of Social and Preventive Medicine, Monash University Medical School. Professor Opit submitted a preliminary report in April 1983 which provided a brief summary of the organisational, administrative and operational features of ambulance services in South Australia, with particular emphasis on the metropolitan services, and an analysis of the sources of difficulties and problems, as they related to industrial relations and the framework of the ambulance services.

However, certain aspects of the preliminary report were considered to require further investigation and, on 14 September 1983, a Select Committee of the Legislative Council was appointed to inquire into and report on all aspects of the St John Ambulance Service in South Australia. The Select Committee's Report was tabled on 5 December 1984. The recommendations of that report, which were unanimously supported by all members of the Select Committee, form the basis of this Bill.

Ambulance services are an essential public service providing emergency first aid to accident victims, care for the sick and injured during transport to a hospital or medical centre for treatment, transport for convalescent or disabled persons, and transport for eligible patients attending public hospitals for outpatient treatment. As I said earlier there is no formal agreement between the South Australian Government and the St John Council which gives the council responsbility for the organisation and management of ambulance services in South Australia. As a consequence there is no formal accountability between the council and the Government, despite the substantial direct and indirect funding of the council by the Government.

The Government considers that ambulance services should be seen as part of the overall health care system in South Australia. This Bill provides for the South Australian Health Commission to grant a formal licence for the provision of ambulance services in this State. The St John Council has organised and managed ambulance services in South Australia since 1952. The Government sees no reason for any fundamental change to this arrangement and proposes that a licence for the provision of ambulance services in South Australia be granted to the St John Council, subject to certain terms and conditions specified in the Bill.

There is no separate body within the St John Council which is solely responsible for the ambulance service. Many interests should be represented in the broad determination of ambulance service policy. The Bill provides for an Ambulance Board to be formed by the St John Council with an appropriate mix of expertise and representation. The council will commit to the Ambulance Board the management and administration of the Ambulance service. The Bill requires that the St John Council appoint, on the recommendation of the Ambulance Board, a Chief Executive Officer to manage the ambulance service on a day-to-day basis. The council will retain responsibility for all Ambulance Brigade and Ambulance Association matters.

In a letter dated 12 July 1951, the St John Council undertook to organise an efficient ambulance service for South Australia on the basis that, *inter alia*, the service be provided whenever possible by voluntary personnel. Paid personnel would be used where absolutely necessary to maintain an adequate service. Since 1952 successive Governments have endorsed the provision of ambulance services using a mix of volunteer and paid ambulance officers. The Bill makes adequate provision for this to continue. The proposed Ambulance Board will be responsible for determining the appropriate mix of paid and volunteer ambulance officers.

In recognition of the need for improved communication between all parties involved in the provision of ambulance services, the Bill provides for two consultative committees. An Industrial Relations Consultative Committee will be established to provide a forum for management and employee representatives to meet to discuss industrial matters. The St John Ambulance Brigade is responsible for providing the Ambulance Service with qualified volunteer ambulance officers. However, volunteer ambulance officers have previously been denied the opportunity to contribute directly to the organisation and management of ambulance services because of their brigade membership.

The brigade has recently appointed a committee, comprising brigade members who serve as volunteer ambulance officers, to advise the Commissioner of the brigade on ambulance service matters. Members of the Select Committee believe that volunteer ambulance officers should also have direct access to the proposed Ambulance Board. An elected Volunteer Ambulance Officers Advisory Committee will therefore be established to advise the Ambulance Board, and the brigade, on matters relevant to the involvement of volunteers in the provision of ambulance services.

The real level of public funding of ambulance services in South Australia is substantially greater than the Government's annual identified grant to fund the operating deficit. The total operating cost of the St John Organisation in 1982-83 was $12.27 million. Of that total the direct State Government grant was $3.23 million (26.3 per cent). A further $3.28 million (26.8 per cent) was paid by the South Australian Health Commission and public hospitals to the Ambulance Service for patient transport services.

The Bill sets formal duties of accountability of the St John Council for expenditure of Government funds. The council's accounts are to be maintained in accordance with established accounting principles. The South Australian Health Commission will continue to fund the council, association and brigade for approved community projects.

When the St John Council took on the responsibility of providing ambulance services in South Australia in 1952, it took on the role of building a co-ordinated State-wide service that, at the time, did not exist. By the 1960s, a Statewide service began to emerge. By the mid 1970s the South Australian community was being serviced by well trained paid and volunteer officers with modern facilities and equipment.

Each new service incorporated separately under the Associations Incorporation Act. Thus, whilst the council was responsible for the conduct of Ambulance Services, its control was diffuse. Most country services relied on the council for development and maintenance of their service, and adopted the policies of the council but were not directly responsible to it.

In the late 1970s, it was generally perceived that the organisation of ambulance services on a Statewide basis needed restructuring and, in 1979, the St John Council proposed that the separate services amalgamate into one single body. Finally on 12 July 1981, after nearly three years of planning, negotiation and consultation, 46 of the 55 country ambulance services amalgamated with the St John Council. The relationship between the council and the nine non-amalgamating services has remained unchanged.

The nine services continue to retain their separate legal status. They essentially operate as part of the St John Ambulance Service, which provides area training officers to co-ordinate training and radio technicians to inspect communications equipment. They apply the same administra-

tive procedures, subscription charges and carry fees as the amalgamated services. The largest non-amalgamated service, with its headquarters at Whyalla, operates the Air Ambulance Service.

The Government, the Select Committee and the St John organisation believe that the ambulance transport needs of the entire South Australian community would be best served by a single Statewide ambulance service. Such a service will provide more equitable allocation of resources, increased co-ordination of services, and uniform standards for vehicles and equipment. The proposed Ambulance Board will negotiate with the nine services to achieve amalgamation, having regard to their desire to retain a degree of independence for their services and for the decision making processes of the Statewide service to be informed and democratic.

Each of the non-amalgamating services will be granted a licence to provide an ambulance service for a period of three years. The Government anticipates that the necessary negotiations and agreements between the State Ambulance Board, the St John Council and the services concerning amalgamation will be achieved within that period.

Air Ambulance services have a unique role to play in the more remote and isolated areas of South Australia. The relationship between road and air ambulance services in these areas and the matter of command and control of air ambulance services is to be reviewed by an independent consultant appointed by the South Australian Health Commission following consultation with the proposed Ambulance Board and the Upper Eyre Peninsula Ambulance Service.

Finally, I wish to thank all members of the Select Committee for their intelligent and constructive co-operation over the 14 months during which they conducted their investigations and deliberations. I believe the Bill introduced today, based on several major recommendations of the Select Committee, provides the basis for the harmonious conduct of an even more effective and efficient ambulance service in South Australia.

Clauses 1 and 2 are formal. Clause 3 provides the interpretation of expressions used in the measure:

'ambulance service'—the service of transporting sick or injured persons:

'the St John Ambulance Service' means the ambulance service provided by the St John Council:

'the St John Council' means the St John Council for South Australia Inc.

Clause 4 provides that the Health Commission may grant a licence to provide an ambulance service subject to such conditions as it thinks fit (subclause (1)). Subclause (2) provides that it is a condition of every licence that the licensee must provide an ambulance service. Subclause (3) provides that, on the commencement of the measure, a licence shall be granted to St John Council subject to the following conditions:

(a) the condition referred to in subclause (2);

(b) that the council establish a board called 'the Ambulance Board' consisting of the following members:

(i) three persons appointed by the council being persons nominated by the Minister of Health, of whom:

— one must be a legal practitioner or accountant of at least seven years experience;

— one must be a medical practitioner of at least seven years experience;

— one must be a person who, in the opinion of the council, is an appropriate person to represent the interests of the general community;

(ii) one person elected to represent employees below the rank of superintendent in the St John Ambulance Service;

(iii) one person elected to represent persons who are engaged as volunteers in the St John Ambulance Service;

(iv) one person appointed by the council being a person nominated by the St John Ambulance Association South Australia Centre Inc.;

(v) one person appointed by the council being a person nominated by the St John Ambulance Brigade South Australia District Inc.;

and

(vi) two members of the council;

(c) that the following provisions apply to the Ambulance Board:

(i) a member of the board shall be appointed or elected for a term of three years and shall, on the expiration of a term of office, be eligible for reappointment or re-election;

(ii) the office of a member becomes vacant if the member dies, completes a term of office, resigns by notice in writing to the council or is removed from office by the council for neglect of duty, misconduct or physical or mental incapacity to carry out satisfactorily the duties of office;

(iii) a person appointed to a casual vacancy is appointed or elected for the balance of the term of the previous occupant of the office;

(iv) one member of the board be appointed by the council, with the concurrence of the Health Commission, to be the presiding officer;

(v) a meeting may be convened by the presiding officer, the council or the Health Commission;

(vi) five members constitute a quorum;

(vii) a decision of the board is one supported by the majority of the members present at a meeting;

(d) that the council delegate and commit to the Ambulance Board the whole of the management and administration of the St John Ambulance Service;

(e) that the board develop, in consultation with the council, policies for the efficient management and administration of the St John ambulance service including policies providing for:

— the appropriate balance between employees and volunteers;

— the qualifications of employees or volunteers;

— the training and development of employees or volunteers;

— the discipline of employees and volunteers;

— the administrative procedures to be observed in relation to the St John Ambulance Service;

(f) that the council take any necessary action to implement the policies and decisions of the board;

(g) that there be a chief executive officer of the board appointed by the council on the recommendation of the board;

(h) that employment of staff in the St John Ambulance Service be on terms and conditions approved by the Health Commission;

(i) that the council establish a committee called the Ambulance Service Industrial Relations Consultative Committee consisting of the following members appointed by the council on the nomination of the board:

— the chief executive officer or nominee;

— a member or officer of the Health Commission;

— a representative of the Ambulance Employees Association;

— a representative of the Federated Miscellaneous Workers Union;

— a representative of the Federated Clerks Union;

(j) that—

(i) the council establish a committee called the Volunteer Ambulance Officers Advisory Committee;

(ii) the committee consult with and advise the board and the St John Ambulance Brigade South Australia Inc. on matters relating to the St John Ambulance Service;

(k)-(o) these paragraphs make provision for accounts, audit, budgets, reports and inspection of documents.

Clause 5 provides that a licence may be granted on a permanent basis or term specified in the licence. The licence granted to St John is granted on a permanent basis. Clause 6—A licence is not transferable. Clause 7 empowers the Commission, with the concurrence of the Minister, to add to, vary or revoke the conditions of a licence (other than St John's licence). Clause 8—In the case of a contraventon of or non-compliance with a condition of a licence, the Supreme Court may on the Minister's application grant an injunction—

(a) prohibiting the licensee or a delegate of the licensee from further contravention of the condition;

or

(b) requiring the licensee, or a delegate of the licensee, to take specified action to remedy non-compliance.

Clause 9 provides that a person who provides an ambulance service for fee or reward while not licensed is guilty of an offence, penalty $10 000. Subclause (2) provides that a person who, being a licensee, contravenes or fails to comply with a condition of the licence, is guilty of an offence, penalty $10 000. Under subclause (3) this clause does not prevent an unlicensed person from providing an ambulance service for fee or reward in these circumstances—

(a) the service is provided in an emergency;

(b) ambulance services are not provided by the person regularly;

(c) there is no holding out to the public that the person is prepared to provide ambulance services for fee or reward.

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

THE FLINDERS UNIVERSITY OF SOUTH AUSTRALIA ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

RURAL INDUSTRY ADJUSTMENT AND DEVELOPMENT BILL

Received from the Legislative Council and read a first time.

The Hon. LYNN ARNOLD (Minister of Education): I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

In introducing this Bill to establish the Rural Industry Adjustment and Development Act, the Government is again demonstrating its commitment to Agriculture in South Australia.

The Bill amends the Rural Industry Assistance (Special Provisions) Act, 1971, and the Rural Industry Adjustment Act, 1977, to allow for the establishment of the Rural Adjustment and Development Fund. These Acts have provided for the administration of Commonwealth and State funds to assist agriculture through loan and grant schemes since 1971 provided through Commonwealth/States Rural Assistance and Adjustment Agreements. Operation of the schemes has resulted in the accumulation of State funds. The use by the State of these funds is severely restricted by conditions determined in Commonwealth/States agreements. The intention of the new Act is to allow State funds to be transferred to a Rural Adjustment and Development Fund. The use of this fund will be determined by the South Australian Government and represents the introduction of a State funded assistance scheme for agriculture. Amendments to existing legislation will allow for the transfer of State funds and the necessary amendments are provided for in the first and second schedule of the Bill. It is intended to use the new fund for the following purposes.

Loans to primary producers who are in need of Government assistance and who have good prospects for long term viability after being assisted. This general assistance is similar to that provided from the existing Rural Adjustment Scheme but with greater emphasis on assistance for specific industries and regions as the need for structural adjustment and redevelopment becomes necessary. It is anticipated that the need for assistance will persist with a continuing cost/price squeeze, including market pressures, forcing farmers to increase efficiency by the introduction of new technology, equipment and systems. These changes to farm operations often require a level of investment which cannot always be obtained from commercial credit sources. This type of assistance is intended to stimulate redevelopment in particular industries and regions which will both encourage individuals and benefit the South Australian economy. These arrangements will complement provisions of a new Commonwealth/States Rural Adjustment Agreement which will be introduced on 1 July 1985. Funds will be provided under this agreement to assist farmers throughout the State without specific emphasis on industry or regional problems.

It is intended that the Minister of Agriculture will allocate funds to assistance schemes from the Rural Industry Adjustment and Development Fund after receiving recommendations from a consultative committee. The committee will

include members who encompass a range of rural expertise and will have representation from the United Farmers and Stockowners of S.A. Inc. and from the Department of Agriculture. As well as loans, the new Act will also allow funds to be used to finance projects which have the potential to provide direction for regional industry adjustment and redevelopment. This may include assistance to farmers who wish to develop new crops or farming systems, and projects with potential to assist adjustment and development in an industry or region.

The Rural Assistance Branch will be responsible for administering the new Act and moneys provided through the new Commonwealth/States Rural Adjustment Agreement. It is intended that moneys from the new fund be used to meet annual administration costs for the branch. This provision will provide savings in the State Budget and as a consequence it will be possible to introduce important, State funded, new initiatives in the Department of Agriculture. These new initiatives will increase services to primary producers on Eyre Peninsula and in the Northern Region, increase State efforts in irrigation and salinity research on the River Murray, increase input into water use technology throughout the State, and commit funds to horticultural marketing development. These initiatives have high priority and have been selected according to their ability to significantly increase farm returns with subsequent benefits to the South Australian economy.

In summary, the Bill recognises that agriculture remains a major influence on the South Australian economy. The main objective is to establish a State scheme which will assist farmers and rural industries in overcoming adjustment and development problems which will continue to arise in the future. Such adjustment and development assistance will facilitate the continuing economic contribution of rural industries to South Australia's economic future.

Clauses 1 and 2 are formal. Clause 3 provides for consequential amendments to be made to certain legislation. Clause 4 provides for the interpretation of expressions used in the measure. Clause 5 provides for the establishment of the Rural Industry Adjustment and Development Fund. The fund shall consist of amounts authorised by the Minister under clause 6 and amounts received by the Minister in repayment of loans under the measure. There shall be paid out of the fund any amount authorised by the Minister under clause 7 and any expenses incurred in the administration of the measure.

Clause 6 provides that where the amount standing to the credit of a declared fund exceeds the relevant amount the Minister may authorise payment from the declared fund into the Fund of the excess; 'relevant amount' means an amount standing to the credit of a declared fund that is adequate to meet the obligations of the State under the Act under which the declared fund was established. Clause 7 provides that the Minister may authorise payment out of the Fund of any amount for the purposes of making a loan under clause 8 or a grant under clause 9.

Clause 8 provides that the Minister may make a loan, on terms and conditions determined by him, to assist a farmer to develop a farm or make adjustments to the farming methods or practices employed by the farmer to improve the efficiency or the management of the farm, or a person to undertake a project or research for the benefit of farmers or any class of farmers. Under subclause (2) the making of such loans is subject to the following provisions:

- the Minister must be satisfied:
- that the person would not be able to obtain the loan on reasonable terms except from the Minister;
- that in the case of a loan to a farmer, there are reasonable prospects of the farm being viable;
- the person must give security required by the Minister where the rate of interest charged is less than a commercial rate—the Minister must review it triennially with a view to increasing it to a commercial rate;
- the person must comply with or agree to comply with any other conditions imposed by the Minister.

Clause 9 provides that the Minister may make grants to:

- fund any project or research for the benefit of farmers or any class of farmers;
- assist the development of farming or any class of farming;
- assist the development of any part of the State for farming or any class of farming.

Under subclause (2), a person receiving the grant must comply with or agree to comply with any condition imposed by the Minister.

Clause 10 provides that an application for a loan or grant is to be in writing to the Minister. Under subclause (2) an applicant must furnish the Minister with such information as he requires. Under subclause (3), where a person furnishes the Minister with any information knowing it to be false or misleading in a material particular, is guilty of an offence, penalty $1 000. Clause 11 provides that no person engaged in the administration of the measure shall disclose information as to a person's affairs furnished by that person in connection with an application unless the disclosure is required in the administration of this Act is made in pursuance of an obligation imposed by law or is made with the consent of the person. Penalty $1 000.

Clause 12—The Minister may delegate to any person any power or function of the Minister under this Act. Under subclause (2), a delegation under this clause may be made conditionally and is revocable at will and does not derogate from the power of the Minister to act in any matter personally. Clause 13 provides that the offences constituted by the measure are summary offences. Clause 14 provides that the Minister must cause proper accounts to be kept of the Fund and that the Auditor-General must audit the accounts once annually. Clause 15 provides for the making of annual reports by the Minister to Parliament. Clause 16 provides for the making of regulations.

The Hon. TED CHAPMAN secured the adjournment of the debate.

CORRECTIONAL SERVICES ACT AMENDMENT BILL (1985)

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 inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Bill

This Bill makes a number of amendments to the principal Act, the Correctional Services Act, 1982. The first amendment concerns difficulties that can arise when prisoners who are already serving a sentence of imprisonment are sentenced to further terms of imprisonment with additional non-parole periods. In such circumstances the current provisions of the principal Act do not provide a mechanism for determining commencement dates or times. The Bill seeks to remedy that problem by requiring a court, when it

imposes a sentence, to specify the date of the commencement of the sentence and the non-parole period. Another problem addressed by the Bill concerns the need to provide for a means of recovering money from a prisoner who is in breach of his agreement to repay a loan made to him by the Prisoners Loan Fund Committee on behalf of the Permanent Head of the Department of Correctional Services.

The Bill makes provision for the secrecy of any postal vote made by a prisoner in a Federal or State election. Provision is also made enabling prisoners to be discharged, particularly from Adelaide Goal, out of normal operational hours without all of their personal property having to be made immediately available to them. On the odd occasions where such discharges occur, prisoners so released would be able to return and collect their property when the officer in charge of the prisoners property store is again on duty.

Difficulties sometimes arise out of the requirement in the principal Act that Visiting Tribunals must ensure that a prisoner hears or views all of the evidence produced against him concerning a charge for an alleged breach of regulations. This provision is impractical in circumstances where a prisoner refuses to attend the Visiting Tribunal hearing. The effect of the amendments is to allow the Tribunal to hear charges against prisoners who refuse to attend notwithstanding their absence. Provision is to be made under the notice of the time of the hearing to be served upon the prisoner concerned.

The Department treats prisoners who are alleged to have committed 'serious' offences in the same way as any other person would be treated, that is, the offences are reported to the police, investigated by them, and if charges are laid, they are prosecuted in the various levels of criminal courts. Visiting Tribunals no longer have the power to order imprisonment, and, as they now deal with minor matters only, the Government feels that the need for legal representation before such Tribunals does not exist. Accordingly, provision is made to exclude such representation. The Bill makes a number of other amendments to the principal Act which are of a housekeeping nature. The provisions of the Bill are as follows:

Clauses 1 and 2 are formal. Clause 3 makes it mandatory for a sentencing court to specify in its order the day or time at which the sentence of imprisonment is to commence, or is deemed to have commenced. The court must also specify the day or time at which any non-parole period fixed by the court is to commence or is deemed to have commenced. Clause 4 permits a manager of a correctional institution to deduct from moneys standing to a prisoner's credit any amount outstanding under a loan made to the prisoner by the Department. Such loans are made upon the recommendation of a departmental committee for a purpose such as the purchase by the prisoner of a television set. Clause 5 makes it clear that postal votes sent by prisoners cannot be opened by authorised officers who have the task of vetting prisoners' mail.

Clause 6 allows the release of a prisoner to be affected without necessarily there and then handing over any personal property held on his behalf. This provision will facilitate the release of prisoners 'after hours' at times when the property store rooms are closed. Any such property will be handed over to him as soon as reasonably practicable.

Clause 7 provides that proceedings against prisoners for breach of prison regulations may be heard and determined in his absence if he refuses to attend the hearing. It is expressly provided that a prisoner is not entitled to be represented by a legal practitioner at any proceedings for a breach of the regulations. A minor statute law revision amendment is also made to this section. Clause 8 is also in the nature of a statute law revision amendment. Section 80 as it now stands only makes cross-references to two sections in this Act, whereas it should also make reference to the corresponding provisions in the Prisons Act. The redrafted paragraphs *(a)* and *(b)* avoid the necessity to make any cross-references at all. The schedule contains a number of minor statute law revision amendments none of which make any substantive change to the Act.

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

POTATO MARKETING ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

The Hon. LYNN ARNOLD (Minister of Education): I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

The purpose of this Bill is two-fold. First, and most significantly, the Bill proposes the insertion in the principal Act of a sunset clause which would render the legislation inoperative on and from 1 July 1987. In providing for the cessation of the statutory marketing of potatoes on that date, the Government is not convinced of the continuing need to intervene in the marketing of potatoes. The Government in arriving at this decision has taken into consideration a number of factors.

The Government considers the case has not been demonstrated where in the interests of the community as a whole or a significant section of the community it is appropriate for the Government to continue to intervene in the marketing of potatoes. Whilst there were no doubt good reasons to establish the Potato Marketing Board in 1948, the Government does not consider these relevant in the 1980s. The marketing of other vegetable crops in South Australia does not require Government intervention for their efficient marketing. Only in South Australia and Western Australia do we have potato marketing boards and the Western Australian Board is currently under review.

Whilst the Government has difficulty in identifying reasons for the continuation of the statutory marketing of potatoes, it is easier to highlight problems with the current system. The problems with the current policies and operations of the Potato Board have been highlighted in the Report of the Working Party for the Review of the Potato Marketing Act. Further, Ministers of Agriculture have, over a considerable period, received numerous complaints about the Board's policies and operations. The Government has taken into consideration the difficulties the Working Party faced in objectively assessing the Board's performance and the actual extent of grower support for the Board.

The Working Party, by a narrow margin (5:3) voted for the retention of the present system with the significant proviso that '. . . it be retained at this stage subject to "fine tuning" of the various critical areas of the present system to the satisfaction of a majority of the Working Party'. This was follow by a later recommendation, No. 9 (4), that unless the introduction of a system of local market quotas in 1986 was considered to be successful after 12 months operation, 'the principle of the statutory marketing of potatoes may no longer be found acceptable'.

The Government has doubts whether problems with the current marketing system can be resolved by the proposed changes; however, if proposals are made which can satisfy

the interests of the industry and of consumers then it may be that a modified Potato Marketing Act can be retained.

In ceasing to intervene in the marketing of potatoes, the Government believes there will be benefits for both growers and consumers. Overall the marketing system will be more efficient and able to respond to market forces. There will be greater marketing choices for growers and more competition at the wholesale and retail level which will be to the benefit of consumers.

In giving two years notice for the cessation of the statutory marketing of potatoes, the Government is allowing sufficient time for those involved in the various sections of the industry to make appropriate arrangements to adjust to a free market situation. It will also allow time for the future of staff and the capital assets of the Potato Board to be decided.

Secondly, this Bill proposes the removal of the additional fine represented by the value of the potatoes associated with breaches of the Potato Marketing Act. Section 21 of the Act provides that a person convicted of an offence of contravening a marketing order under the Act may be fined ($400 maximum first offence, $600 maximum subsequent offences) and may receive an additional penalty 'to the value of the potatoes in relation to the sale, purchase or delivery of which he was so convicted'.

Clause 1 is formal. Clause 2 amends section 21 of the principal Act. The effect of the amendment to this section is to eliminate from the monetary penalty that may be imposed for certain offences a component representing the value of the potatoes in relation to which the offences were committed. Clause 3 provides for the insertion in the principal Act of new section 26. The new section provides that the principal Act shall expire on 30 June 1987 and, on that expiration, all property rights and liabilities of the Board are vested in the Minister. The Minister shall distribute the remaining assets of the Board (if any) between persons who have been licensed or registered under the Act, in such manner as he thinks fit.

The Hon. TED CHAPMAN secured the adjournment of the debate.

ROAD TRAFFIC ACT AMENDMENT BILL (No. 3) (1985)

Returned from the Legislative Council with amendments.

MOTOR VEHICLES ACT AMENDMENT BILL (No. 2)

Returned from the Legislative Council with amendments.

MOTOR VEHICLES ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

ROAD TRAFFIC ACT AMENDMENT BILL (1985)

Received from the Legislative Council and read a first time.

CONSTITUTIONAL CONVENTION

The Legislative Council transmitted the following resolution in which it requested the concurrence of the House of Assembly:

That whereas the Parliament of the State of South Australia by joint resolution of the Legislative Council and the House of Assembly, passed on 26 September 1972 and 27 September 1972, appointed 12 members of the Parliament as delegates to take part in the deliberations of a convention to review the nature and contents and operation of the Constitution of the Commonwealth of Australia, and to propose any necessary revision or amendment thereof (hereafter 'the convention'):

And whereas the Executive Committee of the convention has now resolved that eight members of the Parliament of the State of South Australia should be appointed to take part in the further deliberations of the convention:

And whereas the convention has not concluded its business:

Now it is hereby resolved by the Parliament of the State of South Australia:

(1) That all previous appointments (so far as they remain valid) of delegates to the convention are revoked.

(2) That for the purposes of the convention the following eight members of the Parliament of South Australia shall be and are hereby appointed as delegates to take part in the deliberations of the convention:
The Hon. G.J. Crafter, M.P.
The Hon. T.M. McRae, M.P.
The Hon. K.L. Milne, M.L.C.
The Hon. C.J. Sumner, M.L.C.
Ms. S.M. Lenehan, M.P.
Mr J.W. Olsen, M.P.
The Hon. B.C. Eastick, M.P.
The Hon. K.T. Griffin, M.L.C.

(3) That for the purposes of the convention the following three members of the Parliament of South Australia shall be and are hereby appointed as substitute delegates to take part in the deliberations of the convention if required to do so:
The Hon. I. Gilfillan, M.L.C.
Mr J.P. Trainer, M.P.
The Hon. E.R. Goldsworthy, M.P.

(4) That each delegate or substitute delegate shall continue to act as such until the House of which he is a member otherwise determines, notwithstanding the dissolution or prorogation of the Parliament.

(5) That the Attorney-General for the time being, as an appointed delegate (or in his absence an appointed delegate nominated by the Attorney-General), shall be the Leader of the South Australian delegation (hereafter 'the Leader').

(6) That if, because of illness or other cause, a delegate or substitute delegate is unable to attend a meeting of the convention or any session or part of a session of the convention, the Leader may appoint any member of the Parliament to attend in place of the delegate or substitute delegate.

(7) That the Leader may from time to time make a report to the Legislative Council and House of Assembly on matters arising out of the convention, such report to be laid on the table of each House.

(8) That the Leader shall provide such secretarial and other assistance to the delegation as it may require.

(9) that the Leader shall inform the Governments of the Commonwealth and other States of this resolution.

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

That the resolution of the Legislative Council be agreed to.

In so moving, I explain to members of the House that the next session of the Australian Constitutional Convention will be held in Brisbane from Monday 29 July to Friday 2 August this year. The principal items for discussion include fiscal powers, structure of government, including the role of local government, and an integrated court system.

The executive committee of the convention has resolved that the size of each delegation to the convention should be reduced, and each State will now be sending a delegation comprised of eight delegates instead of a delegation of 12 delegates as has been the practice formerly. It is necessary therefore for a new resolution concerning the convention to be passed by both Houses of the South Australian Parliament.

The composition of the delegation will be four Government members, three members from the Opposition and one member from the Australian Democrats. The composition of the delegation will be similar to that in relation to the delegation which attended the last session of the Constitutional Convention and which was held here in this Chamber.

The Hon. B.C. EASTICK (Light): I support the motion on behalf of the Opposition. I am pleased to note that the message that has been received from the other place includes the names of the three Liberal delegates. Originally the notification to the other place simply indicated that it would be three Liberal members. However, together with the names of the other delegates it is now indicated that Messrs Griffin, Olsen and myself are the Liberal Party delegates. The Opposition has no problem in giving this full support, and one trusts that the deliberations of the convention in Brisbane will advance what has been a long and some would say tedious, but nonetheless important, approach to a more rational Commonwealth Constitution. A number of areas have yet to be resolved, debate on which will go on for some years, but at least dialogue is continuing and doors have not been closed before achieving a result.

I believe that, if the right spirit is permitted to prevail and there is consultation between all parties in the presentation of referendum matters, a satisfactory result can be achieved. Regrettably, the method of putting up certain propositions at the last Federal election created polarisation: that was against the best interests of the Commonwealth and, regrettably, it will take some years to resolve the difficulty that has arisen. However, I believe that the difficulty will be resolved eventually and that the Commonwealth of Australia will be a better place as a result of that. I support the motion.

Motion carried.

PLANNING ACT AMENDMENT BILL (No. 2) (1985)

The Legislative Council intimated that it did not insist on its amendments Nos 1 and 2 to which the House of Assembly had disagreed and that it had agreed to the alternative amendment made in lieu thereof and the consequential amendments.

SOUTH AUSTRALIAN HERITAGE ACT AMENDMENT BILL

The Hon. D.J. HOPGOOD (Minister for Environment and Planning) obtained leave and introduced a Bill for an Act to amend the South Australian Heritage Act, 1978, and to repeal the South Australian Heritage Act Amendment Act, 1979. Read a first time.

The Hon. D.J. HOPGOOD: 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.

Leave granted.

Explanation of Bill

The South Australian Heritage Act, 1978, provides for the identification and conservation of the cultural and natural heritage of the State. To this end the Act requires the Minister to keep a Register of State Heritage Items. No item on the Register may be demolished, converted, altered or added to without the consent of the relevant planning authority, usually the local council. Any application for such consent must be referred to the Minister responsible for the South Australian Heritage Act, 1978, for his recommendation and the planning authority must take any representations by the Minister into account in reaching a decision. Recent amendments to the Planning Act, 1982, now require the planning authority where it is a local council to seek the concurrence of the South Australian Planning Commission to decisions affecting an item on the register. Experience over the past five years in the administration of the Act has demonstrated that certain amendments are necessary. Some are substantive amendments to provide more effective means of protecting heritage items in situations where planning controls do not provide a sufficient level of protection, while others are machinery amendments to make the operation of the existing law more effective.

The amendments proposed have been reviewed by the South Australian Heritage Committee which has endorsed the provisions as desirable and necessary for the effective management of the State's heritage. The major amendments proposed have been referred to in parliamentary debates and public statements from time to time and the major interest groups have supported moves to more adequately protect the State's heritage. The amendments to this Act together with the recent amendments to the heritage provisions of the Planning Act, 1982, are part of the package of responses to the public concern about the need for effective management controls in respect of the State's heritage.

The major amendment contained in this Bill provides for the declaration of a conservation order covering the whole or part of a registered heritage item (including an item on the interim list) or the whole or part of a declared State Heritage Area. At the present time the only protection available for places on the Register of State Heritage Items or State Heritage Areas is that which operates under the Planning Act, 1982, where development of an item is proposed. This mode of protection depends solely on an owner wanting to undertake a development, however the actions of owners are not the only threats to heritage items and areas. Experience has shown that more positive measures are required for items which are in ruins, archaeological sites and historic monuments. Fossicking, deliberate excavation in search of relics, destruction and vandalism are major problems at such sites and cannot be effectively managed through development control procedures.

The Bill provides for the Minister in consultation with the South Australian Heritage Committee and the owner or any other interested person to declare a conservation order to apply to a heritage item or area. The Bill also provides for an urgent declaration of a conservation order which would apply for a maximum period of 6 months unless confirmed or revoked sooner, in which case the consultative provisions will apply after the order issues. The discovery of important heritage sites or the emergence of new threats to a registered heritage item or declared State Heritage Area may require prompt action to provide immediate protection.

Flowing from the power of the Minister to declare a conservation order the Bill provides for the making of regulations for the prohibition and restriction of destructive activities and the appointment of inspectors to enforce these provisions. The Bill also provides for the Minister to issue permits to any person authorising that person to act in contravention of the regulations. In this way protection will be available for those sensitive and fragile heritage sites located in the more remote parts of our State. The consultative process provided for in the Bill will ensure that except in very special cases the act of providing this higher level of management control over a heritage item or area will be done in collaboration with the land owners and managers.

The other amendments contained in the Bill are in the nature of machinery changes. This is the first time since the inception of the South Australia Heritage Act, 1978, that such amendments have been put forward. The Bill provides for the use of the word 'environmental' rather than 'physical' throughout the Act and standardisation of the ambit of significance as including 'aesthetic, architectural, historical, cultural, archaeological, technological or scientific' matters of interest. It has been found that the word 'physical' was not readily understood as including the natural features of and associated with the land. The word 'environmental' is commonly understood to include such natural features. As greater knowledge has been gained over the last five years it has become evident that heritage significance can derive from a variety of different characteristics of an item or area. The use of a standard description of the components from which heritage significance is derived will ensure that the ambit of the law is clearly defined and easily understood.

The Bill provides for the entry of a heritage item on the interim list without first issuing a public notice where it is necessary to provide immediate protection through the urgent declaration of a conservation order. This will enable immediate protection to be given to possible heritage items where there is some imminent threat to their destruction. In the event that a heritage item is intered on the interim list in this way the Bill provides that the Minister must immediately take proceedings to enter the item on the Register. This requires the issue of a public notice and the consideration of written objections. In the event that subsequent research indicates that an item ought not to be placed on the Register, both the interim listing and the conservation order will cease to apply.

The Bill provides for the functions of the South Australian Heritage Committee to be amended to accord with the new functions related to conservation orders, and to enable the Committee to provide advice to the Minister on matters or things which the Committee believes the Minister should receive advice on rather than those things about which the Minister seeks advice. It also provides for the Committee's responsibility to advise on the declaration of State Heritage Areas to be recognised in the functions of the Committee.

Finally, the Bill provides for the payment of a prescribed fee for a copy of the Register of State Heritage Items or Register of Heritage Agreements or any extract from those registers. People will continue to be able to inspect the Registers free of charge. The Bill provides for errors in the description of items contained in the Register to be corrected by publication of an appropriate public notice and for the Minister in his capacity as Trustee of the State Heritage (the Corporation) to delegate his functions and powers. These changes will ensure more effective administration of the legislation.

The Bill provides for the repeal of Act No. 12 of 1979 which provided for shipwrecks to be items of the State's heritage. This Act has never been proclaimed and the passage of the Historic Shipwrecks Act, 1981, made it redundant. South Australia's heritage legislation is held in high regard by other States and has been effective in ensuring that there is an appropriate mechanism for realising the communities aspirations for heritage conservation. It is also widely regarded because of its integration with planning law which means that the community's often divergent interests in both heritage conservation and development can be resolved. The amendments effected by this Bill will improve the effectiveness of the administration of this legislation and will ensure that it provides adequate protection for our heritage.

Clause 1 and 2 are formal. Clause 3 makes a consequential amendment to the long title to the principal Act. Clause 4 makes a consequential amendment. Clause 5 amends section 4 of the principal Act. Clause 6 amends section 8 of the principal Act. These amendments expand the functions of the South Australian Heritage Committee. The category of State heritage previously given the term 'physical' will now be given the term 'environmental'. This term more accurately describes what is intended. New paragraph *(c)* of section 8 (1) enables the committee to give unsolicited advice to the Minister.

Clause 7 amends section 12 of the principal Act. Paragraph *(b)* adds archaeological, technological and scientific categories as qualification for registration. Subsection (2) is replaced with a provision that allows the Minister to correct an error in the description of an item in the Register. Clause 8 amends section 13 of the principal Act. Paragraph *(c)* inserts a new provision that will allow the Minister to revoke the designation of an area as a State Heritage Area. Clause 9 replaces subsection (1) of section 15 of the principal Act with two new subsections. Paragraph *(b)* of new subsection (1) allows the Minister to place an Item on the interim list before the publication of notice under section 12 where he wants to take immediate action to protect the Item by making an order under new section 22. Where he does this subsection (1a) requires him to immediately take proceedings under the Act to register the Item.

Clause 10 replaces section 16 of the principal Act with a provision that requires the payment of a fee for copies of the Register or the interim list. Clause 11 brings section 16a into conformity with other provisions of the principal Act. Clause 12 makes an amendment similar to that made by clause 10. Clause 13 makes a consequential amendment to section 18 of the principal Act. Clause 14 inserts a provision that will allow the Trustee of the State Heritage to delegate its functions and powers.

Clause 15 inserts new Part V into the principal Act. This Part will enable the Minister to bring an Item or a State Heritage Area under the protection of regulations made under Division II. Before making an order for this purpose the Minister must give the land owner, any other interested person and the Committee the opportunity to make representations in relation to the proposal (section 21 (2)). An exception to this requirement will exist in matters of urgency (section 22) in which case the Minister must give the same groups an opportunity to comment before he confirms the order. New section 25 provides for the making of protective regulations. Division III inserts standard provisions in relation to inspectors. Clause 16 repeals the South Australian Heritage Act Amendment Act, 1979. This Act amended the definition of 'Item' to include shipwrecks but was never proclaimed because of the enactment of the Historic Shipwrecks Act, 1981.

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

ELECTORAL BILL

Adjourned debate on second reading.
(Continued from 14 May. Page 4256.)

The Hon. H. ALLISON (Mount Gambier): This Bill was debated at great length in another place; the debate proceeded for some 30 hours. The first thing that I want to do on behalf of the Opposition is compliment the Hon. K.T. Griffin (shadow Attorney-General) and his colleagues for their diligence and attention to detail in sucessfully moving quite a number of amendments, which meant that the Bill reached the House of Assembly in a much better form than when it was introduced by the Attorney-General. The Government appears to have backed off in quite a number of

areas, although the Opposition still opposes several clauses, and we will seek to amend the Bill further in Committee.

It was claimed by the Attorney-General that the original Bill was the result of recommendations in a report by the Electoral Commission, but the Opposition believes that it was more the result of pursuing a number of blatant political inclinations. The Minister has now had the grace to admit in his second reading explanation that Party politics or Party policies are behind a number of aspects of the Bill. Although the Minister did not enunciate them in detail, the perceptive reader of the Bill will have no doubt as to which of those were Party oriented and which resulted directly from the recommendations of the Electoral Commission.

I am not sure whether the Minister intends to amend the Bill substantially in the House of Assembly today and revert to the original Bill, which really had incredible potential for role stacking. I refer to a few of the issues which were the subject of amendment. One of them involved prisoners being able to elect to vote in a certain electorate in cases where they said that they intended to reside at a certain location upon release. That recommendation has now been substantially amended, and prisoners can now elect to vote at their last place of residence, or if they have been in prison for two years they can vote for the electorate in which the prison is situated. Where a prisoner or his family has newly purchased a house in a different electorate, that prisoner can elect, upon release, to reside there and to express his intention to vote there should an election occur while he is still imprisoned.

The provision in the original Bill for itinerant electors (that is, floating voters, with a tremendous ability to affect a marginal seat) has been removed, as has the eligibility of overseas voters, including spouses, de factos and children of voting age, even if the spouses and children have never been resident in South Australia. As I have said, those provisions will be removed.

The Assembly system as proposed in the present legislation is very close to first past the post voting. An elector can simply indicate '1', tick or a cross and, in so doing, he or she may gain the inference that this is now first past the post voting. In fact, this method of indicating can be allied by the Electoral Commissioner to how-to-vote cards lodged by registered political Parties, and then that '1', tick or cross would entitle the voter to have his vote allocated preferentially in accordance with that politically based card.

We believe that the acceptance by the Electoral Commissioner of ticks and crosses is not a proper system of voting and, in any case, we are not absolutely certain that anyone indicating a tick or cross is in fact supporting the candidate. For example, it has been the practice in the past with informal votes for someone to register their dissatisfaction by placing a cross against a candidate. I do not think there would be much argument with the notion that a tick is a means of approval. The cross may in fact have the effect of validating a vote whereas, in fact, the voter had intended to register disapproval. We believe the old system of putting '1' opposite the candidate of first preference and then followed with '2', '3' and '4' is the most satisfactory way of lodging a vote. We believe that the system proposed would effectively serve to disfranchise many electors, with the acceptance of a tick or a cross instead of the numerical system as a formal vote allowing preferences to be allocated, according to Party tickets, by the Returning Officer.

The Bill also originally permitted candidates to obtain an injunction from the Supreme Court during that hectic rough and tumble period of the election campaign. We believe that that would enable anyone to frustrate a quite legitimate advertising campaign and also to frustrate the press in making a comment, because it affects newspaper, radio and television advertising. We are pleased to see that that provision is no longer in the present Bill. The effect could have been to muzzle the press and hinder legitimate campaigning.

We believe the people, and not the courts, should be the arbiters at election time. It would be highly unlikely that a dispute entered into during the brief election period would be resolved in time to establish before the votes are taken whether or not advertising is legitimate. There is potential for great delay and a form of deliberate hindrance of legitimate advertising, in other words, there would be tremendous potential for abuse if that original provision were left in the legislation. The amendments have improved the original Bill.

We believe that the present system of voting, both in the Legislative Council and in the House of Assembly, is fair. It operated very effectively in the 1982 election and we are reasonably convinced that in many instances the present Government has sought in the present Bill to manipulate the Act for what would be blatant political gain rather than at the recommendation of the Electoral Commissioner. For example, at page 36 of his report entitled 'Parliamentary Elections and Referendum of 6 November 1982', he says that he is concerned at the rate of informal votes in that election, and he states:

> To reduce the informal rate will be an enormous task and will necessitate analysis over a number of elections to gauge the effect of changes in approach. The changes in approach I recommend are:
>
> 1. Simplification of the Upper House ballot-paper by enabling electors to vote in accordance with a Party's ticket by marking one box only. This overcomes the argument of those opposed to list systems and optional preferential voting, by giving people the choice of voting for candidates in the order of their (the electors') preference or voting in accordance with their preferred Party's preference.
> 2. Developing educational literature and short courses covering not only the mechanics of voting but the purpose. Advertising is not sufficient. As I pointed out earlier, our budget increased but so did the informals.
> 3. Keep referendums seperate from elections. A referendum held at the same time as an election will always have some effect on the election.
> 4. Removal of 'how-to-vote' cards from outside the booths. 'How to vote' cards always appear in ballot-boxes and other-wise formal ballot-papers in rubbish bins. It is hard to imagine that being the elector's intention.
> 5. Conducting of a detailed analysis of informal voters for at least the next three Parliamentary elections.
> 6. Simplification of instructions on ballot-papers and close checking of proofs from the Government Printer.

The Government has certainly chosen to do much more in the Bill than the recommendations of the Electoral Commissioner indicate. The original Bill made quite radical changes to what was a fair system. We believe those changes are quite unjustified. For decades, in the Assembly, indication for preference has been by marking '1', '2', '3' and '4' in direct numerical order opposite the candidates' names, in order of approval. The Bill now allows for a tick or cross to be accepted and for preferences to be distributed by the Electoral Commissioner according to Party tickets. We are opposed to that concept.

The Bill originally provided for both compulsory voting and compulsory enrolment. We are again opposed to both those concepts. Whilst the concept of voluntary enrolment is now included in the present legislation, compulsory voting is also included here, and in Committee we will be moving amendments to change that in an attempt to introduce the concept of voluntary voting. I think it is worth noting that very few other democracies enforce enrolment and voting. For example, the United States, Canada, United Kingdom, France, and West Germany do not enforce compulsory voting and enrolment. Not even Russia does that. I think in Russia only about 11 or 12 per cent of the electorate would actually be Communist Party members. Of course, there are no other parties there to give the voter a preference.

We believe that the voluntarism method would force members of Parliament to perform better in an attempt to attract the votes from the electors. We also believe that the compulsory system will result in a compulsory donkey vote.

The provision involving mobile booths originally allowed for some 12 days during which the booths would be moving around the electorates. As this has now been amended to only four days, we believe there is far less room for abuse of the system. In the case of maintenance of electoral rolls, the provision for joint State and Federal rolls is appropriately continued, with electors who are eligible to vote at either State or Federal elections, and not at both, to have suitable markings against their name to distinguish one from the other.

In the case of 17 year olds now being able to enrol provisionally, we notice that these young people will be enrolled with the Electoral Commissioner but that their names will not be included on the roll itself, unless they reach the age of 18 at the time of election. It has been our policy to oppose the inclusion of 17 year olds on a provisional roll. We believe that the additional stresses imposed upon 17 year olds would be undesirable, particularly since a considerable number of young people are engaged in Matriculation year studies at that time. It is not a point that we will press to the extreme or about which we will be moving amendments, but we say that we still hold some concerns on that score.

As amended, the Bill still contains offensive provisions. The Government backed off the compulsory enrolment but insisted on compulsory voting, as I said, against international examples and precedents. We have now rid the Bill in another place of the compulsory enrolment provisions. The Supreme Court injunctions can no longer be obtained during the hurly-burly election period in order to frustrate legitimate advertising. The press, television, and radio will no longer suffer severe restraints on reporting and commenting on electoral matters. Legal roll stacking through the enrolment of itinerant people and overseas residents and their relatives has been removed. The opportunity for prisoners to influence unduly marginal seats by electing to be added to the roll for the address where they say they intend to reside on release has been reduced, and use of mobile polling booths by the Electoral Commission from 12 days to four days minimises the potential for abuse.

However, as we pointed out earlier, the registration of political Parties remains. There is also potential for candidates purporting to be Independent Labor or Independent Liberal to register and for there to be some confusion because the names 'Liberal', 'Labor' and those of other Parties would be included on polling material, with the result that candidates who are legitimate candidates for a truly registered political Party could be disadvantaged. This would apply to any Party, and we are simply pointing out that it is not a desirable feature.

The offensive provision allowing ticks and crosses and equating both the tick and cross with a No. 1 is still in the Bill. The voting system in this House, which has been in effect for decades and has been a fully preferential system, has now been changed radically. The voting system for the Legislative Council has been changed from what we regard as a relatively simple and fair system of 1982 to a new system tried by the Federal Government at the last Federal election, a system which in fact has been attacked by the present Prime Minister as being responsible for producing a considerable number of informal votes.

It is an irony that the present Government in South Australia is moving swiftly to adopt a system that we regard as untried and unproven. We do not agree necessarily with the complaint of the Prime Minister that that was the only reason for informal votes. We believe that the informal voting system did disadvantage Parties across the whole system. The Prime Minister tried to convey the fact that he would have won with a much more handsome majority had it not been for that system. The Opposition wants a fair and clear system, and we believe that that is what we had in 1982 and it is what we have had for many years in South Australia. It worked well with few problems. We believe that the Government's changes manipulate the voting system by incorporating changes that are illogical and clearly inappropriate, and we will move amendments in Committee to the appropriate clauses.

Mr BAKER (Mitcham): I wish to address the Bill briefly, as all the arguments have been put succinctly by my colleague the member for Mount Gambier. The Upper House spent considerable hours debating this Bill and removing some of the anomalies that the ALP wished to create in our electoral system. Some of the manipulation and connivance that was contained in the original proposition to a large extent has been reduced or eliminated by the hard and diligent work of my colleague the Hon. Mr Griffin in another place.

Indeed, the Hon. Mr Griffin is to be congratulated for the enormous amount of work he has put into straightening out the Bill introduced in another place. As a result, most of the provisions of the Bill now provide a workable means of conducting elections in South Australia. I will not canvass all the issues raised, because I will be covering ground just covered a few minutes ago and ground that was covered extensively when the Bill was before another place. The one area that I wish to comment on now involves clause 76 which is the ticks, crosses and No. 1s. The other parts of the Bill about which I have either reservations or about which I will require further explanation will be covered in Committee.

Turning to how people should record a vote, it is ludicrous in this day and age that we should be allowing people to put a tick, a cross, or a No. 1. I believe that if an elector is entitled to a vote the person should be able to vote according to the tried and true method that has operated in Australia since the first election was ever held. If not, it makes a farce of so called increases in knowledge and understanding. We are supposed to have come a long way in the past 100 years, yet we are reverting to a situation where a person who could not sign a document could put a cross on it and someone had to witness that it was their cross or some other form of identification.

If the Labor Party is concerned that there is some difficulty, perhaps it could have a fingerprint system included so that if a person is capable of putting his index finger in the right spot we could record that as a valid vote. Such an argument is as equally valid a proposition as the ones in the Bill today. Anyone who has scrutineered at a polling booth (and most members of the House would have) would realise that the cross and the tick can mean a number of things. I have scrutineered in at least 15 State and Federal elections, and each time votes are contested because they are either obviously invalid if voters placed nothing on the paper or because a person has revealed his name or circumstances on the ballot paper; or once upon a time, if something rude or revolting was written on the ballot paper, it was declared invalid.

One of the amusing parts of the scrutineer's job is to look through the discarded ballot papers or the papers that have been set aside by the Electoral Office officials to try to determine or agree on whether they should be declared valid or invalid. One thing that experience has taught me is that the cross (the most blatant example) is often used as a means of saying, 'I do not really want to have anything to do with that candidate or Party.' It is not necessarily an

affirmation of support for that Party. I am sure that everyone in this House has been through the same experience.

Mr Oswald: Tick, yes; cross, no.

Mr BAKER: Yes. I cannot understand how the Party calling itself the Australian Democrats could agree to such a proposition. Anyone who has been a scrutineer would understand that often a cross is used to declare the fact that the person is totally opposed to that candidate. How many people here have been scrutineers and have seen a cross on the ballot paper against a candidate of either persuasion with a little comment at the bottom of the paper stating why a cross has been placed against that Party or candidate? It is not uncommon.

People go to polling booths often in droves in areas such as Elizabeth and Port Adelaide, with the idea that if they do not vote they will be fined but knowing that they can legitimately collect a ballot paper, get themselves crossed off the list and place the blank ballot paper in the box. That means that they have fulfilled their obligation to the country, but they are not forced to record their support for any person on that ballot paper. That is not uncommon. In fact, a review of invalid voting papers in the recent election showed quite clearly that the number of blanks was extremely large. Anybody knows that that incidence varies quite considerably between electorates, between elections and also with notoriety of candidates.

Some people may not wish to support the Party of their choice, because the candidate is not of their choice. An extensive range of reasons exist as to why people put in a blank voting slip, as in the same way as there are a range of reasons for a person crossing a ballot paper. To suggest that in 1985 a cross represents support for a particular Party or person to me is ludicrous. It is disgraceful and is patronising on the population of South Australia to suggest that someone here can interpret the wishes of that person. In fact, it should behove this Parliament to take that provision out of the Bill.

If anybody wishes to analyse what has happened to the electoral system over a period, they will find that there has been some marked change (and scrutineers will verify this) according to circumstance. Some can say that, if people had not put in a blank slip or No. 1 with no other numbers or a tick rather than No. 1, their Party would have fared better, but that is only simplifying the matter. In this day of communication it should be simple for a person to say that his No. 1 vote is for a person, candidate, or Party. There should be no difficulty with that proposition, This provision is anathema to the whole proposition of electoral reform and should be struck from the Bill. If a person cannot put a No. 1 in a box, they should not be allowed to vote. The other propositions on which I seek further information or which cause me some concern, such as voluntary enrolment at the age of 17, I will canvass in the Committee stage of the Bill.

Mr GUNN (Eyre): One of the things I have come to accept since being in this place is that, when the Labor Party starts tinkering with the Electoral Act or Constitutional Act, one knows there is going to be something in it for that Party. It does not do it because it has a sudden new-found desire to ensure that we have a fair and just system of electing people to Parliament. If ever there has been a Party that has been successful at manipulating the Electoral Act or Constitutional Act to its own end, it is the Australian Labor Party. As soon as it gets into any sort of political difficulty it tries to manipulate the system and divert the public's attention away with constitutional or electoral matters.

We can look back through the history of the Dunstan, Whitlam, and Hawke Governments. We find that Hawke got caught at the last election: when he received political backlash against himself, he tried to claim that the electoral system had been wrong. An analysis of that has proved the statement to be incorrect.

Let us look at the Bill and its idea to allow people to vote by a cross. What a farce! Anyone who has had any experience in looking at electoral systems around the world will know that, with compulsory voting, if you want to have any sort of fair system you have to have a preferential system. We can look at the system in England where less than 50 per cent of the people vote. The Wilson Government was in power with about 28 per cent of the vote, as people were voting with a cross. That situation reflects badly on the Government for introducing the measure.

Let us look at one or two other matters contained in the Bill. I refer to information to be contained on the roll. One has to put one's surname, christian or given name, address and place of residence, and such particulars as may be prescribed. Why cannot such particulars be set out in the Bill? I want to know from the Minister what matters are to be prescribed, because many people would take strong exception to having to give any further details to be placed on the electoral roll as it is a public document open to any citizen to peruse or purchase. The Minister can do better than introduce a measure with such a reference. We know that the Government can prescribe anything it likes and, once this Bill leaves this Chamber, that will be the last time the Parliament will have the opportunity to properly scrutinise it.

We then come to the provision of registration of political Parties on page 16 where clause 39 (2) *(e)* provides that the registration must be accompanied by a copy of the constitution of the Party. Will the Minister say why it is necessary to have such a provision? I thought that in a democracy any citizen who has reached the required age is entitled to not only enrol but also to nominate for Parliament. What sort of constitution are the members for Semaphore and Elizabeth going to supply? They will not be supplying a constitution. Why is it necessary for other political Parties?

Mr Peterson interjecting:

Mr GUNN: So-called Independents! The so-called Independents must remember that the Liberal Party is in an interesting situation: it can determine who will be elected. We will most probably determine who will be elected in Whyalla. We helped the member for Semaphore to get into this place as we did the member for Elizabeth, so they do not want to forget that. Things have changed. It is all right to be cheeky across the Chamber, but I remind them that it is within our power to deal accordingly with those people. They can laugh at the system. It is all right for members opposite, but we know very well where they stand. If they want to play games, make no mistake—

An honourable member interjecting:

Mr GUNN: I am not making any threat. I think the honourable member is enjoying what I am saying. He is a product of the Party machine, he knows how the Party machine operates. It is all very well for Independents to get high and mighty, but they want to keep their feet firmly on the ground. A little reminding of one or two facts does not go astray in this place. I have not referred to that matter before, but the honourable member was going to take a rise out of me. I want to bring him back to reality.

I want to know from the Minister exactly why it is necessary to supply the Commissioner with a copy of the constitution. Personally, I find that offensive because I am of the view that any group of people should be entitled to stand for Parliament and to organise themselves, free from dictates, as long as they do not set out to physically attack or annoy other people. I believe that is a healthy thing in a democracy. We have to be very careful when we set about

prescribing rules about what people can and cannot do and about people forming associations, and prescribing laws that may prevent people from nominating for Parliament. I think that matter ought to be looked at carefully.

A number of other matters in this Bill can be better discussed in Committee. The Electoral Bill is something that the Parliament should not push through unduly. It should be given proper consideration and the public at large ought to be given the opportunity to consider it. For a long time I have believed that a number of matters ought to be included in the Electoral Act. I support provisions that allow for the registration of political Parties alongside the name of a candidate on a ballot paper. Most people vote for a Party. We do not want to delude ourselves that the majority of people, except in extraordinary circumstances, will vote for a Party. I believe there should be no confusion in that area.

Proper consideration must be given to allowing people in isolated communities the right to a postal vote. I hope that the provisions dealing with mobile polling booths are successful, because they will operate basically in my district. I want to see (and I have every confidence in the Electoral Commissioner) that some of the unfortunate things that have happened in the past do not happen again. Undue pressure has been put on people—I can list chapter and verse. It has not affected the election result, but I know these unfortunate things have taken place. I hope this provision operates successfully, because it will allow those people to cast a vote fairly in a manner in which they so determine. I look forward to the Committee stage.

The Hon. G.J. CRAFTER (Minister of Community Welfare): I thank honourable members for their contributions to this debate. We have before the House a very important measure indeed. As has been explained by honourable members opposite, this has been the subject of considerable debate and substantial amendment in another place. As it has now been in the Parliament for some time, obviously there has been considerable debate within the community as well on these measures. They are matters that have been discussed over a very long period of time.

The Bill represents the most important and comprehensive overhaul of electoral laws in over 50 years in this State. The current 1929 Act is simply out of date. These amendments have been brought about now in a most urgent way by recent changes to the Commonwealth Electoral Act and it is desirable that Commonwealth, State and, if possible, local government electoral systems remain in tandem. In that way less confusion will be wrought upon the community and our democratic systems can work as smoothly as possible. The 1929 Act has been the subject of no fewer than 22 separate subsequent amending Acts that have varied greatly in both their nature and extent. As well a number of important matters have been specifically dealt with by detailed regulations promulgated pursuant to the original Act, which are now incorporated into this revised Act; therefore what currently obtains is most unsatisfactory—a pastiche of measures that lie scattered throughout the Statute Book and indeed in other sources. It is most desirable that we have a new Electoral Bill before us.

I thank the Electoral Commissioner and his staff for their work in preparing the initial report on which these amendments are based and for the enormous amount of work they have done in ensuring that these amendments are very thoroughly scrutinised and are the most suitable way to give effect to democracy in this State. The Government will move a number of minor amendments: a small number are consequential upon amendments moved in another place that have been discovered by Parliamentary Counsel and the Electoral Commissioner to require further minor amending legislation. An undertaking was given by the Minister responsible in another place for this legislation that an amendment would be moved with respect to photographs of candidates appearing on ballot papers, and that has been attended to in this Bill.

I want to touch briefly on comments that were made by a number of speakers opposite with respect to ticks and crosses. The Bill does not require electors to mark by way of a tick or a cross, and I refer to clauses 76 (1) and 76 (2) which require the elector to use numbers. Ticks and crosses are only a fall back provision to render formal votes that are clearly intended to fulfil the primary obligation: that is, to use numbers. When clause 76 (3) is read with clause 94 (6) an otherwise informal vote is therefore included in the count.

To re-enforce what I am saying, I refer honourable members to clause 125, where advocacy in public only can be to use numbers in voting in State elections. Although the member for Mitcham stated that crosses were being used to indicate opposition to the election of that candidate, in fact, crosses were used in local government elections until the most recent local government election to signify a vote for a candidate. That has been one of the confusing elements between local government and State Government elections.

It has been my experience that many people have signified their vote for a person by a tick or a cross, and that is particularly true of people who are illiterate and who have been prone to do that in order to cast a valid vote at local government elections. That point needs to be clarified to all honourable members.

I point out, with respect to the point made by the honourable member for Eyre about prescribed particular on rolls, that this requirement is exactly the same as the provision that currently exists under section 17 of the Electoral Act. With respect to lodging constitutions of political Parties, the requirement there is to fulfil the provisions of clause 36 of this Bill. That is to help establish in the mind of the Electoral Commissioner the *bona fides* of a Party's application to be so registered and have the name of that political Party stated alongside the name of that Party's respective candidates. The other matters raised can be dealt with during the Committee stages. I thank those honourable members who have contributed to this debate.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4— 'Interpretation.'

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

Page 1, lines 24 and 25—Leave out the definition of 'the Commonwealth Act'.

Page 3, lines 31 and 32—Leave out 'with the Electoral Commissioner'.

These amendments, as I mentioned previously, are consequential upon removal of the definition of non resident electors in the Legislative Council. This tidies that matter up.

Mr MATHWIN: We have just received these amendments: in fact, my fingers have gone black because the ink is not dry. Is there any further explanation from the Minister about the amendments? If we are to consider them, it is unfair unless he gives us a detailed explanation.

The Hon. G.J. CRAFTER: The explanation is very simple: these amendments have been moved on the advice of Parliamentary Counsel and the Electoral Commissioner as a result of amendments moved in another place. They were simply overlooked in the debate and in the substantial amending process that took place there. There is nothing sinister, complex or political in its motivation. This is simply to ensure that this Act is precise in its definition. I foreshadow that similar amendments will be moved. As I have indicated,

I am sorry that honourable members were not given more notice of the amendments, but if this was a matter of great substance we would have to take action to give honourable members time. However, I assure the honourable member that it is not and I will explain the final amendment at that time.

The ACTING CHAIRMAN (Mr Ferguson): I take it that the Minister is moving all amendments to clause 4 in toto.

The Hon. G.J. CRAFTER: I will explain, so that we can move them *en bloc.* The amendment to clause 4, page 3, lines 31 and 32, is moved because section 63 talks of returning officers and not the Electoral Commissioner. That is why the words 'with the Electoral Commissioner' are removed. That is the explanation for lines 31 and 32 being amended, as I indicated.

The Hon. H. ALLISON: I share the concern expressed by the member for Glenelg at the speed with which these completely new amendments have been placed before us and are to be debated. I accept the Minister's comment that they are more technicalities than politically oriented. However, the fact that we are looking at leaving out on page 3, lines 31 and 32, 'with the Electoral Commissioner', is an inference that perhaps these forms may not be lodged at all with the Electoral Commissioner, but simply with returning officers in the various regions. Is it intended that these forms can be lodged other than through the Electoral Commissioner himself?

The Hon. G.J. CRAFTER: It is intended that those forms will be lodged with the returning officers, as was the intention of the legislation.

Mr OSWALD: Before the amendments are put I have a question relating to another part of clause 4, not in relation to these amendments.

The ACTING CHAIRMAN: The honourable member can ask his question now.

Mr OSWALD: In relation to line 20 and the definition of 'authorised witness', I notice that it means a person not being a candidate in the election who is apparently over the age of 18 years. The reality is that someone fills out their ballot paper and a signature is required of someone over the age of 18, but there is no way of policing it. It is that they are apparently over the age of 15: a 10-year-old child could possibly witness the signature. Is there any way that the Government can tidy that up and make it a requirement that it be an adult or a JP, or give an itemised list of authorised officers in the community—even down to schoolteachers, bank managers, ministers of religion and the like—who can be recognised as an authorised witness?

The Hon. G.J. CRAFTER: There is a limit to how far one can take the law in this area, whether it is this Act, the Liquor Licensing Act, or any other Acts that refer to adulthood as being the requirement and how far one can take *bona fides* of people who claim that they are of a certain age. The law that will apply with respect to this legislation is the same as the law that has applied in the past. It does not seem to have been a problem. However, there is a limit to how far one can take sanctions of that type.

Mr PETERSON: Do I take it to mean that, if it were authorised by someone aged 14 or 15 (not 18), it is not enforceable? For example, if a document needs to be signed by a JP to become an authorised document and it is not signed by such a JP it is not valid. Why can it not be? As I understand it, under the Electoral Act now it must be signed by someone on the roll who, therefore, has to be over 18 years of age. The use of 'apparently' does not sound sensible to me. Why not use the same parameter—someone who is already on the roll or is 18 years of age?

The Hon. G.J. CRAFTER: If the person who is seeking that other person's signature knows that that person is not an adult, he is committing an offence and that vote is invalid. However, the problem arises where the person concerned says that he or she is an adult and in fact is not but is believed to be an adult. This is a difficult area in which to legislate.

Amendments carried; clause as amended passed.

Clauses 5 to 17 passed.

Clause 18—'Polling places.'

The Hon. H. ALLISON: Subclause (4) provides that:

> When a writ is issued for an election in a district, the Electoral Commissioner shall, between the date of the issue of the writ and polling day, give public notice by advertisement in a newspaper circulating generally throughout the State of the position of all polling places for the district.

Has the Government considered including a provision to require that it be compulsory for the Commissioner to advertise in other country newspapers? A poll (albeit a very small one) taken in a South-Eastern country town found that very few people read either the Adelaide or Melbourne State circulated newspapers while there was almost saturation reading of the local newspapers. This situation may pertain in many country districts, where a great many country electors may not have access to a State circulated newspaper but would definitely have access to local newspapers, which generally carry news of specific local interest.

The Hon. G.J. CRAFTER: I thank the honourable member for that important question. I understand that in a by-election situation every attempt is made in both local and other press to inform electors of polling places. A difficulty might arise in a general election situation where it is traditional that Statewide newspapers carry notices detailing polling places. If the member for Mount Gambier or any other member has information which indicates that there is an inability to obtain or widespread failure to gain access to the popular press, obviously the Electoral Commissioner should be made aware of that and the matter should be attended to.

However, the Electoral Commissioner has advised that the Commission is currently considering placing in telephone books details of the polling places as a partial means of providing general information to the community. I know that there are difficulties with this and that from time to time polling places change, but this innovation may well overcome the problem to which the honourable member has referred.

The Hon. H. ALLISON: I think the matter goes a little further than that, because contained within the legislation is provision for the Electoral Commissioner to change polling places, and to actually add or remove polling places. Therefore, to provide in a telephone directory details of polling places well in advance of an election would be impractical. Directories have to be in print for a considerable period, whereas the indications that there will be a poll are generally fairly fleeting, the decision being made over just a few weeks. At some time in the past I believe that one country newspaper of its own accord printed a list of polling booths, assuming that they would be exactly the same as those which were used for a previous Federal election. However, in the interim a decision had been made to remove one of the polling booths from the list. I think the polling booth involved was at Donovans in the South-East: as a result of this quite a few people turned up at Donovans, an isolated Glenelg River settlement, only to find that there was no polling booth there. So, problems can arise, and I think it is very important that people be advised of localities of polling booths by means other than Statewide circulated newspapers.

The Hon. G.J. CRAFTER: The honourable member has made his point very clearly. Obviously this is a matter for the Electoral Commissioner and also something that depends on local circumstances. It involves important information

that should be made available to electors. As I have said, the Electoral Commissioner has advised me that he is considering telephone directory references in relation to this information. Obviously there are some difficulties that must be taken into account, and I would remind the honourable member that the amendments to the Constitution Act now promote a great deal more certainty as to when elections will be held in this State and that therefore one can predict much more accurately in which year relevant information should be lodged in the widely circulated telephone directory.

Clause passed.

Clause 19 passed.

Clause 20—'Information to be contained on the roll.'

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

Page 9, lines 25 and 26—Leave out subclause (2).

This amendment is required for exactly the same reasons as those which applied to the previous amendment to clause 4, where the Upper House had removed the definition of 'non-resident electors'.

The Hon. H. ALLISON: I note that the Upper House has removed that definition, but the reference made in clause 21 covers almost the same matter as that contained in clause 20 (2), and I would have thought it was simply a duplication.

The Hon. G.J. CRAFTER: The reference to residents in clause 21 is intended to cover perhaps some judicial officers, maybe Family Court judges, and the like, to give those people practical protection. That is not in any way related to non-resident electors.

The Hon. H. ALLISON: I simply thought that in relation to a person in prison, for example, if there had been a contentious court case, with threats made before and after the trial, if that person was a 'non-resident' and shown to be in prison then the family protection would naturally ensue from exclusion of the prisoner's prison address.

Amendment carried; clause as amended passed.

Clause 21—'Suppression of elector's address.'

Mr OSWALD: I have difficulty in locating an actual definition of 'electoral registrar' in the Bill. Perhaps the Minister could define that for me. I agree with the first part of the clause, which states:

Where an electoral registrar is satisfied that the inclusion on a roll of the address of an elector's place of residence would place at risk the personal safety of the elector—

It seems in that case that the onus is placed on the electoral registrar to make that determination but no guidelines are set down anywhere in the Bill. Whilst I assume the electoral registrar is a very competent officer, I wonder whether a provision should be included so that the registrar may seek guidance in relation to the gravity of a person's occupation before an exemption is granted.

The Hon. G.J. CRAFTER: The electoral registrar is in fact a Commonwealth officer who, pursuant to a dual Commonwealth and State agreement, maintains the rolls. That electoral registrar is appointed pursuant to this legislation.

Mr OSWALD: The second part of my question involves my belief that the registrar should have laid down in the Act some sort of guideline to which he can refer before determining whether or not a name may be suppressed.

The Hon. G.J. CRAFTER: To further answer the honourable member's first question, clause 15 (2) provides:

The Electoral Commissioner may appoint an electoral registrar in respect of one or more subdivisions.

That is the authority for those appointments. I think more harm than good may be achieved if the honourable member seeks to clarify in detail all the circumstances in which clause 21 should apply. I think a discretion needs to be applied and subject, no doubt, to challenge in the normal way if that is regarded as unfair by the police or some other interested person, but I believe a wide discretion must be allowed. One can assume that common sense will be applied, as it is, I believe, in the administration of this legislation generally.

Mr BAKER: Does this mean that at election time two rolls will be printed in relation to the eligible electors, that is, one for those who have not claimed suppression and one for those who have claimed suppression? How does the person at the polling booth intend to cross off the name of the elector who has had his name suppressed?

The Hon. G.J. CRAFTER: I think the honourable member has misunderstood the point. The person's name is not suppressed: it is printed on the roll, but the information leading to the address is suppressed, so the name would in fact still appear and that will be all.

Mr BAKER: Every time I have attended at a polling booth, the electoral officers ask, 'Do you live at such and such an address?' That procedure is required of each electoral officer. I assume that that information has to be made available to the presiding staff at the time of the election. If there is not going to be a supplementary roll, how do the officers then cross that person's name off the roll?

The Hon. G.J. CRAFTER: I understand that in those circumstances, if there is a challenge, a declaration would be the appropriate action and that could be lodged, I think, under the old section 110. That is then disputed or clarified at a later date. Clause 21 refers only to the address. Presumably, a person who makes the normal declaration is the person referred to, and then he or she casts their vote.

Clause passed.

Clauses 22 to 25 passed.

Clause 26—'Inspection and purchase of rolls.'

The Hon. H. ALLISON: Clause 26 (2) provides that the Electoral Commissioner shall make copies of the latest prints of the rolls available for purchase at prices determined by him. Is it common for the Electoral Commissioner to run out of electoral rolls and, if so, is this now making it compulsory for the Electoral Commissioner to have a reprint done possibly shortly before an election at considerable expense?

The Hon. G.J. CRAFTER: Yes, there is a general obligation on the Commissioner to have available rolls for purchase. If the State Electoral Commissioner runs out, obviously the Commonwealth Commissioner has also run out and therefore it is appropriate that further rolls be printed.

Clause passed.

Clauses 27 and 28 passed.

Clause 29—'Entitlement to enrolment.'

Mr BAKER: I am opposed to this clause, in particular subclause (2). I do not find the reasons for its insertion particularly compelling. In fact, I can think of some very good reasons why a person of 17 years of age should not be on a provisional roll. I will outline those reasons very briefly and then ask the Minister to respond. In relation to enrolment and change of address, I note that in a later clause it is an offence if someone does not notify their change of address within 21 days. One of the problems is that people who fail to comply with the requirement relating to change of address are subject to penalty. We are all aware of a very large enrolment by people just before election time. Many have forgotten to enrol, and I refer particularly to people of 18 years of age. In addition, many people suddenly realise they have transferred their address but have not complied with the Act, and this raises questions about human behaviour.

As the Minister of Transport can probably inform the Minister, the number of young drivers who fail to re-register themselves regarding a driver's licence is quite significant. That is because they are a highly mobile and transient population. I assume the added impact of this provision is

that 17 year olds will be required to notify a change of address whilst they are not even an elector. Also, when they attain the age of 18 years they are required to notify a change of address and are subjected to a $50 penalty if they do not comply. It is human nature, especially among the younger generation, that technicalities such as notifying a change of address are often not observed. It is not a reflection on the people concerned: it is just a matter of fact that, as we get older, we do all the things that are necessary, such as changing our address for electricity, water, gas, electoral rolls, and the whole gamut of things. When people are younger they do not necessarily do that.

For the reason in principle that I do not believe there should be a provisional roll, and because I believe there could be some added burden on some young people, I reject the proposition and ask the Minister to acquaint the Committee with how he believes the Electoral Commissioner is going to get over these problems that are always faced by young people.

The Hon. G.J. CRAFTER: First, I understand that this is now the situation with respect to the Commonwealth legislation, and it is important that there be parity between Commonwealth and State legislation in this regard. Secondly, it is important that there not be that rush prior to an election to enrol, and that procedures whereby people who are entitled to be enrolled and who will be eligible to vote at the time of the election will be given an opportunity to do so in an orderly way, and that they should not be disenfranchised because of technicalities with respect to this legislation. The overriding thrust of the legislation must be to allow all of those people who are eligible to vote to in fact vote and not to disenfranchise people, wherever that can be avoided. Also, to correct the honourable member's assertions about the 21 day requirement, because the requirement is not for 21 days after the change of address: it is within 21 days of becoming entitled, and I refer to clause 32 (1).

Mr BAKER: I still believe my observations are valid, but I will not argue on that point. The provisions of entitlement for enrolment are contained in the Constitution Act, but those provisions have not been repealed and this Bill does not change the Constitution Act. The original provisions still remain in that Act and, therefore, subclause (2) is invalidated because the Constitution Act determines that there shall be a different set of criteria, namely, that 17 year olds are not shown as eligible to be included on the provisional roll. Will the Minister clarify the position?

The Hon. G.J. CRAFTER: As I understand this nice constitutional point, the purport of clause 29 (1) is identical with that existing in the Constitution Act and the purport of subclause (2) of that clause does not derogate in any way from that and so the end result that the member fears is not valid.

Mr BAKER: I am not a constitutional lawyer but I understand that the Constitution Act has pre-eminence over any other State Act. Also, I understand that, if conditions are contained therein and are the rules under which people can become enrolled, they stand; and if there is no provision for a temporary enrolment then *per se* they are prevented from being added to that Act, namely, from the fact that the Constitution Act covers enrolment on the electoral roll. It may well be argued that it does not have a provisional enrolment but, because it covers enrolment, my understanding of the law is that unless the conditions are exactly the same as the Constitution Act or unless that Act is repealed, the new provision is invalid because it is covered under the Constitution Act.

The Hon. G.J. CRAFTER: First, with respect to the validity of the Constitution Act as alongside other legislation, they are all Acts of this Parliament and stand side by side and are read together. The Constitution Act is silent with respect to the entitlement to enrol. This provision fills that void. The Constitution Act refers to the entitlement to vote. If the member looks at that Act he will see that this matter now is thereby clarified.

Clause passed.

Clauses 30 and 31 passed.

Clause 32—'Notifications to be given by an elector.'

Mr BAKER: I reiterate the point that there is now a $50 penalty for people who fail to do the right thing in respect of enrolment. It is a heavy penalty. If it is fully enforced, and it could well be enforced, it will become a Statute of this Parliament and State. It impacts heavily on young people who are notorious for failing to change addressess, especially for electoral purposes. While the Minister has said that the 21 days relate to after the entitlement, there is still the problem of this enormous lumping around about election time of which we are all aware. People rush to get themselves on the roll.

Clause passed.

Clauses 33 to 38 passed.

Clause 39—'Application for registration.'

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

Page 15, line 42—After 'this Act' insert 'and contain a specimen of the signature of that person'.

This further consequential amendment just circulated is suggested by officers to clarify the legislation. The reason is the need for there to be a signature of the registered officer who will be endorsing material for political Parties. There needs to be a specimen signature for verification purposes.

Amendment carried; clause as amended passed.

Clauses 40 to 63 passed.

Clause 64—'Photographs of candidates.'

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

Page 25—Insert the following new clause in place of clause 64:

64. (1) If the Electoral Commissioner so decides, photographs of all candidates in an election shall be printed on the ballot paper for that election.

(2) Notice of a decision under subsection (1) must be given to the candidates in the election on or before the day fixed for the nomination.

(3) A candidate whose photograph is to be printed on a ballot paper in pursuance of subsection (1) shall, within three days after the day fixed for the nomination, submit to the returning officer a photograph—

(a) that was taken of the candidate with 12 months before the submission of the photograph; and

(b) that complies with the requirements of the regulations.

(4) If a candidate fails to comply with subsection (3), the nomination of that candidate becomes void.

(5) A photograph of a candidate printed on a ballot paper must appear opposite the name of the candidate.

I oppose the existing clause, and insert a new clause in its place. I foreshadowed, during the second reading debate, that this amendment would be moved and explained the reasons behind it. It seeks to improve the existing clause, in particular the machinery aspects of its operation. The Attorney-General in another place undertook to have the amendment introduced here. The terms and philosophy underlying it have been accepted in principle, I understand, by the Opposition and the Australian Democrats in the Legislative Council. It ensures that the provision will only be sparingly invoked by the Electoral Commissioner, will be sensibly applied, and will not cause undue inconvenience to either candidates or electors.

Amendment carried; new clause inserted.

Clauses 65 to 70 passed.

Clause 71— 'Manner of voting.'

Mr BAKER: In a grievance debate some time ago I brought to the attention of the House to the situation with respect to the last Federal election when some of the nursing homes in my area were declared institutions. I was looking through this Bill to see what constraints would be placed on people attending those institutions at the time of elec-

tions. I am referring to Resthaven, 'All Hallows', and a number of other nursing homes in my area. Most of the people I visit there are of sound mind and probably in very poor health, but many of them hang on to their voting rights very vigorously. At the recent election I received a number of complaints that I or members of opposing Parties were not allowed to visit those institutions and say 'Hello' to the residents and hand them their how-to-vote papers.

It has been traditional in the Repatriation Hospital and other places—for very good reasons, as they have a transient population and people are not residing at those institutions—for such places to be declared institutions. We would have to have someone walking in with 47 ballot papers in the Repatriation Hospital, which makes the system unworkable. However, in a nursing home the people are permanent residents, and really did resent being denied the right that every other citizen in South Australia has who are fit and well. I do not know what plans the Government has for control of declared institutions.

I am interested in what the Minister has to say on this subject, as many elderly people enjoy election time, do like to be informed, and do like to get a visit from their local member, candidate, or whoever, and thereby feel that they are part of the normal population. I went in for the singing of Christmas carols, and got button-holed by people who asked where I was when they wanted me at election time. I explained that I was not allowed into the nursing home because of restrictions in the Electoral Act. Will the Minister explain what restrictions will operate? If they are not too restrictive, I will be happy, but if in fact the restrictions that applied at the Federal level still apply to some of my nursing homes, I will have to ask that they be treated in some other fashion so that people can receive assistance through the Electoral Office and, at the same time, can receive the same attention and consideration that normal electors receive.

The Hon. G.J. CRAFTER: As I understand it, the honourable member can enter declared institutions and canvass in the normal way. He can distribute literature and the like, but he cannot interfere in the polling process in any way. The reasons for that are well accepted and well understood. If the honourable member is saying that some barrier was put in his way as a candidate or representative of a candidate, and he was prevented from entering a declared institution during the period of an election campaign, that is not the intention. I will clarify the situation or perhaps it can be done by way of correspondence. Clause 83 (6) provides:

A person shall not counsel or procure two or more inmates of a declared institution to make applications by post for the issue of declaration voting papers.

The reason for that is obvious: the electoral visitors could come and take all the votes in that institution. If the honourable member is not quite clear about the interpretation I have given, perhaps he should write to the Electoral Commissioner and receive a detailed response to the rights of candidates and canvassers during an election period with respect to declared institutions.

Mr BAKER: The instructions provided for the recent Federal election deliberately precluded us from entering such institutions. Federal law prevents us from handing out literature. Perhaps the Electoral Commissioner could check that. I have a set of instructions with which I was provided and, if those same instructions are not going to operate at the next State election and the only restriction would be in regard to procuring postal votes, then I am delighted. The assistance of the Electoral Commission was very much appreciated at the recent Federal election due to the inability of inmates to have access to the personalities performing in the area at the time.

Clause passed.

Clauses 72 to 75 passed.

Clause 76—'Marking of votes on ballot papers.'

The Hon. H. ALLISON: I move:

Page 31, line 4—Leave out subclause (3).

I may well have included a further amendment to this clause, that being subclause 76 (1) *(b)*, which provides:

If the ballot paper contains a voting ticket square—by placing the number 1 in that square.

As it is we move only the one amendment, but we would like to take this opportunity to express opposition to this clause generally on the ground that this represents a substantial divergence from the old method of voting, a method which stood South Australia in very good stead at the 1982 election.

The Hon. G.J. CRAFTER: The Government opposes this amendment, which is designed, as I said earlier in the debate, to take out ticks and crosses. This is quite contrary to the thrust of the Electoral Commissioner's report on which this legislation is based, to the policy of my Party and, I believe, to the giving of expression to the stated will of the electors.

The clause is designed to reduce informality as much as practicable, bearing in mind that this should be read in conjunction with clause 94 (6) of this Bill. I have said in reply to comments made by the member for Mitcham regarding the procedure that should take place with respect to scrutiny that the clear intention of the legislation is to give effect, where a voter's intention is clear, to that vote. However, there is that safeguard that the placing of ticks and crosses in that way cannot be advocated and should not be part of the propaganda that is issued at election time. Generally, people should not be disfranchised simply because the clear expression of their intention is other than as required by the placing of numbers in boxes. I believe that would be grossly unfair. That is a matter, I think, probably where our political Parties agree to disagree. We would have to agree to disagree, because it is a fundamental issue for the Government.

Mr BAKER: I spent a lot of time earlier this afternoon discussing this matter. In the recent local government election, where there was a change from crosses to numbers, only 1.5 per cent of the vote was invalid, so the assumption that somehow a cross was indelibly imprinted on voters' minds does not hold any validity at all. The proposition is that a vote has to be made clear and there is the question of clause 94 (6) which raises the supporting clause.

Can the Minister determine in the case where someone has put a cross in a box whether the person is voting for that candidate or Party or expressing dissatisfaction? Can the Minister guarantee 100 per cent that every cross placed in a box will be recording positive support for that candidate? I know from the scrutiny of papers that I have done over the last 20 years that that is an incorrect assumption. Therefore, I ask for a legal interpretation of whether a cross in itself, by itself, is indeed a valid expression of support for that person on the ballot paper.

The Hon. G.J. CRAFTER: I cannot quote the cases to the honourable member, but I understand that this matter has been considered at some length in courts where election ballots have been contested and in particular the intention of electors in those circumstances. I refer the honourable member once again to clause 94 (6), which provides:

Where—

(a) a ballot paper has not been marked by a voter in the manner required by this Act;

but

(b) notwithstanding that fact, the voter's intention is clear',

the ballot paper is not informal and shall be counted as if the voter's intention had been properly expressed in the manner required by this Act.

That is the simple explanation, and I believe that in the scrutinies in which I have been involved, and particularly at a time when in local government elections a cross could be placed in a box but in the Federal and State elections a cross could not be marked, there was confusion in the minds of some electors who find voting a difficult exercise. As I have said, this is a most reasonable way to give effect to that clearly expressed wish of an elector.

Mr BAKER: I understand that clause 76 may be validating a procedure whereas clause 94 requests that the voter's intention is clear. I do not know how many ballots the Minister has scrutinised in the State or Federal sphere and whether he has come across crosses on the ballot paper, as I have (and as I imagine 46 other people in this place have) and seen some of the comments that have been associated with those crosses. For me it is a serious matter. We are in fact taking the wishes of the electorate fairly lightly if we assume that, every time a cross is put on a ballot paper, that vote is a positive vote for the person who receives that cross.

The Hon. G.J. CRAFTER: I think I should explain that the advice of the Crown Solicitor previously, under the existing legislation, has been that, where there has been a tick or a cross in the box in the appropriate place on the ballot paper and there have been only two candidates in that election, it has been held to be a valid vote on a number of occasions and that is settled law in those circumstances because it has been held that that in fact does give effect to the clearly expressed intentions of the voter in those circumstances.

I think the problem to which the honourable member refers is not one where there will be the problems that he anticipates: if a person writes a very large cross over the ballot paper and writes comments on it, that clearly would be challenged in the scrutiny and would not be intended to be a formal vote in that sense. It would be an indication of that, but where an elector specifically puts in the appropriate box alongside a candidate's name a tick or a cross, then that should be interpreted according to the existing settled law.

The Committee divided on the amendment:

Ayes (19)—Mrs Adamson, Messrs Allison (teller), P.B. Arnold, Ashenden, Baker, Blacker, D.C. Brown, Chapman, Eastick, S.G. Evans, Goldsworthy, Gunn, Ingerson, Mathwin, Meier, Oswald, Rodda, Wilson, and Wotton.

Noes (21)—Mr Abbott, Mrs Appleby, Messrs L.M.F. Arnold, Bannon, M.J. Brown, Crafter (teller), M.J. Evans, Gregory, Groom, Hamilton, Hemmings, Hopgood, Keneally, and Ms Lenehan, Messrs Mayes, Payne, Peterson, Plunkett, Slater, Trainer, and Wright.

Pairs—Ayes—Messrs Becker and Olsen. Noes—Messrs Klunder and Whitten.

Majority of 2 for the Noes.

Amendment thus negatived; clause passed.

Clauses 77 to 81 passed.

Clause 82—'Declaration vote, how made.'

Mr OSWALD: Will Party scrutineers have access to the actual application forms for checking purposes, if required?

The Hon. G.J. CRAFTER: Yes, I understand that they will.

Clause passed.

Clauses 83 and 84 passed.

Clause 85—'Compulsory voting.'

The Hon. H. ALLISON: I simply express my Party's opposition to this clause. Philosophically, we believe firmly that there should be voluntary enrolment and voluntary voting, very much in line with what happens overseas, as I said at the second reading stage of the debate. The United States, United Kingdom, Canada, France, West Germany, Russia, and many other Western democracies do not enforce voting or enrolment. We believe that to do so simply drags into the polling booth people who will express their dissent in other ways, probably by rude comments on voting papers. It is quite inappropriate that people should be compelled to go to voting booths at elections. We oppose the clause.

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

Page 36, lines 18 and 19—Leave out subclause (11).

This is another consequential amendment where the words 'non resident elector' are inserted. With respect to the honourable member's comments in opposition to this clause and to compulsory voting, this matter was debated most fully in the other place. It is a matter which the Government believes is one of fundamental policy. The system of democracy that we have in this State and this country is based on compulsory voting and has served our society well. We enjoy one of the oldest serving democracies in the world: South Australia is the fifth or sixth longest surviving democracy.

I think that that in no small way is related to compulsory voting and the confidence that people have in our system of Government. To erode that in any way would be most unfortunate indeed and could well have long term dire consequences for the well-being of people in South Australia and, indeed for peace, order and good government in this State.

Mr BLACKER: As the Minister has said, this matter has been debated on many occasions. Two philosophical questions are involved: first, should every citizen of the State be responsible for taking his or her share of the responsibility of the Government elected? That is the principle applying to compulsory voting. On the other hand, why should a person who takes considerable time to decide on his or her vote have that vote cancelled out by someone else who could not care less? In this case, I think that that is the predominant viewpoint, and it is obviously the view taken by the member for Mount Gambier in expressing the Liberal Party's opposition to the measure.

I can understand both sides of the case, and I am of the opinion that voluntary voting would provide a more representative view of Government while still providing those people who want to cast a vote the opportunity to do so. A dilemma arises when apathy creeps into the situation, as has occurred with some local government elections, where a very small number of people have bothered to vote. I guess that when the Government does something wrong that gets people out to vote. Perhaps the present Government is not prepared to suffer the consequences of attracting the ire of the community. The other reason why the Government is strongly defending compulsory voting is that it can organise its troops through the union organisation. There is no doubt or any real argument about that: I think it is a fact recognised by the Government itself. I support the Opposition's view on this matter as put forward by the member for Mount Gambier.

Amendment carried; clause as amended passed.

Clauses 86 to 90 passed.

Clause 91—'Preliminary scrutiny of declaration ballot papers.'

Mr OSWALD: Subclause (1) *(a)* provides that, after all votes have been cast on polling day by those who have attended the polls and before declaration votes are opened, the names of all those who voted on polling day are checked against the master role. That could take some days, after which time the declaration votes are opened. Therefore, there could be some differences between the figures given on the night of polling day and those subsequently received involving the declaration votes.

The Hon. G.J. CRAFTER: I understand that the current situation will not change, where in fact declaration votes

are checked against the master role and are then usually opened at some later stage, several days after the election.

Clause passed.

Clause 92—'Interpretation of ballot papers in Legislative Council elections.'

The Hon. H. ALLISON: The Opposition opposes this clause on the grounds that it is part of a substantial change to the electoral system for the Legislative Council. We believe that the previous system has withstood the test of time, and it worked extremely well in 1982. The Opposition is opposed to the quite radical changes brought about by this legislation. Opposition to clause 92 would seem to be appropriate, for if we are to succeed it would mean that the Bill would have to go back to the drawing board and substantial alterations would have to be made to restore the situation as it was previously.

The Opposition also notes that in subclause (4) *(a)* and *(b)* there is some room for a margin of error on the electors' part to be ignored and that in fact, where an elector expresses two preferences by putting a figure '1' in the voting ticket square and then indicating a completely different intention by numbering the candidates in a correct and acceptable sequence, the figure '1' is ignored, although if the sequence of numbers is not valid then the figure '1' in the voting square stands. That seems to me to be giving two bites of the cherry, which alone is sufficient reason to oppose this clause, and the Opposition does so.

The Hon. G.J. CRAFTER: This matter has not only already been debated vigorously during the passage of this Bill but it has also been the subject of debate in one form or another over many years, and unfortunately it has also been the subject of amendment by respective Governments. It is very clear that this measure, as previously enacted by the Labor Administration, reduced substantially the informal vote in the Legislative Council. All members would agree that, if we could devise a system of voting that would reduce the informal vote, it would be most desirable indeed.

Mr BLACKER: My first impression is that this is an endeavour by the Government to pick up the informal votes that the Labor Party believes it lost at the last Federal election, at which time the Prime Minister and others said that, had those votes been recorded as they believed the voters had intended to record them, the Labor Party would have done better than it did. On the strength of that, can the Minister advise just what percentage of the vote would be incorporated in this troubled area that this amendment seeks to address? It is obviously a very small area that this clause is trying to pick up and rectify, but can the Minister indicate the size of the overall vote involved?

The Hon. G.J. CRAFTER: I think the honourable member would realise that it is hard to be precise in this area, but it has been estimated to involve about 4 to 5 per cent of the vote.

Clause passed.

Clauses 93 and 94 passed.

Clause 95—'Scrutiny of votes in Legislative Council election.'

Mr BLACKER: I advise the Committee that I, and probably other members of the Chamber, have received a letter from the Electoral Reform Society recommending amendments to this clause, in particular subclause (10). Recently I had lengthy discussions with the electoral officers, and I accept their view that, if anything, this is a considerable improvement on the recommendation made by the Electoral Reform Society.

On the one hand, I can understand what the Electoral Reform Society was attempting to do, but I do not think this clause actually achieves the aims it was hoping to achieve. I also understand that it does rectify an anomaly which, as I think was the case with most honourable members, I did not understand before, and that was as to the transfer of preferences from the group position and the overflow down to the second, third and fourth candidates, as occurred with the major Parties. I think that is an anomaly which I did not know existed. I believe this amendment rectifies that.

On the other hand, I would be grateful if the Minister or a member of the Government could tell me whether this is a 'get the Australian Democrats' clause, because, as I understand it, under this method of counting the Democrats would not have succeeded in either the last Legislative Council election or the previous one. Under the old system the Democrats got up with 5.5 per cent when the quota was in fact 8 per cent, and I think this clause will effectively preclude them from taking a position, assuming they obtain a similar percentage of votes.

The Hon. G.J. CRAFTER: Quite the reverse is the situation. This clause gives support to minor Parties in the electoral system. I think I must have another look at it, but I understand it does give that support.

Mr BLACKER: I should have qualified that by saying, 'Assuming other minor Parties are prepared to support the Democrats'.

Clause passed.

Clause 96 passed.

Clause 97— 'Re-count.'

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

Page 47, lines 11 to 14—Leave out subclause (3) and insert subclause as follows:

(3) The officer conducting a recount—

(a) may reverse any decision taken at the scrutiny in relation to the allowance or disallowance of ballot papers;

but

(b) is, subject to paragraph *(a)*, bound by decisions and determinations made at the scrutiny so far as they are applicable to the recount.

This amendment deals with recounts. Once again, at the request of officers, this is inserted in the legislation in an attempt to clarify a situation which I now detail. In the determination of a ballot paper in relation to preferences where two voting tickets have been lodged and then the result is conducted by lot, if at a recount the same action were required, it could affect the result. Consequently, the amendment enables the original determination to stand. This is in circumstances where there is an odd number of ballot papers, so this simply clarifies that situation and enables the original determination to remain.

Amendment carried; clause as amended passed.

Clause 98—'Return of writ for election of members of the Legislative Council.'

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

Page 49—

Lines 27 and 28—Leave out paragraph *(b)* and insert paragraph as follows:

(b) make out a statement setting out the result of the election and the names of the candidates elected and transmit the statement to the Electoral Commissioner.

Line 30—Leave out 'certification' and insert 'statement'.

After line 32—Insert subclause as follows:

(3) On receipt of the statement referred to in subsection (1Xb) the Electoral Commissioner shall by endorsement certify on the writ for the election the names of the candidates elected and return the writ to the Governor.

Once again, as writs are addressed to the Electoral Commissioner and not the returning officer, this amendment attempts to tidy up the clause and clarify that situation.

Amendment carried; clause as amended passed.

Clauses 99 to 111 passed.

Clause 112—'Printing and publication of electoral advertisements, notices, etc.'

Mr OSWALD: I refer specifically to subclause (3) *(a)*. I wish to clarify the definition of a car sticker. Over recent years it has been the practice for members to carry car

stickers on their rear windscreens. It could be a practice in the future, as signs get larger, that signs will be placed on the roof. I imagine signs on roofs of cars would be covered by subclause (1), which would require names and addresses of authorisation. It appears that subclause (3) no longer requires an authorisation for a car sticker, but if, for example, members used the large stick-on car stickers, which may be as large as 2ft by 18in, and which are stuck on to vehicles (for example, the backs of taxis), I am unsure as to whether those types of stickers would require authorisation and whether failure to authorise those would be an offence under this legislation. For the benefit of all honourable members I am seeking clarification as to the size of advertising signs that can be affixed to a motor vehicle without authorisation, so that none of us at any stage will unwittingly infringe the legislation.

The Hon. G.J. CRAFTER: I think the fact that the sign is placed on a motor vehicle brings it into one of the exceptions referred to in subclause (3) *(a)*, so therefore a car sticker does not require that authorisation. If it is an exceptionally large sign that is placed, for example, on a window, it would then perhaps contravene other laws, such as the Road Traffic Act or whatever, but when it is placed on the roof of a motor vehicle and is visible then I think it falls within that subclause.

Mr OSWALD: That subclause being (3) or (1)? I refer specifically in this case to a sign that members may erect and have on the roofs of their cars, perhaps 1ft by 4ft in size, saying, 'Vote for Freddy the goose.' I seek clarification as to whether or not that sign requires authorisation, because in the past it did. I am not clear as to whether signs affixed to the backs of taxis and taking up most of the boot space require authorisation. Members need not infer from that statement that I am about to launch into a contract to advertise on the backs of taxis, but it is a good illustration as to what size signs can be affixed to our vehicles before authorisation is required, if at all.

The Hon. G.J. CRAFTER: Once again, I think there is a limit as to how far one can interpret the English language. A car sticker is something that is affixed by means of adhesive to the motor vehicle. If one puts a 'Freddy the Goose' sign on top of his car by screws and bolts, I think that is outside the intent of a car sticker and those other categories that are referred to in the clause.

Mr BLACKER: This matter should be further pursued because magnetic papers of considerable size can be put on the side of vehicle doors and then pulled off for reuse at election time. They could be interpreted as car stickers but, in reality, they are posters. Modern materials using magnetic or metallic paper can stick to car doors. They are used extensively in the advertising industry.

The Hon. G.J. CRAFTER: That is true, and if a person wants to attach a sign to some part of that vehicle through some sort of adhesion, it comes within the car sticker category, as I interpret it.

Mr BLACKER: If a sign the size of a car door is affixed by magnetic or adhesive means, would it constitute a car sticker as the Act now stands?

The Hon. G.J. CRAFTER: That is my interpretation, based on the advice that I have. It would be a car sticker.

Mr Blacker: It would not have to be authorised?

The Hon. G.J. CRAFTER: It would fall within that exception, yes.

Clause passed.

Clauses 113 and 114 passed.

New clause 114a—'Size of electoral advertisements.'

Mr M.J. EVANS: I move:

After clause 114—Insert new clause as follows:

114a. (1) A person shall not exhibit an electoral advertisement on a building, hoarding or other structure if the advertisement occupies an area in excess of 1 square metre.

Penalty: One thousand dollars.

(2) For the purposes of subsection (1), electoral advertisements—

(a) that are apparently exhibited by or on behalf of the same candidate or political party;

and

(b) that are at their nearest points within 1 metre of each other,

shall be deemed to form a single advertisement.

(3) This section does not apply to the exhibition of an advertisement in a theatre by means of a cinematograph.

I wish to put before the Committee the case for the retention of the present *status quo* in regard to advertising hoardings that have electoral material contained on them. My amendment would retain the *status quo* in relation to electoral advertisements but adopts metrication, which is sensible in these times, to limit the size to one square metre. At present the limit in the old Act is based on imperial measurement which is no longer appropriate. My amendment suggests that size should be regulated at 1 square metre.

As has been stated, the present law has served us well and people have been spared offence to the environment which large political posters and billboards present. I represent a city remarkably free of such pollution and the people I represent in this place would wish to keep it that way, I am sure. They have no wish to see election time become an occasion for the display of large posters where the Parties compete to outdo each other with larger and larger billboards and more and more billboards. It is certainly my view that the people of South Australia would be better served by the continued prohibition that the present Act contains to ensure that this kind of pollution does not occur.

It seems to me that election campaigns should be about providing information to the electorate rather than encouraging people to vote for a new brand of soap powder and the like. I see billboards and advertising hoardings do a good job, as the Advertising Council of Australia frequently reminds us, in the sale of soap powder and other such merchandise, but I do not believe that they are appropriate for the conduct of election campaigns. They do not perform an information function and they also serve to encourage the further pollution of our environment, which has already gone far enough. Also, a large number of local government councils, some of whom I have spoken to in the course of the last few days of this debate, would be much appreciative if Parliament continued the present ban on large scale political advertising in this State.

I do not believe it would in any way prevent political Parties or candidates from getting their message across, because the traditional mechanism of educating the electorate through pamphlets and small posters, radio and television commercials, speeches, door knocking and traditional campaigning is still provided for in the Act and will no doubt continue to serve the electorate well. However, large billboards certainly do not do that and we would be better served by a continuation of the present situation.

My amendment relates principally to structures and would not affect those who seek to carry a banner in a demonstration or the like, or in a political parade or march. That is merely a transitory thing and I do not believe that the law should be concerned with that. However, in relation to permanent advertising I believe that the present law, modified and updated to account for metrication, is certainly to be desired.

I would not wish to see this Parliament—I was most disappointed that the Government did not continue this law in the Bill—through this omission encouraging almost a war of billboards between the larger Parties. Those who have the funding to promote that kind of advertising on a

large scale would seek to gain advantage, and the only real loser from that would be the environment of South Australia. On those grounds, in that it contains no additional benefit in material terms for the information of the electorate and would certainly detract from the environment that we all enjoy now, I commend the new clause to the Committee.

The Hon. G.J. CRAFTER: This matter has been the subject of considerable community debate in recent times, and the Government has received many representations, as all members obviously have and, in particular, the member for Elizabeth. The Government is willing to accept the amendment, but it requires even further amendment. The new clause differs from the provision in the existing section 155b, because the new definition has deleted 'vehicle or vessel', and the Government would want to include in this category a 'building, hoarding, vehicle, vessel or other structure' and encompass all of those that are currently included in the existing legislation.

Clearly, there is strong feeling in the community about electoral advertising, and there is strong opposition to this intrusion, particularly on personal or political grounds but, in the minds of many people, on environmental grounds. This has resulted in many councils passing by-laws prohibiting electoral advertising or regulating it in some way. It would seem desirable that the Government falls into line with what is being expressed clearly at the local government level and brings down some restrictions on electoral advertising to give effect to those clearly expressed wishes of a great many people in the community.

The Hon. H. ALLISON: While I appreciate some of the grounds on which this motion is moved, nevertheless, I feel that there is a strong element of politicising. I notice the assiduity with which the member for Hartley was grooming the member for Elizabeth while he was presenting his—

Members interjecting:

The Hon. H. ALLISON: Members are sharper than I imagine: they saw the pun. Obviously, anyone who chooses to move an amendment of this nature outlawing static posters and, at the same time, excluding what could be massive May Day declarations of affiliation to the Australian Labor Party and other Parties is being extremely one-eyed. If the honourable member were to widen his amendment quite considerably, then even the Opposition may give consideration to it, but as it stands it is blatantly political, it is addressed to the Leader of the Opposition's very successful current advertising campaign, and I therefore oppose it.

Mr GUNN: This is a political stunt, pulled by the member for Elizabeth, coached by the member for Hartley, who is writing notes to him. I pointed out to the honourable member earlier this afternoon that he is here only because of the preferences of the Liberal Party, as is his colleague. I warn them again. It is all right for the honourable member to make a joke of it, but if this is the sort of activity in which he wants to become involved and if he wants to play the game rough, rough he will get it.

Mr GROOM: On a point of order, the preferences of the Liberal Party have nothing to do with this clause and the honourable member is straying from the debate.

The ACTING CHAIRMAN: I will not take it as a point of order, but I request that the member for Eyre come back to the subject matter before us.

Mr GUNN: Quite, Mr Acting Chairman. We are all aware that the member for Hartley has been coaching the member for Elizabeth, writing notes which the member has had trouble reading. It is typical of all minority groups and Independents looking for a bit of cheap publicity. The honourable member thinks that he can embarrass the Liberal Party and get a bit of cheap publicity in his electorate with a measure of this nature. It will have no effect whatsoever, and the people will see it as nothing more than a cheap political stunt. Of course, the weak Government and the weak Minister will agree to the amendment. It was not in the orginal Bill.

Do not let anyone think, when we have been engaged in a major rewrite of the Electoral Act, that the size of hoardings and political advertisements was not a matter that took a great deal of time of the Government. Come on—let us face reality! We have a weak Minister who expects us to be so naive as to think that the Government is not kowtowing to the wishes of the Independents. Of course, it is concerned about its majority, so it gives in on every occasion to these minor amendments that the member for Elizabeth trots up so that he can run out to his local paper and say, 'I am really independent—look what I forced the Government to do.' We can see through it and it is time the Parliament had clearly explained to it what is happening. It is all right for the Minister to set back and smile: he knows that what I am saying is correct. If he wants a fight, he will get it. If he wants to delay the House for a while tonight, he can carry on with this sort of nonsense, and the good grace that has been displayed so far will not last.

It is all very well for the member for Elizabeth and his colleague to sit back and smile. We will remember this cheap political exercise. The only thing that has brought this matter to the attention of this Committee tonight is that the Liberal Party has set forth on a programme of political advertising which we know is proving embarrassing to the Government. The other No. 1 publicity seeker, the Hon. Mr Gilfillan, has got himself involved in the act. He has little else that is constructive in which to engage himself. He is a negative political publicity seeker.

The Hon. H. Allison interjecting:

Mr GUNN: Probably. However, he has got himself into the act.

The ACTING CHAIRMAN: Order! I draw the honourable member's attention to Standing Orders, which do not allow him to reflect on other honourable members.

Mr GUNN: I was paying the fellow a compliment.

The ACTING CHAIRMAN: I am asking the honourable member to come back to the subject matter before the Committee.

Mr GUNN: I was making a passing reference to Hon. Mr Gilfillan, because it is relevant to the matter under discussion. What is really behind this amendment should not escape the attention of this Committee nor the people of South Australia. It is not a desire to stop people erecting hoardings. Hundreds of hoardings will be put up around the State, but the member for Elizabeth, coached by the member for Hartley, sees a little bit of cheap publicity and thinks that he will embarrass the Liberal Party. I remind him that he was not embarrassed when he received our preferences at the Elizabeth by-election. I believe he will be keen to get them on the next occasion—he should not forget that.

I am opposed to this action. It is amazing that the Government would allow this measure to reach this stage when the Bill has involved weeks of discussion and negotiation. At the eleventh hour of the debate, and after a few days of publicity on a matter the amendment is suddenly floated in this place, not by the Government but by its junior partner—the member for Elizabeth. It is an interesting exercise and the public will see through such a shallow exhibition. I am opposed to it and hope that my collegues will oppose it also. It has to run the gauntlet of the other place and it will be interesting to see what transpires there.

Progress reported; Committee to sit again.

[*Sitting suspended from 5.56 to 7.45 p.m.*]

DISTINGUISHED VISITORS

The DEPUTY SPEAKER: My attention has been called to the presence of distinguished visitors in the gallery, members of a visiting Singapore Parliamentary Delegation. On behalf of the House, I welcome the delegation and I invite Mr Wong Kan Seng, Minister of State for Home Affairs and Community Development (and Leader of the Delegation) to take a seat on the floor of the House. I ask the honourable Premier and the honourable Leader of the Opposition to conduct the honourable Minister on behalf of the Delegation to the Chair and accommodate him with a seat on the floor of the House.

Mr Seng was escorted by the Hon. J.C. Bannon and Mr Olsen to a seat on the floor of the House.

PITJANTJATJARA LAND RIGHTS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 20 February. Page 2688.)

Second reading negatived.

MORPHETT ROAD

Adjourned debate on motion of Mr Mathwin:

That in view of the congestion of traffic on the roads going north to Adelaide from the southern areas of Christies Beach, Noarlunga and Lonsdale, particularly on Brighton Road, and also because of the anticipated 10-year completion time of the recently announced new road to the south, this House urges the Government to reconsider its decision not to open and upgrade Morphett Road from Seacombe Road to Majors Road.

(Continued from 20 February. Page 2689.)

Mr S.G. EVANS (Fisher): On behalf of the member for Glenelg, I move:

That this Order of the Day be read and discharged.

Order of the Day read and discharged.

STATE GOVERNMENT BUILDING MAINTENANCE FUNDS

Adjourned debate on motion of Hon. D.C. Brown:

That this House deplores the inadequate funds for maintenance of State Government buildings, and, in particular, school buildings and facilities throughout the State, and calls on the Treasurer to increase substantially the allocation of funds to ensure adequate maintenance of these buildings.

(Continued from 20 February. Page 2691.)

The House divided on the motion:

Ayes (19)—Mrs Adamson, Messrs Allison, P.B. Arnold, Baker, Blacker, D.C.Brown (teller), Chapman, Eastick, S.G. Evans, Goldsworthy, Gunn, Ingerson, Lewis, Mathwin, Meier, Olsen, Oswald, Wilson, and Wotton.

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

Pair—Aye—Mr Becker. No—Mr Whitten.

Majority of 3 for the Noes.

Motion thus negatived.

ELECTRICITY TARIFFS

Adjourned debate on motion of Mr Gunn:

That, in the opinion of the House, all citizens of South Australia who are connected to the Electricity Trust grid system, electricity undertakings managed by district councils or corporations and those undertakings operated by the Outback Areas Development Trust be charged on the same basis and that the 10 per cent surcharge which applies in certain areas be abolished and those undertakings operated by the Outback Areas Development Trust which charge at a greater rate than any other country area be placed on the same charging schedule as metropolitan Adelaide.

(Continued from 24 October. Page 1472.)

The DEPUTY SPEAKER: Before giving the result of a division, I ask all members not to leave the Chamber, because the business that we have before us will require a considerable number of divisions, and if too many members leave the Chamber the bells will have to be rung continually, which is, in my opinion, unnecessary.

The House divided on the motion:

Ayes (19)—Mrs Adamson, Messrs Allison, P.B. Arnold, Baker, Blacker, D.C. Brown, Chapman, Eastick, S.G. Evans, Goldsworthy, Gunn (teller), Ingerson, Lewis, Mathwin, Meier, Olsen, Oswald, Wilson, and Wotton.

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

Pair—Aye—Mr Becker. No—Mr Whitten.

Majority of 3 for the Noes.

Motion thus negatived.

NORTHERN ELECTRICITY

Adjourned debate on motion of Mr Gunn:

That in the opinion of this House the Government should proceed to build a 240 volt power line to Wilpena then on to Blinman.

(Continued from 24 October. Page 1474.)

The House divided on the motion:

Ayes (19)—Mrs Adamson, Messrs Allison, P.B. Arnold, Baker, Blacker, D.C. Brown, Chapman, Eastick, S.G. Evans, Goldsworthy, Gunn (teller), Ingerson, Lewis, Mathwin, Meier, Olsen, Oswald, Wilson, and Wotton.

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

Pair—Aye—Mr Becker. No—Mr Whitten.

Majority of 3 for the Noes.

Motion thus negatived.

ROXBY DOWNS BLOCKADE

Adjourned debate on motion of Mr Gunn:

That in the opinion of this House, the Government should—

(a) give a clear undertaking that no further blockades or acts of vandalism by anti-uranium protestors will be tolerated at Olympic Dam or Andamooka;

(b) take the necessary action to protect the property, security and privacy of all citizens living at Olympic Dam and Andamooka as well as people using the roads in the area; and

(c) provide the necessary funds to compensate those whose properties have been damaged, and further, this House condemns all those associated with the recent blockade.

(Continued from 13 February. Page 2474.)

The House divided on the motion:

Ayes (19)—Mrs Adamson, Messrs Allison, P.B. Arnold, Baker, Blacker, D.C. Brown, Chapman, Eastick, S.G. Evans, Goldsworthy, Gunn (teller), Ingerson, Lewis, Mathwin, Meier, Olsen, Oswald, Wilson, and Wotton.

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

Pair—Aye—Mr Ashenden. No—Mr Whitten.

Majority of 3 for the Noes.

Motion thus negatived.

URANIUM POLICY

Adjourned debate on motion of Hon. E.R. Goldsworthy:

That this House urges the Government to reopen the Beverley and Honeymoon mines in South Australia thus providing employment and investment in the State, and condemns the Government for its hypocritical and contradictory uranium policy which allows some uranium mines to proceed and not others.

(Continued from 17 October. Page 1209.)

The House divided on the motion:

Ayes (19)—Mrs Adamson, Messrs Allison, P.B. Arnold, Baker, Blacker, D.C. Brown, Chapman, Eastick, S.G. Evans, Goldsworthy (teller), Gunn, Ingerson, Lewis, Mathwin, Meier, Olsen, Oswald, Wilson, and Wotton.

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

Pair—Aye—Mr Becker. No—Mr Whitten.

Majority of 3 for the Noes.

Motion thus negatived.

URANIUM ENRICHMENT

Adjourned debate on motion of Hon. E.R. Goldsworthy:

That this House condemns the Government for its policy on uranium enrichment which has lost to the State a billion dollar project which would enhance the economy of South Australia very significantly.

(Continued from 24 October. Page 1476.)

The House divided on the motion:

Ayes (19)—Mrs Adamson, Messrs Allison, P.B. Arnold, Baker, Blacker, D.C. Brown, Chapman, Eastick, S.G. Evans, Goldsworthy (teller), Gunn, Ingerson, Lewis, Mathwin, Meier, Olsen, Oswald, Wilson, and Wotton.

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

Pair—Aye—Mr Becker. No—Mr Whitten.

Majority of 3 for the Noes.

Motion thus negatived.

AUSTRALIAN OLYMPIC TEAM

Adjourned debate on motion of Mr Olsen:

That this House records its appreciation of the performance of South Australian members of the Australian Olympic team in Los Angeles; recognises the assistance which the South Australian Sports Institute has given to our Olympic athletes; and urges the Government to continue to give full support to the Institute which is making a significant contribution towards lifting the standards of sporting performance in South Australia—

which the Premier has moved to amend by inserting after the words 'Los Angeles' the words 'and Paralympians in Stoke-Mandevile' and by leaving out the words 'urges the Government to continue' and inserting in lieu thereof the words 'commends the Government for continuing'.

(Continued from 24 October. Page 1478.)

Amendment carried; motion as amended carried.

HIGHWAYS DEPARTMENT

Adjourned debate on motion of Mr Oswald:

That this House take note of the Thirty-third Report of the Public Accounts Committee into the Accountability for Operations of the Commissioner of Highways tabled in this House on 14 August and in particular the member for Morphett's dissension with recommendation No. 6 which refers to the abolition of the Highways Fund and which was recorded in paragraph 256 of the minutes of the proceedings of the Committee dated 19 July.

(Continued from 19 September. Page 1001.)

Motion carried.

NORTH-SOUTH TRANSPORT CORRIDOR

Adjourned debate on motion of Hon. D.C. Brown:

That this House expresses its grave concern that the Government is selling large areas of land essential for the construction of the north-south transport corridor and at the dishonest manner of paying inadequate compensation to the Highways Fund for the land sold and calls on the Government to stop further sales of land and to pay all moneys received for land already sold into the Highways Fund.

(Continued from 19 September. Page 1001.)

The House divided on the motion:

Ayes (19)—Mrs Adamson, Messrs Allison, P.B. Arnold, Baker, Blacker, D.C. Brown (teller), Chapman, Eastick, S.G. Evans, Goldsworthy, Gunn, Ingerson, Lewis, Mathwin, Meier, Olsen, Oswald, Wilson, and Wotton.

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

Pair—Aye—Mr Ashenden. No—Mr Whitten.

Majority of 3 for the Noes.

Motion thus negatived.

INSTITUTE OF MEDICAL AND VETERINARY SCIENCE ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

LIFTS AND CRANES BILL

Returned from the Legislative Council without amendment.

ROAD TRAFFIC ACT AMENDMENT BILL (1985)

Second reading.

The Hon. D.C. BROWN (Davenport): 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.
Leave granted.

Explanation of Bill

The purpose of this Bill is to require drivers of motor vehicles to keep to the left-hand lane 'wherever practicable'. It arises from a concern which the Hon. Mr Cameron, in another place, has had for a considerable time, which is shared by other members of the Council, and which has been put to him by members of the public about the dangers, particularly on dual carriageways, posed by slow moving vehicles which can block all laneways.

In the Parliament in September last year, Mr Cameron asked a question of the Minister of Agriculture, representing the Minister of Transport, that became the basis for this Bill. As he indicated in his explanation at that time, from time to time he travels on the South-East Freeway (as no doubt other members have, and they would travel on other parts of the country road system, and so they have faced the same problem) and has suffered the not only frustrating but also dangerous experience of being caught behind a car which is travelling at well below the prescribed speed limit, sometimes as low as 60 km/h in the outside lane (the right-hand lane, although sometimes there is confusion about that) whilst the left-hand lane remains blocked by slow moving heavy transport or other similar vehicles. This is a problem which occurs frequently on two-lane carriageways where two lines of traffic move in the same direction.

Mr Cameron has seen other people who have faced other situations take dangerous risks to pass such slow moving vehicles, and generally the sounding of a horn or the flashing of one's lights has no impact on the seemingly blissful ignorance of such drivers. Frequently frustrated drivers who cut behind slow moving vehicles in the right-hand lane are forced into the left hand lane and out again in what can be a very dangerous practice. In a number of countries overseas it is an offence to remain in the outside lane of a dual carriageway except when overtaking.

In response to Mr Cameron's question, the Hon. Mr Blevins indicated that he shared those concerns, and had himself advocated a requirement that vehicles should keep to the inside lane except when overtaking, although he indicated that he failed to achieve any success in this regard. He said that he would, to use his words, 'refer the honourable member's question with a great deal of vigour to the Minister of Transport in another place and bring back what perhaps on this occasion could be the reply for which the Hon. Mr Cameron is looking'. Regrettably, the Minister refused to introduce legislation of the nature sought by the Minister of Agriculture and Mr Cameron, who was forced, therefore, to introduce this Bill.

Mr Cameron was quite prepared for the Minister of Transport to introduce the Bill. He had no desire to be its author if the Minister was prepared to take that sensible step, but unfortunately he was not. In his written reply the Minister of Transport indicated that a driver travelling in the right-hand lane could, if he were interfering with the movement of other traffic, be prosecuted under section 45 of the Road Traffic Act, which states that a person shall not drive a vehicle without due care or attention or without reasonable consideration for other persons using the road. Mr Cameron would like somebody to tell him who has ever been prosecuted under that section of the Act for holding up traffic. He would absolutely guarantee that nobody has been so prosecuted. The police have not considered that that was an appropriate way to use section 45. It does need a specific duty on the part of drivers.

That reply is not good enough because although that law may stand at present, the problem has continued and therefore stiffer or more direct measures are needed. Presently, dual carriageways carry signs requesting people to keep to the left except when overtaking. If it was not proper to do that, and if traffic authorities thought that that was wrong, then those signs would not be there. Those signs are put there for a purpose, that is, to bring people over to the left. If that is not the case, then take the signs away, we are better off without them, because people are not required to comply with that request. If it is a request and on a sign, then it should be part of the law and there should be a penalty attached to ensure that it is carried out.

There is no legal requirement at the moment for people to use this driving method and frequently slow moving vehicles cause a considerable bank up and pose a risk to road safety by failing to keep to the left. I urge honourable members, and I am sure the Minister of Transport will give sympathetic consideration to supporting the Bill which will provide a simple remedy to an important road safety problem.

The Hon. R.K. ABBOTT (Minister of Transport): The Government supports this Bill as amended and as it comes to this House from another place. I want to make one or two brief points. We did have some problems with the original Bill as it was introduced. However, as a result of some of those problems, and, in order to try and overcome them, I arranged several meetings with representatives from the Royal Automobile Association, from the Road Safety Division of the Department of Transport, the Highways Department, the Police Department, and also the Registrar of Motor Vehicles. I believe that, as a result of those meetings, we were able to overcome some of the problems. Perhaps we did not overcome all of them, as seen by the RAA, but I think we came a part of the way. I assisted in one of the RAA's concerns in particular.

The RAA made the point that the Bill provides, *inter alia,* that a driver shall not occupy the right-hand lane where it is reasonably practicable to drive in any other lane. It also pointed out that this means that, on, say, the Main South Road south of Darlington, a city bound driver travelling in the right-hand lane at 80 km/h, which is the speed limit, during the morning peak period, would commit an offence whenever he failed to make a left lane change if such a manoeuvre was reasonable to be undertaken. However, I think the amendment that was introduced in the Legislative Council to section 51 (1) *(a)* (ii) does cover that particular concern, that is, except where it is not reasonably practicable to drive in any other lane. This was supported by the representative from the Police Department, and he indicated that it will need a commonsense application.

The other concern of the RAA was that the Bill provides an exemption where the driver is making a right turn in accordance with this legislation, and basic road craft requires a driver to plan a journey and to take up the appropriate position on the road well in advance of a turn. A driver who does this is not adequately protected by the Bill until actually making the right turn in accordance with the legislation. Further, the wording does not provide definite information for motorists as to their obligation in this respect. They were the two concerns expressed by the Royal Automobile Association, and I think one of the amendments does overcome one of its concerns.

New South Wales introduced regulations in respect of driving in the left lane and there has been some criticism in that it is very difficult to enforce and is just paying lip service to the public. There were then suggestions. The RAA in particular supported the Queensland legislation, but I understand that that is also difficult to enforce and is not

working effectively, so I indicated from a Government point of view that this had been a problem on our roads and highways, with people who hog the right lane. I am prepared to support this measure and see how it operates. If any problems arise, then I think we can take the necessary action to further amend it, if that is necessary.

This measure will require some publicity and the Road Safety Division has agreed to undertake a publicity programme to notify motorists of these changes. I think everyone will agree that we do not want to confuse motorists any more than is necessary and they will need to be made aware of the requirements of this legislation. The Government is supporting the Bill in its current form.

Mr BLACKER (Flinders): I support the Bill. As such, I think it is an elementary Bill. I express the concern, or perhaps the envy, of all my constituents who do not have the privilege of driving on a dual carriageway. In the not too distant future we may be able to enjoy that privilege, but at the moment we cannot. We need to be able to give direction to motorists so they know which side of the road they should be travelling on. I think common sense tells us which side they should be on, but not everyone obeys this. I think this law will bring that into effect.

Mr S.G. EVANS (Fisher): Although I am not blaming anyone, I have not seen a copy of the Bill. It came in a hurry, and it is nearly the end of the session. My colleagues know I have not been too enthused about this proposal, because it really encourages one to break the law. I have spoken to people on both sides of politics, but they do not accept my argument. I want it recorded so that people can understand the point I wish to make. If I am travelling on the off-side lane (call it the right-hand side if you like) at the maximum speed allowed by law, and if some person comes up behind me breaking the law (in other words, if the speed limit is 110 and I am travelling at 110 km/h and the other person comes up behind me at 120 km/h or more) I am obliged by this law—

Mr Baker: So you should be.

Mr S.G. EVANS: The member for Mitcham says, 'So you should.' I am obliged to either speed up and break the law if there are vehicles on my left hand side or brake enough to enable me to fall back behind the other traffic for the others who are breaking the law, and then in all probability in some cases, particularly on the freeway, to be locked into a slower lane, perhaps behind a semi trailer. Then, because of my lack of ability to build up enough momentum to get out into a safe situation again—

Mr Lewis interjecting:

Mr S.G. EVANS: I do not have a Falcon and I know the member for Mallee and others from country areas see it as a great frustration if they are locked in behind someone who is abiding by the law and they wish to break it. It is an injustice to me to be forced into that position. The House should remember that, if one is abiding by the maximum speed on the road according to law, that maximum speed is usually somewhere near the speed that is considered safest to travel on that road, and, in any effort to change lanes, wherever it may be, there is an increase in danger. To change lanes involves an increase in danger, regardless of where it may be or what the conditions are. So, we are making it a condition that one person must be willing to allow another to break the law and inconvenience himself and his travel, perhaps considerably, particularly in the peak hour conditions on the South-Eastern freeway. It will also happen in other areas. I do not travel on the Main North Road and other such road, but I am sure that it will happen there also.

It is easy to say that it is reasonably practical or that it is safe to move over to the left lane and that one must do it. It will mean that the police will have to use much common sense. I hope that those who are advocating that I am wrong will not be the first to be caught in a situation where the police will charge someone unjustly because they failed to move over into the left hand lane to allow someone else who is travelling at a greater speed than the law requires to go past.

Some will say that the police should book the motorist who is travelling at the higher speed. We know that unless it is a blatant case of 10 km/h or 20 km/h over the speed limit it is unusual for the police to take action in that area.

The other aspect that is difficult is that, if one is travelling in the off side or right hand lane towards a turn and one wishes to turn right but is travelling at the maximum speed, say, 110 km/h, one will have to slow considerably to make that turn. One will have to start slowing perhaps a long way before the turn. Such drivers are being placed in jeopardy under this law. Although I could not convince other people about this, and I did not want to waste the time of the House in moving an amendment, I believe that it would have been practical to say in the Bill that, where a person is travelling at the maximum speed required by law, he should not be obliged to change lanes to let someone who was breaking the law go through.

Really, that is what this law will do. In some cases, in the hills, especially in bad weather, the South-Eastern freeway will become a one lane freeway, a one lane operation, if a driver wants to travel according to this provision. I will not call for a division or vote against the measure. However, I express my deep concern. Parliament could have simply said that, where a person is abiding by the law and not travelling at a speed greater than the maximum speed, he should not have to change lanes for a person who is breaking the law. The way in which the provision is written now means that a person who is conforming to the law when travelling at the maximum limit and who fails to move over to allow someone else who wants to pass at a higher speed could be booked and be made to pay the penalty. I am not keen on the legislation, and in all sense I oppose it.

Mr LEWIS (Mallee): I will not delay the House long. I want to make the point that, having used the Main North Road as well as Port Wakefield Road, and having frequently to use the South-Eastern freeway, all of which are dual lane carriageways, in part freeways (some restricted access highways), I know that there is a problem with lane hoggers. This practice restricts the rate of traffic flow. Therefore, this law takes the stopper out of the bottleneck by requiring the motorist who is not travelling at anything like the permissible and safe speed for that section of highway to shift over into the left lane.

The worst examples of this in my experience occur on the Port Wakefield Road. I have heard arguments put to me that the law is bad in that it will not enable traffic to flow faster at all, because both lanes of traffic are travelling at less than the maximum permissible speed for the section of highway upon which they are travelling, and it will not be possible for cars in the off side lane to shift over to the left.

If the car in front of that line of traffic which has travelled at the low speed in the off side lane had in the past been required by law to shift into the left lane the whole bottleneck situation would not have arisen. The degree of frustration that results to the hundreds if not thousands of motorists who suffer from the inordinate and unecessary delays would not otherwise cause them, through that frustration, to lose concentration and be engaged in some collision or other misadventure while using the road.

As much as I can sympathise with the legitimacy of the arguments put by the member for Fisher, it needs to be remembered that people who travel at less than the permissible speed on a section of road can be more dangerous by being allowed to cause a bottleneck in the right hand lane than would otherwise be the case were they not required to shift into the left lane and allow faster vehicles to go by. I do not advocate that those faster vehicles should exceed the speed limit. No member in this place would do so.

The second point I wanted to make about that aspect is that the member for Fisher pointed out that it is possible that someone could be prosecuted for travelling at the permissible speed limit. I think that was the tenor of his remarks; even though he said 'below the permissible speed limit', I think he meant 'at the permissible speed limit in the right hand lane.

If one is travelling at less than the permissible limit one should be booked. It is always a matter of discretion for the policeman, and our Constitution is such that it is the moral obligation of the officer on duty, where the behaviour of a citizen is observed to be in breach of the existing law, to determine whether or not such a breach requires action to be taken by him to report and, therefore, set in train the process by which a prosecution can arise.

I do not believe that any police officer, if he is worth his salt, would be so damned petty as to make spurious, vexatious reports of incidents in which a motorist was observed travelling at less than the maximum permitted in the right hand lane but causing no embarrasment to another motorist.

So, I strongly support this measure because I know that it will increase the rate per hour at which vehicles can move out of the city. It is a tragedy in the extreme that the road lane facilities across the metropolitan area by which the motorist could move and which would otherwise have been provided by the north-south corridor link will not now enable that expeditious movement of traffic across the metropolitan area at a speed at which it might otherwise have been possible. It will increase the level of frustration that motorists suffer and thereby increase the number of collisions, property damage and injuries which result from it.

I have said enough on this matter. The House ought to commend the Hon. Martin Cameron in another place for his initiative in trying to speed up the rate at which traffic can move along the arteries into, out of and across our city and thereby reduce the levels of frustration and the number of collisions which occur as a consequence.

The Hon. D.C. BROWN (Davenport): I thank honourable members for their contributions to the debate. I acknowledge fully that members did not have a copy of the Bill before them. I wish to highlight two points within the Bill, which is now available. I appreciate those two points made by the member for Fisher and, now that he has a copy of the Bill, draw his attention to the last subclause, which refers to his point about vehicles trying to turn right. A provision exists that the whole Bill does not apply where a driver is making a right-hand turn in accordance therewith. His second concern is therefore fully covered.

On the first point, on which the Minister also touched briefly, I draw his attention to the fact that line 25 on the first page contains the words 'except where it is reasonably practicable to drive in any other lane.' Where a vehicle is required to either accelerate or brake to pull into the inside lane, they are reasonable grounds on which not to require that vehicle to do so. I suppose, therefore, that in the case to which the honourable member referred of a vehicle travelling at the maximum speed in the right-hand lane with another vehicle coming up behind it at a speed faster than the maximum speed limit, if there is no vehicle in the left-hand lane that slower vehicle should be required to pull over, even though the other vehicle is breaking the law. If, however, there are other vehicles in the left-hand lane, it is a reasonable defence not to have to pull over as other vehicles are there and obviously being passed.

I do not disagree with the point raised by the member for Fisher. I would have the same concern. As the Bill has now been amended in another place, it overcomes that fear. Only last night I was reading the latest journal of the Royal Automobile Association in which it addressed the same point. All members would be concerned if that point was not addressed as now outlined in the Bill. I ask members to support the Bill, because we all agree that there is too much hugging of the right hand lane when circumstances would allow that vehicle to move to the left quite readily.

I also stress on that point that the last thing we want to do is effectively turn two lanes going in one direction into one effective lane. That would be the worst thing to do in terms of maximum traffic flow on our roads. We put in two lanes in order to get the maximum benefit from them. I highlight the example of trying to come down the Mt Barker freeway of a morning. If we required all vehicles under all circumstances to stick to the left hand lane, it would turn the Mount Barker freeway into a one lane road, thus causing enormous traffic difficulties. It is clear that this will have to be administered by the police using a great deal of common sense and fully appreciating the manner in which traffic needs to flow down such a dual carriageway. I ask honourable members to support the Bill.

Bill read a second time.

In Committee.

Clause 1—'Short title.'

Progress reported; Committee to sit again.

SELECT COMMITTEE OF INQUIRY INTO STEAMTOWN PETERBOROUGH RAILWAY PRESERVATION SOCIETY INCORPORATED

The Hon. G.F. KENEALLY (Minister of Tourism) brought up the interim report of the Select Committee, together with minutes of proceedings and evidence.

Interim report received. Ordered that interim report be printed.

The Hon. G.F. KENEALLY: I move:

That the interim report be noted.

On 14 November 1984, on the motion of the member for Eyre, the House of Assembly established a Select Committee of Inquiry into the Steamtown Peterborough Railway Preservation Society Incorporated. Members of the Select Committee were the members for Eyre, Coles, Henley Beach, Albert Park and myself. The task given to the Select Committee was not an easy one and members had no illusions about that. However, no member imagined that the task would have been as difficult as it turned out to be. Because of those difficulties, I congratulate and thank members of the Select Committee for the work that they did and for the co-operation that they gave me as Chairman of that Committee.

On behalf of the Select Committee, I also pass on our thanks and tribute for the work done by our secretary, Mr Thomson, for the many hours of work that he put in on the preparation of this report and in working generally for the Select Committee. I also thank the witnesses who gave evidence to the Select Committee. We do understand the tension that existed in relation to this subject, and we appreciate their attendance before the Select Committee.

The House will note that I have tabled an interim report. That report includes recommendations that the Select Com-

mittee believes can solve the current impasse and allow the society to continue its operations. However, the Select Committee will monitor the response to its recommendations and report again to Parliament soon after the commencement of the next session.

At this stage, a brief background to the inquiry is in order. Steamtown Peterborough was established in August 1977. The society's principal objects are to preserve the whole or portion of the narrow gauge railway between Peterborough and Quorn, as an operating museum, and to acquire, restore, display and operate narrow gauge locomotives, rollingstock and other items of railway equipment. At its inception there was complete co-operation between the society and the Corporation of Peterborough. State and community support was forthcoming by way of grants, donations and voluntary work. Regrettably, in the ensuing period that level of support given by the community and the corporation waned until the bulk of the work performed at Steamtown was left to a small group of hard-working steam train enthusiasts.

The efforts of those few people are acknowledged by all witnesses who appeared before the Select Committee and, in fact, it is conceded that Steamtown could never have achieved its growth without the remarkable application demonstrated by this small group. In May 1984, the society lodged a submission with the Victor Harbor Tourist Railway Committee proposing a transfer of the society's operation to Victor Harbor. The soceity believed that there was not a viable future for Steamtown in Peterborough and that a move to a more economically desirable location was essential.

The Peterborough community opposed such a move, arguing that Steamtown should comply with its principal objective of maintaining an operating museum on the narrow gauge railway between Peterborough and Quorn and that support given to the society was an attempt to help the town overcome the effects of the downturn in the operations of Australian National. Because of these conflicting and strongly held views, an acrimonious debate developed in Peterborough, resulting in expulsion of members from the society, refusal to admit members, charges of stacking meetings, and unruly meetings of the society culminating in a deed of sale dated 9 October 1984, purporting to sell the assets of the society for $500.

In November 1984, this House appointed the Select Committee to investigate these matters. In considering the proposed move of Steamtown operations from Peterborough, the committee noted the evidence of the Director of Tourism (Mr Inns), who said that he could not recommend to the Government financial support for a move away from Peterborough. The committee also noted the evidence of the General Manager of Australian National (Dr Williams), who said that AN could not support the society if it moved from Peterborough. It is appropriate to mention here that the Select Committee had cause to write to the Steamtown Peterborough Council asking that a consideration of amendments to its constitution be deferred until the Select Committee had had an opportunity to present its report to Parliament. In the event, that letter was not submitted to the general meeting of Steamtown Peterborough, and the amendments to the constitution went ahead while the Select Committee was still sitting and taking evidence about the society.

The Select Committee had hoped that its intervention would result in the bringing together of the competing interests so that the co-operation and goodwill that was so evident at the beginning of Steamtown Peterborough's life would return. Unfortunately, this was not to be so and the strong feelings persisted, characterised by what can only be described as the belligerent attitude demonstrated toward the Select Committee by the spokespersons for the Peterborough Steamtown Council. Other members of the council who appeared before the Select Committee did not demonstrate that attitude.

The major conclusion of the Select Committee is that Steamtown Peterborough was established for the benefit of the town of Peterborough and that its assets should remain in Peterborough. The committee was charged to investigate the sale of certain assets and it recommends that action for a Supreme Court injunction preventing the purported sale should proceed. The committee has made certain recommendations in relation to the expulsion of members and the refusal of the council to admit new members. The Select Committee did not find any evidence on which to criticise the spending of State grants, but it did find that the financial management of the society raised serious doubts that normal accounting requirements had not been adhered to. The Select Committee has therefore recommended that the Corporate Affairs Commission inquire into the administration of the society, pursuant to Division 11 of Part 11 of the Associations Incorporation Act, 1985, when that legislation comes into operation.

I stress that this report is only an interim report, but it is one that contains the basis for the resolution of Steamtown's dilemma. I ask the House to support the Select Committee's report.

Mr GUNN (Eyre): I support the comments of the Minister in relation to this matter. It is unfortunate that those persons representing Peterborough Steamtown adopted a belligerent attitude from the outset in giving their evidence. The committee carefully considered all matters brought to its attention. The Chairman of the committee showed great tolerance under severe provocation. When a Select Committee writes to a body and asks it not to proceed with a consideration of amendments to its constitution while the committee is considering certain matters and that advice is completely ignored, those people must accept that in the long run Parliament has a responsibility to the citizens of South Australia to ensure that fair play prevails.

Further, it was apparent from the evidence given to the Select Committee that Peterborough Steamtown had been set up by the Dunstan Government (and supported by the Tonkin Government) to help Peterborough residents by offsetting some of the effects of the rundown of Australian National operations. Those actions and the support given by the residents of Peterborough helped the formation of Steamtown Peterborough. I believe that those people who have been involved in this dispute (the President, the Secretary, and a few others) have worked very hard. Indeed, without their efforts the organisation probably would not have been as successful as it has been. However, I believe that by their attitude those people have prevented many others from taking an active part in the organisation.

It is now up to the residents of Peterborough to show clearly that they support this organisation. I sincerely hope that the Steamtown Peterborough Council will carefully consider the recommendations of the Select Committee. Indeed, it should be made clear to members of the council that, if they do not show goodwill and clearly give other members of the society and the people of Peterborough generally the opportunity to express their point of view, Parliament may have to consider enacting legislation. Personally, I consider that that would be unfortunate, but the Select Committee and Parliament would fail to honour their obligations if they did not consider such a course of action in that event. Like the Minister, I could go through the evidence and make critical comments about certain people engaged in this exercise, but that would not be useful at this stage. Certainly, on another occasion, if I believe that proper consideration has not been given to the recommendations of the Select Committee by those people who were

involved in the dispute and who had ample opportunity to put their point of view, I shall have more to say.

We gave those involved in that organisation more than one opportunity to come before the committee. It was unfortunate that they appeared to have the attitude that the committee had made up its mind before we had considered the evidence. I want to make very clear that all members of the committee had an open mind. All we wanted to see was fair play and everyone given an opportunity to put their point of view, but we could not idly stand by and see the sort of unfortunate actions that were being taken.

I believe that there is a necessity for the Corporate Affairs Commission to have a close look at the operation of this organisation. Therefore, I would urge members of Peterborough Steamtown to examine the recommendations and conclusions. I hope that at least they will accept those recommendations and put them into effect. I have much pleasure in supporting the motion.

Motion carried.

The Hon. G.F. KENEALLY: I move:

That the time for bringing up the report of the Select Committee of Inquiry into Steamtown Peterborough Railway Preservation Society Incorporated be extended until the first day of the next session and that the committee have power to sit during the Parliamentary recess.

Motion carried.

ROAD TRAFFIC ACT AMENDMENT BILL (No. 3) (1985)

Consideration in Committee of the Legislative Council's amendment:

Page 2, line 7 (clause 5)—Leave out 'subparagraph (ii)' and insert 'subsubparagraph B of subparagraph (i)'.

and

(i) by inserting after subsection (9) the following subsection:

(10) Section 175 of the Road Traffic Act, 1961, shall apply in relation to—

(a) an offence against subsection (5) of contravening the condition referred to in subsection (1) *(d)*;

or

(b) an offence against subsection (5b),

as if a reference in that section to an offence against that Act were a reference to an offence against subsection (5) or (5b).

The Hon. R.K. ABBOTT: I move:

That the Legislative Council's amendments be agreed to.

These are purely technical amendments, and I support them accordingly.

Motion carried.

MOTOR VEHICLES ACT AMENDMENT BILL (No. 2)

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 2, lines 6 and 7 (clause 3)—Leave out 'on a road in any part of the State at a speed exceeding 80 kilometres per hour' and insert 'at a speed exceeding by 10 kilometres an hour or more a speed limit that applies under the Road Traffic Act, 1961, or this Act'.

No. 2. Page 3, line 13 (clause 3)—Leave out 'Two hundred dollars' and insert 'One thousand dollars'.

No. 3. Page 3 (clause 3)—After line 18 insert the following:

(5aa) the holder of a learner's permit shall not drive a motor vehicle on a road in any part of the State at a speed exceeding 80 kilometres an hour.

Penalty: One thousand dollars.

and

(b) by inserting after subsection (5d) the following subsection:

(5e) Section 175 of the Road Traffic Act, 1961, shall apply in relation to—

(a) an offence against subsection (5) of contravening the condition referred to in subsection (3) *(b)*; or

(b) an offence against subsection (5aa),

as if a reference in that section to an offence against that Act were a reference to an offence against subsection (5) or (5aa).

No. 4. Page 3 (clause 4)—After line 40 insert paragraph as follows:

(ca) by striking out from paragraph *(d)* of subsection (1) the passage 'on a road in any part of the State at a speed exceeding 80 kilometres per hour' and insert 'at a speed exceeding by 10 kilometres an hour or more a speed limit that applies under the Road Traffic Act, 1961, or this Act'.

No. 5. Page 4 (clause 4)—After line 32 insert paragraph as follows:

(ga) by striking out from subsection (5) the passage 'Two hundred dollars' and substituting the passage 'One thousand dollars'.

No. 6. Page 4 (clause 4)—After line 39 insert the following:

(5b) The holder of a licence endorsed with conditions pursuant to this section shall not drive a motor vehicle on a road in any part of the State at a speed exceeding 80 kilometres an hour.

Penalty: One thousand dollars.

The Hon. R.K. ABBOTT: I move:

That the Legislative Council's amendments be agreed to.

Motion carried.

ELECTORAL BILL

Adjourned debate in Committee (resumed on motion).

(Continued from page 4356.)

New clause 114a—'Size of electoral advertisements.'

The Hon. D.C. BROWN: I rise on a point of order. I understood that we were coming back to completion of the Road Traffic Act Amendment Bill.

The ACTING CHAIRMAN (Mr Ferguson): I ask the member for Davenport to sit down. There is no point of order. There is a motion before the Chair, and that is all that can be considered. The matter has been put, and I believe that the Ayes have it.

Mr BLACKER: I support the new clause moved by the member for Elizabeth, and I do so for a number of reasons. The obvious reason is that, if large and unrestricted hoardings were allowed, certain candidates for Parliament would find the expense out of reach. It would become impossible for an Independent or an individual to finance such large hoardings. Obviously, under the Westminister system, candidature for a seat is supposed to be within the province of any constituent. If hoardings of unrestricted size were allowed, only people who could afford to could become candidates. It is grossly unfair on any Independent of any Party, big or small, to require X thousands of dollars to be raised in such circumstances.

Then, there is the argument about how much those hoardings cost. Many big businesses probably own hoardings and would have their own signs displayed on them. However, they may be prepared to lend them for three weeks or so for an election campaign as a sporting gesture to a political Party on one side or the other. That is not necessarily right because, again, that takes it totally out of the province of the Independent type of candidate.

Recently, when I was on one of the islands in Venice a few weeks before a local election, I saw a series of billboards or stands in the city square. They had invited all candidates to put posters and details on those billboards, which I thought was rather a good idea. It kept billboards and posters off poles and all the other places that are presently considered unsightly by many people. The local council created a forum through which those posters, about a metre square, could be displayed. I would like to think that councils or Government could take up that proposal because it might protect public property. If unrestricted access were

allowed, that sort of forum would not be possible. The amendment is worthy of support, and I trust that all members will support it.

The Hon. E.R. GOLDSWORTHY: That is a pathetic argument. The member for Flinders suggests that because these hoardings may cost a certain amount of money, which an Independent or a small Party could not afford, one must rule them out as being legitimate for electoral purposes. It is equally unreal to suggest that a three minute grab on television, which I guess costs considerably more than hoardings, should be precluded because it costs a lot of money which Independents and minor Parties cannot afford, either.

That is an absurd argument, if I might say so. The fact is that one would outlaw all electoral expenditure if one followed that argument through to its logical conclusion. Together with all the other forms of advertising, that which is done on billboards is legitimate and accepted by the advertising community and the public. I invite the member for Flinders to price some of these methods of advertising: he would find that billboard advertising is considerably less expensive than are some of the more modern forms of advertising undertaken, particularly during election campaigns, and I have already mentioned television advertising. He would find that the cost of one single full page advertisement in the *Advertiser,* for example, is considerably more than is the cost of hiring a single billboard for a couple of months.

So, the argument that because the so called Independents are small and do not have access to finance for hiring these billboards is quite plainly fallacious and specious, when one considers the amount of money which is spent (particularly by the Labor Party I might say) in this State over a number of years in relation to election advertising. The Labor Party has sought to paint itself as a poor man's Party; a Party which represents the poor in the community, although it has done its best to try to tax them out of business. The Labor Party in this State has consistently managed to spend more on seeking to get itself elected and re-elected than has the Liberal Party. In fact, we know that the Labor Party managed to get $1 million recently from the sale of a radio station, and its assets are quite considerable. The Labor Party had a bit of trouble deciding where to invest it: it was going to buy a hotel in Canberra of all things, but members of the Labor Party were shamed into reversing that decision. Nevertheless, it is a Party of considerable means and—

Mr GROOM: On a point of order, Mr Acting Chairman. I cannot see what the purchase of a property in Canberra by the State ALP organisation has to do with the clause that is being discussed.

The ACTING CHAIRMAN: I do not accept the point of order, but I ask the Deputy Leader to come back to the amendment before the Committee.

The Hon. E.R. GOLDSWORTHY: The point that I was making is that the ALP has always been quite lavish in this State in spending large sums of money in seeking to get itself elected to the Government benches, and to suggest that the Labor Party or any other political Party (including, I would suggest, the Independents) could not afford to hire a hoarding and catch the small man's vote is, a particularly curious amendment, not to put too fine a point on it.

What is the history of this amendment? One cannot escape the conclusion that the member for Elizabeth is the lackey of the Labor Party. He obviously desperately wants to keep sweet with members of the Labor Party in the hope that one day, if they need his support, they will get him back, as they did the member for Pirie on one occasion when they were one short in numbers. So, the member for Elizabeth is hanging around on the fringes, seeking to curry favour with the Labor Party. Of course, it is an absurd situation in which we find ourselves in that this same amendment was moved by the balance of reason in the Upper House, the Democrats (and I say 'balance of reason': they are so busy wobbling around like jelly fish, not knowing which way to fall, that they finish up in a position of extreme weakness on most occasions), moved an amendment, but the Attorney-General, who was in charge of the Bill there, saw fit to defeat it.

Mr Hamilton interjecting:

The Hon. E.R. GOLDSWORTHY: It was the Labor Party's own suggestion when it introduced this legislation—

Members interjecting:

The Hon. E.R. GOLDSWORTHY: I am not deaf, but Hollywood's enunciation is not quite as good as it ought to be; he really ought to study his drama lessons a bit more assiduously—he preens himself well, but his enunciation is not clear. The fact is that this is Government legislation; an amendment was moved by the balance of reason in another place, but the Government sought to defeat it, because its proposal was that advertising signs for elections should not have this unreal restriction placed on them, as currently applies in the Act. But what has transpired of course is that the Liberal Party saw fit to hire a hoarding and put up a sign.

Members interjecting:

The Hon. E.R. GOLDSWORTHY: When honourable members opposite curb their excitement and calm down enough to listen, I can point out that we are all well aware of the history of events. The most reasonable member of the 'balance of reason' said that he would not complain. In due course he contacted the Electoral Commissioner, even though he had publicly said that he would not complain about the matter, even though he thought that it was in contravention of the Electoral Act. However, I understand that he wrote to the Electoral Commissioner who rightly made his assessment of the situation, and the Liberal Party was advised to cover up the sign. Of course the Liberal Party will see to it that the election sign is covered up, according to the instruction from the Electoral Commissioner.

Members interjecting:

The Hon. E.R. GOLDSWORTHY: So, all that has intervened in the meantime—

Members interjecting:

The Hon. E.R. GOLDSWORTHY: We will put Hollywood up there—that will give everyone a laugh! All that has occurred is that one sign has been taken out by the Liberal Party; the Labor Party has decided to rethink this position, and so it has got its lackey in this place to move an amendment. But what a farce it is! In the Upper House an amendment to the Bill was defeated by the Attorney-General: it comes down here and the Minister of Community Welfare accepts it. We know that the Labor Party is desperate: the polls indicate that members opposite are in their last few months on that side of the House. Desperate men do desperate things, and under those circumstances they want that sign down, come hell or high water. So, they have had a change of mind, and they have got the member for Elizabeth to move this amendment so that they can make the Attorney-General look like an idiot—because that is what it does. The member in charge of this Bill in the other place defeated the amendment.

Probably the only event that has occurred since that time has been that the members of the Labor Party have got the results of the polls, which has sent them into a funk; they are in a panic and are saying, 'Let's get these hoardings down.' The only other explanation for this incredible course of behaviour, this incredible series of events, is that one faction within the Labor Party has had a win since the first decision was made.

Members interjecting:

The Hon. E.R. GOLDSWORTHY: We know that there are six Parties within a Party. Maybe one faction had the numbers when the original decision was made that they would allow more freedom in relation to the types of signs for election advertising, but to draw an analogy to what is happening here we have only to look at the to-ing and fro-ing, the back filling and filling, the digging of holes and filling them up with their taxation promises to understand that members of the Labor Party cannot make up their minds on any damn thing, let alone a simple decision on the size of an electoral hoarding. They change their minds in the course of a week.

What a pathetic political Party it is! How pathetic it is that the Labor Party, on such a small matter as this, has had a change of heart. Of course that is the real reason members opposite are in a funk: the sign went up, gained some electoral support, because it was a statement of fact, and that put them into a funk. The true democrats opposite then said, 'Let's tear it down, let's get rid of it', and that is what the amendment is all about. So, up gets the member for Elizabeth—the pseudo member—hoping like hell that he can get back into the fold in due course; he moved his amendment, and the Government accepted it. How pathetic can a political Party get? How low has the Labor Party sunk for fear that it will slip even further in the polls, as doubtless it will, when they accept such an amendment as this? It is pathetic.

Mr GROOM: The Liberal Party has got itself into this mess by its very high handed approach in pre-empting the decision of Parliament. It put signs up, clearly in breach of the Electoral Act, and pre-empted the decision of Parliament. It did not wait for the decision of Parliament; it anticipated that it might go favourably for it, but by the same conduct and standards that they condemn in other members of the community, those who break the law, members of the Liberal Party breached the Act. The current section 155b is quite clear in its terms. It provides:

> A person shall not post up or exhibit, or permit to be posted or exhibited, on any building, vehicle, vessel, hoarding or structure of any kind an electoral poster the area of which is more than eight thousand square centimetres.

It is well known that the posters of members opposite are something like 180 000 square centimetres. Further down, section 155b provides:

> It is hereby declared that the application of subsection (1)—

that is dealing with the provision I have just read out—

> and subsection (2) of this section extends in relation to an election or referendum although the writ for that election or referendum has not been issued.

It goes on to define 'electoral matter', as follows:

> 'electoral matter' means any matter intended or calculated to affect the result of an election or referendum under any law of the State:

It then goes on to define 'electoral poster', as follows:

> 'electoral poster' means any material whatsoever on which any electoral matter is written, drawn, or depicted.

It is quite clear that the current section extends in relation to election posters, whether or not the writ for that election or referendum has been issued.

Mr Meier: What has this got to do with the amendment?

Mr GROOM: If the honourable member will be patient, it has got everything to do with the amendment. I heard the Leader of the Opposition saying on television that he had legal advice in relation to this matter, which I doubt, because it must have been some bush lawyer to form an opinion that the Opposition's actions were legal. In answer to the complaints from the Electoral Department lodged by the Hon. Mr Gilfillan in another place, the Leader of the Opposition said in the *Advertiser* of 6 May (page 3):

> South Australia is not in an election environment and, because of this, the Act is open to interpretation and the Party is entitled to proceed.

On 6 May he said we were not in an election environment, but on 18 February 1985 he launched his campaign with pledges. The *Advertiser* of 18 February 1985 reported:

> The South Australian Opposition yesterday launched its election campaign with promises to keep taxes down, contain—

and so on—

> Mr Olsen said that he did not believe it was too early to launch the campaign, because people wanted to assess the direction of Liberal policies.

So, in February we were in an election environment; he had launched his campaign and yet in May he told the Electoral Commissioner, 'We are not in an election environment.' I would not like to go to court with the Leader of the Opposition as a witness. His credibility is lacking somewhat. The fact of the matter is that—

Members interjecting:

The ACTING CHAIRMAN: Order!

Mr GROOM:—in deliberate defiance of the law of this State honourable members opposite erected election posters around the town illegally, in breach of the Act, and they are responsible for the mess they are now in. The Opposition guessed Parliament would pass the Bill that was introduced by the Leader in another place, pre-empted the decision of this Parliament and adopted the standards it condemns in other members of the community. Members opposite have highlighted a deficiency in the Bill as it was introduced in this State.

Members interjecting:

The ACTING CHAIRMAN: Order!

Mr GROOM: I, together with many other members—

Members interjecting:

Mr GROOM: It is no good crying wolf. Opposition members are in breach of the Act. They have been told to take the posters down and they are going to be caught by a mess of their own making, so do not let them have a go at the member for Elizabeth and suggest he is some sort of lackey; he had the independence to move his amendment. It has been supported by the member for Flinders and, as the Minister indicated, we on this side will be supporting the amendment moved by the member for Elizabeth.

The signs are ghastly; they have evoked the opposite community reaction. I have received telephone calls in my electorate office protesting that the signs are visual pollution of the environment. We should be moving the other way. I do not think anyone, when that Bill was introduced initially in another place, or even when it was being formulated, contemplated that members opposite would abuse the Act as they have done by erecting these ghastly signs around the metropolitan area and forcing people to look at them. It is no good drawing the analogy with television; it is completely different. You can turn the television set off, but if you travel up the highway and you have to look at the Leader and Deputy Leader of the Opposition, it will ruin your breakfast.

Because we are dealing with a political matter, it is a very delicate subject for the Electoral Commissioner, but the Liberal Party has put the Electoral Department in this position and it has broken the law in this blatant way. The Leader of the Opposition could not have had any legal advice before he acted the way he did. I challenge him to get up here and name the person who gave him legal advice, because I do not think any lawyer in Adelaide would put his name to that advice.

The Hon. MICHAEL WILSON: The member for Hartley has again entertained the Committee with another list of irrelevancies. In so doing he had to say that the Opposition had pointed out a deficiency in the Electoral Act. What is

the Government doing? It is going back to the Electoral Act and supporting the deficiency. That is the logic of the member for Hartley. The honourable member said he would not want to take the Leader of the Opposition in as a witness, but I would certainly not want to be a client of the member for Hartley; the last thing I would want to be is a client.

This is an extraordinary saga of events. First, the member for Elizabeth moved his amendment, and then we have circulated the very same amendment by the Minister. Then, a little later, we receive another piece of paper which purports to supersede the first amendment put forward by the Minister, and then the attendant comes around and withdraws it. We then receive the fourth piece of paper, which is the amendment of the Minister. It is absolute confusion. I wonder if this is the way we should legislate in this place, with this confusion.

The Deputy Leader has certainly canvassed the reasons for this amazing about face by the Government. When this electoral legislation was drawn up and introduced, obviously it contained many things that the Liberal Party objected to, but many of the provisions in the Bill were machinery provisions. I do not want to put words into the Electoral Commissioner's mouth, but the provisions would have been recommended to the Attorney-General by the Electoral Commissioner as being a practical way of implementing the provisions of the Electoral Act. There is no doubt that the Electoral Commissioner would have been consulted; in fact, I would be horrified if the Electoral Commissioner had not been consulted on these machinery provisions, that is, apart from the political motivation of some of the provisions in the Electoral Act.

Quite correctly, I believe, these machinery provisions were accepted by the Government and the removal of the dimension limits on signs was one of those provisions. I am sure that that would have been one of the provisions discussed with the Electoral Commissioner because it made common sense and was more practical to implement. Of course, quite rightly the Attorney-General and the Government, Cabinet, accepted that; Caucus would have accepted it, because we know that legislation cannot go through Parliament until it is passed by Caucus.

Mr Baker: So, it has obviously been passed by Caucus already.

The Hon. MICHAEL WILSON: Yes. So, it has been passed by Caucus and accepted by the Labor Party. Again, when the legislation was in the Upper House (I am just setting out the sequence of events), the Democrats—the balance of reason in the Upper House—moved a similar amendment to revert the Bill to the original legislation, under which the dimension limits are put on signs. Quite correctly, the Attorney-General, supporting his Government and the Caucus decision, rejected the amendment. The Bill therefore came down to us with the clause standing in the way in which it was originally introduced and accepted by the Upper House. What has brought about this amazing about face? I will tell the Committee: it is because the Opposition was able to upstage the Government, and the Government did not like it.

Members interjecting:

The ACTING CHAIRMAN: Order!

The Hon. MICHAEL WILSON: The Government did not like it. That is the reason: the Opposition was able to upstage the Government by showing some initiative—

Mr Groom: Is breaking the law showing initiative?

The Hon. MICHAEL WILSON: I can tell the member for Hartley that the advice to the Opposition at that time was that it was open to interpretation. As it was open to interpretation it was our right to put that to the test. None of the irrelevancies that the member for Hartley can spout in this place can deny that right.

Members interjecting:

The ACTING CHAIRMAN: Order!

The Hon. MICHAEL WILSON: Having had that opinion from the Electoral Commissioner and the request from him to cover up the sign, we are doing so. That is our right and a responsible thing to do. That is why the Government has taken this action. The member for Elizabeth has been the vehicle to move the amendment, and it was probably promised to him because of the fine work that he did last Thursday on behalf of the Government.

Members interjecting:

The ACTING CHAIRMAN: Order! There are too many interjections.

The Hon. MICHAEL WILSON: This is a sorry saga, because the Government is in absolute confusion as to the way in which this business has been handled. It has jumped from one foot to the other. It cannot make up its mind. It is like the political hopscotch played by a Government member in another place in recent weeks, and the Government is now perpetrating it in this field by jumping all over the place. There is no consistency; the Government is not even sticking to its guns and is thus making a farce of the legislative process.

Mr PETERSON: I would like to make a few comments on advertising at election time and on posters in particular. The amount spent on advertising generally at election time is absolutely ridiculous. We are flooded with election material. Obviously, larger Parties, whether they be Liberal or Labor, have an advantage.

The Hon. H. Allison interjecting:

Mr PETERSON: Of course, we must expend some. We, too, have to keep up the standard. We have our limits as well, as has been made clear by previous speakers—

Mr Mathwin interjecting:

Mr PETERSON: Perhaps I will have to suggest another amendment. The amount of money and the plethora of advertising material that is circulated at election time are ridiculous. Perhaps we should look at a limit per candidate for each election and bring it down to some sensible level in regard to how much can be spent and accounted for at election time.

Mr Mathwin interjecting:

Mr PETERSON: There is still the printing of how to vote cards and much other gear to be printed. I do not believe that if we dispensed with election posters or limited them as was suggested (it was a good suggestion, too, I think) by the member for Flinders.

Mr Mathwin interjecting:

Mr PETERSON: That could happen in some cases: they tried it on you a couple of times. The suggestion by the member for Flinders was a good one in regard to advertising; if one is advertising, perhaps there are sites in one's electorate where one can put up that material. Certainly, the idea of running around finding front gardens, fences, corners and similar places to erect advertising material is ridiculous, and in many cases it leaves a mess for someone else to clean up. How many local government employees have to pick up posters and papers after the election? As I say, the amount spent at an election has no relevance at all to the quality of the Government that is elected, whatever Government it is—none at all. All one does is put up posters telling people how great is Labor, Liberal, Nationals or Independents. It has no relevance at all to the quality of what comes out of the election. I certainly support the idea of the member for Flinders.

We should think of the frightening environmental effect of a 30 ft or 50 ft poster of a Leader of a Party, whichever Party is involved. It would be visual pollution in the envi-

ronment. We would perhaps see 10 ft teeth smiling at us as we drive down the road. What a frightening thing to contemplate. It can be done by parties, groups or individuals who have the money. One must acknowledge that a beard is pretty hard to get on a poster, so some of us are at a disadvantage to start with.

The other problem that is caused involves local government because it brings up problems in the administration of local government by-laws and regulations. I am sure that every member can recall—it was not long ago, although I cannot put a time to it, but perhaps within 12 months—when at Gepps Cross a tobacco advertising placard was erected. I could name the brand, but there was a dispute involving people in the local government area driving along Main North Road, where the poster was put up. This is the problem that arises. Local government organisations have to administer this visual pollution. People living in local government areas do not want it. People using the road do not want it, and councils do not want it. In the end, who has to pay the piper?

The Hon. Michael Wilson interjecting:

Mr PETERSON: That is exactly the point I am coming to: I am glad you said that. They have the control, and every area has a different system of control. This means that there can be no continuity and no standards—

Members interjecting:

Mr PETERSON: The Opposition is saying that, if you are in an electorate where a council allows a 50 ft by 50 ft picture of the Leader of the Opposition, for example (a frightening thing to contemplate), it can be done. However, if a local government area allows a 3 ft by 3 ft poster and one lives in an adjoining electorate, one is at a disadvantage. Where is the equality in that? There is no equality. The only equality is to have a standard size so that everyone has the same poster and the same ability. As I say, the concept of limited use of posters has great merit.

It would put us all on an equal footing financially and in relation to publicity and exposure. We should therefore limit the size of posters. This is not new—it has been in the Act for many years and nobody has been upset by it. I have been here for some years now, and not one person has complained about the size of election posters.

Members interjecting:

Mr PETERSON: I am not legally trained to debate the point of the poster that has been put up. I was surprised that there was some kick about it, because it is a matter of definition as to whether it is an election period.

The Hon. Michael Wilson interjecting:

Mr PETERSON: I have not seen it, but I have been told that it is fairly daunting and frightening. I do not agree with the size of it. We must look at consistency. To date, we have not had a complaint. The Electoral Commissioner would be in a position to know. I have no knowledge of this matter, but I believe that not one member can say that they have received complaints about the size of posters up until now. Silence reigns! We are all on an equal footing with a poster of 1 square metre or, as it now is, 8 000 square centimetres. My posters were smaller, and I have had no problem; nobody has had a problem.

Mr Mathwin: But you got good support.

Mr PETERSON: Yes, the Liberal preferences helped me; I do not deny that. I accept what was said earlier about those preferences, but that is history—it is gone. We are talking now about one clause in the Electoral Act dealing with the size of posters. Not one person complained until the current situation arose over a billboard that had been erected.

In an election period we should all be held to the same standard. We cannot meet that standard, because we are all different, and, unless we are limited to a certain amount to be spent, we are obviously disadvantaged. I have no access to Party funds as do the major Parties, and I do not want it. Members should remember those words—'I do not want it.' I am happy to be on an equal footing in relation to poster sizes. I support the amendment.

Mr MATHWIN: I oppose the amendment. We have listened to a great deal of poppycock from the other side of the House, supported by the Independents of the Labor Party. I suppose that the Independent member for Semaphore has to support the so-called Independent member for Elizabeth, who has been put in a barrel by his so-called colleagues in the Labor Party. The Government has taken advantage of this new member, in his innocence, in order to put an amendment before the Committee. The whole thing is pretty grim. It is most unfortunate for the member for Elizabeth. In his keenness to seek redemption from the Labor Party, he has grabbed at this opportunity and said that he will be the lamb and will go to the slaughter.

The argument about the size of the posters is quite ridiculous. What on earth does it matter? If we were talking about something that affected a lot of people, we would be talking about cigarette advertising, and so on, as the member for Semaphore mentioned. For him to say that there is something wrong with the poster concerned is ridiculous, as no election has been declared. One can displayed anything on one's vehicle or outside. One does not have to gain authority until writs are served, and the honourable member should know that. I would not expect the member for Elizabeth to know it as he has not been here long enough and he is inexperienced. However, I would have expected the member for Semaphore, who has been here a little longer, to know that. That is the situation—it is as plain as that.

There is nothing wrong with the size of the poster. Nobody has really objected to it. Had the Labor Party thought of it first and been the first in the field it would have said that it is fair enough and that it is great stuff. However, not having been there and had the initial effect of it, it had to do something about it. It has done so by putting up the poor innocent member for Elizabeth as the shooting star—the man to take the brunt of bringing this amendment to the House.

Mr M.J. EVANS: I must rise to respond to comments made by Opposition members. I agree with the member for Glenelg that I have not been here long, but during the time that I have been in this House I have endeavoured to do what I promised my constituents on 1 December and in the period leading up to that date, namely, support the Bannon Labor Government on the vast majority of issues before this House. However, I said that I would retain the right to speak out on issues that I believed were important to the citizens of South Australia and in particular to my constituents in Elizabeth. During the course of my brief history in this House, I have taken the opportunity on any number of occasions to move amendments to Government legislation. If members care to examine the record—as I am sure they will, as they carefully examined the record of my speeches last week—they will see that on a number of occasions I have successfully moved amendments to Government legislation and have sought and negotiated such amendments.

I have found it very difficult in the last few days to please members opposite. When I stand to move an amendment to an item of Government legislation—something I would have thought that members opposite would agree with, namely, my exercising my right to suggest an improvement to a Government Bill—they challenge it as something to which I have been put up to by the Labor Party. Yet, I have a consistent record in this place of making important—although sometimes of lesser importance—amendments to

legislation before this House, as I promised the people of Elizabeth I would do. I said that I would support the Government but that I would keep a careful eye on legislation and, where I saw the opportunity to improve a Bill, I would take such opportunity to amend it. In the course of the last few months I have taken that opportunity on any number of occasions.

When the Electoral Bill came before the House yesterday—only 24 hours ago—I took the opportunity to scrutinise it with care and also to read the Legislative Council debates. It appeared to me that one area of deficiency that could be improved certainly related to the limitation on the size of electoral posters. I have taken that opportunity. The Government has chosen on this occasion—as it has on previous occasions—to support my amendment. That is a credit to my persuasive powers with the Government, and I am pleased that it has seen fit to accept the amendment. However, I am prepared, in the interests of consensus in this place, and of moving the debate forward, to accept the amendment moved by the Minister, namely, to add the words 'vehicle or vessel', and I will support the Minister's amendment to my amendment.

I certainly reject any imputation by Opposition speakers as to improper motives on my part in bringing forward this amendment or that I was put up to it in any way. It is a further example of my continuing effort to support the Government but, where it is necessary, to move desirable amendments to improve the legislation before this House. I would have thought that it was the duty of every member in this place to seek that the best possible legislation emerges from the debate, whatever the circumstances and I will do so. If the Opposition does not like the way in which I seek to improve legislation before the House, I am sorry about that. I accept that Liberal Party preferences were useful, and I hope that next time I will not need them: that I might achieve 50 per cent in my own right. If that is the case, I shall be very pleased but, if not, I shall be very grateful if any other political Parties in Elizabeth choose to support me. That is their right, and I was pleased to accept any preferences that they turned my way.

However, that does not deter me from the principle upon which I was elected, and members cannot bind me with those second preferences. My duty in this House is to ensure that the best possible legislation emerges from it. I commend the amendment, as it is proposed to be amended by the Minister of Community Welfare, as being in the best interests of South Australia and certainly in the best interests of the electorate which I represent and which is remarkably free of this kind of pollution. I hope to keep it similarly free.

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

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

Motion carried.

The Hon. E.R. GOLDSWORTHY: The explanation given by the member for Elizabeth simply will not do. Here we have a former member of the Labor Party and personal assistant to the Deputy Premier, steeped in Labor traditions, suddenly sore because he does not gain preselection in Elizabeth, and taking the plunge, casting himself adrift from his former comrades and standing as an Independent. Indeed, he has become a member with the support of Liberal preferences. He asks us to believe that his amendment is one of a continuing series of important amendments that he has made to improve legislation. The Labor Party has accepted this amendment, although an identical amendment was moved in another place by the jellyfish and ruled out by the Minister in charge of the Bill.

In this place, the member for Elizabeth has moved his amendment as though a bright thought had come to him, but there is nothing new in the amendment. The honourable member has continued his efforts to crawl back so that they may all kiss and make up when he rejoins the Party.

The ACTING CHAIRMAN: I ask the Deputy Leader of the Opposition to come back to the amendment moved by the member for Elizabeth.

The Hon. E.R. GOLDSWORTHY: Yes, Mr Acting Chairman. We are canvassing this idiotic amendment which runs counter to the intention of the Labor Party when the Bill was introduced and counter to its attitude in another place when it defeated an identical amendment. The member for Elizabeth has decided to move his amendment in this place, and the Labor Party has accepted it. The Labor Party wanted to free up electoral advertising but, having seen the Liberal Party's advertisement, it did not like that advertisement, so it has accepted the amendment moved by the member for Elizabeth. The honourable member's suggestion that he moved the amendment to improve the legislation is hogwash: the Labor Party loves it.

The honourable member hopes that the Labor Party will take him back into the fold, but we put him into this House and I suppose we will have to wear him. He got in on Liberal preferences. What choice did the public and the Liberal Party have: a left winger or this fellow? So we are stuck with this fellow who has such bright ideas to improve legislation. If this is the brightest idea with which he can come up, heaven help him!

The Hon. G.J. CRAFTER: I move to amend the new clause, as follows:

In new subclause (1) after 'on a' insert 'vehicle, vessel,'.

This amendment is moved to reproduce the words that appear in the existing section of the Electoral Act. For reasons unknown to me, they were deleted in the amendment moved by the member for Elizabeth. For the sake of completeness, I ask that the proposed words be included.

Mr OLSEN: What an extraordinary state of affairs! A Minister of the Crown responsible for the Electoral Act introduces an amending Bill in another place; the Democrats move an amendment the same as this one; and the Minister and the Labor Party reject the amendment. Subsequent to the introduction of the Bill, the Liberal Party stole a march on the Government.

The Liberal Party showed some initiative, which obviously worried the Government. Then, the Government went into full retreat: it has done a 180 degree turn. One can name a number of Bills over the past couple of weeks in which this Government has accepted all or the majority of the amendments put forward by the Liberal Party, because the Government will not take us on. It will run for cover: it wants no confrontation. It does not want to stand up for the original position it put down in legislation.

That applies not only to this Bill but to a large number of Government measures introduced in Parliament over the past few months. That is because the Government is running scared, and that is not misguided optimism on my part. The reality is in independent surveys being undertaken throughout the electorate. Clearly, 'the Liberal Party for action' and 'less taxes' appearing on that large hoarding struck a raw nerve of the Government. That hoarding did not go up until the Liberal Party had received professional legal advice as to our capacity to put it up.

I said so originally: it is a statement of fact that still stands. The hoarding did not go up in contravention of any law. It was drawn to the attention of the Electoral Commissioner by someone who said, 'I'm just raising this as a

public issue: I don't want to complain about it.' We know the veracity of that person's statements put on the public record these days: there is no veracity in the statements of the honourable gentleman in another place, and his track record proves that.

When it was drawn to the attention of the Electoral Commissioner he acted responsibly, as an individual and head of a Government department ought to act, and drew it to the attention of the Liberal Party. I have said before and I will say again that my view is that the Electoral Commissioner in this State is a fair person. I also said, despite the fact that we had received legal advice supporting our position in having that hoarding erected, that in the final analysis we would accept the Commissioner's decision.

I said that a week or 10 days ago, and I say it again. That is my position and has always been the position of the Liberal Party on this matter and other electoral matters. In other words, we will play the game square and do nothing short of playing the game square. Our track record proves that we have done that in the past and will continue to do it.

We touched on the sensitivity of the Democrats and obviously the Independents when we showed some initiative in advertising our position and stated that we stood for fewer taxes in South Australia. We put up only one board. I would like to thank the Hon. Mr Gilfillan in another place for the massive free publicity that he generated for the Liberal Party, not only in South Australia but in the *Canberra Times* and other interstate newspapers as well. One could not buy the sort of publicity that Mr Gilfillan generated for the Liberal Party as a result of that one billboard being put up.

The ACTING CHAIRMAN: The Leader should return to the matter before the Chair.

Mr OLSEN: I am talking about a billboard. The intention of this amendment is to rule out the possibility of erecting such billboards. I am quite clearly speaking to the matter.

The ACTING CHAIRMAN: I request the honourable Leader to link his remarks to the amendment before the Committee.

Mr OLSEN: The amendment involves hoardings and the refusal of the right of any individual or political Party to erect a hoarding bigger than one metre square.

Mr Lewis: And the only example so far is ours.

Mr OLSEN: Indeed. That is why I am linking that to the amendment. I thank the honourable member for his assistance in that regard. We erected only one hoarding, because we held others pending discussions with the Electoral Commissioner, and those discussions are continuing so that the matter will be resolved in the not too distant future. If this Parliament passes legislation to prevent that sort of liberty, freedom or democracy reigning in South Australia, so be it. If that is the law, the Liberal Party will abide by it.

Mr Groom: It's the law now.

Mr OLSEN: It is not the law now: it is open to interpretation. The honourable member can protest all he likes from the back bench, but the fact is that it is open to interpretation. We have advice to say that the erection of that billboard is quite in order and we proceeded with it on that basis.

Some comment has been made in this debate about the cost of those billboards, and it has been suggested that we should prohibit their use because of their massive cost. They are not expensive. Unlike the Labor Party that has in excess of $1 million to invest in properties around this city, the Liberal Party is not wealthy. It does not have massive capital investments such as the ALP has in South Australia. That being the case, to sell our message to South Australians our Party has to find cheap and economical ways of doing so, and hoardings are the cheap and economical answer, costing $190 a week each.

I bet that the Labor Party will use prime time television for its programme of advertising and use full page spreads in the *Advertiser*, costing $4 000, or whatever, a pop. Again, billboards are not expensive; they are cheap advertising which does not preclude the minor Parties in South Australia from using them. In fact, they allow greater freedom to minor Parties than the Independent Labor Party member and the Government, in terms of this amendment before the Committee, would allow. They want to remove the capacity for the small Parties and Independents to have a cheap form of political advertising in this State, because amendments before us preclude, in many cases, effective and cheap advertising in South Australia.

Look at the amendments, because that is the motive, the bottom line and the objective of this Government. Obviously, following the introduction of this Bill, carefully thought out by the Minister and supported by the Labor Caucus—because we know they do not bring anything into the House unless the Caucus agrees—

An honourable member interjecting:

Mr OLSEN: Yes—51 per cent—the Caucus agrees to the measure. Clearly, Caucus agreed to remove, in the words of the member for Hartley, 'a deficiency in the legislation'. I am pleased that he pointed out that the legislation we have now is deficient. I agree with him. Our legal advice agrees with that too—it is deficient. I am glad that the member for Hartley identified that in his contribution tonight. He agreed with us. In doing so, he has highlighted the need to remove that inhibiting factor, that lack of freedom and lack of capacity to express a point of view. Surely, a political Party is entitled to put a point of view to the public of South Australia: whether people accept or reject it is a matter for them. Surely in a democracy a political Party is not restricted in this regard.

This amendment endeavours to restrict, inhibit and remove the capacity for initiative in advertising—our initiative in selling a political message, a direction, a difference in political philosophy, principles, policy and direction. The electors of South Australia are entitled to have that opportunity put before them. There are inconsistent planning laws in South Australia relating to hoardings.

An honourable member: There aren't.

Mr OLSEN: There are, but that is a responsibility of local government. I would like to hear any member say he or she wants to remove local government's right to make decisions as they affect its areas. I will not do so. That responsibility is at the local level—the council. The grass roots democracy of this country and this State is at local government level, and that is where it should stay, not here. It has been proved that councils in this State act responsibly in making decisions on behalf of their ratepayers. The member for Elizabeth said that his electorate was generally free from hoardings. That is a matter for the city: the city fathers make that decision.

Mr Groom: Did you get council consent?

Mr OLSEN: That is a matter for the city fathers under the Planning Act of this State and the supplementary development plans; it is a matter for local government authorities, and that is where is ought to stay. I do not accept the argument at all that a hoarding can be put up in one council area but not in another. That is a decision that can be made elsewhere, under laws passed in this place, and that decision rightfully should stay with those authorities elsewhere.

Mr Peterson: But the effect is the same, that is, that they can be put up in one place but not in another.

Mr OLSEN: That is a matter for local councils to determine, and no doubt ratepayers will express their views to those local councils. I want to address one other aspect that

has been raised in this debate on the amendment. I refer to the contribution of the member for Hartley: I am pleased that we stung the member for Hartley into making a contribution tonight, because first and foremost he agreed with us and acknowledged that the Bill was deficient. I am grateful for that acknowledgement from the Government benches.

Secondly, the honourable member said that we are not in an election environment, although in January or February I had said that we were. I might add that the honourable member quoted selectively from the documentation. An election environment is established when the Government of the day calls an election—that is when you are in an election environment, and the member for Hartley knows that full well. However, I know that as a member of Parliament he would have started to campaign from day one after the election, as has every member on this side of the House. I might add that he is not doing that so much for his own benefit but because those on the Government front benches have let him down, and no doubt while door knocking he has been made aware that that 44.5 per cent increase in taxes and charges, which the Liberal Party highlighted on that billboard and which is the subject of this amendment, is stinging the Labor Party, and its market research is showing it (as ours is showing the Liberal Party) that the prime concern in the electorate is related to increased taxes and charges. People have had enough, and people are starting to have to dip into their savings to pay the water bills (excess water bills) under this new arrangement of the Government.

The ACTING CHAIRMAN: Order! The honourable member will come back to the amendment before the Committee.

Mr OLSEN: Thank you, Mr Chairman. This leads us to the billboard, the subject of the amendment. Taxes and charges will be the key issue in the coming election campaign, which is why 'Less taxes: the Liberals for action' is clearly identified on that billboard. The reason why there is so much sensitivity on the part of Government members is that they want to stop us putting up the other 29 billboards around town. They do not want us to be able to say to the electorate of South Australia that the Liberals stand for less taxes, because we did it once before, between 1979 to 1982, when we took South Australia to the lowest tax State per capita in Australia—and well the Government knows that. The Premier has acknowledged in this House that that is right, and factually it is right: the ABS statistics prove that the former Liberal Government in South Australia took South Australia to the lowest tax State per capita in Australia.

Mr GROOM: On a point of order, Sir, taxes and charges have nothing to do with the amendment before the Chair.

The ACTING CHAIRMAN: I accept the point of order and I ask the Leader to come back to the amendment moved by the member for Elizabeth.

Mr OLSEN: I certainly will not digress and go into the area of charges (in relation to which, some 160 have been increased by the Government) but I will stay with taxes, because 'taxes' is the word that we have used on the billboard which is the subject of the amendment before the Committee and which is the basis for the vacillations, indecision and double flipping by the Labor Party. Double flipping is what it is, and members opposite have done it in relation to the Constitution Act Amendment Bill: one has only to look at the amendments to that Bill that were accepted by the Labor Party.

The ACTING CHAIRMAN: Order! The honourable member's time has expired.

Mr GUNN: It is a pity that the member for Elizabeth did not give the Chamber the courtesy of being present to hear the excellent contribution made by the Leader of the Opposition. Obviously his conscience has been pricking him and he has been outside the Chamber.

Mr Groom interjecting:

Mr GUNN: It is all very well for the member for Hartley; however, he can put his Ministerial suit away into mothballs after his efforts here this evening. He can put that dark suit back in the wardrobe with plenty of mothballs, because he will not have to get it out again. This amendment, moved by the temporary member for Elizabeth, is nothing short of political censorship, because what members opposite are aiming to do on the death knock of this legislation (and had it not been for this amendment the legislation would have passed through Parliament this afternoon and there would have been little debate on it) is to seek support for an amendment for the purposes of gaining some political advantage for the Labor Party while trying to hogtail the Liberal Party. The member for Elizabeth and his colleague always remind me of those clowns in a circus riding a one wheel bike—going in all directions: but the member for Elizabeth always falls off on the Labor Party's side.

Mr Groom interjecting:

Mr GUNN: The member for Hartley had his chance and failed, so he can put the Ministerial suit back in the cupboard and forget about it—it is all over for him. In his contribution tonight he tried to come to the aid of his Minister and his colleague the member for Elizabeth. The member for Hartley acted as speechwriter for the member for Elizabeth this afternoon, while that member was trying to master his falls. If the Labor Party believed in free speech and freedom of association, why should it matter what size the hoardings are? In a democracy what difference does the size of a hoarding make? This is a cheap political stunt.

The Hon. Michael Wilson: It depends where you are in the polls.

Mr GUNN: I could talk about the latest *Bulletin* polls: we could put them up on the hoardings if they liked: they would not have to be very big, as the result will still be the same. This amendment can be passed into law, but the end result will still be the same. Most members opposite will not be here after the next election. The member for Hartley will not be here, and the member for Elizabeth will not be here; he will be caught up in the backlash, because the public of South Australia likes a fair go and the public will see this amendment as being nothing more than a cheap political stunt.

The amendment was orchestrated by the political stuntman of the Democrats, Mr Gilfillan, who had nothing better to do than to look for a bit of cheap publicity, and the member for Elizabeth has latched onto it in an attempt to get a few lines of publicity in the local Elizabeth paper. The member will certainly get that, make no mistake about it, but it might not be the sort of publicity that he is looking for, because he will no longer be able to claim to be Independent.

The ACTING CHAIRMAN: I interrupt the honourable member to remind him that when referring to members in another place or in this place he should give them their correct title.

Mr GUNN: I am not quite sure what the correct title for the gentlemen in the Upper House is: one is not sure of what is really an apt description for the Hon. Mr Gilfillan—however, I will not pursue that line.

In conclusion I just want to say that the people of Elizabeth will judge the new member as being the hatchet man for the Labor Party. Government members did not want to be associated with an obnoxious amendment of this nature, but they were prepared, as they have been on every occasion when the honourable member has moved some minor amendment to a Bill, to accept the amendment with both hands, because they want to keep the honourable member on-side, hoping all the while that he will not be here after

the next election and that a nuisance will be out of the way. However, while the honourable member is here members opposite intend to pacify him. He is different from the member for Semaphore, who can be pacified in other ways.

The member for Elizabeth is slightly different; he has a bit of an ego; he has been Mayor and is used to having a fairly high profile in the community; and so he must be pacified to get that cheap publicity—he will get it, but the honourable member will rue the day that he became the political future of South Australia. Who will have the tape measure? Will it be the member for Elizabeth or the Minister. The members for Elizabeth, Semaphore and Hartley (the member for Elizabeth's speech writer) will have plenty of time after the next election to run around with their tape measures to measure all the signs and hoardings. I support the Leader.

The ACTING CHAIRMAN: I remind the member for Eyre that I have asked other speakers in this Chamber to come back to the question before the Committee and that the argument that he has been putting for the last three or four minutes has nothing to do with the matter before the Chair.

The Hon. E.R. Goldsworthy interjecting:

The ACTING CHAIRMAN: I am not asking for comments from the Deputy Leader.

The Hon. E.R. Goldsworthy: I am talking to myself.

The ACTING CHAIRMAN: If the Deputy Leader is prepared to reflect on the Chair, I will name him. I will ask the member for Eyre to come back to the subject before us.

Mr GUNN: I really had concluded my remarks, but if you would like I could continue at some length.

The ACTING CHAIRMAN: Order! Whether or not the member continues at some length is quite irrelevant to me. We have Standing Orders and honourable members have committed me to ensuring that those Standing Orders are complied with. That I intend to do. I ask the honourable member for Eyre, if he wishes to continue to speak—and that is completely up to him—to stick to the subject that is now before us.

Mr GUNN: I have concluded.

The Hon. G.J. CRAFTER: I wish to add a couple of comments following the remarks that have been made in relation to this measure. I do not think some of those comments should go unchallenged. First, the restriction being placed by councils on electoral advertising and hoardings is a matter that should not be overlooked. The member for Eyre mentioned this subject and the Leader of the Opposition has couched this legislation in terms similar to rights such as freedom of speech and the like. I point out that many councils have enacted by-laws restricting electoral advertising of this nature. This is treated more as an environmental issue than an issue relating to political free speech. That is the concern of members of the community.

In relation to the Liberal Party's hoarding, I suggest that the scenario that the Opposition painted was that, where councils do not have environmental measures of this type, they will travel from council area to council area until they find a council that does not have these by-laws and then they could raise the hoardings. I think that is a most unsatisfactory way to deal with this measure. The Leader of the Opposition has referred to an opinion he has received.

I presume it is not a legal opinion. I think he called it a professional opinion that he received on this matter and he was advised that there was a possibility of the hoarding being legal, so the Liberal Party decided it would take a chance and put that law to the test. I would have thought a more appropriate and responsible approach would have been to seek an interpretation from the Electoral Commissioner and he would have sought advice from other authorities to advise that Party or any other Party that wanted to put to the test any section of the Electoral Act.

If one wants to take that attitude in relation to the interpretation of the Electoral Act to its logical conclusion, then we would have a very unsatisfactory state of affairs. Come election time there will be all sorts of challenges to the Electoral Act and chaos would result. This Act is too important to be treated in that way.

Finally, in relation to the spending of respective Parties, I acknowledge that this may not be the most expensive form of advertising, but I do not want to leave unchallenged the statement that the Labor Party spends more at election times than our opponents. That is simply not true. I would like to see the evidence of that from the Opposition.

I imagine the fear the community has in its opposition to unlimited advertising by political Parties is very real. I refer members to the following statement made in the *Advertiser* on Saturday 11 December 1982 by Mr Laidlaw, who was then elected President of the Liberal Party:

> He said his experience in the food-processing industry had shown that 'woe betide the retailer who uses 70s marketing in the 80s.'

He went on to say:

> The art of selling stuffed olives to the housewife is akin to the art needed for promoting the Liberal Party.

I have grave fears that that statement on behalf of the Liberal Party will be taken to fruition and that would be an appalling state of affairs.

Mr BLACKER: We have seen an incredible debate tonight. Of all the important issues that have come before this Chamber today this one has certainly attracted the most attention. I fail to see why. Surely, the matter before the Committee is whether or not we, as members of Parliament, believe we should have restrictions as to the size of posters. Originally, it was brought before the House as being unrestricted. An amendment was moved by the member for Elizabeth. I spoke with the member for Elizabeth outside the Chamber before the debate commenced. Although he did not say it, I gathered from his comments that it looked as though the two major Parties were going to support it and then the three of us, as Independents, would probably be sitting on the other side. For one moment I envisaged a vote of 3 to 42, or whatever the count might be.

However, on presentation of his debate to this Committee, he has one way or another—and I believe quite legitimately—convinced the Government there is merit in his argument. How he did that, I do not know. During the debate a lot of issues have cropped up about a certain hoarding and until it was raised from this side of the House that matter had not been mentioned. All of the debate that has taken place has revolved—

Members interjecting:—

The ACTING CHAIRMAN: Order!

Mr BLACKER: That hoarding was a very effective political campaign and, quite frankly—

The Hon. H. Allison interjecting:

The ACTING CHAIRMAN: Order! I call the honourable member for Mount Gambier to order. There are too many interjections.

Mr BLACKER: The political motivation behind it was very well calculated. It pushed the letter of the law to the very limit, and, as the Leader of the Opposition said, it is their right to do that. Because of a grammatical error contained in it, the hoarding also attracted press attention. It was new. It was a very effective campaign. It got a message across. The issue at stake is not whether or not that was an effective campaign, but rather, whether we on an election platform should be entitled to erect hoardings all over the place. There are something like 67 members of Parliament who are all entitled to have hoardings of unrestricted size.

The mind boggles as to where that could end. I would have thought it was a practical and realistic thing, as has been the case in the past, to have some limitation on the personal advertisements and posters. It is my choice to support the retaining of smaller sized posters. Obviously, other members of this Committee favour a larger size, but surely that is the right of the Committee and individual to make that judgment.

Mr OLSEN: I seek clarification from the Minister in relation to one aspect of this clause. Would this clause, in effect, mean that the double-decker bus currently used by Mr Bob Randall, the candidate for Henley Beach, should be painted out? Does the inclusion of the word 'vehicle' mean you want him to paint out the bus? I ask the Minister to advise the Committee whether that is another side effect of the amendment they have agreed to.

The Hon. G.J. CRAFTER: If the Leader of the Opposition was present during the earlier stages of this debate, he would know that we spent some time talking about that very question of what adhered to vehicles.

The Hon. E.R. Goldsworthy interjecting:

The ACTING CHAIRMAN: Order!

The Hon. G.J. CRAFTER: As does the existing law, in relation to the size of advertising that may be adhered to a vehicle. Advertising may well be placed on a vehicle but it then must be of a certain size.

Mr INGERSON: Does that mean, if you have a sign on a vehicle, that the sign is the size of the vehicle or it is purely the size of the sign? They are two totally different propositions.

The Hon. G.J. CRAFTER: Whether it is actually affixed to or painted on the vehicle itself, whatever method is used to exhibit an electoral advertisement, it must be of the specific size.

Mr INGERSON: If I have a white vehicle 20 ft long, 10 ft high with four sides and a motor, with signs of only one metre, is that illegal? Is that what the Minister is saying? If I have a sign on it 'Vote Ingerson, member for Bragg' one metre in area, is that illegal?

The Hon. G.J. CRAFTER: There is no difference in the law as it stands. I refer to clause 4 and the definition of 'electoral advertisement', which is an advertisement containing electoral material. It does not matter what size the car, truck or bus is: the advertisement must adhere to these requirements.

The Hon. MICHAEL WILSON: Does this mean that upon the proclamation of this legislation the Government will be instructing the Electoral Commissioner to move against the Liberal candidate in Henley Beach?

The Hon. G.J. CRAFTER: I have no instructions or ideas about what will be done in that matter. I did not know that the candidate for Henley Beach had a bus. If the honourable member knows of such breaches of this measure, my advice would be to advise his Party that it must adhere to the law.

The Hon. MICHAEL WILSON: Over the past few years numerous candidates from all political Parties have had caravans and buses at shopping centres, perhaps illegally; perhaps they were just testing the interpretation of the Act, Labor candidates included. What is the situation? Is it intended to ban all this? Obviously that is what the Government intends to do.

The Hon. G.J. CRAFTER: The honourable member assumes that this is creating something new. It is a continuation of the existing situation.

The Hon. Michael Wilson: That's my question.

The Hon. G.J. CRAFTER: Provision is made for signs attached to offices of candidates, members, and the like. They are outside these provisions. I presume that, if a caravan is defined as an office, it is so declared; that has always been the case, and the law in the past will still apply.

The ACTING CHAIRMAN: The member for Torrens has spoken three times on this clause.

The Hon. E.R. GOLDSWORTHY: Is the Minister saying that if a caravan or bus is described as an office it is outside the purview of this amendment concerning the size of the electoral material?

The Hon. G.J. CRAFTER: The answer may be found if I explain the point. We are dealing with an electoral advertisement. It must contain electoral matter, as stated here, designed to be part of an election and influence the community in that way. Where there is specific information, for example, 'Joe Blow candidate', that is not an advertisement: it is information. That difference should be borne in mind when considering this issue.

Mr OLSEN: I seek clarification on what is electoral matter. Are the words 'Olsen for action' electoral matter? Is 'Bob Randall, Henley Beach', electoral matter? Will the Minister reply specifically? The member for Hartley is now out of his seat leaning over and pouring into the Minister's ear, and giving advice on what he should say. The Minister is a solicitor, I advise the member for Hartley; he has some training and should be able to answer the question. Is it electoral matter? Surely it is not considered to be in breach of the Act.

The Hon. G.J. CRAFTER: Plenty of advice is available, but the situation revolves around what is the intention of those who publish the words. That is the crucial issue that must be taken into account in giving any opinion on that matter. I cannot give legal opinions on what the meanings of words may or may not be in those circumstances. That is not proper, anyway, in these circumstances.

Mr MATHWIN: The Minister is making the law yet he will not tell us what is right or wrong. What about 'Mathwin for Bright'? Is that electoral information? The Minister is changing the situation and we need an exact explanation of what he is doing. Will there be a court case every time a member has a poster made up? Surely the Minister, with the member for Hartley breathing in his left ear, and the train driver belting out information—

Mr HAMILTON: On a point of order, Mr Acting Chairman, I was never a train driver. I am proud of the fact that I was a guard. The member for Glenelg should get his facts straight. I want it on record that I was not a train driver.

Members interjecting:

The ACTING CHAIRMAN: Order! There is no point of order, but I ask the member for Glenelg, when he refers to a member in this House, to give him his correct title.

Mr MATHWIN: I refer to the honourable back end train driver from Albert Park.

The ACTING CHAIRMAN: Order! That is a reflection on the Chair, and I warn the member for Glenelg that if it happens again I will have no hesitation in naming him. It is quite proper for the Chair to ask members to refer to other members in the Chamber by their correct title, and members should accede to that request. The member for Glenelg.

Mr MATHWIN: Thank you, Mr Acting Chairman. I was not reflecting on the Chair, Sir. I am seeking information from the Minister, who has been receiving a lot of information from the member for Hartley. Surely between them and others who might be advising him the Minister can give us some idea of the intention of the legislation. When we get into Committee we are allowed to ask the Minister questions on the intention of the law that he is making. The Minister has now made an amendment to the original law which has been tossed from pillar to post—from Elizabeth to Norwood—and we are back again now in the City of Adelaide.

Surely if the Minister is making a law we are entitled to some explanation of its intention. If a matter is taken to

court, the Minister well knows what happens in the court, as he derives part of his living—or used to—from going to the court. He would know that what is said in *Hansard* by the Minister in relation to interpretation will give some direction to the courts. The courts will be expecting some indication of what the Minister or the Government meant in introducing this legislation. The Minister has seen fit to amend it, and therefore it is only right that he should give us some idea of the Government's intention of the law and the amendment before the Committee.

The Hon. G.J. CRAFTER: First, the honourable member has obviously misunderstood, or he is trying to mislead the Committee. The Government is not trying to change the law but to maintain the existing law. If he wants to examine the meaning of those words he could well go back to the 1929 Act, where indeed that undoubtedly was the point in question. A body of precedent exists within the courts and the Electoral Commission that obviously involves the interpretation of the existing Act. The honourable member wants the Government in this case to be both the judicial (that is, the interpretive) arm as well as the legislative arm. I am not that ambidexterous and would not attempt to give some definitive answer to the hypothetical situation being raised.

The Hon. H. ALLISON: I am increasingly confused by the Minister's lack of response to the several questions that have been posed to him by members on this side. The issue as to what is information and what is regarded as political seems to have been considerably more clouded as a result of what the Minister said a few minutes ago. If a political candidate such as Bob Randall, who is mentioned as having a bus, has his name on the side of that bus—"Bob Randall, political candidate'—the Minister says that it is purely information. What is the difference between the information contained in that simple statement on the side of a bus and the information contained on my election stickers stating, 'Allison puts you first'? I am telling people something and not asking for anything. What is the difference between that and what the Leader may have on his large billboards saying, 'Less waste, less taxes, Olsen for action'? Is that not purely passing on information to the public?

Members interjecting:

The ACTING CHAIRMAN: Order!

The Hon. H. ALLISON: Will the Minister clearly define the situation? The member for Hartley has counselled the member for Elizabeth: will he counsel the Minister? Will the Minister seek sound advice, as we did, from the Electoral Commission and get the Electoral Commissioner to advise the House and any member of the Judiciary who might in future peruse *Hansard* (an unlikely possibility, but certainly a possibility) as to what is information, what is electoral material and precisely how one will differentiate between the two?

For the life of me I cannot see how the Minister can say that the advice on the side of the caravan of the member for Henley Beach is permissible, because it is simply information stating, 'Bob Randall, candidate'; yet, if John Olsen, Leader of the Opposition, states 'Less taxes, less waste, Olsen for action' it is not permissible. Where is the politics in one and not in the other? I ask all members to consider the possibility of future amendments to the Electoral Act as the member for Hartley says that members in this House are virtually campaigning from the time the writs have been declared at the end of the preceding election. He is virtually saying that; he has put no time limit on it.

If he is wise, he would accept that, when writs are issued for an election, that is the time the election period commences and when this Act applies. If it does not and if someone brings in an amendment limiting the amount one is to spend on an election campaign, such expenditure will be limited from the time the election period is declared; that is, from the minute one is declared member for the electorate. In other words, if the period goes for three years, a member's expenditure will be limited to three years, not by the legislation but by the member's own criteria. If we do not have some period of limitation, all members will find that they will spend very little on a weekly basis on any election. If that is a good thing, let us have it that way, but I suspect that it is the last thing a wealthy Labor Party would want to bring into being, and that is what it is doing if we accept the interpretation of this Act as stated by the member for Hartley.

He has said clearly that any money expended by the Leader of the Opposition on one poster is in a pre-election period. All of us know that from the time we are elected to this House we are concentrating on one main thing, namely, keeping the political Party of which we are members either in power or striving for power. Anyone who denies that is naive in the extreme. I ask the member for Hartley to rethink his position, and I also ask the Minister to rethink his position when he says that he is going to accept the amendment. They should consider the far wider implications for the whole of the electoral system in South Australia.

The Electoral Commissioner has given advice to the Leader of the Opposition, who is quite prepared to abide by it, but I suggest that the ramifications of that advice and of the information that the Minister has tried to impart—although not effectively—to the Committee this evening are far wider than members realise. There are implications now on the interpretation of the member for Hartley that we are in an election period during the entire period from which members are proclaimed members for an electorate right through to the time of the next poll.

Mr GROOM: I spoke on this matter earlier this evening. If the honourable member was here he could not have properly understood. I referred to the existing section 155b, and it is clear that the member for Mount Gambier has not bothered to read it, otherwise he would have understood what I was saying in the context of that section. That section simply states:

> 155b. (1) A person shall not post up or exhibit, or permit to be posted up or exhibited, on any building, vehicle, vessel, hoarding or structure of any kind an electoral poster.
>
> (2a) It is hereby declared that the application of subsection (1) and subsection (2) of this section extends in relation to an election or referendum although the writ for that election or referendum has not been issued.

It has nothing to do with expenditure in a general sense: it has to do with the erection of electoral posters. It does not matter whether or not the writ has been issued. That is why I know that the Leader of the Opposition has not got an opinion from a lawyer: no lawyer would put his name to such an opinion. The Leader was careful when he said that he had obtained a professional opinion. Earlier, the member for Eyre suggested some influence on the member for Elizabeth, but I merely took down the words 'vessel or vehicle' as the Minister asked me to do.

The member for Elizabeth exercised his independent judgment on this matter, as did the member for Flinders. In all this talk about a conspiracy theory, the Opposition cannot explain the attitude of the member for Flinders. The Leader and the Liberal Party have got themselves into this mess because they sought to pre-empt the decision of Parliament. No-one contemplated that the Bill introduced in the Upper House by the Attorney-General would have been misused and abused to the extent that the Liberal Party has sought to do. Surely, it discloses a deficiency. From the point of view of environmental pollution, we should be moving the other way on hoardings.

This provision will discriminate against certain members of Parliament because various councils have different by-laws in this regard. One member may get council approval,

whereas another may not. This matter has not been thought through properly, because some members will be disadvantaged by councils saying, 'You cannot have such a poster because it is against our environmental policy.' It is a matter of luck which council area a member is in, and that's not good enough. Which law prevails—the council by-laws or the Electoral Act? That aspect should be further examined. I thought that the Leader's argument in relation to a council was an argument in support of the amendment moved by the member for Elizabeth.

The ACTING CHAIRMAN: The honourable member for Bragg.

Mr OLSEN: Mr Acting Chairman—

Mr Groom: You have spoken three times.

Mr OLSEN: I am going to correct the lies that the member for Hartley has been saying.

Mr GROOM: I cannot let that go by. I ask the Leader to withdraw his statement. He used the words 'lies the honourable member has been telling'. All members genuinely believe the views they are putting forward, and I ask him to withdraw.

The ACTING CHAIRMAN: I ask the honourable Leader to withdraw those words. They are unparliamentary.

Mr OLSEN: I will withdraw the word 'lies' unreservedly and point out to the honourable member—

The ACTING CHAIRMAN: I cannot allow that. Will the honourable Leader sit down. The Leader is flouting the Chair. I cannot allow a word to be substituted for another word. I ask the Leader to withdraw the unparliamentary word that he used.

Mr OLSEN: Mr Acting Chairman, I did. You must be hard of hearing. I seek leave to make a personal explanation.

The ACTING CHAIRMAN: I cannot accept a personal explanation until this debate is over.

Mr OLSEN: Gagged! Thank you, Mr Acting Chairman.

Mr Mayes interjecting:

The ACTING CHAIRMAN: The honourable member for Unley will please be quiet.

Mr MATHWIN: On a point of order, Mr Acting Chairman. I understand that each member has the opportunity to speak three times to any clause or to any amendment. At present, we are debating two amendments. The Leader has spoken only three times; therefore, he has another three times to speak in this debate on this clause.

The ACTING CHAIRMAN: No. I am not prepared to accept that proposition. The Leader has spoken three times to the clause and my ruling is that he has reached his limit.

Mr MATHWIN: On a point of order, Mr Acting Chairman, the Leader has spoken three times to the clause and I understand that there are amendments to the clause. I further understand that a person may speak three times to any amendment. As there is more than one amendment to this clause, I ask for your ruling, Mr Acting Chairman, whether the Leader has three opportunities to speak to the clause and three opportunities to speak to each amendment to the clause.

The ACTING CHAIRMAN: I shall seek advice. The point made by the honourable member is correct. The honourable Leader has spoken three times to the amendment and, if he speaks again, he must stick strictly to the content of the further amendment.

Mr INGERSON: We asked for clarification on the words that we could use. I will give examples of the sort of thing which I think tends to mean the same thing but which could be confusing to the electors. If perchance the member for Hartley was described as the chihuahua for Hartley, one could easily say that he was a man of action and that the chihuahua is a dog that bites at the feet of the front bench. Therefore, that could be interpreted as 'the member for Hartley for action'. Further, someone could put forward 'Hollywood for Albert Park', as we all know that the member for Albert Park is also interested in a film-making career. So, he would be a person interested in action. What is the difference in putting forward a set of words that could mean action? I have taken the matter to absurd lengths. We need clarification on the sort of words that we could use, because they have often been used before in an election campaign and often, if not always, have been brought to task.

The Hon. G.J. CRAFTER: As the honourable member said, he is referring to the absurd. It is hard to comment on such hypothetical or absurd situations. We are talking about the existing law. If the honourable member knows of a person who wants to place an advertisement in some form or other and that person is unsure whether he will breach the Electoral Act by so doing, he should seek the advice of the Electoral Commissioner before placing such an advertisement.

The Hon. H. ALLISON: The question was asked earlier and we have had three or four replies from the Minister. I myself asked the Minister a question and got a reply from the member for Hartley, the Minister's shadow. I still have not had a response from the Minister regarding the precise content of any material whether it be published by the Leader or any member of Parliament, which constitutes political or electoral material and that which is purely information. 'Harold Allison—candidate for Mount Gambier' is information, but I obviously would intend that as political information. Where is the demarcation line?

The other question which has not been satisfactorily answered is this. On many occasions in the past years we have been in the habit of using a family caravan on which to display electoral material—posters of the correct size, correctly spaced. Tonight we have had several different probabilities put forward to the Minister. None of the responses has been precise to the extent that I now ask: if we have a caravan and on that caravan each electoral sign is 1 metre square, to conform to the requirement under the amendment (and I am not trying to amend that), and we have those signs spaced 1 metre apart, does that caravan then constitute a legitimate display if there is a metre square sign, a metre square gap, a metre square sign and a metre square gap? One could have five or 10 such signs, depending on the size of the caravan. Does that constitute a legitimate display or is the caravan of its own nature (15 ft long by 10 ft high) one hoarding with one sign the limitation?

In the past it has been the practice of members on both sides of the House and Independent candidates to have caravans with those signs, 1 metre or whatever is the correct distance apart, and never for them to have been questioned. Under the Minister's last interpretation that I heard I understood that the caravan or bus would now constitute a hoarding and that only one piece of electoral material would be permitted. Many members on this side would go away with that interpretation. Is it correct or incorrecet?

The Hon. G.J. CRAFTER: In the future as in the past the law will not have changed. Persons who seek, as many candidates and members do, to display signs in accordance with the Electoral Act on caravans appropriately spaced obviously will be able to continue to do that. What is not permissible though is that the individual signs be linked up. The honourable member, whose first name is Harold, could not have signs 'H-A-R', and so on, and display his name and whatever else in that way. However, there are individual signs that honourable members prepare and display appropriately spaced on some vehicle and that is in accordance with the Electoral Act, as I understand it.

Mr OSWALD: I shall give the Minister an example of the sort of thing I would like to paint on my caravan at Glenelg next week. Will the Minister give a precise answer as to whether that sign is legal? I know that he has his

advisers here tonight. I have a 14 ft caravan that stands about 8 ft high. It is painted white. I want to paint along the side of that white caravan 'Oswald for action in Morphett' and that is all. I ask the Minister, with his advisers present, whether that is a legal sign?

The Hon. G.J. CRAFTER: Some hour or so ago I said that if that was coming before a judge or the Electoral Commissioner the question that would be asked is: is this material intended to affect the result of an election? That is the test applied on the wording used.

Mr Oswald: What if no election has been called?

The Hon. G.J. CRAFTER: That has been covered fairly effectively in the last couple of hours as well.

Mr Oswald: The election might be next month, and this is next week.

The Hon. G.J. CRAFTER: I am giving the honourable member my understanding of the Act. If he is unsure I suggest that he discusses this matter with the Electoral Commissioner before embarking on painting his caravan in that way.

Mr OSWALD: We are the law makers, not the judge. The Minister is the Government. Surely the Minister can set down in his Act exactly what is legal and what is illegal. Surely the Government can say clearly whether my proposed sign that I will paint next week is legal or illegal. The Government is setting the tone: it is setting the legislation, not us. Judges interpret legislation that comes out of this place.

It is not unreasonable to say to the Government, 'You set down ground rules, write the legislation, make the laws.' The Minister knows that I will paint that sign next week and he knows how far it is from the last election to the next election. I have painted a perfect scenario for him. It is not right for him to say, 'Duck back to the courts and let someone else make that decision.' The Government makes the laws of the land. Surely, on this occasion it is responsible for setting down the guidelines—nobody else, no passing the buck back to the courts. The Government makes the laws of the land: it decides what signs are legal and what signs are illegal. If the Government does not know its business how does it expect the courts to interpret it?

The sign will be painted next week in the scenario of the time from the last election to the next. I have said what size the sign will be and the message that will be on it. Surely, the Government has the guts to put some guidelines down so that everyone knows what is going on. If it does not, it should not be writing the laws.

The Hon. G.J. CRAFTER: The honourable member seems confused between the judicial and legislative arms of Government. If he was a real estate agent and we were passing real estate legislation and he gave 12 examples of how he thought he could get around the law and sought advice from the Minister at the table as to how he could influence real estate practice to bend a few trading transactions in which he was involved to his own benefit, it would be most improper for the Minister at the table to give such definitive advice. I would be very doubtful whether any Minister would want to stand up and give judicial pronouncements of that type.

There is no difference in this situation. It is not for me or for any member of Parliament to give that sort of definitive response to the multitude of interpretations and circumstances that may exist within any situation that may arise in the community. The honourable member has quoted a couple of situations, but obviously there could be a myriad of circumstances that surround any interpretation that could be given to it. Clearly, that is most improper.

Mr OSWALD: I am absolutely dumbfounded. I know that I am not a lawyer and that lawyers can run off at tangents and perhaps confound we poor laiety, but as far as I can see when one paints a perfect scenario to a Government of what one is about—

The Hon. G.J. CRAFTER: It is not a perfect scenario.

Mr OSWALD: Of course it is. I have given the Minister exact dimensions of the sign, the day and when it is to go on to the streets. He writes the laws, yet he cannot tell me whether the sign is legal or illegal.

Mr MATHWIN: The Minister has actually said that the Government or he (as Minister) will draft any legislation, it does not matter how rough and tough it is. He will leave it to the courts to work out what he really means—civil action by one party or another. He will leave it to the courts to settle any argument. The Minister has been here long enough, apart from the fact that he has legal knowledge, to know that in this place one makes the laws and at the same time the Government is obliged to give some indication of its intention.

If for no other reason, the Minister must give the Committee some idea of the Government's intention to the public servants who will be faced with a barrage of questions coming from all over South Australia. The Minister is farming off his responsibility to his department, he is saying that he has washed his hands of the matter, that having made the law it is not his duty to interpret it. He is saying to the public servants that they are being paid to do their job, so they should not come to him as Minister. He knows darn well that that is not right. He should give us some indication of what he is on about.

The Hon. G.J. CRAFTER: The honourable member can shout, yell and accuse me of whatever he likes: the fact is that I am not a judicial officer. I am a legislator. The honourable member may say that I am a lawyer, although many Ministers on the Government front bench responsible for putting legislation through Parliament are not lawyers. Therefore, I will not be using any skills that I may or may not have as a result of that qualification to depart from the traditional role of a Minister in these circumstances.

Yes, it is my duty to give information, and now for many hours I have given the Committee and the honourable member all the information, on advice from officers present, that I can. I have done that as diligently as I can. In the legislative process under which we operate no Minister is intended to give a definitive opinion, and in fact that would not be binding, anyway; that is the role of the courts. As I have said specifically in answer to the question asked by the member for Morphett, in these circumstances it is not proper for one to try to give a definitive opinion on any circumstances that may arise.

In looking at other areas of legislation, members may see that much more clearly. I think I have placed before this Committee all the information which I have and which could reasonably be expected of me.

The Hon. H. ALLISON: Madam Acting Chairperson, I am even more confused. The Minister is denying the Committee the right to have specific information.

The ACTING CHAIRPERSON (Ms Lenehan): I call the member for Mount Gambier to order. The honourable member has already spoken three times on this clause.

The Hon. H. ALLISON: Madam Acting Chairperson, I have spoken three times on the clause as presented: on the first amendment and the second amendment, and I distinctly recall that when the Minister moved his amendment members on this side of the House were prepared to still speak on the previous amendment of the member for Elizabeth. The Minister was allowed to move his subsequent amendment when in fact the debate had not moved on the initial clause. We have had the initial clause; we have had the amendment for a new clause 114a; and, as I have said, the Minister was allowed to stand while there were still

members on this side prepared to debate the previous amendment.

So, a new clause was introduced as well as the Minister's amendment, and the Chairman (and this is not a reflection on yourself, Madam, because it was a previous incumbent) has allowed the debate to continue around the two matters. I have spoken only three times on the whole of the three matters before the Committee: I spoke to clause 114 and I did not speak again until on the last two occasions in relation to the Minister's amendment. I did not speak at all in relation to the member for Elizabeth's new clause 114a.

The ACTING CHAIRPERSON: In line with the ruling of the previous Acting Chairman, the honourable member can speak to the amendment moved by the Minister but he must contain his remarks to that amendment, which is an amendment to the amendment originally moved by the member for Elizabeth.

The Hon. H. ALLISON: My question to the Minister relates directly to his amendment, which extends the provision of this clause to vehicles and vessels. This question once again is relevant to the answer that he gave a little while ago when a member on this side asked whether information on the bus owned by the former member for Henley Beach (Bob Randall), namely, the statement on the bus, 'Bob Randall, candidate for Henley Beach', was permissible. The Minister gave some specific information and said that that was acceptable because it was purely for information purposes. The member for Morphett then asked exactly the same question in relation to himself: he asked, 'Is it permissible to have on a caravan painted white the simple message giving the member's name and his district?

If it was all right for the former member for Henley Beach to display that sort of information on his van, should it not be equally acceptable for the member for Morphett, for example, to have a similar message displayed on his caravan? The Minister has stated that it is not fair for members to ask specific questions which should be responded to by the Judiciary, although he has already responded in regard to the matter to which I have just referred. There is no difference between those two instances, and I am simply asking the Minister to give a specific answer, in view of his comments earlier about this being considered purely for information purposes.

The Hon. G.J. CRAFTER: I suggest that the honourable member apply the interpretation and information I have given him to the circumstances which he describes, and then he could form his own conclusion. That is what all members should be doing. I have illustrated the test that should be used in the circumstances and, if it meets that criteria, then it either falls inside or outside the legislation. I have explained that as best I can.

Amendment carried:

The Committee divided on the new clause as amended:

Ayes (23)—Mr Abbott, Mrs Appleby, Messrs L.M.F. Arnold, Bannon, Blacker, M.J. Brown, Crafter, M.J. Evans (teller), Gregory, Groom, Hamilton, Hemmings, Hopgood, Keneally, and Klunder, Ms Lenehan, Messrs Mayes, Payne, Peterson, Plunkett, Slater, Trainer, and Wright.

Noes (18)—Mrs Adamson, Messrs Allison (teller), P.B. Arnold, Baker, D.C. Brown, Chapman, Eastick, S.G. Evans, Goldsworthy, Gunn, Ingerson, Lewis, Mathwin, Meier, Olsen, Oswald, Wilson, and Wotton.

Pair—Aye—Mr Whitten. No—Mr Rodda.

Majority of 5 for the Ayes.

New clause as amended thus inserted.

Clauses 115 to 122 passed.

Clause 123—'Other offences relating to ballot papers, etc.'

Mr OSWALD: I refer particularly to subclause (1) *(b)*, where a person shall not vote more than once at the same election. It has been my experience in the past, when I have been involved in a Federal election and lost by only 12 votes (other members have been involved in marginal counts) that one never really discovers whether any illegal or double voting has taken place, although I suppose we could go to the Electoral Commissioner and ascertain that information. Whilst I do not disagree with this clause, as a matter of routine, could a return be furnished to all candidates at the conclusion of the count, indicating whether there was any illegal voting or the number of offenders who were discovered to be voting more than once? In the case where I lost the Federal election by 12 votes, if there had been a handful of voters who voted twice that would have made quite a difference. Could the successful candidate be notified at the end of the election of the number of illegal votes that were discovered?

The Hon. G.J. CRAFTER: As I understand it, the Electoral Commission has requirements where thorough checking is undertaken to ensure that there are no breaches of this nature in relation to the Act, although there are obviously some evidentiary difficulties in relation to people being prepared to say that a person has masqueraded as another person. A thorough check is carried out within the machinery available to the Electoral Commissioner in relation to matters referred to by the honourable member. In relation to receiving information regarding irregularities, that may occur: all candidates can request that information from the individual returning officer, or discuss it with the Electoral Commissioner, if they so desire.

Clause passed.

Remaining clauses (124 to 138) and title passed.

Bill read a third time and passed.

ROAD TRAFFIC ACT AMENDMENT BILL (1985)

Adjourned debate in Committee (resumed on motion).

(Continued from page 4361.)

Clause 1 passed.

Clause 2—'Duty to keep to the left.'

Ms LENEHAN: I move:

Page 2, lines 3 to 6—Leave out subclauses (2) and (3) and insert subclause as follows:

(2) Subsection (1) is subject to the following qualifications:

(a) it does not apply in respect of a road, or a part of the State, excluded from its application by regulation;

(b) it does not apply when the driver is making, or about to make, a right turn in accordance with this Act;

(c) paragraph *(a)* does not apply where the speed limit applying to the carriageway is less than 80 kilometres an hour.

The Government is seeking to tidy up the Bill in regard to suburban and metropolitan roads that have a speed limit exceeding 80 km/h. The Hon. Mr Cameron in another place has agreed with the amendment and believes it will in no way destroy the thrust of his Bill but will address the concerns of not just Government members but Opposition members as well who have been concerned about such roads as the Main South Road and Lonsdale Highway. The amendment means that the application of the Bill will apply across the State, except where roads are designated by regulation. It will be regulating out rather than regulating in, which also meets the concerns expressed by the police.

The Hon. D.C. BROWN: On behalf of the Liberal Party and the Hon. Martin Cameron, who is the sponsor of this private member's Bill and with whom I have discussed the amendment, I accept the amendment. Certainly, although I do not believe that it will be necessary to regulate out any road, if a problem arises it allows a road to be excluded from the application of the Bill by regulation. It also extends the point where it does not apply to any road where the

speed limit is less than 80 km/h, which automatically excludes any road in the metropolitan area with a 60 km/h speed limit.

It will exclude a number of roads immediately outside the metropolitan area and roads such as those going through Elizabeth and Smithfield where the speed limit is 80 km/h. Such roads will be excluded. However, it will still apply to the South-Eastern freeway, which is probably the most important road of all, and to other roads running north, particularly Port Wakefield Road, because once one gets out of the metropolitan area that is a 100 km/h road. Certainly, it will apply to roads down south once one gets beyond Hackham South. I see no problems with the amendment and I accept it as part of the proposed Bill.

Mr LEWIS: I do not accept subclause (2) (c). That is stupid. There are many instances along Glen Osmond Road and then Mount Barker Road where the speed limit is less than 80 km/h and heavy vehicles and small cars occupy the outside lane when there is a clearway and effectively cause bottlenecks and bank up traffic for several hundred metres. Surely one of the objects of the Bill is to require people driving in slow moving vehicles where they are not moving at or near the speed limit for the carriageway to shift to the left lane and avoid such bottlenecks. The amendment is stupid and does not achieve anything. It is nitpicking.

Ms LENEHAN: I point out to the member for Mallee that the clause was contained in the original Bill that came from another place and was introduced by the Hon. Martin Cameron. It has been included because, if we look at a situation where we are looking at peak hour travelling, the concern raised by the member for Davenport involves a situation where everyone is trying to travel in the left hand lane in the fear that they might be infringing the law and this could lead to enormous traffic congestion and affect road safety. Many metropolitan roads have a speed limit of less than 80 km/h and are fully utilised. Both lanes are used during peak traffic periods.

Therefore, it is difficult to say that we must legislate for that odd driver who does not have common sense, because the situation outlined by the member for Mallee requires common sense and courtesy. The aim of the Hon. Martin Cameron's Bill is to facilitate travelling in outer and country areas. In the metropolitan area where there is less than an 80 km/h zone there is usually heavy traffic flow, and to say that everyone should be travelling on the left side will add further confusion. I do not see any problem with what was in the original Bill.

Mr S.G. EVANS: I indicated earlier that there was some confusion because the Bill was not available to us. There was a Bill and amendments were attached. It was not a complete Bill in that sense and there was difficulty in picking up what was intended. I foolishly had in mind that we were making the provision apply, under the proposition that came down from another place, only to roads where the speed limit set by regulation was above 80 km/h. I note that I am wrong in that assumption: it is to roads where the speed limit is below 80 km/h. Most roads drop back to 60 km/h; there are few at 70 or 75 km/h. They are nearly all 60 km/h areas.

So, I am prepared to accept the amendments. I am disappointed that when the Government took the opportunity, through the agency of the member for Mawson, to move these amendments, it did not pick up the point I made, namely, that we should state quite clearly that a person travelling at the maximum speed limit prevailing on any road should not have to move over for somebody going at a much greater speed than that set by law for travelling on that road. I know that the member for Mallee disagrees with me but I believe the Government in its wisdom knows that I am right. Some of my colleagues know that I am right, but I accept that part of the argument that my colleague the shadow Minister and member for Davenport used that, because it states that one should move over only where one can do so with reasonable safety, that really limits the opportunity for one to move over if one is doing the maximum speed according to this law. One would be reasonably safe to stay in the right-hand lane unless the left-hand lane was totally vacant. If the left-hand side is totally vacant there is nothing in the law to prevent one passing on the left-hand side of a motor vehicle.

If one is doing the correct speed in the right-hand lane and someone wants to go faster than the law states and wants to go through on the inside lane, the law allows them to do so. I am disappointed that we are saying the amendment as proposed can be interpreted to mean that it will be very difficult for anyone to prosecute if they are doing the maximum speed limit for that area and do not move over. Why do not we clearly state it? We have not done so. I congratulate the Government on taking the step it has in picking up this amendment and grasping the opportunity to set by regulation and put more roads, in the near metropolitan area or within the metropolitan area, outside the provisions of this law.

I have no doubt that, if we leave it as it is, as I previously tried to argue, parts of the South-Eastern Freeway would become a one lane road in peak hour traffic. We cannot afford to have that situation, nor can we have that situation prevailing on Anzac Highway. I do not know the situation in the north, but I have travelled the South-Eastern Freeway more than any other person in this Chamber, both before it was a freeway and since it has been a freeway, and in or on every type of vehicle, from semi-trailers through to motor bikes. I know what has happened over the years. It is getting cluttered up now. The provision is a good one, but I am disappointed that we are not prepared to say that, if a person is abiding by the law and travelling at the maximum limit, they should not have to take some action to encourage somebody else to break the law. In essence that is what this Bill does in some circumstances.

I congratulate the Government on the amendment before us and trust that common sense is used by the Police Force at all times when it sets out to prosecute people under this law if individuals are travelling at the maximum speed and idiots want to get past them.

Ms LENEHAN: In responding to the member for Fisher, I refer to clause 2 (1) *(a)* (ii) and the words, 'except where it is not reasonably practicable to drive in any other lane'. I believe that would cover the situation raised by the member of somebody travelling at or near the maximum permissible speed on a road and travelling in the right-hand lane: they would in fact be caught by that section. I acknowledge the point that the honourable member made that it does not clearly spell it out, but I believe it covers the situation referred to by the honourable member.

Mr S.G. EVANS: I thank the member for her comments, but it reinforces my argument that we make laws and make them vague so that solicitors and other people can make money. We have the opportunity to do otherwise. I have discussed that with people and knew that I could not win it. We have the opportunity to make plain what we intend. I do not know why, but we avoid it and leave it so that a clause 'might' cover it. However, it is not clearly defined. If we put into the damn thing that if a person is travelling at the maximum speed in any lane in any situation on any road they should not have to take action to allow somebody else to break the law. We could have written that in and it would have been an automatic defence. I accept what the member for Mawson says that in practice that situation might occur. However, it is not clearly defined and we will

pass $100 to a lawyer who will tell someone they might win or might lose.

Mr BAKER: Anyone who has driven in America or England will understand that Australians are some of the worst drivers possibly in the world. If one gets on to an English highway one will find the slow cars in the left-hand lane and the fast cars in the right-hand lane, whether or not they are doing the limit or above the speed limit. In America they sort themselves out into two, three or four lanes, according to the speed for that highway. They do not sit in a lane but pull over if they are not doing the speed of that lane. The driving habits of Australians are absolutely atrocious. The measure introduced here is in the right direction. It is a pity that Australians do not have more sense on the road and do not take a little more care.

I would not have thought that any road should have been exempted because the rule states that, if you are passing, you are exempted. Some people here have driven overseas and have not been subjected there to the disgraceful sort of behaviour of some of the drivers on Australian roads who sit in the middle of the road and do not care about anyone else on the road. They cause accidents and come out from other lanes without warning. It is the malady of the Australian driver.

I applaud the measure and do not believe that exceptions have to be made as common sense will prevail. When we have roads in the metropolitan areas allowing 80 km/h, obviously if it is peak hour there will be no difficulty. However, if a person is sitting in the outside lane in an 80 km/h zone in an off-peak period and therefore holding up traffic, they should be prosecuted irrespective. We should not be declaring particular roads because we have off-peak and on-peak situations. I commend the measure. There are enough provisions in here to protect the public and I am sure the police will oversee the Bill with a great deal of sense. If a person in the outside lane had no option, the case would not come to court. I do not believe that the addition of the amendment adds anything to the Bill as there will be off-peak situations and there will be hours when it will operate and hours when it will not. The blanket is fine. It is time we put up a flag on the flagpole to say that we will no longer tolerate the disgraceful behaviour of Australian, and particularly South Australian, drivers on our roads.

Amendment carried; clause as amended passed.

Title passed.

Bill read a third time and passed.

BUILDING SOCIETIES ACT AMENDMENT BILL (1985)

Adjourned debate on second reading.

(Continued from 14 May. Page 4271.)

The Hon. H. ALLISON (Mount Gambier): The Opposition supports this legislation. In fact, it is a simple amendment that seeks to allow building societies to have the opportunity to provide a revolving credit facility such as engaging in Visa card operations. It is an amendment that the Government and the Opposition believed had already been incorporated in legislation passed earlier this year.

The Hon. G.J. CRAFTER (Minister of Community Welfare): I thank the Opposition for its support of this measure.

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

SOUTH AUSTRALIAN HEALTH COMMISSION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 14 May. Page 4271.)

The Hon. JENNIFER ADAMSON (Coles): We support the Bill.

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

TRANSPLANTATION AND ANATOMY ACT AMENDMENT BILL (1985)

Adjourned debate on second reading.

(Continued from 14 May. Page 4272.)

The Hon. JENNIFER ADAMSON (Coles): The Opposition supports this simple but very significant Bill, which is the outcome of joint discussions and agreement by Health Ministers of all States and the Commonwealth in their combined efforts to combat the dreadful disease of AIDS. The Bill simply makes it an offence for a donor to supply false or misleading information in relation to the donation of blood or semen knowing the information to be false or misleading.

The Bill as it comes before us is, we believe, an improvement on the Bill as it was originally introduced. For this we must thank my colleague the Hon. John Burdett, who moved that the original penalty of $5 000 be increased to $10 000. The Minister, in what was a very interesting second reading and Committee debate, did not disagree with the merit of that proposition and the majority of members in another place believed that the notion of a $10 000 penalty was worthy of support. The legislation, in so far as it relates to the offence, is uniform throughout Australia. The penalties differ: in at least one State they involve a prison term. However, we believe that $10 000 is a more appropriate penalty in view of the extreme gravity of the offence and the implications of the offence in terms of human life. Because the Bill was vetted with such thoroughness in another place and because it is just short of midnight, I do not propose to say more, but simply to support this measure and to express the hope that its deterrent nature is effective.

The Hon. G.F. KENNEALLY (Minister of Tourism): I merely want to thank the member for Coles and the Opposition for their support of this measure.

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

ANZ EXECUTORS AND TRUSTEE COMPANY (SOUTH AUSTRALIA) LIMITED BILL

Returned from the Legislative Council without amendment.

PLANNING ACT AMENDMENT BILL (No. 3) (1985)

Returned from the Legislative Council without amendment.

CITY OF ADELAIDE DEVELOPMENT CONTROL ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

RURAL INDUSTRY ADJUSTMENT AND DEVELOPMENT BILL

Adjourned debate on second reading (resumed on motion).
(Continued from page 4340.)

The Hon. TED CHAPMAN (Alexandra): This Bill, which seeks to establish a Rural Industry Adjustment and Development Fund, constitutes a step in the right direction and one that has the support of the Liberal Party. The stated intention of establishing such a development fund is consistent with the committed Liberal Party policy as announced on 30 July 1984 by our Leader at Port Lincoln. An article at page 5 of the *Stock Journal* on 2 August 1984 reported our Party's policy announcement publicly confirming our commitment in that direction.

It went further to indicate the recognised importance of the rural sector generally and the need for appropriate funding, particularly loan and servicing fund availability. I take this opportunity to inform the House that in Government the Liberal Party intends consolidating all the rural funding Acts into one, separately identifying emergency and short and long term assistance available to rural clients.

Under a Liberal Government that consolidated single statute will identify the qualifying criteria for a small business or service agency in the rural regions of the State to have access to assistance funding also. In this Bill the Government has not in fact proceeded to consolidate the Rural Industry Assistance (Special Provisions) Act, 1971-1972, the Rural Industry Assistance Act, 1977, and the relevant Commonwealth-State agreement, which I understood would be considered and which in Government we would proceed to implement.

Instead the Government, after meeting the Commonwealth commitment in regard to earlier mentioned Acts (and similarly within the framework of the Commonwealth-State agreements), proposes to lodge the respective surplus in a new fund account. This surplus, although not mentioned by the Minister in his second reading speech, at present amounts to approximately $10 million—that is, after deducting the State's July 1985 commitment to the Commonwealth due under both the 1971 and 1977 Acts.

Repayment to the Commonwealth of the loan funds is due and payable in January and July of each year. Last year the Department received $3.4 million from the Commonwealth for rural assistance purposes for the 1984-85 period, and in fact the Department extended financial assistance loans to growers in that financial year amounting to $6.5 million. These and similar surplus funds have accrued as a result of repayments made by growers and the recycling of the funds within our State which have provided funds surplus to our commitments to the Commonwealth.

Under our two principal State rural assistance Acts and the associated Commonwealth/State agreements we have further enjoyed annual Commonwealth loans which include a grant to the State. Commonwealth loan funds to the State under the 1971 Act have incorporated a 25 per cent component of a non-repayable grant to the State. Under the 1977 Act, the Commonwealth loans have incorporated a 15 per cent non-repayable component.

Added to this arrangement for some years (and certainly during the period I was Minister) the State has added approximately 1 per cent to the rural client loan interest rates over and above the interest rate applicable to the actual repayments required by the Commonwealth. This loading on the interest rate has served to offset the administrative costs incurred in the Rural Industry Assistance Division of the Department, thereby avoiding a drain on the State Treasury resources.

Collectively, these procedures and identified components have enabled the Department o Agriculture in South Australia to accrue a significant surplus, from which ongoing assistance may be extended, primarily to the rural community in need, particularly during and following drought and other disaster periods.

On the proclamation of this Act, I see no reason why the figure of approximately $10 million cannot be deposited forthwith in the new fund, retained and clearly earmarked for agricultural assistance and development purposes and therefore used for the purposes identified by the Minister, which include essential services to primary producers on Eyre Peninsula and in the northern region; to increase the State's flow and salinity research on the Murray River; to increase input into water technology throughout the State; and to commit funds to horticultural marketing development, to those horticulturalists without an industry orderly marketing structure, and that, it would appear, includes the potato industry, which is to become an isolated and disintegrated victim of the Minister of Agriculture. That issue is to be debated further in this House tomorrow, and maybe the debate will be a little more colourful. It is to be hoped that it will take place at a more respectable time of the day.

[Midnight]

My only concern with this measure before the House is that, in relation to the good house-keeping and sound business administration in the Rural Industry Assistance Division of the Department, the fruits of which involved an accrued credit, there is always a risk under a Labor Government of finance being siphoned off to Treasury or for other purposes. Those moneys were initially allocated for rural funding purposes, and any attempt by the Treasurer, Treasury officers or Governments in the future to re-direct those funds for other than the identified purposes as outlined would be a retrograde step and one which I would anticipate would receive violent reaction from the rural sector and its relevant rural organisations. Indeed, I can assure the House that I shall seek an undertaking from the Minister that that will not occur under the present Government, before a Liberal Government is returned to office and is able to take care of such matters as well as other matters in the public interest.

For a long time in South Australia, indeed for too long, the South Australian metropolitan community and a number of welfare department personnel have ignored the real needs of the rural sector, from which we have received, presently receive and will continue to receive our major export income. It should not be interpreted from these remarks that the funding arrangements prevailing and as proposed are for the purpose of propping up, subsidising or unjustifiably assisting our primary producers. The department in question is a rural bank and its purposes and objectives should be oriented towards, and administered on sound banking principles. Unfortunately, the stigma of these funds being used as a last resort has developed from a misconception of the real purposes of the Acts and their assistance criteria.

There are many occasions on which commercial lender policy fails to enable loan funding extension to a primary producer seeking to introduce technology practice, acquire additional lands and/or upgrade the plant and facilities required in order to compete in today's marginal, economic and trading climate. The Department's Rural Industry Assistance Division has served well in the role of lending the gap funding required in a wide sphere of the rural sector, that is, lending the difference between what a grower needs for a project or an acquisition to build up a farm and the amount which is available from a private bank or a commercial lending agency.

To date there has not been (and nor should there be), in relation to this fund or any fund set up to provide loan extensions to primary producers, any element of competition between the Department and the private sector lending authorities. Therefore, I hope that the Rural Industry Assistance Division of the Department can continue to lend money that is not available under the existing policy arrangements of banks. It is really just a matter of picking up that loan fund difference between the loan level available from commercial sources and that which is required by a producer.

The only other factor which concerns me and which concerns a lot of people in the rural community is the interest rates that may be struck by a Minister with or without consultation with Commonwealth based funding personnel: not only the interest rates, but the capital repayment requirements are also a matter of deep concern within the rural community. In recent times it has been signalled by the Commonwealth and picked up by the respective States throughout the agricultural regions of Australia that policy should dictate that both the capital repayments and the interest rates should come under review at more regular and shorter intervals than have occurred in the past.

The fact remains that if the real principles and courtesies desirable to be applied by such a bank are observed, then each client's case will be dealt with on its merits and not in a blanket approach, as was demonstrated by the Minister of Agriculture a few weeks ago when he delivered to the community at large an instruction that rates would jump. For example, they were to jump from 7 per cent to 10 per cent; those who were currently on 8 per cent would go to 12 per cent; and those who were currently on 9 per cent or 10 per cent would go to 14 per cent; and so on. Repayments of capital obligations also were subject to consideration and repayable over a shorter period.

The shock generated to the community on receipt of the Minister's circulated instruction is something which I do not think should be inflicted on anyone in the community, whether or not they can afford to meet those requirements. Not only is it not good banking sense and public relations, but electorally and administratively it is a clumsy and club footed way to go about delivering such an instruction. I do not believe the community was adequately prepared for that instruction. Accordingly, I hope that in future more sensitivity will be shown when directing such messages to rural clients.

I believe generally the Department is a good manager of its affairs. I had quite an interesting and exciting time in charge of that division in the period 1979 to 1982. I hope that, whilst the present Administration is caretaking that arena, it does not get out of hand, so that we may then continue in Government again and be involved in the administration generally of public funds. I look forward to a Liberal Government being in charge of the administration of funds in agriculture. I have pleasure, on behalf of the Party, in supporting the Bill without amendment. As far as I am aware, there is neither a need nor a desire on this side of the House for further speakers on this matter.

The Hon. LYNN ARNOLD (Minister of Education): I thank the member for Alexandra for his indication of support for this Bill; that is appreciated. It is important legislation and it does deserve to be passed through the House. The foolhardy optimism displayed by the honourable member was intriguing. He obviously has very long term plans, because on a number of occasions during his speech he referred to when he is 'in Government'. I may say that is really the way political Parties should plan; they should have 10 or 15 year plans under which they operate. I think that really shows a sign of foresight of planning, but I have a faint suspicion that the Opposition may be a victim of its own verbiage.

The matter before the House is something that has been around for some time. I have consulted with a number of people. I was Acting Minister of Agriculture during most of April and I had a chance to talk to Grant Andrews, from the UF&S, about this matter. We discussed a number of issues relating to agriculture at that time, including, for example, any changes to interest rates on loans and what effect that may have on rural producers who are still feeling an economic pinch.

The Hon. Ted Chapman: I'll bet he reminded you—

The Hon. LYNN ARNOLD: I do not think it is fair to reveal what was canvassed in the discussions between the UF&S and myself. Discussions were cordial. We canvassed matters with respect to interest rates on loans for farmers and the concern that the UF&S had that consideration would be given to hardship cases, because as the member for Alexandra knows, for a short period of time there was a little bit of concern that an agreed position did not seem to be reflected in a letter that had been sent out from the Department of Agriculture. Of course, as the honourable member will also know, that matter was corrected subsequently and I received advice, both from the Director-General of Agriculture and the UF&S, that they were happy with the way that matter had been resolved.

The member for Alexandra canvassed a number of areas in his speech tonight. He indicated that he will be asking three questions in Committee on this matter. I will endeavour to answer those questions to the best of my knowledge. It is late at night and the officers of the Department are not here, so my answers will be to the best of my knowledge and understanding of the legislation. If there are any inconsistencies or discrepancies in the answers I give, the honourable member will be advised as soon as possible, because clearly, the questions are about to be asked in good faith.

I want to make a few general points about the matter of funding for the rural sector. I think Australia has a very proud record in a lot of innovative ideas, in terms of trying to find ways to assist the rural industry with respect to, say, research. I have said on a number of occasions that that sector, which by some people is defamed (I will be careful in my choice of words) as a regressive or backward sector is in fact quite the contrary. It is a sector that has shown itself most able and willing to pick up research and apply it in the field. Some of the models that have been developed with respect to research in the rural industry clearly give us beacons we can look to with respect to the transfer of research information in the other sectors of the economy; namely, secondary, tertiary, and quarternary. The reason why this is so is that, if it had not been for this situation whereby research had been applied so rapidly and effectively in the rural sector, it would have a great deal of trouble coping with being a producing country so far from most of the markets to which those goods were sold and competing against other countries that were in fact nearer the major population centres that were purchasing our goods in the last century.

When I opened yesterday's conference in relation to co-operative concern, I chose to use the example of agriculture. One of the things I commended people in agriculture on was their capacity to have lateral thinking. The concept, for example, of the whole farm adviser is quite a commendable one—I guess the one stop first shop approach to rural advice. This is different from earlier examples where the situation that applied was specialist advisers only and one had to make different ports of call to get various questions answered with respect to rural research.

The purpose of raising that matter tonight is that I want to commend the agricultural sector over a long period of

time for its capacity to show lateral thinking, its capacity to be concerned about the transfer of research into the rural sector of economy for the purposes of wealth production.

Further, I indicate that part of this legislation would enable more developments to take place in the time to come. In my second reading explanation I indicated that it is intended that moneys from the new fund will be used to meet annual administration costs for the Branch. The key is that this provision will provide savings in the State Budget and, as a consequence, it will be possible to introduce important State funded new initiatives in the Department of Agriculture. The honourable member made a number of points about what may happen with general resource allocation surrounded by the existence of this fund. In this area it will be put into new initiatives in the Department.

I draw attention again to the comments I made and say that these new initiatives will increase services to primary producers on Eyre Peninsula, in the northern region, increase State efforts in irrigation, in salinity research on the Murray River, increase input into water use technology throughout the State and commit funds to horticultural marketing development. These initiatives all have high priority and have been selected according to their ability significantly to increase farm returns with the subsequent benefits to the South Australian economy.

The Hon. Ted Chapman interjecting:

The Hon. LYNN ARNOLD: The honourable member will not fail to note one of the areas mentioned. It is not because of my particular interest that it is there but I am pleased to see it, namely, the horticultural marketing development area in which I had a particular interest in Opposition. I still maintain that interest because of the special needs of that sector of the economy. Indeed, I can change my hats from Minister of Education, Minister for Technology and Minister representing the Minister of Agriculture to that of the local member who has in his district many people within the market gardening arena.

As I say, there are some questions that the honourable member has indicated he will ask in Committee, and I am not sure whether there will be other questions from the Opposition or Government members, but I will try to answer those questions as best I can. It is important that this legislation gets through.

The Hon. Ted Chapman interjecting:

The Hon. LYNN ARNOLD: Very well. These arrangements will complement the provisions of the new Commonwealth-States Rural Adjustment Agreement that will be introduced on 1 July. It is important that we pass this legislation before this session closes. I thank the Opposition for its indication of support and I look forward to answering questions in Committee.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—'Commencement.'

The Hon. TED CHAPMAN: In regard to the commencement of the fund, can the Minister give an undertaking that moneys deposited in the new fund will be used only for the specific purposes identified in the second reading explanation?

The Hon. LYNN ARNOLD: As best I can. What I can say is that the second reading speech is designed to be a speech to convey to Parliament information on the purposes of the Bill. I can assure the honourable member that there is no intention to have an unknown second reading speech that says other things, so the words conveyed in the second reading speech explain exactly what is intended. It canvasses wide areas. I suggest that the way in which the proposals were put to the UF&S may in fact help clarify the point. The proposals to which it agreed and which are embodied in the spirit of the second reading explanation would allow the cost of administering the Rural Assistance Branch to be recovered from revenue to be accumulated from a new fund to be called the Rural Industry Adjustment and Development Fund; increased revenue from rural assistance and adjustment loans and natural disaster loans by increasing interest rates. Interest rates will not be increased where this would cause hardship. This was the point causing particular concern.

Farmers have recently been notified that interest rates on rural adjustment loans may rise from 1 July 1985. Again, that refers to the matter I canvassed in my closing of the second reading debate. Another proposal is to allow the use of part of the savings to the State Budget resulting from these proposals for new initiatives in the Department of Agriculture. It is to that that the concurrence of the UF&S was achieved. I know from other conversations with the honourable member of his concern, and it is clear that it is proposed that the financial adjustments that the creation of this new fund makes will see benefits to the Department of Agriculture and its initiatives rather than seeing some transfer by sleight of hand of financial effort to areas outside the realm of agriculture. I believe that is the point of greatest concern to the honourable member, but he may correct me in a moment. What I said in the second reading explanation is what has been canvassed with the UF&S and it has given its concurrence to that. I have no advice to the contrary. Indeed, it would be an improper second reading explanation that contained information different from what the Government intended to do.

The Hon. TED CHAPMAN: I thank the Minister for his assurances, as far as he is able to give them. I assure the Committee that it is a serious question about which the Minister recognises the need for careful attention when large sums of money accrue within a Department from the recycling of its own funds and are earmarked for specific purposes so that no other Government department, Minister, Treasury officer or future Government can get their sticky little hands on that money, especially if it is agriculture money and is designed for that purpose. How many additional persons does the Minister expect will be engaged in the Department in the first year following the establishment of the proposed new fund for the purposes identified in servicing and extension work as set in the second reading?

The Hon. LYNN ARNOLD: On the first point, the second reading explanation refers to the Department of Agriculture. I suggest personally that there might have been some consideration that could have been given, but to my knowledge has not been given, to situations where the Department of Agriculture draws on support from other areas. That is not mentioned in the speech; it is not referred to in the Bill, nor is it referred to in the proposals put to the UF&S. It is my guess that that is not the case. Nevertheless, there is often a useful mixing together of situations. We find a very exciting proposal in today's paper for Scrimber, which involves perhaps money coming from different areas for the purpose of advancing forestry in this State.

The Hon. Ted Chapman: Forestry has plenty of money of its own—

The Hon. LYNN ARNOLD: Yes. As to the second part of the question, the advice I have received is that there will be 20 new people put on in the administration of this matter. I have already referred to some aspects of funding and, if there is any variation, I will certainly let the honourable member know.

Mr HAMILTON: Has the Government considered the number of farmers who will be assisted by the scheme, taking into account the assistance already provided in the past? Can the Minister advise as to those farms or rural industries that would be assisted and on what basis they

would be assisted? If they had a large number of applications, on what basis would those allocations be made? Would they be made to the larger rural farms, small or medium farms?

The ACTING CHAIRMAN: Order! I appreciate the honourable member's interest in this Bill, but I do not think his question is appropriate to this clause. The honourable member could raise the matter later.

The Hon. TED CHAPMAN: My final question is under the initial line of the establishment of the fund. As the fund is used in the initial stages for the employment of personnel, will it be reimbursed from Treasury via the ordinary process of annual agriculture budget allocations?

The Hon. LYNN ARNOLD: The advice I have is that it may well be that that is the case. However, I am somewhat uncertain as I cannot find the exact clause and I may have to have that matter checked also. I will provide further advice to the honourable member on it if the situation is any different to that previously stated.

The Hon. TED CHAPMAN: I have no further questions, but make a comment on a subject about which a member of the Government was questioning. It may be that the Acting Minister has that sort of detail available. If so, he may consider providing it to his colleague without reading it as complicated schedules of clients under previous Acts as well as recipients of various funding through Commonwealth-State agreements, all administered by the Rural Industry Assistance Branch, are comprehensive and complex and involve hundreds of clients. Some are in the latter stages of a 20-year or 25-year loan repayment term, some are mid-way, some are clients of last year or the year before. Accordingly, if that material is to be provided tonight, we will be here until the early hours of the morning. I appreciate the co-operation of the Minister and yours, Mr Acting Chairman, and look forward to the speedy passage of this legislation.

The Hon. LYNN ARNOLD: I am conscious of the remarks made to the member for Albert Park about the appropriateness of the question on this clause and look forward to making comments under the clause to which I believe it relates.

Clause passed.

Clauses 3 to 7 passed.

Clause 8—'Power of Minister to make loans for certain purposes.'

Mr HAMILTON: Has the Government anticipated the number of loans that would be sought in terms of this assistance? If the Minister could elaborate, I would appreciate it. I also ask as to the amount of money that the Government anticipates could be made available under this Bill.

The Hon. LYNN ARNOLD: It is my advice that 630 clients presently have loans from various sources of the fund. I guess that that is about as good a figure that one could give on the likely uses of the fund in future because the sources where the loans go can be wide and varied. One does not know to what degree they will vary with hardship loans for new developments. I guess the number is a useful figure to have quoted. Otherwise, I draw the honourable member's attention to the second reading explanation, where mention was made that the uses of the funds include loans to primary producers who are in need of Government assistance and who have good prospects for long term viability after being assisted. The rest of that paragraph goes on to explain the complexity of the matter. The other area is this:

> It is intended that the Minister of Agriculture will allocate funds to assistance schemes . . . after receiving recommendations from a consultative committee. . . funds to be used to finance projects which have the potential to provide direction for regional industry adjustment and redevelopment. This may include assistance to farmers who wish to develop new crops or farming systems, and projects with potential to assist adjustment and development in an industry or region.

There are two sides to the question: one is helping through a temporary problem and one a more positive thrust to try to develop more new ideas.

Mr HAMILTON: In terms of a farmer finding himself in difficulty, what is the normal course of action where this would occur under the scheme? Does the Government keep an overview on assistance provided to these farmers? I am aware that it is viewed triennially, but in the interim if it was found that a farmer was in financial difficulties what obligation, if any, is on the farmer to notify the Minister of such difficulties? Is there any obligation on that farmer to notify the Minister of difficulties they may be facing in terms of repayment?

The Hon. LYNN ARNOLD: If a farmer enters into a period of hardship that was unknown at the outset of the loan the onus would be on him to make contact with the Department to discuss that issue to see if any adjustment could be made to the loan. It is not feasible for the Department to go out and monitor the progress. With a figure of 630, it is not feasible. The onus is on the farmer. The advice I have is that a number of approaches are made from time to time with respect to changing the terms of some loans, some of which are favourably received and some of which are not. It depends upon the economic advice operating within the Department.

Clause passed.

Remaining clauses (9 to 16), schedules and title passed.

Bill read a third time and passed.

CONSTITUTION ACT AMENDMENT BILL (No. 2)

The Legislative Council intimated that it had agreed to the House of Assembly's amendments.

ADJOURNMENT

At 12.36 a.m. the House adjourned until Thursday 16 May at 2 p.m.