HOUSE OF ASSEMBLY

Thursday 16 May 1985

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

PETITION: SMOKY BAY AND MUDAMUCKLA WATER SUPPLY

A petition signed by 243 residents of South Australia praying that the House urge the Minister of Water Resources to provide an adequate water supply to the Smoky Bay and Mudamuckla areas was presented by Mr Gunn.

Petition received.

PETITIONS: HOMOSEXUALITY EDUCATION

Petitions signed by 264 residents of South Australia praying that the House oppose the South Australian Institute of Teachers policy on homosexuality within State schools were presented by the Hon. Ted Chapman and Messrs Ashenden, Mathwin, and Olsen.

Petitions received.

AUDITOR-GENERAL'S REPORT

The DEPUTY SPEAKER laid on the table the Auditor-General's Report on Public Works.

Ordered that report be printed.

PAPERS TABLED

The following papers were laid on the table:

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

Pursuant to Statute—

Commissioner of Police—Report, 1983-84.

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

Pursuant to Statute—

Companies and Securities Law Review Committee—Report, 1983-84.

Accounting Standards Review Board—Report, 1983-84.

MINISTERIAL STATEMENT: WORKFORCE PLANNING REVIEW STEERING COMMITTEE

The Hon. T.H. HEMMINGS (Minister of Housing and Construction): I seek leave to make a statement.

Leave granted.

The Hon. T.H. HEMMINGS: I table the report of the Workforce Planning Review Steering Committee, covering the activities of the now defunct Public Buildings Department. This report is the result of an extensive and intensive investigation of the operations and finances of the old Public Buildings Department The investigation was initiated by me in August last year as part of my brief as the first Minister of a combined Housing and Construction portfolio. The State Government had been concerned that the efficiency and cost effectiveness of the PBD was not what it should have been, and I was charged by the Premier with re-establishing an effective and respected Department.

The problems at PBD were, of course, partly the result of the indiscriminate slashing of the Department's workforce and funding by the previous State Government. It left a demoralised Department, with diminishing funding, an irrational skills mix amongst employees, and a lack of direction by management. The community was left with a PBD that continued to have high demands placed on it but which received fewer and fewer resources. No wonder excess costs and inefficiency became hallmarks of the PBD.

The report being tabled today concentrates on the construction and maintenance operations of the Department. It highlights how and why costs of PBD projects were often unacceptably high compared with those in the private sector. PBD had deep-rooted financial management problems, and this report urges improved control over costs, needed labour, construction standards and project variations.

On the basis of initial information from the investigation, the State Government has already made radical moves to solve these problems. We have abolished the PBD and created a new Department of Housing and Construction. This was not a cosmetic change of name. The structure of the old PBD has been revamped, fresh executive blood has been introduced, and new financial procedures begun. The new Department also has a wider brief. It will provide policy advice to the Government on the state of private industry, and explore work opportunities for the industry both within South Australia and offshore.

I am very pleased this move has been well supported by the private sector, and I know that the community is pleased that at last the problems of PBD have been addressed. To further enhance this positive relationship between the public and private sectors, I have established a Construction Industry Advisory Council, chaired by Mrs Margaret Curry, State Director of the Australian Federation of Construction Contractors.

The problems of PBD were perhaps not too different from any other public works department in Australia, but they were chronic problems. They did not occur overnight: they had developed over many years. This State Government is determined to ensure that the South Australian public sector is the most efficient in Australia. As the Premier has said, we will not tolerate waste and inefficiency.

We have now done the spade work in the case of PBD. We have carefully analysed the Department's operations and spotlighted areas where excess costs and inefficiencies occur. As I have said, I have already moved in a fundamental way to start to correct those problems with the creation of a new Department. The new Director of that Department, Mr Bob Nichols, will steer the implementation of this report, and has already made progress in cost savings and more effective procedures. The Government will be seeking the support and co-operation of other agencies and the trade union movement in order to maintain this impetus.

The Bannon Government wants to ensure a healthy future for the State's construction industry, just as we have for housing. The new Department will be instrumental in achieving that aim. The investigation that culminated in this report confirms the Government is 'fair dinkum' about the public sector's role in South Australia's economy. We want an efficient, innovative, respected public sector: we are well on the way to achieving that.

I table this report so that the entire community may see just how thorough we have been in getting to the root of the problems associated with PBD.

CENSURE MOTION: FORMER PUBLIC BUILDINGS DEPARTMENT

Mr OLSEN (Leader of the Opposition): I move:

That Standing Orders be so far suspended as to enable me to move a motion without notice forthwith.

Motion carried.

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

That the time allotted for this debate be until 4 p.m.

Motion carried.

Mr OLSEN (Leader of the Opposition): I move:

That this House censures the Premier and the Minister of Public Works for their failure to take appropriate action to deal with 'major inefficiencies' in the former Public Buildings Department which have led to the waste of millions of dollars of taxpayers' money, and, in so doing, censures the Government for its blatant attempt to deny Parliament the opportunity to consider information which has identified these 'major inefficiencies'.

This motion seeks to censure the Premier, and he should be in this House this afternoon to face that censure. The Premier has been busy this morning telling the media that he cannot attend Parliament because of a meeting of the Economic Planning Advisory Council in Canberra. Let me clear up that cowardly untruth at the outset. EPAC is not meeting today. Its meeting does not begin until 8.30 tomorrow morning. To prove that, I invite any member of the House to ring the EPAC Secretariat. It is interesting that the Government benches are silent now.

Members interjecting:

The DEPUTY SPEAKER: Order! It might be better if Opposition benches were silent, too.

Mr OLSEN: Its meeting does not begin until 8.30 tomorrow morning, and the Premier has given a completely false and untrue reason for his absence. The fact is that his absence today has been manipulated to ensure that he does not have to face questions about the reports just tabled. The Premier has fled the State in the midst of a scandal. He could have delayed his departure for Canberra until after this debate, and still attended the EPAC meeting tomorrow morning. So let us have no more fudging of this debate with untruths about the Premier's excuses for not being here.

Despite the fact that a pair had been granted on the Premier's letterhead for a meeting of EPAC dated 16 and 17 May, and despite the fact that this letter from the Premier is a false statement of fact, the Opposition will not withdraw pairs. I suggest a little more truthfulness should come from the Government, particularly the Premier, when asking for a pair for business that is not taking place this very day.

In moving this motion, let me also make clear that the reports which have just been tabled would not have come before this House today without the persistence of the Opposition. For the past year, the Government has been engaged in a massive and scandalous cover-up. Now, it has been exposed—exposed by Opposition questions which have continued despite the deceptions and denials of this Government.

We have heard the Premier say that the House could rely on assurances from his Ministers that there had been no waste of funds on construction projects like the Aquatic Centre. We have heard the Premier say there was no need for a special Auditor-General's Report. Today, those statements are exposed for what they were—gross evasions of duty and responsibility. We have an Auditor-General's Report. We have proof of what the Government has so often denied—that it has wasted millions of dollars of taxpayers' money.

Yesterday afternoon the Premier issued a press statement headed, 'War on Waste'. He was talking about a 'phoney war'—a war lost before it had even begun. All the time the Premier was trying to deceive the taxpayers of South Australia: they are the real losers in this phoney war, and the Premier has been the first deserter. In the past 24 hours, he has really lived up to his reputation as a distance runner.

His 'war on waste' statement yesterday attempted to put 100 miles between his Government and the scandal of Government waste and inefficiencies in major construction projects. Today, he is 1 000 miles away from questions in this Parliament, which he has a duty to answer, but which he has so obviously connived to avoid on this, the last day of the session. Let me make two further points about the timing of this debate and the Premier's absence this day.

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr OLSEN: During Question Time yesterday, the Opposition became aware of the Premier's intention to reveal—at a press conference after Question Time yesterday—the existence of two reports highlighting major inefficiencies in the former Public Buildings Department. As a result, my Deputy Leader and the member for Torrens asked the Premier questions about those reports—legitimate questions, seeking information which this Parliament has a right to know and a responsibility to act on. What did the Premier do? Typically, he feigned ignorance of the matters raised. He said the Auditor-General could only report to Parliament. That is not true—and the Premier knew that.

He also knows what the Auditor-General has found, yet he denied the information to Parliament. The Premier refused to reveal the contents of the report yesterday because he knew he was getting on a plane to Canberra this morning and could avoid the questions by refusing to release this information until today. According to the Premier's plan, if the reports were not made available to Parliament until it began sitting this afternoon, the Opposition would have insufficient time to analyse them and ask questions before the session ends today. Parliament is due to reconvene in August sometime.

That is how much regard this Government has for this Parliament and for the right of taxpayers, through their elected members of this Parliament, to hold this Government responsible for the way in which it handles their money. Because the Premier refused to answer our questions yesterday, immediately after Question Time my Deputy Leader wrote to him seeking access to the Workforce Planning Review Report, and the Auditor-General's Report, if the Premier had that one as well. That letter indicated that the Opposition would observe any embargo imposed, provided it expired before the start of Question Time today. By late last night, when the Premier had not even given us the courtesy of a reply to that letter, I advised him of our intention to move a motion of no confidence today. I did that as a courtesy, because I was aware that he intended to leave the State this morning.

The Premier responded by offering an immediate debate this morning on a no confidence motion which would have come on at about 1 a.m. and gone through until about 3 a.m. The important point was that that would have been without the House having the benefit of the information contained in the Workforce Planning Review Report and the Auditor-General's Report. In other words, he wanted to debate the motion without any reports. I would have accepted the Premier's challenge last night had he accepted the Opposition's earlier request for a copy at least of the Workforce Planning Review Report. However, as I have said, the Premier has denied that request because he does not want those reports analysed in any meaningful way by this Parliament if he can avoid that.

I believe that the Premier's first responsibility today was to front up in this House to answer the matters raised in those reports. Had he been honest with this Parliament he would have made available at least by yesterday the Workforce Planning Review Report, so that the matter could have been dealt with yesterday. Because he did not, I believe he had a responsibility to delay—but for a few hours—his

visit to Canberra, so that this Parliament, on its last day of sitting for at least 2½ months, could have held him to account today.

The Opposition has offered courtesies to the Government, but all we have seen in response is the Government compound its gross contempt of this Parliament. In its reply, I challenge the Government to answer specific questions. First, when did it receive the report of the Workforce Planning Review which identified major inefficiencies in the former Public Buildings Department, and why has that report been withheld until today—the last day of this session? Secondly, when was the Premier advised of the content of the Auditor-General's Report into a number of Government construction projects, and why has information about that report been withheld until today—the last day of this session?

In the Premier's so-called 'war on waste' he must be regarded as the commander-in-chief—the Treasurer responsible to this Parliament for the spending of public moneys. We well know that a Government department has had the Auditor-General's Report and has been able to analyse it page by page. The Minister of Tourism would do well to check that fact. Yet, what this Premier has now attempted to do is blame his troops—his public servants—for the war that is already lost, the war against waste and inefficiency. This afternoon the Opposition has no compunction about putting the Premier on trial for his cowardice, about completing and executing this duck for cover.

The Opposition has fired all the bullets in this war, and they have found their targets. Without any shadow of a doubt, we would not have had these reports tabled in Parliament today if the Opposition had not persisted with its questions about the Government wasting taxpayers' money on construction projects. I remind the House that it was the Opposition, on 27 February this year, which first asked for an Auditor-General's inquiry into the Aquatic Centre project. That question was put directly to the Premier in this House. He refused to answer, handing it instead to the Minister of Recreation and Sport.

The Opposition repeated the call in a no confidence motion on 13 March—a motion the Premier described as 'trivia'. He also said:

> We have had enough of this particular issue [the Aquatic Centre]. The Minister will provide, as he has done for months, regular reports based on the information that he has received outlining the situation. That information will be provided. Members opposite can ask questions. Let us have a daily question when Parliament is sitting—

and, wait for it—

> and we will provide up to date information.

The following day in the *Advertiser* the Premier was quoted as saying that he did not see any need for a special Auditor-General's inquiry. Later that day, on 14 March, the Premier told this House that a motion carried in the Upper House calling for such an inquiry was a 'nonsensical political motion'.

Mr Deputy Speaker, with such damning evidence of the inaction of this Premier, it is little wonder that he is not in the State today. Yesterday, the Opposition continued to ask questions which the Premier had invited from us. But all we got was a further denial of information about a report which the Premier had insisted was not necessary. The Premier promised in his infamous statement yesterday to silence his critics about the waste of Government money.

However, it is the Premier's silence which is on trial this afternoon—a silence deliberately contrived by his absence interstate. Put simply, the Premier has been caught out completely. The Opposition's insistence on an Auditor-General's Report has been fully justified. The Premier has no answer to the fact, so he has arranged to have these matters brought before Parliament on the last day of the session, when he knew he would be absent. Such desertion and dereliction of duty demand the censure of this House. He is no longer, in that respect, fit to be Premier.

Let me deal further with the incoherent mish-mash which the Premier tried to represent yesterday as a serious and strong statement about a war on waste. It begins by revealing that the Premier last Monday instructed Cabinet that there must be 'no soft options' in dealing with departmental inefficiencies. That was a revelation in itself. It implies that there have been inefficiencies in the past. By its very nature it acknowledges that—something the Premier has constantly sought to deny.

It also implies that Ministers have been taking soft options in their response to those inefficiencies—again something the Premier has always sought to deny. What prompted that instruction? Why was it necessary 2½ years after the election of a Government, if that Government is a competent manager of public moneys, as the Premier always asserts that his Government is? The Premier should be here to answer those questions. The reason he is not is that he has no answer: he wants to distance himself as far as possible from these reports.

The next point the Premier made was that the Government is considering expanding the powers of the Parliamentary Public Accounts and Public Works Committees. That is an interesting concession because, when I announced on 5 March, more than two months ago, that a Liberal Government would give the Public Works Standing Committee the power to review projects once they had been completed, the Minister of Recreation and Sport scoffed at the suggestion. He accused the Opposition of 'just playing politics'.

The Premier's 'waste' statement then went into the Budget position. There was the well worn phrase about a 'massive deficit' he had inherited. I offer the Premier some advice on that point. The electorate has not swallowed that line, even though he has been trying it on for more than two years. The electorate is looking for fact, not fantasy. The fact is that this Government has run up a record deficit of more than $60 million in its first year in office, and it has made no attempt to reduce that deficit despite record increases in revenue raising. All the higher taxes and charges have gone into more Government spending—more Government waste.

An honourable member: That's not true.

Mr OLSEN: It is not untrue because the Premier's Budget statements tabled in this Parliament on the public record clearly indicate that those figures are a statement of fact: they are the Government's figures, not my figures. In his comments yesterday about managing the Budget and departments, the Premier also referred to reform of public sector management and deregulation. Legislation to reform departmental management structures was promised more than a year ago, but this Parliament has yet to see it, because there has been strong resistance to it at senior levels of the Public Service. And the Government's deregulation project is just a knee jerk reaction to a comprehensive deregulation programme which the Opposition had already developed and announced.

Yesterday, the Premier also referred to the 'unprecedented step' of abolishing the Public Buildings Department. In fact, there is little in this which is unprecedented in the sense in which the Premier used the word because, when the move is analysed, what has happened is that the Government has put two Departments together and got rid of some senior officers in the Public Buildings Department. What is unprecedented about the move is the reason for it, and the extent to which Ministerial responsibility has been avoided by passing the buck to senior public servants.

It has been an attempt to paper over the inefficiencies exposed by the reports tabled today and the responsibility

that the Minister of Public Works, in particular, must accept for those inefficiencies. The Minister's track record in this respect is becoming legendary.

Mr Ashenden: Didn't he sack his Town Clerk?

Mr OLSEN: As the honourable member rightly says, as Mayor of Elizabeth he had his Town Clerk sacked. As Minister of Local Government, he had the Director of the Department removed from the Local Government Grants Commission to deflect further Ministerial bungling. And now, the head of the former Public Buildings Department and two other senior officers have been moved sideways to give the Minister the excuse of saying that he has taken action, when the buck should and must stop with him—not the Public Service. The Minister's incompetence is pitiful. A strong Premier would have ceased to tolerate it a long time ago.

The Premier's 'waste' statement ended with some references to activity in the housing and construction industry, but sandwiched between the gloss the Premier put on his Government's performance and the current state of the housing and construction industry was the only matter of substance—the admissions of inefficiency and waste, slipped in between cosy rhetoric about the phoney war on waste—calculated only to conceal, deceive and as an attempt to manipulate the media.

Nothing that the Premier or the Government says in defence of these reports can get around the fact that for more than a year the Opposition has been asking questions about the Aquatic Centre fiasco. The Opposition asked the first question about this in the House on 29 March last year. Later last year the Auditor-General reported the failure of the Government to quantify the operating costs of the centre. It is interesting that according to the report tabled in the House today the Aquatic Centre has not only a major overrun but recurrent annual costs now of $500 000, and that was quantified by the Auditor-General in the report tabled today.

The Hon. Michael Wilson interjecting:

Mr OLSEN: The Government does not even own it, and what is more the swimming pool still leaks. Coincidental with the Auditor-General's reporting the failure of the Government to quantify the operating costs of the centre, further information became available about mismanagement of its construction, and more questions were asked. However, at every turn the Government has tried to slip and slide its way around those questions. No action was taken to bring the project back under control until it was far too late. The Premier, as Treasurer, must take responsibility for that.

The Treasurer is responsible for the spending of taxpayers' money, for which he is accountable to Parliament. The Premier has been prepared to rely on his Ministers regarding this matter. On 27 February this year, in answer to a question, and referring to the Minister of Public Works and the Minister of Recreation and Sport, the Premier said, 'Both Ministers are well qualified to comment on the project.' However, both Ministers have shown beyond doubt that they are not competent Ministers. They have been associated with disaster after disaster. Their crude answers to criticism are an attempt to cover it up.

The Minister of Recreation and Sport has played that game with the Aquatic Centre, and it is now too late to recover the damage caused and stop the waste. Referring to the Aquatic Centre in this House on 12 March, the Minister said, 'It is not as serious as the Opposition is trumping it up to be.' The Auditor-General has now put the lie to the Minister's reply to this Parliament and reports show that the matter is even more serious than the Opposition contemplated. The Minister of Recreation and Sport will say that he relied on advice from the Public Buildings Department—and here we go again, passing the buck down to a public servant. That advice was the responsibility of the Minister of Public Works, and it is a responsibility that the Minister cannot avoid. The Minister must resign or be sacked as a result of his incompetence, established by independent reports tabled in this Parliament today.

But the buck does not stop there. Despite a year of questioning, the Premier has made no attempt to intervene, to get to the bottom of this scandal, and to find out why the cost of the Aquatic Centre was escalating so dramatically. The Premier must be held equally responsible. He must be censured, and it is too late for excuses. It is time for action to stop this waste and the deceit in which the Government has indulged in its attempts to cover up that waste.

For some weeks it has been apparent that this major scandal has been brewing. The first clue came in a statement made on 3 April about the amalgamation of the Public Buildings Department and the Department of Housing. The Minister of Public Works said that the former Public Buildings Department had suffered some difficulties in achieving cost constraint 'mainly because of the abrupt wind down of its work force under the previous Government'. Well, it is easy to expose that nonsense. For 2½ years, on every occasion when the matter has been raised the Government has defended its ability to ensure the efficient management and use of public money. Despite persistent questions from the Opposition about the Aquatic Centre (questions were first asked more than a year ago), it has been only in the past six weeks that the Government has begun to admit the problem, to admit that there is a major scandal and a fiasco. Now having been forced to admit the problems, the Government has tried to blame the former Government for them. What a gutless evasion of responsibility.

The Government should address the central issue for a change. The Government's insistence on using the Public Buildings Department's work force rather than putting the work out to competitive tender (and obviously the competitive tender procedure is far more cost efficient) and the lack of strong Ministerial control are the two key issues involved. Let the Government explain the full reasons for blow-outs in the cost of the Aquatic Centre.

Let the Government explain the reasons for the blow-outs in the museum redevelopment, the Novar Gardens police complex, the reason for the expansion in cost of the Gawler East and Hackham South Primary Schools and the blow-out in the cost of the Coorara Primary School. Let the Government explain why it is spending $750 000 to relocate eight netball courts at Port Augusta to allow the construction of a TAFE college when that cost could have been avoided by splitting the campus in the same way as the Mount Gambier TAFE has been developed.

The escalation in costs of these projects, rises which have occurred under this Government, amount to at least $10 million. That is the inefficiency and waste we are talking about today. That amount of money was more than enough to have built the Finger Point sewage treatment plant. It is more than half the cost of building a decent entertainment centre for Adelaide, yet all that has gone down the spout because this Government cannot manage. This Government has already passed through the stage of incompetence and irresponsibility. Those factors have been well established and they have been established by a person no less than the Auditor-General and an independent departmental working report—not just on the say-so of the Opposition, the Liberal Party, but on independent reports identifying that up to $10 million of taxpayers' funds have been poured down the drain in South Australia as a result of incompetence and lack of management ability on the part of the Bannon Labor Government.

This Government has sought to evade its responsibility. As it faces the next election, with defeat staring it in the

face, it has gone into what one could call the twilight zone of panic and desperation, when it will say and do anything to cover up its incompetence and irresponsibility and is prepared to falsify requests for pairs and falsify the fact that there is an EPAC meeting in Canberra today. This is so that the Premier may absent himself from the Chamber to avoid fronting up to the media and answering questions. That is why the Premier got on the plane this morning to travel interstate and that is why we have this scandalous cover-up. This information has been deliberately denied to the House until today. The Premier is waging this phoney war against waste with all the weight of a feather duster.

The waste has already occurred. Nothing was done to stop it until the Opposition persisted with its questions. That is the truth of the matter, and no amount of cover-up, duck-shoving and misrepresentation can evade that truth. The facts I have put before the House are an indictment of a Government which has failed to manage responsibly and which has failed the test of full accountability through this House to the electors of South Australia. In those circumstances, those failures for which the Premier and Minister of Public Works must accept full responsibility demand the censure of the House.

The Hon. J.D. WRIGHT (Deputy Premier): Thank you, Mr Deputy Speaker.

Mr Lewis: When are you going to Russia?

The DEPUTY SPEAKER: Order! Will the honourable Deputy Premier please resume his seat. Before the Deputy Premier begins to reply, I point out that I have been fairly tolerant with members opposite. I find it rather strange that they would continually want to interject while their Leader was speaking, but, nevertheless, if that is what they wanted to do, so be it. Government members have been fairly quiet.

Members interjecting:

The DEPUTY SPEAKER: Order! I am going to insist that members opposite be silent while the honourable Deputy Premier replies.

The Hon. B.C. EASTICK: On a point of order, Mr Deputy Speaker, could you define for the House what is 'opposite' from the position that you occupy?

The DEPUTY SPEAKER: There is no point of order. If the honourable member for Light wishes to be smart, the Chair will act on the honourable member, also.

Mr LEWIS: I rise on a point of order, Mr Deputy Speaker. I seek clarification from you as to the nature of the last direction or whatever it was you gave the member for Light. Was that a threat or a warning?

The DEPUTY SPEAKER: Order! There was no point of order as far as I was concerned when the member for Light rose in his place, and there is no point of order by the member for Mallee. I simply stated that when the Leader of the Opposition was speaking in this debate he was heard generally in silence by Government members.

Mr Lewis: It was nothing to do with them.

The DEPUTY SPEAKER: If the member for Mallee wishes to continue in that vein the Chair will deal with him. I had just stated that when the Leader of the Opposition spoke in this debate Government members, in general, were fairly quiet. I am asking that, while the Deputy Premier speaks, members of the Opposition follow suit. The honourable Deputy Premier.

The Hon. J.D. WRIGHT: I know that I should not answer interjections but I do intend to answer the one made by the member for Mallee before I start my reply. He said, 'When are you going to Russia?' I am not going to Russia, but I can give the honourable member a guarantee that if he will go there and stay there I will pay his fare. We have just witnessed an exercise in gutlessness and hypocrisy. Last night, in this House, the Leader of the Opposition advised the Premier of his intention—

The Hon. E.R. Goldsworthy: Are you reading your speech?

The Hon. J.D. WRIGHT: He read his. Last night, in this House, the Leader of the Opposition advised the Premier of his intention to move a no-confidence motion today on matters relating to the former Public Buildings Department. The Leader of the Opposition acknowledged in his letter that the Premier would be out of the State today, and a pair had been granted. He is attending a vital meeting in Canberra—with the Prime Minister, Mr Hawke, and the Federal Treasurer, Mr Keating—a meeting critical for South Australia. That is where the Premier is today. Where was the Leader yesterday? The Leader was at the Murray Bridge races. That is how much he cared about South Australia yesterday. Let us get our facts straight about this. The Premier is in Canberra: the Leader of the Opposition was at the races. Let us put it on the record—

An honourable member interjecting:

The Hon. J.D. WRIGHT: Members opposite do not like the facts; that is their trouble. They do not like the exposure. I will show them how much they have been caught out. On 7 May the Premier applied for a pair, which was granted on 8 May. At that stage the EPAC meeting was to start at 2 p.m. this afternoon, and arrangements had been made at that stage for the Premier to meet Mr Keating and Mr Hawke today. That is how much the Premier lied in his application for a pair! The Premier was aware that the Opposition had already claimed that he was somehow dodging the issue by going to Canberra, so he invited the Leader of the Opposition to move the no-confidence motion last night. The letter from the Leader stated:

> I understand that you will be absent from Parliament tomorrow. For that reason, I advise that it is my intention to move a no-confidence motion tomorrow in relation to the former Public Buildings Department.

That letter was received at 11.15 p.m., and, timed at 12.5 this morning the following letter was sent to the Leader:

> I have received your letter advising of your intention to move a no-confidence motion later today. You will be aware that I cannot be in the House today (and have been granted a pair) and I must attend a crucial Economic Planning Advisory Committee in Canberra. In view of this I would prefer—

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. J.D. WRIGHT: Members opposite are like a lot of children. The letter continues:

> In view of this I would prefer that the debate take place immediately for the usual two hours, thus giving me the opportunity to participate.

What was the excuse? The frenzied excuse from the Leader was that he did not have his best speakers available. That is what he said. His arch enemy, the member for Davenport, must have gone home. Apparently his script writers had left for the night. Even though the former Minister of Public Works, the member for Davenport, was around, I am told, between the two or them they could not muster up the courage or cobble up the information to handle such a debate. The facts are that the Leader was not ready last night. So much for this man of action! Instead of action, the cream puff Leader of the Opposition ducked for cover last night. He would not bring on the debate last night.

Mr Olsen: I fronted up—where is your boss?

The Hon. J.D. WRIGHT: The Premier is in Canberra.

Mr Olsen interjecting:

The Hon. J.D. WRIGHT: I listened to the Leader in peace—I hope he will give me the same courtesy. I was deliberate in so doing, and hope he will extend me that courtesy. While the Premier is in Canberra fighting for South Australia, the Leader of the Opposition is intent on sabotaging South Australia's case back home. The same

thing happened when the Premier was overseas. While the Premier is laying out our case to the Prime Minister—

Mr Olsen interjecting:

The Hon. J.D. WRIGHT: That is how the Leader carried on last night—he walked out of the House in a fit of temper.

Mr Ingerson: Fudging Jack.

The Hon. J.D. WRIGHT: Honourable members do not want to listen to this—it is upsetting them. I always enjoy it when I am upsetting members opposite.

Members interjecting:

The DEPUTY SPEAKER: Order! Some members are upsetting the Chair.

The Hon. J.D. WRIGHT: While the Premier is laying out our case to the Prime Minister for better Federal/State financial arrangements, once again South Australia is being white-anted back home by the Leader of the Opposition. Let the Leader of the Opposition digest what the Premier is telling Mr Hawke today. Instead of a record of inefficiency, the Premier will be outlining the latest Commonwealth figures on how the respective States have been doing in the efficiency stakes. They show that South Australia has the best run Government finances: it has outclassed every other State in getting our house in order.

Members interjecting:

The Hon. J.D. WRIGHT: I always enjoy a lot of noise, as it means I am being very effective. While the other States have shown astronomical increases in Budget deficits during the past two years, South Australia recorded a 34.9 per cent reduction in its deficit. It is by far the best record of any State in Australia. The statistics that became available yesterday show a stunning turnaround from the appalling financial position we inherited after the last election. As the Premier said this morning, our Liberal predecessors—most of whom sit opposite—showed they could not manage a cake stall. That is what the Premier said on radio and television this morning.

Yet the Leader of the Opposition has the gall to call us a high spending State! The Leader of the Opposition's arguments today are based on a false premise: what he fails to acknowledge is that this Government took action to tackle the problems of the PBD. Early this year we took the bold step of abolishing the Public Buildings Department and replacing it with a more dynamic and vigorous organisation designed to strengthen the State's housing and construction sector. That decision followed the Government's complete review of the operations of the PBD. Our examination revealed ways in which the public sector's role in the construction industry could be streamlined and improved.

We were aware that there was some criticism of our move to abolish the PBD and replace it with a new Department of Housing and Construction. We did so because our reports revealed major inefficiencies. Quite simply, as the Workforce Planning Review Committee Report shows, the PBD was not cost effective. The Government is not running away from that. However, our examination and this report also show that the solution was not to slash the workforce further and add more people to our unemployment queues. Instead, our review showed that the answer was to improve management techniques, and ensure that the workforce was efficiently mobilised, with productivity agreements given in exchange for job security. This is being done. That is what the Government has done about putting the PBD in order.

As the Premier said yesterday, the action by this Government and by this Minister of Housing and Construction contrasts with the shabby record of the previous Liberal Government, which was prepared to shrug its shoulders at the PBD inefficiencies. Instead of Liberal action the member for Davenport, then the Minister of Public Buildings, blamed the workers rather than trying to improve departmental management. He was snowed and everyone knew he was being snowed. He was a weak Minister who did not have the clout in Government to take action.

His philosophical approach to management was quite bizarre in its practice. Instead of improving efficiency, he implemented a system which involved the blue collar workforce sitting on its backside while projects were contracted out—that way South Australians paid twice for their public buildings. That cannot be denied: it is a fact of life, South Australians paid the contractors bill and paid the bill for the workers who had nothing to do.

Let the Opposition and the media realise something else. There was no requirement on this Government to release the report of the Workforce Planning Review. However, we believed that that review should be released publicly so that this House and the people of South Australia could see why we acted in abolishing the PBD. We were not prepared to indulge in the massive cover-up of inefficiencies condoned by the Tonkin Government. We also welcome the fact that the Auditor-General, Mr Sheridan, has completed a vigorous review of a number of construction projects in which Government funds are involved. We wanted that report to be released in Parliament as soon as possible so that inefficiencies could be exposed and improvements made.

The Hon. Michael Wilson interjecting:

The Hon. J.D. WRIGHT: I am surprised, however, that the Opposition is prepared to leap up and condem Mr Sheridan. I will answer the member for Torrens later.

Members interjecting:

The Hon. J.D. WRIGHT: The allegation in the interjection was that Mr Sheridan had tipped the Government off.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. J.D. WRIGHT: The Opposition's claims that he had given copies of the report to the Government are a shameful and monstrous slur on an officer responsible to this Parliament, not to the Government. Of course, Mr Sheridan has discussed with the Premier problems and ways of making improvements. However, no report was received. Mr Sheridan reports to Parliament, not to the Government. Let us look at what this Government is doing to improve efficiency in Government departments. The Premier has announced that the Government is committed to strengthening the committee system of Parliament. We want to give our Parliamentary 'watchdog committees' on expenditure greater powers to review spending and bring about efficiencies.

The Hon. E.R. Goldsworthy: You weren't so enthusiastic when we promoted it a few months ago.

The Hon. J.D. WRIGHT: I will answer that interjection later, too. I can announce today that a comprehensive study has been made by the Attorney-General's office and has been prepared for the Joint Select Committee on the Law, Practice and Procedures of Parliament. The Government believes that this should be a bipartisan measure, and it has been waiting for an indication of Opposition support. However, it has not got that. The Leader of the Opposition and his colleagues have not ever bothered to respond. That comes as no surprise. I understand that the member for Davenport put up a proposal to the former Liberal Cabinet giving stronger powers to the Public Works Standing Committee. That Cabinet knocked it on the head. It did not want Parliament and its committees to be able to expose the inefficiencies it knew were occurring.

The Hon. E.R. Goldsworthy: Garbage!

The Hon. J.D. WRIGHT: The ex Minister got rolled: he tried and he got rolled! The former Liberal Government, of which the Leader of the Opposition was a Minister, decided to opt for a cover up rather than for disclosure. Instead of Liberal action, again we got rhetoric. This Government is committed to ensuring greater surveillance of Government

expenditure by Parliamentary committees. In particular, we believe that the Parliamentary committees that review public works expenditure should have the power to undertake continuous surveillance. This would allow committees to review and check expenditure throughout the whole period of a project. It will allow committees to conduct post construction reviews as well as the initial approval and justification of a project. I challenge the Opposition to support that view.

We have also initiated tougher new rules for the management of projects by Government departments. Cabinet will require more detailed financial analysis of all projects put forward for consideration. A senior departmental officer will be clearly identified as carrying the responsibility for each proposal put forward. He or she should be clearly accountable for estimates, deadlines and costings, and there will be formal signatories to proposals. Responsible departmental officers will be required to certify periodically that projects are running on time and within budget.

They will also be required to report to Ministers on the achievement of service levels, commercial returns, and other details promised in original submissions. In other words, if the building or works project has been justified on the basis that it will save costs or generate a certain income, the officer and Department shall be required to report on the achievement or otherwise of this objective. Reports on the successful completion of projects within budget will be part of the performance agreements between Heads of Departments and Ministers. This process is central to the Government's efficiency package. Again, it contrasts with the 'no action, no responsibility' policy of the former Government.

I can also announce that the Government will seek advice from the Crown Solicitor on whether it can take legal action concerning the estimates received for the Aquatic Centre. I can also announce that contractors, supervising engineers, and architects will be required to provide prompt and direct progress reports on costs to the accountable senior departmental officer, and then to the Minister. This is particularly important where there is any variation from the original plan, which was the case with the Aquatic Centre. Consultants will be retained on construction and cost control procedures, as well as on maintenance costs.

The new Department of Housing and Construction is a streamlined, improved, and a more cost-conscious organisation that is undertaking new roles. It has already provided much needed advice on the economic and social implications of housing and construction initiatives. It is providing the Government with a new capacity to develop strategies to expand vital industries. South Australia is leading the national recovery in the housing sector.

New dwelling approvals for South Australia have increased by a stunning 90.4 per cent during the past two years, compared with a national increase of 35.9 per cent over the same period. The boom is continuing, much to the disappointment of the Opposition. That is good news for South Australia, but it is news that the Leader of the Opposition does not want to hear. We have created the new Department of Housing and Construction so that we can follow up our success in the housing industry by fostering in the construction industry the same high levels of activity.

The new Department has a young and innovative management team whose main objective is to generate new building and construction opportunities for the State. However, instead of backing those people in this role, the Opposition wants to tar them with the Public Buildings Department brush; it wants to damage morale in the early stage. That approach should be condemned by everyone in South Australia.

The Minister of Housing and Construction had the guts to establish a new department that would pursue its efforts to develop closer ties between the public and private sectors in the construction industry.

Mr Ingerson interjecting:

The Hon. J.D. WRIGHT: Listen to the member for Bragg; he is probably busy saying that I have fudged, instead of listening. The Minister of Housing and Construction, through the South Australian Construction Industry Council, had heard of the concerns of the industry for an improved flow of work to its various sections. Instead of doing nothing, like our Liberal predecessors, the Minister abolished the Public Buildings Department and established a new Department that would listen to and generate ideas that would ensure a fair and equitable flow of work to the private sector.

Members interjecting:

The Hon. J.D. WRIGHT: That is what the Minister did; the present Minister took that action, and made the recommendations himself to Cabinet. The new Department is developing its own high quality construction and maintenance functions, with a similar level of cost constraint to that existing in the private sector. The old Public Buildings Department could not achieve that goal and was hampered in doing so because of the abrupt wind down of its work force under the previous Liberal Government. The old department was left not only with its management and work force unsure of their role in the community, bad morale, a declining budget in real terms, and diminishing resources, but also with a continuing high level of demand for its services.

The Bannon Government addressed these issues, providing a positive climate in which the new Department could begin work. We have also resolved the industrial problems. We have provided adequate work and an increase in funds. We have arrested the attrition of employee numbers, and, perhaps most importantly, we have implemented the recommendations of the Workforce Planning Review. That review highlighted deficiencies in the old department which required a major reshaping of the public sector's role in the construction industry. The Government has acted on that review.

The Government believes that the entire community will benefit from the new Department of Housing and Construction which will have a complete knowledge of the industry, a capacity to lead in new technologies, an ability to carry out complex works efficiently, and a role to develop offshore opportunities for the industry.

But our efficiency improvements are not confined to the new Department of Housing and Construction. The Opposition should be aware by now that the Bannon Government is initiating the biggest reforms in Public Service management ever undertaken in this State. No-one can deny that. That is public knowledge and recognised as such. We are making permanent heads, departments and officers more accountable for their actions. A new Public Service Act is also being prepared. We are initiating these reforms to achieve a leaner and more efficient public sector, and our Public Service reforms will be as successful as are our reforms in financial administration—which are being acknowledged around Australia.

The Premier has told Cabinet that there will be no soft options in dealing with departmental inefficiencies: in that, he has the total and unreserved support of his Ministry and his Parliamentary colleagues. However, instead of support from the Opposition we have this sham, this farcical debate about the past, even though the former Liberal Government, of which the Leader of the Opposition was a member, must stand condemned for its inaction.

The Leader of the Opposition's approach to the Government is to erect signs telling us of his actions. The reason why the Leader of the Opposition will never sit in the

Premier's chair is because Government is about action and not about rhetoric.

Members interjecting:

The Hon. J.D. WRIGHT: Fighting for South Australia is what the people want from their Premier, not the cringing, carping negativism of the Leader of the Opposition. Well he might pout and bat his eyelids at this condemnation: he is more an ambassador of despair—he is actively seeking to derail economic recovery in this State. Of course, part of today's announcements involves the continuing backstabbing that is occurring between the Leader of the Opposition and his heir apparent, the member for Davenport.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. J.D. WRIGHT: It must be true—a raw nerve! The honourable member must be getting the numbers back. The Leader well knows that the inefficiencies that have been highlighted in the role of the former Public Buildings Department reflect on the management and Ministerial responsibility of the member for Davenport. I do not altogether blame the member for Davenport, as I have it on very good information that the former Minister did try to do something about the Public Buildings Department but he was rolled in Cabinet; his colleagues did not support him. Having said that, I indicate to the House that I seek to amend the motion. I move:

Leave out all words after 'that' first occurring and insert:

this House commends the Government for its initiative in identifying the problems of mismanagement and waste in the former Public Buildings Department and for its prompt action in replacing that Department with a new, efficient, streamlined and cost conscious Department of Housing and Construction, and for introducing a new range of reforms designed to improve the efficiency of the Public Service across the board.

I commend that proposition to the House, and look forward to the support of members for it.

The Hon. D.C. BROWN (Davenport): This Parliament has before it this afternoon a vote of censure of both the Premier and the Minister of Public Works. In presenting the evidence backing up what the Leader of the Opposition has already said this afternoon, I shall produce evidence that shows that the Minister of Public Works has defied a specific Cabinet instruction. He has constantly failed, fully knowing that he was failing, to carry out the necessary management techniques that the Cabinet, the Treasurer and the Parliament expect. We have a Premier who has deserted his Party, his Minister and this Parliament at the point at which we now have received an Auditor-General's Report throwing serious doubt on his ability as Treasurer of this State and on the ability of the Government to properly manage the finances of this State, particularly in regard to construction projects in South Australia. That is the evidence that I will present. Let us start right at the beginning with what the Deputy Premier has said. I have been in this place long enough to realise that when you are short of material and facing the indefensible, you turn to abuse.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. D.C. BROWN: Members opposite turn to personal abuse of their opponents even though we have been out of office for 2½ years, and they have tried to lay the blame on the former Government that was in office 2½ years ago. The Premier began that strategy yesterday at his press conference, and the Minister of Public Works continued it with his Ministerial statement today, and we have had a half hour diatribe from the Deputy Premier, with no more substance than simply carrying on the strategy. The point is that this afternoon an Auditor-General's Report put before the Parliament deals with three specific projects. All those projects have been started under the Bannon Government. All the mismanagement referred to in the Auditor-General's Report has occurred under the Bannon Government. There is no reference in the report to the former Government. In fact, I will prove this afternoon that many of the management techniques established by the former Liberal Government have in fact been torn down by the Deputy Premier when he was Minister of Public Works, and torn down by the current Minister of Public Works.

It is interesting to note that the Deputy Premier has now said that regular reports on major projects will be presented to the Minister. As Minister of Public Works, on a monthly basis the Public Buildings Department prepared a written report to me, and also the Premier, on every single major project. That report had details including days lost through industrial disputes, days on which the project had fallen behind the scheduled completion date, the now estimated cost of completion, how much work had been carried out, and the final expected completion date. That sort of information was provided to the Premier and to me. I forwarded it to the Premier. Now, this afternoon, we have the Deputy Premier saying that his Government is going to implement this procedure. Who stopped it? It was the Deputy Premier, as Minister of Works, who stopped that former procedure.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. D.C. BROWN: I, as Minister of Public Works, drafted and then took to Cabinet specific proposals to amend the Public Works Standing Committee Act. The Minister himself acknowledged last year the existence of those drafted amendments. Why has it taken 2 1/2 years for this Government to do nothing more than promise to amend that Act? The reason is because up until now it has had no intention of doing so.

I come back to the first point, that is, the absence of the Premier this afternoon, a point very effectively dealt with by the Leader of the Opposition, but I take up one or two points raised by the Deputy Premier. The letter read to the House this afternoon repeated the lie that the Premier had an EPAC meeting today, for which the pair was granted. We know there is no EPAC meeting today and yet the Premier has fled this State knowing the debate was about to take place. He has deserted his Minister, because he was not prepared to stand and face the fight.

Secondly, the question has been raised as to how much prior knowledge the Premier had of the Auditor-General's Report. It is a section 12 report and under that section of the Act the Auditor-General must report directly to the Treasurer. It was the Treasurer who was the first to receive this report. He knew what was coming and that is the reason he set up these cosmetic changes to the PBD. That is why he set up this PR exercise yesterday about a campaign against waste; why he took it to Cabinet last Monday and why he has fled the State today. Do you realise, Mr Deputy Speaker, that the only engagement the Premier apparently has today with the Prime Minister is dinner at the Lodge this evening? That is the only justification he can attempt to advance for not being here this afternoon. I believe that is totally inadequate as any justification.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. D.C. BROWN: Two reports have been presented to Parliament this afternoon. The first is a report from an independent man who has been appointed by this Parliament as the Auditor-General. It deals with three specific projects. It condemns the Minister in terms of the evidence it presents, first for failing to carry out a specific direction of Cabinet. The report looks specifically at the operation of the Public Works Standing Committee. It high-

lights the sort of problems that that committee was confronted with due to lack of adequate information coming from Cabinet and the Minister of Public Works. However, the most serious allegation of all appears on page 3 of Appendix I of that report, where it says:

> On 16 April 1984, approval was given—

that was obviously by Cabinet and referring to the Aquatic Centre—

> for work to proceed at an estimated cost of $7.2 million. The approval specified that:
>
> *(a)* negotiations proceed with the successful tenderer to determine the extent by which the cost might be reduced as indicated in the letter from the lowest tenderer;
>
> *(b)* the Minister of Public Works advise the Public Works Standing Committee in writing of the anticipated minor changes to the project.

It then goes on to say that there was no evidence that the Public Works Committee was advised. Cabinet gave the Minister of Public Works a specific instruction, and the Minister failed to carry out that instruction. I can think of no greater reason for this Parliament therefore to censure the Minister of Public Works this afternoon. I expect his Cabinet colleagues would take this matter up with him Monday morning—

An honourable member: Sack him!

The Hon. D.C. BROWN:—and expect the Premier to sack him on Monday. The Premier has no other option but to take that hard line, as he is now advocating should be taken. After all, it is the Premier who said that there shall be no soft options in this matter. We find the Auditor-General now writing to Parliament, indicating that in fact the Minister of Public Works failed to carry out a specific instruction given to him by the Cabinet.

I also find it interesting that his colleague the Minister of Recreation and Sport indicated to this House as late as March this year that the final cost of the construction of the Aquatic Centre would be $7.6 million, an escalation from the original cost of $4.8 million. In fact, an earlier estimate was lower than that, but the Auditor-General now indicates that the final cost is more likely to be as much as $7.8 million, or even higher. As late as March this year it appears that the Minister of Recreation and Sport once again misled the Parliament.

Several other important facts have come through the Auditor-General's Report. After all, that is the vital report this afternoon. The other report tabled by the Minister is a political document drawn up in an attempt to pass back to the former Government the blame for what was emanating from the Auditor-General's Report. It is a political document that the Minister uses in an attempt to justify the change of name of the Department and other cosmetic changes. The report from the Auditor-General reveals, first, that the Public Works Standing Committee was not presented with final plans when considering project after project; all it was provided with were sketch plans.

How can Cabinet make a final decision on a project before it is referred to the Public Works Standing Committee on the basis of sketch plans alone? The Auditor-General goes on to say that the fundamental reason why inaccurate estimates were placed on the costs of these projects was the inadequate information provided to the Public Works Committee and the fact it was based on sketch plans alone. After having been Minister of Public Works for three years, I know that one cannot make an accurate estimation on sketch plans alone. It is no basis whatsoever to take a project to Cabinet and ask for Cabinet approval, and yet that is what has occurred under this Minister of Public Works, and that is apparently what this Cabinet has been prepared to accept.

The censure is against not only the Minister of Public Works but also the Cabinet for being prepared to accept such shoddy information. In this morning's *Advertiser* a report states:

> Mr Bannon also said insufficient information on the progress of the project had been given to Ministers involved and as a result it had not been able to be properly monitored.

What the Premier is really saying is, 'I have a bunch of Ministers who can't even ask their departments for appropriate information or get that information.' Apparently for 2½ years this Premier has had Ministers who have been incompetent, and the Premier is prepared to accept them; he has taken no action whatsoever to replace them. If the Premier is going to take the hard option line now, it is about time that he took to it against those particular Ministers.

It is interesting to see the extent to which in his report the Auditor-General referred to the $750 000 being spent to relocate the Port Augusta Netball Association. He referred to the misinformation provided to the Minister, to Cabinet and to the Public Works Standing Committee. I point out that one of the crucial figures in the Port Augusta Netball Association happens to be a Labor Party candidate at the next election. She also happens to work at present for a Labor Party member of Federal Parliament. Further, she happens to have been the appointee of the Minister of Health to the Port Augusta Hospital Board and, finally, to have presented evidence to the Public Works Standing Committee. One starts to question the credibility of the Labor Party candidates at the next election, because apparently she has misled not only the Public Works Standing Committee but also the Premier, Cabinet and the Minister of Public Works.

The Auditor-General, in attachment 2, highlights the extent to which that Netball Association will gain from that $750 000 transfer approved by the Bannon Government. Instead of eight netball courts it will have 10 and possibly 12; it will have an extended carpark; the clubroom size appears to be 30 per cent larger than the one it is replacing; and it happens to be in the district of the Minister of Tourism. That is the sort of information that was apparently withheld from the Public Works Standing Committee and from the Minister. I just wonder whether the Minister of Tourism knew the actual facts. The Auditor-General stated:

> The State Aquatic Centre involves a significant investment of public funds, whether by the Commonwealth or by the State. I am surprised that assessments of likely annual operating results made no provision for debt servicing costs. Debt servicing costs on the State Government's expected capital investment alone are likely to exceed $750 000 a year.

Apparently, Cabinet and the Minister decided to withhold that fact from the Public Works Standing Committee so that they could make an impartial assessment of that project. The Government deliberately withheld the information. It is interesting to note that the Auditor-General's statement in his report that one of the reasons why cost estimates at the beginning were inaccurate is the time pressures imposed, at least in the initial stages, on the completion of that project. Who imposed those time constrictions? Who wanted the job finished as quickly as possible? The Minister of Public Works, the Minister of Recreation and Sport—indeed, the Bannon Government—they are the people responsible. They are the people who have created the problems with these projects.

The third project involves the Lyell McEwin Hospital. Again, the Public Works Standing Committee was provided with inadequate information, at that time provided by the Health Commission through the Minister of Health. It is quite apparent from the Auditor-General's report that he is condemning the procedures involving the Minister of Public Works, the former Minister of Public Works in the Bannon Government and now the Deputy Premier, who so inadequately defended his office earlier this afternoon. The Aud-

itor-General is condemning the procedures laid down by the Bannon Government and referred to in the information provided to the Public Works Standing Committee. In effect, he is condemning the Ministers in question for their lack of action. Therefore, there is no other option than for them to take full responsibility for the criticisms made in this report.

There is no doubt that the fundamental problem with the Public Buildings Department has been a total lack of management by the Minister of Public Works and the policy constraints imposed by the Bannon Government. In February 1983 the Bannon Government said that there shall be a first priority for all public works to be constructed by that Department. We know the Cabinet direction and we know the effect and the costs resulting in this State over the past 2½ years, the blow-outs that have occurred on projects such as the Mypolonga school (which thoroughly embarrassed the Minister last year), Murray Bridge High School, Tailem Bend Area School, Beachport Police Station, Novar Gardens police complex, and other projects—I could go on and on.

The Leader of the Opposition earlier this afternoon listed projects which accounted automatically for a $10 million blow-out over the original estimates. My estimation, in going through as many projects as I have been able to collect, is that the total cost penalty being imposed on this State through the policies of the Bannon Government amounts to somewhere between $15 million and $20 million a year for the PBD and the projects it is managing. That is a very careful assessment of the various projects and cost penalties involved.

As a priority, 50 per cent or more of all projects are now directed to the PBD as the master builder. The changes to the Department have been cosmetic—they changed the name of the Department, and that alone will waste $50 000 in changing the name on all the stationery and the wasted stationery; they have simply replaced three people at the top; and they have kept the same basic structure except for bringing in 50 people from the Department of Housing. Furthermore, they deliberately chose the same name as the name of the Commonwealth Department of Housing and Construction. Both Departments are situated at Netley, and the construction industry laughs at the fact that when they are now asked to send material to the Department of Housing and Construction they get confused. The evidence is overpowering and condemms the Premier, the Minister of Public Works and the Bannon Government as a whole. This censure motion this afternoon deserves to be supported on the evidence of the Auditor-General.

The Hon. T.H. HEMMINGS (Minister of Public Works): It is with a great deal of disgust that I rise to speak on this issue today—disgust not at the former PBD, which has become the sole whipping boy in this debate, but at the ineptness and hypocrisy of the shadow Minister of Public Works and the Opposition in general. Who are they to jump on the Public Buildings Department? Who are they to decry excessive costs incurred by that Department? After all, they, and the shadow Minister in particular, exacerbated the problems at Public Buildings Department with their short-sighted, vindictive treatment of the Department's employees.

I can say today that, without a shadow of a doubt, the former Tonkin Government made a significant contribution to the cost inefficiencies of the old PBD. That Government's treatment of blue collar workers—skilled and semi-skilled trades people, proud of their credentials and their skills—was at best an exercise in clumsy industrial relations. It was, in fact, a major contribution to the lowering of productivity. It was a brutal attack on the employees' self-esteem, their financial security and their place in the community. The Bannon Government believes that the public sector has a fundamental role to play in the economy of this State. Economic development based on a close public/private sector partnership has been the theme of this Government. I might add that we have been most successful in achieving this.

In my own portfolio, a clear example to support this is the housing industry, where public and private forces have worked together with a common objective—the recovery of the industry. We have been spectacularly successful. The Bannon Government has set about achieving similar success for the construction industry. However, we recognised the first thing that needed to be done was to set out own house in order. We had to show that the public sector had a professional and efficient organisation to work with private concerns.

We knew that there were problems with efficiency in PBD, and we knew the Tonkin Government had expanded those problems, with inept industrial manoeuvres ably supported by the then Minister of Public Works. But we did not know exactly what the problems were and how they arose. Nobody had the precise answers. The Tonkin Ministry did not find out, or else it would have done something constructive about it. Nobody had even asked just how many employees the Department needed to carry out its function of properly maintaining the community's building assets.

The former Government made redundant hundreds of workers in the Department, but continued to meet their wages. I ask: is this an exercise in efficiency? The former Government, in effect, doubled the costs of every PBD project carried out by private contractors, because it was still paying the costs of retaining an idle work force. It made sure that that idle work force knew it. The Minister sent down letters weekly saying that they were not doing anything for the benefit of the State; he wanted them to go out of their own volition through shame. Luckily, those people hung on, and we have been able to gainfully employ them.

This is the hidden cost of the Tonkin Government which is never talked about. The media has never asked about that matter and that surprises me, because the media is usually fairly astute in matters involving Government mismanagement. This Government wanted to know the answers to the basic questions about PBD. We wanted to impress upon private industry that we were very serious about restructuring the public sector so that it was a respected partner.

I therefore set up an investigation—the Workforce Planning Review. Let me stress that point. I set up the investigation, because we, the Bannon Government, wanted to know what the problems were in PBD and how to solve them. It was the first such planning review that had ever been held in this State—indeed, Australia—and I have been criticised for it. I did a count while the speeches were being made, and I was called 'incompetent' about seven times. If, in setting up the Workforce Planning Review, finding out the problems of PBD and exposing the ineptness and hypocrisy of the former Government, I am called 'incompetent', then I am proud to wear that title.

Allegations have been made in this House, and through the media, of a cover-up. One only has to read the report of the Workforce Planning Review and I assure members that there is no cover-up. The report is there—warts and all—all the problems. In fact, that report could prove to be an embarrassment, but we felt, as the Deputy Premier said, that it was necessary to tell Parliament and the people of South Australia exactly what was wrong with PBD and outline the steps we were going to take to overcome those problems. There is no question of a cover-up. The woolly thinkers opposite will always grab something and say that

there is a cover-up and would like the community to believe it.

The Bannon Government has in fact dug out the facts and made those facts available to the people of South Australia, telling them exactly what we are going to do to correct the situation. We have confirmed the differential in costs between the public and private sectors, we have found out how this differential occurs, and we have established the best ways of resolving these problems. In other words, we have acted. We have acted to once and for all meet community fears of a large, inefficient, wasteful public construction organisation. We have addressed the pressing issues of excessive costs, demoralised employees, and complete lack of direction caused by the previous Government.

As I have said, we have acted. The community has a new Department of Housing and Construction, with new executive blood. The new Director, Bob Nichols, is already implementing procedural changes that will avoid wastage. There is a new commitment among the entire staff—a new lease on life, a determination to make the new Department a body of which the community can be proud. Mr Nichols is being ably supported by two other new executives, Mr Dean Lambert (again, another widely respected figure, and formerly of the Housing Trust) and Mr Peter Hankinson, formerly of the private construction sector—a very good officer indeed. In addition, all management staff are enthusiastically supportive of the Government's move and know that inefficiency of any kind will not be tolerated by this Government.

The work force of the new Department knows that, too, as do the relevant unions. They are committed to making the new Department work. We have an imbalanced work force at present, with an odd mixture of skills and age groups—a direct legacy of the member for Davenport who, upon becoming Minister, said that he was going to do a job on PBD. By golly, he tried! Luckily we defeated him when we did and were able to correct that imbalance. The legacy that he left us will now be rectified over a period to reflect the responsibilities of the new Department.

At this point I think it necessary to issue a public challenge to the Opposition, here with the news media of the State present. Considering the high profile the Opposition has attempted to take on the issue of alleged public sector wastage, I think we ought to know exactly what the Oppostion would do about it. I therefore challenge members opposite to answer this specific question: as a Government what would it do with the 1 300 weekly paid work force of the South Australian Department of Housing and Construction?

This is the work force that the Opposition is so concerned is inefficient and wasteful. Would the Opposition sack those workers or make them redundant and continue to pay their wages? Perhaps the media would like to pursue that question. As one of my colleagues interjected, perhaps the Opposition would use those workers to redecorate the Burnside Hall yet again, as the member for Davenport had them do when he was Minister; or perhaps they could be used in some of the other blue rinse areas.

On page 10 of this morning's *Advertiser*, the member for Davenport released figures of estimated cost overruns for schools, etc., and challenged the Government to answer those questions. I have always been under the impression that the Public Works Standing Committee is a bipartisan group of people who are keen to look at projects that the Government of the day is considering. When report 4 was released containing the projects that were in hand and their estimated cost increases—and the member for Davenport made the point that they were estimated cost increases—he left the meeting with it tucked under his arm. He then proceeded to make contact with the Hon. Mr Hill.

As far as I know, apart from my signing letters to say that the Hon. Mr Hill does not have to attend Public Works Standing Committee meetings because he has other pressing problems, his major problem at the moment is how he can extract from the Government $28 for bottles of port he drinks when he goes out and $1.20 telephone bills when he rings his wife. He has suddenly forgotten those problems and now has to connive with the member for Glenelg, who stole that report and gave it to the member for Davenport, so that he could attempt to embarrass the Government. Well, report 4 is the truth and the Government stands by it.

If the member for Davenport had come to see me I could have given him more fine tuning. He should have had the guts and honesty to say to me that he needed additional information, which he would treat in confidence, and I would have given him those answers. The Leader of the Opposition, considering himself a great disc jockey, is appearing on SA-FM urging the young people of the State to support his concept of an entertainment centre. The argument of the Leader and the member for Davenport on these projects that Mr Sheridan put in his Auditor-General's Report, especially in relation to the Aquatic Centre, is the cost to the Government. If this State was unfortunate enough to have a Government lead by the Leader of the Opposition, the recurrent cost would be $3 million. The Leader of the Opposition is saying that if it is good enough for him, okay; but it is not good enough for those very competent Ministers sitting on this side of the Chamber.

I promised the Leader ample time to wind up the debate, but will briefly mention the Public Works Standing Committee's not receiving advice of increased costs for the Aquatic Centre. On 16 April, I sent the Chairman of the Public Works Standing Committee a letter containing the full reasons why the costs had increased. That letter went before the Public Works Standing Committee two weeks ago. The information contained in it was extracted from the Cabinet submission, and contained the whole truth.

Members interjecting:

The Hon. T.H. HEMMINGS: Perhaps the Hon. Mr Hill was not there that day. I do not know. At least the Chairman was, because he thanked me for sending the letter.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. T.H. HEMMINGS: The Opposition said that the private sector is very critical of what the Government did in abolishing the Public Buildings Department and setting up the new Department of Housing and Construction. I invite the Opposition to contact bodies such as the Australian Federation of Construction Contractors and the Master Builders Association to ascertain their views. The two meetings I have had with those and other bodies associated with the construction industry indicate that this is the best move that the Government has made in the time it has been in office, because we are not only giving them valuable advice, but are also opening doors for them in the Asian countries, such as China. Already moves are afoot to open doors for those companies. I oppose the motion, and support the amendment.

Mr OLSEN (Leader of the Opposition): I thank the Minister for the extra time that he has given me to reply to this debate. Obviously he has run out of speaking notes. However, I do not mind having the extra time to reply to this debate. The Government is pretty good at issuing challenges, but no good at accepting them. The Minister of Public Works was challenged to a debate with the shadow Minister on the *National* television programme tonight and he refused. Where is the challenge? In addition, we challenged the Premier last night to front up in this Chamber

today to debate this motion. Where is he? He did not accept the challenge and is interstate today.

Let us clarify the position in relation to the Premier's absence from this Chamber. Obviously, the Premier had been caught out because there was no EPAC meeting today, and the Deputy Premier thought he should cover for him. He scrambled together a meeting with the Prime Minister and Mr Keating as some sort of defence. In doing so, he referred to the first letter from the Premier seeking a pair. The Deputy Premier said, 'Circumstances have changed since the Premier made the first request. Since he made the first request they have cancelled the EPAC meeting until Thursday.'

The Deputy Premier forgot to line up that letter with the letter I received from the Premier in the early hours of this morning, which repeated the lie and said, 'I cannot be in the House today (that is this day) as I must attend a crucial Economic Planning Advisory Committee meeting in Canberra.' There is no EPAC meeting in Canberra today and any member of this Parliament can telephone the EPAC secretary and get that answer. I did at lunch time and the clear reply was that there is no EPAC meeting today. Clearly, the Government was not prepared to accept the challenge to debate the matter in this House after the reports were issued.

Members interjecting:

The DEPUTY SPEAKER: Order! There is far too much audible conversation going on across the Chamber. We are now trying to listen to the Leader of the Opposition closing the debate, which I hope he will do.

Members interjecting:

The DEPUTY SPEAKER: Order! That goes for the member for Todd, too.

Mr OLSEN: Let us put this into proper context. Yesterday afternoon we asked for the reports. The Government to this minute has not given us the courtesy of a reply, and has ignored the letter. About midnight last night I said that in view of the fact that the Government was not going to give us the information, we would challenge it to a no-confidence motion. Instead of the normal two hours notice before the House sits, I decided that, as a matter of courtesy in view of the Premier's indication that he was going away, I would advise him last evening of my intention to move the no-confidence motion. I knew that the extra 10 or 12 hours would enable the Public Service staff to prepare the speeches that we have heard today, but I issued the challenge to the Premier. He did—

The Hon. J.D. Wright interjecting:

Mr OLSEN: The Premier came back an hour later: I might add that that was about five minutes before the House was due to rise at about 12.30 or 12.45 this morning.

The Hon. J.D. Wright: When the business was completed.

Mr OLSEN: About five minutes before the House was due to get up, he handed me a letter stating that, if we wanted a debate, what about having it straight away. That would have meant that it would come on at about 1 a.m. and would go until about 3 a.m. That is the first point.

Secondly, the Government had not supplied any of the information or reports. It wanted a debate to take place without the reports being made available to the Opposition. That was the tactic behind the Premier's response, and had nothing to do with his absence today. He was trying to have a debate in this House without the information available to the House. On that basis, I said 'No' to the Premier. He could have caught a plane late this afternoon and could have been in Canberra for the EPAC meeting, which I recognise is an important meeting, starting at 8.30 tomorrow.

Members interjecting

Mr OLSEN: After looking at a few airline schedules to Canberra, members will know that I am not wrong. The Government was not prepared to accept our challenge. The Premier did not want to be in South Australia today when those reports came down. He did not want to front up to the media and answer questions as to why this Government has spent $10 million of taxpayers' money without authorisation: because of inefficiency and wastage it is $10 million down the drain. That is the inefficiency of the front bench of this Government.

What about the responsibility and accountability of the Premier? The Auditor-General referred the matter to the Premier and Treasurer last September, and it is in his report. They are not my words: it is in the Auditor-General's Report. The Auditor-General told the Treasurer last September that there were problems with two projects—the Port Augusta Netball Association and the Aquatic Centre. Yet, despite questions by the Opposition in the latter part of last year and the early part of this year and despite the fact that the Premier was advised by the Auditor-General that there were problems, repeatedly the Premier, the Minister of Recreation and Sport, and the Minister of Public Works did not answer questions: they concealed the facts.

It was only the persistence of the Opposition during the course of this year that has brought this matter out now. Had we not done so, this departmental report would never have seen the light of day: there is no doubt about that. The Deputy Premier asked whether we were accusing the Auditor-General of leaking information to the Premier. He does not even understand the Auditor-General Act, section 12, which provides that the Auditor-General shall report to the Treasurer, not the Parliament. Once again, the Deputy Premier had his facts wrong, and the Auditor-General has also established that.

What is the sum total of this Government's inefficiencies? They are well tabulated in the reports tabled today, and we have had some $10 million of taxpayers' funds poured down the drain. The Aquatic Centre has gone from about $4.2 million to $7.7 million. It took the Minister of Public Works 12 months to quantify the Aquatic Centre after a Cabinet direction, by the time he got the report to the Public Works Standing Committee, on his own admission in this House today. It took him 12 months to act on a report, 12 months to act on a Cabinet direction.

In the meantime, the cost of that structure had gone from some $4.2 million to $7.7 million. It is well recognised that the project is not finished yet: $7.7 million might not be the bottom line, it might be a far greater expenditure of funds than that. Another project is the new Lyell McEwin Hospital, the original cost of which was $9.4 million, but which is now running at $13.7 million. So, we have the Aquatic Centre, the Lyell McEwin Hospital, and the Netball Association of Port Augusta. The Auditor-General drew to the Treasurer's attention the fact that such projects—

Members interjecting

Mr OLSEN: These figures are not wrong: they are included in the Auditor-General's Report. If members opposite look at that, they will establish that fact. I ask them to read that report. I can well understand the member for Hartley's frustration on the back bench, because he has incompetent Ministers on the front bench. He has a lot more talent than one or two on the front bench, but he has been languishing back there for some three years. We are assured that the health of the Deputy Premier is all right, that there is to be no reshuffle, and the member for Hartley is not coming up.

I refer to another comment of the Minister of Public Works who said, 'What are you going to do with all these public servants when you get in?' Let me establish this once and for all: the former Liberal Administration did not sack one public servant, and well he knows it. That is our track

record, and it is on one's track record that credibility is established. That is the record and commitment between 1979 and 1982. It was followed through.

That is the commitment for the next Liberal Government, and it will be followed through. The tired hackneyed phrase of saying 'we inherited a problem, and the Tonkin Government was to blame' comes out. The Government has been in for 2½ years. These projects, with overruns, inefficiency and wastage, have occurred in the past 12 to 18 months under the Minister's direction—no-one else's. Under the Westminster system accountability and the buck stops with the Minister. The Minister would know that, but his track record is such that, when he is cornered, he sacks everyone around the executive office because everyone else is expendable except the Minister, who is not prepared to accept any of the responsibility or accountability for which he is paid. During his six weeks overseas trip for which he leaves in the next few days, how will we implement the new Department? What will happen to accountability when he is away? I suppose that the answer is that there is a fair chance that it will come out on target.

Members interjecting

Mr OLSEN: I do not know how the Minister of Public Works can stand in this place and attempt to trumpet a record that, not on my words but on the words of a departmental working report—the words of the Auditor-General, an independent politically impartial body—identifies clearly that the Minister of Public Works has been totally negligent in the discharge of his duties as a Minister of the Crown. We have seen a further example today of the Minister ducking for cover and not having enough fortitude to stand up and accept the responsibility which is rightfully his and which finishes up on his desk. Well he knows it. In other words, the Minister is prepared to make anybody but himself the scapegoat.

The Premier fits quite clearly into this mess—this fiasco today—because he has known since last September that his Ministers were not performing properly. He had the Auditor-General draw it to his attention, yet the Premier took no action and in this Parliament covered up, concealed people's inefficiencies and tried to patch them up, hoping that the Opposition would not persist with its thrust of ferreting out inefficiency and wastage of Government funds. Government funds are derived from taxpayers. Money spent by Government is not its own money but taxpayers' money. The brunt of this inefficiency, wastage and incompetence is borne by the taxpayers of South Australia.

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

The House divided on the amendment:

Ayes (20)—Mr Abbott, Mrs Appleby, Messrs Crafter, M.J. Evans, Ferguson, Gregory, Groom, Hamilton, Hemmings, Hopgood, Keneally, and Klunder, Ms Lenehan, Messrs Mayes, Payne, Peterson, Plunkett, Slater, Trainer, and Wright (teller).

Noes (18)—Mrs Adamson, Messrs Allison, P.B. Arnold, Ashenden, Baker, Becker, Blacker, D.C. Brown, Chapman, Eastick, Goldsworthy, Ingerson, Lewis, Mathwin, Meier, Olsen (teller), Oswald, and Wilson.

Pairs—Ayes—Messrs. L.M.F. Arnold, Bannon, and Whitten.

Noes—Messrs S.G. Evans, Gunn and Wotton.

Majority of 2 for the Ayes.

Amendment thus carried.

The House divided on the motion as amended:

Ayes (20)—Mr Abbott, Mrs Appleby, Messrs Crafter, M.J. Evans, Ferguson, Gregory, Groom, Hamilton, Hemmings, Hopgood, Keneally, and Klunder, Ms Lenehan, Messrs Mayes, Payne, Peterson, Plunkett, Slater, Trainer, and Wright (teller).

Noes (18)—Mrs Adamson, Messrs Allison, P.B. Arnold, Ashenden, Baker, Becker, Blacker, D.C. Brown, Chapman, Eastick, Goldsworthy, Ingerson, Lewis, Mathwin, Meier, Olsen (teller), Oswald, and Wilson.

Pairs—Ayes—Messrs L.M.F. Arnold, Bannon, and Whitten. Noes— Mesrs S.G. Evans, Gunn, and Wotton.

Majority of 2 for the Ayes.

Motion as amended thus carried.

PERSONAL EXPLANATIONS: PUBLIC WORKS COMMITTEE REPORT

Mr MATHWIN (Glenelg): I seek leave to make a personal explanation:

Leave granted.

Mr MATHWIN: During the Minister's excited outburst, in his attempts to pass the buck, shield himself and fudge the issue—

Mr Trainer: You're supposed to be making a personal explanation.

Mr MATHWIN: Why don't you get back in your box?

The DEPUTY SPEAKER: Order! If the member for Glenelg pursues that line, the Chair will certainly deal with him. The Chair pointed out yesterday that a member is granted leave to make a personal explanation for that purpose only and not for the purposes of engaging in a full scale debate. If the member for Glenelg does not have a personal explanation to make, leave will be withdrawn.

Mr MATHWIN: The Minister of Housing and Construction accused me of stealing a report which was submitted to the Public Works Committee and which was on a number of different projects. If the Minister does not believe what I have to say, he can ask some of the Labor members on the Public Works Standing Committee (there are both Labor and Liberal members on that committee, and I might add that it is a very good committee). A number of reports, either five or six, were given out to members of the Public Works Committee who were present at the time. So, they were distributed, along with another report on school fires, to all members of the Committee. Those reports were taken by all the members of the Committee who were given them, and for the Minister to say that I stole that report is an absolute and downright lie.

Members interjecting:

The DEPUTY SPEAKER: Order! The Chair is beginning to get the feeling that the honourable member wants to flout the Chair. The honourable member knows very well that the word 'lie' is considered unparliamentary and the Chair is now going to ask the honourable member to retract that particular word.

Mr Lewis: Why don't you—

The SPEAKER: Order! The Chair has got to the stage where it will deal with the honourable member for Mallee if he keeps interjecting.

Mr MATHWIN: I withdraw the fact that the Minister was telling a lie, even if he was, and say that the Minister was peddling untruths.

The Hon. D.J. HOPGOOD: I take a point of order, Mr Deputy Speaker. That is not a retraction.

The DEPUTY SPEAKER: The Chair upholds the point of order, and simply points out to the member for Glenelg once again that all he was asked to do was in fact retract the word 'lie', as it is unparliamentary. The Chair will ask the honourable member for Glenelg to do so again but will assure the honourable member for Glenelg that if he does not do it, the Chair will act.

Mr MATHWIN: I apologise for flouting the Chair in that manner, but I am angry, and you can understand why.

I withdraw the word 'lie' and say that the Minister was peddling untruths.

The Hon. T.H. HEMMINGS (Minister of Housing and Construction): I seek leave to make a personal explanation.

Leave granted.

The Hon. T.H. HEMMINGS: The comments I made regarding page 10 in the *Advertiser* and the actions which I have attributed to the member for Glenelg I still strictly adhere to. The member for Glenelg has made the comment that that report, No. 4, was distributed to all members—

The DEPUTY SPEAKER: Order! The Chair is not going to allow the Minister to continue in that vein. He is entering into the field of debate. The matter is simply a personal explanation.

The Hon. T.H. HEMMINGS: With all due respect, I thought I was defending my position when I made those comments during the debate.

Members interjecting:

The DEPUTY SPEAKER: Order! The Chair is not going to rule. The Chair has made perfectly clear that the Minister, like others, is seeking leave to make a personal explanation and that a personal explanation is a matter concerning the person himself. It is not into the field of debate, and I am asking the Minister to confine his remarks to matters that concern him personally.

The Hon. T.H. HEMMINGS: Well, Sir, it was given to me that the member for Glenelg left that room with the report under his arm, and this morning that report appeared on page 10 of the *Advertiser.*

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. MICHAEL WILSON: On a point of order, Mr Deputy Speaker, that was absolutely disgraceful. The honourable member for Glenelg claimed that he had been misrepresented and said—

The DEPUTY SPEAKER: Order! The member for Torrens has now taken a point of order and immediately dashes into a debate. What is the point of order?

The Hon. MICHAEL WILSON: The point of order is that that was not a personal explanation of the Minister's. It was an allegation—it was not a personal explanation at all. I believe you were going to warn him of that and tell him to desist.

The DEPUTY SPEAKER: I uphold the point of order. Again, I ask the Minister to come back to a personal explanation. The honourable Minister.

The Hon. T.H. HEMMINGS: I have nothing more to say. I think it has all been said.

Members interjecting:

The DEPUTY SPEAKER: Order!

JOINT SELECT COMMITTEES

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

That the members of this House appointed to the Joint Select Committee on the Law, Practice and Procedures of Parliament and the Joint Select Committee on the Administration of Parliament have power to sit on those committees during the recess.

The Hon. B.C. EASTICK (Light): Members of the Opposition will be quite prepared to serve on those committees during the period that the Minister has provided so long as the discussion and the debate takes place in the committee room and not through the pages of the newspaper. We have a situation where over an extended period of time the debate on vital issues referred to those two Select Committees has frequently been held in the newspapers associated with the names of members of the Party opposite who are also members of that committee.

The Hon. J.D. Wright: What were the illustrations you are referring to?

The Hon. B.C. EASTICK: I will bring the illustrations to the notice of the Deputy Premier and let him have a look at them and make his own assessment. I do not drop names in the House like the member for Unley, unless I have absolute factual information to provide. I again draw to the attention of the House that members on this side of the House have made themselves available to sit on those committees from time to time. It has not always been possible to fit into a programme which has been directed by the Attorney-General in one case or to accommodate the requirements of the Presiding Officers in both places.

There will be very competent consideration of the matters before those two committees so long as those two committees are able to perform as Select Committees are required to perform. I draw to the attention of the Deputy Premier by way of an indication of what I am talking about—the information staying with the Select Committee—I found it necessary within the last six to seven weeks to rise in this place and ask for the protection of the Chair to prevent a member of one of those Select Committees revealing information which was the property of those Select Committees by way of an explanation on the floor of this House.

We want a result from those two committees, and the record will show that I indicated to this House when those two committees were formed that there was urgent and necessary work to be undertaken, provided it was approached in a spirit of proper co-operation. You, Sir, as the Chairman of one of those committees, will appreciate that there was some quite important work undertaken by the committee of which you were a Chairman and there will be a continuance of that work provided we can be assured that the discussions of those committees will be the premise of the public and the premise of this House after the committee has reported and not while the committee is meeting.

The Hon. J.D. WRIGHT (Deputy Premier): I only entered the debate to clear up a situation that I do not completely understand and for no other purpose. That is why I asked the honourable member for the illustrations he is referring to. I have not seen the press report about the committee upon which we both served and I would condemn such a press report if I did. I have worked on several Select Committees within this Parliament and the information contained in those committees is clearly the business of the members of the committee and no-one else. I subscribe to and support that particular stand, that principle and tradition, and I always have. If the honourable member cares—and I think he said he would—to draw to my attention the illustration that affects the committee I am on, I will take that up the next time the committee meets.

SITTINGS AND BUSINESS

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

That the House at its rising adjourn until Tuesday 25 June at 2 p.m.

I take the opportunity, on behalf of all members, to place on record our appreciation, as members, of the assistance given by various people in the running of both this Chamber and the Parliament as a whole. I refer, of course, to the Clerks, to the Attendants, to the caretakers, to the catering staff, to the people in the Library, to the people who service the various committees, and of course *Hansard*, who work so very hard to ensure that all our wisdoms and follies are

made known to the people of this great democracy. To all of those people we owe a great deal of gratitude and thanks. It remains only for me to wish all honourable members a productive break until we meet again for the Budget session.

The Hon. B.C. EASTICK (Light): I support the motion before the Chair, and I concur with the remarks made by the Minister for Environment and Planning, as Leader of the business of the House, in relation to the staff and services they provide. It is hoped that honourable members will learn from the experiences available to them, whether by way of travel or committee work, during the intervening period. I take it that, in due course, we will be advised of a commencement date, which obviously is not going to be 25 June, but one would suspect, having regard to the Constitutional Convention, the House will meet possibly in August in order to allow members who are appointed to that convention to convene.

The sitting hours of the House are sometimes long and tempers sometimes fray, but I trust that the acrimony shown from time to time is something which is not going to persist. I also hope that there will be a determination by all members, when they return for the next session, to undertake activities which are beneficial to the well-being of the State of South Australia. We recognise that it will be a lead-up to an election period, and, as such, there may be some tension. I hope that that tension does not surface, and I am sure even the member for Albert Park will not seek to create any problems.

It would appear that my colleague the Leader of the Opposition is otherwise detained and is not able to enter the debate at the present time, but on behalf of the Opposition I say to *Hansard*, the catering staff, Library staff and Messengers and to all others who provide services, that the Opposition thanks them for their services and we look forward to returning in due course.

Motion carried.

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

That the sittings of the House be extended beyond 5 p.m.

Motion carried.

ROAD TRAFFIC ACT AMENDMENT BILL (1985)

The Legislative Council intimated that it had agreed to the House of Assembly's amendment.

POTATO MARKETING ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 15 May. Page 4342.)

The Hon. TED CHAPMAN (Alexandra): This Bill was introduced by the Minister of Agriculture, the Hon. Frank Blevins, on Wednesday of last week. At the time of its introduction the Minister insisted that it be dealt with and concluded in both Houses of Parliament by today. Although containing only three clauses, the Bill represents a savage and destructive attack on a primary industry Act within which there is no incorporated section giving the Minister authority to act in that manner. His action in this instance sabotages the potato growers' rights, which are clearly identified in section 25 of the principal Act.

It is true that the Minister has paramount powers. I believe on this occasion the Minister of Agriculture has abused those powers and that the haste with which he has insisted this Bill be dealt with has shown contempt for the due and adequate processes of Parliament. It also represents yet another slap in the face by the Labor Party to primary industry generally. He has taken this unprecedented step without appropriate consultation with the industry, without public consumer support, and without demonstrating reasonable justification for his action.

The Liberal Party opposes the Bill. On behalf of my Party I reiterate our commitment to the principle of primary industry orderly marketing consistent with our National coalition colleagues and the Liberal Party at State level across Australia. I will talk more about that and the reasons why we take that stand later. Our stand is also consistent with the committed policy of the National Farmers Federation, the UF&S in South Australia and multiple rural-based organisations throughout the farming community of this country.

Returning to the details of the Bill, clause 1 is formal. Clause 2 removes the penalty sections of the Act, and clause 3 is in two parts: the first part inserts a sunset provision for the automatic repeal of the entire Potato Marketing Act at the end of June 1987; the final part enables the Minister to dispose of the Board's assets, as he thinks fit.

Dealing with the removal of the penalty sections of the Act, it is my view and that of responsible representatives of the industry that this action will begin to render effectively inoperative forthwith the Board's orderly marketing structure, its proper administration, its promotion and grower servicing responsibilities. It will certainly lessen, if not dissolve, the opportunity for orderly grower levy collection and appropriate protection of the industry's assets by the Board. I believe the action of removing the penalties renders the Board toothless and useless, and constitutes a recipe for disintegration of its structure in the meantime.

In the absence of any hard evidence, the Minister has cited but one incident of penalty application by the Board, albeit through the Supreme Court, which could be interpreted to justify his case for removal of the penalty sections. I will refer to that specific incident, because much has been made of it both in the media and apparently by the Minister when seeking to defend his action of recent days in introducing this Bill. It seems to have been the excuse seized upon by the Minister to mount his personal vendetta against the orderly marketing of potatoes in South Australia and, if one reads the *News* today in relation to his visit to the Riverland a few days ago, it would be clear and reasonable to presume that that vendetta extends to other orderly marketing structures in the primary sector.

This is a matter about which many people in the industry have been warned over recent weeks following throw away comments by that very Minister in the Parliament, in its corridors and on public platforms. The man involved in the issue to which I refer was described in the Minister's press release as a 'South-East man' and he has been described as such by the Minister more recently through the media. The man has been referred to in the media as a 'South-East grower', 'a South-East merchant', or a 'South-Easterner'. The inference has always been that some poor innocent who accidentally misplaced a few potatoes in a 67 kg bag instead of a 50 kg bag was jumped on by a power mad bureaucracy which used (to use the Minister's own terms) Draconian measures, resulting in the court's imposing collective penalties of $12 000 under the industry's Act—to use the Minister's words again, 'an absurdity'.

I would like to look at the facts and, in so doing, draw to the attention of those left in the Chamber one or two matters which have been drawn to my attention and about which I am personally aware; and I am prepared to refer to other matters on their face value. First, the person involved was a potato merchant from Warrnambool in Victoria who, over a long period of years, had allegedly been taking advan-

tage of the price umbrella set by the South Australian orderly marketing scheme. Again, allegedly, it has been testified before the Adelaide Magistrates Court that there existed a body called the Potato Importers Association whose sole purpose was to undermine the authority of the orderly marketing scheme and render it ineffective. The extent of the membership of that Association is not clear. However, I was reminded by one of its members when in Government that its address was 60 Hutt Street, Adelaide. I will return to that matter in a moment.

Again, it is alleged that members of that Association set out to break the Board. They began that in the late 1970s, before my time in this place, so on that point I can only take my remarks from the notes that are on record. In the early 1980s, it set out to harass the Board's marketing structure by importing interstate potatoes and quitting them at prices below Adelaide market levels, irrespective of the cost of production or freight. This resulted in no economic advantage to Adelaide consumers but rather that cost South Australian potato growers many thousands of dollars. When the Board, in its ordinary role of protecting its grower registered members, set out to counter these moves, members of the Association chose to attack the regulations in relation to packaging, in particular.

South Australia's policy on potato packaging was well known; it was promulgated in 1972 in line with metric conversion, and was implemented in June 1973. South Australia pioneered uniformity in packaging, and the 50 kg bag that was adopted here has now been adopted nationally as the Australian potato bag (APB). Other States, most of which had no packaging laws in relation to potatoes, followed the South Australian lead. The lead in this direction, in relation to identified packaging and the setting of acceptable standards of packaging by the Potato Board, is not unique to that Board. Indeed, it exists for example in the seed industry in South Australia, where one cannot buy a bag of clover seed containing 40 kg or 60 kg, or, to use the terms of the potato industry of some years ago, a hundredweight, a hundredweight and a half, or a quarter of spuds—something that members would recall.

This brought the system into line with the recommendations of the National Metric Conversion Committee. It adopted a line that has been considered and is now acknowledged across the country. South Australian growers are obliged to observe the State's packaging requirements and, as has now been determined legally, so must people from other States who bring products into South Australia. Members of the Association knew this and chose to ignore that fact. Sacks of a different size were purchased and distributed to interstate growers. They were then imported into South Australia in an orchestrated campaign to attack the orderly marketing of potatoes here. The people doing this knew what they were doing and that it was wrong. They also knew the penalties involved.

Those latter remarks not only appear in my notes but also were made by the judge who imposed the $12 000 accumulated penalty involved. The offences involved were not unwitting, nor were they one off offences. The Victorian merchant's part in this orchestrated campaign took place during March, April and May of 1980 and involved over 80 tonnes of potatoes—enough potatoes to keep 20 000 people in potatoes for a month. The hearing of his case before a magistrate was delayed pending the result of a test case involving similar charges against another member of the Potato Importers Association.

When those proceedings were finally resolved in favour of the Board by the Full Bench of the Supreme Court last year it was possible to proceed with the case against the Victorian merchant. The magistrate involved found against that merchant, as did Justice Bollen of the Supreme Court on appeal. It is understood that the alleged offending Association also has a South Australian address of 60 Hutt Street, Adelaide, which also happens to be the address of a locally based merchant.

It has been testified by a member of that locally based organisation that it is also a member of the Potato Importers Association. It was, as I said earlier, his company that lost the test case involving charges similar to those laid against the Victorian merchant. It is well known within and without the industry that there has been consistent antagonism towards the orderly marketing scheme adopted by the potato industry in South Australia. I am not in any way denying that company or its participants the right to have a point of view and to express it, or at any time to exercise it as it wishes. However, I note with further interest that from that very same organisation the Minister has selected a member of the working party to investigate the orderly marketing Act. It is therefore a fact that the company representative from the South Australian base to which I have referred is the Minister's selection as a marketing expert and member of the working party.

The names and details appear in that report. It is not surprising to find ultimately from that working party's report that the person to whom I refer was one who voted in favour of the Minister's position, indeed one of the three who voted for the discontinuation of the Board and a return to so-called free marketing in the industry. In these circumstances it would seem appropriate that these matters be known as events which the Minister seized upon to mount his vendetta on the Orderly Marketing Act and on which he chose to make the extraordinary precedent of remitting those collective penalties.

In this case it was not a fine but a penalty under the clear sections of the Act. In the meantime, if the Minister was really serious about his so-called concern for the penalty sections of the Orderly Marketing Act in the potato industry, why did not the Minister exercise section 23 of that Act under his care and control? Why did the Minister not exercise that section that enables him to overturn any decision of the Board? When the Board took the decision to prosecute, if the Minister was on the ball, if the Minister did his job, he would have said, 'Do not proceed with this prosecution', if he was concerned about the flow on implications of the imposing of penalties above the basic minimal fines which are mandatory under his own Act.

Still dealing with the Minister's proposal to remove the penalty clauses, I now come to the already mentioned working party reports and I will explain its background. Section 25 of the Act provides for the duration or repeal of the Act to be determined by a simple majority of the industry's voters at a poll of growers. That section does not mention the Minister's power in relation to duration except, however, that, in relation to a petition of growers, if a petition of growers is lodged with the Minister, he shall (and I point out to members that it is 'shall' and not 'may') facilitate a poll. In 1981-82 whilst I was Minister I received a petition from growers requesting such a poll.

Given some evidence already received which indicated that it was a desirable step to take anyway and, of course, in accordance with my obligations under the Act, I directed the Electoral Office to undertake a growers poll. The result was in favour of retaining, under the Act, its Board structure and function. Allegations surrounding the Board's administration and its untoward influence on the 1981-82 poll result led me to instigate an inquiry by the Ombudsman. The Ombudsman's report was furnished to my Ministerial successor, the Hon. Brian Chatterton, in 1983, following the Liberals' departure from Government in late 1982. The Ombudsman's report recommended certain changes to the Orderly Marketing Act and its overall administrative pro-

cedures. That Ombudsman's report was referred to the working party set up by the current Minister, the Hon. Frank Blevins, in 1984.

Correspondence at my disposal confirms the procedures the Minister took to appoint the personnel to his working party and identifies the terms of reference to which that working party was to address its attention. At or about the time the working party was established in 1984, a further move to petition the Minister for a further growers poll was thwarted and those requesting that poll of growers were urged to withdraw from lodging their petition which, as I have indicated before, would have forced the current Minister, under the Act, to hold a poll. Those pending petitioners were urged to make their submissions to the Minister's working party.

The terms of reference laid down by the Minister neither stated nor implied any requirement of the working party to consider the penalty clauses of the Act. Not one of the 47 submissions made to that working party referred to the penalty clauses of the Act. Neither did the working party report presented to the Minister in April of this year refer to the subject of penalties. Accordingly, I restate that there is no tangible evidence from the industry or the community at large to sustain the Minister's case for repeal of the penalty section of the Potato Marketing Act forthwith as in fact he is proposing in this Bill. His action in this respect appears clearly to be one of whim rather than of weight. I believe the Minister, in repealing the penalty section, is using, indeed abusing, his authority to wreck the system without fair grounds to do so.

I have an independent consultant's report as well as many industry based submissions to which I will refer later that reinforce my argument in this regard. Let me demonstrate further how the Minister has used the period surrounding the task force investigation to deceive, indeed trick, the industry into believing that they would be consulted. In a letter to the Fruit Growers and Market Gardeners Association of South Australia dated 3 April 1984 the Minister stated:

I have decided to establish a working party to examine some of the Ombudsman's recommendations and I now write to your committee to nominate two representatives to join that working party. The working party will liaise with all sectors of the potato industry, report directly to me and operate under the following charter.

(1) Composition:
Combined Potato Industry Committee (two representatives), South Australian Potato Board (two representatives), Department of Agriculture (two representatives). One person with expertise in marketing

(2) Objective:
To report to the Minister of Agriculture within 6 months from appointment, on desirable changes to the Potato Marketing Act (1948). In preparing that report the working party shall liaise with all sectors of industry and have powers to co-opt other qualified or specialist persons as required.

(3) Terms of Reference:
Having regard to the recommendations of the South Australian Ombudsman's report of January 1984,

(a) Review the current arrangements for the marketing of South Australian potatoes and provide recommendations for future strategies and corporate planning,

(b) Review the Potato Marketing Act (1948) and recommend any necessary amendments relating to:

- the composition and size of the Board,
- the permanency of its marketing operations,
- provision for a Promotional and Advertising Council,
- any additional or clearer definitions that may be required,
- and provisions for holding growers' polls.

Now the crunch comes. The final paragraph on that page of the Minister's letter to the industry reads as follows:

I share your desire to see early resolution of the complexities facing the potato industry. However, I expect that it will take up to six months to review and report on the Potato Marketing Act and after a period of consideration by other parties—

I hope the Acting Minister is listening and paying sufficient attention to this subject in order to be able to respond, because, if he is not, I will proceed to ask him questions in Committee in order to then command the Acting Minister's attention. He does not appear, as is normal in this place when rural matters are being discussed, to have any great interest in this subject. The Minister of Tourism and of Local Government appears locked into conversation about matters of other or apparently higher interest. He certainly does not appear to be interested in what is going on at the moment.

I respectfully draw the Minister's attention again to the last paragraph that I am reading from his own colleague's (the Minister of Agriculture) letter committing the Government to an undertaking of consultation about the very subject we are debating at the moment. I propose to continue with that paragraph, noting the sort of contempt to the subject that is being displayed from the other side at the same time. Before my attention was distracted, I was quoting from a letter from the Minister to the industry, as follows:

—and preparation of legislation. The amendments are unlikely to be ready earlier than for the Budget session of Parliament in September 1985.

It is reasonable to presume that industry accepted that undertaking in good faith and was ready to take the umpire's decision and indeed study the report, come back with recommendations for changes that may be required and adopt whatever administration or implementation was necessary. However, he tricked them and in fact got under their guard, treated them in good faith; they trusted him and he scuttled the ship on behalf of that industry and whipped the Bill into the House. Let us look at what he did from there on.

The Hon. P.B. Arnold interjecting:

The Hon. TED CHAPMAN: That was the very clear implication in that same correspondence. Indeed, he was party to requesting that a poll not be held in the mean time and that they put their attention to the working party. The Act itself in any event provides for the opportunity of growers having a poll, as indeed it should. To get back to the subject, on 27 June 1984 the Minister wrote to the respective personnel comprising the working party membership. I cite that correspondence to demonstrate the tenor of his attitude on paper at this time and how it would be reasonable to perceive at industry level that the Minister was acting in a proper fashion as far as it was concerned. The Minister stated:

I wish to confirm your appointment to a working party I have established to review the Potato Marketing Act. Thank you for your willingness to undertake this important task. The composition of the working party is as follows:

Potato Board: Mr G.R. Muir, Mr H. Bannister

Combined Potato Industry Committee: Mr J. Mundy, Mr R. McDonald, Mr B. Nicol, Mr K. Martin

Department of Agriculture: Mr G.D. Webber, Chief Regional Officer, Centre, Mr I.R. Lewis, Senior District Officer, Adelaide.

Marketing Specialist: Mr G. Keen, Keen Bros Pty Ltd.

Subsequently the working party had its inaugural meeting and proceeded with its commission within the terms laid down by the Minister. Both the industry and the public were invited to submit evidence. Forty-seven submissions were received, of which five only expressed their desire for the Board structure to be dismantled. Only one consumer submission was received by the working party and that submission referred to the fat content of processed potatoes and expressed its opposition to the advertising of processed potatoes. It had understood the Potato Board participated in that form of advertising when in fact the Board was not

and has not ever been involved in advertising processed potatoes.

Although the content of that submission was noted, it was effectively negated because it was founded on the false understanding of the Board's role. So much for consumer concern as the alleged grounds for the Minister's action. I am of the view, however, that in the absence of any other consumer submission to that working party and the total absence of consumer complaint therefore about the Board's role, that the Minister in fact has no grounds whatsoever on behalf of the consuming public to proceed with the removal of the penalty sections of the Act and accordingly instigate the destruction of the system.

In summary, the Minister has not been able to produce any evidence other than in the case of the Victorian merchant to sustain a case for removing the penalties from the Act. Certainly not at industry level, or at consumer level or from any other independent consultant level has there been any stated support for the move by the Minister to do so. The whole exercise is further disturbing in that, although the Minister received the working party report in April this year (more than a month ago), he only made it publicly available from his department on Tuesday of last week (7 May 1985) via an ABC talk-back and in answer to a question on notice by myself, which his office delivered last Tuesday also.

It is ironical to say the least that on that same day the Minister gave notice of his intention to introduce the Bill that we have before us, and in fact did so, as earlier mentioned in my address, on the very next day—Wednesday of last week (8 May 1985). So, one may fairly conclude that, quite apart from the exercise of trickery applied to the industry, the Minister in fact totally denied the opportunity of consultation on the contents of the report between its official releasing and introduction of the Bill. Suffice to say that his Bill does not reflect the findings of his own working party report, and had he released that report and given the industry and community at large the opportunity to appropriately consider it as promised, it would have destroyed his opportunity to proceed with the Bill in this session.

I want to place on the record a response to the Minister's second reading speech as prepared and provided by the Horticultural Association of South Australia. Let me assure this House that the preparation of it was compiled without any input from any member of the Liberal Party. It is an independent industry reaction to the Bill thrust upon them with a very limited time to address itself on behalf of its members, as also that limited time has been applied to us. The submission states:

Following the release of a Bill for an Act to amend the Potato Marketing Act of 1948, which was introduced into the House on Tuesday 7 May 1985, I wish to inform you on behalf of the Combined Potato Industry Committee, which represents 320 potato growers within the State of South Australia, of the following points:

A. This paragraph refers to a sunset clause which renders the legislation inoperative on and from 1 July 1987. Obviously because the penalty clause under section 21 of the principal Act has been amended to there simply being a fine for breaches of the Act, the Potato Board is rendered inoperative from the time this legislation is passed as there will be many people working outside the Act with no great deterrents. Already today, 9 May 1985, we have been informed of a merchant not registered under the Act who is approaching growers in the Riverland districts of South Australia for the supply of potatoes outside the system. In order for growers and packers to maintain their competitiveness within the market they also will be forced outside the system.

B. In the second paragraph it is stated that the Government considers that where the case has not been administered in the interests of the community as a whole for the Government to continue to intervene in the marketing of potatoes. I would suggest that the rationalisation that will occur within the industry will cause the loss of a great many employment opportunities both directly and indirectly contributed to the potato industry. At present the industry is stable and is able to support its own research, development and promotion and has a marketing authority to counter the power of any sophisticated purchasing techniques of the large chains. The growers will be at the mercy of these chains without the protection of the Potato Marketing Act.

C. The statement, 'the marketing of other vegetable crops in South Australia does not require Government intervention for their efficient marketing' is not completely correct. Other commodities have made approaches for Government intervention over the years and realise the difficulties associated with bringing in new legislation to assist their industries. We have a situation where many commodity crops cannot afford any promotion, any funds for research and the ongoing development of these industries is in doubt. The more accurate statement would be 'does not receive' rather than 'does not require' and the other area of contention is 'efficient marketing'.

D. The statement that the Western Australian Board is currently under review is correct. The inference of this statement is that it is under review in order to gain much the same outcome as what we have in South Australia at present. In actual fact, it is under review to upgrade their present system and is being modified on many of the South Australian Potato Board's initiatives which have been of success over the past years.

I have in my possession a telex from the Western Australian industry confirming that it is seeking to keep the position adopted by the South Australian industry in its own Western Australian potato marketing structure. The submission further states:

E. The statement, 'Ministers of Agriculture have, over a considerable period, received numerous complaints about the Board's policies and operations,' would be true for any statutory authority or Government department. Interestingly enough the complaints regarding forms of corruption and manipulation did not have any proof attached to them. We know of no case where the people making accusations have any fact to back these accusations and therefore feel that these comments should not be taken into consideration. A pointless exercise would be to complain about quality, market access, etc., on a crop such as onions, as there is nobody to listen to the complaint.

F. The statement, '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,' is rather loose in that the working party had access to any information required by that group and to gauge the actual extent of grower support is simply a matter of sending a questionnaire to each registered grower within the State and following up on those that do not return that questionnaire within a set period.

G. To state that the working party voted for the retention of the present system 'by a narrow margin (5:3)' is misleading. There were eight people involved in the working party plus a Chairman appointed by the Minister. Of the eight, two were elected by the South Australian Potato Board, four were elected by the Combined Potato Industry Committee to represent the four defined growing areas of the State, one was an employee of the Department of Agriculture appointed by the Minister, another was also appointed by the Minister as an independent marketing expert. This independent marketing expert cannot be stated as being truly independent. Firstly he is a licensed potato merchant who has had legal action taken against him by the South Australian Potato Board for contravening the Potato Marketing Act. Two of the three that voted against the retention of the Act were the Minister's own appointees.

H. This paragraph is the 'let out' for the Minister. However, even the most naive person involved in this issue would realise that the horse will have bolted by the time the stable door is closed. By removing the penalties clause within the Act the system will breakdown well before any action can be taken to resolve the problems highlighted in the working party report.

The Report goes on with items I, J, and K in response to the Minister's second reading recorded speech, but I will not persist with those paragraphs, as my time is running out. However, I assure members that they contain references to the Minister's so-called support for his action as being ideological nonsense and make the claim that many small growers will be forced out of business if this Bill passes.

Ultimately, the Minister has succeeded in heading off an industry poll of growers, provision for which has been an entrenched element of the Potato Marketing Act since its original proclamation in 1948, and indeed is an entrenched ingredient of a number of other primary industry orderly marketing Acts across the country. Indeed, in the case of

this Potato Marketing Act a poll of growers revealing a majority support for the Act was a requirement before its original proclamation. In other words, a poll of growers was required to set it up, and provision for a poll of growers explicitly implanted in the Act for the purpose of considering whether it should be dismantled, but that principle has been torpedoed by the Minister in this State.

Clause 3 of the Bill provides for the automatic repeal of the Act in 1987. As claimed in a number of consultant and industry submissions lodged with the Liberal Party since the introduction of the Bill last week (and I agree), this clause really makes a mockery out of the Minister's attempts to justify his position. As stated before, there is a real risk of the industry organisation tearing itself to shreds and destroying the business of many small potato growers in the meantime.

As for the Minister's statement that he will, after 1 July 1987, distribute the Board's assets as he thinks fit, only time will tell what there is left of those assets when that expiry date is reached. There has been much speculation by industry on this point and many calls for the Minister to reconsider his whole attitude to the subject. I am not in a position, nor well enough informed, to address myself on behalf of the Party to that particular issue.

I now place on record some details relating to the regions, the number of growers in each and their respective areas planted, annual production, tonnages, etc., and I seek leave to have inserted in *Hansard* a schedule, concerning which I had spoken to the Deputy Speaker prior to your taking the Chair, Mr Acting Speaker. I give you the same assurance that I gave him, that this schedule is of an entirely statistical nature.

Leave granted.

		Average Yield				Interstate				
		Tonnes	No. of Growers	Hectares	Per Cent	Contract	Fresh	Seed	SAPB	Total
		Ha.								
District	1 South-East	25.76	78 Upper-14	390	9.7	3 000	300		7 450	10 750
		34.05	Lower-64	740	18.3	11 500	2 650	1 000	10 050	26 200
	2 Southern Hills	23.58	24	680	16.9		700	340	15 000	16 040
	3 Northern Hills	26.17	77	460	11.4		400	440	11 200	12 040
	4 Central Hills	25.00	23	150	3.7		200	350	3 200	3 750
	5 Adelaide Plains and Early Districts	19.89	117	1 620	40.0		5 300	1 820	25 100	32 220
			319	4 040		14 500	9 550	3 950	72 000	100 000

The Hon. TED CHAPMAN: In view of the level of criticism directed at the Potato Marketing Board in this State and some of its members, I place on record contents of a letter dated 3 April 1984 to Mr G.R. Muir, Chairman of the South Australian Potato Board, and signed by the Minister, the Hon. Frank Blevins. It states, in part:

> Thank you for your letter of 14 March reporting on progress with aspects of the Ombudsman's report on potato marketing and suggesting terms of reference for the proposed Working Party to consider implementation of that report... I have also asked the committee to nominate representatives to the working party. I have combined your suggested terms of reference with my own thoughts and added an additional person with marketing expertise to the working party. Pending receipt of nominations from the other interested parties, my staff will be in contact concerning an inaugural meeting of the group. Meanwhile I express my appreciation for the thought and effort that you already have contributed to this matter.

While, on the one hand, the Minister is pouring his appreciation on the Chairman and his Board's efforts on behalf of their growers, on the other hand he has throughout the period been hypocritically scheming to undermine the Board's authority and its effective operation on behalf of its growers. I am satisfied from my investigations that the orderly marketing principle in primary industry should be under the canopy of Statute, where those respective industries demonstrate to Government that there is a need, a desire and sufficient industry levy funding to totally finance those structures without public contribution, and where those orderly marketing schemes have due regard for the consumer of those products as regards quality, price and continuity of supply.

I further believe that such orderly marketing structures within primary industry should have on their respective boards representation of persons involved between the paddock and the plate: that is, there should be the grower, packer and merchant retailer, as well as consumer representation. I also believe that such statutory orderly marketing organisations should be accountable, for all of their activities identified, to all of the participants identified, and to the Parliament annually.

Where corruption, undue disruption and improper practices are alleged, they should be fully investigated as soon as possible. Where found to be positive, action should be taken, but in this instance to throw the baby out with the bathwater and dismantle the orderly marketing structure in the potato industry by a whim of the Minister and some personal association with one of its interstate participants is, in itself, improper. Of the five regions of the State specifically identified as engaged in the growing of potatoes, it is true to recognise that in the Lower South-East region the schedule will reveal that 64 growers are currently in the business. The clear majority of those growers are against a Board structure which has any influence over the marketing of their products. It is true that in the other four regions the clear majority of the growers are in favour of maintaining the structure of the Board and its oversight of their produce in the marketing arena. I believe the decision as to whether it goes or stays should reside with the growers in accordance with their own Act.

Finally, I quote the conclusion of a report produced by an independent consultant (again, I have chosen not to name the organisation, but I assure the Chamber that it was provided to me in good faith) and is from an established South Australian industry consultant of high repute:

> From our research and analysis, the South Australian economy will be worse off if the Government blandly accepts the 'free market' arguments and abolishes the Potato Board. There is still the opportunity for growers to market interstate outside the Potato Board, if so desired, and many thousands of tonnes go interstate to processors. However 'whatever the pros and cons of statutory marketing' a recent BAE study showed conclusively that for at least a decade the States with well run marketing boards have given their producers a much better return and thereby kept the industry growing.

I have on file a voluminous amount of evidence to demonstrate that what I have put to the Chamber today is not unanimously supported within the industry but quite clearly is overwhelmingly supported within the industry. To that, I add the support of the Liberal Party in opposing the Bill.

Mr M.J. EVANS (Elizabeth): I indicate, in broad terms, my support for the free market economy and marketing

which this Bill attempts to introduce in respect of this vegetable produce. However, before developing that argument further I place on record my thanks to both the Minister and industry representatives for the time and trouble that they have taken to ensure that I was fully briefed on this matter and had all the relevant and requested information before me as I was coming to a decision on this issue. I have read the second reading debate in another place and have listened at some length to industry representatives, the Minister and his advisers. I thank them for their courtesy in the matter.

Throughout my political career (it has not always been in this place, but I have been involved in politics for some time) where I have had an opportunity I have taken a free market view in relation to the marketing of produce. I certainly accept that that has to be the case within Australia itself. Our Constitution enshrines that principle in its terms and the relevant section of the Act, very famous as it is, provides that interstate trade and commerce between the States shall be absolutely free, and it has certainly formed a very strong part of our legal and farming history in this country.

However, by continuing with this policy of, if you like, agrarian socialism, we will not ultimately benefit the people of South Australia. I can see that a case has been made out in the long term for repeal of the Board structure: that general principle has my support. However, I quote a few lines from the Minister's second reading speech in another place in which he said:

> Of course, it is not being abolished, it is not even being altered. What is happening is that, if the Parliament in two years time does not take some action, the Potato Board will then be abolished if the Parliament so chooses. I can see nothing terribly wrong in that. If the Potato Board cannot in two years justify to growers, consumers and the Parliament that it should exist, I would argue that there is no reason for its existence.

Clearly, the Minister is saying to the Potato Board that if it can put its house in order and demonstrate a case as to why it should be continued, the Minister and Parliament, presumably, if that is the case at the time, would review the decision we are being invited to take today, and we might well allow the Potato Board, perhaps in some retructured form, to continue in operation.

However, it is my basic philosophy that a free market should exist in commodities, and certainly in all the other vegetable areas it does exist. I am not convinced, from experience interstate and overseas, that by establishing marketing authorities one can ultimately benefit the society in which they operate. One need only look to Europe to see the dangers of a common agricultural policy—the butter lakes and milk mountains referred to which are ultimately the result of controlled marketing of produce.

The Potato Board has not had that effect in South Australia and I do not seek to make that allegation this afternoon, lest members think that I do. However, I do believe that there is a case for free marketing of this produce, and that case ultimately will be accepted by all those in the industry. Whether they support the measure or not I believe that they can see the benefit—particularly those substantially involved in the industry—of a free market economy.

I would have thought that many members opposite would also see that advantage. However, I am particularly concerned about what will happen during the two year period that the Board is, if you like, on trial. That two year period could be quite critical to the industry, and I am very worried about the consequences of some provisions of the Bill and the way in which they will affect the industry over the next two years.

As one of its components, the Bill seeks to repeal those sections of the Act that provide for what amounts to almost a confiscatory penalty in relation to potatoes the subject of illegal practices. We were treated to a very clear example of the impact of that provision recently when a particular grower was prosecuted. Although the principal fine in the Act is only some $400 for a first offence or $600 for a second offence, the Act further provides that the court will levy a penalty equal to the value of the goods involved in the transaction.

That produces a very severe penalty, and, it could be argued, on occasions an unrealistic and unreasonable penalty. However, I take note of the argument of the member for Alexandra when he says that the people concerned may well have known the full impact of their actions and should have been prepared for that result. I was concerned that the Government chose to remit that penalty, which was laid down by Parliament. It may well have been appropriate in the circumstances to continue it. That is a decision for the courts rather than the Executive Government. However, Executive Government has that right under our Constitution and it chose to exercise it.

Having done so, it then places the Potato Board and the Government in a very precarious position with respect to the future of that section, because quite clearly, with the penalty for one individual being remitted, we are then placed in a very invidious position with similar people in future. It is very difficult to avoid the argument that that penalty should be remitted. Accordingly, in the circumstances, the Government has taken the view that it will repeal that section of the Act, and I can see that that argument has some merit. However, the Government has also chosen to leave unaltered the basic penalty provisions of the Act which provide for a $400 fine for a first offence and $600 fine for a second offence. When Parliament originally approved the terms of this Act it inserted the confiscatory penalty in the full knowledge of what the consequences of that penalty would be and that people would be required to pay substantial amounts of money if the goods were of substantial value. Therefore, the basic fine under the Act could be at a minimal level because the real penalty would be in the confiscatory fine relating to the value of the goods.

When Parliament made that decision it clearly had those two factors in mind, and the penalty was arrived at on that basis. However, we are now to repeal the most severe part of the penalty provisions and leave unaltered the less severe parts. I am greatly concerned that during the two year period in which the Board is on trial—and I suspect that there is a certain inevitability about its ultimate demise—the only penalties under the Act will be the $400 and $600 fines. I suggest that they do not constitute a very significant deterrent to those who might choose to be engaged in illegal practices during the two year period in which it is proposed that the Board be put on trial by this Parliament and in which it will be required to justify its existence. If the Board is to substantially justify its existence, it must be empowered to enforce the provisions of the Act it is required to administer.

The only way it can do that is either with the full cooperation of every grower in the State—something that it would appear it will not get—or by the force of law and through the use of penalties. That is the traditional way in our society in which we enforce laws that people do not voluntarily obey. I am greatly concerned that the Board will be left virtually powerless in this instance. In the later stages of the debate I will propose what I believe to be an appropriate remedy to that situation.

It may well be that South Australia would be better off without the Board. I trust that that will be the case, and that would certainly justify my own philosophies and those of the Government in relation to free market trading for those kinds of commodities. However, if the industry is to be entitled to an orderly transition to the free market econ-

omy (and I believe that it is very critical to the industry that it should be able to make that transition in a period of relative stability and peace, and not in a period of chaos), it is essential that the Board and its marketing system be given a decent burial, rather than simply being allowed to decay in public.

The Minister has indicated that he believes that the penalties that remain in the Act are adequate to enable the Board to enforce its will in the market place. I do not believe that that is the case. As I see it, the penalty is clearly insufficient to enable the Board to enforce the policies that the Parliament is still prepared to entrust in the Board. I believe that that is a very significant point for honourable members to note, and it must be understood that this Parliament is only placing the Board on trial. As I quoted from the Minister's speech made in another place earlier, the Board is not being disbanded at this stage and the Act is not being repealed.

The powers of the Board are not being stripped from it, as might be the case if severe irregularities had occurred, but rather the Board is to be left intact with all its existing powers, duties, functions and responsibilities and the requirement to proceed with the statutory marketing arrangements, but without adequate penalties to provide that those marketing arrangements are adequately in place. That matter concerns me and I believe that it is of concern to a majority of those in the industry.

Without adequate penalties I fear that the marketing will decay into a system of disorganised chaos, rather than a decent period of time during which the Board is wound down. However, rather than allowing the Board to withdraw gracefully, we will see a situation in which people are almost tempted to flout the Board, to flout the law and thereby to bring the marketing arrangements into disrepute. I believe that that would certainly convert the comments that we have heard about the future of the Board into a self fulfilling prophecy. That is my concern in respect of the Bill.

As I have said, I do not disagree with the basic philosophy behind this measure: I support that, and in so far as marketing arrangements within Australia are concerned, it would always be my view that a free market situation should prevail. However, I certainly hold a different view in respect of marketing of commodities outside Australia, and certainly some of my views on that expressed in this House are on record. I make it very clear that where we are dealing with commodities marketed outside South Australia, I strongly support the existence of statutory marketing authorities, but within Australia I believe that it is quite clear that the free market economy should prevail. The Minister is moving us one step closer to that by placing the Board on trial and giving it two years in which to justify its existence.

In conclusion, I also want to place on record my view in relation to the future of the Board (should this Bill pass through Parliament and should the Board ultimately be allowed to go out of existence in 1987). While compulsory marketing arrangements, in general, are undesirable, I strongly support industry based research promotion and development authorities however they are funded, whether that be by levy, or partially by levy and partially through Government support. I would strongly commend to the Government and industry the concept of a marketing promotion and research board, I assume funded by levy arrangements on growers, which could support and encourage the industry and support and provide a research base for the industry to ensure that it continues to move forward technologically and in a marketing sense, that its products are properly marketed within South Australia, and more importantly interstate, and so that the industry can benefit from advances in technology and in shared resources and shared research.

That is important in any industry, and I would certainly commend it to this industry. It has an advantage in that should the Board ultimately be dissolved, substantial funds owned and provided by the growers would be available, and they could be diverted ultimately into a research and marketing function. That would serve the community and the growers much more appropriately than do the present marketing arrangements. So, I would commend that to the industry and to the Minister: I trust that both will give that matter due consideration when this matter arises over the next couple of years, in the event that the Bill becomes law.

Therefore, although I support the general thrust of the Bill, I believe that it is essential for the orderly transition from a long term (dating back to 1948 and before) compulsory marketing system to a free market system that it be done in an orderly fashion, and I believe that that can be accomplished only by providing the Board with adequate powers with which to enforce the task that this Parliament is still prepared to entrust to it in the Board's remaining two years of existence, in the event that the Board is not resurrected during that period, as it appears will be the case. So, I commend that view to the House.

The Hon. P.B. ARNOLD (Chaffey): The Minister of Agriculture has deliberately misled the industry in this matter. He gave an assurance that, after the working party had reported, there would be six months in which the industry could consider the recommendations of that report. I expected that the Minister would have then complied with the provisions of the legislation and that ultimately, if the industry was divided on the outcome, he would have provided the opportunity for a poll of growers to be undertaken.

I should not have to remind the House that the Potato Board is an industry board, funded by the growers and not by the Government. It is also interesting to note the inconsistency of the views held by the Government and the member for Elizabeth, and I will endeavour to explain what I mean by that. On the one hand, the Government wants to see the deregulation of all primary industries in South Australia, and I dare say that if that philosophy reigns here then that is also the approach of the Federal Government. The Government wants to deregulate primary industries while at the same time presiding over one of the most regulated countries in the world, and I refer to regulations relating to employment, the wage structure, and tariff protection to maintain that high pay structure. On the one hand, there is this massive protection for one section of the community, while at the same time the Government wants to get rid of any form of organisation and to let free market place principles rule as far as primary industries are concerned.

Let us apply that to the secondary industries: if the high level of tariff protection that exists in this country did not exist, would the Minister be prepared to go out and recommend to unions deregulation in relation to tariffs? Would he be prepared to say that the Government will abolish tariffs and let Taiwan and the Philippines manufacture all our clothes, and that we really do not need those jobs in Australia? I can imagine the reaction from various union members if the Minister of Agriculture were to suggest that. There would be absolute chaos, and the Minister would be confronted by hostile unionists on his doorstep the next morning. Quite obviously with a cost structure that has been created in this country as a result of tariff protection, there is no way that the tariff protection on, say, the clothing, shoe, manufacturing, or motor vehicle industries, and so forth, can be removed. Apparently the Government considers that it is all right for those industries to be protected (and in so protecting them enabling a higher wage cost structure to develop in this country) while at the same time

deregulating orderly marketing as far as primary industries are concerned. The primary producers are still saddled with excessively expensive machinery, as a result of the tariff protection, and they are confronted with high labour costs as a result of a flow on effect from those protected secondary industries.

At the same time the Government wants to deregulate the primary industries and let the free market force reign. If the Government wants to be consistent, as well as the member for Elizabeth, let the free market forces reign across the board. Primary producers certainly could obtain cars and machinery from overseas at a smaller price than they are presently paying. Let us get a little consistency into the argument. I know what the answer would be if the Minister of Agriculture went out tomorrow and put it to the unions that this should happen. He would not have the courage to do it, because he knows what would happen if he did.

I appreciate the position as presented by the potato growers in the South-East, but it is the Minister's responsibility to endeavour to resolve the problems that exist in the industry itself. The decision effectively to wipe out the Potato Board is not going to solve the problem. The Minister has a responsibility to bring together the various sections of the potato growing industry in an endeavour to work out the differences and problems. If alterations have to be made to the Act in order to facilitate the solving of certain problems in various areas, then every endeavour should be made to do that. In the event of agreement not being reached within the industry itself, the Minister should provide the opportunity for a poll of growers in the same way as a poll of growers was held in relation to the Citrus Organisation Committee over a period of years. I regard this Bill as the thin end of the wedge in relation to orderly marketing in primary industries.

On Monday I attended the meeting at Waikerie, where the Minister of Agriculture clearly indicated that the Citrus Board could expect to come under exactly the same sort of scrutiny as he is applying to the Potato Board. The Citrus Industry Board is funded by the citrus growers of South Australia. If the growers want that Board to continue, that is their affair, but if they do not want the Board to continue in existence, the growers will decide that by way of a poll in exactly the same way as I propose should apply here. If the potato growers do not want a Potato Board, let them have a poll and decide that. I believe the majority of growers in South Australia support the retention of the Board.

The Minister is taking the easy way out and endeavouring to remove the orderly marketing boards of various primary industries in South Australia. He has chosen the Potato Board to be the first to go because of the differences of opinion that exist within the potato growing industry between the growers in the South-East and possibly the rest of the growers in South Australia. Quite obviously, every grower has a slightly different point of view, but I have been involved in primary production all my life; my family has been involved in the fruitgrowing industry for three or four generations.

I mentioned the comments made by the Minister in relation to the Citrus Board. As the House would be well aware, the legislation and arrangements relating to the fixing of wine grape prices are also currently under review. The proposal that the Minister is putting forward as a result of the three-State working party is exactly the same situation that exists in relation to the future of the Potato Board. If the recommendations in that instance are implemented, then effectively the Minister will eliminate wine grape price fixing in South Australia.

It is absolutely absurd to have a single base minimum price for all wine grape varieties in this State. The Minister knows full well that, if he goes down that path and implements that action in the same manner as he is implementing action at this moment in relation to the Potato Board, he will effectively have eliminated wine grape price fixing legislation in South Australia, so, as I said, it is the thin edge of the wedge.

It is obviously the intent of the Government to remove orderly marketing in primary industry throughout South Australia. Once it has successfully achieved the destruction of orderly marketing in primary industry in South Australia, perhaps the Minister will then turn his attention to the Federal arena and encourage his Federal colleagues to do likewise in relation to the wheat and wool industries. As has been said before, the wheat and wool industries are the backbone of the economy of Australia and will continue to be so for the foreseeable future.

I appreciate the position of the growers in the South-East, but this is not going to resolve the problem of the industry as a whole. The Minister has a responsibility to take the lead and endeavour to bring together the various points of view and resolve the problems for the benefit of all concerned in the industry. If that cannot be achieved, it is up to the Minister to put the Act before the growers in the form of a poll and let them determine their own destiny so they are not stood over by any Government or Minister of Agriculture in this State. If the Minister is allowed to succeed on this occasion, then it will flow from one industry to the next. Members opposite would not tolerate the thought of deregulating employment or tariff protection in this country. The Minister of Agriculture is well aware of the upheaval that would create and what he would be confronted with in relation to the unions.

It is interesting to note the lack of consistency in the comments from the Government and the member for Elizabeth when discussing a matter of this nature. They want to deregulate the primary industries, but retain protection for themselves. It does not add up. I cannot go along with that philosophy, and I oppose the Bill.

Mr HAMILTON (Albert Park): I did not intend to get involved in this debate, but I thought it would be an interesting exercise to listen intently to what the Opposition had to say. It is all very well for the member for Coles to laugh and smile, but, as a person who has come from the South-East, I have some knowledge of the potato industry. I do not want to keep the House too long, but I am very interested in some of the comments made by the member for Chaffey in relation to consistency. One would question the consistency of his colleagues. My understanding is that the Hon. Martin Cameron and the Hon. Mr Lucas from the other House supported the Government's Bill, so I believe—

The Hon. Jennifer Adamson interjecting:

Mr HAMILTON: If the member for Coles wants to make her contribution later, I will be most interested to listen to her expertise in this field. I am certainly no expert, but I will be fascinated to listen to her comments in relation to the humble spud. The Liberal Party cannot get its act together. On this side of the House we know that there are divisions within the Liberal Party on this very question. They are fighting amongst themselves and cannot get their act together. They are not consistent. They accuse the Minister of using standover tactics, yet two of their own colleagues in the Upper House are supporting the Government. Are they saying, by inference, that their own colleagues are using standover tactics? Of course not, and they know that that is a fallacy.

The Hon. Ted Chapman: House of review.

Mr HAMILTON: House of review! The member for Alexandra interjects out of his seat. He is becoming known as the Assembly ass with his interjections in this place over time.

The Hon. H. Allison: Don't say he's taken over from you!

Mr HAMILTON: The fellow who has had his head dipped in Blue Lake water for so long ought to know that he has been accused as the clown from down there. I am fascinated by the great champion of free enterprise—the Liberal Party. On the one hand, where it suits them they want free enterprise, but on the other hand they do not. They know that they are in a bind on this question of deregulation. We are well aware of the comments that have been directed to us by some of their so-called supporters as to the bind in which the Liberal Party finds itself in terms of what is happening in the South-East and in the Hills. It is in a bind and members do not know which way to go. It is about time members opposite got their act together before accusing this Government of trying to undermine the potato industry. The Minister, in his contribution in the other place, stated:

> In ceasing to intervene in the marketing of potatoes, the Government believes that 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/retail level, which will be to the benefit of consumers.

This is what we hear from the Opposition repeatedly about the free enterprise system: it wants free enterprise and open competition. However, they are great socialists when it suits them. It is, 'Give me, give me, give me' when it suits them, but when it comes to the workers it is a different exercise entirely.

I fully support the Bill. It is not as bad as the Opposition tries to make out. I will not rehash what the member for Elizabeth said, but the sunset clause is there and the Opposition knows it full well. The Opposition can make further representation to the Minister. I look forward with great interest to the outcome of the debate here tonight and over the next two years. I support the Bill and it is obvious that the Opposition does not support its so-called free enterprise system.

The Hon. H. ALLISON (Mount Gambier): I share some of the concerns expressed by members on this side over the past hour or so, not the least of which is the fact that the Potato Marketing Act was established in 1948 by a poll of growers. Yet, we have a Bill before us now which represents a windfall for growers in the South-East who have been pressing successive Governments for some improvement to the workings of the Board. The Minister has done this virtually by Ministerial fiat. He has not taken the matter back to a poll of growers, but instead has brought in a Bill much more quickly than he originally said he would. I believe that September was the earliest date intimated to the industry. Instead, the Minister has introduced a Bill very quickly to be debated and passed in the present session of Parliament.

I am quite certain that one of the major reasons for the Minister's doing this lies in the fact that he very recently, for no established legal reason, remitted a very substantial fine of over $11 000 to a Victorian grower who had deliberately flouted the regulations under the Potato Marketing Act in South Australia in order to test the system. That grower from Victoria did test the system and lost, because the magistrate in the South-East said quite clearly that the man had deliberately flouted the system, that the penalties were there and that they would be inflicted. I agree with the Minister that those penalties were extremely severe, but that Victorian grower knew that when he tested the system. When he finally lost he squealed to the courts, lost again and then took the matter directly to the Minister by I am not sure what method and the Minister then remitted the fines.

It was a most unusual and unprecedented action which must have embarrassed the Government, because the Opposition subsequently pointed out that there were some 30 other growers—many of them South Australians—who had been fined amounts up to $6 000 or $7 000 and whose additional penalties—over and above the fines—had not been reimbursed. So, it begged the question whether the Minister would then take a prayer to the Governor for reimbursement of a whole range of additional penalties that had been imposed on these people who had broken the law over the preceding years. Obviously, the answer was 'No' because the Minister promptly introduced legislation into the House, first, to get himself off the hook for having established a precedent and for having forewarned the courts in South Australia that it just was not on to impose heavy fines in the future as there was every chance that the Minister would remit them; and, secondly, to get the Government out of a very embarrassing situation.

Here we have a Bill which I believe has been introduced prematurely by the Minister. I say 'prematurely' because his own commitment to the industry, as I understand it, was to look at the matter after careful consideration of the working party report and to come back in the next session of Parliament. Obviously, if the Minister saw fit to reimburse $11 000 or so to a Victorian miscreant, there is some need for the basic fines to be reassessed and increased. I am not suggesting that the penalties should be increased to $2 000, because on that basis the gentleman from Victoria who had transgressed would be paying about $14 000 in any case with absolutely no chance of remission of any additional penalty. He would be worse off in relation to the suggestion of $2 000 than he would have been under the old system.

I remind the House that I am speaking on the side of consistency and that, over the past several years, I have been approaching a succession of Ministers of both Liberal and Labor persuasions, as well as the State Ombudsman, with a view to achieving some improvement in the operations and management of the Potato Board. We in the South-East have repeatedly requested that there be some change and improvement. I propose after the dinner adjournment to enlarge a little on what might have been done by the Board to examine the way that it was working over the past two or three years—a period during which it was obviously under scrutiny and needed review. I will outline a procedure by which it might have improved its operations, thus completely avoiding the necessity for a Bill of this kind to be brought before the House. It could have cleaned up its act. I do not believe that sufficiently stringent measures were taken by the Chairman and his board of management to do that.

I also give notice to members that I suspect there is every possibility that, because growers in the South-East have been lobbying for the past two years for some improvement to the *modus operandi* of the Board, in the two year sunset period during which the Board will continue to operate, some vindictiveness may be shown towards those South-Eastern growers because they have pressed for a clean up of operations.

If there is vindictiveness towards people in my electorate, I will have no compunction in continuing to draw it to the attention of members of the House and other people. I believe that the best solution to the problems presently confronting the potato industry in South Australia lies with further consultation and, generally, a policy of appeasement rather than antagonism towards fellow members. I know that this problem is of very long standing, because I have an extensive file on the issues that have been brought to my attention by South-East growers over the past decade. Constitutionally, it is my responsibility to represent my

electors first and foremost, and that is precisely what I will be doing in the debate this evening. I believe that many members of this House, and the member for Albert Park—

The Hon. Jennifer Adamson: What about the Minister of Education?

The Hon. H. ALLISON: I was just going to say that. The member for Albert Park went to great pains to suggest that members of the Liberal Party in the Upper House were diametrically opposed to one another. I suggest that the Minister of Education, who represents the District of Salisbury, which takes in a number of potato growers on the Adelaide Plains—40 per cent of potato growers come from the plains area—would be very pleased that he is in Canberra at present, so that he does not have to, first, represent the Minister in this House and, secondly, to vote.

The Hon. Jennifer Adamson: Do you think he arranged to be absent?

The Hon. H. ALLISON: It seems an irony of fate that both the Premier and the Minister should be away when matters of vital import to the nation are before this House on the last day of sitting. However, I am not a cynic; I just agree with the other members who are. The former Minister of Agriculture (Hon. Ted Chapman), when he was representing the Liberal Party, was on the receiving end of a lobby of growers from the South-East. I remind honourable members that the Hon. Ted Chapman referred this matter to the Ombudsman, who subsequently reported to the present Minister of Agriculture, who then established the working party that was recommended by the Ombudsman.

In that regard the present Minister of Agriculture went sadly astray. He appointed to the working party the Chairman and the General Manager of the Potato Board. Surely, that question desperately needed an independent overview. Instead, we had Caesar judging Caesar, and I believe there was little chance of the final recommendations of that working party reflecting an objective view of how to deal with the problems and an objective recognition of the problems as they existed and still exist in the industry.

I submit that it would have been better had the Chairman and the Manager been called as independent witnesses—as key witnesses, in fact—to respond to questions put to them by the working party but certainly not to sit in judgment of their own actions. That is what happened. The Minister of Agriculture appointed the members of the committee and I believe that he is answerable for that.

I draw to the attention of members of the House that we in the South-East consider that there has been considerable abuse of the Board system over the years and that had the Board over the past two or three years really had a close look at the way it was operating, it might have come up with a better solution than the present one, that is, the sunset clause, under which the Board is rejected on 30 June 1987.

In the absence of any better solution, I will support the Minister in relation to this Bill. I had already addressed the question of the composition of the working party. I believe that the future policy of the potato industry in South Australia should not have been considered to be the prerogative of the key members of the Board. I do not believe that the working party properly addressed the major long-term problems. In fact, it seemed to concentrate more on grower numbers in South Australia rather than the tonnages produced.

There is no doubt that we have over-produced in this State, just as has occurred in other States. Victoria had a 28 000 tonne surplus last year; Tasmania had a 20 000 tonne surplus last year; and South Australia, I admit, got rid of its total crop last year. However, that was partly due to the very poor quality of the crops in Tasmania and Victoria which literally crumbled in the pans. Many interstate consumers realised that the poor quality of the potatoes was destroying their retail business—whether fish and chips shops, crisp making or whatever—and demanded that the better keeping South Australian potatoes be supplied. Therefore, South Australia got rid of the whole crop. That was a market decision and not a decision of the Potato Board. I remind members of that, because it has been held out as a success of the Board.

The concept that growers should have higher and more consistent returns, access to local markets and prompt and reliable payments, is good. I believe that consumer expectations of fair prices, consistent quality and access to a broad range of qualities, with resulting price differences, are also fair. I do not believe that the South Australian Potato Board and probably other marketers interstate can stand on their track record with regard to what has happened to the consumers in Australia.

The concept that Board returns are significantly higher in South Australia would be hard to substantiate because the South Australian market, like any other, is tied, mainly, to parity with the Eastern States. I believe that the Sydney market would set the parameters, plus or minus the freight charges. If South Australia's prices were substantially above those in the Eastern States, naturally under section 92 we would be subject to a flood of interstate marketed potatoes to take advantage of that.

I believe there is clear evidence, irrespective of whether potatoes are marketed within or outside the Board system, that returns have tended to be fairly equal. Some 60 per cent of the last South-East crop—that is 20 000 tonnes—was exported outside the Board system (10 000 tonnes on contract to McCain's of Ballarat and the remainder to private sales and contracts). The prices achieved by that method were comparable to the South Australian Potato Board averages.

In relation to market access, the South-Eastern growers believe that allocations have been shrinking. It is difficult to implement any guarantees. The present intent scheme has been made unworkable through what we consider to be a lack of determination to enforce policy decisions. The inference is that the Board has really exercised no real control over those statements of intent. Guaranteed prompt payments of the past two years had, we admit, greatly enhanced the Board's standing, but we remind members that merchants initiated the prompt payment scheme, that is, payment within seven days.

The Growers Contingency Fund covers money deficiencies (in the Red and White pools of January and February 1982). The Merchants, Fruitgrowers and Market Gardeners Association is setting up a self regulatory industry committee. There is the prospect of a forthcoming farm products Act and the South-Eastern and private interstate trading experience has generally been satisfactory. If we take the above comments into account, there may be unfounded concern in relation to reliable payments in a free market system. What about the consumers?

[Sitting suspended from 6.1 to 7.30 p.m.]

The Hon. H. ALLISON: As I was saying, what of the consumers? In many instances they have been the poor relations within the Board's system and any expectations of consistency in quality and fair price margins in relation to market trends would seem to be a joke. South Australian growers have been receiving about 30 cents a kilo, which is $130 a tonne, yet a recent survey of supermarkets and other retail outlets in the South-East has demonstrated that, although growers received that sum, one supermarket sold at $690 a tonne and another supermarket at $590 a tonne.

Indeed, retail market prices vary from 15 per cent to 150 per cent of the standard price, so the consumer is not receiving much benefit from the marketing system as regards prices.

I have also received complaints in the South-East about the quality and type of potato available, and it is unfortunate that, for one reason or another, many outlets have been looking for the cosmetic type of potato which looks nice and white when washed and scrubbed but which has only a short shelf life, and that the insistence of growing that type of potato has been at the expense of the much finer types of potato such as the pontiacs, kennebec and others that are much better, more mature and longer life potatoes. People looking for an alternative variety and a price variation have been unfortunate: they just have not had that variety available on the shelves. So, the marketing system seems to be letting down the consumer considerably. South-Eastern growers believe that consumers should have access to the qualities for which they are looking and that any tier of the marketing chain should be accessible to the consumer, who should be able to go to the grower, the merchant or the retailer for potatoes.

There seems to be no justification in the Potato Marketing Act for the Board to be so critically involved in marketing. The South Australian Potato Board presumes that it has a mandate to protect the small growers and it finds difficulty in accepting total industry concepts (that is, grower numbers and not tonnes), because it believes that strong efficient growers are a threat to its continued existence.

In the South-East, we do not believe that the South Australian market would have difficulty in adapting to a free market system. Most growers, merchants, washers and retailers work in other free market areas, so it is hypocritical to suggest that they cannot do so in the potato industry. A poll, which has been much quoted, was taken in the potato industry and showed that 160 were for and 110 against retention of the Board. That survey represented only 30 per cent of growers, so less than 25 per cent of growers actually supported the Board in that survey. South-Eastern growers do not consider that that is a sound basis on which to say that the Board has the support of growers.

Mr S.G. Evans: How many were opposed to it?

The Hon. H. ALLISON: Work it out. Whichever way one looks at it, it is not a sound basis for stating that the Board has majority support. The South-Eastern district represents 30 per cent of South Australian production, and 90 per cent of my potato growers were not in favour of the Potato Board marketing potatoes. The numbers involved in polling do not necessarily represent the feelings of the industry, because 57 per cent of registered growers grew only 14 per cent of the area of potatoes in the 1981 crop. There was an imbalance of growers compared to the quantity of potatoes that they produced.

Suggestions have been made in the South-East regarding restructuring of the present system. One suggestion was that the reconstituted Board might consist of an independent Chairman. It is recognised that the sum received by the present Chairman is relatively low and that, for the Board to have access to a high calibre marketing person, it would have to pay about $75 000 a year. However, if the Chairman were appointed on the basis that he attended one day a week throughout the year, a $15 000 a year Chairman would be adequate. At least he would be a high calibre person.

Access to the marketing system is a contentious issue facing statutory marketing in this State. The present 'intent' system seems to have failed, not because it was faulty, but because of the attitude of the Board and especially of management towards sectional interests. This is the area with which the South-East has consistently taken issue over the past several years. South-Eastern growers believe that there has not been sufficient regulation by the Board of management.

The South Australian Potato Board has proposed a new market allocation scheme which seems to be only a glorified 'intent' scheme, which failed because of the inability of the Board to enforce the 15 per cent export component. The Board was really tampering with supply and demand; there were inequitable methods of allocating tonnages; and the Board ignored the realities of interstate trade. If the Board's method of allocation is used, growers who for certain reasons did not maximise their sales on the local market would be penalised.

One of the most important factors limiting consistent quality control is a lack of equity in the product. In the 'fresh trade' (that is, unwashed potatoes), growers have their own names on the packaging, and they are not responsible for it through the whole marketing chain. This is not the case regarding the washed trade where the potatoes become anonymous. Because of manipulation for various sales outlets, the washed trade causes most of the quality problems. The introduction of the premium grade (that is, new grade washed) seems to have been a disaster from the point of view of the South-East, resulting in the loss of one of the product's most prized attributes, its keeping quality. The market has been presented with a product based on a fleeting cosmetic appearance and a dramatic shortening of shelf life. As a result, the merchandising of top class, long life potatoes would certainly be more attractive to the consumer, but that has not been the case. Merchants do not seem to have been allowed to perform to the full extent of their expertise.

Regarding promotion, South-Eastern growers feel that grower funds should be used for educational purposes only and that the commercial hard sell promotion should be the private province of the vendors. The Bill provides that the Minister shall retain the right to reallocate the funds and assets of the Potato Board at the end of the two year period in any manner he sees fit but virtually by returning it to the existing and past members of the industry. Growers in the South-East believe, as does the member for Elizabeth who spoke on this Bill earlier, that it may be better if the industry over the next two years looks to some alternative method of controlling certain facets of the industry.

For example, if that money, instead of being paid back to members of the industry were retained in a trust fund, then either a restructured Board or another association controlled by the CPIC might assume responsibility for collection of levies and statistics, educational promotion, research development, and so on, which could continue to be funded by the members, for instance, by revenue from that accumulated assets pool, plus registration levies and levies at the first transaction point.

These are only a few suggestions which I am sure the industry and the Board will take to heart over the next two years, if the whole of the industry is anxious that some better form of control and not such stringent control should be worked out. In bringing forward this Bill, the Minister has allowed a two year period to 30 June 1987 for the industry to work out its problems. He has not done what happened in Tasmania, where the industry literally had the board axed overnight, and that two year period may prove either a blessing or a disadvantage.

The major disadvantage that may result is that the assets could be wound down quite dramatically if the Board does not carry on being administered very carefully and competently. It may be that some of the best staff would leave the Board and that the assets would be frittered away. Since the Minister has brought in the legislation, it is incumbent upon him to make quite sure that that $1 million or so asset is not wasted but remains available to be either put

into that trust fund at the end of two years or distributed among members. There have been quite substantial submissions by growers in the South-East recommending how the Board structure might have been improved during the past few years. The reports and submissions were sent to the working party, the Ombudsman and previous Ministers. This is not a new problem; it is a longstanding one, and I believe it was a commitment of the present Government, through the former Minister of Agriculture (Hon. Mr Chatterton) to do something about this legislation. It has been left to the Hon. Mr Blevins to bring this Bill before the House.

As I have said, I will support this legislation on behalf of the potato growers in the South-East whose interests I have been representing for the past several years by making representations to a succession of Ministers. One would hope that in the ensuing two years, if members of the whole of the industry sees fit to work co-operatively and not antagonistically towards one another, then there is some chance that they might work out their own salvation. However, in the interim growers in the South-East are quite prepared to take it on the chin. They realise that they are committing themselves to a free market in which they have already had some considerable experience since they are selling about 60 per cent of their product on the interstate contract market already and they believe that the rest of the industry in South Australia will benefit as a result of the introduction of this legislation.

The Hon. E.R. GOLDSWORTHY (Deputy Leader of the Opposition): This is the only occasion I can recall—

The Hon. JENNIFER ADAMSON: I rise on a point of order. As soon as the Deputy Leader rose to his feet, the time clock indicated 25 minutes when I believe it should have indicated 30 minutes.

The DEPUTY SPEAKER: That matter will be rectified. I would not like to deprive the Deputy Leader of his full time.

The Hon. E.R. GOLDSWORTHY: This is the only occasion I can recall in this House when I have not been able to agree with the member for Mount Gambier. He usually shows uncommon good sense in relation to his attitude to legislation before this House. However, the Liberal Party is not shackled, as is the Labor Party. The member for Albert Park sought to whip up a bit of cheap political capital and suggested that the Liberal Party is divided. I wonder what the attitude of the member for Salisbury is; it seems quite strange that the Hon. Lynn Arnold, who has a number of potato growers in his district, is conspicuous by his absence. Maybe it is similar to the problem of the Labor Party in relation to shopping hours; the Party had adopted a policy that did not accommodate, I remember, the then member for Tea Tree Gully (Mrs Byrne) and also one of the other Labor members. We know what the rules of the game over there are: you sign the pledge when you come in, toe the line or you get your neck broken. The member for Albert Park—

Members interjecting:

The DEPUTY SPEAKER: Order! I point out to the Deputy Leader that an adjustment was made so that he had 30 minutes in which to speak on the Bill. He has now used one minute of that time speaking on everything else but the Bill. I ask the Deputy Leader to come back to the matter before the Chair.

The Hon. E.R. GOLDSWORTHY: I am replying to a point I heard on the intercom made by the member for Albert Park that there is a division of opinion in the Liberal Party. I say that there is a division of opinion in the Labor Party. The Hon. Lynn Arnold, who is disaffected and embarrassed by this measure, has disappeared. We know the way the Labor Party arranges pairs. The Premier arranged a pair to go to EPAC today, but it is not on today. We look at pairs with a degree of suspicion as a result of our earlier experience of the Labor Party's efforts.

Yes, there is a division of opinion in relation to this Bill. Members of the Liberal Party however, do have the opportunity to represent what they believe are the views of their constituents. Labor Party members do not enjoy that privilege, unfortunately. The idea that they are there to do a job for the people who elect them is swallowed up in this broader principle to which that Party subscribes; sign the pledge, toe the Party line, join the union or you are out. In a democracy we do not quite subscribe to that. In relation to this Bill, however, it is the only occasion I recall on which I have not agreed with the member for Mount Gambier in the 15 years I have been in this place. He is expressing a point of view which he believes reflects the interests of his constituents.

It is true also that the industry is divided. However, if the Government had any guts at all it would do the democratic thing and have a poll of growers, because this organisation was set up by growers. I do not believe for a moment that they can indicate that consumers have been anything but advantaged by the operation of this Board over the years. If one looks at the history of potato pricing, supply and demand over the life of this Board, one cannot but come to the conclusion that the stabilising effect of its operation has been to curtail the price of potatoes, and the consumer has benefited.

We will watch with great interest what the effect is as a result of this Labor Party measure. The Minister has been too clever: he has thought, 'I'll make some political capital out of this. We have a Labor candidate in the South-East, in Mount Gambier, who is busy as a beaver trotting around thinking that he will be elected (as a series of Labor candidates have done over many years). We don't give a damn about the potato industry: we'll get up to a bit of political mischief.' That is what the Minister is about—'We'll put the member for Mount Gambier in a spot.' He does not know that the rules that govern the Liberal Party are rather more democratic than are those governing the Labor Party. 'To hell with the rights and wrongs of the Bill; let's help our friend Humphreys (I think his name is) in Mount Gambier'! They have tried this before and it does not work.

The Minister will rue the day that he brought in this Bill at short notice, contrary to the express promise he made to the industry, that it would not happen before September this year, and that he would have a working party and decide as a result of that working party what he would do. At short notice he trundles in this Bill with a view to giving their pal Humphreys a leg along in Mount Gambier.

They have tried to buy that seat on numerous occasions. I remember the former Labor Deputy Premier going down there. I think they spent an enormous amount of money on trying to buy that seat, perhaps hundreds of thousands of dollars. It has been to the distinct advantage of the sitting member; they have spent $35 million in the seat of Mount Gambier trying to buy votes! However, the constituents of Mount Gambier know when they are on a good thing, and, like Mortein, they stick to it. They are on a good thing with the Hon. Harold Allison, and they stick with him. I would put my shirt on the result in Mount Gambier at the end of the year: despite the redistribution he will increase his majority. The too smart by half Hon. Frank Blevins (who does not know which way to jump in relation to Whyalla), who allowed this Bill to sneak in contrary to the promises that he made to the industry, will find that it will not be worth a crumpet to him in Mount Gambier.

I refer now to the amazing second reading explanation which accompanied the introduction of this short Bill which effectively guts the Potato Board and orderly marketing of potatoes in South Australia. If the person who wrote the

speech is a public servant, that person should be sacked. However, the second reading explanation is obviously a cut and paste job, because there are all sorts of cases of types used, all sorts of sizes, with bits scrubbed out and bits put in, some in large type and some in small; it is obviously a political document, and not an accurate reflection of the situation. It states, among other things:

Only in South Australia and Western Australia do we have potato marketing boards, and Western Australia's is currently under review.

The implication is of course that the Board in Western Australia is to be scrapped; however, I refer to the news that we have received from Western Australia, and I have a telex here.

The Hon. Jennifer Adamson interjecting:

The Hon. E.R. GOLDSWORTHY: It is not factual; it is a soft shoe shuffle *a la* Blevins: we are used to the tapdancing of the honourable Premier, but this is the Blevins variety. I refer to the telex message from Western Australia in which Mr Dvorak—same name as the composer—

The Hon. G.F. Keneally: Your contribution to the arts?

The Hon. Jennifer Adamson: He is a very musical man.

The Hon. E.R. GOLDSWORTHY: I am multi talented!

The Hon. G.F. Keneally interjecting:

The Hon. E.R. GOLDSWORTHY: At least I am not a sacked Minister; at least I did not preside over the burning down of the prisons and have to be sacked. The Minister has been demoted—of course, we know that the Premier cannot unload Ministers, that they are thrust on him by his Party, otherwise the Government would not have those two weak sisters on the cross-benches who were under scrutiny today. The Premier can demote Ministers and can push them down the line, and the Minister who is interjecting is the only Labor Minister who has been sacked; they had to get rid of him because the prisons were burnt down while the relevant portfolio was under his guidance.

The DEPUTY SPEAKER: Order! It would be beneficial if the honourable member could come back to the Bill before the House, as it has been very painful determining whether the honourable member is to speak to the Bill at all.

The Hon. E.R. GOLDSWORTHY: This is what the telex from the West says:

The strong response from producers overwhelmingly sought retention of the orderly marketing system. The Board confirmed that consumers were not disadvantaged on price or quality and that growers received, on average, 46 per cent higher returns than non-board States over the past five year period.

So much for the Government's suggestion that Western Australia is to get rid of the Board there. The telex concludes as follows:

Any move to disband orderly marketing of potatoes in South Australia will create disruption to the national potato industry—

and mark this—

with South Australian and Western Australian growers bearing the brunt of over production of non-board States.

So, we will see what that does to the consumers in due course; we will see when the semitrailer loads start appearing as soon as this Bill becomes operative. When trucks start lining up at the market here on Monday morning we will see what effect this will have on consumers. This amazing second reading explanation states:

The problems with the current policies and operations of the Potato Board have been highlighted in the report of the working party.

This refers to the working party set up by the Minister. Ministers usually set up working parties to find out the facts of a matter and to seek guidance in the way that the Government should act. However, the Minister of Agriculture set up a working party, but then hid the report and ignored it; he went against its recommendations. However, in his second reading explanation he referred to the working party that he set up. The second reading explanation states:

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.

What sort of gobbledegook is that? If one wants to find out what grower support is for the Board one should have a poll; but, no, that did not suit the Minister's purpose, that would not have allowed him to get involved in this political exercise, to give his mate Humphries a leg along (as he supposed, but as I have indicated, that will backfire). Why not poll the growers to find out what those in the industry think? But, no, the Minister would have got the wrong answer, and that is why he did not conduct a poll. The second reading explanation continues:

The working party, by a narrow margin—

and 'narrow' refers to five to three, with two of the three appointed by the Minister; and yet the Minister has the gall to say in this explanation that that is a narrow margin. Taking out the two appointments made by the Minister, the result would be five to one, and yet the result is referred to as being narrow—what sort of doublespeak is this? The explanation states:

The working party, by a narrow margin, voted for the retention of the present system—

So, here is the working party, by an effective vote of five to one (plus the two Ministerial appointments) voting to retain the Board. The second reading explanation continues:

... with the proviso—

and this is a 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 the majority of the working party.

How on earth can the Minister mount that as an argument for surreptitiously bringing in this Bill to completely negate the statements that he had made previously to the industry, namely, that nothing would be done until September this year? How on earth can the Minister say that an effective five to one majority was significant? What gobbledegook! All the working party is saying is that the Board should be retained and fine tuned. All the growers to whom I have spoken have been perfectly happy with that—all those who wish to retain the Board. They agree that some changes need to be made and that it needs to be fine tuned. They are thoroughly in agreement with that, but here is the Minister suggesting, by some inverted reasoning, that these are arguments for abolishing the Board. This is the most incredible explanation of a Bill that I have seen for many a long day. It continues:

The Bill proposes the removal of the additional fine represented by the value of the potatoes associated with the breaches of the Potato Act.

Of course that effectively guts any penal provisions in relation to seeing that people who contravene the intent of the Act are penalised.

We have the extraordinary situation of somebody wishing to bring potatoes into South Australia deliberately seeking to take on the Board, as many over the years have done, and suffering the penalty. That person was fined the appropriate amount. Here is the Minister, suddenly throwing his arms up in the air and saying, 'This is disgraceful.' One cannot escape the conclusion that it was a put-up job to trigger this amazing and underhanded series of events which led to this Bill which, in two or three clauses, completely abolishes the Board.

We have all heard about this sudden desire of the Labor Party for free market forces to apply. This is fairly small beer for the Labor Party, I suppose. There are only about 300 to 400 growers involved, and that number will be reduced, I believe, as a result of this legislation. The Labor Party is not very worried, because these people do not vote

for it. We see this time and time again; the Labor Party does not give a damn about the community as a whole. If these people do not vote for it, they are dispensable.

The Hon. G.F. Keneally: How do you know—

The Hon. E.R. GOLDSWORTHY: It is no wonder the Minister was sacked if he does not know that the potato growers of this State live in the Adelaide Hills, the Adelaide Plains and in the South-East, all of those seats being held by the Liberal Party. If he does not know that those seats are strong Liberal seats and that the Labor Party has nothing to lose electorally, then it does not surprise me that he had to be sacked. The Labor Party does not believe there is any electoral consequence to it as a result of this legislation. This Minister, who is far too smart by half, thinks he can make a political contribution to the campaign for the candidate for Mount Gambier, so he introduced this Bill with no thought whatsoever as to the consequences for people in this industry in South Australia.

For instance, what would have happened to the economy of this country if a floor price scheme had not been introduced in relation to wool marketing? I advance this argument for the benefit of the purists, those who do not believe in the idea that there should be some regulation. If the Hon. Mr Blevins is to be consistent, he would like to wipe out our car industry. Why should we not have a free market there? If we are going to benefit the consumer, we would all own Japanese cars. It would pay us to import the cars and pay every worker in the car industry $20 000 to stay home and do nothing; we would be better off. If we follow these arguments in relation to free markets and looking after the consumer, that is what he ought to do.

The fact is that we have a Wheat Board at the national level in an attempt to stabilise those markets. We also have, in an attempt to stabilise those markets, a Wool Board and a floor price in relation to the wool industry. We have enormous tariffs in order to save the jobs of workers in manufacturing industry, but here we are, with a relatively small industry involving 300 to 400 growers, and we are quite happy to send them to the wall. The Board has not cost the taxpayer any money at all; it is all growers' money. The *News* tonight stated that the next target for the Minister is the Citrus Board. It will be interesting to see how that works out. I think the member for Chaffey will have something to say about that.

The Hon. G.F. Keneally: What do you think about it?

The Hon. E.R. GOLDSWORTHY: As I pointed out earlier, if one looks at the cost to consumers of potatoes across Australia during the life of this Board, South Australian consumers have been better off. All in all, I am convinced that this will be most destabilising in relation to my electorate. I have received submissions and, as I say, the industry is divided, but in my view, certainly in my electorate, the overwhelming majority of producers support a modified Board. There is certainly room for improvement, but the Government is determined to abolish this Board. I will watch with great interest the way in which events unfold in the future and, also, the effect of this legislation on the price and quality of potatoes in South Australia. I will also monitor with great interest how the consumer fares in relation to potatoes. I hope that what is predicted in the telex from Western Australia does not come to pass, because if South Australia is going to become the dumping ground for potatoes from Eastern States, then there will be wild fluctuations in the price of this staple food following times of plentiful supply and times of shortage when our producers have gone out of production.

I do not support this Bill. I think the Minister has been more than underhanded in the way in which he has handled this matter. He has made to the industry promises which he has not kept. He has set up a working party to advise him, but he has completely ignored that advice.

Mr Trainer: You have seven more minutes; tell us these promises.

The DEPUTY SPEAKER: Order!

The Hon. E.R. GOLDSWORTHY: The member for Alexandra quoted to the House from a letter in which the Minister told the industry the time table he intended to adopt and, if the honourable member would like me to photostat a copy of that for him, I will certainly do so. It indicates that the Minister completely misled, in fact told a canard to, members of the industry. If that satisfies him, I will be happy to do it. This is a short Bill of three clauses.

Mr Trainer: This Bill is about potatoes, not ducks.

The Hon. E.R. GOLDSWORTHY: The honourable member obviously does not hear clearly.

Mr Trainer interjecting:

The DEPUTY SPEAKER: Order! It would be better if the honourable member does not interject.

The Hon. E.R. GOLDSWORTHY: The honourable member is confusing 'mallards' and 'canards'. I think that, if he refers to a reputable dictionary, he will see that 'canard' means the same thing as a lie: to set out deliberately to deceive. I am not allowed to say that the Minister lied, so all I can say is that the Minister has been telling canards.

Mr Trainer interjecting:

The Hon. E.R. GOLDSWORTHY: The honourable member is still muddled with his mallards. The fact is that the Minister has deliberately promulgated this canard and completely misled people in the industry, so it is a sorry day on two counts. We are really scraping the bottom of the barrel when a Minister attempts to be too smart and stoops to these tactics. I am also concerned as to what will happen in the industry in the future.

Mr S.G. EVANS (Fisher): I am not a supporter of the Bill, although I believe it could be modified to some degree. I am a supporter of the Potato Board. When the Board was set up I was operating in a small way on what would be considered nowadays in the market gardening field as an unprofitable and difficult property to work. We were in that field eking out a living when the Board was set up, when the industry wanted some stabilisation, and when many people who eat potato as part of their staple diet were coming here from other countries, increasing our small population: there was an expanding market for the product at that time. I am not saying that at all times in those initial years we in our operations always abided by the directions of the Board—I would be telling an untruth if I said that. At times it was inconvenient, especially if the Board was not operating in a way that suited our type of operation.

At times we delivered our potatoes after dark and collected the money. In those times it was difficult to survive. People in the industry have been through those circumstances since those days, but I have not been involved since 1956. I had contact with big growers when I represented the District of Onkaparinga and I have had contact since then through family connections. I am satisfied that the Board in the main has operated in a way that has helped the industry, the consumer, the grower and the merchant.

I do not disagree with the comment of the Deputy Leader that a modified Board may have to be considered today. It would be a miracle if the Board that was set up in 1948-49 was still operating in 1985 in the most efficient or beneficial circumstances, considering the changes that have taken place in other arenas. For example, roads between the States are better and vehicles have greater power, capacity and mobility. If we look at the cost of carting goods from State to State in terms of the purchasing power of money, we see that it would be cheaper to transport goods today than when

the Board was set up. Who would have visualised bringing much in by road in 1948-49 when many of the roads were unsealed, and when often over long distances there was no fuel station or a place for broken down vehicles to be repaired. It was a long haul for the vehicles of those days, as people relied very much on rail.

Sometimes employees in the rail system determined whether or not they would handle the goods at the particular time when the producer or merchant wanted them handled. If we look at the Board's record over 36 years, we find that it is good. I realise that there may be a difficulty in the South-East, but I do not believe that that is something that a modified Board or operation could not control. The growers in the South-East have a distinct advantage over potato growers in the rest of the State. There may be some disadvantages (but they have not been pointed out to me), but one distinct advantage is that they are half way to a much bigger market. The Victorian market of five million people is large compared with the South Australian market of 1.5 million people, and it is a distinct advantage to be closer to that larger market. It also means that growers are half way there in relation to cartage costs: they should be able to exploit or capitalise on that market.

Some people argue that Victoria tends to over supply at times, but that has happened in this State. The Board does not interfere with the number of potatoes that an individual in this State may grow or the number produced per hectare. That is up to the efficiency of the operator and one cannot tell from season to season what it will be. On average, certain areas produce more per hectare. In general, operators in the South-East are closer to and have the benefit of the much bigger Victorian market. They are also slightly closer to the Sydney market of five million people. So, those growers have more ready access to these markets of 10 million people as compared with growers in other parts in South Australia.

No member in this place could stand up and show that the consumer has been any worse off under the present marketing system in relation to the Board. In fact, on average it has been shown that the consumer has been better off price wise. I refer also to quality. Has anyone taken note of the quality of potatoes from other States which are often pushed on to our market at a much lower price? That is a result of not only over supply in other States but also because they are of poorer quality. Our growers, those operating washing plants and selling the product can be proud of the quality that we produce.

The member for Mount Gambier made the point that growers in the South-East are prepared to produce certain types of potato that cannot be produced in other areas. I will not accept the argument that they cannot be produced. If growers take the opportunity to produce certain types of products and find the demand in the market place, good luck to them. A modified Board will not stop them from capitalising on that market, but would encourage them to go ahead with it if they proved that they could do it in a way that was acceptable to the consumer. If we do away with the Board, to some degree we give an opportunity to the big cartels to exploit not only the producer but also the consumer. I make the point that this year one can buy tomatoes for $3 to $4 per 10 kilograms, or a half case, but they are still selling tomatoes at more than $1 a kilogram. They were getting more to sell the product than the grower was getting to grow, pack, cart and deliver them to some merchant who would pass them off or direct them to retail outlets. That gives one an idea of what the retail market is prepared to do if given the opportunity.

Whether we like it or not, the Board has been a barrier to those cartels. We in this Parliament should not forget that. The ALP will argue that it wants a free market in a certain arena, but it argues that only in relation to agriculture. It does not argue that in relation to the labour market or the car or fertiliser industries. Some fertilisers are brought in from other lands and, unfortunately, many growers believe they are better than those produced in this country. But they have to pay the tariffs. So we protect our Australian producers against the imports. Tariffs are added to protect local machinery manufacturers and distributors.

If we are prepared to do that to protect the jobs of people in the secondary and manufacturing industries, what is wrong with saying in this industry that the Board, which the industry itself pays for, is tending to control the market place a little as far as supplies are concerned to ensure that growers get a reasonable deal? The South Australian consumer is getting just as good a deal as are consumers elsewhere in Australia in terms of both price and quality.

What is wrong with that system? Why argue that only in this particular area should we say that we will throw it to the wind and let dog eat dog? That term was used by the former member for Ascot Park, previously the member for Edwardstown (the Hon. Mr Virgo), quite often in this Chamber: 'We are going to go back to a system of dog eat dog in the market place.' However, the ALP is prepared to do it in this area. I suggest that they stop and think about it. Why do we say that we want tariff protection? My colleague made the point that, if we put everyone in the car industry on a pension of $20 000 and imported our motor vehicles, they would be cheaper. The same could be said for tractors, clothing, footwear, and agricultural equipment. We should think about that.

I know that this is only the first of several moves by the Government to abolish certain orderly marketing boards. It has already advertised seeking evidence from people in the community in relation to egg production, no doubt with the object of attacking that area. There is only one consoling fact—time is against the ALP. Members opposite can force this through, but by the time they are forced to have the next election it will be difficult for them to tackle any other areas. I ask Labor Party members why they have not told us that potatoes will be cheaper. They could not prove it if they said it and, from experience in other places, they know that it would not be true. The Government cannot prove that quality will be better, because all examples show that quality will not be better and that in most cases it will be worse.

I agree with my colleague from the South-East, the member for Mount Gambier, that it is easy to argue for one's own electorate and that growers in that area have a concern about the way in which the Board operated. It is easy to say that it is best to chuck the lot out of the window and go back to the dog eat dog situation. I know that it is tough to say to one's electors, 'I support a modified Board and with a modified Board we believe that the problems in the South-East can be catered for, especially as that area, geographically, is closer to the bigger markets in the Eastern States.'

I oppose the Bill and will vote against it. However, if someone can come up with a suggestion about how to modify the Board—a suggestion which the ALP is prepared to accept—I will support it. Unless the ALP indicates that it has concern for the growers, the consumers and the distributors of potatoes in this State, I am not prepared to support this measure. The ALP has received proposals for a new fruit and vegetable wholesale market. It has indicated that it would like to move towards a system of licensing merchants and agents and imposing an obligation on growers to sell their produce, in the main, through that market. If that is the philosophy, where is the logic in, at the same time, wanting to do away with the Potato Board? It does not stand up.

I ask the Government to think about this. Where is the logic in racing around trying to win a few votes in one area because one young lass caused a big stir and started talking about wanting a wholesale vegetable market in a car park—that developed until the lass became closely involved with the ALP—and, at the same time, wanting to do away with the Board? I oppose the proposition presently before the House.

The Hon. JENNIFER ADAMSON (Coles): I oppose the Bill. However, my opposition to the Bill does not mean that I am in any way uncritical of the Potato Board or of many aspects of the Act as it currently stands. By and large my colleagues have spoken on behalf of growers and the people they represent. I am speaking on behalf of consumers and on the basis of my experience as a consumer, which I venture to say would be unequalled in this House. I doubt whether any of my colleagues have peeled as many potatoes as I have over the past 26 years of my marriage. I doubt whether any member in this House has had to regard the potato as the staple food for a member of their family. During the past 17 years that has been the case with a member of my family. If there are 70 or so varieties of potatoes in Australia, I have cooked them in 7 000 different ways. It has been interesting to observe my son's growth over nearly 18 years. Potatoes are the staple food, as he is unable to eat—

The Hon. G.F. Keneally interjecting:

The Hon. JENNIFER ADAMSON: No, he does not. He is considerably taller than John Letts. He is unable to eat animal protein, and it has been interesting to see how a staple diet of potatoes has produced (in my opinion) an extremely handsome, certainly very tall, well-built and intelligent young man.

The Hon. G.F. Keneally interjecting:

The Hon. JENNIFER ADAMSON: No, he does not look the least bit Irish. I mention that to illustrate the nutritive properties of the potato and the fact that it is a staple food. Therefore, in talking about free and orderly marketing, we cannot equate the potato with any other vegetable, because no other vegetable enjoys the reputation of being a staple food. No-one would suggest that we have a carrot, pea, or banana board.

Mr Lewis: Or pumpkin.

The Hon. JENNIFER ADAMSON: Or a pumpkin board. The Potato Board was established for specific reasons. Those reasons were sound at the time and I believe that there is still validity in ensuring that the Potato Board is maintained. However, I am not uncritical of the Board. Speaking as a consumer, I would say that the Board has done an extraordinarily good job in marketing and promotion. Anyone who purchases fruit and vegetables from a greengrocer as distinct from a supermarket (and I fall into the former category) cannot help but be impressed by the quality of potato marketing—the posters, brochures, recipes and pamphlets.

Mr Lewis interjecting:

The Hon. JENNIFER ADAMSON: No, I am not impressed by that, and I will come to that in a minute. Potato marketing is of a high quality and I believe that the increased consumption of potatoes can, to a significant degree, be attributed to that effective marketing effort undertaken over the years by the Board. Unfortunately, I cannot offer the same tribute with respect to quality control that is exercised by the Board. In recent days, because of the prospect of this Bill's coming before the House, I have discussed the matter of quality control with both growers and greengrocers. I gained a very strong impression that not only consumers but also retailers (and that includes greengrocers) are of the same opinion—that quality control is not effective. There may well be reasons for that and it could be that the potatoes I am complaining about are potatoes from over the border and are not subject to the scrutiny of the Board. However, I know from personal experience that some of those potatoes that are of poor quality have passed the Board's scrutiny.

The whole method of quality control and returns needs close examination and should be improved considerably. The grower, the merchant, and the retailer all have a responsibility in this matter, and the Board has an overall responsibility. The Board probably suffers undue difficulties in terms of the marketing situation existing in the totally inadequate East End Market of Adelaide.

I drive home from the House sometimes in the early hours of the morning and see what happens there. Sometimes I drive into town on market days, and I see trucks parked in the sun with loads of potatoes in plastic bags. One can literally see the rot starting. If ever there was a totally unsuitable packaging for potatoes it is the plastic bag, notwithstanding that some bags may be perforated in order to allow the potatoes to breathe. A bag of potatoes that has been in the sun and is then put in a cupboard and left for any length of time is a most unhappy prospect for the housewife. The stench of potatoes going bad is vile and the packaging does nothing to advance quality control.

Another aspect of quality control (and I would not know how it should be addressed) concerns the quality of the potato itself, notwithstanding that it has been properly packaged and kept. My impression, from buying potatoes in supermarkets (which I avoid whenever possible, because I find that an unsatisfactory way of buying fresh food), is that I do not know what varieties they are selling or how they have been packaged. However, if anything resembles a lump of plaster of paris it is the taste of potato that comes from a supermarket. I suspect that the potatoes that I enjoy from my greengrocer has somehow or other escaped the scrutiny of the Potato Board and come possibly straight from the grower to the greengrocer and then into my basket.

The Hon. G.F. Keneally interjecting:

The Hon. JENNIFER ADAMSON: That is an indictment of the Board, I agree. However, as a consumer I am concerned with quality, availability, choice and price; and, if the consumer is to enjoy all those benefits, growers must be viable. Unless there is a viable industry in which growers can maintain reasonable profitability, there will not be viability as the consumer wants; there will not be choice as the consumer wants; there will not be quality as the consumer wants; and there will not be the price that the consumer wants. According to my shopping list today, the price of potatoes I bought during the lunch break is 65 cents a kilo. That is not bad: no other fresh food on the market today could be bought at that price and give such good value as a kilo of potatoes. If the Board were abolished (and other members have dealt with this question, especially the member for Fisher), growers, instead of enjoying the strength that comes through unity, which I always thought was the absolute foundation and basis of the whole philosophy of the Labor Party, would be divided and would be fair game for the monopolies—indeed oligopolies—that operate in the food industry.

I spoke about these monopolies at some length on the liquor licensing legislation. I have had close experience of them through business associations, and I would dread the prospect of potato growers in this State being subject to the activities of such monopolies, with no barrier or protection whatsoever between them and what I believe to be the utterly ruthless exploitation of those monopolies in the pursuit of profits. It may be strange and ironic for members on the other side to hear Liberals on this side arguing this cause, but there is a consistency in the Liberal philosophy

that is based on equality of opportunity and, notwithstanding that philosophically we would support the notion of a free market, we would never support the motion of an unrestrained market, where there are no countervailing forces to protect the weak against the strong and to ensure that the consumer and the community at large get a fair go.

Mr Groom: I suspect that there's a closet Socialist over there.

The Hon. JENNIFER ADAMSON: No, I am a staunch Liberal who recognises that power must be divided and decentralised, otherwise individuals suffer. The whole notion that if the Board goes the growers will be subjected to the unrestrained power of monopolies surely must have been considered by this Government. I am certain that the Minister of Education, who is most conveniently absent, would have argued most vigorously in Caucus in that way. If he did not, he was failing in his duty to his constituents.

An honourable member interjecting:

The Hon. JENNIFER ADAMSON: It is convenient for him to be absent, because it would have been embarrassing for him if he had been here and had to support the Government on this Bill. If this legislation operates and the Board is abolished within the space of two years, I predict that within three or four years the number of potato growers in South Australia will be cut dramatically and that some of them who are now either employed or self-employed will be a drain on the taxpayer, because they will be receiving social service pensions. That will be the only form of sustenance that they will have.

Many growers use potatoes as an adjunct to an otherwise not viable rural production. For example, people such as dairy farmers or other types of small farmer will undoubtedly be forced out of the industry when the monopolies move in and say, 'Right. Grower X: you'll deliver your goods to our supermarket at our price, and we'll pay when we're ready.' Invariably, when the large retail chains are ready means 60 days, which is a long wait for a person trying to feed a family. The loss of these people to the potato industry will mean a significant social loss to South Australia, and the Minister of Tourism may well be interested in this point.

The potato industry should be given every encouragement, because it enables self-employment, extremely healthy outdoor employment and an independent lifestyle. The growers to a large extent are their own bosses: they certainly are the servants of nature and to some extent the clock. However, they can control to a large degree the decisions that they make on their lifestyle, and in this day and age we should encourage that sort of thing. The potato acreages give a pleasant character to the Adelaide Hills and the Adelaide Plains but, regrettably, not much longer to the Torrens Valley, the latter being a loss to us all.

We will lose much of that very pleasant horticultural character of South Australia if we do not offer some protection to the horticultural industry and, in particular, to the potato growing section of it. I predict that a number of growers will be forced out of the industry. As a result, inferior quality potatoes will be brought over the border from interstate. There could well be scarcities, and there will certainly be a lack of choice and higher prices.

The principal Act establishes the Board: I agree with previous speakers that nine people to control an industry of the nature of the potato industry is excessive, to put it mildly. We have only 13 people to control the whole State via the Ministry, albeit that it is not being done very well at the moment, but nine people on the Potato Board is beyond a joke, and restructuring should limit that number to no more than five.

The Act provides for registration of growers; the licensing of merchants, potato washers and packers; the control of sale, delivery and price of potatoes; and miscellaneous provisions. Actually, when one looks at it, everything is controlled except the consumer. The consumer, at the end of the line, is the person who simply has not been considered in all this. As I said before, my colleagues quite rightly have been concerning themselves with their constituents and therefore with the growers but, speaking on behalf of the consumer, I believe that this Act needs to be restructured and that the Board needs to be given a very clear message that quality control is the most effective form of marketing there is.

It is no use having a beautiful picture of a potato hanging up in the greengrocer's shop if when one gets home the potato on the chopping board when it is cut open turns out to be all black and rotten inside. All the promotion in the world simply will not cover up that kind of shortcoming and deficiency. Whilst the marketing is good in the technical sense, quality control needs to be examined much more closely. I do not believe that it takes nine people to administer the operations of the Board. If the Act is to be restructured, it would be extremely valuable to have some kind of consumer input, because from my observations the consumer is not given the careful consideration that should be extended by the Board.

Five years or so ago, following a complaint about quality of potatoes, I visited the Board and was given a tour of inspection of its facilities. I still say that, if a greengrocer has to return a whole bag of potatoes to the market simply because two or three are rotten and that whole bag goes out, that is an unconscionable waste. These are some of the criticisms but they are minor compared with the philosophical principle that it is a staple food and that its growers deserve and should have some kind of structure that ensures that they get a fair go in the market place. The Potato Board, notwithstanding its deficiencies, provides that structure, and I for one believe that it should be maintained.

Mr GREGORY (Florey): I support this Bill, for some very good reasons. Lately, we have seen some ridiculous actions by the Potato Board which brought about the prosecution of a person in the South-East of the State. I was rather surprised to hear members opposite, who constantly promote the concept of free enterprise, suddenly turning around and suggesting that this was not good. I wonder at the mental gymnastics they go through. The Board costs about $700 000 per annum, and that has been ripped out of the pockets of consumers in this State.

The growers might say that they pay it, but let us make this very clear: they get it from us, the people who pay for the potatoes. I heard the member for Kavel last week talk about deregulation. As he is apparently objecting, I will read to him exactly what he said:

> That proposal emanates from a Government which tried to pip the Liberals at the post with a deregulation policy. We know how interested the Labor Party is in deregulation: it is regulation mad. The Labor Party enjoys this proliferation of regulations and controls, so from the moment we wake up to the moment we go to sleep we are regulated, somehow or other, by Government. This Bill smacks of that. It sets up another enormous bureaucracy which is expensive and intrusive, unnecessarily so, and it does not get to the heart of the real problem in relation to the safety of dams and major water storages.

I would have thought that the honourable member would be interested in this deregulation move, remembering that the amendments to the Bill provide that within the next two years, if the Board cannot show good reasons why it should continue, it will be finished. The hypocrisy of the people opposite! They run around saying, on the one hand, 'We don't need to have a regulatory body to look at dam safety,' but when it comes to feathering the nest of those they think might vote for them it is extremely different, and we heard all about this from the member for Kavel

this evening. The member for Todd also went into great detail on this matter and said that because the Liberal Opposition had recently released its policy on deregulation—

The Hon. Jennifer Adamson interjecting:

Mr GREGORY: Madam, would you be polite enough to give me the courtesy that I gave you when you were talking? The member for Todd said:

> [when] a Liberal Government is returned at the next State election action will immediately be taken to reduce the number of statutory authorities and to deregulate the over control that presently exists in South Australia.

He is saying there that when and if he and his friends opposite ever get into government again they will move to do away with all the statutory authorities. Here we are serving notice that within two years, if the Potato Board cannot show good reason to the contrary, it will cease to exist. That will mean that $700 000 per annum will be redistributed among the growers and eventually among consumers. It will also allow the people who support the concept of free enterprise to go out and live in it. We have enough of that here at the moment—people who are saying from time to time that anything regulated, organised or managed by the Government is no good. The things we do on a free enterprise basis, leaving the small man to do his own thing, are good. We see here, however, an example of where members opposite have changed their minds, where people working on their own cannot manage and need the help of Government organisations. Some comments have been made today by members opposite regarding the absence of the Premier and the Minister of Education. The Minister of Education is attending a meeting of Ministers of Education—

The Hon. D.C. Wotton interjecting:

Mr GREGORY: Does the former Minister for Environment and Planning suggest that when his Party was in Government members never went off? The Premier is attending a conference in the Eastern States tonight which is of the utmost importance to this State. Yesterday's proceedings were so important to this House and to the Opposition that the Leader of the Opposition was at a racecourse presenting trophies!

The Hon. D.C. Wotton: It was official duty, and you know it.

Mr GREGORY: What is the difference between negotiating finances for this State and going to the races and presenting trophies? The double standards of our friends opposite amaze me. They seem to think that the State can look after its own finances: the Premier should be here and not doing what he is doing in Canberra! When he was advised about the EPAC conference being cancelled this afternoon he was at the airport, but even if he had returned here he would not have been in Canberra for the meeting tomorrow morning.

The Hon. D.C. Wotton: Rubbish!

Mr GREGORY: That inane remark shows the limited intelligence of the honourable member.

The DEPUTY SPEAKER: I presume that the honourable member will link his remarks to the Bill.

Mr GREGORY: I will do that in the same fashion as the member for Kavel did. The Premier is away representing the State, and if that was not the case members opposite would have a fair bit to say about that. His interests in relation to South Australia as a whole come first. I think it was a bit despicable that, when the offer was made, the racegoer was unable to take it up, because some of his friends were off sick.

It was interesting to note the attempt that was made to link the operations of the Australian Wheat Board and the Australian Wool Board with the operations of the Potato Marketing Board. I suppose that a connection could be made on a very broad issue, but I am not aware that we sell potatoes overseas.

Mr Meier: We do—in Singapore, for instance.

Mr GREGORY: And how many do we import?

The ACTING SPEAKER (Mr Ferguson): Order! The honourable member must address his remarks to the Chair.

Mr GREGORY: Actually we import potatoes—they come as chips from California. There is some argument about that, but as members opposite want to remove tariffs and protection we should get more because of that. I suppose the member for Goyder will talk about that later. The reason for the Australian Wheat Board and the Australian Wool Board is that the major proportion of those two products is sold overseas.

The Hon. Ted Chapman: What about barley? That is not sold overseas.

Mr GREGORY: Do you want to deregulate barley, too? Thanks you for reminding us; we might take it up and say it was your suggestion. The reason for the boards is so that overseas cartels cannot ruin the Australian economy, and that has been learnt from experience. I remind members opposite that it was a Federal Labor Government that did that, and also that at the time the Liberal Party did its utmost to stop that coming into being. There was none of this business about championing the concept of a board: Liberal members were blatantly in there supporting free enterprise, saying that boards would ruin the country. However, I note that since that time they have been great supporters of that concept.

The amazing business about this Bill is that in the Upper House members of the Liberal Party were a bit more honest than were the members here. They were quite open in their support of the Bill, on the basis that they believed that marketing should operate under a free enterprise system and not be controlled; they were prepared to vote for that. Members opposite can say what they like, but if members in the other place had not been prepared to vote they should have called a division to demonstrate their vote, but a division was not called.

The activities of the Potato Board have not been in the best interests of the growers or consumers, and I believe that these changes to the Act will overcome some of the activities of the Board that have not been in the best interests of either growers or consumers. It will also mean that there will be a freeing up of the market. In two years time, if nothing has been done by those involved to get their house in order, they will not have one. As I said earlier, this organisation costs $700 000 per annum to keep going.

Mr Blacker: And who pays for that?

Mr GREGORY: The people who buy the spuds, the consumers, and they pay this $700 000.

The Hon. D.C. Wotton: Rubbish!

Mr GREGORY: That shows that you do not understand the situation; the growers who put in the $700 000 must obtain that from consumers. It is an on-cost, like the costs of pumping water, diesel fuel for the tractor, superphosphate, plant and equipment, and everything else that goes into production of potatoes. It is a cost that the consumer must bear. Members opposite complain a lot about the cost of wages, but in relation to other costs that the consumer must eventually bear, members opposite do not want to know about that, and they try to distort the picture, but that is precisely what it is: it is a cost to create a market. The Board supports a bureaucracy of 25 people. I would have thought that the deregulators opposite would have marched in quickly to get rid of that piece of bureaucracy, this QUANGO, as someone called it, this piece of regulation that is causing all the problems. I am wondering what else members opposite would get rid of, because most of the regulations in this State apply to the primary area.

The Hon. D.C. Wotton: We will get rid of the Labor Government, because we are fed up to the back teeth.

Mr GREGORY: I am pleased that I have fed this member up to the back teeth, although I am sure that he has not taken any flesh off my arm. I hope that he does not choke. I will leave my remarks at that. I support the Bill.

Mr BLACKER (Flinders): I have never heard such a load of twaddle in all my life. Obviously the member for Florey does not have the slightest understanding of orderly marketing. Had he done a little homework instead of trying to chide members on the opposite benches, he could have made a more effective speech to the House tonight. Never in my life have I come across a person so naive about any sort of marketing system. I did not intend to speak on the Bill, because I represent only one potato grower, but the very principle involved in the Bill is something that every South Australian producer will treat very seriously. A headline in today's *News* states 'Marketing boards face axe', and the following article was accompanied by a photograph of the Minister of Agriculture. The writing is on the wall. It is being stated loudly and clearly that the Government will fly in the face of every person and every authority in South Australia.

There have been faults associated with the Potato Board, but let us correct the faults and not throw out the baby with the bathwater. That is what it is all about: correct the operations of the Board, get it operating effectively, and ensure that it works efficiently for the producers, without sacrificing the very principle of orderly marketing. In relation to remarks made by the member for Florey about interference in this matter, will the Government be so bold as to stand up and cut out these authorities that the Government pays for? However, in this case the Government is saying that it will knock out an authority which someone else pays for—not the Government, the taxpayer or the general community, but the growers themselves. They will be the losers in this; they are the ones who are financing the authority, and they should have the right to decide what actually happens. Originally, a poll was undertaken involving growers and that led to the Board being set up: it was a request made by growers, those involved and interested in the marketing of their product. Therefore, surely they should have a right to determine their own destiny, when they themselves are financing it.

That is the issue. How did the Government come to this conclusion? To my knowledge, no person in authority has gone to the Government and said that we should abolish the Potato Board. The Ombudsman, in his last report, was critical of some of the actions by the Board. He carried out lengthy and extensive investigations in relation to the Board, and he said:

> The Board has existed for 35 years and there is obviously an accepted need for its continuation. It also operates in an industry with an annual turnover of $17 million. Therefore, I believed that it should be permanently established. A feeling of permanency for the Board would enable it to employ and retain well qualified staff, and provide for some long-term planning of equipment and systems which would assist the marketing of such a large cash crop. In addition, as the Potato Marketing Act was passed in 1948, it appeared to me that the make-up of the Board also needed to be varied because of changes in consumer demands and marketing operations since that time.

The Ombudsman recommended the permanence of this Board. What does the Minister do? He throws that recommendation out. The Minister is flying in the face not only of the review committee, but also the Ombudsman, and his actions are contrary to the interests of growers and statutory marketing throughout this State.

Mr Klunder: So what you want is well regulated free enterprise.

Mr BLACKER: Again, we are hearing the naivety of members opposite. I will recount a story my father told me many years ago. At that time I was young and brash and questioned the need for a marketing authority. It was pre-bulk days and I was carting bagged grain. I asked why and how the Board worked and why it was set up. My father explained that the system was working well and producers were getting a fair return for their product and efforts.

The Hon. G.F. Keneally: Mr Chifley looked after them.

Mr BLACKER: I will accept that. I do not know who did it, but I am attempting to say (and members are attempting to put me off) that my father said, 'You wait: there will be a new generation which comes along that seems to think it knows all of the answers. They will not have experienced pre-orderly marketing times and will think they can change things with a wave of the hand.' That is exactly what is happening. People do not realise that, in those days, grain was taken into the siding and one agent would offer 12 pence a bushel. They would then pull the waggon up a little further and the next one would barter for 12½ pence a bushel. If it was a large siding, and there were three or four agents, they could continue along the line and get between 12 and 13½ pence per bushel. They knew they were being ripped off, because they knew that those exporters were gaining the weight of the grain in the overseas trade. It would absorb enough water and gain sufficient weight and they would pay for the lot for nothing and they would get it.

Mr Klunder: Free enterprise!

Mr BLACKER: The honourable member is trying to point out that one was being played off against the other. The producer who was not in a position to negotiate was being taken for a ride. The principle of this Bill needs to be instilled and fought for. I believe this Government has egg on its face for what it is doing, because it does not really know or understand the consequences of its actions. I am convinced, as a result of comments by speakers from the Government side, that they really do not have a clue what it is all about.

I strongly defend the principle of orderly marketing. I also strongly defend the need for the rectification of any shortcomings that may exist in the present Board. I understand the member for Mount Gambier's dilemma, because his growers, whilst they are growing and operating within South Australia, have their main market closer to the Victorian border and therefore to the larger market. One of the main reasons why I am a believer in orderly marketing is that I have not had the benefit of trading across the border and beating the system. It is a little difficult to cart a load of wheat from Lock to the Victorian border or to Western Australia. We cannot take advantage of that practice. I think those who are anti orderly marketing systems are those on the border who can do a little free trade across the border, to the detriment of the orderly marketing system.

I express my very strong opposition to what the Government is attempting to do. It is obviously removing the teeth from the Act, trying to remove the penalties, so that it really means nothing, and then inserting the sunset clause hoping that in a couple of years it will disappear. In a couple of years the Government will have to face up to the responsibility, or a new Government will be able to rectify that position. I again strongly oppose the Bill. I reinforce that the Minister's intent, in political terms, is sinister, because I believe he is using this Act not in the best interests of the industry, but as a political weapon in an attempt to dispense with the orderly marketing system. We have already had that brought to our attention, not only in relation to this Act, but I think we could foreshadow that other Acts will come into operation. It is already foreshadowed in this

evening's paper that the citrus industry is in a similar situation, and it will continue from there.

I hope that the primary producers in this State rebel against this Government and expose it for what it really is: a Government that wants to erode free enterprise and the producing sectors of the community and allow them to be used and abused, as they were prior to the orderly marketing system. The orderly marketing system has worked for the potato industry for 35 years. It has been longer than that for many other industries. I implore the House to strongly oppose this Bill and ensure that the wider community is fully apprised of what is going on.

Mr PETERSON (Semaphore): Obviously, I do not have a great knowledge of potato marketing, although I love chips and mashed potatoes. I have a great deal of respect for the opinion of the member for Flinders. It appears, from the very brief research I have been able to carry out in relation to this matter, that approximately two-thirds of the potatoes grown in this State are marketed through the Board. It also appears that the Government intends to abolish the Board. I think that is reflected by the penalties that are provided in the Bill as presented to this House. They are very minor penalties, which would then allow infringements to take place. I think the Board would be toothless. I do not think it could take any worthwhile actions in relation to infringements. The infringements would continue and, in effect, the Board would become a toothless tiger. Two years would then elapse with no real reaction from anybody. But if we are going to have this Board for two more years, the two years may bring about a situation where it is considered that the Board should continue.

The Board has been in existence since 1948. Although I have heard speakers from the Opposition benches say that the Board is not effective and is not working correctly, apparently it has worked for 20 years.

The Hon. Jennifer Adamson interjecting:

Mr PETERSON: That is what I have heard. I have no great knowledge, and I am only going by the debate here tonight.

The Hon. Ted Chapman interjecting:

Mr PETERSON: They do not grow too many potatoes, except in their back yards.

The Hon. Ted Chapman interjecting:

The ACTING SPEAKER (Mr Ferguson): Order!

Mr PETERSON: There have been alterations in board set-ups. I pick up the point made by the member for Flinders about the orderly marketing of grain, although there is much more control from that board. If only two-thirds of South Australian potatoes are sold through the Board, there is something wrong. I have heard comments, not only in this Chamber but also from other people, that the Board has not been effective in other ways. There have been situations where preference has been given to some growers on allotments, and where the Board has not forced its powers on growers and suppliers of potatoes. This was borne out by the report of the consultative group that looked at it, as indicated in the second reading explanation. If the Board is to continue for at least two years, although there is a sunset clause, there is nothing to say that at the end of that two years, even if it lapses, it cannot be re-established by legislation if the need arises.

The Hon. Ted Chapman interjecting:

Mr PETERSON: That is certainly in the lap of the gods. Who knows? Politics is a funny thing. There is the old saying, 'A week in politics is a lifetime.' Who knows when the election will be and who knows who will win it? Silence falls! It is nice for there to be silence in the Chamber. If the Board is to continue for some time and have an effect on potato marketing in this State, it has to have an effective way of doing it. I do not believe that the penalties laid down are sufficient to be a deterrent. I suggest that penalties in the order of $600 may not be significant in relation to the quantities of potatoes sold and the amount of return that is available.

The Hon. Jennifer Adamson: To the local greengrocer it is a lot of money.

Mr PETERSON: I do not know whether the individual greengrocer is being aimed at here.

The Hon. Jennifer Adamson interjecting:

The ACTING SPEAKER: Order!

Mr PETERSON: It is suggested that the penalties should be increased substantially. I agree with the premise that the penalties have to be increased to make the Board effective.

The Hon. Ted Chapman interjecting:

Mr PETERSON: It is funny how attitudes change in this place. One week one is a mongrel, or words to that effect, and the next week one has an admirable point of view. It is nice to note that flexibility.

The Hon. Jennifer Adamson: Objectivity.

Mr PETERSON: I have always tried to be objective, although it is not always possible. Never objectionable, always objective! If the Board is to survive, be effective for two years and establish that effectiveness, the penalties must be increased. That is the aspect of the legislation that I refer to—the fine for an infringement. There has been a document circulated in this Chamber, which I cannot speak to—

The ACTING SPEAKER: Order! The honourable member knows that he cannot speak to it at this time, but will get an opportunity later.

Mr PETERSON: I just acknowledged that, Sir. However, I would support any move for an increase in penalties under this legislation.

Mr MEIER (Goyder): I am not a potato grower, although I enjoy eating potatoes. For that matter I enjoy eating oranges, and I am happy to eat South Australian oranges. I enjoy eating eggs, and I am happy to eat South Australian eggs.

The Hon. G.F. Keneally: But you don't like cauliflowers, lettuces and Brussels sprouts.

Mr MEIER: As I said at the beginning, I like potatoes and I am happy to eat South Australian potatoes. If there is anything I can do to help the potato, citrus, egg or any other South Australian industry by promoting the purchase of South Australian products, then I have a responsibility as a member of this House to do so. I am disappointed to see the Bill before us this evening. It will take away from many potential purchasers in South Australia the right to eat South Australian potatoes. Not only is it the taking away of that right but also it is the way the whole matter is and has been handled that disturbs me.

It is Government interference of the worst kind. The Government has been very surreptitious in the way it has gone about this whole exercise. It is against the wishes of the growers for a start. It is against the provisions of the set up of the Board. The Government has gone ahead without consultation with the Board and the industry—or even worse: there was consultation, but that consultation was so misleading that it completely tricked the Board and left it without anywhere to go because the Minister was determined to steamroll the Bill through Parliament. This is typical of the way in which this Government has acted since it came to office two and a half years ago.

When the Government came to office it promised the world: it promised that there would be consultation in every matter when it was in office. We have seen example after example where consultation has not occurred. Consider the natural vegetation clearance provisions which came in like a bombshell and which are still causing the Government

headaches. I am worried about the primary producers who are sitting on potentially worthless land because of the Government's bungling. It will probably be left to the new Liberal Government to sort it out and put the rural economy back on its feet.

The ACTING SPEAKER: I take it that the honourable member will link his remarks to the proposition before us.

Mr MEIER: Certainly, Sir. It will be left to the Liberal Government to put things back on an even keel. This is another classic example of the Government bulldozing in without consultation, saying 'This is what we want.' Suggestions have been made by other speakers in relation to political motives. That could well be correct. That, in itself, is disturbing because we are dealing with the livelihood of many people in this State and with consumers who want the best quality product.

We could look at more mundane things that the Government has done in a similar fashion to this. There was no consultation in relation to the local government legislation. The Government decided that there would be compulsory voting and that members of local government would have to declare their pecuniary interests. Again, we saw the negative effects and the Government finally realised it had done the wrong thing. We are seeing now, a week after this Bill was introduced in another place, members of the Potato Board and growers rallying their forces and trying to make the Government see common sense.

This will probably be another case where common sense will be seen too late and once again the incoming Liberal Government will have to fix up the mess. Statutory marketing has been branded by some as a form of socialism. Far be it from socialism. For a start, it is not Government controlled. Some 37 years ago the growers decided that they wanted an orderly marketing system. Private enterprise, industry and people employed in industry should have that right.

It is not Government controlled: it is grower controlled and it is grower requested. More importantly it has worked so efficiently in most respects for 37 years although, like any other marketing system, it has had its pitfalls. We could well consider other orderly marketing groups such as the Wheat Board and the Barley Board. People tell me that things are not working properly and that may or may not be correct, but the growers have the right to correct any deficiencies.

The history of the Potato Board shows that the growers have had their say and that by and large it has been a positive force in South Australia. Indeed, South Australia is the envy of other States in having such a fine orderly marketing system. Yet this Government says, 'We have something reasonably well balanced and working very well. Let's get rid of it.' From what the Government says, it wants South Australia to win, although most South Australians have forgotten that slogan by now, because they have seen the losses right, left and centre. Indeed, it makes me sad to hear the Government say about something that is working well, 'This can't go on. The State is going bad in many ways, so let us pull down the potato industry with it.'

The efficiency of the Potato Board is reflected in various areas. First, it has operated well for the consumer, especially the housewife. The consumer is a winner because, as statistics show, over the years South Australians have paid less for their potatoes.

The Hon. G.F. Keneally: We are a low cost State.

Mr MEIER: Yes, in the potato purchasing area. The housewife is also a winner because of quality control. Such quality is not evident when other States unload their potatoes in South Australia, but it is evident with potatoes that pass through our Potato Board. Certainly, there will be exceptions, but it has been put to me that often the Potato Board has taken it on itself to replace substandard potatoes or potatoes that may have become second rate because of excessive standing or whatever. That is another positive feature of the Board.

The Board is efficient because growers are assured of their money. We live virtually in a credit card environment, so we appreciate that many employers and especially businesses are happy to be guaranteed payment. We can go anywhere and ask, 'Will you accept Bankcard?' and the reply is invariably, 'Yes'. These growers are guaranteed payment, and why should they not be? It is a far cry from earlier days when businesses had to supply goods on credit. Many rural businesses supply goods on credit. I have spoken to business proprietors who say that they cannot afford to have the booking down system anymore, and they are switching to the credit card system because it guarantees payment. Yet, despite this, this Government says to the growers, 'Why should you be assured of your money? Why should you have things in a positive state. Let us take away your security and you will have to wait for your money in many cases. Sometimes you won't be paid at all, but that is the free market system in the potato industry.' That is a negative step when we have at present guaranteed payments for these primary producers. Let us make every effort to keep it that way.

Mr Groom: So you're a socialist. I'm pleased to hear that.

Mr MEIER: I am sorry that the honourable member is interjecting. Apparently, he did not hear my earlier remarks, so I will have more to say later on if I have time. As the member for Flinders rightly pointed out, the member for Florey has no concept of the orderly marketing system. That was evident from his remarks. His classic blunder was to say that the Board is costing $700 000 a year to operate. Then he went on to say that that money was being ripped out of the pockets of consumers whereas, in fact, the levy is placed on the potato growers. It is a pity that the member for Florey is not in the House at the moment. The honourable member then said that he wanted to see that $700 000 redistributed (a typical socialist term: in fact, I could extend it to the extreme left but I will not) into the pockets of South Australians. What marvellous words! They really appealed to some people's hearts but not to mine, because I know where that money would go if the orderly marketing system were to go. It would go straight into the pockets of Victorian, New South Wales and Tasmanian potato growers: it would be lost to South Australia. So, the Bannon Government will say, 'Things are not going well in one more industry.'

The Hon. G.F. Keneally: Why will the Victorian and New South Wales markets have an effect?

Mr MEIER: I will explain that later if there is time. The need to promote South Australia has probably never been more evident or necessary. Even the Premier went on an overseas trip a few weeks ago to promote the submarine contract. It was a valiant attempt and we all hope that it succeeds. We want South Australia to win in this respect.

The DEPUTY SPEAKER: Order! The submarine venture has nothing to do with the Bill before the House.

Mr MEIER: I accept your guidance, Mr Deputy Speaker. I am trying to draw an analogy between the fact that the South Australian economy needs everything it can get on the one hand and, on the other hand, the support by this Government of this Bill. By going overseas the Premier acknowledges that South Australia needs everything it can get. I suppose it could be argued that his urgent trip to Canberra is promotional. This Government has managed to ruin everything that it touches, but the orderly marketing of potatoes is something that is going on in a positive way and, if we can keep the Potato Board operating, we will

keep the maximum number of growers in production. Further, the efficiency of these growers is well illustrated by the fact that our prices are still as low as those in other States.

We want to see that the quality of the product remains high. Virtually without question, if the Board goes the quality will go because we will have imported potatoes and, even on a region-to-region basis, the quality of potatoes grown in the Virginia area of the Adelaide Plains is much superior to many of those that are grown in the wetter regions of Victoria. Do we want the potato producers in the Virginia area to be put out of business? Some of them are finding things tougher today and we should promote that area and all other areas of South Australia.

Further, the abolition of the Board will leave growers in an untenable and unsure situation at a time when the rural industry has been hit for four if not six and when the primary producer has lost his 4c a litre fuel rebate. A few weeks ago the fuel parity price went up, and the last thing the rural industry can afford is another hit. The potato industry certainly cannot afford it. Petrol will be almost $3 per gallon once the fuel levy comes into operation in about a week or two. That is expensive operating for anyone, certainly for the potato grower. If he has this measure foisted on him, he will wonder why he has to suffer from the Government's interfering when it had no business interfering in the first place. The potato industry needs incentives, not disincentives. It is interesting to look at a position paper from the UF&S on the topic of statutory marketing, written by its Chief Executive (Mr Grant Andrews), as follows:

> . . . a brief resume of the UF&S and national farmer organisations' attitudes to the principles involved—

we are talking about not only the Potato Board but statutory marketing generally—

> Industry-requested statutory marketing is not 'socialism of the industry'—

I explained that earlier—

> Statutory marketing exploits neither the producer nor the consumer. Each benefits from fair and reasonable prices.

South Australian potato prices are with the lowest in this country: let us try and keep it that way. Another point made was this:

> Statutory marketing principles and their accompanying regulations have, in the main, been requested by a particular sector of rural industry.

Potato marketing is a classic case of that. It goes back to 1948, when the growers sought such a marketing authority and a poll was held. At that time a proclamation did not have to be made unless a poll had first been held on the question of whether the Act should be brought into operation and the majority of the total number of persons who voted at the poll should have voted in the affirmative. The legislation was enacted by State Parliament at the request of the potato industry and was brought into effect after a poll comprising a majority of the industry supported its establishment. That was in 1948, and it was an industry-instituted statutory Board, funded by the industry. The paper continues:

> Statutory orderly marketing enables growers to be paid regularly through advances guaranteed by the collective value of the product.

Again, that was noted earlier. Surely we should give security to the potato growers, just as most businesses have that security from Bankcard and other methods of payment in this day and age. The paper continues:

> Statutory marketing enables continuous research and promotion programmes to be collectively undertaken through grower approved levies deducted from market realisations.

Mr Groom: Do you not think that deregulation is good for the industry—more competition, lowering prices even further?

Mr MEIER: The member for Hartley does not seem to understand that this industry is on a positive plane: it is going well and has gone well for 37 years. Now this Government is saying that it is no good and should be destabilised. In this case, it is not the prerogative of the Government to take away orderly marketing: it is the prerogative of the growers, who have been denied that prospect. They have not been given the opportunity, despite statements by the Minister that they would be given it, and despite the fact that before us—

Mr Groom: I never thought that you were a closet socialist.

Mr MEIER: That term is getting a little old: the honourable member needs to shift the record needle on a little. I have heard that remark several times now. Before the working party began, the Minister was approached as to various items that the Board thought might need correction. He said, 'Just leave it; I don't want to be interrupted with things. Let the working party report come down.' Then I believe the indication was given that there would be no hurry in the matter: the working party report could take something like six months; and, further, the Minister had no intention of bringing in regulations or changing the current provisions in the Act in the immediate future (in fact, it would not be before the August session).

Virtually the day that the working party's report was handed down the Minister said, 'Aha! Guess what I've got ready—a new Bill to virtually detooth the whole Potato Board.' I do not know how the Board can even talk with the Minister any more, the way it has been tricked, conned and pushed around. I know that the Board certainly cannot wait until there has been a change of Government in this connection.

Mr Groom: Wouldn't you like to see less Government interference?

Mr MEIER: If we are talking about less Government interference, I will talk about less Government notice and the current situation in orderly marketing. The Potato Board raises the money through its own levy: it does its own research and looks at the future position. The Government does not have to spend a cent, in stark contrast with other areas. Currently, inspectors of the Potato Board are paid by that Board. They assess the quality of potatoes and the grade of each potato, and that costs the taxpayer nothing, because the levy is paying those inspectors.

If we do away with inspectors, the Government will virtually be forced to employ more Department of Agriculture people to oversee the quality of potatoes. Who will pay for those inspectors—we, the taxpayers. It will mean more Government interference, believe it or not, whereas at present we have no Government interference at all. Another point made in the UF&S paper was this:

> Statutory marketing enables production to be geared to the supply and demand movements.

Statutory marketing certainly shows a positive aspect here in potato marketing. We see the fiasco that has been going on over petrol retailing for some years now and the massive difference in petrol prices. We will see even greater differences: in the country it will cost something like 64 or 65 cents a litre and in the city it will probably be about 54 cents a litre.

Mr Becker: Don't forget the State Government gets 10 per cent on the Federal Government's—

Mr MEIER: The State Government takes its taxes because it has to try to provide so many Government sponsored projects, and that gets back to the Potato Board, which is not financed at all and which we as taxpayers do not have

to worry about. A further point made in the paper is as follows:

> Statutory marketing enables an industry to maximise its opportunities in export through collectively offering its product without having to compete with other common Australian suppliers.

To me, that seems sound economic reasoning. At present in this State and in the country as a whole we are lacking sound economic management. Again, we are seeing the fiasco caused by this week's mini budget, and it is quite clear that the Federal Treasurer does not really understand what is going on. At the State level also, we see it very clearly: our own Treasurer does not understand what is going on. Even the censure debate today showed the massive waste here. The Potato Board is a classic case where tight control is kept and growers know exactly where they are. That is clearly shown by the fact that consumers get the best possible prices and quality. Another point made in the paper was this:

> Statutory marketing provides the grower the opportunity of sensibly maximising production levels, thus reducing the per unit cost of foodstuffs and natural fibre to the benefit of local consumers through efficient export procedures.

That could be in the local market. Why should we not want to promote the maximising of production levels and minimising of the cost of production per unit?

The Minister has acknowledged that the growers have a right in this matter, and it can be easily expedited. However, the Minister thinks he knows best. The Government has thought it has known best in so many things over the past 2½ years, but that has not been the case, and the people of South Australia are sick and tired of the way that the Government has handled many matters. The conclusion of the UF&S position paper states:

> There has never been any suggestion of rural statutory marketing authorities being requested by growers as a total permanent fixture—

that is an important point that perhaps the member for Hartley should take into account—

> For example, legislation supporting the statutory marketing of wheat provides that, on the signing of a petition by a number of growers, the Minister is required to immediately hold a ballot to determine the future of such authority. In other words, this in no way 'socialises' the industry or deprives growers of their basic rights.

This applies 100 per cent to the potato industry.

Mr Groom: Tell us your definition of socialism.

Mr MEIER: The definition of socialism is not relevant to this debate, and with three minutes to go I would rather refer to more important things. The UF&S position paper concludes:

> The other point we would stress is that under no circumstances should unilateral changes be made by Governments or Ministers without adequate consultation with the industry concerned.

How true that is. This is another classic case of the Minister and the Government deciding on a course of action without growers having any say at all. So much for free marketing and private enterprise!

Mr Groom interjecting:

Mr MEIER: The Minister is taking this out of the hands of the growers.

Mr Groom: Free enterprise means that it is left to the market forces.

Mr MEIER: Free enterprise is not what the Minister decides is best, and the Minister should have stayed well clear of this. In relation to the orderly marketing of potatoes, I think it is well known that from 1973-74 to 1983-84 South Australian Potato Board sales increased by 80.1 per cent, which is a clear indication of the Board's effectiveness. Over the same 10 year period Australian production as a whole increased by 57.1 per cent: in other words, the increase was 20 per cent better for the South Australian potato producer, another indication of the Board's providing an effective method of operation for South Australia's potato growers.

The Government promised to attend to the unemployment problem. However, if the Potato Board goes, jobs will be lost. This will occur in several ways: first, in some cases potato growers will go out of business; they will go on to the unemployment line, and that is certainly not a positive thing. Secondly, the jobs of the very many people who are employed indirectly as a result of the potato industry, whether as an employee of a potato grower or an employee in a chemical or transport industry, for example, will be affected. Thus, unemployment is a vital factor.

The DEPUTY SPEAKER: Order! The honourable member's time has expired. The honourable member for Murray.

The Hon. D.C. WOTTON (Murray): I shall speak only briefly on this matter. I did not intend to say anything at all, but I have been prompted to speak after hearing some of the hogwash that has come from Government members, and I refer particularly to the member for Florey. I have never heard so much rubbish in all my life, and the honourable member proved tonight to this place and to the community of South Australia how little he knows about the orderly marketing system and about the subject of this debate.

Mr Groom: You'll be supporting the Bill, though.

The Hon. D.C. WOTTON: If the honourable member will give me a chance I will tell him. As far as I am concerned, this involves two separate issues. At the outset I point out that I recognise the division in the community as to the future of the Board. There is a division in my own district, where some big growers want the Board to continue while some of the smaller growers are quite happy to see it go. However, I am fearful for the small growers, because I do not really think they know what they are letting themselves in for. One of my major concerns is that, if this proposal is implemented, the bigger growers will continue to get bigger and the smaller growers will go to the wall. We have heard a lot of to-ing and fro-ing about this matter, but I think that that is what will happen. The first issue concerns the question of an orderly marketing system, which I support strongly. Enough has been said on this side of the House about that matter.

Mr Groom interjecting:

The Hon. D.C. WOTTON: The honourable member can go on as much as he likes, but the fact is I support the orderly marketing system. I always have and I always will. Few people in this Chamber have had more experience than I have had in this field. I grew up in the business; my father and my grandfather were in it. I recall that, on numerous occasions, Sir Thomas Playford said that he had been brought up in the East End Market university of hard knocks—and so was I, but perhaps not to the same extent. I certainly know what this is all about. The two issues involved concern, first, the system, which I support, and, secondly, the matter of the Board itself.

I recognise many of the problems that have been associated with the operations of the Board, involving penalty problems and administration problems. For as long as I can remember I have been aware of concerns that people have had, in one form or another, in relation to the workings of the Board. However, I still believe that the Board is the most appropriate way to undertake potato marketing in this State. As I have said, the growers are divided on this matter, as are the retailers and consumers. Some consumers believe that they will get a better deal, a better price, and that they will pay less if we do not have a Board. I disagree with that, because, if the Board is disbanded, it will take some time for the effect of that to become apparent, and no-one knows what will happen as far as prices are concerned. However, I

suggest that consumers will pay a lot more for potatoes if the Board is disbanded.

The same argument applies to quality control. Smaller growers have objected to the Board being a bit hard to get on with, and I am aware of growers who have been dissatisfied because of having potatoes returned, etc. But the consumers in South Australia cannot grizzle about the quality of potatoes on the market, and much credit for that has to go to the present Board.

I commend the Board on its marketing expertise. I think it has done a great job in marketing potatoes in this State and that it has shown a lot of initiative in encouraging people in South Australia to eat more potatoes. There have been divisions in the community, but there is total unity in relation to one thing: that a poll should have been conducted amongst growers. Why does the Government not want the growers to determine what will happen in future in relation to their marketing organisation? The Government has ignored the possibility of conducting a poll of growers to enable them to give their own ideas on what should happen to the Board.

The other matter that concerns me is that the Minister and the Government have totally ignored the advice from the working party. Some members on the other side of the House have been talking about wastage. We had the member for Florey, who had the audacity to stand up and talk about the Potato Board costing South Australian taxpayers something like $700 000. How ignorant can a person be? The Potato Board does not cost the consumer or taxpayer a penny, because it comes out of the coffers of the grower. The grower provides the lot. In my association with those growers I have not heard any criticism about the fact that they are paying for the workings of the Board, but for the member for Florey to stand up and say that it is costing the taxpayer all this money is quite ridiculous and shows how little he knows about the subject.

The Government has ignored the working party. The working party was set up by the Government to provide advice on the direction that should be taken. It has come down with that advice. Although it is the Minister's prerogative, I think it is foolish for any Minister who sets up a working party to go totally in the opposite direction to the advice given by the working party. The Minister said, 'You have provided me with that advice, but I am not going to accept it. It has gone out the window and that is all there is to it.' As I say, I am fearful for the potato growers, particularly for the smaller growers, because with all we have heard in the debate, both in this House and the Upper House about the future of growers, I am sure a number of smaller growers will go to the wall. We now recognise the problems some of those growers have. If they do not have some protection through the Board, they have not seen anything yet.

I can imagine that other rural organisations must be shivering in their boots. Reference has already been made in the *News* this evening to the release on the part of the Minister, but I am sure the Citrus Board must be wondering how much time it has. What about the Egg Marketing Board? That is already under review. How is that Board feeling? I suppose they are all waiting for the chop. I cannot support this Bill. I hope that the majority of members in this House will feel the same way and vote against the Bill, because there are numerous uncertainties as to the advantages to be gained as a result of adopting this legislation.

Mr GUNN (Eyre): The hour is late, and I do not have a great knowledge of the potato industry, but there is a principle involved and it is one that has been involved in two of the industries which have made this country and which continue to provide the basic export income to Australia. I am referring to the wheat and wool industry. The wheat industry was put on a sound footing by the passing of the Wheat Stabilisation Act. It is all very well for people to shake their heads. I am a practical farmer and I am used to getting a bit of dirt on my boots. I am not interested in what academics or other people say in this place or anywhere else. The facts are clear. It was people such as Tom Stott (and I am not a great friend of his) who led the fight for the wheat industry in this country. We have to give him credit for bringing into operation and getting the support of the growers in this country for the Wheat Stabilisation Act. I do not want to detract from the Government's introducing that Act. The wheat industry has since then developed and become one of the great industries of this country.

The Australian Wool Board was brought into effect after a great deal of controversy, but it has been a success. If this is the first attempt to interfere with statutory marketing authorities in this State, then I fear for the future of agriculture. The Australian Barley Board was set up under a Statute of this Parliament. What is going to take place in relation to the Australian Barley Board? Is that going to be next?

What about the Citrus Board? I do not know a great deal about the citrus industry, but I know something about the principles involved. I am most concerned that a statutory marketing board can be interfered with or altered without giving the growers the opportunity to conduct a poll. It would appear to me to be a basic democratic principle.

We have already seen the current Federal Minister for Primary Industry, Mr Kerin, set out to interfere with the grower representation on the Australian Wheat Board. What is going to be the next step? How much further down the track will they go? I do not know the rights or wrongs of the Potato Board, but if there is a problem, why do they not sit down and work it out? What is wrong with conducting a proper independent inquiry into the organisation? Let the growers make their choice after that inquiry by way of a poll. It seems to me to be a perfectly sensible and logical way to go about it.

I do not want to take any more of the time of the House, except to put on record that, if we start down this track, the people of this State and nation should be very aware of the consequences which could flow, because if you want to depress and interfere not only with the primary industry, but with all those other industries that are involved, just disrupt the manner in which they operate. We had some rather illogical comments made across the Chamber by the member for Hartley.

An honourable member interjecting:

Mr GUNN: I was not here for that. The member for Hartley ought to be the last person to talk about protection. He belongs to the Law Society. There is no more protective group of people in the community than the Law Society. If there is a group of people which can look after itself, it is the Law Society, and yet he has the audacity to talk about statutory authorities which are grower controlled and managed.

The Hon. Ted Chapman: And grower funded.

Mr GUNN: And grower funded. It is not like the Law Society, which is a law unto itself. If it has developed one skill, it is charging like a wounded bull. I make no apologies for saying that. Let us hear no more from the member for Hartley. I think it is about time the member for Florey sat down with someone who knows something about the industry. I support the action taken by my colleagues.

Mr LEWIS (Mallee): I belong to and support the position taken by the Liberal Party on this measure. However, the Liberal Party does not have the numbers. In this instance, the Labor Party, supported by the two so-called Independent

members, will clearly carry the day, so there is little point in my saying to the tide, 'Go back.' I am not Canute. I have my faults, but at least I recognise reality when it stares me in the face.

A tragic consequence of the Government's bloodyminded idiocy in relation to this matter is that it ignores the fundamental right of the people who will be most seriously affected by its proposed actions. I refer to the growers. The Board came into existence as a consequence of the wishes of a vast majority of growers. The Act has always contained a provision that there could be a poll of growers every three years if requested by a sufficient number signing a petition, presented to the Electoral Commissioner for South Australia. The Minister promised that such a poll would be held after the working party, as he called it (it was just a smoke screen), had made its report. He announced his intention to gut the Board on the very day upon which the working party's report was made public. A lot of people concerned about the conditions and future of the potato industry voluntarily invested thousands of hours of time in relation to the analysis of the problem confronting them as members of the industry: growers and everybody else.

The Hon. Ted Chapman interjecting:

Mr LEWIS: Altogether. He completely ignored the findings of that working party and made no attempt whatever to have any discussion with any member of it whom he had not appointed to represent the interests he had preconceived before that working party was even established.

The Hon. Ted Chapman: He never even went back and spoke to his appointed Chairman of the Board.

Mr LEWIS: Indeed, never. Regrettably, it is a dictatorial decision of the worst kind for which people steeped in the best traditions of the trade union movement ought to be ashamed. Notwithstanding that remark, I would say that, for a man coming from his background in the trade union movement, it is consistent with his behaviour over the years. In other words, 'I will do what it bloody well suits me to do and the rest of you can go to hell. When I have got the numbers, I will use them.' That has been Blevins's entire history and track record ever since he had the capacity to express an opinion about anything on which he cared to hold an opinion.

Let us look at the nature of this commodity about which so much has been said. Potatoes are a perishable commodity, but by no means as perishable as lettuces, strawberries, cauliflowers, cabbages or a wide range of other vegetables. Whenever a glut in such vegetables occurs, it is not possible to store the excess for any significant period of time at anything like reasonable expense. Indeed, the cost of storing those items to which I have referred—other than potatoes—is very much higher than is the cost of storing potatoes in reasonable condition.

Members may be familiar, and certainly I believe that the Minister would be familiar, with the way in which potatoes are stored in the northern hemisphere, indeed in the United Kingdom, namely, in clamps underground, where they can be put away for over 12 months if the clamp is properly designed and sealed. That has been done in South Australia. It was done during a period of glut back in the late 1930s on a sandhill at the back of the residence of the Principal of Roseworthy College. That was very successful and several thousand tonnes of potatoes was effectively and successfully interred there. We are not dealing with another perishable commodity, so it is irrational for any member here to argue that, if we have a Potato Marketing Board, we should also have marketing boards for cauliflower, endive, lettuce, or violets. That is not true because those items, wherever and whenever overproduced, rapidly rectify the problem existing in the market place because they are perishable. They simply rot—spuds do not. Spuds are more like those other perishable commodities that are more durable, such as meat, cereals and, for that matter, wool.

Although I want to have something to say about my proposal to bring in a private member's Bill when the Parliament resumes later this year, I will not do that just yet. Before so doing I want to point out to the House, as did the member for Murray and, with some justification, the member for Fisher, that they have had some considerable connection with the potato industry throughout their lives. I am no exception to that. In fact, I would not be speaking in this Chamber tonight if it were not for the fact that I was once a potato grower. I would clearly still be a potato grower if it had not been for the misfortune of getting my left wing entangled in the front elevated drive sprocket of the harvester that I was operating. It took me over two years to have it reconstructed and effectively took me out of primary industry and particularly irrigated horticultural cropping, as it was not possible for me to remain self-employed whilst going in and out of hospital. I owe something to the potato industry, if anything, for my place in this Chamber, as it changed the direction of my life. As any Liberal, I am proud of the fact that it is my right wing that is sound and my left wing that is a bit weak. That is quite appropriate in the context of this debate.

The Hon. H. Allison: The Government has the same problem.

Mr LEWIS: Yes, the Government has the same problem: it has a real philosophical problem.

The DEPUTY SPEAKER: Order! I hope the honourable member can link up his right wing and his left wing with the Potato Board Bill.

Mr LEWIS: I am no chicken. Potatoes, like meat, are not as perishable as other vegetables which other members in their remarks have suggested ought to be controlled by a statutory marketing authority if potatoes are to be controlled by a marketing authority. Members have argued from that position that, conversely, since there is not a lettuce marketing board there ought not to be a Potato Marketing Board, one for the citrus industry, and so on. We now know that the Minister clearly had his intentions in mind long before he ever appointed that working party. We can read on page 27 of today's *News* the remarks attributed to him. The article, by Randall Ashbourne, states:

> More South Australian agricultural marketing boards may be ploughed under.

That is how the article begins, and it continues:

> The Agriculture Minister, Mr Blevins, last week introduced legislation to deregulate the potato industry within two years.

That is an understatement! It effectively abolishes the Board. It further states:

> However, he said today many other marketing areas should be reviewed.

He really means axed. The report continues:

> 'For example, I am aware of complaints by citrus growers that some wholesalers are discounting the price paid to growers, but not passing that lower price on to consumers,' Mr Blevins said.

So, it identifies the problem but says the solution to it is to abolish the mechanism by which it is possible to identify the problem and, since one can then no longer identify the problem, the logic follows that there cannot be a problem in the future. What it will really mean is that it is incapable of being identified. The article continues:

> He said he would be happy to support a probe into whether wholesalers were banding together to set prices.

In other words, he is happy to look into whether there is an oligopoly—a small group of buyers as opposed to a large number of sellers. An oligopoly is the small group of buyers who get their heads together and in a fashion creating a buying cartel and through it to act in concert with one another.

Mr S.G. Evans: A form of collusion.

Mr LEWIS: It is a form of collusion—and I thank the member for Fisher for his remark in that respect. The article goes on to quote the Minister, and attributes the following remarks to him:

> 'But, if this practice does go on, one major reason may be that growers, through the Citrus Board, have restricted the number of licensed wholesalers able to operate in the market,' he said. 'The best way to put an end to any collusion would be to increase the number of wholesalers to increase competition. Increasingly the community is calling for less regulation and these boards are coming under greater pressure to justify their existence. I believe the pressure is justified and that we should continually review the role these authorities play,' Mr Blevins said.

So, the Minister is credited (or discredited) with having said that. He is doing nothing more than firing the first shot in a whole salvo of shots to knock off the remaining statutory authorities which have responsibility for marketing agricultural products of one kind or another.

The Minister with control of the Bill fails to understand the difference between this kind of operation, by calling it a QUANGO, and other statutory authorities which are possessed by the Government. This body is not possessed by the Government in any other sense than that it does have Ministerial prerogative to abolish it if it suits the Government's purposes to do so. This Board does not belong to the Government; it is not financed by the Government or the consumers, either. The Board cannot charge prices for the potatoes which, until now, it has had responsibility to market, which would be greater than the cost of interstate potatoes, plus freight. Therefore, the consumer is not paying, and the taxpayer is not paying because the Government does not allocate any revenue collected from taxpayers through the Budget mechanism to that Board. All funds that the Board has are collected by way of levy on the growers on a pro rata per unit weight, that is, so much per tonne.

It is fallacious to argue that the consumer pays that levy in the final price or that the housewife as the consumer has to pay. That is not so. That levy must be met and the price paid by the housewife is a direct reflection of the parity price for Adelaide and interstate potatoes which could be landed here as a substitute for potatoes purchased by merchants or shopkeepers for sale to the housewife through the Board. For the sake of those ignoramuses who thought that the consumer was paying, I hope that that explains why that is not so.

It is regrettable that where there is a statutory marketing authority for such a commodity, too many people make the assumption that the commodity is homogeneous; that all spuds are spuds and there is no difference between one spud and the next spud. There is quite a deal of difference. Members opposite, including the member for Florey, would know—in another area of sensory perception—that there is a great deal of difference between varieties of grapes and apples and the purposes to which they are put. The same applies to potatoes. However, the Board has not previously been effective in the way in which it has set about educating the consumer to discriminate between varieties of potato, according to the time of year.

That is unfortunate but true. Consequently, most members in this Chamber think that if we do away with the Potato Board, we will do away with an inefficient organisation that has not helped anyone. That is not true, either. The record shows that over the years South Australian growers have been paid more per tonne, month by month, than growers in any other State of the Commonwealth during the history of the Board's existence. From the end of the 1960s when Mr Jack Reddin was Chairman, and before that during Tom Miller's time (but more particularly during the period of office of Jack Reddin) that was so. In addition, the South Australian housewife has paid less than housewives in other States. The average retail price of grade 1 potatoes has always been better for the South Australian housewife than for housewives interstate. More importantly, growers have always been paid and have never had the misfortune of losing their money when a merchant goes broke owing them several thousand dollars.

The Board, through the pool system introduced in the 1960s, has been able to guarantee those bad debts. Indeed, the Board will not sell to shonky merchants: no merchant could obtain a licence unless they could prove their credibility and capacity to pay. There are rare exceptions of the Board's losing money to merchant organisations going broke. The most common instance is where the Board has sold potatoes to interstate merchants in periods of over supply in South Australia—in periods of export. It only involves an insignificant part of the total revenue of the Board, and it has been spread amongst growers according to the averaging of the pool mechanism.

When considering the merits or otherwise of the Board one should bear in mind that not only growers are assured of being paid but also merchants are assured of obtaining supplies. Anyone who could prove his worthiness to be given credit as a merchant and who was trading in potatoes before the Board came into existence, and the other commercial organisations operating as merchants in the wholesale market for fresh fruit and vegetables, could obtain accreditation and were always given reasonable supplies of available potatoes to meet their needs. Merchants were assured of supply, they knew the price and what margins could be. I am not fussed about those aspects of the market, but they were good. Stability was assured. Large and small growers were able to prosper reasonably fairly.

We are now confronted with a situation where the Board is to be gutted and small growers will most certainly go to the wall. The extent to which it will be possible to promote the product and its continuing growth in the market place (that is, per capita consumption of potatoes) will be lost, because there will be no other mechanism whereby it will be possible to collect the funds necessary to finance public education, promotion, and advertising campaigns. There are very considerable disadvantages that the Government and members opposite have not thought through. They have simply said, 'Let us gut the thing; let it stagger on after having been quartered for a couple of years.'

I challenge the Minister handling the Bill to say whether or not he will obtain an independent outside auditing authority to check the figures and current assets of the Board; its current cash status; and its creditors and debtors—and place that on record as an audited statement of account. If that is not done, no grower (and certainly along with them me) will be satisfied that there will not be some dirty work at the cross roads during the next two years as to the way in which the Board's assets are handled.

The Hon. G.F. Keneally: By whom?

Mr LEWIS: By whomsoever. I would not trust that Minister with the millions of dollars worth of assets owned by the Board and acquired at grower expense, not at consumer or merchant expense. What will happen to those assets? I see them simply being eroded away.

The Hon. Ted Chapman: He will do as he thinks fit.

Mr LEWIS: Yes, and I do not think he is fit to think. Secondly, how does the Government intend to disburse those assets that are so discovered, so accounted for and so checked? What will happen to the liquid assets of the Board between now and the date of its abolition? I believe that there is to be some nefarious waste involved in that. I will make no more allegations but simply draw the matter to the attention of members. Having said what I am most anxious about in relation to those assets, given that the

Board is gone for all money, I point out an appropriate way in which to look at marketing in the future so as to minimise the extent to which Governments should be responsible.

Before doing so, however, I point out that it is not the responsibility of the Potato Board to decide whether or not a potato is fit to market; that is decided by the fresh fruit and vegetable marketing legislation under which fruit inspectors are employed to inspect that produce the same as they inspect all other produce to see that it is fit for human consumption. I was a fruit inspector in the Department of Agriculture for three years, so I ought to know something about that aspect.

Mr Peterson: I was there, too.

Mr LEWIS: I recognise that the member for Semaphore was a clerk on the Port Adelaide wharves when I was there from time to time inspecting export fruit and vegetables. The marketing plan that I see as desirable is one in which a reward is paid by the consumer through the price mechanism to those growers who produce a product that the market seeks, and not this levelling out process that we have had in the past where all spuds are spuds regardless and, if you have 10 tonnes of spuds they went into the pool and the average price paid is $80 or $200 a tonne, then what you get back is $800 or $2 000 accordingly.

Regardless of quality, so long as the potatoes got into No. 1 grade the seller was assured of his money. That aspect of marketing is wrong. There should be a mechanism whereby it is possible to pay a premium over and above a floor price level to those growers who produce an article that the consumer demands and is prepared to pay for through the price mechanism. For that to be able to happen, there must be an auction and I believe that there needs to be no licensed merchant. We need a Government sponsored (if you like) co-operative body of growers which does nothing else but provide the mechanism by which potatoes can be delivered to premises such as the Potato Board has at Kent Town at present, stacked to one side in sample lots as in the wool industry, then taken from the growers' lots, and placed on the auction floor so that the buyers can inspect from 5 a.m. onwards, and at 7 a.m. selling begins.

Whether they are small, washed, white, bright fresh potatoes of a beautiful variety for cooking by steaming or boiling or whether they are for chipping or any other purpose, let the buyer decide how much he wishes to pay for that line, and the buyer will be anyone who can establish to that authority his credentials in terms of his cash ability to pay. Let them bid. It would take no more than 30 seconds to sell any one line of potatoes. I have seen the same system operate effectively in the wool industry, as have other members.

The mechanism whereby we could prevent a cartel of buyers in that auction market producing a situation where they controlled the price downwards would simply be a floor price, and the Board already fixes that floor price. It knows what is the Sydney parity price or the Melbourne parity price. It knows that the Ballarat price is the merchants price plus freight and handling in Adelaide ready for sale. That is the price at which the floor price should be established on the auction floor. If no bids come for a lot, that lot should be simply passed in, loaded on to the trailer and sold interstate. The grower will do it if no buyer wants that lot, and the grower will suffer the penalty of freight costs. If, however, the line failed to achieve the average of all lines sent interstate from that day's market the grower would be out of pocket by the amount it was below the average.

Then growers would have to produce what the market wanted, whereas at present they do not; bad growers can get away with it and ride piggy back on the good growers through the Board's pool marketing system. The attempt of the Board to sort that out over the past decade by introducing a plethora of grades, styles and types which are subjectively determined by Board officers, is the reason for the acrimony in the industry, causing divisions between growers and districts, because it is one man's opinion one day against another man's opinion the next. There is no justice in that, whereas there is justice in an auction. That is the bottom line. No grower could accuse a Board staff member of playing favourites or being corrupt in the way in which he has determined the grade of the grower's potatoes.

The DEPUTY SPEAKER: Order! The honourable member's time has expired. As the Minister of Education introduced this Bill, the Minister of Tourism will not close the debate.

The Hon. G.F. KENEALLY (Minister of Tourism): If all members have made their contribution, I will be closing the debate. I thank all members for their contribution to this lengthy debate. We have listened with much interest to the speeches made in this place and I have read with much interest the speeches made in the Upper House. There is a very broad division of opinion in the Liberal Party in South Australia on this Bill. That range of opinion crosses the whole spectrum from the strong support for the Bill that has been indicated by the Leader of the Liberal Party in the Legislative Council (Hon. Martin Cameron) and the Hon. Mr Lucas and, in this House, by the member for Mount Gambier, through a number of members such as the members for Murray and Coles, who had two bob each way, to the strong opposition to this Bill that was shown by members such as the members for Goyder and Alexandra, who is the shadow spokesman on agriculture.

So, there is a strong division of opinion in the Liberal Party yet, whenever a spokesman on that side wished to criticise anyone who adopted a point of view that was opposite to the official Liberal Party point of view, that member said that this was an outrageous example of interference by the Minister of Agriculture with the free enterprise system. Never mind their own colleagues who have supported very strongly what the Minister has done—not one word about that support! There is a feeling of *deja vu*: some 12 years ago those members who were here in 1970 would recall my making what I considered an excellent speech on rural industry. It was so good that I recall the rural lobby in this place at that time taking a large number of points of order. They took 15 minutes off my allotted time in trying to dispute what I was saying because I was getting too close to the bone.

I was pointing out then that, whilst the rural industry promotes the very strong private enterprise ethic, the whole industry is bolstered by socialist legislation. Any orderly marketing system is anathema to the free marketing system. One cannot have it both ways: if one wants orderly marketing and Government intervention in the free enterprise system, that is an interference with free marketing. Yet, we have the member for Flinders saying that this measure interferes with the free enterprise system.

He quoted his father, who told him years ago that, before the introduction of the Wheat Stabilisation Act by Mr Chifley (or Mr Curtin—I am not quite sure) those people who objected to orderly marketing legislation had never had the experience of what existed previously or of the free enterprise system. He told his son, 'Do not ever be so stupid as to accept that the free enterprise system will give a good deal to farmers or the rural industry in South Australia.'

The Queensland Country Party knows this: it has legislation controlling just about every area of primary industry—significantly except potatoes. Queenslanders know what is good for them—the Country Party agrarian socialism is what they are on about and agrarian socialism is what they support. What has happened to the clarion call of the Liberal

Party in South Australia—'Let's get Government out of the way of business.' That is the sort of slogan honourable members are likely to see on an illegal board stuck up around Adelaide.

An honourable member: Not any more.

The Hon. G.F. KENEALLY: Not any more! What is a marketing scheme? It is Government intervention in the market place. That is directly opposed to the philosophy trumpeted around South Australia by members of the Liberal Party. What do they say about deregulation? They say, 'We must be involved in a process of deregulation; we are overregulated. That is a problem with industry in South Australia —both primary and secondary and commerce—it is overregulated. We have to let the regulation individualists, the free enterprise system, work its own way through its own problems. We do not need Government intervention and Government telling us how to run our business and the rural industry,' say members opposite.

However, allow them to run their own businesses and the first thing they want is Government intervention. What is stopping the potato industry in South Australia from doing all these things it wants to do without this legislation? If the potato industry in South Australia is combined, cooperative and can work together, it does not need this legislation, because it establishes the penalties and provides the fines.

Why does the potato industry in South Australia want penalties and fines established? It is worried about members of its own industry who do not agree with the majority, and it wants the Parliament to do its work for it. That is what marketing boards do. We know that within the potato industry in South Australia in the South-East there is total opposition to orderly marketing. We know that in the member for Murray's electorate (and he has already admitted that) there is great division amongst potato growers about whether or not we should maintain this Act. The member for Mount Gambier has expressed the view of his growers. I congratulate him for it, but the industry needs this legislation on the Statute Book to protect itself, as it sees it, from itself. Potato growers in South Australia want protection from potato growers in South Australia. What did the Hon. Martin Cameron say about the Potato Board? He said:

> The time has come for the potato industry to face up to the fact that it can sell its product without the need for penalties, restrictions, and all the other things that go with this orderly market scheme called the Potato Board. The Potato Board has some strange restrictive powers on potato growers in this State. The problem is that it cannot restrict potato growers in other States. Therefore, potatoes can be grown in any quantities anywhere and brought into this State and sold, so long as the bags are the right size.

That is what is happening. The Potato Board in South Australia exists under an Act of Parliament for which, as Parliamentarians, we are responsible; despite the fact that it was introduced at the request of industry, it is a decision of Parliament, as are the penalties and fines.

People within the Opposition and outside who suggest that unless we have a Potato Board and controls upon the industry in South Australia—that is, if we leave the potato growers to their own devices—we will not have quality control, prices will escalate and the availability of the product would be doubtful are, I believe, insulting the integrity of potato growers in South Australia. For as long as I have been in this place I have been told by members opposite that competition in the market place will ensure that the product to be sold to the consumer is of the highest quality, yet we are told by the Opposition that unless there is a marketing board and Government control establishing the procedures under which this marketing can take place, we cannot be sure of the quality of the product that potato growers provide to the consumers in South Australia.

I do not accept that. Potato growers in South Australia are a very good and competent group within primary industry who will ensure that consumers in South Australia are provided with the best possible product. They do not require the Government to do that through legislation, nor do they need a board to do it, because they are business people and they know where their market is. For honourable members opposite to say that unless we have these controls on them the price of potatoes will go up is a slur on the people in the industry, and it is contrary to the philosophical position they have taken here since 1970.

They say that free competition will not bring down prices. They are telling us that tonight, yet for the past 15 years I have been told by them that the market place will determine the price: leave it to the market place and the free enterprise system and your price will be determined. They also argue that, unless we have this orderly marketing system and the Potato Board, there is some doubt about availability of the product. I do not accept that, either. All these propositions are not an attack upon the Minister or anyone else except the people within the industry: the potato growers in South Australia. The potato growers in the South-East, the Adelaide Hills and in the member for Alexandra's electorate do not accept that. A number of honourable members said that because we have the Potato Board we do not have any problems with quality of potatoes.

The Hon. Jennifer Adamson: No-one said that.

The Hon. G.F. KENEALLY: The honourable member did not say that but other members did. The fact of life is that the Board and the Minister are frequently contacted by consumers complaining about the quality of potatoes. More often than not that involves potatoes that have come from interstate. However, the Board cannot stop potatoes coming from interstate, and so even with a Board South Australia is still open to that sort of competition. There are no marketing authorities in Victoria, New South Wales, Queensland and possibly Tasmania: therefore, I do not know what is so sacrosanct about the marketing board in South Australia because such an authority is not needed elsewhere.

This is not like the Wheat Stabilisation Act, brought in by Mr Chifley, or the floor price for wool proposition brought in by Mr Whitlam. We on this side of the House understand the importance of these measures where they are necessary for the benefit of industry and the economy, but because such organisations are set up it does not mean that they are sacrosanct and must stay there forever. Further, it does not mean that the relevant provisions are static, either: they may change or disappear from the Statute Book.

It is the intention of the Minister to ensure that statutory marketing operates in a most effective and efficient way and that organisations that are set up are properly accountable to Parliament and to the committee. If a board or any statutory organisation cannot justify its existence, in the interests of the community and the relevant producers such a body should clearly be removed. It is also the policy of the Federal Government, which is going through the statutory marketing boards and reviewing their roles and functions in order to ensure that they operate in a most effective manner, and where the existence of a body can no longer be justified as being in the interests of the community it is to be disbanded. That is a very sensible policy and no different from what the Government has done here in South Australia.

By this legislation we have not abolished the Potato Board: a sunset provision has been introduced. If the industry is as united in its interests as we are led to believe, those involved will ensure that they give this their best shot so that in two years time the Potato Board remains.

Mr Blacker: It can't work without any teeth.

The Hon. G.F. KENEALLY: I will refer to that in a moment—I do not agree with the honourable member on that matter. There is no abolition of the Potato Board in this legislation: there is a sunset provision, and there is still time for the industry to get together, to lobby the Minister and the Parliament, and to work through the various organisations that exist. I am sure that those involved in the industry will do that, and we will wait to see what comes out of that.

Before making further comments on those matters, I want to refer to the suggestion by members opposite that it is fortuitous that the Minister of Education is not here tonight while this measure is being discussed, and this applies to a number of members opposite. The Minister of Education is representing this State at a Ministers' conference. When members on this side of the House were in Opposition I cannot recall any occasion when reflections were made on a Minister who was absent from the House while representing the State at an interstate forum, and I do not think it is very becoming of the Opposition to be indulging in that sort of thing, but they were doing it all day today and yesterday.

The other thing that needs to be put on the record very clearly concerns a suggestion by the member for Alexandra that the Minister had a personal association with an individual who was fined because he breached the regulations. The member for Alexandra suggested that there was a personal relationship between the Minister and the offender. The Minister took exception to that, and he has given me a note and has asked me to make it clear to the House that to the best of his knowledge he has never met that person.

The Hon. Ted Chapman: Which one?

The Hon. G.F. KENEALLY: The person who was fined for the breach of the regulations.

The Hon. Ted Chapman: There have been several of them.

The Hon. G.F. KENEALLY: The Minister has never met the person who was referred to tonight, and to the Minister's knowledge that person has not contacted the Minister's office. That individual took the action that is available to any citizen of South Australia who meets with the displeasure of the courts: he took up his case with the Attorney-General. So, I want to lay to rest the rumour that there was a personal relationship between the Minister and the individual who was fined for a breach of the regulations.

If it is clear that the majority of growers in South Australia want the Board to continue, that operation can continue, but it does not have to be by means of a statutory body. This idea that a statutory body is required for an orderly marketing scheme is strange, coming from members opposite. How many products of South Australia are promoted very efficiently, advertised and sold so well without the need for orderly marketing? I would suggest that there is a whole lot more than could be found under the various orderly marketing schemes.

Mr Blacker: That's totally against the very principle of unionism.

The Hon. G.F. KENEALLY: I do not get the point: the honourable member will have the opportunity to make that point later.

Mr Ingerson interjecting:

The DEPUTY SPEAKER: Order!

The Hon. G.F. KENEALLY: Members are trying to confuse me. I do not think that any case can be made to suggest that there is any correlation between what I am saying and what members opposite are suggesting. Reference has been made already to the fact that there is no requirement for orderly marketing schemes for other vegetables grown in South Australia—and the Government was attacked for that—notwithstanding that the Hons Mr Cameron and Mr Lucas drew to the attention of Parliament that there was something strange about having to provide orderly marketing for one vegetable and not for another, such as zucchini, Brussels sprouts or carrots.

The Hon. Jennifer Adamson: Because they are not staples—that's why.

The Hon. G.F. KENEALLY: One could suggest that cabbage is getting close to that—it is in the Keneally household. I point out that marketing authorities are not set up forever, and not even members opposite would suggest that they are. All members would agree that they are subject to change. This legislation seeks to deregulate and allow the potato industry in South Australia to compete, as it is very much able to, on the free market, and I am sure that it will be very successful in doing that.

When speaking to representatives of the milk industry in South Australia, following the recent changes to the milk industry that occurred federally, I was told that although they did not agree with what the Federal Government was doing, in the event of deregulation they would ensure that no Victorian milk producer, for example, would ride over the top of them and that they would vigorously compete in the market place with the rest of Australia. They were confident that they would do it well. Although they did not agree with what the Federal Government was doing (and still do not agree), they had a positive attitude about competing in the market place effectively, efficiently and economically on the national scene, and I am certain that that is what our potato industry will do.

We will be dealing with the other part of what is really a two part Bill. This is the reduction in penalty. That will come up in the Committee stage. The Hon. Mr Cameron said that approximately 15 per cent of the potatoes sold in South Australia were sold outside of the Potato Board, so there were very considerable breaches.

The Hon. Ted Chapman: That is not a breach; that is understood.

The Hon. G.F. KENEALLY: It is a considerable breach. No action is taken against these people.

The Hon. Ted Chapman: That is not a breach.

The Hon. G.F. KENEALLY: It is not a breach; it is approved by the Board!

The Hon. Ted Chapman: They are identified—

The DEPUTY SPEAKER: Order! The Chair is not going to put up with the honourable member for Alexandra much longer, either.

The Hon. G.F. KENEALLY: The Government does not believe that, if the industry is supportive of the Board and its activities, we need Draconian penalties in the Act, because the penalties are there to do the work for the industry. I do not think anybody could argue with that; that is what they are there for—to protect the industry from other growers, and that indicates considerable difference of opinion within the industry as to how it should market its product. The industry is requiring the Government to set the penalties and impose the fines, because it cannot control its own industry; in its view, it cannot withstand acting in a free enterprise market. I am much more positive and confident of its capacity to do that than they are. I think honourable members opposite would do the industry a lot of good if they encouraged the industry to be free marketers, to get out and compete with competitors elsewhere.

The Hon. Ted Chapman interjecting:

The Hon. G.F. KENEALLY: The member for Alexandra is one of those people who believes that, unless there is Government intervention in the market place, primary industry cannot survive. As I said earlier, where there is a clear example that that is required, the Labor Party throughout Australia is prepared to act. On the other hand, where it is obvious that the industry can stand on its own feet, it

should be given the opportunity. In the next two years it will be given that opportunity, and we will all be watching with interest the result after that testing period. I ask members to support the Bill.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—'Offences and penalties.'

Mr M.J. EVANS: I move:

Page 1, lines 15 to 24—Leave out paragraphs *(a)* and *(b)* and insert the following passage:

by striking out subsections (1) and (2) and substituting the following subsection:

(1) A person who contravenes or fails to comply with a provision of this Act or an order made under this Act shall be guilty of an offence.

Penalty: Two thousand dollars.

If, as the Minister has indicated, the Board is to be on trial for the next two years, and is to be given the opportunity to demonstrate the benefit to consumers, the benefit to growers and the benefit to the State as a whole over that period and to justify its existence, I believe it must be given the wherewithal to do just that. I fully support the Government in the removal of what amounts to the Draconian confiscatory penalties which exist in the Act at the moment and which can, in some circumstances, produce some anomalous results.

However, I believe that, if the Board is to perform effectively, or alternatively, if the next two years are to amount to a phasing out of the Board, if this in fact is a transition period from a regulated economy to a free market economy for potatoes, then clearly it must be an orderly transition, so in either respect I believe the Board deserves to have behind it, provided by Parliament, a reasonably effective measure for it to enforce a degree of discipline on growers to ensure that they do comply with the requirements of the Act which Parliament still seeks to continue for at least two years. If things work out differently, Parliament may seek to change its mind and revive the Board, either in its present form, or a modified form. If that is the case, the next two years must be orderly and the Board must maintain those controls which it presently imposes. It must do so effectively. Some may say it should do so more effectively, but I do not wish to enter into that argument.

If the next two years is to be a transition period to a free market economy for potatoes, it is in the interests of this State, and the growers, and I would suspect consumers, that it should be an orderly transition to a free market economy and, therefore, we would not wish to see introduced into the industry a degree of chaos which I believe would be brought about by retaining in the Act only the relatively minor penalties of $400 for a first offence and $600 for a second offence. In my mind, those penalties are not sufficient to deter large scale abuse of the Act. If large scale abuses of the Act occur, then honest growers will also find themselves pressured into the position of needing to break the law to remain competitive. That is a very undesirable proposition.

If Parliament expects any authority (in this case the Potato Board) to maintain the rules and regulations set down by Parliament for the next two years, then it is the duty of Parliament to provide that Board with the legislative ammunition with which to carry out its functions. Quite clearly, in the time I have been in this House, we have seen penalties imposed in Acts, certainly quite substantial in nature, and I would suggest to honourable members that if this Bill was being considered for the first time now, and if the Potato Marketing Authority was being considered for the first time now, we would not be seeking to insert penalties of $400. When Parliament inserted that $400 penalty, it was quite conscious of the massive penalty that could be imposed by the court in relation to the value of the potatoes involved in an illegal transaction. Quite clearly, Parliament had in its mind the juxtaposition of those two penalties.

Taken together, I believe they are a substantial deterrent, although obviously they did not deter the gentleman who has been the subject of some debate this evening, but I guarantee that, if the Government had not remitted this fine, people in future would have been significantly deterred from taking similar action. Therefore, it is my submission that if we agree to the removal, as I do, of the more severe penalty relating to the value of the transaction, then we must substitute, in place of the other smaller penalties, something more substantial. It is my submission to the Committee that the figure of $200 is reasonable in this context. I agree, as in any other case involving the selection of a penalty, $2 000 is, to a degree, arbitrary. I cannot claim that there is any particular, special or unique merit in relation to that figure, but at the same time I recommend it to the Committee as being something which is a reasonable penalty.

If a person is charged with multiple offences, the penalty applies in relation to each offence and that would clearly multiply to a significant value. At the same time, unlike the penalty which we are seeking to remove, with the removal of which I agree, in this case the penalty would be at the discretion of the court and therefore the $2 000 is a maximum only, like all the other fines we seek to impose.

Philosophically, I do not agree with the concept of minimum penalties, except in extraordinary situations and, therefore, I propose that a straightforward maximum fine of $2 000 should be inserted in the Act to provide the Board with the teeth which it needs to maintain a degree of order and decorum in the industry, either during the phase out period to a free market economy, or, alternatively, during the period in which the Board is expected to set its house in order. So if the Government genuinely believes that the Board can and should do that, then it should support the provision for a reasonable penalty, or, alternatively, if this is to be a phase out period, it should support a reasonable penalty so that the market can remain orderly in that phase out period.

I would commend to the Committee the submission that the penalties presently provided in the Bill, if the other penalties are to be removed, are clearly and manifestly inadequate and, therefore, a more responsible penalty should be provided by the Parliament to enable the Board to do the duty which this Parliament still expects the Board to do for at least the next two years.

The Hon. TED CHAPMAN: The amendment as explained by the member for Elizabeth is consistent with the theme of approach identified this evening on behalf of the Liberal Party. In that respect I commend that member's efforts in trying to restore some opportunity in this legislation for the Board to function effectively during its life span period under the Bill. This evening I have talked with senior representatives from the Horticultural Association of South Australia. They recognise the reality of numbers in the Parliament and realise that they cannot maintain the structure of their Board in the way that it is presently; that the Minister will win by virtue of numbers. In order to restore some chance of the Board staying together and working reasonably effectively in the meantime they, too, have indicated their support for the measure incorporated in this amendment.

It is disappointing, to say the least, that the Government has taken the stand it has. I hope now that, given the last opportunity to demonstrate some genuine understanding of the subject, the Government will recognise the points made by the honourable member and concede at least a realistic

fine level being established in the Act during the period laid down for the life of the Act. I support the amendment.

Mr PETERSON: I agree with the sentiments put forward by previous speakers in relation to this amendment. The fines provided in the Bill are designed to let the Board run down; there is not enough power for it to be effective. If the Board is to become effective—and I believe that it is not effective at the moment—and there was a $2 000 fine every week for the next two years, I do not think that any Government would be game to stand up and say that the Board is not effective and has to go out of business. As I said earlier, for the Board to have a chance to prove its effectiveness the penalties must be effective. On that basis I support the amendment.

Mr MEIER: The amendment to clause 2 is, I think, crucial to the whole operation of the Act and is, therefore, crucial to the Bill. I believe that the offences and penalties, which the original amendment prescribes, would see the Bill lose its operating power, whereas this amendment will restore some sanity to the Potato Board. The arguments in favour of the amendment are well summarised in a letter from the Chairman of the Plains Potato Branch regarding offences and penalties in relation to the orderly marketing scheme. The Chairman, Mr Murray Nicol, in a letter (a copy of which I have) addressed to the Minister, states:

> It is the unanimous view of the Plains Potato Branch that the orderly marketing system for potatoes in South Australia should remain. We believe that to remove it would result in a serious loss of income and jobs to the State; reduced income to potato growers and increased costs to consumers. We further respectfully stress that the present orderly marketing system operates efficiently at no cost to the taxpayer. As growers, we support self-regulation and are prepared to pay the costs involved.
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> We see no merit in dismantling a system which provides income and jobs for South Australia at no cost to the State's revenue; financial protection and security for South Australian potato growers and continuity of supply at equitable prices to South Australian consumers. We recognise that no system of orderly marketing can ever be perfect nor can it remain static. We would point out, however, that many changes have occurred in potato marketing over recent years and we expect more to occur in the future.
>
> We are confident that the industry can make the changes necessary to meet future challenges provided the orderly marketing system is retained. As the Plains Branch comprises 117 of 37 per cent of the State's registered growers and 40 per cent of the State's potato acreage we contend that our views represent a significant proportion of the growing industry.

I believe that that letter fully supports the need for the amendment to be endorsed by all members in this Chamber. It is ludicrous for the Government to say, 'We will allow the Act to remain: we will give the industry two years to look at itself.' Without some fine mechanism and some incentive for growers to adhere to the policies of the Board, then to all intents and purposes it is a useless Act to have on our Statute Book. For that reason I urge all members to give due consideration to the amendment. I hope that members of the Committee will, for the sake of South Australia's continued prosperity in this industry, support it.

Mr BLACKER: I support the amendment moved by the member for Elizabeth. I think that the Minister now finds himself in a little bit of a bind as to whether he really believes all the things he was telling us in his summing up of the second reading. This amendment gives teeth to the Act to enable the remaining stages of the Potato Marketing Board to operate. It allows them to get their act into gear and make the Act work. The Minister said that he believed that the Board would make the Act work in the next two years and, if it did not, out. Obviously, if it does not have the power to do so, it would not be able to make it work. I think that the Minister is wrong when he tells the House that he expects the Board to work when it does not have the means to do so.

The member for Elizabeth adequately put to the Committee very justifiable reasons as to why he should do that. If the Minister opposes that, then he will be seen to be demonstrating my fears, and I believe the fears of the Opposition, that this is little more than a political stunt to try to embarrass a certain member in a certain seat, which the Government believes is close. I believe that that is the crux of the situation. If the Minister is genuine, he will allow this Board and give it teeth to operate. Even if the Minister wants to put in a two-year term, if the Board has the wherewithal to be able to exercise that power, and then it cannot come up to scratch, that is a different ball game. However, if the Board is not allowed to have the clout to make it work, then it has no way it can make it work. I believe that that is what the Government is deliberately doing. It has not only put a sunset clause in the Bill, but it has also taken away the power to be able to do anything and work with it. I strongly support the amendment, because I believe that even if we are going to put a two-year statutory limit on the Board it should be given a fair go in the market system.

Mr MEIER: I reinforce my support for this amendment. Earlier I referred to the Chairman of the Plains Potato Branch. I will now briefly refer to correspondence received from the Chairman of the Combined Potato Industry Committee, Mr John Mundy. In a supporting letter to the shadow Minister of Agriculture, Mr Mundy states:

> In view of the discussions held between potato growers regarding the Bill to amend the Potato Marketing Act, 1948, it is felt that removal of the penalties will make the Act inoperable forthwith. Removal of the penalties would place the Board in an untenable position regarding enforcement of the Act.
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> The preferred situation is that the expiration of this Act coincides with the removal of penalties and that this should take place at a time which gives growers the opportunity to market their present crop which they have grown with the expectation of Board marketing and to give them the opportunity to assess their position before a free market situation is in place. This has the support of all growers within the State, both those who are in favour of retention and those who favour the demise of the Potato Marketing Act.

Thus, the potato industry has spoken and I hope that the legislative body in this State will listen.

The Hon. G.F. KENEALLY: The Government does not accept the amendment. In moving it, the member for Elizabeth said that there was nothing magic about the figure of $2 000. I do not argue that there is anything magic about the figures of $400 and $600: they are arbitrary. However, the penalty would be more effective if it was applied more often when the circumstances warranted action being taken. In this debate I get the feeling that people believe that wholesale breaches of the regulations will be committed by people within the potato industry. They may have been advised about certain people in the potato industry and some growers may blatantly breach the regulations, but I have no knowledge of that. That is hypothetical but, if that happens within the next few months, members opposite will have the opportunity to speak to the Government about it.

We are not increasing these penalties. We think that $400 for a first offence and $600 for a second offence is sufficient to give the Board the teeth that it requires whenever breaches occur. I am advised there is doubt about whether that happens but, if it happens and if there are problems, the Minister will consider the matter. However, I believe that the Minister would like to see how and when the present penalties are imposed before Parliament considers the need to increase them. The Government opposes the amendment.

The Committee divided on the amendment:

Ayes (18)—Mrs Adamson, Messrs P.B. Arnold, Blacker, D.C. Brown, Chapman, Eastick, M.J. Evans (teller), S.G. Evans, Goldsworthy, Gunn, Lewis, Meier, Olsen, Oswald, Peterson, Rodda, Wilson, and Wotton.

Noes (19)—Messrs Abbott and Allison, Mrs Appleby, Messrs M.J. Brown, Crafter, Gregory, Groom, Hamilton, Hemmings, Hopgood, Keneally (teller), and Klunder, Ms Lenehan, Messrs Mayes, Payne, Plunkett, Slater, Trainer, and Wright.

Pairs—Ayes—Messrs Baker, Ingerson, and Mathwin. Noes—Messrs L.M.F. Arnold, Bannon, and Whitten.

Majority of 1 for the Noes.

Amendment thus negatived; clause passed.

Clause 3—'Expiry of Act.'

Mr BLACKER: We have just led the industry up the gangplank and this is the one right at the gallows to totally ruin the Potato Board and the orderly marketing system, for all its wrongs; it will be taken off our Statute Book. That is ultimately the achievement of this clause. It is not right to treat the Board in such a way, particularly when this Chamber has already limited the penalties available and, therefore, not given the Board teeth with which it can act. To add a time limitation on the end of it adds insult to injury. Why does not the Government wipe it out now, as it would do if it were honest? That is really what it is doing, but it has not the courage to say so. I strongly oppose this clause.

The Hon. TED CHAPMAN: If the fears as expressed by a signficant number of people in the potato industry in South Australia are realised, that is, that disintegration of the marketing structure commences as a result of the Government's action and there are serious breaches of the Act within South Australia, what action does the Government propose to take in those circumstances to correct the situation regarding those breaches and to bring some continuity of supply back into the market place of the consumers' required product?

The Hon. G.F. KENEALLY: That is a hypothetical question. We do not believe that that situation will occur, so we do not need to forecast any action for something that will not happen.

The Hon. TED CHAPMAN: Do I take it from the Minister's remarks that the Government has made no contingency plans in the event of that occurring, even though it has set up a recipe for it to occur in the two-year period over which the Board, as described earlier, will be rendered toothless and useless?

Mr BLACKER: On what did the Minister base his reply to the member for Alexandra's first question? He said that the Government did not believe that such action would occur, yet every logical thinking person would expect it to occur. The Government must have some reason for thinking it would not occur. It must have researched the matter and received advice. There are consultants and other resources. There must be a reason. Is it a whim or a political move?

The Hon. G.F. KENEALLY: The response has to be the same as that given to the member for Alexandra. Honourable members are speculating about something that might occur in the future and asking me as Minister to tell them what remedies we have. It is purely hypothetical. There is no reason to believe that anything will happen. It is obvious that we have a difference of opinion. There is no guarantee that they are right or that I am right: there is no reason to believe that there will be disintegration within the potato industry. I have no evidence to support the proposition that they are putting.

The Hon. TED CHAPMAN: I take exception to the Minister's response to the member for Flinders. The Liberal Party is not speculating: it has given this House a heap of evidence provided to it by professional people at national and State consultancy levels, within, without and in association with the industry. I cited in my second reading speech a number of professional authorities that have given us advice. The Bureau of Agricultural Economics; independent consultants (Touche Ross and Company); a number of orderly marketing authorities in Australia and South Australia; and, in particular, the Horticultural Association of South Australia and its associates within the fruit and market gardening associations have provided evidence, which has been documented not only for us but also for the Minister. Most of the material forwarded to me has on it a note indicating that it was forwarded to the Minister as well.

A number of the letters I have received, incorporated in a file I have in the Chamber, are addressed to the Minister and copies of them have been forwarded to the Liberal Party for the purposes of debating this matter. Members of the Liberal Party have not relied on speculation in this exercise; I do not believe that the members for Elizabeth and Semaphore have rested their case on speculation in supporting the amendment.

The member for Flinders has not used speculation in putting his case in favour of some form of rational approach to the subject. We have a case founded on sound evidence, provided after being researched and produced by professional people. The Government does not have a case: its view is based on a political tactic following an exercise in which the Minister himself got into trouble when he bailed out that Victorian merchant to whom I referred earlier this evening.

The Minister made great play, when given the opportunity to respond, about a message he had from his colleague who was offended by my reference to that subject. If the Minister in this place is prepared to stand up and say that his colleague (the Minister of Agriculture) had no association with that merchant, is he prepared to say that he had no association with the legal representative of that merchant? No fear, he is not, because the association is very politically direct. The legal representative of that merchant referred to this evening was the endorsed Labor candidate in the district of Mount Gambier.

Let the Minister get up and tell the House that there is no association between that representative and his colleague the Minister of Agriculture. The whole thing is a mockery: it makes me sick to witness hour after hour the hypocritical attitude demonstrated by the Government. At the foundation of this exercise is this political stunt for sheer Party purposes.

The Hon. G.F. KENEALLY: The reason that the Government does not believe that the potato industry will disintegrate (as the honourable member describes it) is the same as that given by the member for Mount Gambier, the Hon. Martin Cameron, the Hon. Mr Lucas, and members of the Democrats. We all seem to be at one. It is not right for the honourable member to say that the Liberal Party on good evidence believes it will disintegrate. There is quite a difference of opinion within the Liberal Party. It cuts right across the spectrum—those who aggressively support retention of the Board and those who aggressively oppose its retention. Before starting to point fingers, the Liberal Party should get its own house in order.

Many people have had a bob each way. Members in both places who have supported the Government's measure do not believe that the industry will disintegrate, otherwise why would they support what the Government has done? There is no good purpose in directing a hypothetical question to me: if members opposite want to find out they should talk to their colleagues who support the Government and to those they say are closer to the industry than I am.

Mr LEWIS: Can the Minister reply to a question that I asked him during the second reading debate? It is relevant to clause 3 in the context of subsections (2) and (3) of proposed new section 26. This new section deals with the expiry of the Act, and on the numbers it appears that the Act will expire. In those circumstances, can the Minister explain how he will determine the assets and liabilities of

the Board in a way that will be publicly acceptable. I also want to know exactly what subsection (3) of proposed new section 23 means. It provides that:

The Minister shall, after satisfying all liabilities of the Board, distribute the remaining assets of the Board (if any) between persons who have been registered or licensed under this Act in such manner as the Minister thinks fit.

Under that provision, the Minister may decide to give one merchant 1c and put the entire residual sum of the value of the assets into general revenue. It may even mean that the Minister would not even bother to give the 1c to the hypothetical merchant to whom I referred. However, the assets involved were created from funds collected from growers, and I believe that those funds should go back to growers on a pro rata basis according to the number of tonnes of potatoes that they have supplied to the Board on a monthly basis over the past 40-odd years, and not according to any other criteria. I want to know, first, how the value of those assets will be determined in a manner satisfactory to the public and, secondly, how will it be determined to whom the assets will be distributed? These are legitimate questions that the Minister should be able to answer. For the matter to be left in such an open-ended manner, as is the case with subsection (3), is quite unsatisfactory.

The Hon. G.F. KENEALLY: Matters pertaining to the disposal of assets have been clearly stated in debate in the other place. This question was raised there, and the Minister of Agriculture clearly explained what will occur. Quite clearly, the assets belong to the industry, the potato growers, and they will remain the property of the potato growers. The combined potato industry committee will determine the disbursement of assets, but, in the meantime, the Minister will have statutory responsibility for them. If the Board is finally wound up the industry will make the decisions. The Minister will not be making decisions for those in the industry. They are their assets, they will have control of them, and they will disburse them as they see fit. Those in the industry can disburse the assets amongst the growers or they can set up a research programme which could be of benefit to the industry. That decision will be made by the industry itself, as reflected by the combined potato industry committee.

Mr LEWIS: I take it from the Minister's reply that the Government will do what it has so far refused to do, namely, consult with the growers as to how they want the value of the assets to be disbursed. Therefore, we will just have to accept the Minister's word on that. Clearly, the potato industry committee will be required to make a decision. The form that the committee takes and who will be on the committee are matters that need further explanation, because there is a good deal of value in the assets.

If assets were to be evenly divided according to tonnes of potatoes produced and sold through the Board in the past, say, two years, those producers involved would not be those who had made the most substantial contribution towards the cost of acquiring and establishing the facilities within the industry. The contributions for that purpose have been made over the past 25 years, and the compound interest value of sums of money notionally taken from growers and invested would be quite substantial.

Therefore, if the apportionment was done on the basis of recent involvement in the industry, it would be some growers' good fortune to get a windfall, whereas growers who were previously in the industry, and not currently in it, but who may have made a substantial contribution through their levies towards the creation of those assets, will miss out completely. Will the Minister say what the Government has in mind in relation to the composition of the committee which would advise the Government and, secondly, whether or not the Government believes that it has a responsibility in all conscience to ensure that this is done fairly, according to the contributions that have been made over the years by growers who have been involved in the creation and establishment of the assets of the industry?

The Hon. G.F. KENEALLY: The honourable member has modified his stance somewhat. Earlier in the debate the member loudly proclaimed that he would not be prepared to allow the Minister to have any influence at all on the dispersal of assets: however, now that he has been told that the industry itself will have responsibility for that, as reflected by the decision of the combined potato industry committee, which will represent the growers and which will have the sole decision as to the dispersal of assets, and that the Minister will not participate in that decision, the honourable member now wants the Minister to have some influence to ensure that justice is done.

The honourable member cannot have it both ways. Earlier he said that on no account would he trust the Minister to be involved; now he is asking that the Minister be involved. I think that the questions that the honourable member is asking would be more appropriately addressed to the industry committee, which will have responsibility for these matters. If the honourable member wishes me to do so I will undertake to ask the Minister of Agriculture to provide the honourable member with information about the committee. I understand that the committee is in existence and that it will have total control. The Minister will have control in a statutory sense for a period of only two years, following which the sunset clause will come into effect. At that time the dispersal of assets will be made by those in the industry themselves.

Clause passed.

Title passed.

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

That this Bill be now read a third time.

The Hon. TED CHAPMAN (Alexandra): In conclusion, I want to make a few comments in order to place one or two matters on the record. In the course of debate on this Bill several members of the Labor Party, including the Minister acting for his colleague in another place, referred to a division in the Liberal Party on the prevailing attitude towards the Potato Board. Let me make it quite clear that we are not divided on this subject.

We came into this House, as a House of Assembly arm of the Liberal Party, quite clear as to our position and attitude in relation to this subject. That position was stated quite specifically during my opening remarks in the second reading debate. It was equally clear that we recognised the position of our colleague the member from Mount Gambier, and supported his right to identify to the Chamber the position as he understood it best in the immediate area of Mount Gambier. It was with the Party's full support that he expressed the position as it applied in that area and voted in accordance with the wishes of those people in that area.

The Hon. H. ALLISON (Mount Gambier): In case there is any doubt about those remarks, I place on record my appreciation for the support and consideration that was given to me by my Parliamentary colleagues and to reiterate that it is an excellent group of people with which to work.

Mr BLACKER (Flinders): I oppose the third reading. I think I have made most of my comments known, but I had hoped during the course of the debate that we would have learned something from the Government as to its real intention relating to the future of this Bill and the industry. I do not believe we have received anything from the Govern-

ment. I believe it has procrastinated on an issue which is obviously now a politically motivated move. It is against the wishes of the industry; it is against the advice of the Ombudsman; it is against the advice of the working party. From the Minister's response to some of the questions put in Committee, he did not have any backing at all to justify any of the stands he took. The Opposition's comments were based on fact; they were based on reports from all of the authorities, from the ABS down, and, on that basis, the Government was shown to be deficient in its support for this Bill. I can only conclude, as I am sure the people of this State will conclude, that this was a politically motivated Bill, and it can only be seen as such.

The House divided on the third reading:

Ayes (21)—Messrs Abbott and Allison, Mrs Appleby, Messrs Crafter, M.J. Evans, Ferguson, Gregory, Groom, Hamilton, Hemmings, Hopgood, Keneally (teller), and Klunder, Ms Lenehan, Messrs Mayes, Payne, Peterson, Plunkett, Slater, Trainer, and Wright.

Noes (17)—Mrs Adamson, Messrs P.B. Arnold, Ashenden, Blacker (teller), D.C. Brown, Chapman, Eastick, S.G. Evans, Goldsworthy, Gunn, Lewis, Meier, Olsen, Oswald, Rodda, Wilson, and Wotton.

Pairs—Ayes—Messrs L.M.F. Arnold, Bannon, and Whitten. Noes—Messrs Baker, Ingerson, and Mathwin.

Majority of 4 for the Ayes.

Third reading thus carried.

UNLEADED PETROL BILL

Returned from the Legislative Council without amendment.

INDUSTRIAL CONCILIATION AND ARBITRATION ACT AMENDMENT BILL

Returned from the Legislative Council with the following amendment:

Page 1, lines 16 to 35 and page 2, lines 1 to 7 (clause 3)—Leave out the clause and insert new clause as follows:

3. Section 6 of the principal Act is amended by inserting the following paragraph after paragraph *(i)* of the definition of 'industrial matter':

(ia) the dismissal of an employee by an employer;.

Consideration in Committee.

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

That the Legislative Council's amendment be agreed to.

The amendment became necessary when the Legislative Council removed the old clause 3, wherein the definition of 'industrial matter' was confined in that part of the clause. It was therefore necessary to reinsert it, and it is therefore necessary to add the words 'dismissal of an employee by an employer' to clear up the doubt that employers had in relation to the right of dismissal by the courts. I commend the amendment to the Committee.

Motion carried.

REMUNERATION BILL

The Legislative Council intimated that it had agreed to amendment No. 1 of the House of Assembly to the Legislative Council's amendment without any amendment; had agreed to amendment No. 2 with an amendment; and had agreed to the House of Assembly's consequential amendments without any amendment.

Consideration in Committee.

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

That the Legislative Council's amendment to the House of Assembly's amendment No. 2 be agreed to.

This is simply correcting a situation that we all overlooked. We were giving the 2.6 per cent to everybody else but ourselves. Perhaps the *Advertiser* ought to report that in the morning. It merely clears up the position that, as from 6 April 1985, politicians along with other people shall be entitled to the 2.6 per cent.

The Hon. B.C. EASTICK: Certainly the Opposition supports the amendment which has been drawn to our attention by the Legislative Council. The Minister and other members would recognise that, when the original amendments from the Upper House were debated the other evening, it was pointed out that a fairly complex series of amendments was being proposed to its original amendment, and that, as there had been a lot of discussion prior to the event, the Legislative Council could well find the need to make some minor adjustment to the message that we sent to it. It becomes a matter of some interest as to how big that small amendment is in the minds of all members here. It is a highly desirable and very necessary amendment.

Motion carried.

AMBULANCE SERVICES BILL

Adjourned debate on second reading.

(Continued from 15 May. Page 4339.)

The Hon. JENNIFER ADAMSON (Coles): The Opposition supports this Bill, which is the outcome of recommendations by a Select Committee. The committee sat, I understand, for 14 months and its deliberations were extremely thorough. The Bill is designed to enshrine in legislation the agreement between the Government and the St John Council to provide a State wide ambulance service for South Australia. In simple terms, the Bill empowers the South Australian Health Commission to issue licences to operate ambulances, and it issues a permanent licence to St John.

St John is then required to establish an ambulance board which has broad representation, an industrial consultative committee and a volunteer ambulance officers advisory committee. In all the considerable and interesting debate in the Upper House the content of the Bill was dealt with at some length. No doubt because the speakers on the Bill in the main came from the Select Committee and were probably by then absolutely saturated with information about St John itself, there is not a great deal in the debate in the other place about the organisation. I would therefore like briefly, in speaking to the Bill, to pay a tribute to St John Ambulance, which has been operating in Australia for just over 100 years.

It is important for us to understand that the modern St John Order has existed for only about 150 years, even though the Order itself is medieval in origin. Its humanitarian work is a little over 100 years old and began in England in the 1870s, when St John took up the idea of teaching first aid to the people. A little later it developed the idea of making that first aid available under disciplined conditions in public situations. St John has attracted thousands of Australians into its first aid classes and out onto the streets in brigade service.

In fact, in South Australia St John has almost 4 700 volunteers, primarily because the ambulance service has enabled it to develop a foothold in every community in the State and to run a very sophisticated corporate organisation. St John in South Australia has two trading departments—external and internal—sharing common resources. The internal department looks at ambulance officer training needs

whilst the external department provides training to the public. It is a service that South Australians probably tend to take somewhat for granted, as we have all grown up with it. We should realise that South Australia is unique in the proportion of volunteers and also possibly in the fact that so many of the full-time employees of St John are so dedicated to its goals that they choose, by way of recreation, to do voluntary work for St John. One can hardly have a greater tribute than that.

The voluntary nature of St John is very much in keeping with the South Australian approach to the provision of services and, in fact, the conflict that led to the establishment of the Select Committee was about the very issue of the extent to which volunteers participated in the ambulance service.

It is worth the House noting that St John provides a total first aid response which in most countries and States of Australia is provided by a statutory authority, but in this State it has provided for nearly three decades, since an agreement between the late Sir Edward Hayward and Sir Thomas Playford, a combination of voluntary and paid ambulance services. It is not just the officers and the ambulances that we see on the streets and rely upon so much. St John also has an air ambulance service which had small beginnings in Whyalla and is now quite a sophisticated organisation. The *Advertiser* of 9 April of this year contained an article on Mr Don Jacquier, who started the service in Whyalla, and quotes Mr Jacquier as saying:

> Our attendants don't just sit in an ambulance all day driving around. They can get any kind of work from a patient with a bullet through the brain to a new baby. Despite our volume of work, in the eyes of the public we have a very low profile. Nobody really sees us. We come in, get the patient and go. If the community is going to use us to its best advantage, then we need a reasonable profile, otherwise people are not thinking of us in an emergency situation.

Of course, people are thinking of St John in an emergency situation. St John has demonstrated a sophisticated administrative approach to the development of technology and its application to ambulance services and first aid. The advanced life support system adopted recently by the Service has kept St John in the forefront of emergency care. Another point that should be noted in this State is the excellent relationship between St John and other emergency services, which was demonstrated graphically during the Ash Wednesday bushfires.

The only area in which the Bill departs from the recommendations of the Select Committee concerns the representation of employees on the Ambulance Board. The Select Committee recommended one representative of the paid staff, but the Minister has introduced a Bill that provides for two representatives. One can only suspect that that has been done to get the Minister over the fact that two unions deal with those employees and he would not want to alienate one or the other.

Apart from that, all of us can rejoice that the difficulties and conflicts that have bedevilled St John for some years have been addressed and we hope that they will now be resolved by the passage of this Bill. The quality of the service given by St John is beyond doubt and the St John Council, the volunteers and the paid staff certainly deserve the support and admiration of all South Australians for the way in which they have served this State. My colleagues and I hope that this Bill will enable them to maintain and even improve the extraordinarily high standard of ambulance service that we enjoy in South Australia.

The Hon. D.C. WOTTON (Murray): I wish to use this opportunity briefly to put some questions to the Minister in charge of the Bill in this House. I appreciate that he may not be able to answer these questions, but I would appreciate his ensuring that they are answered by the responsible Minister. Naturally, I support the Bill and the excellent work that is done by St John. In my district, however, I have become aware of concern about the recent move to the 38-hour week. Despite the fierce pressure on the funds that are available to the Health Commission, the Government has recently granted this reduced working week to paid employees of the St John Ambulance Service in this State. If every effort is to be made to offset the cost of introducing the 38-hour week, I ask the Minister responsible to explain the following situations and to answer the following questions.

Having had their working week shortened by two hours, why has it now become necessary for paid employees of St John to work Saturdays and Sundays, thereby attracting considerable overtime payments? Why has this situation occurred widely when St John Ambulance Brigade members remain, as they have for many years, ready to crew ambulances on weekends at no cost? Secondly, there have been suggestions that some members of the paid service will receive considerable increases in their salaries, so a direct result of the introduction of the 38-hour week will be an enormous increase in costs for the service. I would like to know whether the Government has done its homework and whether it knows what the extra cost will be to the Health Commission. I would like the Minister to indicate that. Do these increased costs result from paid employees being directed to encroach into traditional duty hours of the volunteers of the St John Ambulance Brigade?

Thirdly, as the Government indicates that it supports into the future the role of the brigade volunteers in the ambulance service, and as the introduction of the 38-hour week should be at a minimal cost, why does the St John Council, in its 1985-86 budget proposal to the Government, show the direct cost to the ambulance service of the 38-hour week to be approximately $500 000 for this year? Fourthly, by granting the 38-hour week to paid employees of the ambulance service has the Government recklessly and without consultation forced the additional cost onto the St John Council, or has the Council been bullied or duped into this cost by union pressure? These questions have been put to me to be put, in turn, to the Minister. There is, as I indicated when I first stood to speak in this debate, much concern at the local level, and those who have asked these questions of me are quite serious about this matter.

I believe that there are a number of people who are, or should be, concerned about this additional cost as a result of the reduced working week and particularly about the employment of paid staff on weekends. I know of one area where volunteers have decided that they will not work during daylight hours on Saturdays and Sundays because they would be working with paid persons. As part of a demonstration, if you like, they feel that it is unfair that they should do that. The situation is such that there are ample volunteers, I understand (and if there are not I would be pleased if the Minister would indicate it), to carry out duties on weekends without having paid staff work on Saturdays and Sundays. I support the Bill and the excellent work that St John is doing in this State. I request the Minister to ensure that my questions are answered by the responsible Minister in another place.

The Hon. G.F. KENEALLY (Minister of Tourism): I thank the members for Coles and Murray, who have spoken to this Bill for the Opposition, for the support they have indicated. The member for Murray has directed to me a number of questions seeking information for constituents and for himself. I do not have that information at my fingertips, but I will undertake to refer his questions and the question about the number of volunteers who may be

available to work for St John to my colleague so that replies can be supplied as soon as possible. This is a significant step forward for a group of people in South Australia who have provided a remarkable service to the community over many years. I am sure that all members of the House of Assembly wish the Ambulance Service the very best in the future under this new legislation.

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

CORRECTIONAL SERVICES ACT AMENDMENT BILL (1985)

Adjourned debate on second reading.

(Continued from 15 May. Page 4341.)

The Hon. D.C. WOTTON (Murray): The Opposition supports this Bill. It is not a very important piece of legislation. I admit that there is a considerable temptation for us yet again to reiterate our concern about the way in which the Government is handling its responsibility in relation to the correctional services portfolio and bring before the notice of the House examples of problems that are being experienced as a result of the parole system introduced by the Government. At 12.15 in the morning it is not my intention to do that.

The House will be aware that on many occasions with monotonous regularity the Opposition has raised issues relating to the concern expressed by the community and the Liberal Party in relation to the new parole system. It is obvious that the Government is hell bent on heading down that track, from the way in which it introduced the legislation in 1983. At that time the Opposition expressed concern, and we will continue to express concern for the community generally who, I am sure, have totally lost faith in the way in which the Government is handling the correctional services portfolio.

The Bill does not do very much. The provisions are relatively minor. The Opposition will not seek to move amendments relating to the general principles affecting prisons and parole. The matters to which the Bill directs attention are, first, the requirement of the courts to fix the date of commencement of a period of imprisonment and related non-parole period, where it is imposed, to take effect on the completion of a current term of imprisonment and a related non-parole period.

Secondly, it allows deduction by the authority from a prisoner's credits of amounts that are necessary to repay a loan to the prisoner by the permanent head for items that the prisoner might have purchased (television sets, radios, and so on), such moneys having been lent through the Prisoners Loan Fund Committee. Thirdly, it forbids the opening by prison officers of a postal vote by a prisoner to the Electoral Commissioner. The Opposition has no problem in supporting the first and second matters. There is common sense in requiring the court to fix the date of commencement of a particular period of imprisonment and related non-parole period, so as to put those two questions beyond doubt.

The Opposition believes that it is proper for the authorities to have power to deduct from a prisoner's credits amounts necessary to repay a loan which might have been made for the purpose of purchasing necessities. In relation to the opening by prison officers of a postal vote by a prisoner, I make only one point, which was also made in the Upper House by the Hon. Mr Griffin. The Minister responsible for the Bill in that place was not able to answer the question, but I hope he will be able to supply the information. The question was asked by the Hon. Mr Griffin—and it is really a technical matter—whether that embargo is sufficient, or whether there should be reference to a postal vote by a prisoner not just to the Electoral Commissioner but also to a returning officer.

The Hon. Mr Griffin indicated that, since the Bill had come in and because of the pressures relating to the Electoral Bill (which is presently being debated), he had not had a chance to check out that matter, although he had been advised that there were problems in the area. He asked the Minister to look into the matter. I understand that no reply has been given to this point in time. I, along with the Hon. Mr Griffin, will be interested to receive a reply in good time from the Minister.

In relation to the fourth objective of the Bill, the Opposition recognises that it may not be appropriate to have a prison property officer on duty at all times, day and night, when prisoners may be released after normal working hours. I certainly see that, although a prisoner may be put to some inconvenience in having to return to collect his or her property after release, nevertheless, I am sure that that inconvenience would be outweighed by the desirability of releasing a prisoner at a time other than in normal working hours.

In relation to the fifth objective, there is only one point that needs to be made in respect to the general principle. The second reading explanation indicates that the Government is seeking to refer all matters which involve a breach of Statute to magistrates rather than to the Visiting Tribunal so that, in accordance with the practice, which I understand applies in the prison system, a prisoner probably will not lose days remitted for good behaviour if another offence is committed.

If that is the case, to that extent it is no longer necessary for a Visiting Tribunal to bring the prisoner before it and for the prisoner to be legally represented if adequate notice has been given by the Tribunal to the prisoner. I appreciate that there will be some difficulties. I do not agree that there should be no loss of remission for poor behaviour, but that is the way in which the Government is dealing with this legislation at the present time and with prisoners generally. Because of that and to that extent the Bill is consistent with that practice and with the policy of the present Government. I take the opportunity yet again to refer to the fact that we are dealing with legislation (the Correctional Services Act) which passed both Houses of Parliament in 1982—three years ago—the vast majority of which has still not been proclaimed.

Ironically, three or four Bills have come before the House to tidy up various aspects of the Act, as well as to make fairly significant changes to that legislation. The Opposition did not agree to those changes, I might add, particularly those relating to parole, conditional release and other matters of substance. However, it concerns me that we are still operating essentially under the Prisons Act. I cannot help but wonder when the Correctional Services Act will be proclaimed finally. In response to a question asked in another place, the Minister of Correctional Services said he thought that we were within weeks of the Correctional Services Act being proclaimed. He pointed out that he had said that on a number of occasions and so could give no assurance.

I reiterate that it seems ridiculous that we are constantly dealing with Bills to improve legislation, the majority of which have not been proclaimed. The Government has had plenty of time to determine where it is going. Either it should proclaim the legislation or it should be truthful enough to say it will throw the whole lot out and start again.

The Hon. G.F. Keneally: We're not going to do that.

The Hon. D.C. WOTTON: If the Minister says the Government is not going to do that, members opposite should get off their backsides and do something about proclaiming

the legislation. It is ridiculous to be in this no-man's land of not knowing where we are going. I hope that in the near future the responsible Minister in another place will proclaim the legislation, then everybody in this State dealing with the prison system will know very clearly the direction that we are taking in regard to correctional services. The Opposition supports the Bill.

The Hon. G.F. KENEALLY (Minister of Tourism): I thank the member for Murray and the Opposition for their support of this measure. I have noted the honourable member's comments and will make sure that they are brought to the attention of my colleague the Minister of Correctional Services. I assure the honourable member that I and my colleague responsible for correctional services are most anxious for the regulations to be proclaimed. It is true that on numbers of occasions the responsible Ministers have anticipated that those regulations would be available. I hope that the Minister is in a position to do exactly what the honourable member hopes, to the benefit of the system.

The Hon. D.C. Wotton: If you don't do it soon, we'll have to do it for him.

The Hon. G.F. KENEALLY: It will certainly not take that long. We would have to draw up a new set, because the print would be faded by that time. I will refer the matter to my colleague. I thank the Opposition for its support.

Bill read a second time.

In Committee.

Clauses 1 to 4 passed.

Clause 5—'Prisoners' mail.'

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

Page 2—

Line 7—Leave out 'postal' and insert 'declaration'.

Lines 7 and 8—Leave out 'the Electoral Commissioner' and insert 'a returning officer'.

These drafting amendments are recommended so that this legislation fits in with the new provisions in the Electoral Act. They merely change 'postal' to 'declaration', which I understand is a new description of a vote in the Electoral Act and leave out 'Electoral Commissioner' and insert 'returning officer'. These functional amendments were recommended by our Parliamentary officers.

The Hon. D.C. WOTTON: The Opposition supports the amendments.

Amendments carried; clause as amended passed.

Remaining clauses (6 to 8), schedule and title passed.

Bill read a third time and passed.

ELECTORAL BILL

The Legislative Council intimated that it had agreed to the House of Assembly's amendments Nos 1 to 4 and 6 to 10, and had agreed to the House of Assembly's amendments Nos 5 and 11 with the following amendments:

House of Assembly's amendment No. 5: 'Photographs of candidates'.

Clause 64—Leave out the clause and insert new clause 64 as follows:

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 3 days after the day fixed for the nomination, submit to the returning officer a photograph—

(a) that was taken of the candidate within 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.

Legislative Council's amendment thereto:

Leave out subclause (4) of proposed new clause 64 and insert the following subclause:

(4) If a candidate fails to submit a photograph that conforms with the requirements of subsection (3) within the time allowed by that subsection or such further time as may be allowed by the Electoral Commissioner, the nomination of that candiate becomes void.

House of Assembly's amendment No. 11: 'Size of electoral advertisements.'

After clause 114 insert new clause 114a as follows:

114a. (1) A person shall not exhibit an electoral advertisement on—

(a) a vehicle or vessel;

or

(b) 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.

Legislative Council's amendments thereto:

No. 1. That new clause 114a proposed by the House of Assembly be amended by inserting after the word 'theatre' in subclause (3) the passage '(including a drive-in theatre)'.

No. 2. That new clause 114a proposed by the House of Assembly be amended as follows:

After 'apply to' in subclause (3), insert—

—

(a).

At the end of subclause (3) insert—

(b) the exhibition of the name of a candidate or the name of a political party (or both) at or near an office or room where—

(i) the name is so exhibited in order to indicate that the office or room is an office or committee room of that candidate or political party;

and

(ii) the place of exhibition is more than 100 metres from the entrance to a polling booth.

No. 3. That new clause 114a proposed by the House of Assembly be amended as follows:

At the end of subclause (3) insert—

or

(c) the exhibition of an advertisement of a prescribed kind or the exhibition of an advertisement in circumstances of a prescribed kind.

Consideration in Committee.

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

That the Legislative Council's amendments to the House of Assembly's amendments Nos 5 and 11 be agreed to.

I understand that this is an agreed position that was arrived at in another place and that the main departure from the scheme that was envisaged in this place is the ability for 'the exhibition of an advertisement of a prescribed kind or the exhibition of an advertisement in the circumstances of a prescribed kind'. So, there is a possibility of exemption under prescription. I commend the amendments to the Committee.

The Hon. B.C. EASTICK: I take issue with the statement made by the Minister that it is an agreed position: it is an agreed position under a certain degree of duress. It is by no means a final result that is satisfactory to the Liberal Party. I want to make that quite clear here, as it was in another place, although it is an improvement to the provision before the Committee on an earlier occasion. The amendment certainly picks up some technical points that are necessary to make it quite clear that there is a reasonable opportunity

for a candidate to put forward his name and that a person may use an electorate or campaign office, as has been the case in the past, with the exception that that office may not be located within a distance of 100 metres of a location which is likely to be used as a booth on election day.

Some indication may well have to be given to the electorate at large of where the booths will be located, otherwise a person might unwittingly rent premises for use as an electorate office only to find subsequently that a place nearby, not normally used as a booth, is to be used as a booth because the normal booth location has been booked for a wedding, for example. To give a simple example: the normal location for the polling booth for the Gawler South district of the electorate of Light is the Gawler South Hall, which is on the Adelaide road and which is very convenient to everyone. It is used for local government as well as for State and Federal polls. However, over the past 20 years, owing to the number of elections that we have had, it has frequently been found that that hall had been hired for a wedding long before the election date was decided upon and that as a result the premises would not be available on election day.

Under those circumstances, normally it has been decided to use the Gawler West Uniting Church Hall, some 300 yards away. It is conceivable that a person, thinking that the Gawler South Hall was the place where polls are held, could take up a position closer to the Uniting Church Hall, develop a rapport with the electorate, use the premises as a very necessary part of an overall campaign, and then be told less than three weeks before the election that that is not allowable and that all the signs must be painted out. I am illustrating this in the extreme, but from the reaction I am getting from members from both sides of the Chamber I gather that this is a distinct possibility. I rather suspect that one member is already in a degree of difficulty with the provision, and it may be that this applies to other members as well.

Therefore, it should not be considered that this is a final position that is necessarily advantageous to all members and would-be candidates at the next election. The duress that has been placed on the Liberal Party to accept this (in the Minister's words) 'considered and approved position' is something that is not acceptable in the best interests of the Electoral Act. While the amendments will be carried, it will not be with the good grace of members on this side of the Committee.

Mr OLSEN: I have some degree of difficulty as a matter of principle with the amendment from another place. Under the Electoral Bill it seems that we are now giving the right of veto, in effect, to an elected representative, in this instance the responsible Minister, who has the right under the regulations to prescribe what is valid and what is not valid, and what will or will not be agreed to. As it relates to a matter such as the Electoral Act, I think it is quite wrong to have an elected representative being the determining factor in what can or cannot be erected. That is taking it out of the hands of the umpire, who in this instance is and always has been the Electoral Commissioner.

We support the principle that this Electoral Act establishes the ground rules upon which the Commissioner will make judgment on those laws. In effect, as a result of this amendment, the matter is taken out of the hands of the Electoral Commissioner and put into the hands of an elected representative; it is a political decision making process, and it is prescribed. I acknowledge that it is by regulation, and in due course those regulations come to a Subordinate Legislation Committee. In due course again, a House of Parliament can disallow those regulations. However, let us look at the net effect of this. Despite those conditions that apply, the net effect is that under the Legislative Council's amendment proposed we are giving the Attorney-General in this instance the capacity to vary the type of advertisements that may or may not be erected. That is most undesirable.

I suppose it could be argued that the amendment gives a degree of flexibility that did not apply to the Bill as it left this House. That degree of flexibility is that, I suppose, the Minister can give some exemptions for those cases that can be clearly demonstrated as needing exemption from the inflexibility in this legislation.

It is clear that the former Electoral Act was deficient, and a number of people acknowledged that. It is interesting to note that the Attorney-General in another place, when speaking on this measure, pointed out that Caucus had directed him to accept the amendment proposed by the House of Assembly. There was no doubt by the tone of the Attorney-General's voice that he did not want to inhibit or restrict the freedom of any political Party to advertise.

The Hon. Michael Wilson: I got the impression that he was less than pleased.

Mr OLSEN: Indeed, he was less than pleased. It was interesting to note that any subsequent amendments had to receive the authority of the member for Hartley before they were moved. It is clear that the member for Hartley, as he well knows, has become an authority on this Electoral Bill in terms of what amendments the Government will or will not accept in another place. He is obviously riding roughshod over the Attorney-General, as we saw earlier this evening in another place. Clearly, the Attorney-General did not wish to have these amendments, which were proposed by the House of Assembly, included in the legislation. However, his colleagues in the House of Assembly have insisted on the amendments. I am sure that they have tied his hands behind his back and required him to accept amendments that he does not support.

I therefore have grave reservations about this amendment, because I believe that it applies a principle that ought not be applied. It is giving a politically elected person the capacity to determine matters on his own initiative, or on track record, as we have seen in relation to this Electoral Bill. This will be done not on his judgment, but on the collective judgment of Caucus because, quite obviously, that overrides a decision of this nature. We have seen that in the way in which the Attorney-General has had to back off and accept the word of Caucus. He said as much in debate in another place. That really means that we will have Caucus dictating to the Attorney-General, the responsible Minister, what will be prescribed; what the regulations will be; what billboards can remain and what cannot. That is the net effect of the amendment before the Committee.

I believe as a matter of principle that that is most undesirable. This Parliament ought to be establishing the law. The interpretation of that law ought to be left to the Electoral Commissioner, whose responsibility it is to interpret that law and put it into effect. It should not be left to a political representative, because there can quite legitimately be claims of political bias in the formation of regulations or in decision making in the formation of those regulations. For that reason, I express my very grave reservations about the amendments proposed by the Legislative Council.

Mr GROOM: I refer to the Legislative Council's amendment adding paragraph *(c)* at the end of subclause (3). The Leader's objections are based on the fact that a politically elected person can make decisions which affect an opposing political Party. In fact, there is really no distinction, other than in form, between the situation where a politically elected person introduces a Bill (in this case the Electoral Bill) and Parliament voting on the acceptance or otherwise of the clause therein. In relation to regulations, a politically elected person (in this instance the Minister), proposes reg-

ulations, and either House of Parliament has the right to accept or reject those regulations.

New clause 114a contains prescriptions, and the ambit is simply set out. There is not that much scope for the Minister to actually move by way of regulations, because the section contains prescriptions. It is simply designed to overcome the problems that may be encountered with television campaign launches and inside, say, private buildings, or public buildings. I think the real intention of the clause that was moved here really related to outside fixed signs. The addition of paragraph *(c)* simply gives the necessary flexibility, which I am sure the Minister will discuss with all political Parties. However, it is not to operate in the way in which the Leader of the Opposition suggested, where a politically elected person has some sort of unlimited power. It is limited by the section, and either House of Parliament can reject the regulations.

Mr M.J. EVANS: I have considerable interest in this topic. I am prepared to accept the Legislative Council's amendment in relation to advertisements of a prescribed kind. I believe that any Government that attempted to abuse that process in the course of an election campaign—

Mr Peterson: Too late then.

Mr M.J. EVANS: Yes, that would be too late, but any Government that attempted to abuse that process during the course of an election campaign would certainly pay a political price for it. I do not believe that either of the prospective or actual Governments in this State would attempt that kind of manipulation of the electoral system, because both would recognise that the electorate would condemn that soundly. I am not concerned about that, because I believe that both major political Parties would see the political reality of the situation. At any other time during the course of the Parliament this Parliament has the right to disallow those regulations. I can accept that that part of the amendment is simply an escape clause designed to provide for any unusual or extraordinary circumstances which we may not have considered. I am prepared to accept that.

I would appreciate a little more explanation about the exemption provided in relation to the office of the candidate. I am informed that this is a duplication of what is in the existing electoral law, but there is a distinction between what is in the existing legislation and what is suggested here. The existing Electoral Act says 'the exhibition of the name of a candidate, the name of the political Party or both at or on an office of the Party'. This says 'at or near the office of the Party'. Not being legally trained, obviously I am open to persuasion about the meaning.

The Hon. Michael Wilson interjecting:

Mr M.J. EVANS: I believe that it is, and I am happy to rest on my experience in the field of science in this place. 'At or near' seems to imply quite a distinct change in the circumstances that applied when it said 'at or on'. That implies that it must be within the building—on the door or window. When one says, 'at or near' it would seem to provide a much greater discretion to those who would seek to act contrary to the law the Parliament intends by placing large billboards adjacent to their office. I would appreciate it if the Minister could provide me with an explanation of 'at or near'.

The Hon. G.J. CRAFTER: Obviously the wording as it now appears is slightly broader in its meaning than that which exists in the current legislation. It gives some greater degree of flexibility for those signs that are 'at or near' those offices.

Mr Lewis: How far is 'near'?

Mr Baker: You can put them all over the electorate—oversized signs.

The ACTING CHAIRMAN (Mr Ferguson): Order!

The Hon. G.J. CRAFTER: Reasonable definitions are available for honourable members, but it gives a greater degree of flexibility which I believe is desirable.

The Hon. MICHAEL WILSON: I wish to make one or two comments, and I will be brief. The member for Hartley knows very well that there is a significant difference between legislation and subordinate legislation. Let him not tell us that we can equate the two as far as passage of measures through this Parliament is concerned. The member for Hartley was putting up an argument that the Minister's decision was subject to the ultimate decision of this House and another place, and technically that may be so. However, the member for Hartley also knows that regulations can be gazetted by Executive Council when the House is not sitting. How long do we have to wait then before the whole thing is put to the test? What the member for Hartley says is absolute nonsense. What the Leader had to say is quite correct: it is at the whim of the Minister and the Government of the day. The regulations could be gazetted and an election intervene before the House sits. The member for Hartley full well knows that, so do not let him try to tell us that regulations are, in effect, subject to the same scrutiny as is legislation itself.

As far as the member for Elizabeth is concerned, I admire his faith in human nature. This is the second time that he has used an argument where he believes that a political Party would not do something because of its fear of the opinion of the electorate. That was the nub of the honourable member's argument on another measure quite recently—also at a very early hour. The member for Elizabeth will not be able to continue using this excuse as an argument all the time, simply because he believes that a Government may not do something because it fears the opprobrium of the electorate. That is not on, because Governments do many things for very many reasons. They do not worry about the opprobrium of the electorate when they can see, on the balance of probabilities, that they will gain something from it. I suggest to the member for Elizabeth that he come up with another argument next time that he puts up an amendment of this type to the House.

Mr M.J. EVANS: I suggest to the member for Torrens that the whole basis of our democratic system is that political Parties act on the basis of attracting support from the electorate. To act in a way that will clearly bring the wrath of the electorate down upon them would be something I would find quite the antithesis of the actions of political Parties to date. For a political Party to attempt to amend the definitions relating to advertising during the course of a political campaign, which is the most extreme circumstance under which we would be dealing with this kind of change and the most damaging circumstance, is clearly something that would be most difficult. At other times, if he accepts my first argument, this House will be sitting.

The Hon. Michael Wilson: Not necessarily.

Mr M.J. EVANS: If we are dealing with other times, for example, the first, second or third year of the term (or, as it now transpires, at the beginning of a fourth year), that is no problem. I can accept that, but I have difficulties with the other part.

The Hon. Michael Wilson: Fourteen sitting days with no private member's business.

Mr M.J. EVANS: The member for Torrens would do well to recall that my original amendment did not include such a clause, and we have only been forced to consider it because of an agreement reached upstairs.

Mr OLSEN: We have had no added explanation by the Government on the reason or necessity for this addition to the Bill, which clearly allows the system to be abused.

Members interjecting:

The ACTING CHAIRMAN: Order! I hope that members are not interjecting out of their seats.

Mr OLSEN: Where there is a matter to be interpreted, the Electoral Commissioner used to have that responsibility, and rightfully so. This amendment gives the capacity for the Attorney-General, the elected representative, to set it by regulation. It is quite wrong as a matter of principle for an elected representative to be in a position of passing judgment by setting regulations on laws governing other political Parties—opposing political Parties. That is open to abuse and misuse and is a principle that ought not to be embodied in any legislation. For that reason I oppose the amendment.

Mr S.G. EVANS: I am trying to decide whether or not one can have more than one electorate office in an electorate. If one has, say, 30 agents who are prepared to make available space in a building in the one electorate, can one call them all one's electorate offices? Are we saying that there is no limit to the number of electorate offices in an area; that one can have as many offices as one can get and put up signs saying that they are the electorate offices? I do not see that there is a definition of this, and I would appreciate hearing from the Minister what would happen if a candidate was in a position to acquire the use of many buildings?

Mr PETERSON: Does the amendment mean that near one's office one can put up a sign as big as one likes, that there is no size limit on the sign near one's electorate office? I thought that we were debating the other day a limit on the size of the sign. Will the Minister define 'near' and indicate whether or not the sign near one's electorate office can be as large as one wants?

The Hon. G.J. CRAFTER: The simple explanation is that the law as is proposed here is the same as currently exists.

Mr Peterson interjecting:

The Hon. G.J. CRAFTER: I have already explained that point to the Committee; there is an extension of that definition. However, with respect to the exhibition of the name of the candidate or the name of the political Party, then there is no restriction on the size of the sign which is intended to indicate that information, and it may be exhibited without restriction. That is the current law. In relation to the situation with respect to establishing 30 offices in one's electorate it becomes, I suppose, a matter of whether or not they are *bona fide* offices of the candidate. That depends on the factual situation. Obviously, it will be different for the member for Eyre and myself.

The Hon. S.G. Evans interjecting:

The Hon. G.J. CRAFTER: As we debated for many hours last evening, one has to judge the facts of each situation. We cannot give definitive opinions on hypothetical examples raised by honourable members.

Mr LEWIS: I would like the considered opinion of the Minister in relation to the situation I am about to describe. There is a member of this Chamber who has *bona fide* offices open on a regular basis in 13 locations in his electorate. The fact that those offices are open for constituents to visit and make representations to the member is well and truly publicised in the local newspapers that circulate in those respective communities where the offices are situated. Indeed, that member has a further electorate office more frequently attended by him and staff than any of the other offices, and that is in Parliament House. The member I am referring to is none other than myself. Therefore, I presume that I may have signs of unrestricted size not only near the 13 electorate offices in my electorate, but also near or on Parliament House. Is that so?

The Hon. G.J. CRAFTER: As I have just explained, if they are *bona fide* offices established for the purpose that the honourable member describes, then they certainly fall within this ambit. In a rural electorate that is obviously the position: honourable members would have a number of locations where they see their constituents and carry out other work as local members. If that is accepted as such in the community then they would obviously be *bona fide* offices.

Mr LEWIS: I put to the Minister a further query which demonstrates the utter stupidity of this proposition. By coincidence, four of those offices are located where the polling booths will be. In those circumstances am I to be denied what every other member is entitled to in law? Where does it say in the Act that that is so? Is the Minister prepared to test that in the Supreme Court?

The Hon. G.J. CRAFTER: The honourable member gave a partial explanation to the Committee and tried to elicit some definitive response from me. He then gave some further information to the House and said that they were not really offices but were schools, town halls or some other public facility that he uses. That raises the very question that one must look at all the facts of the circumstances before one can definitively explain that situation.

Mr PETERSON: I have an office in the Parliament with my name above the door. I am against big signs. Can I legitimately put a sign out the front of Parliament House 'Norm Peterson's Office', because that is what this amendment says? It is near my office that I have here, and the nearest I can get the sign to my office is on North Terrace. Also, can I make it as large as the by-laws allow it to be? Why have we gone back to where we started?

The Hon. G.J. CRAFTER: The honourable member may find the answer to that question in Erskine May or in one of the other documents that explain the laws relating to this place. Parliament House is covered by special privileges, and the honourable member would know that laws relating to arrest do not apply in this place. There are a whole lot of conventions that do not apply also. This place would not be covered by this legislation, according to that doctrine.

Mr PETERSON: About 50 metres down North Terrace some hoardings have been removed from the railway yards. They were huge, advertising billboards. Would I be out of order in relation to this legislation if I put up a sign there, because it is near my office?

The Hon. G.J. CRAFTER: As I understand the situation, there would be two reasons why that would not be possible: first, it would not be covered under the definition of 'at or near an office'; and, secondly, an office in this building is not the office referred to in this clause, for the reasons that I have given.

Mr INGERSON: I would like clarification. If the Leader purchased an office underneath a sign that has been given notoriety in the past few weeks, would it mean that he could display any political information on that sign because it is near his office?

Ms Lenehan: Is it the electorate office?

Mr INGERSON: There is no reason for any member of Parliament to have to have his electorate office within his electorate. A few members do not have their office within their electorate, nor do they need to do so. If an honourable member chooses to have an office in a certain position, can any member of Parliament erect a sign on a billboard without any control?

The Hon. G.J. CRAFTER: I suggest that the honourable member read the provision to which I referred and which refers to the exhibition of the name of a candidate or the name of a political Party or both at or near an office or room. If the honourable member's political Party or if he himself wants to purchase an office in order to erect a sign, that sign would have to give details of the occupant of that office or its nature.

Mr S.G. EVANS: I know that the member for Hartley has been advising the Minister on how he interprets the

provision. This will be a confounded law. The people out there will have to hope to understand it. We should be able to write laws that are clear in their intention. If we do not want a clear intention and we want to make it difficult for people to understand, leave it as it is. 'Near' is a vague term. Opinions in the courts would vary from case to case as to what it means. If we mean that the sign is to be on a property or within 20 feet of a building in which an office is, we should say so. Some poor candidate will be told that the sign is 25 feet from the building and that that is not near, that he could get it nearer. We have not said 'as near as possible' or 'attached thereto'.

Why do we write laws that will create opportunities for people to lodge objections to give more money to lawyers? I still do not see that this amendment provides that an office must be in one's electorate. What about Legislative Councillors, who cover the whole State? Some people have businesses: they have more than one office. If they say that that is their business and it is also an office for people in the district to come and see them, they could put up a sign saying that they are the candidate for the Susie Cream Cheese Party and welcome people who want advice or who would help in the campaign for them to become a member. It comes back to the interpretation of whether or not that is a genuine office.

Let us say that there will only be one or some other number to a district. Really, the proposed amendment is a joke in relation to an individual trying to receive a clear indication of what is intended. Perhaps the Minister will tell us that the conference decided to make it as complicated and as unclear as possible. If that is so, he should tell us that it was intended to make it unclear, and we would then understand that that was the intention. It is definitely unclear to me that it should be an electorate or that an office or committee room shall be an electorate office. What is meant by a committee? A candidate could set up 10 committees of two people each and he could have one meeting a month in a room and say that it was the monthly committee room of the candidate or Party. It does not say that the committee has to be representative of a candidate's district; it could be part of his district. I could have committees in Stirling, Aberfoyle Park, Glenalta, Belair, or wherever.

Ms Lenehan interjecting:

Mr S.G. EVANS: It does not say that. The member for Mawson takes it for granted that it means electorate office. It does not say that, and it does not say electorate committee room, either. That makes it a joke. If we are going to write laws, let us say what we intend. Is the Minister saying that it is intended that a member can have as many offices as he likes and that a Legislative Councillor could have 200 offices all over South Australia if he wanted? If so, I am quite happy with that. Candidates do not have to rent offices, if they have the right sort of contacts. Quite often people will make offices available to candidates because they think they will win. They want them to win, they support them to win, and they give candidates office space for nothing. In fact, some people will even give candidates the use of a telephone for free. One member received a caravan free to use during the election campaign.

Ms Lenehan: I did not; we paid for it.

Mr S.G. EVANS: The member for Mawson says that she paid for it. I did not say whom I was referring to. Is the member for Mawson saying that I was having a shot at her? I was looking at the member for Mawson because I noticed that her eyes were twitching and, after all, it is getting late. The member for Mawson got excited because she thought I was having a shot at her. Offices are available at no cost at all. My interpretation is that, if I formed several committees of two members each in many different suburbs, they met in various offices and I put up a sign saying that it was 'Stan Evans, Hawthorndene Committee Room—Support him at the next election', the Minister is saying that that is all right. I believe that is what the amendment provides. If that is what is intended, the Minister should tell us.

More particularly, I believe it is stupid to use the word 'near' in relation to an office or committee room. Who can define 'near'? The Minister could say that that is up to the courts. Damn the courts: they cost too much. Let us write into the legislation something definite such as 20 feet, 15 feet or 'attached to a building'. It amazes me that members of the Labor Party are prepared to put individuals to this cost. They see it as a Party machine thing—that they will not have to front up to it as individuals because the Party will pay for the legal action. It is not always a Party that has the opportunity to run in a particular election; our Constitution allows for individuals to run. We should not allow for an individual to be disadvantaged by an unfair law pushed through by political Parties. I believe it is unfair. I ask the Minister to delete the word 'near' and provide a fixed distance from a building or office, and then we might understand what he is talking about.

The Hon. G.J. CRAFTER: I ask the honourable member to carefully examine the provision. The sign is so exhibited in order to indicate that the office or room is an office or committee room of that candidate or political Party. As I indicated in my explanation to the member for Elizabeth, this allows a reasonable degree of flexibility so that the public, the electors, can know that such a facility is there, presumably to be of service to them.

If the honourable member says that an organisation has two members who obviously rarely use an office, they take that risk of so relating to the electors of that district. We all realise the importance of having such a facility available in the district, presumably in order to be of service to electors and disseminate information, and the like, in conducting election campaigns—

Mr S.G. Evans interjecting:

The Hon. G.J. CRAFTER: I presume, in the context of the existing legislation, that is what those rooms did: they were part of the wing of a political Party in an area—and an identifiable part of that activity of the political Party—where meetings were held and activities conducted. This relates to the matter of indicating to the community whose office it is and the identification of the political Party. If it is a three storey building, the position as to where a sign can be affixed can be judicially defined, as it has been, and that is what it is intended to cover. I suggest that the fears of the member for Fisher are quite unfounded.

Mr S.G. EVANS: When a Minister of the Crown says he assumes that the wording in question is already covered in the Act, that is not good enough. The Minister assumes that a committee room involves one wing of a Party organisation in an electorate. Any ordinary person reading this provision would say that a committee room is a place where people meet, and it does not matter how often they meet, whether it be once every month or every two months. I am disappointed that the Minister makes assumptions about the amendment.

Mr LEWIS: I bring to the attention of the Committee other anomalous situations illustrating the stupidity of the proposition in the same way as my two earlier illustrations. With respect to my earlier illustrations, the Minister has been unable to give a suitable response. First, the offices that I have and regularly visit throughout the electorate are sometimes places where there will be polling booths on polling days; and, secondly, the electorate office of Mallee is here at Parliament House. Therefore, at or near Parliament House, along with all the other places the law states, I am entitled to erect a hoarding that gives this information. I

can see no reason why a candidate cannot do whatever is necessary to install a mobile radio telephone in the office or committee room.

I conducted a business as a broker from a Ford Falcon panel van for two years and I had in it a mobile radio telephone and a personal micro mini calculator with a printer on it. I would ring up my merchants interstate who were trading in a whole range of produce and record the information there and then on the spot. That was my office wherever it went. I could make local phone calls to Adelaide from places as far away as Port Wakefield or anywhere along the river and down as far as Meningie, on the top of a hill. So, clearly I was operating within a legitimate locality as far as communication goes. Everyone recognised the fact that that was the office of Peter Lewis, the produce broker-cum-consultant. The office was never necessarily in any one place at a predictable time: it was where I wanted it to be whenever it was needed there.

Nowhere in this Act does it say that I could not do that; nowhere in this Act does it say that any other candidate could not do that. The Minister would therefore understand that this clause—and I am reminded of the remarks that he made about jargon earlier today—really is the pits. It is the kind of stuff that one expects to get from the posterior of a bovine beast, masculine gender.

Legislative Council's amendment to the House of Assembly's amendment No. 5 agreed to.

Legislative Council's amendments Nos 1 and 2 to the House of Assembly's amendment No. 11 agreed to.

The Committee divided on the Legislative Council's amendment No. 3 to the House of Assembly's amendment No. 11:

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

Noes (17)—Mrs Adamson, Messrs Allison, P.B. Arnold, Ashenden, Baker, Becker, D.C. Brown, Chapman, Eastick, S.G. Evans, Ingerson, Lewis, Meier, Olsen (teller), Rodda, Wilson, and Wotton.

Pairs—Ayes—Messrs L.M.F. Arnold, Bannon, and Whitten. Noes—Messrs Gunn, Mathwin, and Oswald.

Majority of 4 for the Ayes.

Amendment thus agreed to.

CORRECTIONAL SERVICES ACT AMENDMENT BILL (1985)

The Legislative Council intimated that it had agreed to the House of Assembly's amendments.

SITTINGS AND BUSINESS

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

That Standing Orders be so far suspended as to enable the Clerk to deliver a message to the Legislative Council while the House of Assembly is not sitting.

Motion carried.

ADJOURNMENT

At 1.47 a.m. the House adjourned until Tuesday 25 June at 2 p.m.