HOUSE OF ASSEMBLY

Thursday 10 October 1985

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

QUESTIONS

The SPEAKER: I direct that written answers to questions without notice and questions asked during the Estimates Committees be distributed and printed in *Hansard.*

WORKERS COMPENSATION

In reply to **Mr PETERSON** (22 August).

The Hon. D.J. HOPGOOD: The problem adverted to by the honourable member arises from the contractual arrangement entered into between the employer and the insurance company. Without a comprehensive analysis of that contract it is not possible to assess the liability of the respective parties in the circumstances outlined in the question.

The position in relation to the existing provisions is that the Workers Compensation Act provides in section 118b that no employer shall employ a worker unless he is fully insured by an insurer against his liability to pay compensation under the South Australian Act to or in respect of all workers employed by the employer. The obligation to insure directly relates to liabilities arising under the South Australian Act. Whether the insurance contract extends further than this is a matter for the employer and his insurer.

It is conceivable that circumstances could arise where an employer erroneously believes himself to be insured and indeed may have taken reasonable steps in that regard, only to find himself personally liable as a result of a common misunderstanding as to the scope of the terms of his contractual arrangement.

Although the South Australian Act does envisage certain injuries sustained interstate being compensated within the South Australian system, it does not exclude a worker who is injured outside South Australia having recourse to the legislation effective in the State in which the injury occurred, if he chooses to do so, either for convenience or perceived better benefits or any other reason. It is at this point that the scope of the insurance contract becomes critical. It should be pointed out that this is a matter which will be addressed in the Government's reform of the workers compensation system to ensure that employers in the future are automatically covered for such cases.

PAPERS TABLED

The following papers were laid on the table:

By the Minister of State Development (Hon. J.C. Bannon:

Pursuant to Statute—

Technology Park Adelaide Corporation—Report, 1984-85.

By the Deputy Premier (Hon. D.J. Hopgood):

Pursuant to Statute—

Industrial Court and Commission of South Australia—Report of President, 1984-85.

By the Hon. D.J. Hopgood for the Minister of Education (Hon. Lynn Arnold):

By Command—

Australian Agricultural Council—122nd Meeting—Darwin, 21 July 1985—Resolutions.

Australian Fisheries Council—15th Meeting—Darwin, 21 July 1985—Resolutions.

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

Pursuant to Statute—

Pipelines Authority of South Australia—Report, 1984-85.

By the Minister of Transport (Hon. G.F. Keneally):

Pursuant to Statute—

State Clothing Corporation—Report, 1984-85.

Medical Board of South Australia—Report, 1984-85.

By the Hon. G.F. Keneally for the Minister of Community Welfare (Hon. G.J. Crafter):

Pursuant to Statute—

Rules of Court—Supreme Court Act, 1935—Companies (South Australia) Code.

Supreme Court Act, 1935—Index to Companies Rules, 1985.

QUESTION TIME

STATE BANK INTEREST RATES

Mr OLSEN: Will the Premier initiate an inquiry into the State Bank's home lending practices? Last financial year, the State Bank adopted a policy of lending to homebuyers at market interest rates. I have been informed that, in 1984-85, about 5 800 of all non-concessional home loans made by the bank were made at the market rate which is now 15.75 per cent for a loan of more than $50 000—0.25 per cent above the building societies' rate.

Because the Reserve Bank's ceiling on home loan interest rates does not apply to the State Bank, home buyers have taken out State Bank loans at market rates and are now incurring significant increases in monthly repayments. This has resulted in complaints being made to the bank, the media and to members of Parliament from many of these buyers who were not aware at the time they took out their loans of the difference between a general rate and a market rate loan.

In one case a home buyer has alleged in writing, and has produced documentation, to show that the words 'general home loan' had been struck from his application, and after he had signed it and without his knowledge and had been replaced with the words 'market rate loan'. That is a most serious allegation. The Opposition has also received information from other borrowers that they were not given any advice about the difference between a general home loan and a market rate loan.

An examination of the State Bank's press advertising over the past 12 months shows no explanation of the implications of market rate loans. The State Bank now has about 50 per cent of the home lending business in South Australia. The Opposition fully supported the merger last year, but the bank's position in the South Australian economy and the community means that the credibility of its practices must be beyond doubt.

Section 25 of the legislation relating to the State Bank makes provision for the Governor to appoint the Auditor-General or 'some other suitable person' to investigate any operation of the bank. To clear up the concern and confusion about the way in which the bank has been making available home loans at market rates, will the Premier recommend to the Governor that such an inquiry be appointed?

The Hon. J.C. BANNON: I do not think such a recommendation is justified. I am certainly aware of some of the confusion and problems that the Leader of the Opposition has mentioned. These have been taken up with the bank. There is no question that a number of people who took out market loans were not aware of the precise ramifications of that in terms of increasing interest rates. It means, for

instance, that some people who have taken out these loans on the basis of a certain level of repayment are now finding that a substantially higher level of repayment is required.

The bank has taken steps to correct that in terms of the way in which it produces its information and in terms of its advice to all borrowers. It has been spelt out very clearly and at some length and of course the bank has also announced a freeze on any further increases for the market rate area as well.

The Hon. E.R. Goldsworthy interjecting:

The Hon. J.C. BANNON: I share the concern about that, and this is being taken up. However, just to put this into perspective, let us recall that the State Bank effectively has three categories of loan in this area. One is the concessional rate loan, which, of course, is assisted by the Government, with rates of 4 per cent, 5 per cent, and so on—rates very much lower than any concept of the market rate. The second category of loan is in the general home lending area, where the same ceilings are observed by the State Bank as apply to all other banks. In fact, for loans of a certain value the State Bank's rate is lower than the current 13.5 per cent—it is 13 per cent. So, borrowers in that area are in fact at an advantage with the State Bank.

The category that is causing concern is the market rate loan category. It must be remembered what the bank did in this area. It said to people that, if they were unable to get credit, a loan, by the normal means from building societies, a bank, or anyone else, they could walk off the street and, provided that they could satisfy the State Bank as to their creditworthiness, ability to repay, they would get a loan immediately, that they did not have to have any record of depositing, and so on. No bank had ever done that before, and it resulted in a tremendous number of people going into housing who might not otherwise have been able to do so.

I do not think that we should forget that. I do not know of the experiences of other members, but, at the moment, for instance, there are many people who have home loans, secured against the value of the home, which are in the form of personal loans. Whatever the reason, they might not have been able to get a savings bank loan or something like that.

An honourable member interjecting:

The Hon. J.C. BANNON: Yes, this has certainly happened. They were under no controls at all.

The Hon. Michael Wilson interjecting:

The Hon. J.C. BANNON: The member for Torrens would know of examples of that. In my personal case I have had a loan on which regular repayments are made on the amount owing on my home, but it is designated as a personal loan account and is therefore subject to higher and varying interest rates. It is a question of how one initially organises one's finance and whether one does it that way or not.

People with market rate loans from the bank are in no different situation from that. It may well be, as the Leader of the Opposition suggested, and certainly it has been suggested to me by a number of correspondents, that people were not completely clear about that and its implications. I point out that this was in the context of low interest rates. The market rate was below the current ceiling rate of 13.5 per cent. It was not anticipated by me and many other people that they would rise to the extent they have. In fact, they have.

An honourable member interjecting:

The Hon. J.C. BANNON: I did not say they were going down: I said there was every reason why they should go down.

Members interjecting:

The Hon. J.C. BANNON: I stand by that statement.

The SPEAKER: Order!

The Hon. J.C. BANNON: Honourable members can carry on. I know on the Opposition side that it is in their interests to be as negative as possible and to predict the worst and most dire consequences, because their whole strategy is aimed at undermining economic confidence in this State. The problem with that approach is that it becomes a self-fulfilling prophecy. Part of the reason why there is still pressure on interest rates is because that sort of expectation of higher rates was built up by statements from members opposite and others. I am on the record, and will remain so, as saying that there were good reasons why interest rates should have come down; they did not.

An honourable member: It's a brand new ingredient.

The Hon. J.C. BANNON: Yes, for the honourable member political honesty is a brand new ingredient. I recognise that, and I thank him for his acknowledgement. If I am wrong, I am prepared to say so. In this instance I was. It is a matter of regret that I was wrong—not for myself, but because, if interest rates continue to go up and put pressure on individual finances like this, our economic recovery will be jeopardised. All honourable members should have been hoping desperately that I was right and that in the future the pressures will come off.

However, let us not bother about predictions at this stage. I repeat: at the time that those loans were entered into the people entering into them were overjoyed that they had found a financial institution willing to back them and allow them to get into housing, because nobody else would have on the same terms and conditions. It was the 'walk off the street' loan that was of particular advantage to those people. We should commend the State Bank for its energy and its ability to assist them.

It has become fashionable to say, 'What a terrible thing that the State Bank allowed this to happen'. That is nonsense. The State Bank has provided opportunties for many thousands of people that they would not have had otherwise. Having said that, I again repeat my concern. The State Bank board has made clear to me that it shares that concern and that it has taken steps to do something about it—both in terms of the information it gives and in terms of the freeze it has imposed on further increases. That is as far as we can take the matter at this stage.

TAXIS

Mr MAYES: Will the Minister of Transport report to the House on the success of introducing the one plate taxi system to the Adelaide metropolitan area? As you, Mr Speaker, and members would know, during introduction of the one plate system there were many critics of the proposal, including the Leader of the Opposition, who suggested that the scheme should be phased in. I understand that the implementation of a very important step by this Government of deregulation has been a great success. Will the Minister report on the progress of that introduction?

The Hon. G.F. KENEALLY: I thank the member for Unley for his question. When I took the step on behalf of the Government of introducing a single plate system for taxis in South Australia, the Government was criticised (but more particularly I was criticised roundly) by a number of people and organisations, the most vocal of whom, of course, were the white plate taxi operators.

An honourable member: Fair enough!

The Hon. G.F. KENEALLY: The honourable member opposite says that that was fair enough, and I am prepared to respond to that. I was also accused of arbitrary action by my opposite number, the shadow Minister of Transport, and I recall the speech that he made on the steps of Parliament House for which, as I said previously, I gave him 11

out of 10 for demagoguery (I think that that was the word I used), 1 out of 10 for content, and 0 out of 10 for commitment. I recall that the honourable member told the assembled taxi industry representatives and one or two people from the tow truck industry that he would defend the rights of small business and that they could be absolutely certain that, in government, he would do the sorts of things that would benefit their industry. However, he did not make any commitments.

It was argued at the time that that decision would result in a dramatic devaluation of the then white or green plate—now the one plate system. It was also argued that, on the day the system changed, inner Adelaide would be clogged up: tension and antagonism would be generated in the industry, having a detrimental effect not only on the industry but also on those people in Adelaide who use taxis frequently.

The evidence proves that both allegations were wrong. First, I understand that the two most recent sales of taxi plates in South Australia were for $53 400 and $54 000. I ask honourable members to cast their mind back to the value of a taxi plate when the system was changed. The average market price for a green plate was $43 000 and the average market price for a white plate was $44 000. Those plates are now selling for $54 000, so there has been an appreciation of between $20 000 and $25 000 in the capital value of a taxi plate in South Australia.

In yesterday's and today's *Advertiser* a number of taxi plates are advertised for sale at $65 000. If that price is achieved (and there is reason to believe that it might be), it will indicate a capital appreciation of 50 per cent over the month due directly to the action which I took but for which I was roundly criticised by members opposite.

Members interjecting:

The Hon. G.F. KENEALLY: Members opposite ask whether I travel in a taxi. I do, and all the taxi drivers seem to know who I am. Their feeling towards me as the Minister from the time I made the decision to the present time has been quite dramatic. The industry is fast coming to the conclusion that that was a very courageous but necessary decision, one that has had a beneficial effect in the industry.

I want to point out the difference between the views of the honourable member who seeks to be Minister of Transport and my views. I took a hard and necessary decision, copping a fair bit of flak for it, but that decision has proved to be correct. My opposite number is fast gaining for himself a reputation within the transport industry of South Australia of promising everything that people want, in expectation that he will never be Minister of Transport anyway and so he will not be required to honour any of the promises. He was not prepared to take the decision that, quite obviously, his own colleague as Minister of Transport realised should have been taken but was not courageous enough to take. He has criticised that decision. I would like the honourable member to make the same sorts of statements that he was wont to make when the decision was taken. It was the right decision, it has benefited the industry not only in terms of the financial value of a taxi plate but because the industry itself is becoming united and the taxi operators and owner drivers in South Australia have rights and advantages that are consistent with those of every other taxi operator in the industry. That has benefited everyone—the consumers and the people of South Australia.

Mr G. MACKIE

The Hon. E.R. GOLDSWORTHY: Will the Premier say whether the Government will ensure that there is an immediate appeal to the High Court against today's decision of the Court of Criminal Appeal in the case of the West Lakes car bomb murderer, George Mackie, and will the Premier seek the resignation of the Minister of Correctional Services for his interference in the case? The Premier is currently being briefed. This morning's decision of the Court of Criminal Appeal means that Mackie could be released later today or tomorrow after serving only 10 years for what was a premeditated and cold-blooded murder.

In today's decision, two of the judges said that in other circumstances Mackie's crime would have warranted a non-parole period of 25 years, meaning that he would not have been released before serving at least 16½ years. The Chief Justice said that Mackie's hopes and expectations of release, raised by assurances by the Parole Board and the Minister of Correctional Services last year, had been cruelly dashed by the subsequent legal proceedings over his release. That was a reference to a letter written by the Minister to Mackie supporting his application for parole. It is unprecedented for a Minister to interfere in the course of justice in this fashion. As the Crown appeal was dismissed, and as its success was compromised by the actions of the Minister, I ask whether there will be an immediate appeal to the High Court and whether the Premier will sack the Minister.

The Hon. J.C. BANNON: The bumbling, stumbling reading of that explanation indicates how much the Deputy Leader of the Opposition understands this issue: I suggest that it is nil. He has taken a piece of paper from someone and stumbled out and tried to follow the words to see where he gets. It is about time that he followed the facts. This matter has been adequately discussed in another place. The Minister of Correctional Services has explained all these matters quite clearly and comprehensively. For the hapless semi-backbencher, who is shadow shadowing this portfolio, to even refer to it is quite extraordinary. We might hear from him later.

On the substance of the question, it may well be that an appeal will lie and will be taken: that is a matter for consideration by the Attorney-General as it is his responsibility. In contrast to the previous Government and the previous incumbent, the current Attorney-General exercises that responsibility in the public interest and, in contrast to a power that was put in place and simply not used by the previous Government, there have been something like 80 appeals under that provision. The current Attorney has used that power successfully to the full instead of rhetorically putting it in and not doing anything about it. I assure the House that, if an appeal lies and it is appropriate for an appeal to be taken, that will occur. The Attorney-General will decide that on proper consideration of the evidence and legal and advice.

The Hon. E.R. Goldsworthy: Are you going to sack the Minister?

The SPEAKER: Order!

BUILDING BANS

Mr GREGORY: Will the Minister representing the Minister of Labour explain the issues involved in a building trades dispute, in which the Leader of the Opposition has taken sides, involving the BWIU and Mr Trotta of St Peters?

Members interjecting:

The SPEAKER: Order! I call the Minister for Housing and Construction, and ask for some quiet.

The Hon. T.H. HEMMINGS: It gives me great pleasure to answer the question raised by the member for Florey. Everyone is aware of the beat-up article that appeared in the *News* yesterday and we all saw the Leader of the Opposition being most indignant on channel 10 last night when defending the rights of the building companies and kicking

the unions. On this occasion he certainly chose the wrong one to defend.

I followed up the Leader of the Opposition's claims on union bashing, and one can only ask, 'What is going on in the Leader's mind at this time?' We have an election coming up and the Liberal Party is suddenly at its old union bashing game and claiming union intimidation, union strongarm tactics, union collusion, union blackmail, and union backhanders from the building industry; then, on top of that, it is claiming that, as a result of all this, there is a ruined building industry. We are used to the usual gutter politics of the Liberal Party in this area. It shows that it is becoming very desperate.

I am very pleased to give the House the facts. At the suggestion of the Building Workers Industrial Union, a group of builders have got together and formed an association to self-regulate their own industry. They are concerned that some unscrupulous subcontractors—and Mr Pele Trotta is certainly one of them—do not pay the pay as you earn tax on long service leave and workers compensation. The association was formed from creditable subbies who could prove, by the showing of receipts, that they had made all the statutory payments and complied with all the award conditions for the people they had working for them.

I commend these people for their self-regulation. One notices that everybody has gone strangely silent. As usual, the Leader has been caught out; he has gone in to bat for the wrong man. Mr Pele Trotta wanted to join this group of subcontractors, but he could not prove that he was making the long service leave payments. He had no receipts to substantiate that to that group of subcontractors, so they said, 'No, you cannot join.' The situation was not as outlined by Mr Trotta in the Adelaide *News* where he claimed that he was being forced to join but had refused. Rather, he begged to be able to join, but they would not let him, because he was not paying long service leave or making workers compensation payments.

Originally, the subcontractors put some money into a trust fund to kick off their association, but it was their money for their needs, and not one cent went to the union. We have been asked many times by members opposite to go outside and make those claims. I suggest that the Leader of the Opposition go outside, stand on the steps and say that that group of people were being forced to pay money into the Building Workers Industrial Union. He will have a writ slapped on him straight away and he knows it. So, he should not laugh at what we are saying.

Those subcontractors have been contracted and they have assured officers of my department that not one red cent went to the union. Let the Leader go outside cowards' castle and make that claim. In this action the association has been supported by the Master Builders Association and other unions as a proper method of self-regulation. Mr Trotta was considered not to be a suitable person to join that association.

It is a matter of fact that Mr Trotta has not paid any contributions to the Long Service Leave Building Fund Board since July for the 43 workers who have worked for him, and he has a long history of not paying. Also, he is associated with a liquidated company. Mr Trotta has constantly breached industrial safety standards. When one looks at this man's record, one sees that this is the kind of person that the Liberal Party would support, rather than this group of contractors who are trying to do the right thing for their workers and who are making the long service leave and workers compensation payments.

They are the kind of people that the Liberal Party does not want to protect: Liberal members want to protect the shonky builders. They are the people with whom the Leader of the Opposition wants to get involved. The little exercise that the Leader of the Opposition embarked on yesterday on channel 10 and in the Adelaide *News* has been exposed for what it is: a cheap political stunt. Before the Leader backs people such as Mr Pele Trotta, I suggest that he talk to the Master Builders Association or the Building Workers Industrial Union so as to get the true facts.

Members interjecting:

The SPEAKER: I call the Deputy Leader of the Opposition to order. The honourable member for Murray.

MR G. W. MACKIE

The Hon. D.C. WOTTON: My question, which is supplementary to that asked by the Deputy Leader of the Opposition, is addressed to the Premier. Does the Premier endorse the action taken by the Minister of Correctional Services to support the early release of the West Lakes car bomb murderer, George Mackie? The Premier obviously refuses to seek the Minister's resignation over this matter, despite the court's decision and comments this morning. Does this indicate that the Premier fully supports the action of the Minister in writing to Mackie supporting his application for early release and, in fact, wishing him well? If it does not, will the Premier instruct the Minister not to support any further approaches from prisoners for early release?

The Hon. J.C. BANNON: As I said earlier, this matter has been fully canvassed. The Minister has explained the situation completely, as well as the circumstances in which it arose, and there is no need for further comment on the matter. On the one hand, we are being urged to appeal and, on the other, parliamentary comment on the matter is desired. This matter was fully dealt with some weeks ago, and that is where this aspect of it should end.

RIVERLAND INVESTMENT

Mr FERGUSON: Will the Minister representing the Minister of Agriculture ask his colleague what steps may be taken by shareholders in the Loxton Cooperative Winery and in the Berri Cannery to withdraw their original investment? One of my constituents (Mr G. Bartlett) has recently retired as a fruit grower at Loxton North. During his term as a soldier settler there, he was obliged to take shares in the Loxton Cooperative Winery and Berri Cannery in order to dispose of his produce. He has now approached both those organisations and he has been unable to retrieve the repayment of both his original investment and his accumulated investment in those organisations.

The Hon. D.J. HOPGOOD: I will refer the honourable member's question to my colleague in another place for a considered and detailed reply. Possibly Mr Bartlett could get detailed advice as to whether or not the company intends to pay out any money on shares and, having obtained that advice, he should perhaps seek legal advice.

PORT PIRIE HARBOR

The Hon. MICHAEL WILSON: What action does the Minister of Marine intend to take on a departmental report which recommends the closure of Port Pirie to oil tankers? I refer to a report, dated July 1985, by the department's Acting Engineer for Planning and Development (Mr Bateman), which states that the oil tanker berth is 'in alarming proximity to the town'. The report concludes that the only responsible recourse for the department is to close the port to tankers.

The Hon. G.F. Keneally: I thought it was there when you were in government.

The Hon. MICHAEL WILSON: It was. I quote from the final four paragraphs of the report, and I am sure that, if the Minister of Transport—who should be vitally concerned in this matter—stops interjecting, he will hear the facts. The report states:

In 1980 the department advised the oil companies that it intended to recommend to the Minister that tankers would no longer be permitted to berth in Port Pirie because of the hazard presented to the town.

Mobil and BP sought an extension until completion of the standard gauge rail link. Shell argued that its operation was safe and should be allowed to continue. This matter appears to have been left in the air, in that Shell has never been advised that the department no longer intends to recommend to the Minister closure of the berth; nor has the department proceeded with such a recommendation.

Despite all the precautions that may be taken to reduce the likelihood of an incident at Port Pirie, including the use of inert gas system tankers, the fact remains that an incident is possible, even if the probability is low. While much could be done (at considerable expense) to upgrade fire-fighting facilities at this berth, this also can only be seen as reducing the probability of a catastrophic incident, not as eliminating it. The location of the berth is such that, if an incident occurred, the potential for catastrophic property damage and loss of life is alarming. The only responsible course for the department is to proceed as intended in 1980 and close Port Pirie to tankers.

The Hon. R.K. ABBOTT: I could probably reverse the question and ask why the former Minister of Marine did not take action when a recommendation in this regard was made to the former Government five years ago. That report was in the news this morning. The recommendation in the Bateman report is the reason I took a recommendation to Cabinet. This was at about the same time as the occurrence of the fire at the Birkenhead oil terminals. There has been considerable discussion in Cabinet on this matter, and it will be discussed again in the very near future. I am to meet a deputation, led by Mayor Jones of Port Pirie, next week, because of the concerns that local government has expressed about the recommendation in the Bateman report that the Government should approve in principle the closing of the terminal at Port Pirie.

Quite frankly, it is a time bomb, and we are very concerned about it, particularly because it is very close to the grain silos at Port Pirie. The Port Pirie fuel berth has had an excellent record over its 40 or 50 years of operation, during which time there have been no accidents, but accidents can happen, and an accident at that location would cause catastrophic damage in Port Pirie.

The Government is fully aware of that and is addressing the matter at the moment. No final decisions have been made, but in the past there have been talks with the Shell Company. Although to this time Shell has not seen its way clear to do this, two other oil companies now rail their fuel to Port Pirie. The Government wants to approach Shell with a much stronger base so that we can convince that company that it is important that that berth be closed down at Port Pirie, in which event the Shell Company can do what the other oil companies are doing and either rail or road transport oil supplies to Port Pirie.

I think that would overcome the problem. A recommendation was made that the berth be moved further out into the Port Pirie River. However, the Government is unable to justify expenditure on building a new berth further out of Port Pirie because of the comparatively low volume of fuel that is dispersed through the Port Pirie berth. The Government is considering the matter at the moment, and I hope that after meeting the deputation we can then discuss the problem and get agreement from everyone concerned.

GEMSTONE INDUSTRY

Mrs APPLEBY: Will the Minister of Mines and Energy tell the House whether any special events are being planned to promote South Australia's gemstone industry during the State's Jubilee 150 celebrations? During the last Adelaide Festival of Arts a successful gemstone exhibition was held at the South Australian Museum. According to reports at the time, and since then, there has been much interest in our gemstones by overseas and interstate visitors and our own South Australians. Given that next year is South Australia's Jubilee 150, which will incorporate our Festival of Arts activities, I ask what type of attractions are being considered. Recently, the Minister of Tourism announced that opal has now been designated as the gemstone for South Australia.

The Hon. R.G. PAYNE: I thank the member for Brighton for this question, because it will enable me to outline to the House a number of developments in the gemstone field which I am sure members will find interesting. As the honourable member said, a very successful gemstone exhibition was held during the last Festival of Arts. Interest in that exhibition was tremendous. From memory, something in excess of 10 000 people visited the Museum to view it.

Because of that success preparations have been under way for some time to arrange another exhibition of opal and jade to coincide with the jubilee celebrations and the 1986 Festival of Arts. A few weeks ago I received a letter from the General Manager of Aitco Pty Ltd (Mr Neuling), indicating that his company was happy to make space available at no charge for a two-week exhibition in the Great Hall at the Adelaide Railway Station. I commend Aitco for its magnificent gesture, and I think all members would support my remarks.

The space to be made available in the southern annexe will be very close to the entrance to the casino. This should ensure that some of the products of South Australia's gemstone industry are given maximum exposure to festival and jubilee visitors. As mentioned by the honourable member, the Government, by an entry in the South Australian *Gazette* of 15 August, ensured that opal became the State's official gemstone emblem. It is a very significant step on the eve of the jubilee and should be a very useful promotional tool in future marketing of South Australian produced opal.

I also mention that the Gem and Mineral Clubs Association of South Australia will be staging the 22nd national gem and mineral show—Gemboree 1986—at Loxton between 28 and 31 March next year. This will certainly be an outstanding event and of considerable interest to members. I have been assured that visitors to that Gemboree will be able to see millions of dollars worth of specimens, many of which have never been on show before. Recently, I was visited by the promotional officer of the association and was very impressed with the amount of work that has gone into the preparatory stages in organising the event to be staged at Loxton next year.

BUILDING BANS

The Hon. E.R. GOLDSWORTHY: I ask a question of the Minister of Housing and Construction. I will try to read it in such a way that the Premier can hear me clearly. Obviously, he had trouble earlier when he did not answer the question I asked him. I will try to make it sufficiently deliberate for the Premier to understand. In view of the telex sent to the Leader of the Opposition by the Minister of Labour this afternoon, will the Minister immediately withdraw the scandalous allegations he made against the subcontractor Mr Pele Trotta?

The Minister made quite scandalous claims which he did not in any way substantiate this afternoon about Mr Trotta's activities. He defends the right of a union to prevent a person running a business and employing people. However, what the Minister said is totally contradicted by a telex that the Minister of Labour sent to the Leader, as follows:

I refer to your telex of Wednesday 9 October 1985 regarding the dispute involving the BWIU and a subcontractor, Mr Trotta. I have requested my departmental inspectors to urgently inspect the books of the subcontractor to establish whether the union's claims regarding payments by the builder to various statutory bodies are justified. The allegations of a union cartel are matters for an inquiry by the Trade Practices Commission. As some of the matters involved in this case are *sub judice*, they cannot be discussed in public at this stage.

Members interjecting:

The Hon. E.R. GOLDSWORTHY: The Minister raised these matters, and the question was allowed. According to the Minister of Mines and Energy, there is one set of rules for the Government and one set for the Opposition. The Government is allowed to discuss this matter, but the Opposition is not. We know that members opposite would like that set of rules if they could get it to stick. The telex further states:

I would further refer you to my statement to the Legislative Council on Wednesday 9 October.

Before the Minister comes into this House as the mouthpiece and the lackey of the union concerned—

Members interjecting:

The Hon. E.R. GOLDSWORTHY: He was being observed by the union: they have now left, having done their day's work. It would be quite profitable for the Minister to visit the site and talk to the workers—not to Mr Pele Trotta, but to the people who work for him, those whom the Minister purports to be looking after in this House. One question raised yesterday when we were on the site was safety, to which the Minister referred.

Members interjecting:

The Hon. E.R. GOLDSWORTHY: I am explaining the question, but, of course, Government members do not like it because these so-called champions of the worker are trying hard to put these workers out of business, out of a job. The question of safety was raised. The Minister mentioned that in his tirade this afternoon. The facts are that the union went on site and said, 'You—get off that scaffolding'—the workers said that the union representatives spoke to them as if they were dogs. They got off the scaffolding and work ground to a halt. An industrial inspector from the Department of Labour was called and said that the scaffolding was quite safe.

In view of the information I have given to the House and the fact that it conflicts with that given by the Minister of Housing and Construction, the Minister in charge of this area, I ask that the Minister withdraw those scandalous accusations against Mr Pele Trotta.

The Hon. T.H. HEMMINGS: In reply to the Deputy Leader's question, no, I will not withdraw (what he calls allegations) the truth. I will give members opposite something else to chew on. I understand that Mr Trotta owes in excess of $40 000 to the Taxation Department and has been kicked off six sites by the Master Builders Association.

Members interjecting:

The SPEAKER: Order!

HERITAGE PROJECTS

Ms LENEHAN: I direct a question to the Minister for Environment and Planning.

The SPEAKER: Order! All honourable members will come to order. Senior members on both sides should show some sort of example. What is happening is a very good example of where we sail very close to the wind on matters that senior members on both sides know are very close to being *sub judice*, contrary to the rules of the House: members on both sides get themselves into all sorts of trouble, and neither side can complain when the other retaliates. It makes it very difficult for me. The member for Mawson has the call at present, and I ask that all members remain silent so that I can hear the question.

Ms LENEHAN: What encouragement has been given to schools by the Heritage Branch of the Department of Environment and Planning to become involved in heritage projects as part of the Jubilee 150 celebrations? I ask the question because of the increasing interest and involvement of school students in the natural and built environment within our community. Specifically, I wish to draw to the Minister's attention the heritage project undertaken by students from the Dover High School on the historic Kingston House. This project will be featured in the recently restored Kingston House as a permanent record of the history of the Kingston family and the various uses to which the house has been put over the years. As such projects are of great value to both students and the community, as well as helping to preserve and promote our heritage, other schools could be encouraged by the Heritage Branch of the department to undertake similar heritage projects in their own communities.

The Hon. D.J. HOPGOOD: The Heritage Branch, of course, does very useful work in this area, but in fact the public face of the department is the Community Information Service of the Department for Environment and Planning which has a shop front set up in the basement of the building which the department, for the most part, occupies. Our thrust is towards the preparation of publications and materials generally which can be used at various levels. At one level that would involve projects that are undertaken by schoolchildren, either at the primary or, more particularly, the secondary level. Not all the publications are suitable for this type of work, but a good deal of material is suitable.

I instance, for example, the excellent series of mini-publications on the coastline, which include the St Kilda walkway and the mangrove and samphire swamp environment on which that walkway was set up to show it off to the general public. I could also instance the publications put out by the National Parks and Wildlife Service, either under its own name or accompanied by a private organisation such as the National Parks Foundation. They contain a good deal of excellent material.

In the European heritage area, there are similar sorts of publications, which can be of considerable use to schools and students generally. Some of this material is also available through the tourist centre and Government Information Centre, which, of course, is part of the Department of Services and Supply. I urge teachers to take the fullest opportunity in relation to the resources that those three outlets can make available on a continuing basis.

BUILDING SOCIETY INTEREST RATES

The Hon. B.C. EASTICK: What is the Labor Party's policy should building society interest rates be no lower on 1 March than they are at present? Is it that the assistance scheme for existing borrowers will continue?

An honourable member interjecting:

The Hon. B.C. EASTICK: I will explain the question without the honourable member's intrusion. When the Premier announced this scheme last week he said that it would apply until 1 March next year and would then be reviewed

taking into account interest rates prevailing at that time. All the forecasting is that the interest rates will then be as high as, if not higher than, they are now. For example, the State Bank's economist, Darryl Gobbett, said on 5DN news on Tuesday that interest rates would continue to rise. In the bank's economic notes released on Monday, continued high interest rates were predicted.

The Hon. J.C. BANNON: I made clear at the time that we would review the position after the six months, and that is the statement by which I am standing. I would be very interested in the honourable member's attitude. I am not clear whether he supports or opposes the initiative. Is his question suggesting that we should continue this arrangement? If he is doing that, I remind the honourable member that that could be a fairly expensive thing to do.

Obviously, it would have to be looked at. On the other hand, is the honourable member saying that it should not have happened in the first place? I suggest that he consults with the Leader of the Opposition and that this is the classic situation of the Opposition trying to have it all ways. It wants to talk in a schizophrenic way (in the way I suggest that the Leader of the Opposition handled his motion the other day) to one set of people saying, 'Tut, tut, how terrible it is that the Government is moving to help home owners in this way.' On the other hand, it tries to give itself credibility by suggesting that we spend more, extend the scheme and go well beyond March. I want the Leader of the Opposition to put himself firmly on the record in this respect.

Members interjecting:

The SPEAKER: Order! It is quite out of order for this continual barrage of interjections to be going on. I have drawn attention to that. The next person who breaks that rule will be warned.

REAL PROPERTY ACT

Mr GROOM: In the absence of the Minister of Community Welfare, representing the Attorney-General, I ask the Premier to refer to the Attorney-General a possible amendment to the Real Property Act to extend the jurisdiction of the Registrar-General to enable injunctions issued by the Family Court effectively to be registered on the title of real property pending resolution of property disputes.

This type of situation arises where, following a marital separation, real property is in the name of one party to a marriage. An injunction can be obtained in the Family Court, but it is an injunction *in personam* and there are jurisdictional difficulties in relation to attaching that injunction to the Registrar-General. At the present time it is also not possible to have that injunction registered on the title.

The consequence of this is that, because there is no actual tie on the title, a person can have an injunction against that person *in personam* restraining that person from selling or disposing of that property. But, if the person chooses to ignore that injunction, the property can be sold. To seek to overcome the problem parties have lodged caveats, but the Supreme Court has held that it cannot extend those caveats because of proceedings in the Family Court and, also, because of the limitations on caveatal interest under the Real Property Act.

It has been suggested to me that the problem can be solved by either extending under our Real Property Act the ambit of caveats so as to extend the range of interests that can be registered, or, alternatively, by permitting the Registrar-General to register injunctions issued by the Family Court, thereby preserving the *status quo* until the matters have been resolved in that Court. I ask the Premier to refer that matter to the Attorney-General for consideration.

The Hon. J.C. BANNON: As the honourable member's explanation indicated, this is a fairly technical area upon which I am certainly not qualified to respond. I will therefore refer it to my colleague in another place and obtain a full report for the honourable member.

RECOMPRESSION CHAMBER

Mr BLACKER: I direct my question to the Minister of Transport, representing the Minister of Health. Will the Minister and the Government give an undertaking that they will, as soon as possible, install a recompression chamber, preferably a two lock and of more than a two-man capacity, at a site as near as possible to the medical facilities at Port Lincoln? In recent months a study has been undertaken by Dr Carl Edmonds, a consultant in diving medicine, into the diving problems associated with abalone divers and, I believe, some of the recreational divers using Eyre Peninsula. I quote a short extract from that report, as follows:

> From our initial data it appears that West Coast abalone divers have experienced 341 cases of decompression sickness, but have been treated with medical attention for only 12. The remainder are either treated by the diver himself, or are left untreated. Because of the inadequate local facilities for the treatment of recompression sickness, and other dysbaric diseases of diving, and because of the delay in reaching such facilities in Adelaide, the vast majority of treatments have to be performed by the divers themselves.
>
> This is a regrettable but necessary action. The cases that do eventually arrive in Adelaide, far from being the more severe ones, are usually the ones dictated by chance, for example, mechanical problems with the diver's boat preventing him from returning to the ocean and treating himself underwater. The likelihood of him being transferred to Adelaide also depends on the diagnostic expertise and inclination of the clinician he first sees.

The foregoing points to the extreme urgency of the problem, which affects not only abalone divers but also recreational divers who occasionally encounter it.

The Hon. G.F. KENEALLY: I shall be pleased to refer the honourable member's question to the Minister of Health. I appreciate the honourable member's question about a subject that concerns us all. Certainly, it is intensely important to the people in the abalone industry. I am aware that the Minister of Health has shown considerable interest and concern in this matter in recent years, and I shall be pleased to ask him to give an urgent response to the honourable member.

BUILDING BANS

The Hon. E.R. GOLDSWORTHY: Will the Minister of Housing and Construction explain how he obtained—

Mr HAMILTON: On a point of order, Mr Speaker, is it not the practice that an Opposition member asks a question and a Government member then asks one?

The SPEAKER: It was a mistake on my part, for which I apologise but, as I have called on the Deputy Leader of the Opposition, that is the end of the matter.

The Hon. E.R. GOLDSWORTHY: Will the Minister of Housing and Construction say how he obtained information illegally about the taxation affairs of Mr Pele Trotta? The fact is—

Members interjecting:

The Hon. E.R. GOLDSWORTHY: Solicitor Groom is busy advising the Minister yet again.

The SPEAKER: Order! I ask the Deputy Leader of the Opposition to go on with his question.

The Hon. E.R. GOLDSWORTHY: This afternoon the Minister of Housing and Construction gave the House information that was obtained illegally. It is against the law to

divulge publicly information about a taxpayer's personal affairs, but the Minister has done that this afternoon in Parliament. Since the Minister gave his earlier reply this afternoon, I have checked on the Minister's allegations that were repudiated by the Minister in charge, the Minister of Labour. Mr Pele Trotta was at a gathering which was organised by the union and at which $1 000 was requested to join a cartel of subcontractors. Mr Trotta then lost all interest in the proposal. Far from begging to get in, as the Minister suggested, he was not interested in joining a cartel which was controlled by the union and which would cost him $1 000 to join.

I also checked what the workers on site had told me yesterday regarding safety: that the union had come on site, had talked to them like dogs, had ordered them off the scaffolding, and had closed down the site. Then an inspector from the Department of Labour (not from the department controlled by the Minister of Housing and Construction—he has taken as gospel what his union bosses have told him—but the department controlled by the Minister of Labour) inspected the site and said that it was safe. Then work resumed. I checked with Mr Trotta, who said that what the workers had told me yesterday was correct.

Mr Gregory: Do you trust him?

The Hon. E.R. GOLDSWORTHY: I thought that the workers with whom I spent—

An honourable member interjecting:

The SPEAKER: Order! I ask the Deputy Leader to disregard the interjection and proceed with his question.

The Hon. E.R. GOLDSWORTHY: All the information given to the Minister has been shown this afternoon to be incorrect. How did the Minister come to give the House this afternoon information about Mr Trotta's taxation affairs that he gained illegally?

Members interjecting:

The SPEAKER: Order! I said previously that, once a question has been asked, the Minister should be allowed to reply. Honourable members must expect that appropriate answers must be given.

The Hon. T.H. HEMMINGS: I am staying close to the advice that you, Mr Speaker, gave the House earlier: that, when people make allegations (and I remind Opposition members that they made the allegations on channel 10 and in the Adelaide *News*)—

The Hon. E.R. Goldsworthy: Tell us about the tax.

The Hon. T.H. HEMMINGS: I am giving a little lecture on the pious way in which Opposition members have acted in this matter. They started it, and now they are copping it. The information that I gave is consequent on the fact that I understand that Mr Pele Trotta was involved with the company that went into liquidation, and that is common knowledge around the building industry. However, I make this point clearly: there are certain guidelines when matters are *sub judice*, and I cannot make a statement on them.

Members interjecting:

The SPEAKER: Order!

The Hon. T.H. HEMMINGS: When members opposite are finished, may I say that events next week will show when the public will be made aware of certain proceedings. The Leader of the Opposition is aware and I hope that the Deputy Leader is aware. I am certainly aware but, under the *sub judice* rules, I cannot include that information in my reply. The Leader of the Opposition should be darned thankful that the House will not sit next week, otherwise we would make him really cop it.

The Hon. B.C. EASTICK: I recommend, by leave, that the member for Albert Park be permitted to ask a question.

The SPEAKER: Order! Does the House give leave?

Honourable members: Yes.

The SPEAKER: Then I am perfectly happy. The honourable member for Albert Park.

TRAFFIC HAZARDS

Mr HAMILTON: I thank the member for Light and will remember his kind offer. I appreciate that, even though the Leader of the Opposition seems to be as cynical as ever by wanting to make jest of it. I appreciate the obvious concern of the member for Light regarding my important question. Will the Deputy Premier indicate some of the activities in which the police will engage to detect irresponsible drivers on our State roads during the forthcoming long weekend? As all members know, on long weekends people journey from the metropolitan area to various parts of the country, as well as vice versa, to visit friends and relatives and to enjoy the holiday. However, one of the consequences of this is the enormous road toll in our State. To realise this, one has only to look at the article in today's *News* entitled 'Road Bill Toll: $3 000 million', which states in part:

> Road crashes cost Australian taxpayers $3 000 million a year and injure more than 100 000 people, according to a recent survey.

My concern is a just one, and I believe that all members of this Chamber would be concerned about the injuries and deaths that occur on our roads during holiday weekends. Can the Minister inform the House and the community what action the police will take to detect irresponsible drivers during that period?

The Hon. D.J. HOPGOOD: I thank the House for its indulgence to the honourable member, and I shall be brief. The last two Labor Day weekends have been horror stretches in respect of fatalities on our roads. The police will mount additional random breath test units and additional speed detection devices on our roads in the city and in the country. Generally, there will be a blitz on driver behaviour. The police will be doing their part. I urge the people of South Australia to play their part to ensure that this is a death-free long weekend on our roads. In particular, people must remember that in legal terms alcohol and gasoline are emissible.

PARLIAMENT (JOINT SERVICES) BILL

Returned from the Legislative Council with amendments.

AUSTRALIA ACTS (REQUESTS) BILL

Received from the Legislative Council and read a first time.

SITTINGS AND BUSINESS

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

That the House at its rising adjourn until 22 October at 2 p.m.

Motion carried.

LEAVE OF ABSENCE: Hon. JENNIFER ADAMSON

Mr OSWALD (Morphett): I move:

That a further four weeks leave of absence be granted to the honourable member for Coles (Hon. Jennifer Adamson) on account of ill health.

Motion carried.

The SPEAKER: Order! Call on the business of the day.

APPROPRIATION BILL

Adjourned debate on the question:

That the proposed expenditures referred to Estimates Committees A and B be agreed to and that the expression of opinion and resolutions agreed to by the Committees be noted.

(Continued from 9 October. Page 1241.)

The Hon. MICHAEL WILSON (Torrens): I begin by putting the following quote on the record:

Despite the significant achievements of the 1970s, there is still a large number of children of preschool age who cannot be guaranteed access to four sessions a week, from the age of four, while many preschools have an unacceptably high child-teacher ratio, some as high as 15 to one. The Labor Party does not accept the contention of the Minister of Education that a 10 to one staff ratio must be regarded as utopian. Instead, it believes that it should be a target towards which we should work as soon as funds permit. In any event [and this is very important] the Labor Party commits itself to reducing the staff ratio from its present level of 11.5 to one to 10 to one, within the next term of government. Once achieved, this will cost in 1982 dollars an extra $800 000 per year.

They are the words of the present Minister of Education, when in Opposition. At that time he gave the unequivocal commitment that:

In any event, the Labor Party commits itself to reducing the staff ratio from its present level of 11.5 to one to 10 to one within the next term of government.

That term is now almost completed, but by no stretch of the imagination could anyone say that the child-staff ratio has been reduced to 10 to one—either in Children's Services Office establishments or in Education Department child-parent centres.

I refer to a letter that the President of the Primary Principals Association wrote to the Minister. The letter, dated 26 September 1985, begins with the salutation 'Dear Lynn'—so, it starts in a friendly enough tone. The letter, headed 'Urgent shortages of teachers and school assistants in child-parent centres', states:

I am in receipt of complaints from child-parent centres because of urgent understaffing in those centres. On the information available to me, it appears that there is a shortage of approximately nine or 10 teachers and 10 or 12 school assistants in child-parent centres. This does not appear to be any improvement since I last wrote to you on this matter on 21 June 1984, although I understand you made a very modest improvement to the extent of about $50 000 to employ staff at the beginning of 1985.

The President of the Primary Principals Association then goes on to remind the Minister of his pre-election commitment—which I have just read to the House. The letter continues:

When the Liberal Government was in office you will appreciate that I was critical then that some centres had unacceptably high teacher-child ratios, some as high as 15 to one. It now transpires that under your ministry some child-parent centres have ratios beyond 20 to one. You clearly stated that the Labor Party would reduce the ratios overall from the present level of 11.5 to one to 10 to one and that this would cost an extra $800 000 per year in 1982 dollars. I know that you will claim that the Commonwealth withdrawal from funding preschool education has made it necessary for the State Government to fund about $3.7 million to make good that deficiency. Two things are evident however in regard to that matter.

The Commonwealth has been withdrawing over a number of years. The situation was deteriorating before the most recent Commonwealth withdrawal, anyway. According to information available to me, in July/August there were about seven child-parent centres in the State with pupil-teacher ratios of 17 or more, and on projections for February 1986 there will be 11. I understand that 15 or so have pupil-teacher ratios greater than one to 14 and that well over 20 have ratios higher than one to 12.

I was even more disturbed to find that a statement has been attributed to you as Minister that you intend to rationalise staffing in 1986 in terms of one to 11.5. I find that unacceptable for two reasons: first, because that would mean that there had been absolutely no improvement since you took over as Minister of Education, despite your clear and unequivocal promises and; secondly, because the rationalisation cannot feasibly provide the part salaries where they are required.

The letter goes on to give a list of names of child-parent centres which are affected. I place on record that the Minister when in Opposition criticised my colleague the member for Mount Gambier for having a child-teacher ratio of 11.5 to one.

The Hon. H. Allison: And he promised to come down to 10 to one.

The Hon. MICHAEL WILSON: Yes. However, he now states that he will rationalise the ratio to 11.5 to one—to exactly the same ratio that pertained in the stewardship of my colleague the member for Mount Gambier. It will not be just child-parent centres that are affected by this matter. I have been given information through a staff member of a Children's Services Office centre that an officer of the Children's Services Office had informed her director that there was no prospect of additional staff if the centre had a child-staff ratio better than 15 to one—and I stress that is 15 to one, not 11.5 to one—and, also, that unless the centre could show that there were a number of children with special needs it could lose staff entitlement to reduce it to a ratio of 15 to one. So much for the commitment of the Minister and the Government to reduce the ratio to 10 to one. I think that is extremely important and should be placed on record for all to see. The Minister has not kept his commitment—and by his own admission.

I now refer to matters pertaining to technical and further education. I do so because I have been disturbed about this matter for some time. It is proposed to change the location of the heavy vehicles trade course from the Croydon Park College of Technical and Further Education to the Kingston College of Technical and Further Education (formerly O'Halloran Hill). I mention this because there has been a good deal of concern in the heavy vehicle industry, which of course, employs the apprentices in this area, about the proposed relocation.

I will put on record some of the concerns expressed by that industry. First, I quote (in part) a letter from the South Australian Automobile Chamber of Commerce to the Director-General of Technical and Further Education, as follows:

The South Australian Automobile Chamber of Commerce and the Commercial Vehicle Industries Association surveys clearly show that apprentices employed in the heavy vehicle sector of the commercial vehicle industry are domiciled in close proximity to their workplace . . .

Departmental demographical studies concur with the industry result. All heavy vehicle resources are located in the northern suburbs. These resources include—

(a) 90 per cent of all truck sales and service facilities;
(b) Most road transport terminals and service facilities;
(c) All major highway access and thus the establishment of the heavy vehicle industry itself—

that is very important—

All major farm and agricultural equipment dealers and service facilities are also located in the northern and north-western suburbs.

That is more evidence why the course should be retained at Croydon Park, but the following points are also made against relocation of those studies:

There is no foreseeable likelihood of heavy vehicle industry or transport growth in the southern suburbs—

obviously, because it is all based in the northern suburbs at the moment—

SA and Adelaide truck sales and service facilities would not be able to economically operate southern branches until a huge road transport investment was established in the south, and this is a 'catch 22' situation. The rebuilding that would apparently be required at Kingston to accommodate heavy vehicle courses would be a waste of public moneys and further education resources. Present employers will incur greater risk of workers compensation claims because travelling time is a part of their insurable risk.

We all know that to be so. Finally, the penultimate paragraph of the South Australian Automobile Chamber of Commerce letter reads:

We are earnestly seeking to provide greater assistance and interaction between the college and the industry and view the fragmentation of industry trade education as a retrograde step.

I quote now from a letter, representative of those I have received from heavy vehicle dealers in the area of service facilities and the like, as follows:

The situation is that our group of companies with three workshops at Regency Park and one at Gepps Cross, Mack, Mercedes and Ford, all with workshops at Regency Park, represent the majority of heavy duty diesel workshops. The only exceptions are International Harvester Company at Thebarton and Scania on the Glen Osmond Road at Frewville.

We indicated through the chamber to the college that as a great number of the apprentices employed in the industry live in the suburbs to the east, north or west of Regency Park we were firstly concerned that students having to travel to O'Halloran Hill could be at risk under the terms of the workers compensation insurance cover of travel to and from work.

Being young people more susceptible to accidents, you can understand our concern in this respect. Secondly, there have been very good relationships between the industry and the trades school when it comes to the loan of equipment and vehicles because of the proximity of the majority of workshops in Regency Park to the trades school at Croydon Park—

this is very important—

If we had to consider moving plant and equipment from Regency Park to O'Halloran Hill, I believe the majority of the trade would withdraw the privileges which have been made available to the trades school in the years gone past.

That would be a very great pity. Cooperation between industry and the Department of TAFE has been an essential part of trade training. I hope that the Minister and the Director-General will reconsider very seriously their decision to relocate the heavy vehicles trade course from Croydon Park to O'Halloran Hill (or Kingston, as it is now called).

The last item I wish to address is partly as a result of the Estimates Committees—particularly the Premier's Estimates Committee—where questions were asked about workers compensation. The Leader of the Opposition dealt with that matter in his speech in this House the other day. However, I express my concern about what is happening in the teaching profession on the question of workers compensation. It is an extremely serious matter which gives rise to a potential for serious effects to flow through to the education system. I quote from workers compensation reports given to a recent employee welfare conference, as follows:

The attached data have been collated from Education Department reports to the Government Workers Compensation Office for the months of July and August 1985. As such, they reflect the pattern of injuries to workers (teachers, ancillary staff, public servants and others, e.g., cleaners) in the first two months of this financial year. The data are in the process of being further refined into injuries to male/female employees; primary-secondary; metropolitan-country, etc., as additional information on which, e.g., patterns can be ascertained, priorities can be set, etc.

What follows is important because it is a summary of two months of workers compensation reports in the Education Department. I am sure that my colleague from Mount Gambier will be extremely interested in these figures:

In summary, for the period 1 July 1985 to 31 August 1985 there were 255 reports of injuries of which approximately 40 per cent arose from slips, falls, trips, etc., 20 per cent were reported as anxiety/depressive (stress) conditions associated with employment duties (mainly teaching duties); 10 per cent resulted from vehicle accidents going to or from work; and 4 per cent were reported as 'overuse' injuries (half of this group reported as 'classic' repetition strain injuries associated with typing/clerical duties).

It is important to note that the workers compensation premium paid by the Government Workers Compensation Office and by the Education Department for the financial year 1985-86 has been set at approximately $6 million. If one extrapolates those figures and relates them to the reports that we have had in the last two months, one sees that we are not looking at a figure of $6 million. On the information given to me, the claims are running at about $1 million per month—that is $12 million in a full year.

That is the equivalent of the salaries of 600 teachers. We know that the Institute of Teachers is talking about achieving an extra 150 teachers in their Jubilee 150 campaign, but, if workers compensation premiums continue at this rate, they will equal the salaries of 600 teachers. This is one of the most serious problems that has faced any Government, and certainly any Minister of Education. If teacher stress causes such an enormously high proportion of workers compensation reports and claims, it is inherent that action be taken on teacher stress as a matter of extreme urgency. If all this money is to be paid out in workers compensation claims, it will have an effect on the spending of the education dollar that cannot be tolerated.

If we get to a situation where we spend $8 million to $12 million on workers compensation in the Education Department, other services in education will suffer—that is the natural result. That means that we will be hard put to find money for language programs, special education services, multicultural programs, and teacher development, which is so important to maintain standards and to alleviate problems in primary schools involving teacher librarians and non-contact time for teachers. This is an extraordinarily serious matter, one which we in government will take up as a matter of extreme urgency.

Mr BAKER (Mitcham): As we have concluded the Estimates Committees, I feel compelled to make some very critical observations about the performance of the Government. I have devoted the following prose, *An Ode to a Geriatric Government,* to that subject:

He leads a motley band
Of quite indifferent form
Their stocks are daily sinking
They rely on bluster and storm.

The Premier he does resort
To fiddling with the truth
Would he sell his very soul
To gain the vote of youth.

He is rather awkward
Stepping on mortgagee toes
He pushes up interest
Wherever he goes.

Dr Nogood is his deputy
No patch he is on Jack
Of expensive vegie clearance fame
He's never had the knack.

Water pollution is his go
And bestirring racial strife
He's doing a simply rotten job
But colleague incompetence is rife.

The Minister of Marine battles
To get above the waves
He's now rapidly sinking
Retirement he craves.

The Minister of Education stands
High above the rest
His mouth is well motorised
We can readily attest.

He showed a little talent
When chosen for the team
Now it is all too much
He's 90° off beam.

They arsonised Stuart's gaol
He released the deadly crims
J.B. put him on the buses
He's running off the rims.

Mitchell generates little power
The gas is running out
Unless he solves the problem
We'll all do without.

Norwood showed a bit of craft
But Premier didn't trust

Lost the kiddies playgroups
Downgrading was a must.
To slate our sporting rep
Would be altogether unkind
He must be forgiven
For his gross indecision
His broad imprecision
And watery disposition.

Members interjecting:

The SPEAKER: Order! I have allowed the honourable gentleman to give a reasonable preamble in terms of what I assume is some kind of aberrant version of Australian letters, but I ask him to come back to the Estimates fairly rapidly.

Mr BAKER: I was referring to the Estimates and the performance of the Government. I will continue:

They say he is a lemming
Housing's gone sky high
Trust lists are lengthening
The world just passed by.
Dad's Army would be proud
Of members from this group
South Australia will benefit
From the passing of the troop.

That encapsulates my feelings about the performance of the Government. In my three years in this Parliament members opposite have failed to live up to their obligations of running the Government effectively. In fact, they have resorted to untruths and slanders in this Parliament in recent weeks. We have seen the incredible performance of the Deputy Premier, who said on the radio that the Olsen privatisation policies would lead to riots such as those that have occurred in Brixton. We have also seen the incredible performance of the Premier, who has subsidised a section of the housing industry, much to the ire of other homeowners in South Australia.

The list is long, the credits are few, and the debits are massive. This Government has put us further into debt. It has destroyed the confidence of people in South Australia and the ability of the Government to manage the State. As my last words on this Appropriation Bill, I say that I will be proud to be part of the new Government.

The SPEAKER: If the Minister of Transport speaks, he closes the debate.

The Hon. G.F. KENEALLY (Minister of Transport): Mr Speaker, the Premier is in charge of this debate, and if he speaks he closes the debate. I wish to participate in the debate.

Mr Ashenden: Most unusual for a Minister.

The Hon. G.F. KENEALLY: I find it quite surprising that members opposite feel that Ministers of the Crown are not entitled to participate in this debate. After making that point, I am happy to close my remarks.

The Hon. J.C. BANNON (Premier and Treasurer): I thank the Minister for being brief although, I know, he had important things to say. Effectively, he has given way to me to close this debate. I must admit that I have no desire to speak at any great length. Indeed, the quality of the debate over the past three days would not justify any kind of long response. We have seen yet another demonstration (and a good one) of how incapable the Opposition is of making rational contributions to economic debates in South Australia and how unwilling members opposite are to put forward anything other than slogans and extravagant misrepresentations of the truth.

The Leader's contribution, in particular, typified their response. He dragged a figure out of the air—$200 million in this case—with nothing to back it up, and there was a hastily cobbled together plan designed to give the rest of his speech (which contained the usual extravagant abuse and hyperbole) an air of credibility.

The Leader of the Opposition forgets, and certainly he does not want this House or the South Australian people to remember, that just three short years ago he was a member of a Liberal Cabinet that had ample opportunity to do all the things which he is now putting forward but which did nothing but mark time and watch over the disintegration of South Australia's economic fortunes.

What was lacking from the Leader's contribution and, indeed, from that of his shadow Ministers and his backbenchers was a clear statement (and surely if such a statement was to be made, now is the time to make it) of what Government services they plan to cut back to pay for the growing list of promises they are making: for instance, $200 million just handed out the other day by the shadow transport spokesman. That is great stuff. It is well and good, but there was no indication of how they will pay for it or which community group will be disappointed—because the facts are that Government cannot satisfy everyone. We have limited resources. We have heard nothing but the usual knocking, negative, carping criticism of all that this Government is doing without any alternative being offered beyond a mishmash of promises.

The five key elements of the Government's budgetary strategy over the past three years (surely the subject of this debate) have not been addressed by the Opposition—nor will they be, because to do so would be to admit the success of our policies. I will outline those five elements as follows: a better than planned result of expenditure for 1984-85; the package of tax relief measures; the substantial cut in the underlying deficit; the end of the Liberal formula of plundering capital funds; and, a balanced budget for 1985-86. All these give lie to the Leader's sneering cries of doom. I believe that there will be more than enough protection against his attempt to drag out our economic recovery for the sake of political expediency.

We have a record of which we are proud: it is one that the business community and indeed the whole South Australian community recognise. It is one that can certainly be contrasted with the three years of Liberal Government which preceded it, and which involved reckless borrowing from capital works funds. Money that should have been going into schools, roads and hospitals was squandered.

The Government was constantly and strongly advised by its professional Treasury officers where it was heading and that the day of reckoning would come. However, the Government decided that it would wait to see and hope that something would turn up. If re-elected it could then try to deal with it. It was not re-elected and we were faced with a situation of having to do something about it. Decisions had to be made for South Australia's long-term interests—they should have been made 12 months before that, but they had to be made by us, and we did not run away from them: we made the hard decisions. We knew that there would be political problems in so doing, but in the long term interest of the State that had to be done by the Government.

After three years we are in a position where the benefit of those decisions can be demonstrated to all South Australians. The fruits of those hard decisions—whatever criticisms were made of them at the time—have meant that the State is back on the map. We have our economy moving again following a recession that was getting under way in major dimensions when we came to office. It reached its depth in the middle of our first year. We saw those three or four months of massive decline—the build-up of economic catastrophe—and we have been able to turn it around.

What did the Opposition do during that time? Certainly we expect opposition and criticism, but we do not expect to find—nor should any Government expect to find—each

and every initiative attacked, denigrated or undermined, with the Opposition standing on the sidelines hurling abuse, knocking any sign of growth, making pessimistic predictions and doing everything it can to sabotage confidence because it recognises that its only hope of creeping into office is somehow to undermine and destroy this State's economic recovery.

I was surprised that there was a conspicuous lack in the Leader's response of any details of his plans to sell South Australia to the highest bidder—the sale of the century. I understand that he was planning to put that forward as a way of paying for the long list of promises that he has been making. Every time we ask for detail on that it is conspicuously lacking. It would be a quick-fix, short-term windfall, and people would soon understand how they had been sold out. Perhaps the Leader is having a change of heart on this matter. Perhaps he has read the Federal Opposition Leader's comment:

> Privatisation is not a soft easy way of cutting Government spending. It would be entering a new fiscal fool's paradise to use the proceeds of privatisation to finance current consumption.

That is what the present Liberal Opposition Leader said on this issue. Perhaps the Leader of the Opposition in this State is at last listening. The debate on the budget traditionally provides an opportunity—and one would have thought that in an election year this was particularly the case—for an Opposition to put forward a coherent set of alternatives to the policies of the Government of the day. The Opposition has not taken that opportunity. Instead, we are left with the impression that in government it would again simply hope for something to turn up.

I remember a comment by the Leader's predecessor who, when questioned on the state of the economy, admitted his inability to influence the course of events. He told me that I could be asssured that, if he had a magic wand that would solve the problems of the State, he would certainly wave it. The Leader of the Opposition and his colleagues want to take us back to some sort of fiscal fairyland, with the Leader acting the role of some latter day Oberon. If one looks along the front bench and at the shadow Treasurer—the spokesman on these affairs—he might well play the role of Bottom in such a fairyland. My Party and I will not allow the State to go back down that road. It has taken us three years of hard work to get the State's finances back into the black, to get the economy moving and to put South Australia back on the map.

Any unbiased analysis of our performance over the last three years will show that our economy has indeed caught up with the growth that has occurred nationally, that in relation to other States we are a low tax State and, equally, that our indebtedness is well in control. In fact, within 24 hours the Leader may have such a report, which I suggest he studies carefully before making any more inane contributions to economic debates in this House. On coming to office my Government set itself a number of financial objectives requiring financial stringency on the expenditure side of our accounts and a willingness to take tough decisions to ensure that those objectives were met. They have been met. Two weeks of questioning by the Opposition has brought forward nothing to disprove that fact. Three days of posturing in this place by the Opposition in this debate has added nothing further. I commend the Bill to the House.

Motion carried.

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

That the remainder of the Bill be agreed to.

Motion carried.

Bill read a third time and passed.

AUSTRALIA ACTS (REQUEST) BILL

Second reading.

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

That this Bill be now read a second time.

It is the first stage in the implementation of the agreement reached between all State Governments and the Commonwealt Government, in which Her Majesty and the U.K. Government has concurred, to remove the constitutional links which remain between Australia and the United Kingdom Parliament, Government and judicial system, and to substitute new constitutional provisions and procedural arrangements. In particular, the implementation of the agreement will bring the constitutional arrangements affecting the States into conformity with the status of Australia as a sovereign independent and federal nation. I seek leave to have the remainder of the explanation inserted in *Hansard* without my reading it.

Leave granted.

Remainder of Explanation

The specific details of this agreement have been reached following extensive consultations which have taken place over the last few years between the Commonwealth, State and United Kingdom Governments and Palace officials. At the outset I emphasise that nothing in the legislation will impair the constitutional position of Her Majesty the Queen in the government of each State and the Commonwealth of Australia. On the contrary, as will appear later, the effect of the legislation will be to bring the Crown closer to the people and Governments of this nation, since the Queen instead of being formally advised on State matters by United Kingdom Ministers, will be advised by State Premiers. Most of these measures are to be effected by legislation to be enacted by the State, Commonwealth and United Kingdom Parliaments, the form of which has been agreed by all Governments.

Ultimately, the key elements will be an Act of the Federal Parliament and an Act of the United Kingdom Parliament, each to be known as the Australia Act, which will be identical in all material respects. The two Australia Acts will be proclaimed to come into operation simultaneously. By this unique legislative means, it has been possible to resolve the legal and political difficulties inherent in the historic step we are taking. In accordance with the agreed procedure and to satisfy constitutional requirements, before the Australia Acts can be enacted the Parliament and Government of every State will:

(1) Request the Commonwealth Parliament, pursuant to section 51 (38) of the Commonwealth Constitution, to enact its Australia Act.

(2) Request and consent in accordance with constitutional convention to the United Kingdom Parliament enacting its Australia Act.

(3) Request and consent to the Commonwealth Parliament in turn requesting and consenting to the United Kingdom Parliament enacting its Australia Act. The request and consent of the Commonwealth Parliament to the Australia Act of the United Kingdom is required by section 4 of the Statute of Westminster.

Clauses 2, 3 and 4 respectively of the Bill now before the House achieve each of these three prerequisites.

The First Schedule contains the proposed Australia Act of the Commonwealth Parliament. The Second Schedule contains the proposed Australia (Request and Consent) Act by which the Commonwealth Parliament and Government will request and consent, pursuant to section 4 of the Statute

of Westminster, to the enactment of the Australia Act of the United Kingdom. The U.K. Australia Act is in turn a schedule to the Australia (Request and Consent) Act. It is identical in all material respects to the Australia Act of the Commonwealth Parliament; there are minor differences, especially in the interpretation clause (clause 16), necessary because they are Acts of different Parliaments.

It is proposed that this State Act will come into operation prior to the introduction of the Australia Bill and Australia (Request and Consent) Bill into the Commonwealth Parliament. In brief, the Australia Acts will terminate all power that remains in the United Kingdom Parliament to make laws having effect as part of the law of the Commonwealth, a State or a Territory of Australia.

The Australia Acts will make important changes by removing existing fetters and limitations on the legislative powers of the Parliaments of the Australian States which stem, by and large, from their origins as English colonies. The residual powers of the United Kingdom Parliament to make laws for the peace, order and good government of a State will be expressly vested in the Parliament of the State and any existing uncertainty as to the capacity of State Parliaments to make laws which have an extra-territorial operation will be removed, but not so as to confer any additional capacity to engage in relations with countries outside Australia.

The Colonial Laws Validity Act will not apply to State laws made after the commencement of the Australia Acts; nor will the common law doctrine of repugnancy. An effect of these changes will be that, in future, State Parliaments will have full legislative power to repeal or alter any United Kingdom law which presently applies in the State. The changes in the legislative powers of State Parliament are subject to the Commonwealth Constitution and the Commonwealth Constitution Act and do not enable State Parliaments to alter the Commonwealth Constitution, the Commonwealth Constitution Act, the Statute of Westminster or the Australia Acts. As well, residual executive powers of the United Kingdom Government with respect to the States will be terminated.

The legislation will also remove the remaining avenues of appeal from Australian Courts to the Privy Council making the High Court of Australia the final Court of Appeal for all Australian courts. This will end the anomalous situation, in the area of legal precedent, where a State Supreme Court could find itself faced with two binding, yet conflicting, authorities. A major change to be effected by the Australia Acts concerns State Governors. Except for the power of appointment and dismissal of State Governors, Governors will be vested with all of the Queen's powers and functions in respect of the States. Her Majesty will, however, be able to exercise any of those powers and functions when she is personally present in the State.

In the appointment and dismissal of State Governors and in the exercise of Her powers and functions when she is personally present in a State, Her Majesty will be directly advised by the Premier of the State concerned. The Australia Acts thus establish the constitutional role of the Premiers in directly advising the Queen. Her Majesty has already expressed her concurrence in this development by which the role of the Crown will be adjusted to suit the needs of the Australian Federation. Whilst Her Majesty will be able to exercise any of her powers and functions normally formed by the Governor when she is personally present in the State, all State Premiers have expressly concurred in an undertaking that Her Majesty will only be formally advised to exercise those powers or functions when in a State where there has been mutual and prior agreement between the Queen and the Premier. It is anticipated that this will become accepted as a convention governing the circumstances in which the Queen will exercise such powers.

The Governor of a State in future will be able to assent to all laws enacted by the Parliament of a State. The Governor will no longer be required to withhold assent from certain types of Bills or to reserve any Bill for the signification of Her Majesty's pleasure. In future Her Majesty will not be able to disallow an Act to which the Governor has assented nor shall any State Act be suspended pending the signification of Her Majesty's pleasure. The Australia Acts themselves and the Statute of Westminster in its application to Australia will be able to be repealed or amended in the future, but only by an Act of the Commonwealth Parliament passed at the request or with the concurrence of the Parliaments of all the States.

The Australia Acts also make necessary consequential changes to the Constitutions of Western Australia and Queensland. With the concurrence of Her Majesty and the United Kingdom Government, agreement has also been reached between the State and Commonwealth Governments about imperial honours. The Australia Acts do not make provision for these new arrangements as they are strictly matters of imperial, rather than Australian concern.

The agreement which has been reached permits State and Commonwealth Governments to continue to use the imperial honours system if they wish to. In future recommendations for honours at the instigation of State Governments will be tendered by the Premier of the State direct to Her Majesty and will no longer involve the provision of advice from United Kingdom Ministers. Her Majesty has agreed to this new arrangement, and the United Kingdom is currently drafting amendments to the statutes and warrants governing the various honours to provide for this change. The existing quota system will continue.

I turn now to the detailed provisions of the proposed Australia Acts. Clause 1 is designed to terminate the power of the United Kingdom Parliament to enact legislation having effect as part of Australian law, whether as law of the Commonwealth, of a State or of a Territory. It thereby achieves complete legislative independence of Australia from the United Kingdom. Clause 2, which must be read subject to clauses 5 and 6 mentioned below, declares and enacts in subclause (1) that each State Parliament has full power to legislate extra-territorially provided that the laws are for the peace, order and good government of the State. Subclause 2 (1) corresponds to section 3 of the Statute of Westminster which provides that the Commonwealth Parliament has full power to make laws having extra-territorial operation. Subclause (2) will remove any other limitations that might exist by reason of the former colonial status of the States on their otherwise plenary legislative powers.

Since the Privy Council decisions of *Nadan -v- The King* [1926] A.C. 482 and *British Coal Corporation -v- The King* [1935] A.C. 500, it has been arguable that the grant of power to State Parliaments to make laws for the peace, order and good government does not empower a State Parliament to legislate to effect the exercise by the Crown in the United Kingdom of the Crown's legislative, executive or judicial powers in respect of the State. Although this view is only based on *obiter dicta* and has been doubted in later decisions, it was thought desirable to include subclause 2 (2) to ensure that this view would no longer be tenable in relation to the State Parliaments. Subclause 2 (2) will not confer upon any State any capacity that the State did not have immediately before the commencement of the Australia Acts to engage in relations with countries outside Australia. Thus the States are not by this subclause given additional power to establish diplomatic relations with other countries, or relations in the nature of diplomatic relations.

Clause 3 is modelled on section 2 of the Statute of Westminster which applies to Commonwealth legislation. Subclause 3 (1) will remove the fetters imposed upon the States by the Imperial Colonial Laws Validity Act 1865. State Parliaments will thereby be freed from section 2 of that Act which prevented States from legislating inconsistently with United Kingdom Acts extending to the State. This provision, however, is prospective and will not validate any past State legislation already void for repugnancy. Section 5 of the Colonial Laws Validity Act 1865, which entrenches manner and form provisions, will be replaced by section 6 of the Australia Acts Subclause 3 (2), which will operate subject to clauses 5 and 6, will exclude the common law repugnancy doctrine and make it clear that State Parliaments will be able to enact legislation repugnant to the laws of England or to existing or future United Kingdom Acts, and that those Acts may be repealed or amended by a State Parliament in so far as they form part of the law of the State.

Clause 4 expressly repeals sections 735 and 736 of the Imperial Merchant Shipping Act 1894 in so far as they form part of the laws of a State. This clause makes it unnecessary for the States to enact special legislation, pursuant to subsection 2 (2) and section 3 of the Australia Acts, to free themselves from the restrictions imposed by sections 735 and 736 of the Merchant Shipping Act, under which certain State laws on merchant shipping require the confirmation of the Queen acting on the advice of United Kingdom Ministers, or must be reserved for the signification of the Queen's pleasure. Clause 4 corresponds to section 5 of the Statute of Westminster 1931 in relation to Commonwealth Acts.

Clause 5 qualifies clause 2 and subclause 3 (2) by making the grant or declaration of State legislative power contained therein subject to the Commonwealth of Australia Constitution Act and the Commonwealth Constitution. Clause 5 goes on to provide that those clauses do not operate so as to give effect to any provision of a State Act which would repeal, amend or be repugnant to the Australia Acts, the Commonwealth of Australia Constitution Act, the Commonwealth Constitution or the Statute of Westminster, as amended and in force from time to time.

Clause 6 preserves the entrenched provisions of State Constitutions by providing that a law of a State respecting the constitution, powers or procedure of the Parliament of that State shall be of no force or effect unless made in the manner and form, if any, required by a law made by that Parliament, whether before or after the commencement of the Australia Acts. This provision is included because of the repeal of the Colonial Laws Validity Act (section 5) by the Australia Acts.

Clause 7 deals with the powers and functions of Her Majesty and the Governor in respect of the States. By subclause (2), and subject to later subsections, the Governor of a State, as Her Majesty's representative, is invested with all of Her Majesty's powers and functions in respect of the State, and in future the Governor, not Her Majesty, will exercise those powers. The word "only" is included in subclause (2) at Her Majesty's request to avoid the possibility of Her Majesty being advised to override a decision reached by a Governor, or of Her Majesty being advised to act in a matter which has not been placed before the Governor. Subclause 7 (2) is dealing with the vesting of Her Majesty's powers and functions in State Governors instead of Her Majesty. It is not in any way intended to preclude delegation by the Governor in accordance with the letters patent or laws of the State, nor to preclude legislation by a State Parliament affecting the future exercise of any such power or function.

By subclause (3), Her Majesty will continue to appoint and to terminate the appointment of the Governor of a State. By subclause (4), when Her Majesty is present in a State, She may exercise any of Her powers and functions normally exercised by the Governor. Subclause (5) provides for the Premier to advise Her Majesty in relation to the exercise of the powers and functions of Her Majesty in respect of the State. Her Majesty has formally indicated her concurrence in this major constitutional development, which is unique. The phrase "The advice" precludes formal advice from any other source and will, *inter alia,* preclude conflicting formal advice from United Kingdom or Commonwealth Ministers, or from Premiers of other States. With respect to subclauses (4) and (5), as stated earlier, all Premiers have formally agreed that the exercise by Her Majesty of such powers and functions will occur only where there has been mutual and prior agreement between the respective Premier and Her Majesty.

Clause 7 has no operation with respect to imperial honours which are not strictly State matters. Clauses 8 and 9 are designed to put an end to the mechanisms dating from colonial days whereby supervision of the legislation enacted by State Parliaments was achieved. Clause 8 will put an end to existing powers of the Queen to disallow a State Act to which the Governor has assented (see, for example, the Australian Constitutions Acts of 1842 and 1850) and will prevent any requirement for the operation of State laws to be suspended pending signification of the Queen's pleasure (see, for example, Clause VII of the current Instructions to the Western Australian Governor).

Clause 9 is aimed at discontinuing the role of Her Majesty in assenting to Bills of State Parliaments. Subclause 9 (1) provides that any law or instrument requiring a Governor to withhold assent from any Bill passed by a State Parliament in accordance with any applicable manner and form requirement, is to be of no effect (see, for example, Clause VII of the current Instructions to the West Australian Governor). Subclause 9 (2) will preclude the operation of any law or instrument which requires the reservation of any State Bill for the signification of Her Majesty's pleasure (see, for example, section 1 of the Australian States' Constitution Act, 1907).

Clause 10 corresponds to sections in various U.K. Independence Acts and provides that, after the commencement of the Acts, the United Kingdom Government is to have no responsibility for the government of any State. Clause 11 will terminate appeals to the Privy Council from Australian courts (defined in clause 16 (1)). (Appeals to the Privy Council from the High Court and all other federal courts, and from Territory courts have already been abolished by Commonwealth legislation subject only to section 74 of the Constitution, which no longer has any practical operation: *Kirmani -v- Captain Cook Cruises Pty Ltd (No. 2); Ex parte Attorney-General of Queensland* (1984) 58 A.L.R. 108). However, subclause 11 (4) provides that where an appeal has been instituted or special leave to appeal granted before the commencement of the Australia Acts, such appeals may proceed.

Clause 12, which supplements clause 1, expressly repeals section 4, subsections 9 (2) and (3), and subsection 10 (2) of the Statute of Westminster in so far as they form part of Australian law. Section 4 of the Statute of Westminster provides that no United Kingdom Act passed after the commencement of the Statute shall extend, or be deemed to extend, to a Dominion as a part of the law of that Dominion, unless it is expressly declared in that Act that that Dominion has requested, and consented to, the enactment thereof. Subsection 9 (3) provides that, in the case of Australia, the request and consent shall be the request and consent of the Parliament and Government of the Com-

monwealth. Subsection 9 (2) of the Statute of Westminster preserves the State's power to request the United Kingdom Parliament to legislate for the State in respect of certain matters within the authority of the State and not within the authority of the Parliament or Government of the Commonwealth. Section 4 and subsection 9 (2) will be superseded by section 1 the Australia Acts, which will abolish completely any power of the United Kingdom Parliament to legislate for Australia (see above). Since subsection 10 (2) provides that a Dominion Parliament may at any time revoke the adoption (inter alia) of section 4, this provision will become otiose upon the repeal of section 4.

Clauses 13 and 14 contain provisions amending closely corresponding provisions of the Queensland and Western Australian Constitutions. The other States do not have equivalent provisions. These changes are consequential upon the termination of the powers and responsibilities of the United Kingdom Government in respect of the States and other changes effected by the Australia Acts. Clause 15 is designed to secure the Australia Acts and the Statute of Westminster, as it operates in Australia, against any amendment or repeal which does not have support throughout Australia. A unique system has been devised by which such amendment or repeal may only be made if all State Parliaments and the Commonwealth Parliament agree. Subclause (3) leaves open the possibility that a future amendment to the Commonwealth Constitution using the section 128 referendum procedure might give the Commonwealth Parliament power to effect some alteration to the Australia Acts or the Statute of Westminster.

Clauses 16 and 17 will provide for matters of interpretation, short title and commencement. There are minor differences in clause 16 between the United Kingdom and Commonwealth Australia Acts because they will be Acts of different Parliaments. For example, the Statute of Westminster does not need defining in the United Kingdom Act. The Commonwealth Australia Bill bears the date '1986' since it is proposed that it should commence operation at the same time as the United Kingdom Australia Act.

Implementation of these changes will represent the completion of a unique project of major significance which has received the support of all Governments in Australia, regardless of their political composition. These changes will complete the process of Australia's constitutional development commenced at the beginning of this century. It will eliminate those laws and procedures which are anachronistic and substitute new arrangements which reflect Australia's status as an independent and sovereign nation. It will ensure the capacity of the States to exercise fully powers appropriate to their position in our Federation, freed at last from the legal fetters and limitations derived from their earlier status as British colonies. I commend this Bill to the House.

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

MENTAL HEALTH ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

ADJOURNMENT

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

That the House do now adjourn.

Mr HAMILTON (Albert Park): One of the things that has interested me for a long time is the fundraising activities of certain groups in the community, in particular, in the hospital arena. More specifically, I would like to refer to the Heart Beat groups which operate throughout South Australia and which are involved in fund-raising and contribute towards providing beds and other types of medical equipment to various hospitals. They also provide pre-operative and post-operative support for those people who are unfortunate—or, one could even suggest, fortunate—enough to undergo open-heart surgery.

I would like to publicise the Heart Beat fun run which will be held in Port Pirie next Sunday and which I will attend. It is in support of a very close friend of mine, Des Condor, who is the secretary of that group and who underwent a triple bypass operation in February this year. The Minister and the member for the area, the Hon. Gavin Keneally, will be in attendance, as will the member for Grey.

I believe that a lot of people do not understand the traumas that are associated with open-heart surgery. It is a traumatic time not only for the patient but also for members of the family, and, particularly in the case of a man, for his wife and the children. Having undergone a similar operation in 1964, I speak from experience. At that time the staff at the Royal Adelaide Hospital were magnificent in the way that they assisted me before and after the operation, but things have progressed since then. A lot more is understood about the problems associated with heart disease and the various types of surgeries that are performed to lengthen the lives of people who suffer from these diseases.

At the Queen Elizabeth Hospital, which is in my own electorate, there is a group that contributes enormously to patients and gives them moral support. It also supports the hospital in terms of special types of beds and equipment that help not only the patients (which is most important) but also those technical staff who are employed at that hospital. On 26 October there is to be a fun run from the Queen Elizabeth Hospital, going down Woodville Road and finishing at Westfield, Kilkenny. I would enjoin anyone in the community to support this group. The people in that group give of their time because they like to assist the hospital specifically, but in the main those volunteers comprise people who have undergone open-heart surgery. They feel that the best way that they can show their appreciation to those people who corrected the difficulties with their hearts is to try to raise additional funds to support that hospital, the technical staff and surgeons.

I believe that that function on 26 October will be very enjoyable. When people are coldly asked for money or donations by way of raffles, etc, they tend to turn away, but, when they see a fun run involving a group of supporters pushing a bed containing an ugly looking fellow like myself, or the member for Todd in the bed—

Mr Ashenden: Not together, I hope.

Mr HAMILTON: Certainly not together. I do not know the inclinations of the member for Todd, but I am well aware of mine.

The Hon. H. Allison interjecting:

Mr HAMILTON: I did not hear the interjection from the member for Mount Gambier—I hope it was said in jest. The community takes a great deal of interest in the activities of the many volunteer groups in South Australia and, as I said, specifically in Port Pirie and the Queen Elizabeth Hospital. I hope that these groups that have organised this function get all the publicity that is necessary to further their cause. No-one here can guarantee that they will not suffer at some time in the future from a similar complaint. It can strike any person, irrespective of background, whether one is rich or poor.

Most people have experience of a friend or someone in the family suffering from this complaint, and nothing is

more traumatic than when somebody suddenly has a heart attack and collapses, whether it be at home or in the community. I hope that the press picks this up and gives it all the publicity that it deserves.

I refer to a question that I asked in the Estimates Committee on 24 September this year. I suppose that very few of us go through life without making a mistake, and I am no exception. In relation to stolen property, I asked a question of the Deputy Premier, and I quote from *Hansard* of 24 September 1985, as follows:

> I refer to page 68 of the yellow book and licensing of marine store dealers, secondhand dealers and hawkers. It has been alleged that a considerable amount of stolen goods and property taken from homes and stores is flogged off at trash and treasure markets and backyard sales. Has the policing of these markets and sales had any impact? Have many offenders been caught selling stolen property at these markets and sales?

I must plead guilty to being ignorant of the fact that 'Trash and Treasure' is a registered name in South Australia. Yesterday a constituent came to see me and expressed concern that I had used that name. I said that I would place it on the public record that I was unaware that 'Trash and Treasure' was a registered name, but I pointed out that in my dealings with my electorate people have expressed hostility about goods being stolen, and it has been alleged that these goods turn up at Trash and Treasure sales.

I am now in a better position to inform my constituent that 'Trash and Treausre' is a registered name and that they should refer to such dealings as backyard sales, or some other sort of sales, but certainly not 'Trash and Treasure'.

Mr Ashenden interjecting:

Mr HAMILTON: Yes, as the member for Todd said, he was unaware of that. I would like to place on record my apology to my constituent; I certainly meant no harm. I consider that my intentions were honourable. Most members are aware of my considerable concern in relation to crime and vandalism in the six years that I have been in this Parliament, but it is worthy, and I hope that no harm has come to the professional reputation of my constituent and his firm of 'Trash and Treasure', which I understand is registered throughout Australia.

I have also been informed that that company helps many charities and service clubs in this State. Having said that, I realise that this goes to prove that members of Parliament are no different from anyone else: we do make mistakes. However, I believe that mine was an honest one and, as the member for Todd mentioned, he also was quite unaware of this situation.

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

Mr ASHENDEN (Todd): I would like to address three issues, if I have time, that reflect the problems that the community has in relation to the present Government. The first of these relates to the activities of the South Australian Government in absolutely trampling all over the Tea Tree Gully council. That council owns two recreation centres called Turramurra and Burragah respectively. Recently, the Tea Tree Gully council (and I stress that the council owns those centres) determined by a vote of council to lease those centres through SACRA.

Following that decision the ALP member for Newland, the ALP candidate for Newland and the ALP member for Florey jumped in and took action against that council, despite the fact that, of those three, two are elected members of the South Australian Parliament and should know full well that State Government has no place in the affairs of local government. Despite that, the three members of the Australian Labor Party to whom I have referred took a deputation to the Minister of Local Government and asked her to step in and stop the Tea Tree Gully council, a democratically elected body, from implementing its decision.

I am sure that members are well aware that councils comprise persons elected democratically by the ratepayers of the city that they are elected to represent. How would members of this Government feel if the Federal Government stepped in and overturned a decision that had been made by their Government and, more than that, took such action following representations from only one group of politicians from this House? After all, that is what the ALP members for Newland and Florey and the ALP candidate for Newland caused to happen in Tea Tree Gully. The democratically elected council decided to lease centres through SACRA, and those three persons took a small group with only one point of view as a deputation to the Minister of Local Government. Incredibly, the Minister decided to step in and prohibt the Tea Tree Gully council from proceeding with the decision that it had made legally.

The Minister has stepped in and said to the council, 'You can't proceed with your decision and lease your centres through SACRA, even though the council owns these centres and made its decision through its own democratic processes.' However, the story does not finish there. Having made that decision, the Minister obviously told the ALP member for Newland of her decision long before the Tea Tree Gully council was advised. Indeed, this week's *Leader Messenger* came out with a front page story stating that the Minister of Local Government had announced that she had banned the Tea Tree Gully council from leasing the centres that it owned through SACRA. This story must have been given to the *Leader Messenger* on Thursday of last week.

However, on Wednesday this week, the day on which the *Leader Messenger* was circulated publicly, that story was printed for all and sundry to see. The Tea Tree Gully council still has not had the courtesy extended to it of being advised by the Minister of Local Government that she has made a decision. If that is not gutter politics at its worst, I would like a better example.

Here we have the ALP members and a candidate for the area scuttling along to the Minister of Local Government behind the council's back and taking a deputation of people on which there was no representation from the council, asking the Minister to stop a decision made by a democratically elected council, and the Minister has not even had the courtesy to let the council know that there was to be a deputation. She did not even ask the council whether it would like to put its side of the matter. Purely and simply on political expediency, the Minister made a decision without consulting the council. She trod all over the council and just said, 'No, I don't care. You may own these centres and it may have been the decision of a democratically elected council, but I will impose my force on you so that you can't do it.'

I stress again that there was no consultation with the council to let it put its point of view. Having made the decision, did the Minister advise the council of it? No; she advised the ALP member for Newland, who gave the press release to the *Leader Messenger*. Indeed, the first that the council or the City Manager of the council knew about it was when that gentleman was contacted by a reporter for the *Leader Messenger* and asked for his comment. That is how this Government treats local government.

How would members opposite, including the Premier, feel if this Parliament made a decision and the Federal Government stepped in and overrode it? Say the Federal Government did not consult the Premier before making its decision and then, having made it, it did not tell the Premier but told the *Advertiser* and the *Advertiser* told the Premier: how would this Government react in such circumstances? How does this Government think that the Tea Tree Gully

council is reacting when it is shown what this Government thinks of local government?

There is absolute fury in the City of Tea Tree Gully over the actions of the Minister of Local Government, ALP members and candidates involved in this backdoor dirty little piece of politicking at the expense of a democratically elected local council. I assure members opposite that the residents of the north-eastern suburbs will be made well aware of how this Government treats democratically elected councils and does not bother to seek the opinion of a council but just goes ahead and makes its decision. I am flabbergasted that this Government and those three members of the ALP, two of them members of Parliament who should know better, have acted in that way.

Briefly, I shall refer to another matter in relation to the Banksia Park Primary School. Unfortunately, that school has over the past few months been subject to vandalism, and that vandalism is increasing. Much damage has been done at the school, resulting in broken windows, graffiti and other signs of 'normal' vandalism that unfortuantely is becoming far too common in our community.

The school council, through the Department of Housing and Construction (or the former Public Buildings Department), sought funds to install additional security lighting, but that request was refused. The school council then approached me and asked that I take up this matter with the Minister. I did that and wrote to the Minister outlining the problems. The Minister wrote back, saying, 'No; we will not provide the funds for extra security lights.'

Those lights would probably have cost at most $100 and, as just one act of vandalism would cost far more than that, we can see how poor are this Government's priorities. The Government will not provide that few dollars to install additional security lighting which would pay for itself 100 times over if it were installed. So, the Banksia Park Primary School is not secure because it has not adequate lighting. For a few measly dollars, the Government has stated that it will not put in a better lighting service for the school community.

I think that that is disgraceful, and I urge the Minister to reconsider his decision. The need for that security lighting is essential, and I wholeheartedly support the Banksia Park Primary School Council in its approaches. I hope that the Minister will reconsider and provide that desperately needed money.

Mr TRAINER (Ascot Park): I want to make a few remarks about a public meeting that was held a couple of weeks ago down on our side of town, addressed by the shadow Minister of Transport, the member for Davenport. A notice was placed in the local Messenger Press *Guardian* the day before, saying:

> Public Meeting: The North-south corridor, how it will affect you, the resident. Come and hear the Hon. D. Brown, M.P., shadow Minister of Transport, speak on the Liberal Party's preferred option for this route. A meeting will be held in the drama room, Seacombe High School on Thursday 19 September at 8 p.m.

I thought, well, when Caesar divided Gaul into three parts, the member for Davenport must have got two of them! I thought he had a bit of gall to call a meeting of that nature, without making it quite clear to people in my part of town that they were entitled to attend. Therefore, I made it my business to ensure that at least some residents in the Edwardstown and South Plympton areas were made aware of the meeting. I attended the meeting myself. I stress that I was on my best behaviour—I stood down at the back and just quietly listened as residents, who turned out in what were apparently quite unexpected numbers, expressed their widespread opposition to Liberal plans to carve up the western suburbs with a six-lane freeway.

At first the member for Davenport addressed about 100 people present on general transport matters. I think the organisers were a little astounded about the number of people who turned up—they started to run out of chairs after about 20 people had arrived. The member for Davenport spoke on traffic problems and inferred that the South Australian Government was doing nothing. He totally ignored matters such as the Emerson overpass, the plans to improve the Darlington interchange, and the efforts being made to improve public transport. He almost totally ignored Government proposals for South Road. Further, he seemed to imply that there was a panacea in the form of a north-south corridor.

The member for Davenport seems to use words rather interchangeably as part of his textacolour transport policy: one moment he is using the word 'corridor' in its correct context, meaning an area of land allocated to a possible use, while at other times he uses words such as 'road alignment' which have another meaning entirely—and he confuses those terms. He then uses words like 'freeway', 'motorway', and so on, quite interchangeably. Thus the residents of the area can be quite confused. What the honourable member says in one part of town he often contradicts with what he says in another part of town.

Anyway, these people, who were not all directly from the Seacombe area but from other areas affected, were rather disappointed with the map that the honourable member passed out. In fact, they considered it to be a bit of an insult to receive what looked like an inside cover of a street directory with a thin spidery textacolour line going up from Darlington through to Thebarton. That did not give them any information at all, and they considered it to be a bit of an insult to their intelligence—but, of course, they had not had much more in the way of information from him, anyway.

I think the honourable member was rather embarrassed with the questions that were being thrown at him at the time. I stress that as far as I was aware there was only one person present who was a Labor sub-branch member from my area, and he attended for about the first 10 minutes or so and then left. All the rest of the people who attended were exactly as they appeared to be—genuinely concerned residents who found themselves in the firing line of what the Liberals are proposing. The letter that the honourable member passed out with the map had some very wild statements in it; for example:

> The majority of the land for the corridor is already owned by the State Government.

That is grossly incorrect. There is only one small part of the old north-south corridor from Reynella through to Thebarton where that figure is remotely correct, and that is the section where the Government is planning a third arterial road south of Darlington and in that area the percentage of land that is owned by the Highways Department is in the vicinity of 52 per cent overall. The section from Sturt Road to Marion Road is defined as broadacres; from Marion Road to Seacombe Road, the Highways Department owns 34 per cent of properties; and from Seacombe Road to Seacombe Heights it owns 73 per cent of properties; while from Seacombe Heights to Majors Road there are broadacres. The total overall figure is 52 per cent.

But in the area referred to by the member for Davenport, sometimes referred to in my area as 'devious Dean from Davenport', the figures are much lower indeed. Between Anzac Highway and the Glenelg tramline, for a four lane proposal, the figure in relation to land already owned is 40 per cent; from the Glenelg tramline to Cross Road it is 40 per cent; from Cross Road to Daws Road, 29 per cent; from Daws Road to Sturt Road, 20 per cent; and then there is a broadacres section from Sturt Road to Marion Road. Altogether, the total number of blocks owned by the Govern-

ment is 199 out of a total of 626 which would be required for a four lane proposal.

In relation to the old eight lane proposal of the original MATS plan of 1968, 291 properties out of 889 required are presently in the possession of the Highways Department, which is only 33 per cent. I think that that completely puts the lie to the statement of the member opposite that the majority of land for the corridor is already owned by the State Government.

Certainly, a little more compassion has been shown in the past by the honourable member's predecessor as Liberal spokesman for transport. Even before he became the Minister of Transport in 1979, the Hon. Michael Wilson (member for Torrens), in the *News* of 12 May 1978, in an article headed 'Are we on the road to despair' said:

> What are the solutions for the future? First, by public consensus a network of freeways is unacceptable. Ever since the ill-fated MATS plan of the late 1960s this illusion has been rejected as environmentally disastrous. Our planners have suggested that one major north-south trafficway may have to be constructed in the future bypassing the city. Whether this will eventuate, however, I very much doubt.

He then went on to say:

> There seems to be no argument against the upgrading and widening of our main arterial roads, and in fact this is occurring now and will continue to happen, whoever is in government.

That upgrading of the main arterial road system will take us through to very close to the beginning of the next century. At the time when the Premier announced a couple of months ago that a third arterial road would be provided from Reynella to Sturt Road, Darlington, at a cost of $45 million, it was intended that that road would provide a third arterial link from the southern suburbs to the rest of Adelaide.

This, plus improvements to the South Road, such as the Emerson overpass, completed in the 1984-85 financial year at a cost of about $10.9 million, and the widening proposed between Daws Road and Anzac Highway, due to commence the 1985-86 financial year, at an estimated cost of $3.5 million, plus the new Hilton bridge and improvements to Burbridge Road, at an estimated cost of $13 million, will provide sufficient capacity to handle the expected growth in traffic over the next 10 or 15 years. Total traffic in Adelaide is expected to grow by 44.4 per cent, from 1.8 million vehicles weekday in 1981 to 2.6 million vehicles weekday in 1996, representing an annual growth of 2.5 per cent per annum in the period 1981-96.

That work initiated by the Government will provide exactly what the member for Davenport proposes, but at considerably less cost than $200 million and without the need to acquire homes. We will thus obtain better value for money. The present Government's proposals are far more cost effective and will not be as socially destructive as those outlined by the Opposition. The Opposition's proposals that are being outlined are being put forward under a cloud of confusion as to what their timetable is.

At the meeting, the member for Davenport seemed to imply that the freeway south of Darlington would be commenced in the third year of a Liberal Government's forthcoming term of office—should such a thing ever occur! However, the honourable member was a bit vague about when the major disruptive part of it, through my area, would be incorporated. We understand from some of his conflicting statements that that would probably be around the year 2000.

Nevertheless, the Liberal candidate for Fisher apparently told a local meeting that the corridor would be started much sooner than that. He told us that the corridor would be a four lane, limited access road. Here, once again, we find this misuse of words: a corridor is not a road, and a road is not a corridor. A corridor is an allocation of land, while a road is the actual device by which the vehicles are carried. I am not quite sure how the Liberal candidate for Fisher could be quite so confused about the meaning of those two terms. It just seems that for blatant political purposes the member for Davenport has disinterred the old MATS plan, just as an election gimmick, and it is what I call a particularly smelly case of political necrophilia.

Motion carried.

At 4.20 p.m. the House adjourned until Tuesday 22 October at 2 p.m.